

**WATER PERMIT NO. 5924-3**

Name of Applicant: Duane Thurow

Address: PO Box 99, Aberdeen SD 57402-0099

Phone: 605 225-4204

Amount of Water Claimed: 180 acre-feet

Total Acres: NA

Source of Water Supply: James River

Water to be used for: fish and wildlife propagation

County: Brown

Type of Waste Disposal System: NA

Location: 3 miles northeast of Bath

PRIORITY

Date Received: 4-3-96

Fee: \$225

Corrected Application Received:

Period of Annual Use: January 1 - December 31

Remarks:

Diversion Point: NE 1/4 SE 1/4 Sec 3-T123N-  
R62W

Water Impounded: E 1/2 SE 1/4 Sec 3 and  
W 1/2 SW 1/4 Sec 2; all in T123N-R62W

Depth of Well: NA

Well Driller: NA

Remarks:

Type of Map: plat

Prepared by: Douglas J. Lipetsky, P.E.

Reviewed and the Number Assigned on: 4-3-96

By: Karen Schlaak

Notice of Hearing - date to intervene: \_\_\_\_\_

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**SOUTH DAKOTA**  
**WATER PERMIT NO. 5924-3**

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Date of first receipt of application April 3, 1996.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5924-3 to Duane Thurow, PO Box 99, Aberdeen SD 57402-0099 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. 5924-3 authorizes impoundment of 190 acre-feet of water from the James River by utilizing an existing dike system located in the NE 1/4 SE 1/4 Section 3 with water impounded in the E 1/2 SE 1/4 Section 3 and W 1/2 SW 1/4 Section 2; all in T123N-R62W. Flood water from the James River will be allowed to enter an existing ring dike area.
2. The water appropriated shall be used for the purpose of providing habitat for fish and wildlife propagation and may not exceed the amount of water needed for beneficial use.
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. 5924-3 is May 23, 1996.
5. The date from which applicant may claim right is April 3, 1996.
6. One-fifth of the construction is to be completed on or before November 23, 1998.
7. All construction is to be completed on or before May 23, 2001.
8. Water is to be put to beneficial use on or before May 23, 2005.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

**WATER MANAGEMENT BOARD**

By: \_\_\_\_\_

John Hatch  
John Hatch, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

JUL 2 1996  
date



No. 5924-3 Hydrologic Unit 10160003  
 Map No. \_\_\_\_\_ Basin James River  
 Newspaper American News, Aberdeen, SD

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

Check use of water: Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐  
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐  
 Domestic ☐ (above 18gpm) Other ☒ Wildlife

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. \_\_\_\_\_ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ \_\_\_\_\_☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. \_\_\_\_\_☐ Construction to use water reserved by Future Use Permit No. \_\_\_\_\_

- Name of Applicant Duane Thurow Phone No. 605-225-4204  
 Post Office Address PO Box 99 Aberdeen, SD State 57402-0099  
(Street, RR or Box) Zip Code
- Amount of water claimed (c.f.s) Natural flow up to 180 acre-feet
- Source of water supply James River
- Location of point of diversion Structure - ~~NE 1/4~~ of SE 1/4 of Sec. 3, T 123N, R 62W  
Impoundment - Inside existing dike in E 1/2 of SE 1/4 of Sec. 3, and part  
of W 1/2 of SW 1/4 of Sec. 2, all in T 123N, R 62W County Brown
- Counties where water will be used Brown
- Annual period during which water is to be used January 1 - December 31
- Give a brief description of proposed 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)  
 An Existing dike system was originally constructed years ago to keep water out of this area during high water events. This application is to allow water into the area through a diversion structure. See Ducks Unlimited's engineering drawings SD-0194-001 and design report.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map  
 (see instruction)

STATE OF SOUTH DAKOTA)  
 County of Brown) ss

I, Duane Thurow the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed

Subscribed and sworn to before me this 2nd day of April 1996

Notary Public (or other qualified officer)

My Commission Expires: 4-18-02

## 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 of Water (ground surface to water level) \_\_\_\_\_
- g) Distance to nearest existing domestic well:
- On applicants property \_\_\_\_\_ On property owned by others \_\_\_\_\_

## 2. Dugout Information Estimates

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

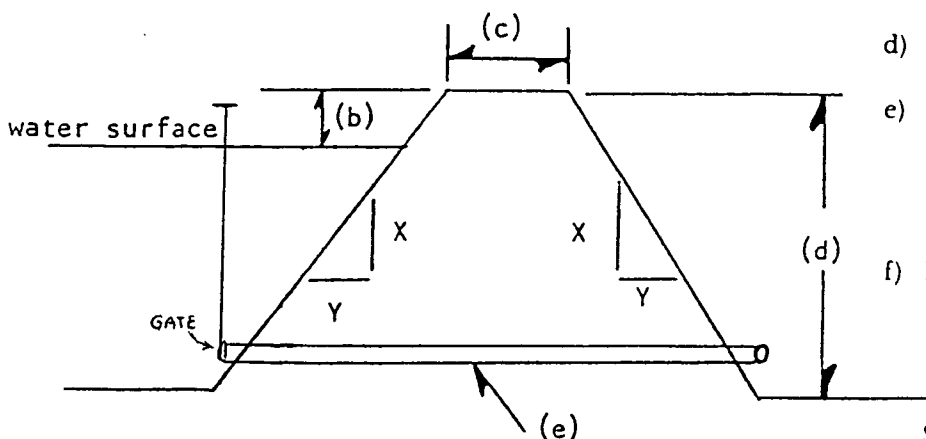
## 3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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

Ducks Unlimited, Inc.  
3502 Franklin Ave.  
Bismarck, ND 58501

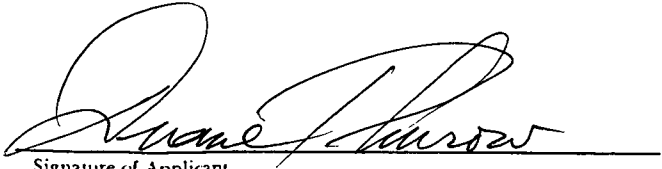
- b) Freeboard 2.5 ft.
- c) Crest Width 12 ft.  
Existing  
 Crest Length Ring Dike, see plans
- d) Height 4.5 ft.
- e) Outlet Dimensions:  
 Pipe diameter 2-24" dia. CMPs  
with gates  
 Spillway width NA
- f) X & Y Slope  
 Upstream ± 2:1  
 Downstream ± 2:1



Surface Area of Impoundment 90 ac.

