

WATER PERMIT NO. 7042-3

Name of Applicant: **James Peters**

Address: **42160 116th St, Britton SD 57430** Phone:

Amount of Water Claimed: **33 AF** Total Acres: **NA**

Source of Water Supply: **runoff**

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

Type of Waste Disposal System:

Location: **7 miles south of Britton**

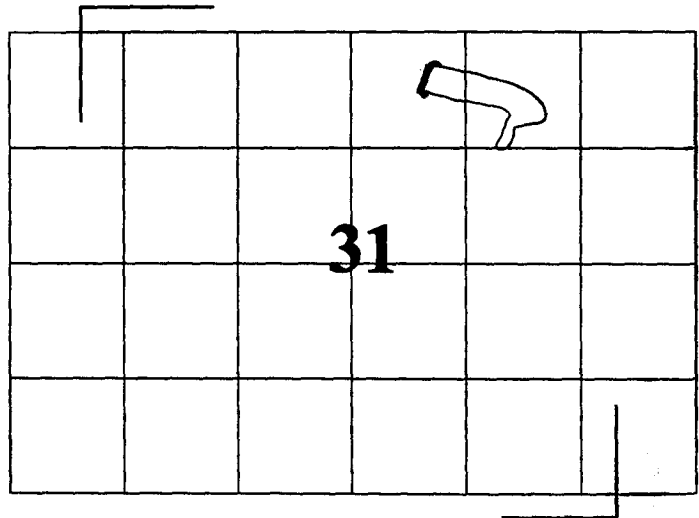
PRIORITY Date Received: **6-17-08** Application/License Fee: **\$200**

Corrected Application Received: Period of Annual Use: **January 1 – December 31**

Remarks:

Diversion Point: **NW ¼ NE ¼ Sec 31-T126N-
R57W**

Water Impounded: **N ½ NE ¼ Sec 31-T126N-
R57W**



Depth of Well: **NA**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Thomas Wickstrom, Waubay NWR**

Reviewed and the Number Assigned on: **6-18-08**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>7042-3</u>	(office use only) Hydrologic Unit <u>10160003</u>
	Basin <u>James River</u>	
	Newspaper <u>Britton Journal P.O. Box 69</u>	
	<u>605-448-2281 (Wed)</u>	<u>Britton 57430</u>

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WATER RIGHTS
PROGRAM

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</u> | |

Type of Application: (check one)

- ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ 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 James Peters Phone _____
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 42160 116th St Britton State SD 57430
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed _____ *CFS or _____ **GPM _____ 33 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Watershed above Embankment
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Marshall
Embankment in NE1/4 Section 31, T. 126 N., R. 57 W. Water Impoundment N1/2 NE1/4
NW1/4 Sec 31 T126N R57W
5. County or counties where water will be used Marshall
6. Annual period during which water is to be used annually Jan. 1 to 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)

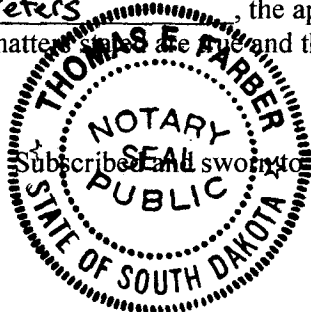
See Engineers Job Plan

STATE OF SOUTH DAKOTA)

County of Marshall 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, JAMES PETERS, the applicant, certify that I have read this application, have examined the attached map and that the matter is true and that I intend, and am able to complete the necessary construction.



