

WATER PERMIT NO. 6224-3

Name of Applicant: Dewain J Waletich

Address: RR 3 Box 277, Sisseton SD 57362

Phone: 605 698-4388

Amount of Water Claimed: 33.3 AF

Total Acres: NA

Source of Water Supply: runoff

Water to be used for: fish & wildlife propagation and livestock water

County: Roberts

Type of Waste Disposal System:

Location: 2 miles west of Sisseton

PRIORITY Date Received: 7-19-2000

Fee: \$150

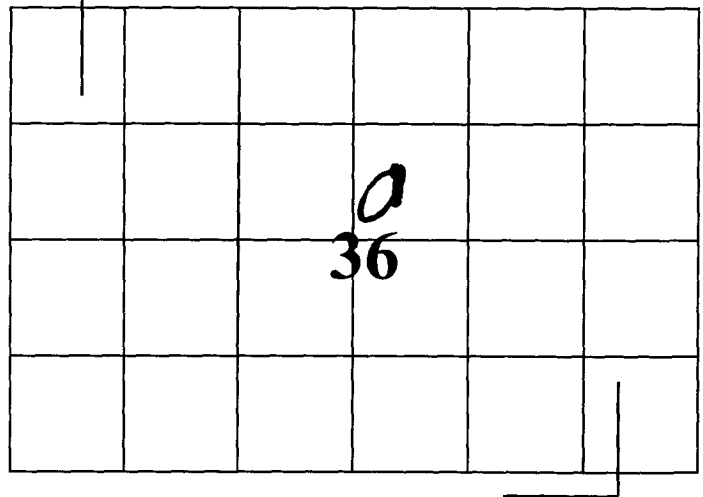
Corrected Application Received: 7-27-2000

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: SW ¼ NE ¼ Sec 36-T126N-
R52W

Water Impounded: SW ¼ NE 1/4
Sec 36-T127N-R52W



Depth of Well: NA

Well Driller: :

Remarks:

Type of Map: aerial

Prepared by: Lorne Aadland, NRCS

Reviewed and the Number Assigned on: 7-27-2000

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6224-3**

Date of first receipt of application July 19, 2000.

Date of return to applicant for corrections, amendments or changes July 19, 2000.

Date of receipt of corrected application July 27, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6224-3 to Dewain J Waletich, RR 3 Box 277, Sisseton SD 57262 authorizing the construction of the dam and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6224-3 authorizes impoundment of 34 acre-feet of water from runoff by constructing a dam located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36 with water impounded in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36; all in T126N-R52W.
2. The water appropriated shall be used for the purpose of supplying water for fish and wildlife propagation and livestock watering 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. 6224-3 is September 18, 2000.
5. The date from which applicant may claim right is July 19, 2000.
6. One-fifth of the construction is to be completed on or before March 18, 2003.
7. All construction is to be completed on or before September 18, 2005.
8. Water is to be put to beneficial use on or before September 18, 2009.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Water Permit No. 6224-3 authorizes a dam with a storage capacity of 34 acre feet of water and sufficient water annually to maintain the water level to the outlet elevation.
2. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
3. Water Permit No. 6224-3 does not authorize diversion of water from the dam for irrigation.

WATER MANAGEMENT BOARD

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

OCT 10 2000
date





Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6224-3</u>	(office use only) Hydrologic Unit <u>07020001</u>
	Basin <u>Minnesota-Whetstone</u>	
	Newspaper <u>Sisseton Courier</u>	

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

Check use(s) of water:

☐ Municipal	☐ Suburban Housing	☐ Recreational	☐ Institutional
☐ Rural Water System	☐ Commercial	☒ Fish & Wildlife	☐ Geothermal Heat
☐ Domestic (over 18 gpm)	☐ Industrial	☒ Other <u>livestock watering</u>	

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 Dewain J. Walelich Phone (605) 698-4388
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address RR 3 Box 277 Sisseton State SD 57262
(Street, RR. or Box) (Zip Code)

2. Amount of water claimed _____ *CFS or _____ **GPM 48.9 34 ***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 Runoff

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
SW 1/4, NE 1/4, Sec. 36, T126N, R52W Water Impounded
SW 1/4 NE 1/4 Sec 36 T126N-R52W County Roberts

5. County or counties where water will be used Roberts

6. Annual period during which water is to be used June - August 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)

Fill material is being placed in channel in an intermittent stream indicated on the USGS Topog. Maps, for the purpose to pool water for fish, wildlife, & livestock watering

STATE OF SOUTH DAKOTA)
County of Roberts SS

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)

I, Dewain J. Walelich, 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 Dewain Walelich
Subscribed and sworn to before me this 15th day of June 2000
Caryne E. Curran
CARYNE E. CURRAN, Notary Public
Roberts County, SD

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 _____ 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. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

3. Dugout Information

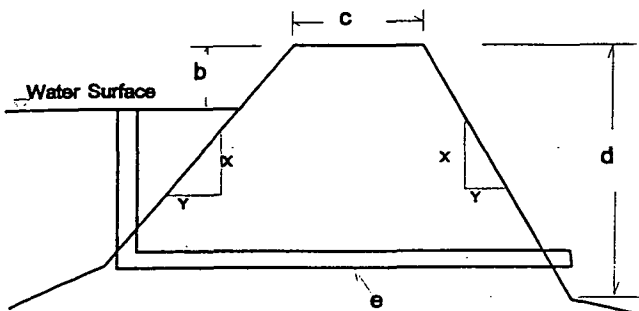
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. 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:

NRCs, Sisseton FO
PO Box 128, Sisseton, SD 57262



- b) Freeboard 5.7 feet
- c) Crest Width 14 feet
Crest Length 540 feet
- d) Height 28.7 feet
- e) Primary Outlet Capacity _____
If pipe, diameter 18 inches
- f) Secondary Spillway Capacity _____
Spillway Width 100 feet
- g) X & Y Slope _____
Upstream 3:1
Downstream 2 1/2:1
- h) Surface Area of Impoundment 4.4 acres
- i) Storage 65.3 Acre Feet
- j) Drainage Area Above Dam 762 Acres

Water Permit Application No. 6224-3
Dewain J. Waletich

Cat. 3 - Low Hazard Dam

Top of Dam Elev. - 100.7
2nd Spillway Elev. - 98.1
P. Spillway Elev. - 95.0
D/S Toe Elev. - 72.0 } Ht. = 28.7 ft.

Normal Storage Capacity = 33.3 Ac-Ft
Int. Storage Capacity = 48.9
Max. Storage Capacity = 65.3

Int. Capacity x Eff. Ht. = $48.9 \times 22.7 = 1109 < 3000 \therefore 25 \text{ yr}$
Min. Spillway Design

From USGS WRI 80-80 "Tech. for Est. Flood Peaks ... in SD"
DA = 762 Ac = 1.19 mi.²
Slope = 200 ft/mi.
SI = 2.99

$$\begin{aligned} Q_{25} &= 83.4 A^{.60} S^{.44} S_i^{-.72} \\ &= 83.4 (1.19)^{.60} (200)^{.44} (2.99)^{-.72} \\ &= 83.4 (1.11) (10.29) (0.4545) \\ &= \underline{433 \text{ cfs}} \end{aligned}$$

$$\begin{aligned} Q_{100} &= 132 A^{.65} S^{.46} S_i^{-.67} \\ &= 132 (1.19)^{.65} (200)^{.46} (2.99)^{-.67} \\ &= 132 (1.12) (11.44) (0.4801) \\ &= \underline{812 \text{ cfs}} \end{aligned}$$

Secondary Spillway Flow

$$\begin{aligned} Q &= CLH^{3/4} \quad C = 2.6 \\ &= (2.6)(100)(2.6)^{3/4} \quad L = 100 \\ &= \underline{1090 \text{ cfs}} \quad H = 2.6 \end{aligned}$$

Section 74:02:08:09

1. Topo Map - OK
2. Dam Axis Profile - OK
3. Dam Max X-Sec. - OK
4. Area - Capacity - OK
5. Outlet Details - OK
6. Spillway Rating - OK
7. Spillway Details - OK
8. Specs. std NRCS - OK
9. EPP - N/A Cat. 3 - OK

NRCS Annual Yield

DA = 762, ISO = 2 1/2, CN = 73

$$\begin{aligned} 80\% \text{ chance} &= 0.12 \\ 0.12 \times 762^{1/2} &= \underline{7.6 \text{ Ac-Ft}} \end{aligned}$$

$$\begin{aligned} 50\% \text{ chance} &= 0.37 \\ 0.37 \times 762^{1/2} &= \underline{23.5 \text{ Ac-Ft}} \end{aligned}$$

$$\begin{aligned} 10\% \text{ chance} &= 1.9 \\ 1.9 \times 762^{1/2} &= \underline{120.65 \text{ Ac-Ft}} \end{aligned}$$

STRUCTURE DATA

DRAINAGE AREA ACRES	ANNUAL YIELD % 80%	PEAK RUNOFF 25 YR. CFS.	EMERG. SPWY. 10 YR. CFS.	WATER DEPTH E P.S. FT.	SURFACE AREA E P.S. ACRES	SEDIMENT STORAGE AC.FT.	STORAGE		
							E P.S. AC.FT.	E E.S. AC.FT.	E TOP OF DAM AC.FT.
762	16.3	424	329	19	4.4	10.40	33.3	48.9	65.3

CONSTRUCTION & DESIGN NOTES:

- S.D. LAW STATES: "NO EXCAVATOR MAY BEGIN ANY EXCAVATION WITHOUT FIRST NOTIFYING THE ONE-CALL NOTIFICATION CENTER AT THE NUMBER 1-800-781-7474 OR FAX 612-154-0170".
- LANDOWNER IS RESPONSIBLE FOR COMPLYING WITH ALL FEDERAL, STATE, AND LOCAL LAWS.
- THIS IS A CLASS HAZARD STRUCTURE AS DEFINED BY NRCS.
- THIS PROJECT IS X IS NOT CLASSIFIED AS A "DAM" BY S.D. LAW. S.D. "DAM" DEFINITION: > EITHER 25' HIGH (TOP TO D.S. TOE), OR 50 AC.FT. STORAGE TO TOP OF DAM. EXCEPT NOT A "DAM" IF: < 6' HIGH OR STORAGE < 15 AC.FT.
- IF CULTURAL RESOURCES ARE DISCOVERED, DISCONTINUE CONSTRUCTION AND NOTIFY THE LOCAL NRCS OFFICE.

