

WATER PERMIT NO. 5781-3

Phone: 605-232-4412

Name of Applicant: McCook Lake Recreation Association

Post Office Address: 343 Lake Shore Drive, McCook Lake SD 57049

Amount of Water Claimed: 4.95 cfs-2230 gpm Total Acres: NA

Source of Water Supply: Missouri River

Water to be used for: recreational County: Union

About 4 miles SE of Jefferson

PRIORITY Date Received: 8-12-93 Fee: \$925.00 Remarks: Increases

the diversion rate authorized by Permit No. 4430-3 for a total of 2800 gpm

Corrected Application Received: _____ Period of Annual Use: April 1 - Nov 31

WATER QUALITY APPROVAL RECEIVED: NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS: _____

Diversion Point: NW 1/4 SW 1/4 Sec 21-T89N-R48W

Land to be Irrigated: _____

	⊗	21			

Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: _____ REMARKS: _____

Type of Map: aerial PREPARED BY: Greg Johnston Reviewed and the Number

Assigned on: 8-13-93 By: Karen Schlaak

FORM 2: Application for uses other than irrigation

(type or print)



Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 5781-3 Hydrologic Unit 10170101
Basin Vermillion River
Newspaper Elk-Point Leader Courier, Box 310
(office use only)

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water:

☐ Municipal ☐ Suburban Housing ☒ Recreational ☐ Institutional
☐ Rural Water System ☐ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☐ Domestic ☐ Industrial ☐ Other _____
(over 18 gpm)

Type of Application: ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☒ Amendment/Correction to Permit No. 4430-3

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

to provide an additional 2230 gpm from Missouri River
into McCook Lake for a total of 2800 gpm

1. Name of Applicant McCook Lake Recreation Assoc Phone 605-232-4412
(check one) ☐ Owner ☐ Tenant/lessee

Mailing Address 343 Lakeshore Drive McCook Lake State SD 57049
(Street, RR, or Box) 2230 add'l (City) (Zip Code)

2. Amount of water claimed 4.95 *CFS or ~~2800~~ **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Missouri River

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
NW1/4 SW1/4 Sec 21-T89N-R48W

County Union

5. County or counties where water will be used Union

6. Annual period during which water is to be used April 1 through Nov 31

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

The pump located on the Missouri River transfers
water into McCook Lake to maintain Lake level.
This is especially important during our dredge operation

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

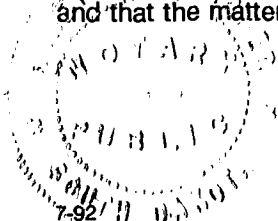
County of UNION SS

I, MIKE P. ZEDIGER, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed Mike P ZedigerSubscribed and sworn to before me this 11 day of AUGUST 19 93

Annette Wagner
Notary Public

Epp date 11/17/96



**SOUTH DAKOTA
WATER PERMIT NO. 5781-3**

Date of first receipt of application August 12, 1993.

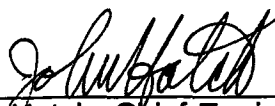
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5781-3 to McCook Lake Recreation Association, 343 Lakeshore Drive, McCook Lake SD 57049 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5781-3 increases the diversion rate authorized by Water Permit No. 4430-3. Water Permit No. 4430-3 appropriates 1.27 cubic feet of water per second (cfs) (570 gallons per minute) from the Missouri River located in the NW 1/4 SW 1/4 Section 21-T89N-R48W. This permit increases the water appropriation from the Missouri River from 1.27 cfs to 6.22 cfs (4.95 additional cfs) for a total diversion of 2800 gallons per minute. This permit authorizes diversion of Missouri River water only when the McCook Lake water elevation is below 1090.3 feet mean sea level.
2. The water appropriated shall be used for the purpose of supplying water to McCook Lake and may not exceed the amount of water needed for beneficial use for recreational purposes.
3. The water is to be used during the following described annual period: April 1 - November 30.
4. The date of approval of Permit No. 5781-3 is October 18, 1993.
5. The date from which applicant may claim right is August 12, 1993.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

Water Permit No. 5781-3 authorizes diversion of Missouri River water only when the McCook Lake water elevation is below 1090.3 feet mean sea level.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