Storage 180 acre feet

Drainage area ~~above dam~~ 90 ac.  
 Inside Dike

  
 Signature of Applicant

# RECEIPT

414881

## Division of Water Rights

### South Dakota Department of Environment and Natural Resources

Pierre, March 3, 19 96RECEIVED OF Duane Thurow, P.O. Box 726, Aberdeen, SD 57402

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

|                                                                                                                              |       |        |
|------------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>5924-3</u> to Appropriate Water, to construct and to put water to beneficial use _____ | 225   | 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 | 225 00 |

By John Hatch, CE  
Chief Engineer

1/4 LINE

S 1/4 COR. SEC. 3-T123N-R62W  
(FOUND BLM BRASS CAP)

1/4 LINE

1/6 LINE

2607.12' (M)  
2608.98' (P)

S0°28'41"E 1054.53'

JAMES  
RIVER

S62°39'39"W  
460.00'

S36°24'39"W  
Ch.=627.81'  
R=709.73'  
L=650.32'

544.80'  
S10°09'39"W

R=345.11'  
L=493.91'

S51°09'39"W  
Ch.=452.83'

N0°20'28"W 2640.00' (P)  
2640.74'

SECTION LINE

56.82'

**THUROW WATERFOWL PLOT**  
CONTAINS 100.00 ACRES ±  
OF WHICH 0.99 ACRES IS  
SECTION LINE R-O-W

SE COR. SEC. 3-T123N-R62W  
(FOUND BLM BRASS CAP)

N34°58'31"E  
224.29'

N48°16'53"E 779.26'

N47°29'57"E  
498.32'

Ch.=741.16'  
N4°49'48"E

476.31'  
N37°50'21"W

N62°50'21"W  
Ch.=906.31'

R=1072.25'  
L= 935.72'

N87°50'21"W  
123.49'

R=546.77'  
L=814.38'

SECTION LINE

1/4 LINE

SOUTH DAKOTA-BROWN CO.

7.5 MINUTE SERIES (TOPOGRAPHIC)

6375 III SE  
(COLUMBIA)

153

154

17°30'

12 440 000 FEET

157

158

98°15' 45°30'



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x 1302

3  
x 1303

2  
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PROPOSED STRUCTURE

EXISTING DIKE

THUROW PROPERTY LINE

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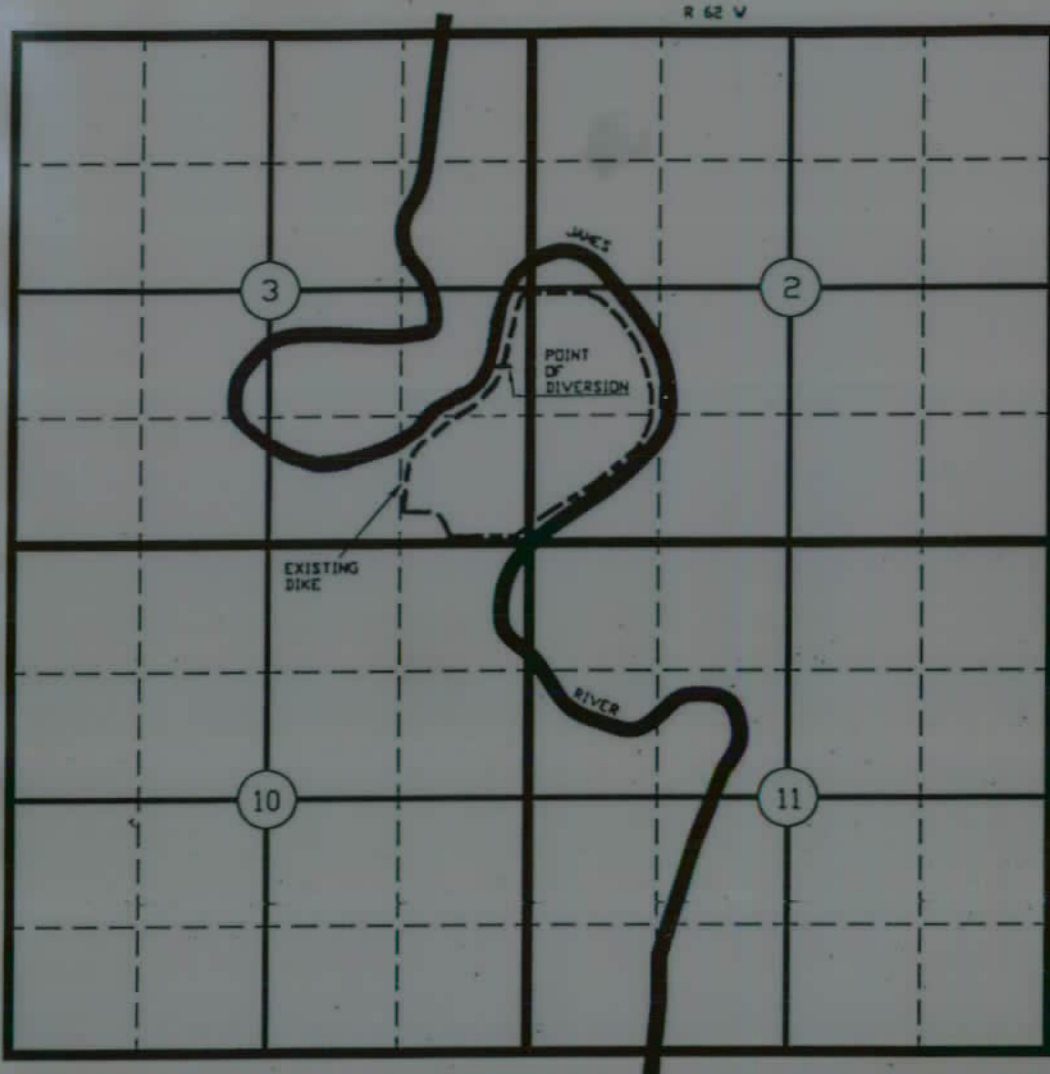
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# SURFACE WATER SOURCE



SCALE: 1"=2000'

STATE OF SOUTH DAKOTA  
COUNTY OF BROWN

I, DOUGLAS J. LIPETZKY (P.E. # 4499)  
OF BISMARCK, ND DO HEREBY STATE THAT THIS MAP WAS  
MADE FROM DATA FROM A QUADRANGLE, AN ACTUAL TOPOGRAPHIC SURVEY  
OR A PHOTOGRAMMETRIC SURVEY MADE BY ME (OR MADE UNDER MY DIRECTION  
BY KEVIN D. BROWN FOR WHOSE WORK I STAND PERSONALLY RESPONSIBLE).  
ON 3-26-96 AND THAT IT CORRECTLY REPRESENTS THE WILDLIFE  
HABITAT WORKS DESCRIBED IN THE ACCOMPANYING APPLICATION. TOGETHER  
WITH A MEANDER OF STREAMS AND SHOWS ACCURATELY THE LOCATION AND  
THE AREA OF THE LANDS PROPOSED TO BE DEVELOPED IN EACH SECTION.

MAP TO ACCOMPANY  
APPLICATION  
NO. \_\_\_\_\_ FOR  
DUANE THURLOW WETLAND

DUANE THURLOW  
(LANDOWNER)  
APPLICANT

Douglas J. Lipetzky, P.E.  
ENGINEER/SURVEYOR

5924-3

Water Permit Application #5924-3  
Duane Thurow

This is a Ducks Unlimited project to flood an existing ring-diked area inside a meander on the James River.

|                                                          |                           |
|----------------------------------------------------------|---------------------------|
| Top of Embankment Elev. - 99.5                           | } <u>Height = 4.5 ft.</u> |
| Invert Elev. - 2-24" CMPs - 95.0                         |                           |
| Bottom of Embankment Elev. - 95.0<br>(Top of River Bank) |                           |

Too Small - less than 6 ft.

Storage Capacity w/in diked area

Surface Area = 90 ac.