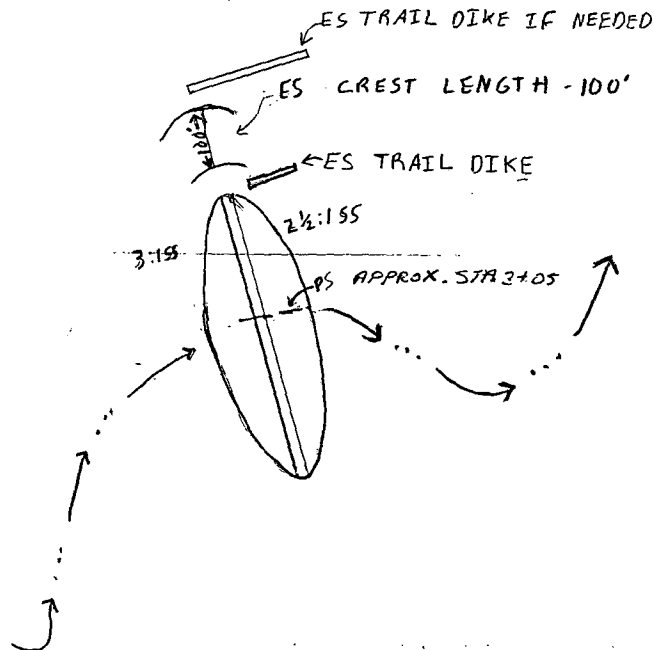


NE 1/4 SEC. 36, T 126, R 32

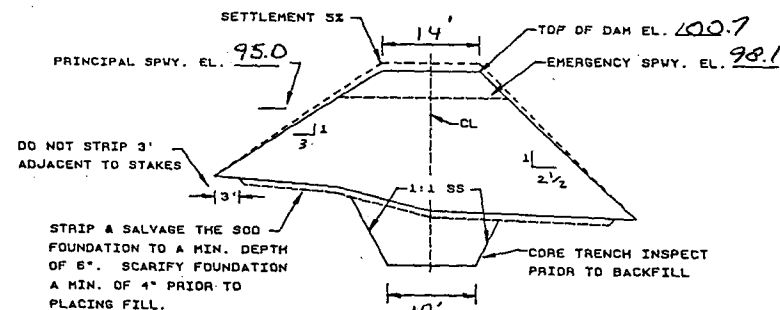
LOCATION MAP

TABLE OF QUANTITIES			
ITEM	UNIT	QUANT.	AS BUILT
EXCAVATION - CORE TRENCH	CY	551	
EXCAVATION - STRIPPING	CY	641	
EXCAVATION - E.S.	CY	550	
EARTH FILL - EMBANKMENT	CY	14951	
SEEDING	AC	2	
PRINCIPAL SPWY.	EACH	1	
(See Sheet 3)			

NOTE: ABOVE QUANTITIES MAY BE ESTIMATED.



PLAN VIEW OF DAM & POOL AREA
approximate scale 1" = 200 ft.



TYPICAL CROSS SECTION OF DAM

S. D. CONSTR. & MATERIAL SPECS.

- SD - 4 STRIPPING
- SD - 5 EXCAVATION
- SD - 7S EARTH FILL CLASS "S"
- SD - 10 SALVAGING & SPREADING TOPSOIL
- SD - 15 S8 C.H.P.
- SD - 16 TIMBER FAB. & INSTALLATION
- SD - 17 METAL FAB. & INSTALLATION
- SD - 28 SEEDING
- SD - 50 CMP
- SD - 55 Plastic Pipe
- SD - 20 Plastic Pipe

EARTH DAM

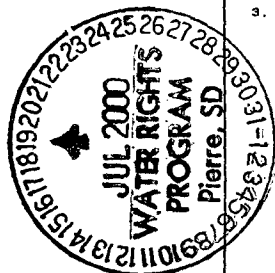
JR. WALITECH

SW 1/4, NE 1/4, S 36, T 126, R 36

U. S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

Designed	Date	Approved by	Title
Stem		Richardson	Ag. Eng.
Drawn			
Checked	F.S.A. 10-29-99	Sheet 1	of 6

JOB PLAN 1A



NOT TO SCALE



Yone Oadlad
Conservation Tech / NRCs

6224-3

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416593

Pierre, _____ July 27, 2000

RECEIVED OF Dewain J. Waletich, RR 3, Box 277A, Sisseton, SD 57262
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 _____	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. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	200 00

By Harland Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 19, 2000

Dewain J Waletich
RR 3 Box 277
Sisseton SD 57262

Dear Mr. Waletich:

I am writing in response to receipt of your application on July 19, 2000 for a water right permit for a storage dam. Thank you for submitting the application.

In order to process your application, there are a few items that need to be addressed.

1. The application for a "Location Notice" is needed only when the storage capacity of a dam is 25 acre feet or less. Since your dam is larger than 25 acre feet, I am returning your "Location Notice" and your check for \$210.00. The correct fee, minus the Location Notice, is \$200.00 for the water permit application and license fee.
2. The proposed dam will need to comply the state safety of dams rules. Please have the NRCS forward a complete set of plans and specifications for our review. These plans should also include a "preliminary risk assessment" of downstream hazards. A risk assessment is a description of what is located below the dam and what damage may result if the dam breaks and floods the downstream area.
3. The storage capacity to the principal spillway is 33.3 acre feet according to the NRCS plans sheet. On the permit application the amount of water being claimed is 48.9 acre feet which is the storage capacity at the emergency spillway according to the NRCS plans. The water permit application should claim the amount of water that can be stored at the normal pool elevation which appears to be 33.3 acre feet. I will correct your application to say 33.3 acre feet. Please advise me if you have any concerns with this change.

As soon as we receive the NRCS plans, preliminary risk assessment and the \$200.00 application/license fee, we will begin processing your application. If you have any questions, please give me a call at (605) 773-3352. I will try to help in any way possible.

Sincerely,

Ron Duvall
Natural Resources Engineer
Water Rights Program

enclosure



Roberts
Conservation
District

Big Stone Lake Restoration Project

PO Box 128
Sisseton, SD 57262-0128
605-698-3923
605-698-3561 (FAX)

July 24, 2000

Ron Duvall
Natural Resources Engineer
Water Rights Program
DENR
Joe Foss Bldg. 523 East Capitol
Pierre, SD 57501-3182



Dear Mr. Duvall,

I am writing in regards to your letter of Dewain J. Waletich's dam. The "preliminary risk assessment" is a class A. There is no imminent danger downstream from the dam. It is two (2) miles of pasture before it comes to a house and a county road. If there is any other information I can assist with, please let me know. Sorry for the inconvenience.

Sincerely,

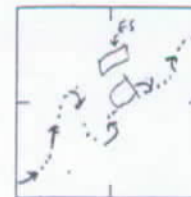
JASON A. REHN
Project Coordinator

STRUCTURE DATA

DRAINAGE AREA	ANNUAL YIELD	PEAK RUNOFF	EMERG. SPVY.	WATER DEPTH	SURFACE AREA	SEDIMENT STORAGE	STORAGE		
ACRES	E 882 AC.FT.	25 YR. CFS.	10 YR. CFS.	E P.S. FT.	E P.S. ACRES	AC.FT.	E P.S. AC.FT.	E E.S. AC.FT.	E TOP OF DAM AC.FT.
762	16.3	424	329	19	4.4	10.40	33.3	48.9	65.3

CONSTRUCTION & DESIGN NOTES:

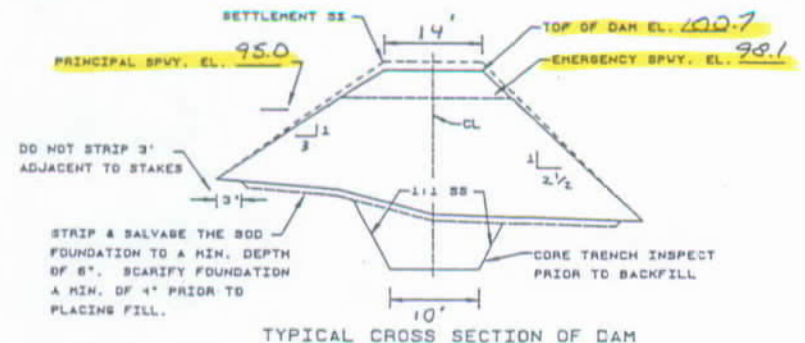
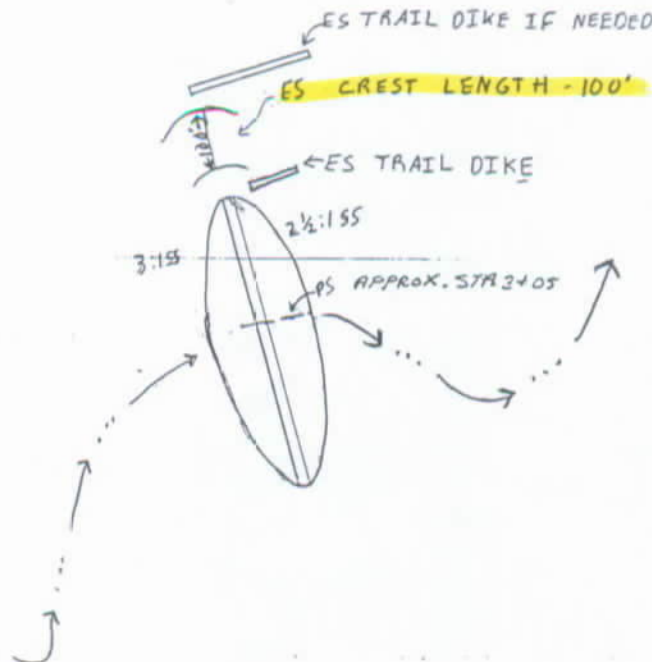
1. S.D. LAW STATES: "NO EXCAVATOR MAY BEGIN ANY EXCAVATION WITHOUT FIRST NOTIFYING THE ONE-CALL NOTIFICATION CENTER AT THE NUMBER 1-888-781-7474 OR FAX 612-454-8178".
 2. LANDOWNER IS RESPONSIBLE FOR COMPLYING WITH ALL FEDERAL, STATE, AND LOCAL LAWS.
 3. THIS IS A CLASS HAZARD STRUCTURE AS DEFINED BY NRCS.
4. THIS PROJECT IS IS NOT CLASSIFIED AS A "DAM" BY S.D. LAW. S.D. "DAM" DEFINITION: > EITHER 25' HIGH (TOP TO D.S. TOE), OR 58 AC.FT. STORAGE TO TOP OF DAM, EXCEPT NOT A "DAM" IF: < 6' HIGH OR STORAGE < 15 AC.FT.
5. IF CULTURAL RESOURCES ARE DISCOVERED, DISCONTINUE CONSTRUCTION AND NOTIFY THE LOCAL NRCS OFFICE.