NOV 3 1993
date

RECEIPT

413855

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, August 12, 19 93

RECEIVED OF McCook Lake Recreation Assn., Jefferson, SD 57038

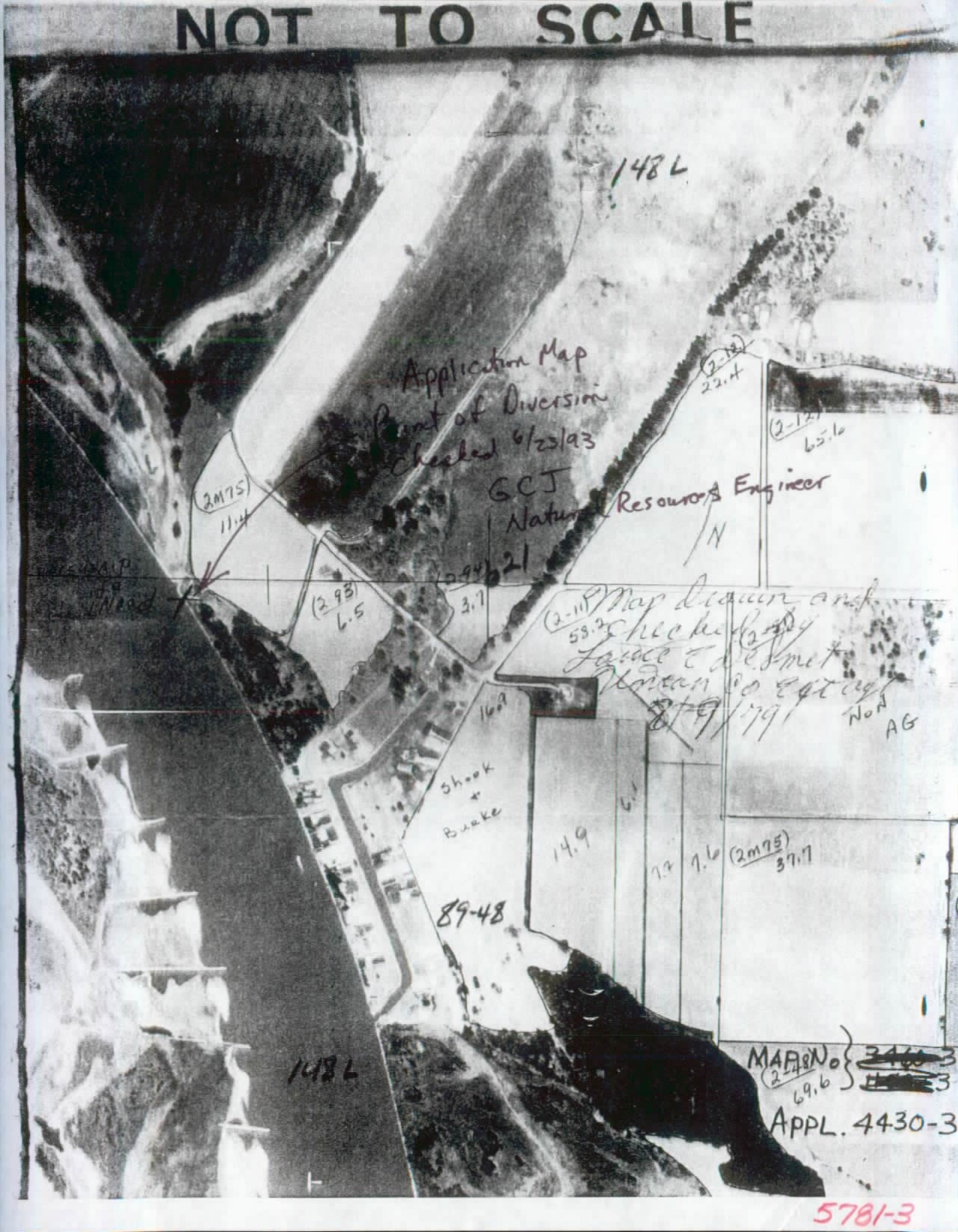
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>5781-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	925	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	925 00