Normal Capacity =  $90 \times 2' \text{ deep} = 180 \text{ ac-ft.}$

Max. Capacity =  $90 \times 4.5' = 405 \text{ ac-ft.}$

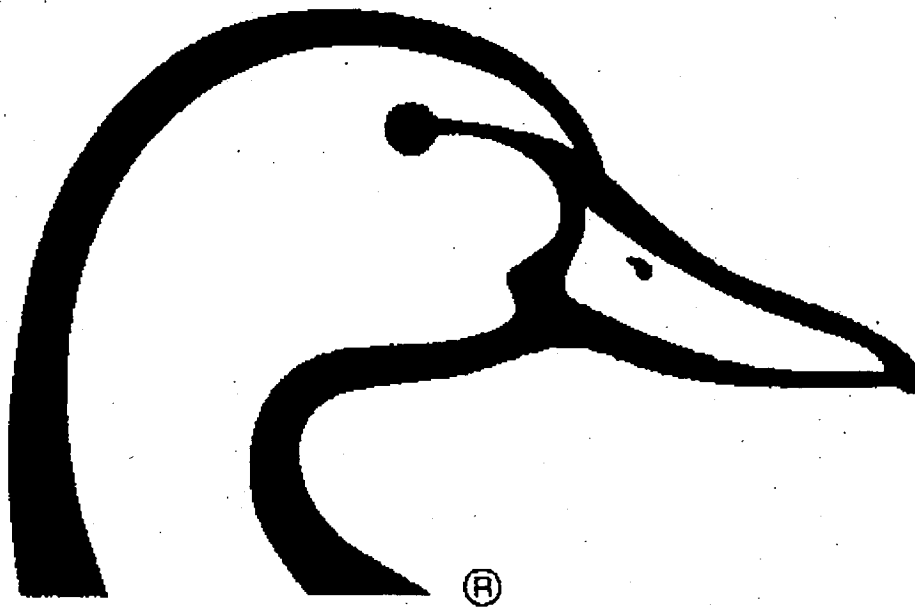
Note: Due to the small size of the embankment (Height = 4.5 ft.), design of the structure is not subject to the requirements of the Safety of Dams Rules, Chapter 74:02:08

# DESIGN REPORT

for

## DUANE THUROW WETLAND PROJECT

SD-0194-001



March 26, 1996

Prepared by:  
Ducks Unlimited, Inc.

PROJECT: DUANE THUROW WETLAND  
SD-194-001

LOCATION: Sections 2-3, T 123 N, R 62 W  
1 miles north and 3 miles east of Bath  
(9 miles east-northeast of Aberdeen)  
Brown County, South Dakota

MARSH DATA: Full Service Level (FSL) @ 97.0 Assumed Datum  
90 Surface Acres @ FSL  
180 Acre-Feet Capacity @ FSL  
  
Top of River Bank at Structure @ 94.7 - 95.0  
Invert of 24" diameter CMPs @ 95.0  
Top of Existing Dike at Structure @ 99.5

PROJECT DESCRIPTION:

The project as proposed involves the installation of two water control structures to enhance a wetland located on private land owned by Mr. Duane Thurow. No other private or public land will be affected by the project. Enhancement of the 90-acre wetland will occur by allowing flood water from the James River to enter an existing ring-diked area inside one of the meanders on the river. No other outside drainage enters the wetland.

PRELIMINARY RISK ASSESSMENT:

Based on the definition of a "dam" in Chapter 74:02:08, "Safety of Dams," it appears the wetland embankment\ring dike would not be governed by the requirements of Chapter 74:02:08 since the maximum height does not exceed 6 feet (actual maximum height is 4.5 to 5 feet). Section 74:02:08:01 Definitions indicates, "A barrier is not considered a dam for the purpose of this chapter if the height does not exceed 6 feet regardless of storage capacity."

The only water allowed into the wetland will be through the proposed water control structures. Therefore, the possibility of any dam failure occurring that might cause a danger to the general public is minimal. Even if a failure did occur, no loss of life and minimal or no economic loss would be expected.

## DESIGN:

As previously mentioned, an existing dike or levee exists inside one of the many meanders of the James River in the project site area. The levee system was originally constructed to keep water out of the area, however, the current landowner wishes to enhance the wetland area by allowing water into the site. As designed, two 24" diameter corrugated metal pipes (CMPs) with canal gates would be installed to allow water to gravity flow from the James River into the wetland. Obviously, this will only occur when the river is above the normal channel banks and higher than the water surface in the marsh. The pipe inverts will be set at the approximate channel bank and wetland bottom elevation at the proposed structure site.

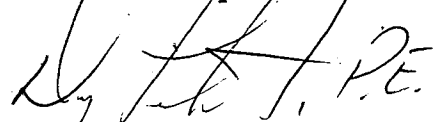
The time period required to pass 180 acre-feet through the pipes is dependent on the headwater or river water surface elevation. If the river water surface is  $2\frac{1}{2}$  feet above the channel banks which would be elevation 97.5 assumed datum, it would take approximately  $4\frac{1}{2}$  days to pass the requested volume of 180 acre-feet. Less time would be required if the headwater rises, and conversely, more time as the river elevation decreases. The structure capacities were determined using formulas for calculating head loss through corrugated metal pipe.

As previously indicated, no property other than Mr. Thurow's will be affected by the project. In addition to providing important habitat to waterfowl and other wildlife, flood storage will also exist as a result of the project.

A set of plans is submitted with the Design Report. A set of standard construction specifications has previously been submitted to the Division of Water Rights.

Dated: March 26, 1996

Submitted By:

A handwritten signature in dark ink, appearing to read 'Doug Lipetzky, P.E.', is written over the printed name.

Doug Lipetzky, P.E.

PE-4499



## DUCKS UNLIMITED

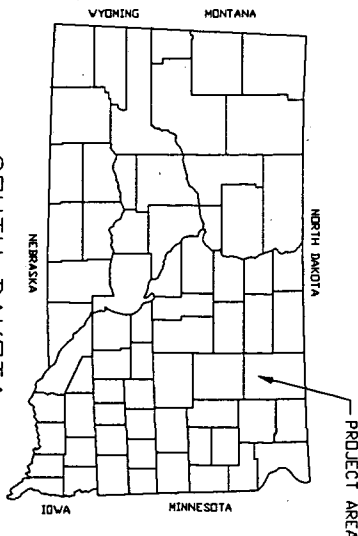
## PROJECT

## DUANE THURLOW WETLAND

SECTION 3, TOWNSHIP 123 NORTH, RANGE 62 WEST  
BROWN COUNTY, SOUTH DAKOTA

IN COOPERATION WITH

DUANE THURLOW (LANDOWNER)



## SPECIFICATIONS

|                        |     |
|------------------------|-----|
| GENERAL CONDITIONS     | 101 |
| MOBILIZATION           | 201 |
| WATER CONTROL          |     |
| STRUCTURE INSTALLATION | 206 |
| CULVERT INSTALLATION   | 207 |
| CAST-IN-PLACE          |     |
| REINFORCED CONCRETE    | 208 |
| RIPRAP PLACEMENT       | 209 |

