

WATER PERMIT NO. 5831-3

Phone: 605 487-7847

Name of Applicant: U.S. Army Corps of Engineers

Post Office Address: PO Box 109, Pickstown SD 57367

Amount of Water Claimed: 33 acre feet Total Acres: --

Source of Water Supply: Garden Creek

Water to be used for: fish & wildlife production County: Charles Mix

Location: 3 miles northwest of Pickstown

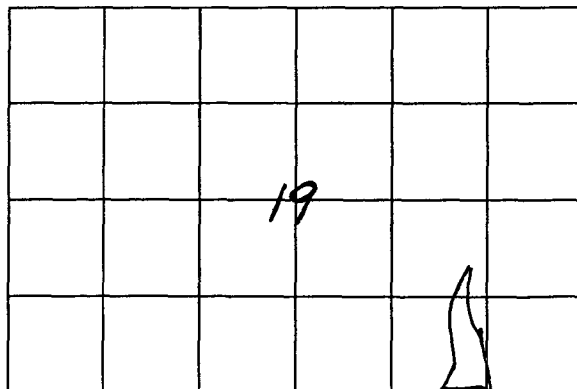
PRIORITY Date Received: 6-14-94 Fee: \$150.00

Corrected Application Received: 6-22-94 Period of Annual Use: Jan 1 - Dec 31

Remarks: _____

Diversion Point: SE 1/4 SE 1/4 Sec 19-T96N-R65W

Water impounded: E 1/2 SE 1/4 Sec 19-T96N-R65W



Well Log: Driller: _____ Licensed: YES ____ NO ____

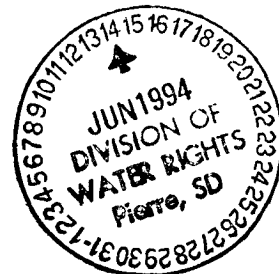
Depth of Well: _____ REMARKS: _____

Type of Map: topo Prepared By: Jeff Swan Reviewed and the Number

Assigned on: 6-30-94 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. 5831-3 Hydrologic Unit 10140101
Basin Missouri River
Newspaper Wagner Post, Box 187, Wagner 57380-0187
(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. _____

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

1. Name of Applicant U.S. Army Corps of Engineers Phone 605-487-7847
(check one) ☒ Owner ☐ Tenant/lessee

Mailing Address P.O. Box 109 Pickstown State SD 57367
(Street, RR, or Box) (City) (Zip Code)

2. Amount of water claimed _____ *CFS or _____ **GPM Maximum 33 ***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 Garden Creek

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Earthen dike 170' west of
SE corner of Section 19 T 96 N R 65 W (SE 1/4 SE 1/4) Water Impounded: E 1/2 SE 1/4
Sec 19-T96N-R65W & SW 1/4 SW 1/4 Sec 20-T96N-R65W County Charles Mix

5. County or counties where water will be used Charles Mix

6. Annual period during which water is to be used Annually Jan 1 - Dec 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)

Construction of a 42' X 28' earthen dike with 6' wing walls and 4' front. Approximate 42' X 12' inside slope covered with filter fabric and rock. The dike will back up water to the three foot level (elevation 1362.00) and excess will flow out secondary culverts at elevation 1362.00. Area will be managed as a water fowl nesting and brood rearing habitat or public property, by maintaining shallow water (2-4 ft. depth) and cattail habitat in the existing basin. Uses of this management area include hunting and an occasional grazing has been permitted as a management tool to rejuvenate the surrounding grassland.

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 _____)ss

I, MERRITT C. STEGMEIER, 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 Merritt C. Stegmeier

Subscribed and sworn to before me this 13 day of June 19 94

Diane Van Eicken
Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
 On applicants property _____ On property owned by others _____

2. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

U.S. Army Corps of Engineers
 P.O. Box 109
 Pickstown, SD 57367

b) Freeboard 1'

c) Crest Width 3'