By John Hatch
Chief Engineer

NOT TO SCALE



148 L

Application Map
Point of Diversion
checked 6/23/93
GCT
Natural Resources Engineer

(2-12)
22.4

(2-12)
65.6

(2M75)
11.4

(2-93)
6.5

(2-94)
3.7

(2-11) Map drawn and
checked by
James E. Desmet
Nolan Co. Est. Co.
8/9/79
Non AG

Shook
&
Brake

14.9

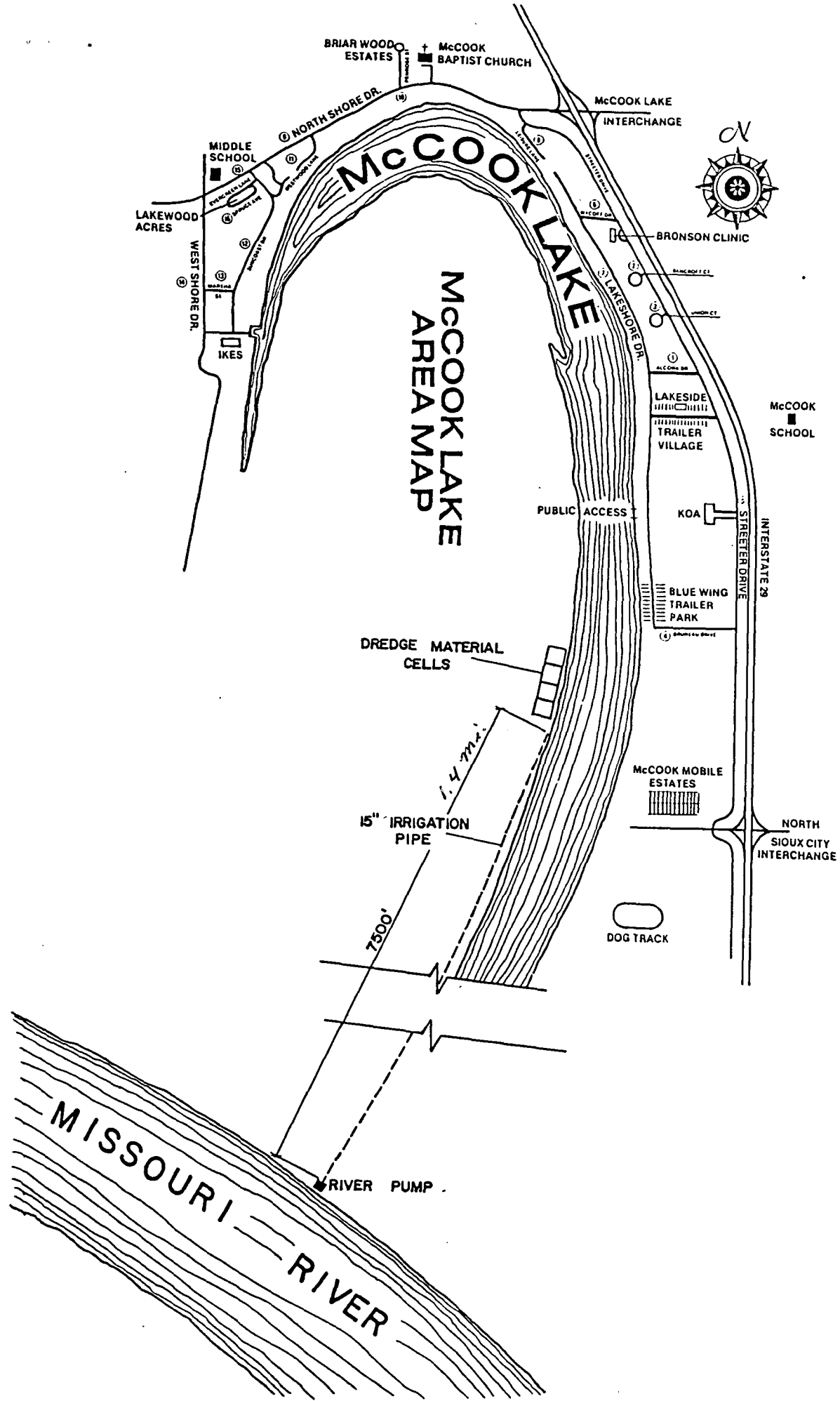
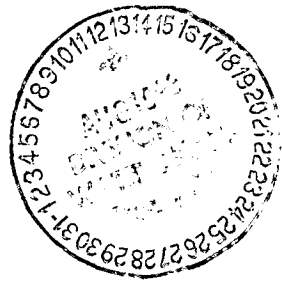
89-48