\* CONCRETE HEADWALL STRUCTURES SHALL BE PRE-CAST OFF SITE DUE TO ACCESS DIFFICULTIES FOR READY MIX CONCRETE TRUCKS. PRE-CAST CONCRETE SHALL CONFORM TO 'CAST-IN-PLACE REINFORCED CONCRETE' SPECIFICATIONS

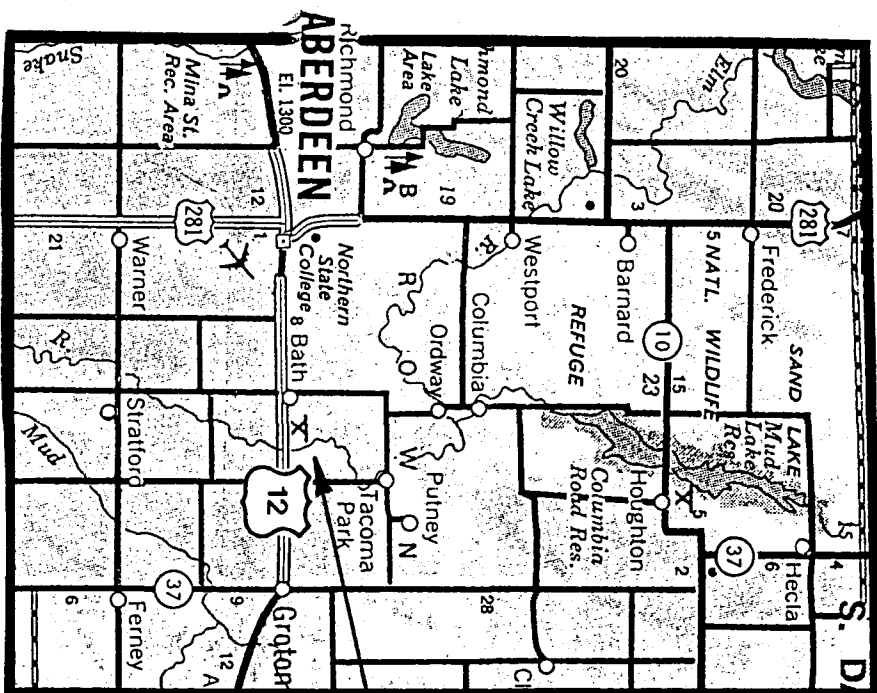
## PLAN INDEX

- 1 LOCATION MAPS
- 2 COUNTY LOCATION MAP
- 3 SITE MAP, STRUCTURE LOCATIONS
- 4 WATER CONTROL STRUCTURE PLAN AND PROFILE
- 5 CONCRETE HEADWALL DETAILS
- 6 CULVERT BANDING AND STEP BEVEL DETAILS

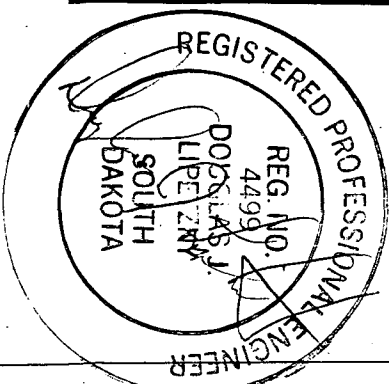
QUANTITIES

|                                        |          |
|----------------------------------------|----------|
| MOBILIZATION                           | 1 L.S.   |
| WATER CONTROL STRUCTURE INSTALLATION   | 2 EA*    |
| CULVERT INSTALLATION (24" CMP, 14 GA.) | 64 L.F.  |
| RIPRAP PLACEMENT (CLASS 1)             | 16 CY.-P |

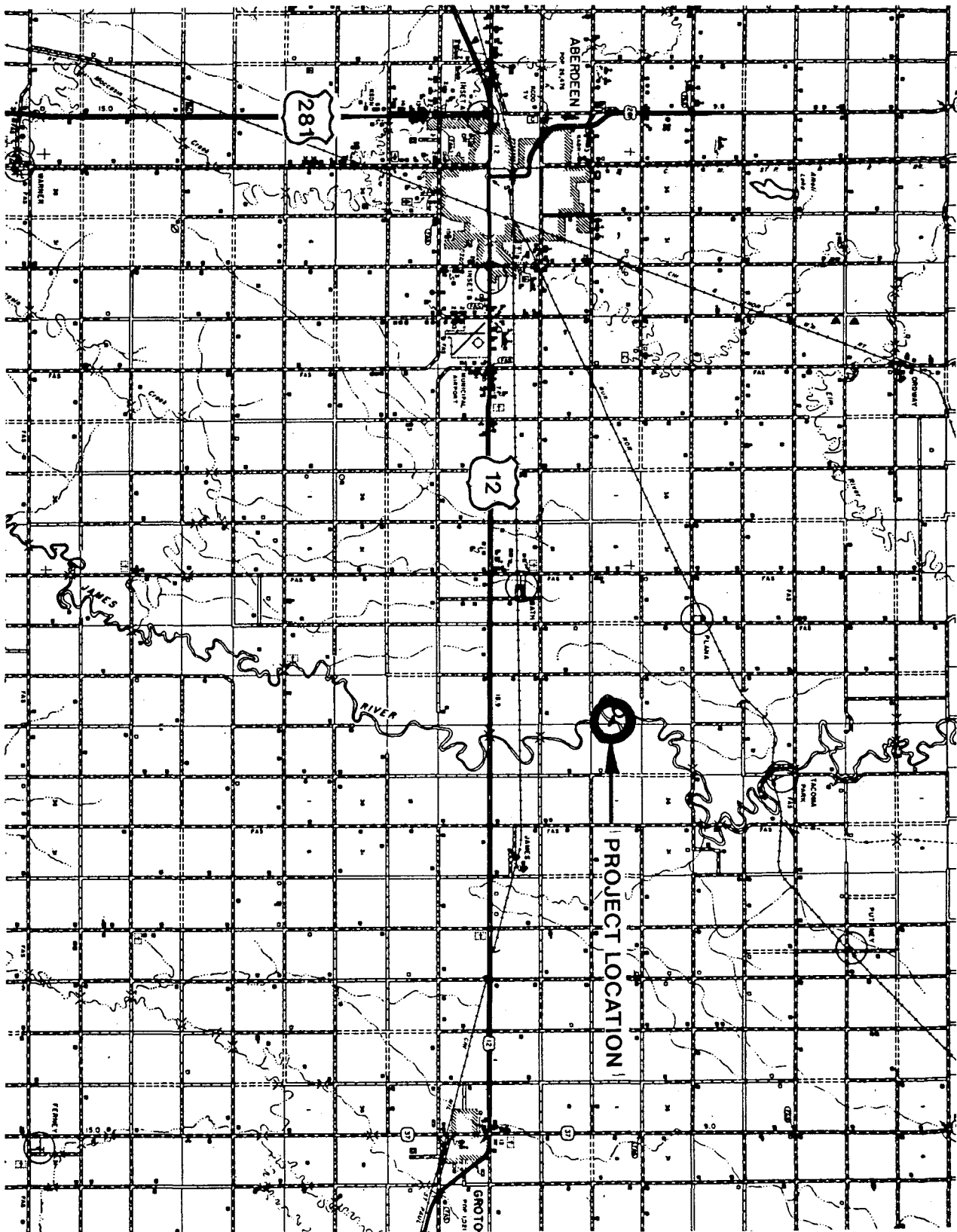
\* THE BID PRICE FOR 'WATER CONTROL STRUCTURE INSTALLATION' SHALL INCLUDE THE COST OF EXISTING EMBANKMENT EXCAVATION, STRUCTURE BACKFILL, CHANNEL EXCAVATION, TOPSOIL REMOVAL AND REPLACEMENT, CANAL GATE INSTALLATION, AND ALL OTHER ASSOCIATED COSTS REQUIRED TO INSTALL STRUCTURES AS SPECIFIED ON PLANS. DUCKS UNLIMITED SHALL SUPPLY CANAL GATES.