Crest Length 98'

d) Height 4'

e) Primary Outlet Capacity N/A

If pipe, diameter N/A

f) Secondary Spillway Capacity _____

Spillway Width 42'

g) X & Y Slope

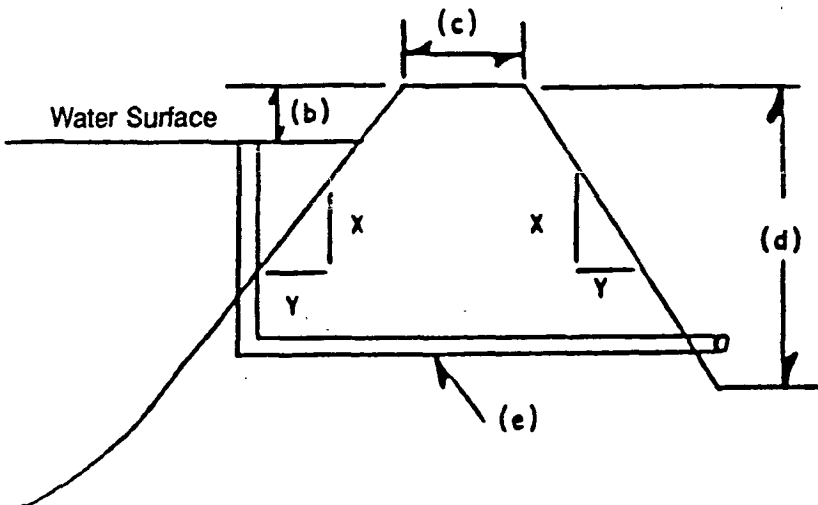
Upstream 1 to 3

Downstream 1 to 3

h) Surface Area of Impoundment 11

i) Storage 33 Acre Feet

j) Drainage Area above Dam 14,720 Acres



**SOUTH DAKOTA
WATER PERMIT NO. 5831-3**

Date of first receipt of application June 14, 1994.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5831-3 to U.S. Army Corps of Engineers, PO Box 109, Pickstown SD 57367 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. 5831-3 authorizes impoundment of 33 acre-feet of water from Garden Creek by constructing a dike located in the SE 1/4 SE 1/4 Section 19 with water impounded in the E 1/2 SE 1/4 Section 19 and SW 1/4 SW 1/4 Section 20; all in T96N-R65W. This permit authorizes impoundment of water sufficient to maintain water at the outlet elevation of 1362.0 feet mean sea level.
2. The water appropriated shall be used for the purpose of providing habitat for fish and wildlife production and may not exceed the amount of water needed for beneficial use for fish and wildlife production purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 5831-3 is September 2, 1994.
5. The date from which applicant may claim right is June 14, 1994.
6. One-fifth of the construction is to be completed on or before March 2, 1997.
7. All construction is to be completed on or before September 2, 1999.
8. Water is to be put to beneficial use on or before September 2, 2003.
9. 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. 5831-3 authorizes storage of 33 acre-feet of water and sufficient water annually to maintain the water level to the outlet elevation of 1362 feet mean sea level.

WATER MANAGEMENT BOARD

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

SEP 9 1994

date

REPORT ON
WATER PERMIT APPLICATION No. 5831-3
U.S. ARMY CORPS OF ENGINEERS
July 25, 1994

Water Permit Application No. 5831-3 has been filed by the U.S. Army Corps of Engineers to impound 33 acre-feet of water by constructing a dike in Garden Creek. The dike will be located in the SE 1/4 SE 1/4 of Section 19-T96N-R65W in Charles Mix County, and the water will be used to provide habitat for fish and wildlife production.

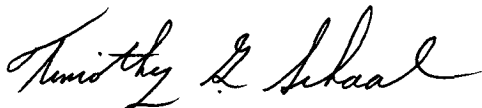
Discussion:

Review and approval of plans and specifications is not required, since the proposed dike is only 4 feet high and it does not meet the definition of a dam as described in Section 74:02:08:01 of the Safety of Dams Rules.

The proposed dike will be located within the take line boundary of Lake Francis Case Reservoir, which is impounded by the U.S. Army Corps of Engineers Fort Randall Dam. There are no existing Water Permits/Rights located on Garden Creek between the proposed dike and Lake Francis Cass. The drainage area above the dike will be 14,720 acres (23 square miles), which will produce an estimated 430 acre-feet of runoff with a 50 percent chance of occurrence.

Conclusion:

Water Permit Application No. 5831-3 should be approved since there is unappropriated water available and approval will have no adverse effect on existing Water Permits/Rights.