NE 1/4 SEC. 36 T 126 R 52
LOCATION MAP

TABLE OF QUANTITIES			
ITEM	UNIT	QUANT.	AS BUILT
EXCAVATION - CORE TRENCH	CY	551	
EXCAVATION - STRIPPING	CY	641	
EXCAVATION - E.S.	CY	550	
EARTH FILL - EMBANKMENT	CY	14951	
SEEDING	AC	2	
PRINCIPAL SPWY. (See Sheet 3)	EACH	1	

NOTE: ABOVE QUANTITIES MAY BE ESTIMATED.



S. D. CONSTR. & MATERIAL SPECS.

- SD - 4 STRIPPING
- SD - 5 EXCAVATION
- SD - 75 EARTH FILL CLASS "B"
- SD - 18 SALVAGING & SPREADING TOPSOIL
- SD - 15 38 C.M.F.
- SD - 16 TIMBER FAB. & INSTALLATION
- SD - 17 METAL FAB. & INSTALLATION
- SD - 28 SEEDING
- SD - 50 CMP
- SD - 55 Plastic Pipe
- SD - 20 Plastic Pipe

EARTH DAM

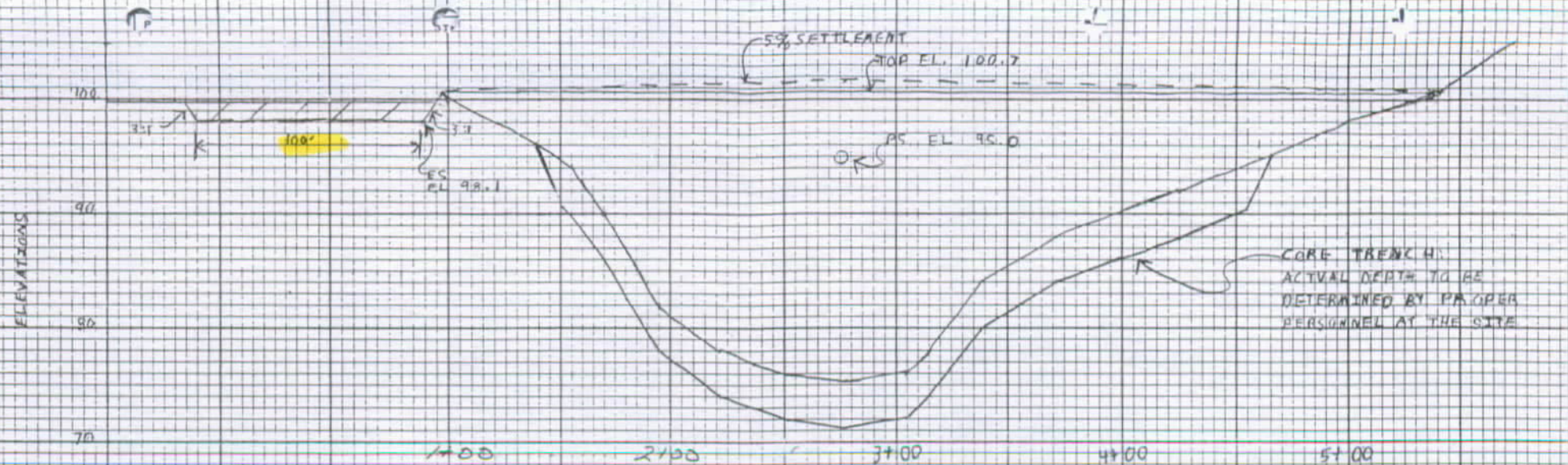
JR. WALITECH

SW 1/4, NE 1/4, S 36, T 126, R 36

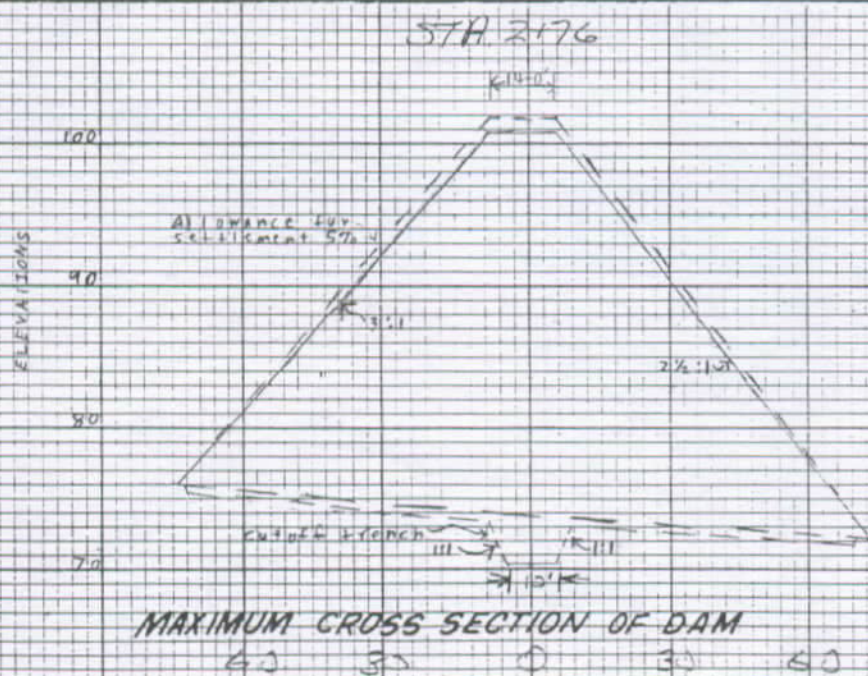
U. S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

Designed <u>Item</u>	Date	Approved by <u>Johnson</u>
Drawn		Title: <u>Long</u>
Checked <u>P.A. 10-2-97</u>	Sheet <u>1</u>	of <u>6</u>
		Drawing No. <u>fn1 3011</u>