(2M75)
39.7

MAP No. 3460-3
(2-48) 69.6

APPL. 4430-3

5781-3





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

August 6, 1993

Dorothy Gill
343 Lakeshore Drive
McCook Lake, SD 57049

Dear Mrs. Gill:

This letter is in regards to our conversation today concerning the status of the water permits and license for McCook Lake Recreation Association. Below is a basic layout of what we spoke about:

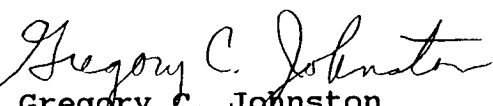
Water License No. 1606-3 appropriates 5.58 cfs (2511 gpm) from the old well located down by the SODRAC track. According to my inspection on June 23, 1993, the well was only capable of producing 400 gpm or 0.89 cfs at present. Water Permit No. 4430-3 appropriates 1.27 cfs (570 gpm) from the Missouri River. Currently the pump is capable of diverting 2800 gpm (6.22 cfs). Water Permit No. 4565-3 appropriates 2.11 cfs (950 gpm) from a newer well located by the public access area. This well is capable of producing 700 gpm (1.56 cfs) and will be licensed for that amount.

Since the old well under 1606-3 is only producing 400 gpm, the license would be rewritten from 5.58 cfs to 0.89 cfs (400 gpm). I will send an application form to appropriate an additional 2230 gpm (4.95 cfs) (6.22 cfs - 1.27 cfs = 4.95 cfs) from the Missouri River diversion point for McCook Lake.

Enclosed is an application form and instruction sheet for the appropriation of water. Please complete the application and have it notarized, as well as submit all the circled items on the application sheet. Send these items to the address given on the application form. In addition, a fee of \$925.00 will be charged for the 2230 gpm diversion rate. A breakdown of the cost is given on the back sheet of the instruction sheet.

Your immediate attention is appreciated, and if you need further assistance, please feel free to contact me.

Sincerely,


Gregory C. Johnston
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosures

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Dorothy Gill, McCook Lake Recreational Assoc.

ADDRESS: 343 Lakeshore Drive McCook Lake, SD 57049 **COUNTY:** Union

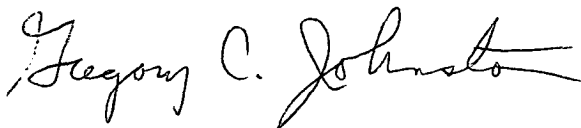
DATE: 8/6/93 **TELEPHONE:** 232-4412

RE: Status of Permit Nos. 1606-3 and 4430-3

COMMENTS: I called and spoke to Mrs. Gill and discussed with her the above permits for maintaining water levels on McCook Lake. License No. 1606-3 appropriates 5.58 cfs (2511 GPM) from one well located adjacent to the lake near the SODRAC track. During my inspection on 6/23/93, I discovered that this well was only capable of producing 400 GPM. Mrs. Gill was not certain of what the well had produced in the past three years, only that the rate of diversion had decreased to 400 GPM over the last year.

Water Permit No. 4430-3 appropriates 1.27 cfs (570GPM) from the Missouri River. Presently, the pump is capable of diverting 2800 GPM (6.22 cfs) from the river. I suggested that the Recreational Association do one of two things: First, repair or drill a new well near the old well to divert the 5.58 cfs permitted by No. 1606-3 and decrease the diversion from the river to 570 GPM. Second, to leave the well at 400 GPM and I'll rewrite the License to divert only 400 GPM and apply for an additional 2230 GPM (4.95 cfs) from the River diversion.

Mrs. Gill asked me to send a letter and an application form to divert the additional 4.95 cfs from the river and a letter explaining the status of the Water Permits and License. She will attempt to bring these items before the board of the McCook Lake Recreation Association in the near future and the board will make a decision regarding the situation as soon as possible.