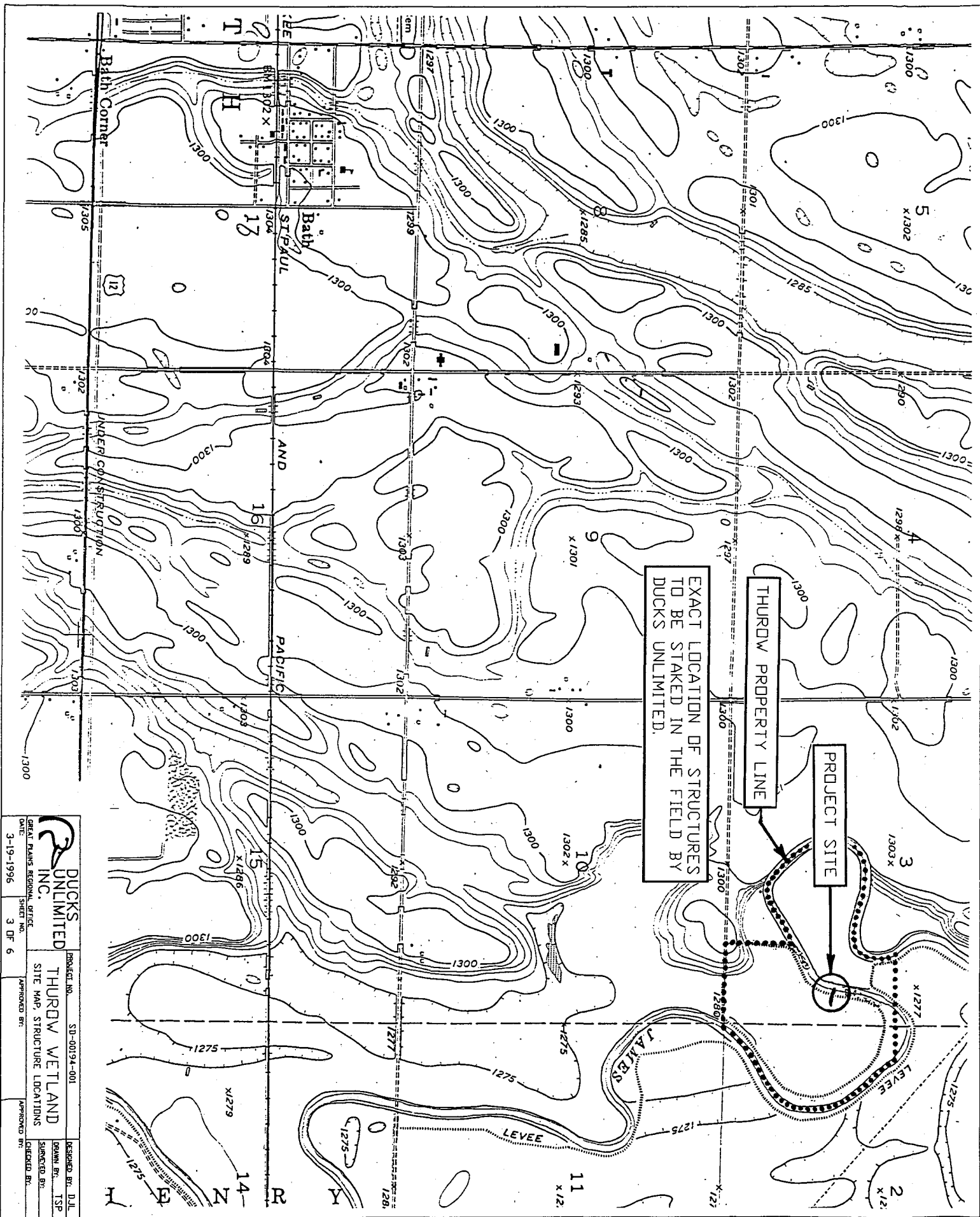
### PROJECT LOCATION



|                                                                                                                 |                 |             |               |      |
|-----------------------------------------------------------------------------------------------------------------|-----------------|-------------|---------------|------|
| <br>DUCKS<br>UNLIMITED<br>INC. | PROJECT NO.     | SD-0194-001 | DESIGNED BY:  | D.L. |
|                                                                                                                 | THURLOW WETLAND |             | DRAWN BY:     | TSP  |
| DATE: PLANS REGIONAL OFFICE                                                                                     | LOCATION MAPS   |             | SUBMITTED BY: |      |
| GATE: PLANS REGIONAL OFFICE                                                                                     | APPROVED BY:    |             | SCHEDULED BY: |      |
| DATE: 3-19-1996                                                                                                 | SHEET NO.       | 1 OF 6      |               |      |



|                                                                                                                 |                  |                                            |              |                     |             |
|-----------------------------------------------------------------------------------------------------------------|------------------|--------------------------------------------|--------------|---------------------|-------------|
|  <b>DUCKS UNLIMITED INC.</b> |                  | PROJECT NO. SD-00194-001                   |              | DESIGNED BY: D.J.L. |             |
| GREAT PLAINS REGIONAL OFFICE                                                                                    |                  | <b>THURROW WETLAND COUNTY LOCATION MAP</b> |              | DRAWN BY: TSP       |             |
| DATE: 3-19-1996                                                                                                 | SHEET NO. 2 OF 6 | APPROVED BY:                               | APPROVED BY: | CHECKED BY:         | CHECKED BY: |



EXACT LOCATION OF STRUCTURES  
TO BE STAKED IN THE FIELD BY  
DUCKS UNLIMITED.