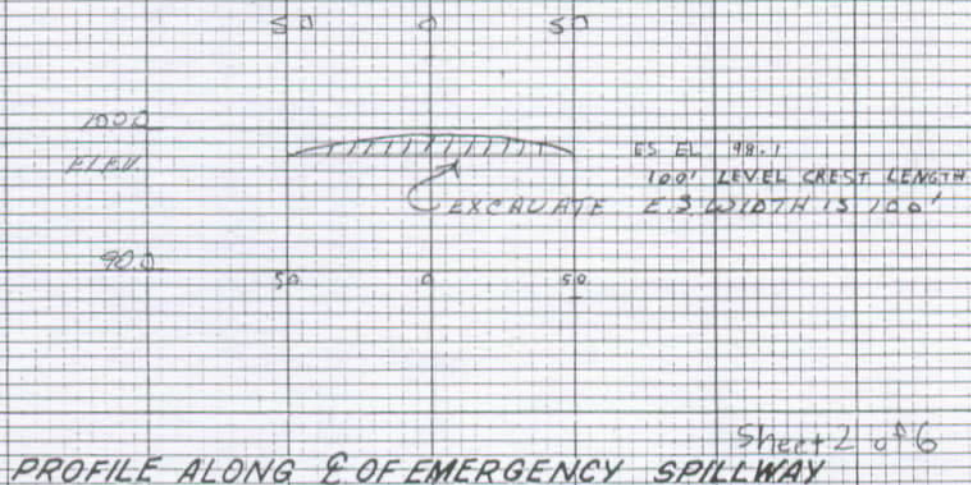
JOB PLAN 1A



CROSS SECTION AT CREST OF EMERGENCY SPILLWAY AND PROFILE ALONG E OF DAM



MAXIMUM CROSS SECTION OF DAM

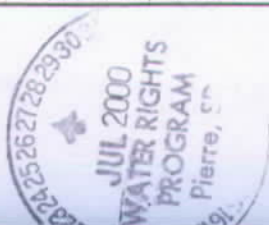


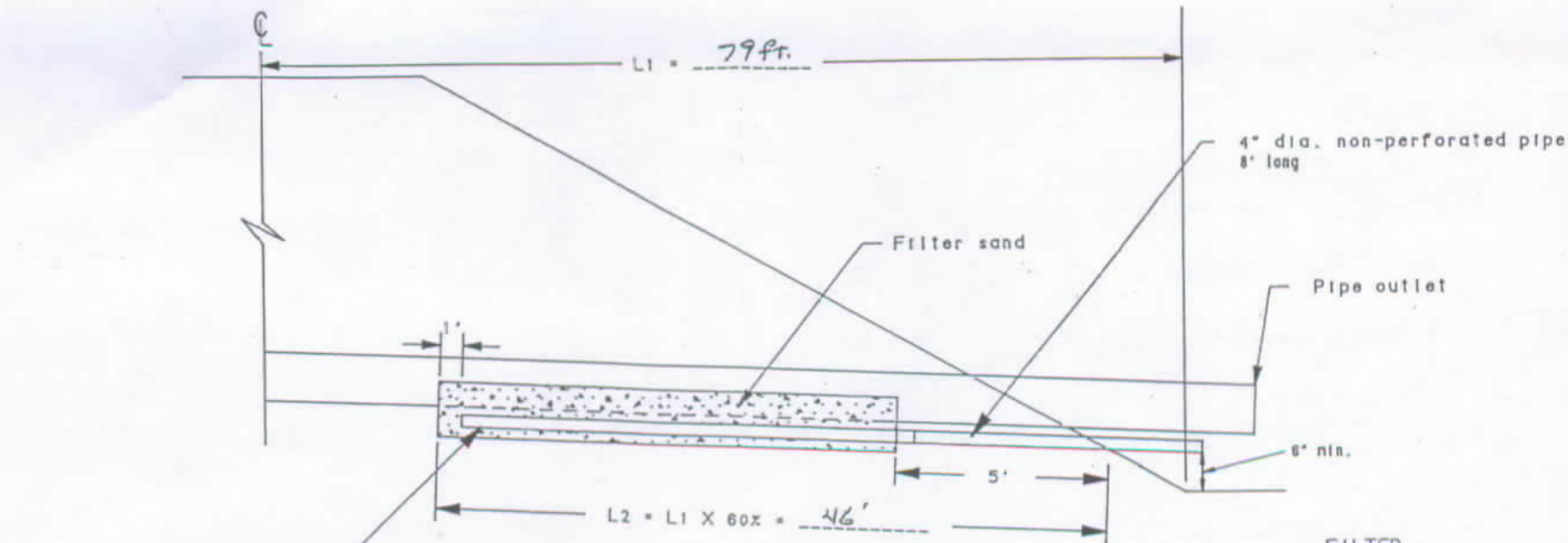
PROFILE ALONG E OF EMERGENCY SPILLWAY

SEDIMENT YIELD

ERODIBILITY AREA ACRES	GROSS RATE A.F./AC./YR.	DRAINAGE AREA ACRES	DELIVERY RATE %	DESIGN PERIOD YEARS	REQ'D. SEDIMENT VOLUME AC.FT.
F	.0021	762	.26	25	10.40

(REV. 4-73) 5, N-29, 073.1a (2)





SIDE VIEW

FILTER GRADATION

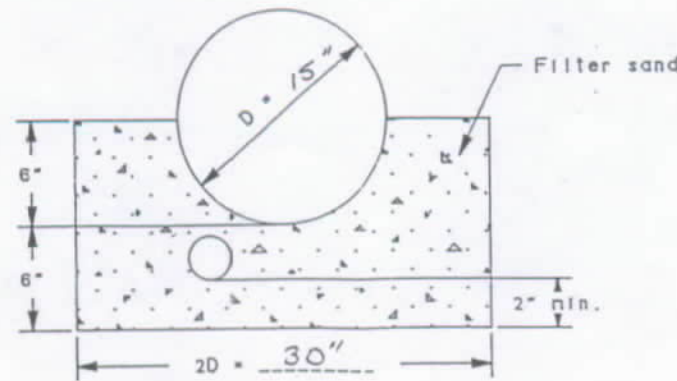
SIEVE SIZE	PERCENT PASSING
3/8"	100
4	85-100
8	80-100
16	50-85
30	25-80
50	10-30
100	2-10

QUANTITY FILTER SAND:

$$1 \times 2.5' \times 40' = 100$$

$$- \frac{2}{3} (14' \times 6') \times 40 = 15.6$$

$$\frac{84.4 \text{ cu. ft.}}{27} = 3.1 \text{ cu. yd.}$$



UPSTREAM VIEW

SAND ANTISEEP DRAIN

- NOTE:
1. THE 4" DIA. PIPE SHALL BE SDR 35 PVC, OR STRONGER
 2. PROVIDE AN ANIMAL GUARD ON DRAIN OUTLET PIPE. DRILL 2, 1/2" DIA. HOLES, ON E 6" FROM END OF PIPE AND PLACE A 3/8" DIA., 5 1/2" LONG GALVANIZED STEEL BOLT THRU THEM AND SECURE WITH A NUT (PLACE BOLT HORIZONTAL).
 3. FILTER SAND WILL BE CLEAN PEA AGGREGATE OR CONCRETE SAND.

OPERATOR <u>JR. WALTECH</u>	
CONSERVATION DISTRICT <u>ROBERTS</u>	
U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE	
Designed _____	Date _____
Drawn _____	Approved by _____
Traced _____	Title _____
Checked _____	Sheet No. <u>5</u> of <u>6</u>
	Dwg. No. _____

Rev. 3/96
JOB PLAN NO. 3.8-P



JOB PLAN NO. 6.3

Checked _____	Sheet No. <u>6</u> of <u>6</u>
	Dwg. No. _____



ITEM	UNIT	QUANTITY
STEEL BAFFLE, 1/4" THICK (GALV)	SQ. FT.	3
1/2" DIA. GALV ROD	EACH	4
2" x 2" x 1/4" GALV. ANGLE	LBS.	# 32
1/2" DIA. x 11/2" LONG GALV BOLT	EACH	4



OPERATOR: JR. WALITECH
CONSERVATION DISTRICT: ROBERTS

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed <i>Conelson 10/6/99</i>	Date	Approved by: _____
Drawn: _____		Title: _____
Trace: _____		Title: _____
Checked _____	Sheet <i>6</i>	Drawing No. _____
	of <i>82</i>	

1. ALL BOLT AND RODS SHALL HAVE A NUT AND SPLIT WASHER.
2. ALL STRUCTURAL STEEL SHALL BE GALVANIZED.
3. ALL DRILL HOLES SHALL BE 9/16"
4. BAFFLE WILL FIT 1 1/2" TO 18 1/2" O.D. PIPE BUT BAFFLE SIZE IS ADEQUATE ONLY FOR 16" OR SMALLER I.D. PIPE.

JOB PLAN NO. 6.3



Mail to: Water Rights Program
DENR, Foss Bldg.
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

LOCATION NOTICE FOR DAM/DUGOUT

Roberts

County

Location Notice No. (Office Use)

I, Dewain J. Waterich, of

Name

RR-3 Box 277, Sisseton, SD 57262, Roberts

Address & Zip Code

County

(check one) ☒ owner, ☐ operator, of the following described land, do hereby notify

the Water Management Board of the State of South Dakota and all others concerned that I am exercising my right under SDCL 46-4, for construction of a (check one) ☒ dam, ☐ dugout for the purpose of impounding runoff waters for livestock watering purposes.
(type of use - livestock, recreation, etc.)

The following data is presented in compliance with SDCL 46-4-3 and 46-4-4.

(1) Date of:

(a) This notice _____

(b) Proposed construction Sept 2000

(2) Legal description of the land upon which the dam/dugout is located:

SW 1/4, NE 1/4, Sec 36, T126, R52
(describe to the nearest 40 acre subdivision)

(3) Location of the dam/dugout from a section corner:

1/4 mile NE from SW corner
(describe distance N.S.E.W. in feet from the corner)

(4) County Roberts

(5) Name of landowner Dewain J. Waterich

(6) Acre feet of water claimed annually 16.3

NOTES: If the storage of the proposed structure at the spillway crest or overflow elevation exceeds twenty five (25) acre feet, a water permit from the Water Management Board is required.

A location notice is required on a dugout only if the dugout captures surface water



(7) Complete the following information for the proposed dam/dugout:

*Items to be completed for a dugout

*a) Dam/Dugout designed by Stern

b) Freeboard 5.7 Feet

c) Crest Width 14 Feet

Crest Length 540 Feet

d) Height 28.7 Feet

* Depth, if Dugout _____

e) Outlet Dimensions

Pipe diameter 18 inches

Spillway width 100 Feet

f) X & Y Slope:

Upstream 3:1

Downstream 2 1/2:1

*g) Water surface area 4.7 acres

*h) Storage at spillway crest or overflow elevation

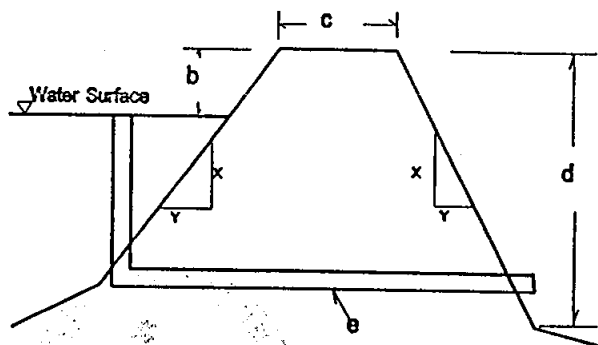
(acre feet) 48.7 acre feet

i) Maximum storage to top of dam crest

(acre feet) 6.2 acre feet

*j) Drainage area above dam/dugout

(acres) 762 acres



Enclosed is ten dollars (\$10.00). The Water Management Board is requested to file this copy of the Location Notice in their official records. The original Location Notice has been filed (do not record) with the Register of Deeds of Roberts County in accordance with SDCL 46-4-3.

Dewain Wallich
Owner

Locator

STATE OF SOUTH DAKOTA

COUNTY OF Roberts) ss

I, Dewain Wallich the applicant, certify that I have read this Location Notice and that the matters stated in this notice are true and that I intend, and am able to start construction within sixty days after the filing of this notice.

Subscribed and sworn to before me this 15th day of June, 2000.

Signed

Dewain Wallich

Caryn E. Curran
Notary Public

CARYN E. CURRAN, Sisseton, SD
Roberts County, SD
My Commission Expires 7/25/02

Post-it® Fax Note	7671	Date	7/31/00	# of pages	8
To	Tim Schall	From	Jason Kohn		
Co./Dept.		Co.	Roberts Conserv		
Phone #		Phone #	(605) 698-3923		
Fax #	(605) 773-4068	Fax #	(605) 698-3923		

3561

Tim,

I hope this is everything here. If not, let me know. Sorry for the trouble.