Gregory C. Johnston
Natural Resources Engineer



August 10, 1993

Gregory Johnston
Natural Resources Engineer
Water Rights Division
Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181.

Dear Mr. Johnston,

Enclosed please find the application of the McCook Lake Recreation Association to amend the Water Permit No. 4430-3 and with it, a check for \$925.00 to cover the filing fee.

Thank you for your offer to help us with the map requirement that is requested on the application. Your advice and support in my recent telephone conversation with you was also very appreciated. If I can be of further assistance, please feel free to call.

Sincerely,

Ray Ferrari

Ray Ferrari
McCook Lake Recreation Association
311 Lakeshore Drive
McCook Lake, South Dakota 57049

REPORT ON WATER PERMIT APPLICATION NO. 5781-3
MCCOOK LAKE RECREATION ASSOCIATION
AUGUST 24, 1993

Application No. 57⁸¹~~77~~-3, McCook Lake Recreation Association, proposes to increase the diversion rate authorized by Water Permit No. 4430-3. Water Permit No. 4330-3 appropriates 1.27 cubic feet of water per second (cfs), 924.8 acre-feet annually, from the Missouri River. The diversion points is located in the NW1/4 SW1/4 Section 21-T89N-R48W. A June 23, 1993 inspection of Water Permit No. 4565-3, by staff engineer Greg Johnston, found the pump diverting water from the Missouri River capable of pumping 6.22 cfs. This application proposes to increase the water appropriated from the Missouri River from 1.27 cfs to 6.22 cfs (4.95 additional cfs). The water is for recreational use to maintain the water level in McCook Lake. McCook Lake is located in Union County near North Sioux City, SD.

The McCook Lake Recreation Association also holds Water Right No. 1606-3 and Water Permit No. 4565-3 for diverting groundwater from two wells for recreational use to maintain the water level in McCook Lake. At a December 2 and 3, 1981 Water Management Board Hearing, the Water Management Board established the maximum elevation that McCook Lake can be maintained at by artificial means as 1090.3 feet mean sea level (msl). At that time Water Right No. 1606-3 and Water Permit Nos. 4430-3 and 4565-3 were amended to allow pumping only when McCook Lake's water elevation is below 1090.3 feet msl.

Review of the Water Source and Existing Water Rights

The source of water for this project is from the Missouri River at a point below Gavins Point Dam. Water quantity would not be a problem. Water Permit No. 4430-3 was approved on January 28, 1981. The Division of Water Rights has no record of complaints concerning this project. Adverse affects to existing water users would not be expected.

Conclusions

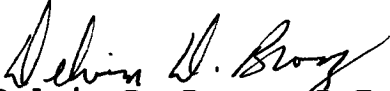
1. Application No. 5781-3 proposes to increase the diversion rate from 1.27 cfs as authorized by Permit No. 4430-3 to 6.22 cfs.
2. The source of water would be from the Missouri River. Adverse affects to existing water users would not be expected.
3. The water is to be used for recreational purposes to maintain water levels in McCook Lake.
4. The Water Management Board has established the maximum elevation that McCook Lake can be maintained at by artificial

means as 1090.3 feet mean sea level. If approved this permit should contain this qualification.



Mark D. Rath
Natural Resources Engineer III

Approved by,



Delvin D. Brosz, P.E.
Natural Resources Engineer IV

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5781-3, McCook Lake Recreation Association

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5781-3, McCook Lake Recreation Association, c/o Mike P. Zediker, 343 Lakeshore Drive, McCook Lake, SD 57049.

The Chief Engineer is recommending APPROVAL of Application No. 5781-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

Water Permit No. 5781-3 authorizes diversion of Missouri River water only when the McCook Lake water elevation is below 1090.3 feet msl.

See report on application for additional information.