THURLOW PROPERTY LINE

PROJECT SITE

|                                                                                                           |  |                          |  |
|-----------------------------------------------------------------------------------------------------------|--|--------------------------|--|
|  <b>DUCKS UNLIMITED</b> |  | PROJECT NO. SD-00194-001 |  |
| GREAT PLAINS REGIONAL OFFICE                                                                              |  | DESIGNED BY: D.J.L.      |  |
| DATE: 3-19-1996                                                                                           |  | DRAWN BY: TSP            |  |
| SHEET NO. 3 OF 6                                                                                          |  | SURVEYED BY:             |  |
| APPROVED BY:                                                                                              |  | CHECKED BY:              |  |
| THURLOW WETLAND                                                                                           |  |                          |  |
| SITE MAP, STRUCTURE LOCATIONS                                                                             |  |                          |  |

CLASS I RIPRAP—  
W/FILTER FABRIC,  
24" DEPTH  
(5 C.Y.-P)

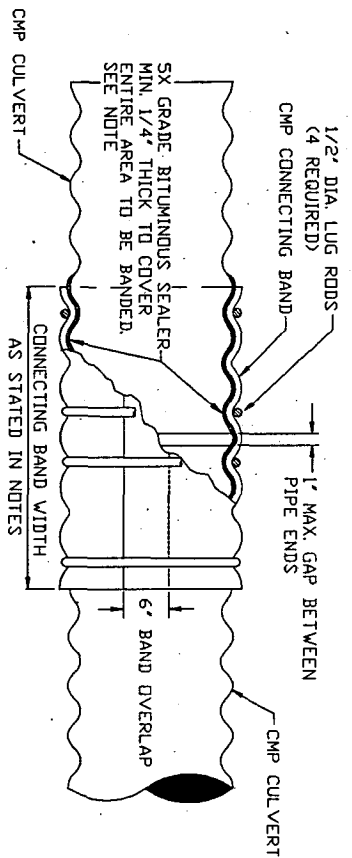
WATERMAN "Y C-10 F" RED TOP CANAL GATE  
WITH 5" HIGH FLATBACK FRAME.  
TO BE SUPPLIED BY DUCKS UNLIMITED.  
CONTRACTOR IS RESPONSIBLE FOR  
INSTALLATION.

**NOT TO SCALE**

NOTE: DIMENSIONS AND ELEVATIONS ARE TYPICAL  
OF BOTH WATER CONTROL STRUCTURES.

|                                                                                                                           |                                                     |                                                  |
|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|--------------------------------------------------|
| <br><b>DUCKS<br/>UNLIMITED<br/>INC.</b> | <b>PRODUCT NO.</b><br>SD-0194-001                   | <b>DESIGNED BY:</b> D.L.<br><b>DRAWN BY:</b> TSP |
|                                                                                                                           | <b>WATER CONTROL STRUCTURE<br/>PLAN AND FRITILE</b> | <b>SCHEDULED BY:</b><br><b>APPROVED BY:</b>      |
| <b>LEGAL: DUCKS REFORMA, CAYMAN<br/>ISLANDS</b><br>SHEET NO.<br>4 OF 6<br>3-19-1996                                       | <b>APPROVED BY:</b>                                 | <b>APPROVED BY:</b>                              |

|                                                                                                                         |                                                      |              |              |             |
|-------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|--------------|--------------|-------------|
| <br><b>DUCKS<br/>UNLIMITED</b><br>INC. | PROJECT NO.                                          | SP-00194-001 | DESIGNED BY: | D.J.L.      |
|                                                                                                                         | <b>THURLOW WETLAND<br/>CONCRETE HEADWALL DETAILS</b> |              | DRAWN BY:    | TSP         |
| GREAT PLAINS REGIONAL OFFICE<br>DATE: 3-19-1996                                                                         | SHEET NO. 5 OF 6                                     | APPROVED BY: |              | CHECKED BY: |

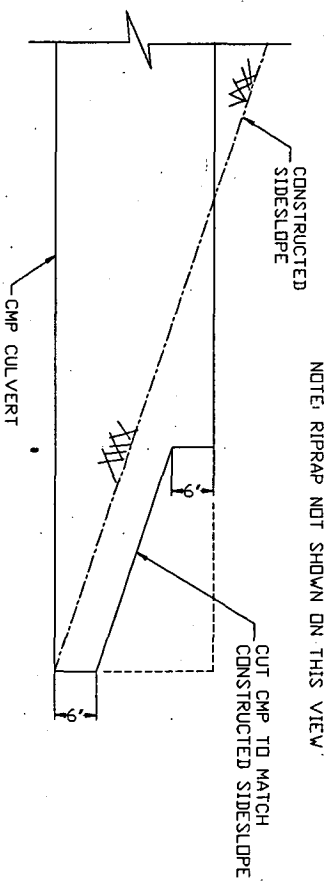


AFTER BAND HAS BEEN TIGHTENED, A COAT OF 5X SEALER SHALL BE APPLIED AROUND THE CULVERT AT THE ENDS OF THE CONNECTING BAND AND ALONG THE SEAM OF THE BAND OVERLAP.

NOTE TO SUPPLIERS:  
IF ANNUAL PIPE IS USED, USE A 2 FT. WIDE ANNUAL BAND. IF HELICAL PIPE WITH 4 CORRUGATIONS REROLLED TO ANNUAL IS USED, USE A 21 INCH WIDE ANNUAL BAND. SEE SPECIFICATION 207.2.

## CONNECTING BAND DETAIL

NOT TO SCALE



NOTE: RIPRAP NOT SHOWN ON THIS VIEW

## STEP BEVEL DETAIL

NOT TO SCALE

|                                     |  |                                                                                          |                                                                     |
|-------------------------------------|--|------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
|                                     |  | PROJECT NO. SD-00194-001<br>THURLOW WETLAND<br>CONNECTING BAND AND<br>STEP BEVEL DETAILS | DESIGNED BY: D.J.L.<br>DRAWN BY: TSP<br>CHECKED BY:<br>APPROVED BY: |
| DATE: 3-19-1996<br>SHEET NO. 6 OF 6 |  |                                                                                          |                                                                     |

**DUANE A. THUROW**  
**BOX 726**  
**ABERDEEN, SOUTH DAKOTA 57401**

**April 2, 1996**



**WATER RIGHTS DIVISION**  
**DWNR, FOSS BUILDING**  
**PIERRE SD 57501**

**Dear Sir or Madam:**

**Enclosed is an original and two copies of "Form 2" application for permit to appropriate water within the State of South Dakota, each with a copy of the Plans and Design Report.**

**Also enclosed is a check in the amount of \$225.00 for your fee. If the fee has not been accurately calculated, please notify me of any additional fee.**

**Very truly yours,**

**Duane Thurow**

**DT:lf**

**CC: Doug Lipetzky**



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

April 26, 1996

Doug Lipetzky, P.E.  
Regional Engineer  
Ducks Unlimited, Inc.  
6115 East Main Ave.  
Bismarck, ND 58501-0761

Dear Mr. Lipetzky:

We have reviewed the plans and specifications for the Duane Thurow Wetland Project located in the E 1/2 SE 1/4 of Section 3-T123N-R62W and the W 1/2 SW 1/4 of Section 2-T123N-R62W, in Brown County. Due to the small size of the embankment height (4.5 ft.), the design of the structure is not subject to the requirements of the Safety of Dams Rules, Chapter 74:02:08. Construction of the project may not begin until Water Permit Application No. 5924-3 is approved.

If you have any questions, please feel free to contact us.

Sincerely,

Gale N. Selken, P.E.  
Natural Resources Engineer IV  
for John Hatch, Chief Engineer  
Water Rights Program  
(605) 773-3352

c: Duane Thurow, landowner

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT**  
**APPLICATION NO. 5924-3, Duane Thurow**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5924-3, Duane Thurow, P.O. Box 99, Aberdeen, SD 57402-0099.

The Chief Engineer is recommending APPROVAL of Application No. 5924-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use during flood flows, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized, cursive script.