Jason

EFM-2 ESTIMATING RUNOFF AND PEAK DISCHARGE

VERSION 1.10

Client : Jr Walitech 36-126-52

County : Roberts

Practice: Dam

State: SD

By: LFS

Checked: _____

Date: 09-30-99

Date: _____

Drainage Area : 762 Acres
 Curve Number : 73 *
 Watershed Length : 16750 Feet
 Watershed Slope : 8.8 Percent
 Time of Concentration: 2.09 Hours
 Rainfall Type : II

Storm Number	1	2	3	4	5	6	7
Frequency (yrs)	1	2	5	10	25	50	100
24-Hr Rainfall (in)	2	2.4	3.2	3.8	4.3	4.9	5.4
Ia/P Ratio	0.37	0.31	0.23	0.19	0.17	0.15	0.14
Runoff (in)	0.32	0.51	0.98	1.39	1.75	2.20	2.60
Unit Peak Discharge (cfs/acre/in)	0.244	0.276	0.301	0.312	0.319	0.325	0.329
Peak Discharge (cfs)	60	108	225	329	424	546	652

* - Value(s) provided by CN subroutine (F9)

$$G \quad .0013 (762) .26 (25) = 6.44 \text{ ac sediment}$$

EFM-2 ESTIMATING RUNOFF AND PEAK DISCHARGE
Curve Number Computation

VERSION 1.10

Client : Jr Walitech 36-126-52

County : Roberts

Practice: Dam

State: SD

By: LFS

Checked: _____

Date: 09-30-99

Date: _____

COVER DESCRIPTION

A	Hydrologic Soil Group B Percent (CN)	C	D
---	--	---	---

CULTIVATED AGRICULTURAL LANDS

Row crops Straight row (SR) good

-	40 (78)	-	-
---	---------	---	---

OTHER AGRICULTURAL LANDS

Pasture, grassland or range fair

-	60 (69)	-	-
---	---------	---	---

Total Area (by Hydrologic Soil Group)

100

====

TOTAL DRAINAGE AREA: 100 Percent

WEIGHTED CURVE NUMBER: 73

Hydrology and Hydraulic Design -- Principal Spillway
 *** Hydro-Yardage Version 3.1 Dated: 9/28/90 ***
 Landowner: Jr Walitech Site: 1
 Location: NE 4 Sec 36 T126 R52 in Roberts County, SD

Computer Operator: LFS -- Routed on 09-30-1999 @ 17:21:30

<< Hydrology Input >>

Drainage Area = 762 acres -- P - 2 24 Hour Rainfall = 2.4 Inches

Tile Outlet Terraces control 78 acres of the drainage area
 and 1.0 inches of runoff from this area

Type II Storm

Runoff Curve Number = 73

Time of Concentration = 2.00 Hours

103.1

<< Principal Spillway Data for a Hood Inlet >> Pipe type = SPP >>

Pipe Diameter = 15 Inches

Type of Principal Spillway Outlet >> Cantilever

Estimated Conduit Length = 118 Feet Mannings roughness coefficient = 0.010

Inlet Elevation = 95.0 Principal spillway outlet = 73.0

Elevation of the ditch bottom at the centerline of fill = 75.4

Storage below crest = 33.26 ac. ft. Aer. sediment storage = 0.00 ac. ft.

<< Elevation-Storage-Outflow Table >

Elevation (Ft.)	Storage (Ac. Ft.)	Outflow (CFS)	*	Elevation (Ft.)	(
-----	-----	-----	*	-----	
95.0	0.00	0.00	*	99.0	
96.0	4.60	2.59	*	100.0	
97.0	9.58	18.30	*	101.0	
98.0	15.02	25.35	*	102.0	
98.1	15.61	25.40	*		

The emergency spillway is set at elevation << 98.1 >>
 with a temporary storage of << 15.61 >> acre feet
 and a total storage to this elevation of << 48.87 >> acre feet

The <<TR-60>> product for this structure
 is 1109 and the effective fill height is 22.7 feet

The P- 2 year rainfall of 2.4 inches
 produces a peak runoff of 103 cfs
 which includes 3.3 cfs from the terraced controlled portion
 based on a 1.0 inch coefficient

Structure 3' in
 concrete dam @ 100
 6" depth

Hydrology and Hydraulic Design -- Emergency Spillway
 *** Hydro-Yardage Version 3.1 Dated: 9/28/90 ***
 Landowner: Jr Walitech Site: 1
 Location: NE 4 Sec 36 T126 R52 in Roberts County, SD

Computer Operator: LFS -- Routed on 09-30-1999 @ 17:21:31

<< Hydrology Input >>

Drainage Area = 762 acres -- P - 25 24 Hour Rainfall = 4.5 Inches

Tile Outlet Terraces control 78 acres of the drainage area
 and 1.0 inches of runoff from this area

Type II Storm

Runoff Curve Number = 73

Time of Concentration = 2.00 Hours

<< Principal Spillway Data for a Hood Inlet >> Pipe type = SPP >>

Pipe Diameter = 15 Inches

Type of Principal Spillway Outlet >> Cantilever

Estimated Conduit Length = 118 Feet Mannings roughness coefficient = 0.010

Inlet Elevation = 95.0 Principal spillway outlet = 73.0

Elevation of the ditch bottom at the centerline of fill = 75.4

Storage below crest = 33.26 ac. ft. Aer. sediment storage = 0.00 ac. ft.

<< Elevation-Storage-Outflow Table >				
Elevation (Ft.)	Storage (Ac. Ft.)	Outflow (CFS)	*	Elevation (Ft.)
-----	-----	-----	*	-----
95.0	0.00	0.00	*	99.1
96.0	4.60	2.59	*	99.6
97.0	9.58	18.30	*	100.0
98.0	15.02	25.35	*	100.1
98.1	15.61	25.40	*	100.6
98.6	18.26	76.19	*	101.0
99.0	20.92	118.16	*	

Elevation of the emergency spillway = 98.1

Bottom width of the emergency spillway = 100 feet

Vegetated Retardance = ' D ' Crest Length = 100 feet

Flow depth of the water in the emergency spillway = 1.60 feet

Emergency spillway flow = 409.6 cfs with a velocity of 7.0 ft./sec.

Minimum exit slope = 1% -- Maximum exit slope = 7 %

Maximum water surface in the emergency occurs at elevation 99.7

The P- 25 year rainfall of 4.5 inches
 produces a peak runoff of 446 cfs
 which includes 3.3 cfs from the terraced controlled portion
 based on a 1.0 inch coefficient

The total storage to the top of fill elevation 100.7 equals 65.3 acre feet

<<Earthfill quantities based of centerline of fill section>>
Under file code JrWalit.xse

*** Hydro-Yardage Version 3.1 Dated: 9/28/90 ***
(Includes berm, main fill, core trench & spway dike)

Landowner ----- Jr Walitech Site no.----- 1
District ----- Roberts County
Location ----- NE 4 Sec 36 T126 R52
Computed by --- LFS
Date ----- 09-30-1999 @ 17:21:31

Top of fill elev ----- 100.7
Top width ----- 14 Feet
Emergency spillway elev. ----- 98.1
The emergency spillway is located on the left side
Upstream fill slope = 3.0:1 Downstream fill slope = 2.5:1
Elevation of crest ----- 95.0
Berm width ----- 0 feet

Core trench depth = 4.0 feet with a length of 315.0 feet
(Core trench assumed 10.0 ft. bottom w/ 1.0:1 sideslopes)

Spillway dike length = 80 feet with a 9 % sidehill slope
Emergency dike topwidth = 8 feet with sideslopes of 3.0:1 and 3.0:1
with a fill height of 2.6 feet

Station	Elevation	Yardage x 2	Statio
80.0	105.0	0.0	252.0
100.0	100.0	0.0	305.0
120.9	98.1	0.0	315.0
122.0	98.0	3.5	337.0
126.9	97.4	32.3	373.0
139.0	96.0	115.6	425.0
147.0	95.0	108.5	462.0
155.0	94.0	139.5	499.0
170.0	90.0	448.9	536.0
195.0	82.0	1800.8	541.3
222.0	78.0	3372.8	574.0

Main fill including berm (if any berm) ----- 14951.0 cu. yds.
Emergency spway dike fill ----- 272.0 cu. yds.
Core trench ----- 551.3 cu. yds.
Total structure yardage ----- 15774.3 cu. yds.

<<< Notes >>>

Fill yardage includes stripping 0.50 ft. deep plus (berm yardage)
Emergency dike yardage based on depth plus 0.50 ft. deep stripping
Core trench yardage based on depth minus 0.50 ft. deep stripping
Settlement of 5.0 % was used on the earthfill computations

<< Structure Summary >>

*** Hydro-Yardage Version 3.1 Dated: 9/28/90 *** Sheet 1 of 2
 Computed by: LFS on 09-30-1999 @ 17:21:32

Owner's Name ----- Jr Walitech
 Site name or number ----- 1
 District ----- Roberts County, SD
 Location ----- NE 4 Sec 36 T126 R52
 Drainage area ----- 762 Acres
 Tile Outlet Terraces control 78 acres of the drainage area
 and 1.0 inches of runoff from this area

Permanent pond area ----- 4.44 acres
 Permanent storage below crest ----- 33.26 acre feet
 Temporary storage to the emergency spillway ----- 15.61 acre feet
 Total storage to the emergency spillway ----- 48.87 acre feet
 Total storage to the top of fill ----- 65.31 acre feet
 Fill height at centerline of fill ----- 25.3 feet
 Effective fill height ----- 22.7 feet
 Overall fill height to downstream toe ----- 28.7 feet

TR-60 product > > > 1109 < < <

<< Principal Spillway Hydrology Design >>

Rainfall Distribution Type >>II << Runoff Curve Number 73
 P 2 - 24 hr. rainfall = 2.4 inches - Time of concentration = 2.00 hr.
 Peak runoff = 103 cfs -- Peak runoff volume = 32.66 ac. ft.

<< Principal Spillway >>

(Note: Pipe length shown is the centerline of pipe
 perpendicular to the centerline of fill)

Pipe length used in the routing = 118.0 lin. ft.

116 Lin. Feet of 15 inch diam. SPP with a Hood inlet
 Mannings Friction value 'n' = 0.0100

<< Emergency Spillway Hydrology Design >>

P 25 - 24 hr. rainfall = 4.5 inches
 Peak runoff = 446 cfs -- Peak runoff volume = 120.38 ac. ft.