Timothy G. Schaal, P.E.
Natural Resources Engineer III

Approved By:



Gale N. Selken, P.E.
Natural Resources Engineer IV

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5831-3, U.S. Army Corps of Engineers

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. 5831-3, U.S. Army Corps of Engineers, c/o Merritt C. Stegmeier, PO Box 109, Pickstown, SD 57367

The Chief Engineer is recommending APPROVAL of Application No. 5831-3 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. 5831-3 authorizes storage of 33 acre-feet of water and sufficient water annually to maintain the water level to the outlet elevation of 1362 feet mean sea level.

See report on application for additional information.


for JOHN HATCH, Chief Engineer
July 25, 1994



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 17, 1994

Merritt C. Stegmeier
U.S. Army Corps of Engineers
PO Box 109
Pickstown SD 57367

Dear Mr. Stegmeier:

We received your water permit application on June 14, 1994. Enclosed is your money order for \$200.00. The filing fee for this application, based on 33 acre-feet amount, will be \$150.00.

The water permit application can not be considered until the application is complete. Upon receipt of the \$150.00 filing fee, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
605 773-3352

enclosure

*This is being returned per
your conversation with Jeff
Swan on 6/21/94*

RECEIPT

414205

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, June 22, 19 94

RECEIVED OF U.S. Army Corps of Engineers, PO Box 109, Pickstown, SD 57367

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

Fee for Application for Permit No. <u>5831-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	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	150 00

By John Hatch
Chief Engineer

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Jeff Swan, Corps of Engineers

ADDRESS: Pickstown COUNTY: Charles Mix

DATE: 6-21-94 TELEPHONE:

RE: Application fee

COMMENTS:

On 6-17-94 I returned a money order to the Corps in the amount of \$200.00 and informed them the application fee was \$150.00. Jeff Swan called me on 6-21-94 and stated they were aware the application fee was \$150.00 but included the \$50.00 license fee also. Mr. Swan was informed the license fee was due after the project was completed and the final inspection was made by our staff. Mr. Swan stated since the money order for \$200.00 had already been issued, he would like to submit both fees at this time.

Karen Schlaak

Karen Schlaak
Environmental Scientist

U.S. Army Corps of Engineers

Dam Location - SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19 - T 96N - R 65W
Charles Mix County - Gordon Creek