JOHN HATCH, Chief Engineer  
April 24, 1996

REPORT ON  
WATER PERMIT APPLICATION NO. 5924-3  
Duane Thurow  
April 8, 1996

Water Permit Application No. 5924-3 has been filed by Duane Thurow to appropriate 180 acre-feet of water annually from the James River by impounding water in an existing ring-dike. The dike system is located in the E 1/2 SE 1/4 of Section 3-T123N-R62W and the W 1/2 SW 1/4 of Section 2-T123N-R62W, in Brown County. Water Permit Application No. 5924-3 will only utilize flood waters from the James River. The water will be used to provide habitat for fish and wildlife propagation.

Discussion:

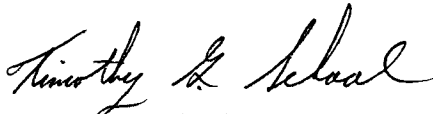
The Duane Thurow Wetland Project has been designed by Ducks Unlimited, Inc.. The project involves the enhancement of a 90 acre wetland, which will be located within an existing ring-dike area. The ring-dike area is located within one of many meanders on the James River and was originally constructed to keep flood waters out of the 90 acre field. The project will include two 24 inch corrugated metal pipes (CMPs) with gates to allow flood waters to gravity flow from the James River into the wetland.

The top of the existing ring-dike is 4.5 feet higher than the top of the river banks of the James River. The two 24 inch CMPs will be installed with the inverts at or slightly higher than the river banks, allowing only flood flows to enter the wetland. The project is designed to hold up to 2 feet of water on the 90 acre wetland. Due to the small size of the embankment height, the design of the structure is not subject to the requirements of the Safety of Dams Rules, Chapter 74:02:08.

This project will be located adjacent to the James River about 10 miles downstream of the USGS gauging station at Columbia. The flood stage for the James River in this area is 11.0 feet, any flows exceeding 11 feet would be considered flood flows. Assigning a specific flow rate to this flood stage is difficult for various reasons, such as ice conditions, back water, etc.; but it would be approximately 1000 cfs. These flows are quite common in this area during spring runoff events during the months of March, April, and May.

Conclusions:

1. Water Permit Application No. 5924-3 will utilize flood water from the James River.
2. Water Permit Application No. 5924-3 should be approved since unappropriated water is available and approval should not have any adverse effect on existing Water Permits/Rights.

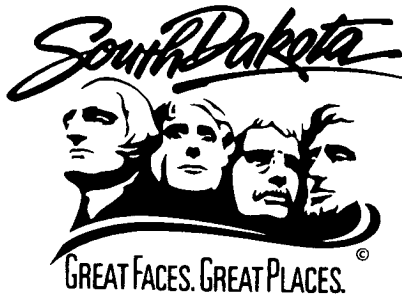


Timothy G. Schaal, P.E.  
Natural Resources Engineer III

Approved by:



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



**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.

April 26, 1996

Duane Thurow  
P.O. Box 99  
Aberdeen, SD 57402-0099

Dear Mr. Thurow:

Water Permit Application No. 5924-3 for fish and wildlife propagation 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 American News printed at Aberdeen, SD (Ph # (605) 225-4100). 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

April 26, 1996

American News  
P.O. Box 4430  
Aberdeen, SD 57402-4430

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5924-3 to be published twice. Please publish the first notice on May 6, 1996, 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 Duane Thurow, P.O. Box 99, Aberdeen, SD 57402-0099 (Ph # (605) 225-4204).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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 Program  
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 May 6, 1996, with the second publication 7 days later. The applicant is responsible for payment.

---

### NOTICE OF APPLICATION NO. 5924-3 to Appropriate Water

Notice is given that Duane Thurow, P.O. Box 99, Aberdeen, SD 57402-0099 has filed an application for a water permit to impound 180 acre-feet of water from the James River by utilizing an existing dike system located in the NE 1/4 SE 1/4 Section 3 with water impounded in the E 1/2 SE 1/4 Section 3 and W 1/2 SW 1/4 Section 2; all in T123N-R62W. Flood water from the James River will be allowed to enter an existing ring dike area. Water will be used to provide habitat for fish and wildlife propagation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5924-3 because 1) unappropriated water is available during flood flows, 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 Program, 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 May 23, 1996.

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 Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County of Brown ) SS

Lpherta Dempsey



certify that the attached printed Notice was

taken from the May 13<sup>th</sup>, 1996

issue of The Aberdeen  
American News

printed and published in Aberdeen

County of Brown and S

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

May 6, 1996

May 13, 1996

(No. 789 - May 6, 13 - 2T)  
**NOTICE OF APPLICATION NO. 5924-3  
to Appropriate Water**

Notice is given that Duane Thurow, P.O. Box 99, Aberdeen, SD 57402-0099 has filed an application for a water permit to impound 180 acre-feet of water from the James River by utilizing an existing dike system located in the NE 1/4 SE 1/4 Section 3 with water impounded in the E 1/2 SE 1/4 Section 3 and W 1/2 SW 1/4 Section 2; all in T123N-R62W. Flood water from the James River will be allowed to enter an existing ring dike area. Water will be used to provide habitat for fish and wildlife propagation.

Pursuant to SDCL 46-2A-2, the Chief Engi-

neer recommends APPROVAL of Application No. 5924-3 because 1) unappropriated water is available during flood flows, 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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must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 May 23, 1996.

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Cost of Printing: 53<sup>00</sup>

Lpherta Dempsey  
(Signature)

Receptionist  
(Title)

May 13, 1996  
(Date Signed)



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

JUL 2 1996

Duane Thurow  
P.O. Box 99  
Aberdeen, SD 57402-0099

Dear Mr. Thurow:

Enclosed is Water Permit No. 5924-3 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 Program  
605 773-3352

enclosures

**PLEASE NOTE:** Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.

NOTICE OF COMPLETION OF WORKS AND  
APPLICATION OF WATER TO BENEFICIAL USEDate August 13, 1997TO: Water Rights Program, DENR  
523 E. Capitol  
Pierre, SD 57501-3181FROM: DUANE THURLOW P.O. Box 99  
(name) (address)  
ABERDEEN SD 57402-0099 605-225-4204  
(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. 5924-3.

Water Permit No. 5924-3 states that the diversion system is to be constructed by May 23, 2001, and that the water is put to beneficial use by  
(date)

May 23, 2005  
(date)

The diversion system was completed on SEPTEMBER 11, 1996.  
(date)

Applying the water to beneficial use was completed on 8/1/97.  
(date)

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

Duane ThurLOW  
(signature)

**Water Rights Division - DENR**

Conversation or File Documentation

**Name of Person:** Duane Thurow

**File No. 5924-3**

**Address:** PO Box 99, Aberdeen, SD 57402-0099 **County:** Brown

**Date:** October 22, 2001 **Telephone:** (605) 225-4204

**RE:** Status of Water Permit No. 5924-3

**Comments:** I told Duane that once the breach in his ring dike is fixed to call and let me know. If it is done by next spring I will go and take a look at it then. I asked Duane how long the ring dike has been breached. He just found out that it was breached a couple of weeks ago. Duane told me that it was breached last week when I met and talked to him about his ring dike.