<< Emergency Spillway >>

Bottom width of the emergency spillway = 100 feet
 Vegetated Retardance = 'D' Crest Length = 100 feet
 Emergency spillway flow = 409.6 cfs
 Velocity = 7.0 ft./sec.
 Minimum exit slope = 1% -- Maximum exit slope = 7%

<< Structure Summary continued >>

*** Hydro-Yardage Version 3.1 Dated: 9/28/90 ***

Sheet 2 of 2

Computed by: LFS on 09-30-1999 @ 17:21:32

Owner's Name ----- Jr Walitech
Site name or number ----- 1

District ----- Roberts County, SD
Location ----- NE 4 Sec 36 T126 R52

(Note: Dimensions shown are for the centerline of pipe
perpendicular to the centerline of fill)

Pipe length used in the routing = 118.0 lin. ft.

Top of constructed fill = 102	
Settled top of fill = 100.7	Top width = 14 feet
Upstream fill slope = 3.0:1	Downstream fill slope = 2.5:1
Emergency spillway = 98.1	Downstream toe elevation = 72.0
Pipe outlet = 73.0	Elbow elevation = 73.3
Elevation of crest = 95.0	Berm width = 0
Frontslope dimension = 21.0 feet	Backslope dimension = 75.0 feet
Length of pipe beyond toe = 2.0 feet	
Length of pipe from pipe outlet to elbow = 16.0 feet	
Fabricate a 11 degree elbow located 16.0 feet from the outlet	

**** Cost Estimate ***

15223 cubic yards earth fill @ 0.72 =	10960.45
551 cubic yards core trench @ 0.72 =	396.94
116 lin. ft. of 15 in. diameter SPP conduit @ 0.00 =	0.00

Total estimated cost	11357.38



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

**REVISED RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6224-3, Dewain J. Waletich**

Pursuant to SDCL 46-2A-2, the following is the revised recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6224-3, Dewain J. Waletich, RR 3, Box 277, Sisseton, SD 57262.

The Chief Engineer is recommending APPROVAL of Application No. 6224-3 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) it is in the public interest with the following qualifications:

1. Water Permit No. 6224-3 authorizes a dam with a storage capacity of 34 acre feet of water and sufficient water annually to maintain the water level to the outlet elevation.
2. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
3. Water Permit No. 6224-3 does not authorize diversion of water from the dam for irrigation.

See report on application for additional information.

Garland Erbele, Chief Engineer
September 26, 2000

NOTE: This recommendation was revised to include Qualification No. 3 which specifies that this water permit does not authorize diversion of water from the dam for irrigation. This qualification was included at the request of the applicant and petitioners.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6224-3, Dewain J. Waletich**

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. 6224-3, Dewain J. Waletich, RR 3, Box 277, Sisseton, SD 57262.

The Chief Engineer is recommending APPROVAL of Application No. 6224-3 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) it is in the public interest with the following qualifications:

1. Water Permit No. 6224-3 authorizes a dam with a storage capacity of 34 acre feet of water and sufficient water annually to maintain the water level to the outlet elevation.
2. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.

See report on application for additional information.

Garland Erbele, Chief Engineer
August 16, 2000

REPORT ON
WATER PERMIT APPLICATION NO. 6224-3
Dewain J. Waletich
August 8, 2000

Water Permit Application No. 6224-3 has been filed by Dewain Waletich to impound 34 acre-feet of water from runoff by constructing a dam located in the SW 1/4 NE 1/4 of Section 36-T126N-R52W, in Roberts County. The application also requests impoundment of sufficient water to maintain water at the outlet elevation. The water will be used for fish and wildlife production and livestock watering.

Discussion:

The dam will be classified as a small size, Category 3, Low Hazard dam. The Natural Resources Conservation Service (NRCS) has designed the project. The plans and specifications have been reviewed and will be approved; however, construction of the dam can not begin until Water Permit Application No. 6224-3 is approved.

The Waletich Dam will be 29 feet high with a normal storage capacity of 34 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 65 acre-feet with a reservoir level at the top of dam elevation. A dam of this size and hazard classification is required to have a minimum spillway design capable of passing a 25-year frequency event.

The dam has a drainage area of 1.19 square miles. A 25-year frequency event for this drainage area produces a peak runoff of approximately 433 cfs. A 100-year frequency event produces a peak of approximately 812 cfs. The dam is designed to have a 15 inch diameter corrugated plastic pipe with 5.7 feet of available freeboard as the primary spillway and a 100 foot wide earth spillway with 2.6 feet of available freeboard as the secondary spillway. The 100 foot wide spillway will have a capacity of approximately 1090 cfs.

The annual yield for this drainage area with an 80 percent chance of occurrence, or 8 out of 10 years, is expected to be 7.6 acre-feet. The annual yield with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be 23.5 acre-feet and the annual yield with a 10 percent chance, or 1 out of 10 years, is expected to be 121 acre-feet.

The Waletich Dam will be located in the SW 1/4 NE 1/4 of Section 36-T126N-R52W on an unnamed tributary of the Little Minnesota River about six miles upstream of its confluence with the river. There are no existing Water Permits/Rights located on the unnamed tributary between the proposed dam and the Little Minnesota River.

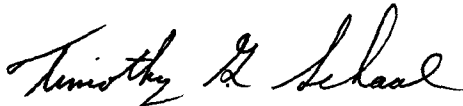
Page 2

Application No. 6224-3

Dewain J. Waletich

Conclusions:

1. Water Permit Application No. 6224-3 should be approved since unappropriated water is available and approval should not have any adverse effect on existing Water Permits/Rights.
2. If approved, the low flow bypass requirement for downstream domestic use should be a qualification on Water Permit Application No. 6224-3.



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
www.state.sd.us/denr

August 17, 2000

Dewain J. Waletich
RR 3, Box 277
Sisseton, SD 57262

Dear Mr. Waletich:

We have reviewed the plans and specifications for your dam project located in the NE 1/4 of Section 36-T126N-R52W, in Roberts County. The plans and specifications as submitted are approved. Approval of the plans and specifications does not authorize construction of the dam. The construction may not begin until Water Permit Application No. 6224-3 is approved.

Our review was to determine compliance with the requirements of the Water Management Board Safety of Dams Rules, Chapter 74:02:08. Approval of these plans and specifications does not release you, as owner of the dam, from the responsibility for operating and maintaining the dam in good repair to ensure the safety of the dam.

The Waletich Dam will be classified as a small size Category 3, Low Hazard dam with a dam height of 29 feet and a normal storage capacity of 34 acre-feet and a maximum storage capacity of 65 acre-feet.

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

Sincerely,

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

c: Pete Anderson, NRCS Brookings
Jason A. Rehn, Roberts Conservation District



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

August 17, 2000

Sisseton Courier
Box 169
Sisseton SD 57262-0169

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6224-3 to Appropriate Water to be published twice. Please publish the first notice on August 29, 2000 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 Dewain J Waletich, RR 3 Box 277 Sisseton SD 57262 (Ph # 605 698-4388).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

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

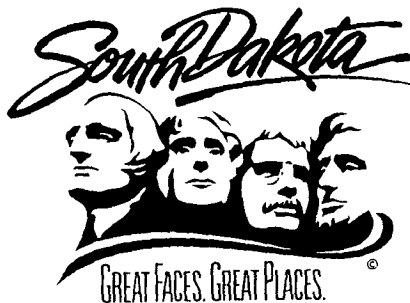
No. 6224-3

Date _____

We are in receipt of your letter of August 17, 2000 enclosing Notice of Hearing to Appropriate Water by Application No. 6224-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

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

August 17, 2000

Dewain J Waletich
RR 3 Box 277
Sisseton SD 57262

Dear Mr. Waletich:

Water Permit Application No. 6224-3 for fish and wildlife propagation and livestock watering 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 Sisseton Courier printed at Sisseton, SD (Ph # 605 698-7642). 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.

Instruction to Newspaper - Publish first Notice on August 29, 2000 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6224-3 to Appropriate Water

Notice is given that Dewain J Waletich, RR 3 Box 277, Sisseton SD 57262 has filed an application for a water permit to impound 34 acre-feet of water from runoff by constructing a dam located in the SW ¼ NE ¼ Section 36 with water impounded in the SW ¼ NE ¼ Section 36; all in T126N-R52W. This application requests impoundment of sufficient water to maintain water at the outlet elevation. The water is to be used to provide habitat for fish and wildlife propagation and livestock watering.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6224-3 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 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 September 18, 2000.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Roberts)

I, Harley E. Deutsch

certify that the attached printed Notice was
taken

from the The Sisseton Courier

printed and published in Sisseton

County of Roberts and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

08-29-00

09-05-00

Cost of Printing 41.67

Sylvia Kuntze
(Signature)

Secy - Treas.
(Title)

9-5-00.
(Date Signed)



NOTICE OF HEARING
On Application No. 6224-3
to Appropriate Water

Notice is given that Dewain J. Waletich, RR 3, Box 277, Sisseton, SD 57262 has filed an application for a water permit to impound 34 acre-feet of water from runoff by constructing a dam located in the SW 1/4 NE 1/4 Section 36 with water impounded in the SW 1/4 NE 1/4 Section 36; all in T126N-R52W. This application requests impoundment of sufficient water to maintain water at the outlet elevation. The water is to be used to provide habitat for fish and wildlife propagation and livestock watering.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6224-3 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 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 September 18, 2000.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

(Aug. 29-Sept. 5--2 wks.)

WATER RIGHTS PROGRAM

SOUTH DAKOTA DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Craig Ash, Attorney	Karen Schlaak
COMPANY:	DATE:
	September 13, 2000
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
432-4737	34
PHONE NUMBER:	SENDER'S TELEPHONE NUMBER:
	(605) 773-3352
RE:	SENDER'S FAX NUMBER:
Application No. 6224-3	(605) 773-4068

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ AS YOU REQUESTED

NOTES/COMMENTS:

As requested, a copy of the report and recommendation for Water Permit No. 6224-3, Dewain J Waletich.