Dam Height - 4 feet $\rightarrow$ Less than 6 feet $\therefore$ No P&S Review

Storage Capacity - 33 Acre-Feet

Annual Yield - SCS

Isogram = 3

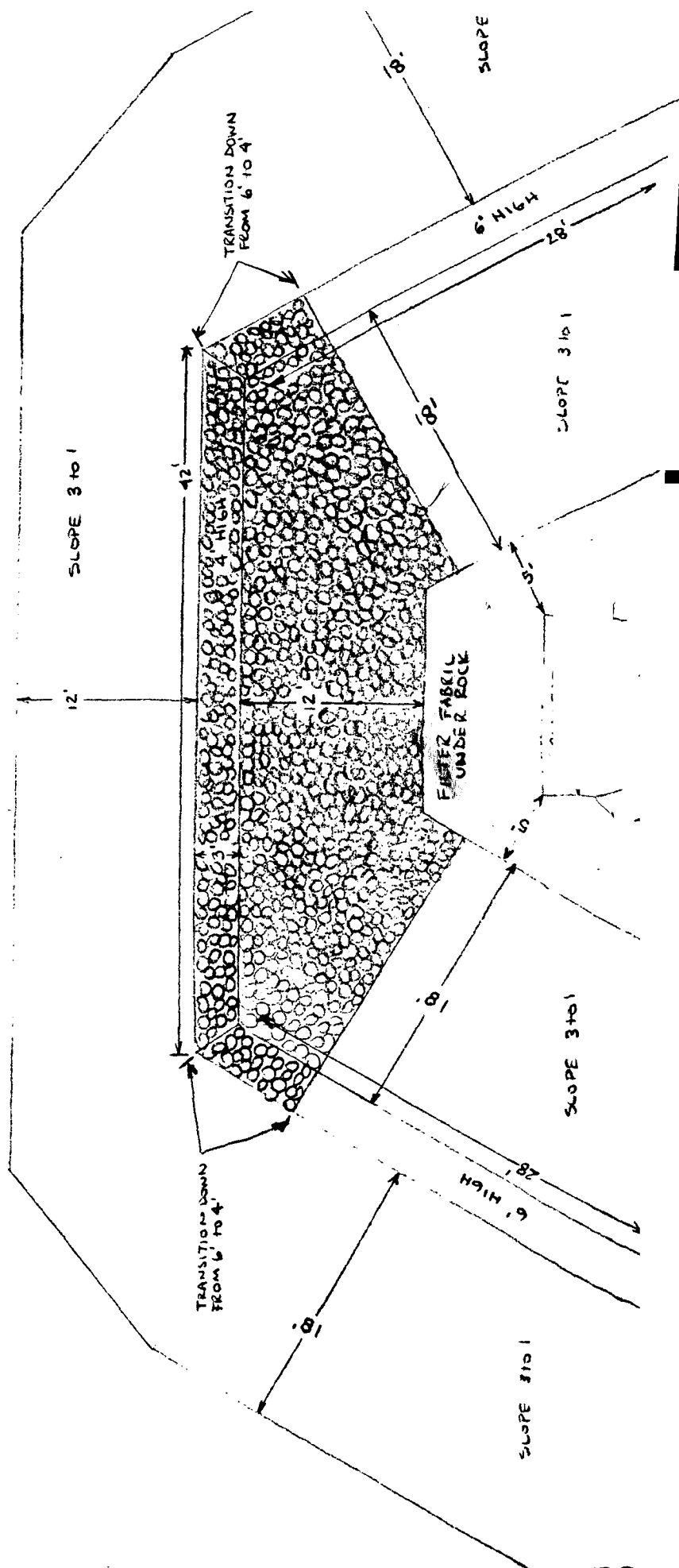
DA = 14,720 A.
= 23 mi.²

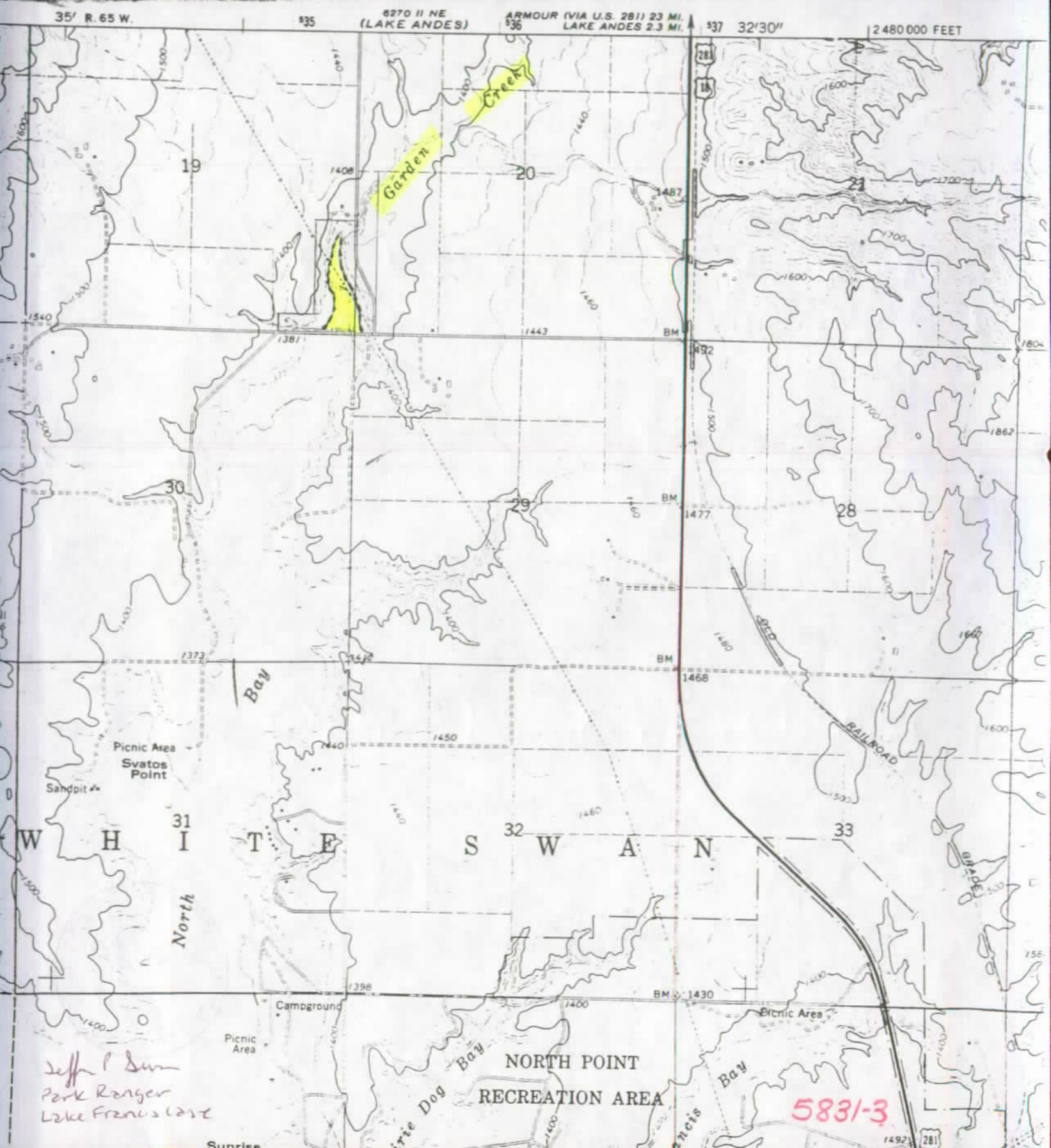
CN - Mixed use Min. Value CN=70

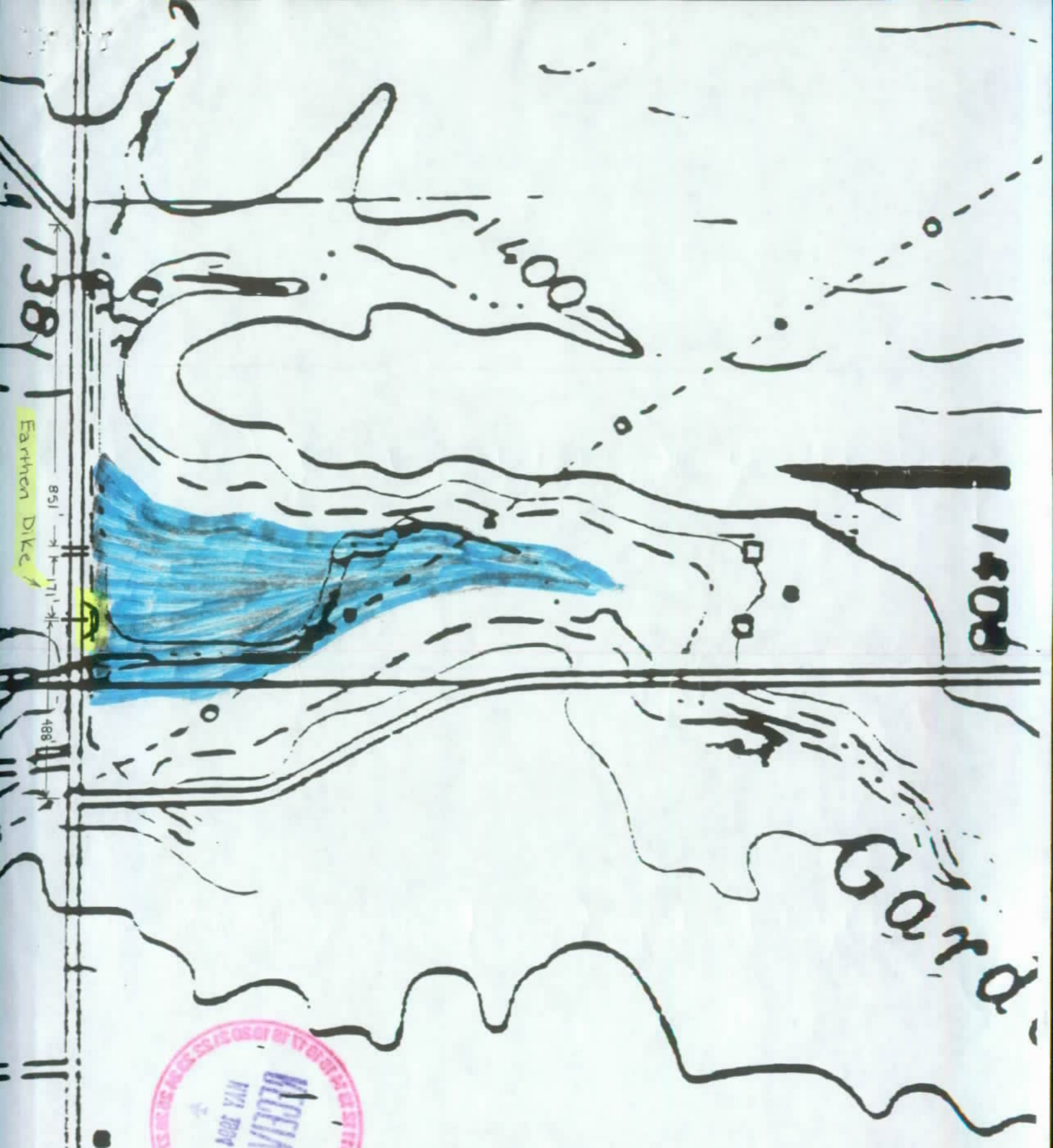
$$50\% = 0.35$$

$$0.35 \times 14720 = 5152 \text{ A.-In}$$

$$\underline{5152 \div 12 = 430 \text{ A.-Ft.}}$$







Scale: 1/8" = 42.5'

Jeff L. Dusen
Park Ranger
Lake Francis Lake

487-7847





**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.

August 2, 1994

Merritt C. Stegmeier
U.S. Army Corps of Engineers
PO Box 109
Pickstown, SD 57367

Dear Mr. Stegmeier:

Water Permit Application No. 5831-3 for fish and wildlife production 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 Wagner Post printed at Wagner, SD (Ph # 605-384-5616). 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

August 2, 1994

Wagner Post
Box 187
Wagner, SD 57380-0187

ATTENTION: Legal Department

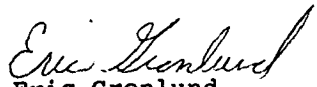
Enclosed is a Notice of Hearing on Application No. 5831-3 to be published twice. Please publish the first notice on August 16, 1994, with the second publication 7 days later.