Applicant's signature James Peters

Subscribed and sworn to before me this 6th day of June 20 08

Thomas E. Farber
Notary Public signature

My commission expires July 14, 2010

**SOUTH DAKOTA
WATER PERMIT NO. 7042-3**

Date of first receipt of application June 17, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7042-3 to James Peters, 42160 116th St, Britton SD 57430 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. 7042-3 authorizes impoundment of 33 acre-feet of water from runoff by constructing a dam located in the NW ¼ NE ¼ Section 31 with water impounded in the N ½ NE ¼ Section 31; all in T126N-R57W.
2. The water appropriated shall be used for the purpose of fish and wildlife propagation and livestock water use 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. 7042-3 is August 10, 2008.
5. The date from which applicant may claim right is June 17, 2008 (22.95 acre-feet associated with Location Notice 74595 filed July 28, 1997).
6. One-fifth of the construction is to be completed on or before February 10, 2011.
7. All construction is to be completed on or before August 10, 2013.
8. Water is to be put to beneficial use on or before August 10, 2017.
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. 7042-3 authorizes a dam with a storage capacity of 33.0 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.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

SEP 17 2008

date



Supplemental Information

(Complete applicable portions only)

(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

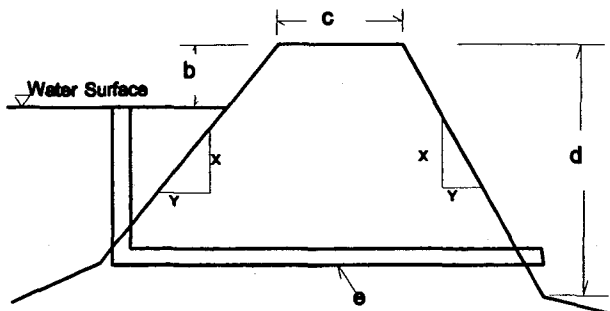
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

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:

Konechne Engineering
104 Capitol Hill Drive
Pierre, SD 57501



- b) Freeboard _____ 3
- c) Crest Width _____ 12
- Crest Length _____ 275
- d) Height _____ 23.0
- e) Primary Outlet Capacity _____ 87.5
- If pipe, diameter _____ 36"
- f) Secondary Spillway Capacity _____ 337.3
- Spillway Width _____ 80'
- g) X & Y Slope _____
- Upstream _____ 3:1
- Downstream _____ 3:1
- h) Surface Area of Impoundment _____ 4.7
- i) Storage _____ 33.0 _____ Acre Feet
- j) Drainage Area Above Dam 1,465.4 Acres



James Peters
Marshall County
Pond Repair

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0.5 0.25 0 Miles

Legend
FEATURE

Wetland Created

Thomas L. Wickstrom
Fish & Wildlife Biologist
Waubay NWR



Water Permit Application No 7042-3 James Peters

Top of Dam Elev. - 92
2nd Spillway Elev. - 89
P. Spillway Elev. - 87
Dis Emb. Toe Elev. - 73

Cat. 3 - Low Hazard Dam

HT = 19 ft.

Normal Storage Capacity - 33 A.-Ft
Int. Storage Capacity - 44 A.-Ft
Max. Storage Capacity - 64 A.-Ft

Int. Capacity x Eff. Ht. = $44 \times 20 = 880 < 3000 \therefore 25 \text{ yr}$
Minimum Spillway Design

From USGS WRI 98-4055 "Tech. Serv. Est. Peak Flows ... in SD"
Region A $P_{II} = 0.85$ $DA = 1465 \text{ A.} = 2.29 \text{ m}^2$

$$\begin{aligned} Q_{25} &= 218 CA^{.513} P_{II}^{4.80} \\ &= 218 (2.29)^{.513} (0.85)^{4.80} \\ &= 218 (1.5297) (0.4584) \\ &= \underline{153 \text{ cfs}} \end{aligned}$$

$$\begin{aligned} Q_{100} &= 362 CA^{.521} P_{II}^{4.47} \\ &= 362 (2.29)^{.521} (0.85)^{4.47} \\ &= 362 (1.5398) (0.463) \\ &= \underline{270 \text{ cfs}} \end{aligned}$$

Secondary Spillway Flow

$$\begin{aligned} Q &= CLH^{3/2} \quad C=2.6 \\ &= 2.6(80)(3)^{1.5} \quad L=80 \\ &= \underline{1080 \text{ cfs}} \quad H=3 \end{aligned}$$