WATER RIGHTS PROGRAM
JOE FOSS BUILDING
523 E. CAPITOL AVE.
PIERRE, SD 57501

The law offices of
Ash & Reedstrom
Attorneys at law

203 East Fourth Avenue, Suite A
PO BOX 266
Milbank, SD 57252-0266



Craig O. Ash
Mark A. Reedstrom

Phone: (605) 432-4952
Fax: (605) 432-4737

September 15, 2000

Water Rights Program
Attn: Chief Engineer
Foss Building
523 East Capitol
Pierre, SD 57501

Re: Petition in Opposition of Application for Water Permit/Application No. 6224-3
Dewain Waletich, Applicant

Dear Chief Engineer:

I represent Peter Stewart and William and Cheryl Vellenga. My clients have asked me to represent them in opposition to the application for water permit by Dewain Waletich. Thus, please consider this letter to be my client's petition in opposition to the application.

Peter Stewart is the owner of real property described as Lot 1, except Heath's Outlot 1 and accept a tract described in Book 36 of Deeds on Page 463, in Section 31, Township 126 North, Range 51 West of the 5th Principal Meridian, Roberts County, South Dakota. The watershed stream upon which the applicant intends to construct a dam flows across Mr. Stewart's property. Water flow in this stream is light for most of the year and sometimes nonexistent. Mr. Stewart is concerned that allowing this water permit will further diminish the flow of water through his property and further downstream. Mr. Stewart currently depends on this water source for watering his horses and he also appreciates the water supply as an attraction for wildlife. The stream is a natural part of the land and to artificially restrict the flow will no doubt have some negative effect downstream, not only to landowners who appreciate and utilize the water, but to wildlife in general.

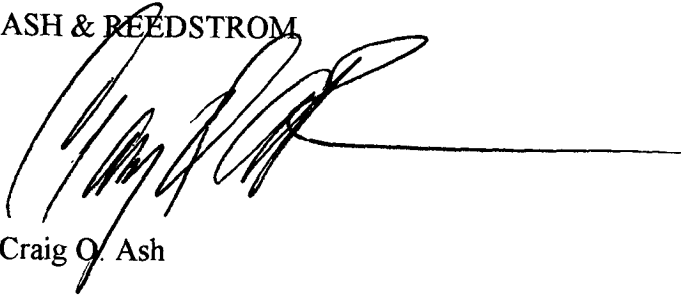
William and Cheryl Vellenga are the owners of real property described as Heath's Outlot, in Govt Lot 1, Section 31, Township 126 North, Range 51 West, of the 5th Principal Meridian, Roberts County, South Dakota. The stream in question is located very close in proximity to the Vellenga's property. As stated above, water flow in this stream is light for most of the year and sometimes nonexistent. The Vellengas are concerned that allowing this water permit will further diminish the flow of water downstream. The Vellengas appreciate the water supply as an attraction for wildlife, and this natural feature is an enhancement to their property. Allowing this water to be further diminished downstream will be a definite loss to the habitat, nature in general, and property value.

Please schedule a hearing to consider the opposition of my clients and others who may appear at the time of the hearing.

I look forward to receiving the notice of the time and place of the hearing. If you should have any questions regarding this request for hearing, please feel free to contact me.

Sincerely yours,

ASH & REEDSTROM

A handwritten signature in black ink, appearing to be "Craig Q. Ash", is written over the printed name. The signature is fluid and cursive, with a long horizontal line extending to the right.

Craig Q. Ash



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

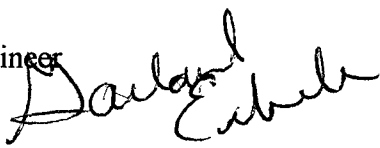
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

September 20, 2000

NOTICE

TO: Dewain J. Waletich
RR 3, Box 277
Sisseton, SD 57362

Craig O. Ash, Attorney
P.O. Box 266
Milbank, SD 57252-0266

FROM: Garland Erbele, Chief Engineer
Water Rights Program 

SUBJECT: Notice of Hearing on Contested Water Right Permit Application No. 6224-3, Dewain Waletich

A petition in opposition to Application No. 6224-3 has been filed by Craig Ash, an attorney representing Peter Stewart and William and Cheryl Vellenga. The petition was filed in response to the Notice to appropriate water published August 29 and September 5, 2000, in the Sisseton Courier. A copy of the petition is enclosed for the applicant.

As specified in the publication notice, Application No. 6224-3 proposes to impound 34 acre-feet of water from runoff by constructing a dam located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36 with water impounded in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36; all in T126N-R52W. This application requests impoundment of sufficient water to maintain water at the outlet elevation. The water is to be used to provide habitat for fish and wildlife propagation and livestock watering.

The Water Management Board will conduct a hearing to consider Application No. 6224-3 at 10:30 am, on December 6, 2000, in the Conference Room, Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD. Pursuant to SDCL 46-2-9, 46-2-11, and 46-2A-23, the Board has legal authority and jurisdiction to conduct this hearing. The agenda time is an estimate and may be delayed due to prior agenda items.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6224-3 with qualifications 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. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on evidence and record of the public hearing.

The December 6, 2000, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any party of record opposing the application. The request for an automatic delay must be filed by November 24, 2000.

This hearing is an adversary proceeding. Any party of record and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Notice is further given to persons with disabilities that this hearing is being held in a physically accessible place and that interpreter services will be provided, upon request, during the hearing. Please notify Eric Gronlund at (605) 773-3352 by November 24, 2000, if you have any questions about the hearing process or have special needs for which the department will make arrangements.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-23; 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Enclosure

c: Diane Best, Assistant Attorney General

CERTIFICATION

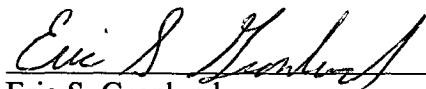
I hereby certify that on September 20, 2000, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated September 20, 2000, regarding Notice of Hearing on Water Right Permit Application No. 6224-3, Dewain Waletich, addressed as stated below:

Dewain J. Waletich
RR 3, Box 277
Sisseton, SD 57362

Craig O. Ash, Attorney
P.O. Box 266
Milbank, SD 57252-0266

A copy of the above described Notice was sent Inter-office to:

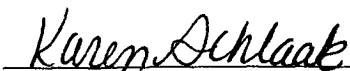
Diane Best, Assistant Attorney General, Capitol Building



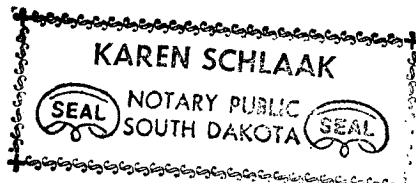
Eric S. Gronlund
Natural Resources Engineer
Water Right Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 21st day of September, 2000.



Karen Schlaak
Notary Public



KAREN SCHLAAK, Notary Public
My Commission Expires
April 1, 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

www.state.sd.us/denr

September 21, 2000

Dewain J. Waletich
RR 3, Box 277
Sisseton, SD 57362

Dear Mr. Waletich:

I forgot to include a copy on the petition submitting in the matter of Water Permit Application No. 6224-3 to you in notice sent to you on Wednesday. Please find a copy of the petition enclosed.

Sincerely,

Eric Gronlund
Water Rights Program
605 773-3352

enclosure

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 6224-3, Dewain Waletich

ADDRESS: COUNTY: Roberts

DATE: September 25, 2000 TELEPHONE: 698-3729

RE: Phone conversation with Mr. Waletich

COMMENTS:

I called Mr. Waletich to discuss the qualification that Mr. Ash, the attorney for the petitioners, had proposed. I explained that the petitioners were concerned that he would use the dam for irrigation purposes and that they wanted a condition placed on the permit prohibiting irrigation. I further explained that as public noticed the application does not allow for irrigation use. I said that Mr. Ash conveyed to me that if this condition was put on the permit that they would withdraw their opposition to the permit. Mr. Waletich concurred with this qualification being included on the permit.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: 

The law offices of
Ash & Reedstrom
Attorneys at law

203 East Fourth Avenue, Suite A
PO BOX 266
Milbank, SD 57252-0266



Craig O. Ash
Mark A. Reedstrom

Phone: (605) 432-4952
Fax: (605) 432-4737

September 25, 2000

Water Rights Program
Attn: Chief Engineer
Foss Building
523 East Capitol
Pierre, SD 57501

Re: Withdrawal of Petition in Opposition of Application for Water Permit
Application No. 6224-3/Dewain Waletich, Applicant

Dear Chief Engineer:

As you know, I represent Peter Stewart and William and Cheryl Vellenga in regard to their opposition to the application for water permit by Dewain Waletich. By letter dated September 15, 2000, I filed with your office a Petition in Opposition to the application for permit and requested that a hearing be scheduled to consider the application.

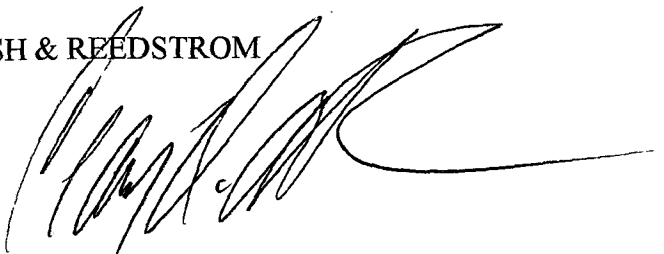
Since that time, my clients have had an opportunity to further investigate this matter. As a result, my clients have authorized me to withdraw their Petition in Opposition to the Application on the condition that the permit is issued with the condition that the water reservoir not be used for crop irrigation.

If my client's condition is satisfied, you may consider the Petition in Opposition withdrawn and proceed to issue the permit.

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

Sincerely yours,

ASH & REEDSTROM


Craig O. Ash



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

September 26, 2000

NOTICE

TO: Dewain J. Waletich
RR 3, Box 277
Sisseton, SD 57362

Craig O. Ash, Attorney
P.O. Box 266
Milbank, SD 57252-0266

FROM: Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Revised Recommendation and Withdrawal of Petition in Opposition to Water Right
Permit Application No. 6224-3, Dewain Waletich

Petitioners have submitted a letter withdrawing their petition in opposition to Water Permit No. 6224-3. The withdrawal of the petition is conditioned on the permit being issued with a qualification that the dam not be used for irrigation. The applicant was contacted and concurred with this qualification. Therefore, the Chief Engineer's recommendation has been revised to include this qualification (copy enclosed).