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 U.S. Army Corps of Engineers, c/o Merritt C. Stegmeier, PO Box 109, Pickstown, SD 57367 (Ph # 605-487-7847).

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
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 August 16, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5831-3 to Appropriate Water

Notice is given that the U.S. Army Corps of Engineers, PO Box 109, Pickstown, SD 57367 has filed an application for a water permit to impound 33 acre-feet of water from Garden Creek by constructing a dike located in the SE 1/4 SE 1/4 Section 19 with water impounded in the E 1/2 SE 1/4 Section 19 and SW 1/4 SW 1/4 Section 20; all in T96N-R65W. This application requests impoundment of water sufficient to maintain water at the outlet elevation of 1362.0 feet mean sea level and is to be used to provide habitat for fish and wildlife production.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5831-3 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 September 2, 1994.

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.

Affidavit of Publication

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF CHARLES MIX)

Carol Harrell, of said County and State being first duly sworn on her oath says: That The Wagner Post is a legal newspaper of general circulation, printed and published in Wagner, in said County and State, by Carol Harrell, and has been such newspaper during the time herein mentioned; and that I, Carol Harrell, the undersigned, am publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed-

Notice of Application
No. 5831-3

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper and not in supplement, once each week for 2 successive weeks.

1st publication made on 17th day of Aug., 19 94

2nd publication made on 24th day of Aug., 19 94

3rd publication made on _____ day of _____, 19 _____

4th publication made on _____ day of _____, 19 _____

5th publication made on _____ day of _____, 19 _____

6th publication made on _____ day of _____, 19 _____

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Charles Mix for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in an office maintained in Wagner, South Dakota, the place of publication of said newspaper. That the full amount of the fee for the publication of the annexed notice is \$ 34.50.