JOHN HATCH, Chief Engineer
September 16, 1993



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

September 22, 1993

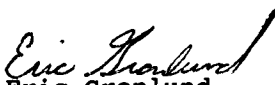
Ray Ferrari
McCook Lake Recreation Association
343 Lake Shore Drive
McCook Lake, SD 57049

Dear Mr. Ferrari:

Water Permit Application No. 5781-3 for recreational use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Elk Point Leader-Courier printed at Elk Point, SD (Ph # 356-2632). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

September 22, 1993

Elk Point Leader-Courier
Box 310
Elk Point, SD 57025

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5781-3 to be published twice. Please publish the first notice on September 30, 1993, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is McCook Lake Recreation Association, 343 Lake Shore Drive, McCook Lake, SD 57049 (Ph # 232-4412).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on September 30, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5781-3 to Appropriate Water
and to Amend Water Permit No. 4430-3

Notice is given that McCook Lake Recreation Association, Ray Ferrari, 343 Lake Shore Drive, McCook Lake, SD 57049 has filed an application for a water permit to increase the diversion rate authorized by Water Permit No. 4430-3. Water Permit No. 4430-3 appropriates 1.27 cubic feet of water per second (cfs) [570 gallons per minute] from the Missouri River located in the NW 1/4 SW 1/4 Section 21-T89N-R48W. This application proposes to increase the water appropriation from the Missouri River from 1.27 cfs to 6.22 cfs (4.95 additional cfs) for a total diversion of 2800 gallons per minute. This application, if approved, will authorize diversion of Missouri River water only when the McCook Lake water elevation is below 1090.3 feet msl. The water is for recreational use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5781-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 18, 1993.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss
 County of Union)

I, Lester E Emerson

certify that the attached printed Notice was
 taken from the The Leader-Courier

printed and published in Elk Point

County of Union and State of

South Dakota. The notice was published in
 the newspaper on the following two dates:

September 30, 1993

October 7, 1993

Cost of Printing: 40 59

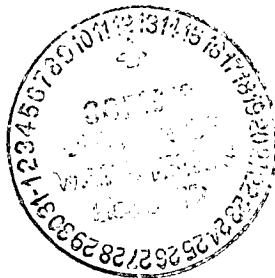
(Signature)

Publisher-Editor

(Title)

October 7 1993

(Date Signed)



**NOTICE OF APPLICATION
 NO: 5781-3 TO APPROPRIATE
 WATER AND TO AMEND
 WATER PERMIT NO. 4430-3**

Notice is given that McCook Lake Recreation Association, Ray Ferrari, 343 Lake Shore Drive, McCook Lake, SD 57049 has filed an application for a water permit to increase the diversion rate authorized by Water Permit No. 4430-3. Water Permit No. 4430-3 appropriates 1.27 cubic feet of water per second (cfs) [570 gallons per minute] from the Missouri River located in the NW ¼ SW ¼ Section 21-T89N-R48W. This application proposes to increase the water appropriation from the Missouri River from 1.27 cfs to 6.22 cfs (4.95 additional cfs) for a total diversion of 2800 gallons per minute. This application, if approved, will authorize diversion of Missouri River water only when the McCook Lake water elevation is below 1090.3 feet ms. The water is for recreational use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5781-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 18, 1993.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

Pub. Sept. 30 and Oct. 7



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

NOV 3 1993

Mike P. Zediker
McCook Lake Recreation Association
343 Lakeshore Drive
McCook Lake, SD 57049

Dear Mr. Zediker:

Enclosed is Water Permit No. 5781-3 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

DEAR JOHN,

HERE IS THE CHECK FOR OUR WATER
PERMIT #5781-3.

OUR LAST PERMIT WAS GOOD FOR
SEVEN YEARS, WHEN DOES THIS PERMIT
EXPIRE?



THANK YOU

Mike P Zediker

MIKE P. ZEDIKER
151 SUNCOAST DR.

MCCOOK LAKE, SD 57049

RECEIPT

413941

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ November 15, 19 93

RECEIVED OF McCook Lake Rec Assn., PO Box 1185, North Sioux City, SD 57049

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5781-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

NOV 14 1994

5781-3

Ray Ferrari
McCook Lake Recreation Association
343 Lakeshore Drive
McCook Lake, SD 57049

Dear Mr. Ferrari:

Enclosed is Water License No. 5781-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413941 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5781-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

rd
enclosures

NOTE: The applicable portions of Water Permit No. 4430-3 have been incorporated into this Water License No. 5781-3.