Since this application is no longer contested, the Chief Engineer will proceed with issuance the water permit for a non-contested application as set forth in the August 29, 2000 and September 5, 2000 notice published in the Sisseton Courier. The permit will include all three qualifications on the enclosed revised recommendation.

There will no longer be a December 6, 2000, hearing before the Water Management Board on this application.

If any party has any questions or disagrees with this action, please contact Eric Gronlund at (605) 773-3352.

Enclosure

c: Diane Best, Assistant Attorney General

CERTIFICATION

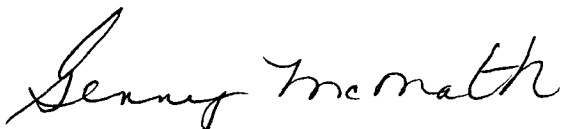
I hereby certify that on September 26, 2000, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated September 26, 2000, regarding the Revised Recommendation and Withdrawal of Petition in Opposition to Water Right Permit Application No. 6224-3, Dewain Waletich, addressed as stated below:

Dewain J. Waletich
RR 3, Box 277
Sisseton, SD 57362

Craig O. Ash, Attorney
P.O. Box 266
Milbank, SD 57252-0266

A copy of the above described Notice was sent Inter-office to:

Diane Best, Assistant Attorney General, Capitol Building



Genny McMath
Environmental Scientist
Water Right Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 4th day of October, 2000.



Karen Schlaak
Notary Public





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

OCT 10 2000

Dewain J Waletich
RR 3 Box 277
Sisseton SD 57262

Dear Mr. Waletich:

Enclosed is Water Permit No. 6224-3 authorizing construction of your dam and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

Permit No. 6224-3
Minnesota Whetstone - 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, April 17, 2006, made a thorough examination of the water use system constructed by Dewain J. Waletich of RR 3, Box 277, Sisseton, SD 57262 holder of Permit No. 6224-3, bearing the priority of July 19, 2000 authorizing the storage of 34 acre-feet of the waters of runoff for fish & wildlife propagation and livestock water purposes, in Roberts County.

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

A. Works used to divert the water:

A 28.7 foot high earthen dam with a normal storage capacity of 34 acre-feet of water.

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

N/A

C. Works used to apply water to beneficial use:

A 28.7 foot high earthen dam with a normal storage capacity of 34 acre-feet of water.

The system is in the following condition good. The point of diversion is located 2050 ft. south & 2350 ft. west of the NE corner of Sec. 36-T126N-R52W (SW ¼ NE ¼) (Lat. 43.292744, Long. -98.883642).

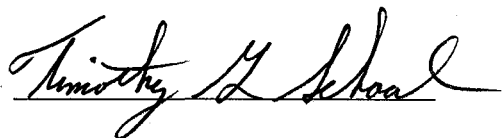
The works are capable of storing 34 acre-feet of water which is to be used for fish & wildlife propagation and livestock water. Water has been put to beneficial use to the maximum extent as follows:

A 28.7 foot high earthen dam with a normal storage capacity of 34 acre-feet of water.

and the license should be issued for 34 acre-feet of storage.

Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: October 25, 2006



Timothy G. Schaal, P.E.
Natural Resources Engineering Specialist
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 6224-3

DATE OF INSPECTION: April 17, 2006

NAME & ADDRESS OF INSPECTION CONTACT/ Dewain J. Waletich

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Dewain J. Waletich, RR 3, Box 277, Sisseton, SD 57362

DIVERSION POINT LEGAL LOCATION: 2050 ft. south & 2350 ft. west of the NE corner of Sec. 36-T126N-R52W (SW ¼ NE ¼) (Lat. 43.292744, Long. -98.883642).

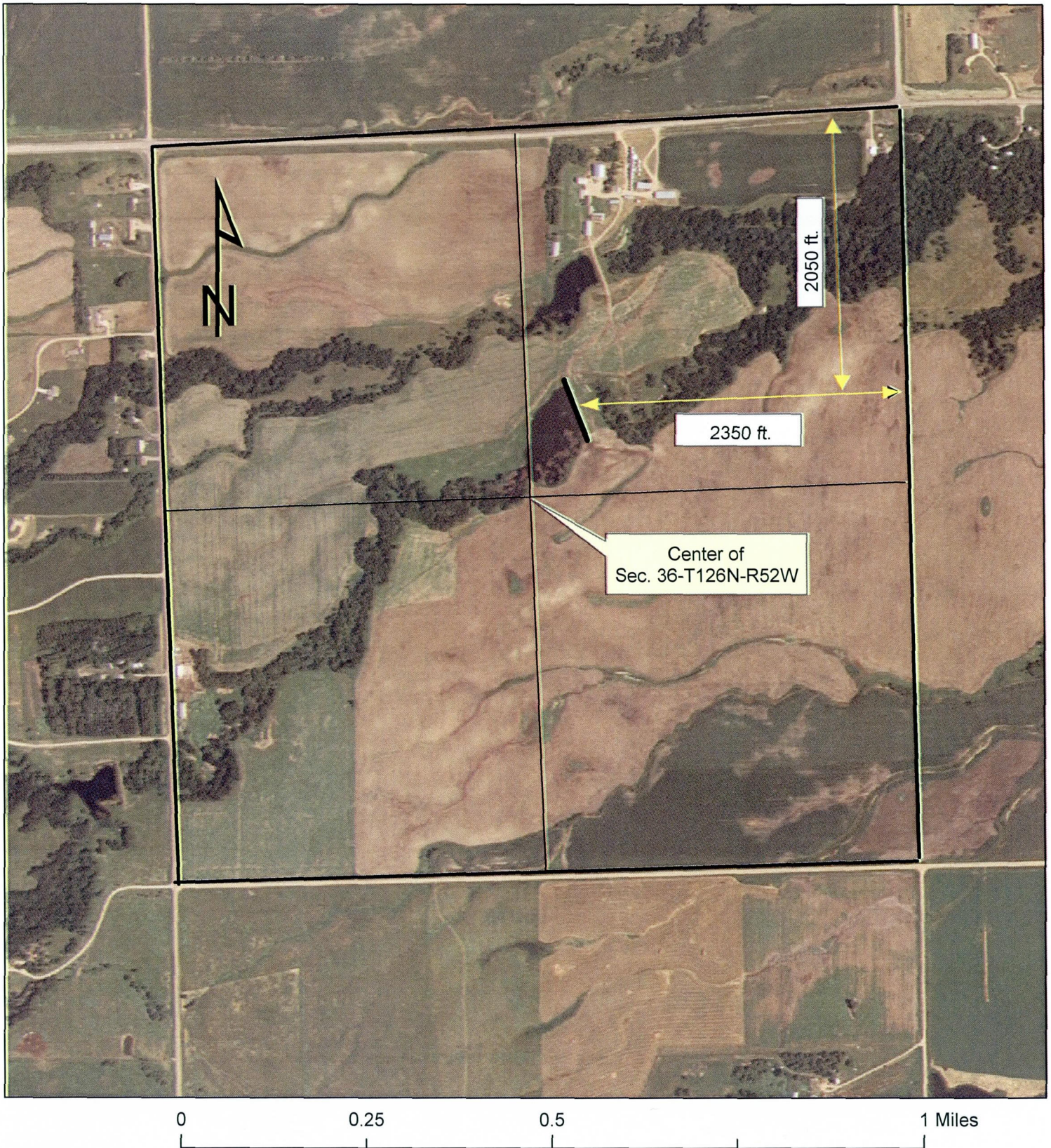
DAM INFORMATION:

- 1) Height to crest 28.7 feet
- 2) Height to primary spillway 23 feet
- 3) Height to secondary spillway 26.1 feet
- 4) Crest width 14 feet
- 5) Crest length 540 feet
- 6) Spillway length XXX feet
- 7) Spillway width 100 feet
- 8) Approx. storage (Normal) 34 acre-feet
- 9) Approx. storage (Maximum) 65 acre-feet
- 10) Date constructed: 2000

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by yes
- 3) All structures, wells and lands on map yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A

Water Permit Application No. 6224-3



South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow... Today



Timothy G. Schaal

Timothy G. Schaal, P.E.
Natural Resources Engineering Specialist
DENR, Water Rights Program

10/25/06



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

NOV 01 2006

6224-3

Dewain J Waletich
RR #3 Box 277
Sisseton SD 57262

Dear Mr. Waletich:

Enclosed is your Water License No. 6224-3. This is the final document which completes the process of obtaining a water right. Also included is a map of the area prepared by the staff engineer who conducted the field investigation. You may keep this for your records.

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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6224-3

(1) Dewain J Waletich, RR #3 Box 277, Sisseton SD 57262 made Application No. 6224-3, July 19, 2000 for a water permit to impound 34.0 acre feet of water from runoff, Roberts County, South Dakota for fish and wildlife propagation and domestic livestock watering purposes. Permit No. 6224-3, with a priority date of July 19, 2000 was approved September 18, 2000 and issued to the applicant for diversion of water with construction of the storage dam to be completed on or before September 18, 2005 and placement of water to beneficial use on or before September 18, 2009.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the storage dam and is entitled to impound 34.0 acre feet of water for beneficial use with sufficient water annually to maintain the water level to the outlet elevation. The location of the storage dam (spillway) is 2,050 feet south and 2,350 feet west of the NE corner of Section 36, T126N, R52W (SW ¼ NE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Dewain J Waletich, RR #3 Box 277, Sisseton, SD 57262 the holder and/or owner of Water Right No. 6224-3 is issued a license to appropriate water, with a priority date of July 19, 2000 for a right to impound 34.0 acre feet of water from runoff with sufficient water annually to maintain the water level to the outlet elevation. The water is impounded for the purpose of fish and wildlife propagation and domestic livestock watering purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6224-3 and subject to the following qualifications:

- Water Right No. 6224-3 authorizes a dam with a storage capacity of 34.0 acre feet of water and sufficient water annually to maintain the water level to the outlet elevation.
- Low flows as needed for downstream domestic use, including livestock water and prior water rights must be bypassed.
- Water Right No. 6224-3 does not authorize diversion of water from the dam for irrigation.



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

NOV 01 2008

date