Carol Harrell

Subscribed and sworn to before me this 5th day

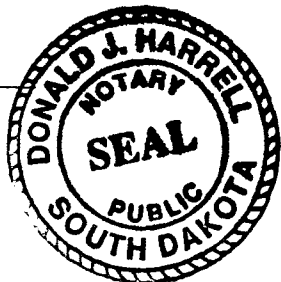
of October, 19 94.

Donald J. Harrell

Notary Public

Charles Mix County, South Dakota

My commission expires 11-13-97



Public Notice

NOTICE OF APPLICATION

NO. 5831-3 to Appropriate
Water

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application requests impoundment of water sufficient to maintain water at the outlet elevation of 1362.0 feet mean sea level and is to be used to provide habitat for fish and wildlife production.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5831-3 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.

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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: Aug. 17, 24, 1994

NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Date 9/26/94

TO: Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Merritt C. Stegmeyer PO Box 109
(name) (address)
Pickstown SD 57367 605-487-7847
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5831-3.

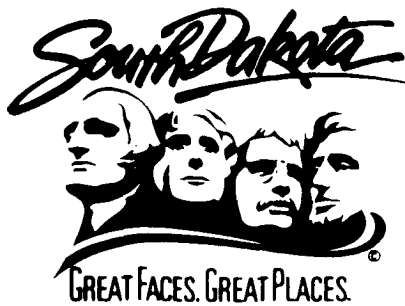
Water Permit No. 5831-3 states that the diversion system is to be constructed by 9/2/1999, and that the water is put to beneficial use by 9/2/2003.
(date) (date)

The diversion system was completed on 9/21/94.
(date)

Applying the water to beneficial use was completed on 10/21/94.
(date)

You may schedule an inspection so that the Water License may be issued.

Merritt C. Stegmeyer
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 9 1994

Merritt C. Stegmeier
U.S. Army Corps of Engineers
PO Box 109
Pickstown, SD 57367

Dear Mr. Stegmeier:

Enclosed is Water Permit No. 5831-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

RECEIPT

414206

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, June 22, 19 94

RECEIVED OF U.S. Army Corps of Engineers, PO Box 109, Pickstown, SD 57367

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>5831-3</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

Water Rights Program -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: U.S. Army Corps of Engineers

ADDRESS: PO Box 109, Pickstown, SD 57367 COUNTY: CM

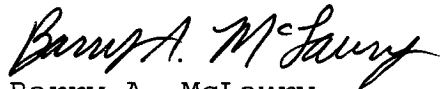
DATE: 3-18-96 TELEPHONE: 487-7847

RE: Inspection on 5831-3.

COMMENTS:

On March 18, 1996 I inspected Water Permit No. 5831-3 and found that the Dam was constructed and later breached. I then talked to Blaine Cunningham and Jeff Swan (Park Rangers) about the dam and what their intentions were. They said that they are going to repair the area of the dam that washed out. I explained if the dam were built up to impound more water, an application would need to be completed for a permit for additional storage. They both agreed that there would be no additional storage, just repair work to what is already there.

The US Army Corps of Engineers has until September 2, 1999 to fix the breached dam (end of construction period.) Both Blaine and Jeff felt that the dam would be repaired within the next year. This permit can be inspected again in the Spring of 1997.



Barry A. McLaury
Environmental Scientist
Water Rights Program

Water Rights Division - DENR

File Documentation

Name of File: **Dale Lundquist, US Army Corps of Engineers**

Address: PO BOX 109, Pickstown, SD 57367 County: Charles Mix

Date: **11/5/99** Telephone: (605) 487-7845 ext. 3225

RE: **Water Permit No. 5831-3**

Comments: On October 27, I was on site at the dam permitted by Water Permit No. 5831-3. At the time it was breached and held no water. Inquiring at the Corps office I found that Dale Lundquist was in charge of the dam. On November 5, I talked with Mr. Lundquist and found that they planned to reconstruct the dam using plastic sheet piling. I told him that if they store any additional water with the reconstructed dam, that they would need to have their water permit amended. He said that they didn't plan any additional water storage. I told him that when they completed the construction, that we would come out and license it.



Jeff Shafer

Natural Resources Engineer