Stacy J. Johnson

Natural Resources Project Engineer



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

July 26, 2006

**NOTICE OF SHUTOFF ORDER**

**TO:** DUANE THUROW  
PO BOX 99  
ABERDEEN SD 57402

**FROM:** GARLAND ERBELE, Chief Engineer  
Water Rights Program

**SUBJECT:** James River Shutoff Order

**Shutoff Order for Water Right No(s). 5924-3**

To protect the senior priority water rights and domestic use, the department is issuing shutoff orders to water right holders on the James River above Huron. Effective immediately, no diversions of water from the James River will be allowed for those permits with a priority date after January 1, 1975. Previous to this Order, diversions requiring written order from the Chief Engineer to divert James River water after July 1, have not been allowed.

Flow in the James River continues to decline to the point where domestic use of water, which includes livestock watering from the river, has become a concern. The Huron gage is below 20 cubic feet per second, the required bypass for downstream domestic use. This order will be rescinded as soon as conditions improve. If conditions do not improve, this order will remain in effect until the end of the calendar year.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

**<http://waterdata.usgs.gov/sd/nwis/rt>**

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river.

If you have any questions, please contact Lynn Beck or Mark Rath with the Water Rights Program at (605) 773-3352. Thank you.

**Permit No. 5924-3**  
**James River - Water District**

**Report of Examination of Works and/or Application of Water to Beneficial Use**

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

I have this day, **September 18, 2007**, made a thorough examination of the water use system constructed by **Duane Thurow** of **PO Box 99, Aberdeen, SD 57402** holder of Permit No. **5924-3**, bearing the priority of **April 3, 1996** authorizing the storage of **180** acre-feet of **James River Flood Water** for **Fish and Wildlife Propagation** purposes, in **Brown** County.

Inspection contact & relationship     **Duane Thurow**  
to permit holder, if applicable:

**A. Works used to divert the water:**

**Dam Information:**

- 1) Height to crest **4.5** feet
- 2) Height to primary spillway **NA**
- 3) Height to secondary spillway **NA**
- 4) Crest width **12** feet
- 5) Crest length **Ring Dike Approximately 8240** feet
- 6) Spillway length **NA**
- 7) Spillway width **NA**
- 8) Approx. storage **180** ac-ft
- 9) Date constructed: **The dike system was constructed years ago to keep water out of this area during high water events. The diversion structure was completed on September 11, 1996.**

**B. Works used to apply water to beneficial use:**

**Two 24 inch corrugated metal pipes (CMP's) with gates.**

**D. Compliance with Permit Requirements:**

- 1) Permit qualifications being abided by **Y**
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **NA**
- 3) Exceptions to compliance are: **None**

The system is in **Good** condition with the point(s) of diversion located as follows:

**Approximately 1730 feet north and 520 feet west of the SE corner Section 3-T123N-R62W**  
**(N 45.49204, W -98.26989) (NE ¼ SE ¼)**

**Report of Examination of Works**

Permit No. 5924-3

The works are capable of storing **180** acre-feet of water which is to be used for **Fish and Wildlife Propagation**.

Water has been put to beneficial use to the maximum extent as follows:

During flooding events, the gates can be opened to allow flood water from the James River to enter the ring dike area.

The license should be issued for **180** acre-feet of storage.

All structures, wells and lands on map **Y**

Comments or other permit(s) associated with the project:



Mike DeFea

Natural Resources Project Engineer

DENR, Water Rights Program

Date report completed: **January 3, 2008**

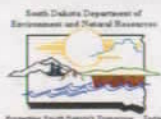
Duane Thurow  
PO Box 99  
Aberdeen, SD 57402

Water Permit No. 5924-3



*Mike DeFea*

Mike DeFea  
Natural Resources Engineer  
DENR, Water Rights Program  
January 3, 2008



0 490 980 1,960 2,940 3,920 Feet



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

February 7, 2008

5924-3

Duane Thurow  
PO Box 99  
Aberdeen SD 57402

Dear Mr. Thurow:

On September 18, 2007 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5924-3, was completed by Mike DeFea, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact me.

Sincerely,

Genny McMath  
Environmental Scientist  
Water Rights Program  
(605) 773-3352

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/4, 20 08

RECEIVED OF Duane Thurow PO Box 1003 Aberdeen SD 57402

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 | 50    | 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. <u>5924-3</u>    |       |       |
| Fee for Filing Transfer Form _____                                                                             |       |       |
| Fee for _____                                                                                                  |       |       |
| Fee for Issuing New Well Driller's License No. _____ for C.Y. _____                                            |       |       |
| Fee for Renewal of Well Driller's License No. _____ for C.Y. _____                                             |       |       |
| Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____                                         |       |       |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |       |
| (Any Other Work Provided by Law)                                                                               | TOTAL | 50 00 |

No.

03563

By

Malcolm Erbe

Chief Engineer



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

APR 09 2000

5924-3

Duane Thurow  
PO Box 99  
Aberdeen SD 57402

Dear Mr. Thurow:

Enclosed is Water License No. 5924-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 03563 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

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.

Sincerely,

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

enclosures

# STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 5924-3

(1) Duane Thurow, PO Box 99, Aberdeen SD 57402 made Application No. 5942-3, April 3, 1996 for a water permit to impound 180 acre feet of James River flood water, Brown County, South Dakota for fish and wildlife propagation purposes. Permit No. 5924-3, with a priority date of April 3, 1996 was approved May 23, 1996 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 23, 2001 and for the application to beneficial use of water on or before May 23, 2005.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 5924-3 is issued a license, bearing a priority date of April 3, 1996, to impound 180 acre feet of water for fish and wildlife propagation purposes.

The location of the ring dike system (gates) is approximately 1,730 feet north and 520 feet west of the southeast corner of Section 3-T123N-R62W (NE ¼ SE ¼).

During flooding events, the gates can be opened to allow flood water from the James River to enter the ring dike area.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 5924-3.

Garland Erbele

Garland Erbele, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

APR 09 2008

date





**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 E. CAPITOL AVE  
PIERRE SD 57501-3182  
danr.sd.gov

May 27, 2021

Dear James River Water Right Holder:

I am writing to water right holders and operators who use water from the James River that river flow is much lower this year and to let them know that shutoff orders are possible this summer.

South Dakota law gives the highest priority to domestic use, including livestock watering. There is generally adequate water available to meet both domestic use and other needs. However, once water availability reaches critical low levels, other uses will begin to interfere with domestic use. If river levels become critically low, the department may be forced to issue shutoff orders to protect domestic use, including livestock watering and those water rights that are most senior.

We are only cautioning that shutoff orders may become necessary. **This not a shutoff order.** This letter is only intended to give you advanced warning that your ability to divert water may be cut short this year. If shutoff orders are issued, you will receive another letter from the department. In the meantime, water right holders can help by closely monitoring water usage and avoid wasting water.

If you are interested, the US Geological Survey has an Internet site showing river flows at 164 stream gauging stations across the state. To view the latest realtime stream flow, go to:

**<https://waterdata.usgs.gov/sd/nwis/current/?type=flow>**

Thank you for your cooperation. If you have any questions, please contact Mark Rath, Blaise Hansen, or Nakaila Steen at (605) 773-3352.

Sincerely,

Eric Gronlund, Chief Engineer  
Water Rights Program