CHECK LIST FOR FIELD INSPECTION

Permit Number 4430-3 Date 6/23/93
Other permit(s) associated with the project 1666-3/ 4565-3

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

1. Diversion point legal location: See appl. Map - ok
Out of Missouri River - permitted for 1.27 cfs - pumping 2800 GPM
(6.22 cfs)

2. Well Information: Well Drilling Firm N/A

No. of Wells — Depth(s) —

a) Casing 1) diameter — inches b) Screen 1) type —

2) length — feet 2) length — feet

3) type — c) Pump 1) make Gorman Rupp

d) Static Water Level — feet 2 pumps 2) model T10A60-B

e) Motor: 3) size ? inches

1) make Lincoln - AC Motor 4) capacity 2800 GPM

2) model No. TF-5030A113641 Frame 5) turbine pump - No. of stages —

3) horsepower rating 60 6) operating pressure 15 PSI

** Also 2nd pump - need info on it! (standby)*

3. Distribution lines or canals:

a) type Cast Iron/PVC b) size 24"/15" c) length 100'/7500'

from Missouri River to Mc Cook lake

4. System Type:

a) Sideroll:

1) length — feet

2) diameter of pipe — inches

3) sprinkler spacing — feet

b) Towline:

1) length — feet

2) sprinkler spacing — feet

4. System Type (continued):

c) Siphons:

- 1) size _____ inches
- 2) number _____

e) Center pivot:

- 1) make _____
- 2) overall length _____ feet
- 3) number of towers _____
- 4) distance between towers _____ feet
- 5) end gun _____ (Y/N)
- 6) high or low pressure _____
- 7) capacity _____ GPM

d) Gated pipe:

- 1) length _____ feet
- 2) diameter _____ inches
- 3) spacing of gates _____ inches

f) Gun:

- 1) make _____
- 2) nozzle size _____ inches
- 3) capacity _____ GPM
- 4) hose size _____ inches
- 5) hose length _____ feet

5. Dam Information:

- a) height to crest _____ feet
- b) height to primary spillway _____ feet
- c) height to secondary spillway _____ feet
- d) crest width _____ feet
- e) crest length _____ feet
- f) spillway length _____ feet
- g) spillway width _____ feet
- h) approx. storage _____ ac-ft
- i) approx. storage to crest _____ ac-ft
- j) date constructed _____

k) outlet tubes:

- 1) diameter _____ inches
- 2) type _____
- 3) valved _____ (Y/N)
- 4) valve type _____
- 5) location on structure _____

- l) category of dam _____ (I,II,III)
- m) inspection sheet completed _____ (Y/N)
- n) name of contractor _____

6. Chemigation Equipment:

- b) main line check valve _____ (Y/N)
- d) low pressure drain _____ (Y/N)
- f) interlock type _____
- g) injection pump type _____
- i) injection line check valve or positive displacement pump _____ (Y/N)
- j) all chemigation equipment appears to be installed in proper position and comply with chemigation laws and rules _____ (Y/N)
- k) comments :
- a) does chemigate _____ (Y/N)
- c) inspection port/air relief _____ (Y/N)
- e) discharge is 20' from source _____ (Y/N)
- h) injection check valve _____ (Y/N)

Permit No. 5781-3 & 4430-3
Vermillion River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DENR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by McCook Lake Recreation Association of 343 Lakeshore Drive, McCook Lake, SD 57049 holder of Permit Nos. 4430-3 and 5781-3, bearing priority dates of August 17, 1979 and August 12, 1993 authorizing the diversion of 1.27 cfs (8-17-79) and 4.95 cfs (8-12-93) from the waters of the Missouri River for recreational purposes, in Union County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

2 Gorman Rupp pumps (one on standby) - 2800 gpm

B. Works used to transport water to place of use:

cast iron and PVC distribution lines from the Missouri River to McCook Lake

C. Works used to apply water to beneficial use:

same as "B"

The system is in the following condition good. The point of diversion is located NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, T89N, R48W. The works are capable of diverting and conveying to the place of use 6.22 cu. ft. per second of water which is to be used for recreational purposes. Water has been put to beneficial use to the maximum extent as follows:

Water is pumped from the Missouri River to McCook Lake to maintain the lake elevation. Diversion of water from the Missouri River is authorized only when McCook Lake water elevation is below 1090.3 ft msl.