NRCS Annual Field

$DA = 1465$ $CN = 72$ $ISO = 242$

$$\begin{aligned} 80\% \text{ chance} &= 0.11 \\ 0.11 \times 1465^{1/2} &= \underline{13.5 \text{ A.-Ft}} \end{aligned}$$

$$\begin{aligned} 50\% \text{ chance} &= 0.33 \\ 0.33 \times 1465^{1/2} &= \underline{40 \text{ A.-Ft}} \end{aligned}$$

$$\begin{aligned} 10\% \text{ chance} &= 1.8 \\ 1.8 \times 1465^{1/2} &= \underline{220 \text{ A.-Ft}} \end{aligned}$$

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 - Stb. NRCS - OK
9. EPP - N/A Cat. 3 - OK

DRAINAGE AREA	ANNUAL YIELD	PEAK RUNOFF	EMERG. SPLWY. CAPACITY	WATER DEPTH	SURFACE AREA	SEDIMENT STORAGE	TOTAL STORAGE
ACRES	AC.FT.	25-YR.	C.F.S.	FEET	ACRES	AC.FT.	AC.FT.
1465		451	334	14	4.7	-	33

Top diam - 64 AF

NE Sec 31 T. 126 N R. 57 W
Marshall County

LOCATION

All CMP to be spiral vinyl clad

**WATER RIGHTS
PROGRAM**



see Attached Topog

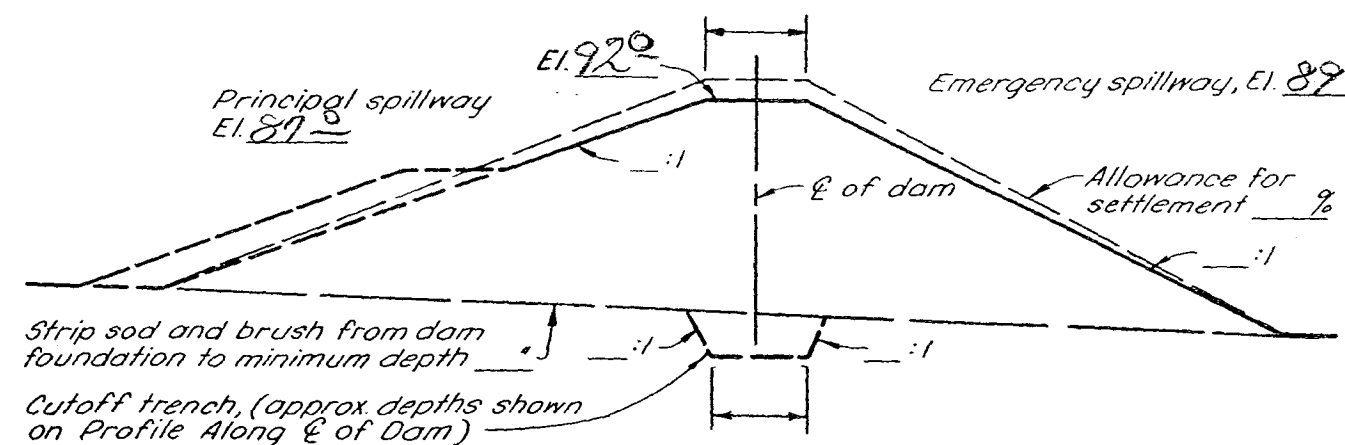
SKETCH PLAN OF DAM AND RESERVOIR AREA

Approximate scale 1" =

REFERENCE: GUIDE PLAN NO. 1.0

USDA-SCS-LINCOLN, NEBR. 1973

TABLE OF QUANTITIES

[illegible]

TYPICAL CROSS SECTION OF DAM

S.D. CONSTRUCTION AND MATERIAL SPECIFICATIONS:

EARTH DAM

OPERATOR: Jim Peters
CONSERVATION DISTRICT: Marshall Co.