The license should be issued for 6.22 cfs (1.27 cfs from August 17, 1979 and 4.95 cfs from August 12, 1993).

Applicable permit qualifications have been complied with: Yes ☒ No

Inspected June 23, 1993 by Greg Johnston, Staff Engineer. Inspection report reviewed by:

Gale N. Selken

Gale Selken
Natural Resources Engineer IV
DENR, Water Rights Division

16 Aug 94 (date)

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5781-3

(1) McCook Lake Recreation Association, of 343 Lakeshore Drive, McCook Lake SD 57049 made Application No. 5781-3, August 12, 1993 for a water permit to appropriate an additional 4.95 cubic feet of water per second (cfs) from the Missouri River, Union County, South Dakota for recreational purposes. Permit No. 5781-3, with a priority date of August 12, 1993 was approved October 18, 1993 and issued to the applicants for diversion of water with construction of the described water supply system completed and the application of said water completed.

Water Permit No. 5781-3 increases the diversion rate authorized by Water Permit No. 4430-3. Permit No. 4430-3 appropriates 1.27 cfs and retains a priority date of August 17, 1979. Permit No. 5781-3 appropriates 4.95 cfs and retains a priority date of August 12, 1993.

The applicable portions of Water Permit No. 4430-3 have been incorporated into this Water License No. 5781-3.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 6.22 cubic feet of water per second for beneficial use. The location of the diversion point is NW 1/4 SW 1/4 Section 21-T89N-R48W.

(3) The applicant has complied with the provisions of South Dakota Law relating to the application of water to beneficial use. The water diverted from the Missouri River is used to maintain the water level in McCook Lake. Water can only be pumped from the Missouri River water when the McCook Lake water elevation is below 1090.3 feet mean sea level.

(4) Pursuant to South Dakota Water Law 46-5-30.1 McCook Lake Recreation Association of 343 Lakeshore Drive, McCook Lake SD 57049 the holders and/or owners of Incorporated Water Permit No. 5781-3 is issued a license to appropriate water, the right to use 6.22 cubic feet of water per second from the Missouri River with priority dates of August 17, 1979 and August 12, 1993 from the location specified in (2) of this license. The water is used for the purpose of recreational use. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5781-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

NOV 14 1994

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 14, 2001

Dave Nitzschke
McCook Lake Recreation Association
315 Lake Shore Drive, Box 1185
McCook Lake SD 57049

Dear Mr. Nitzschke:

On the recent 2000 South Dakota Water Use Questionnaire submitted for the McCook Lake Recreation Association you inquired about extending the pumping period. Currently, the Association holds water rights from the Missouri River and ground water wells to maintain the McCook Lake's water level. Although the dates when pumping is allowed varies with the specific water rights; in general, pumping is allowed from April 1st thru November 1st. The Association wants to change the period of pumping to March 1st thru December 1st.

A change to the pumping period is an amendment to the existing water rights held by the Association. Amending the water rights will require an application to be submitted. A copy of the application forms is enclosed. Separate applications will need to be submitted to amend the Missouri River water right and the ground water well water right since they are different water sources. For each of the two applications, a \$100 application/licensing fee will also need to be submitted. I also want to make you aware that these applications to amend will need to be public noticed as part of the water right permitting process.

Finally, we understand that the Association may be investigating moving the location of their Missouri River diversion point. If this is the Association's intent, you can include the change of diversion point on the same application as amending the pumping period from the Missouri River.

Please feel free to contact me if you have any questions. I am willing to assistance you in getting the water rights so the accurately reflect the Association's operation of the water system.

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures



SEP 17 2002

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

5878A-3

Dave Nitzschke
McCook Lake Recreation Association
#83 North Shore Drive
McCook Lake SD 57049

Dear Sir:

Enclosed is Water License No. 5878A-3. Water License No. 5878A-3 is the final document which completes the process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: The applicable portions of Water Permit Nos. 5781-3 and 5878-3 have been incorporated into Water License No. 5878A-3.