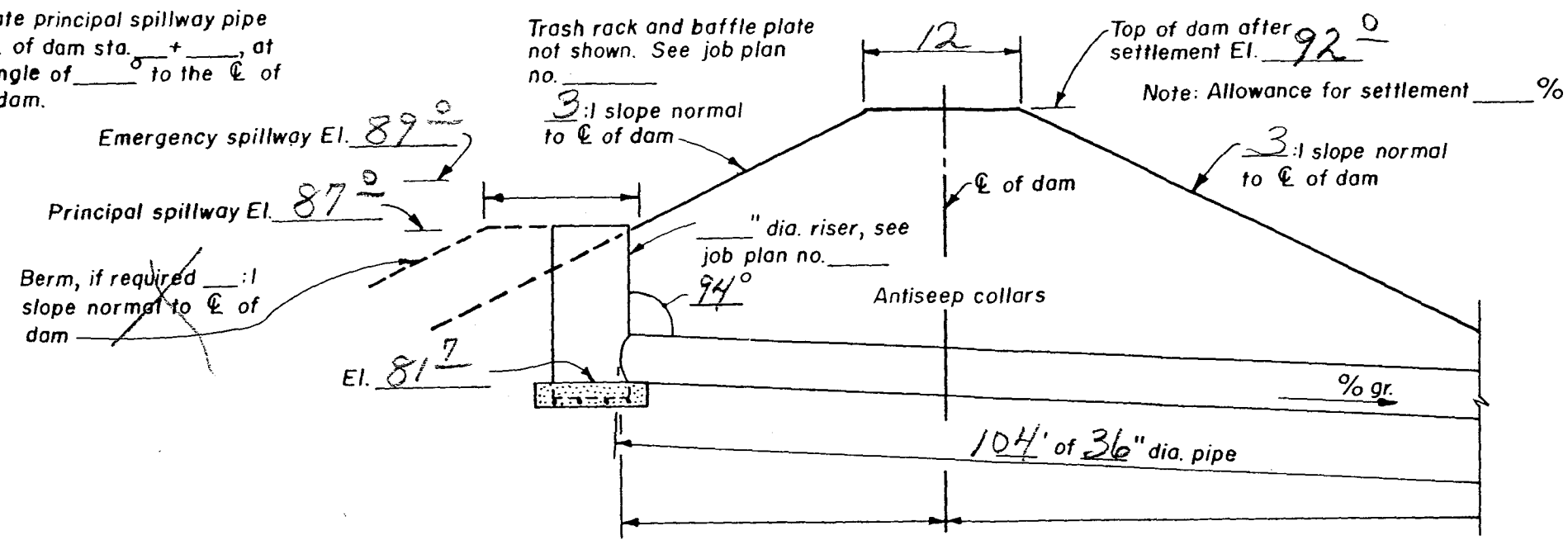
Class "A" Haz222nd

	Date	Approved by	
Designed		Title	
Drawn		Title	
Traced		Sheet No	Drawing No.
Checked			

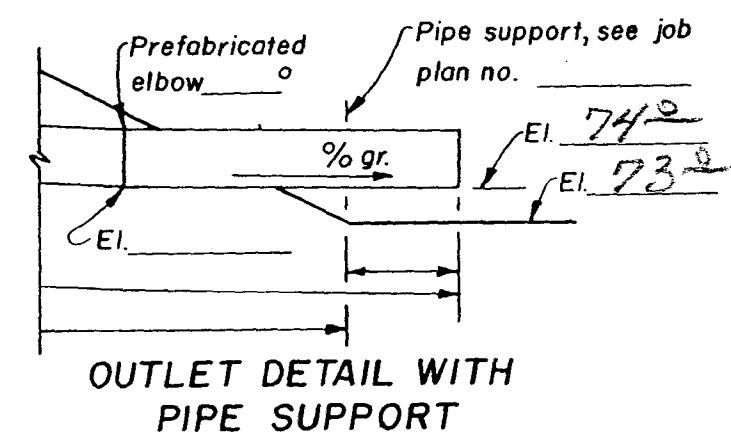
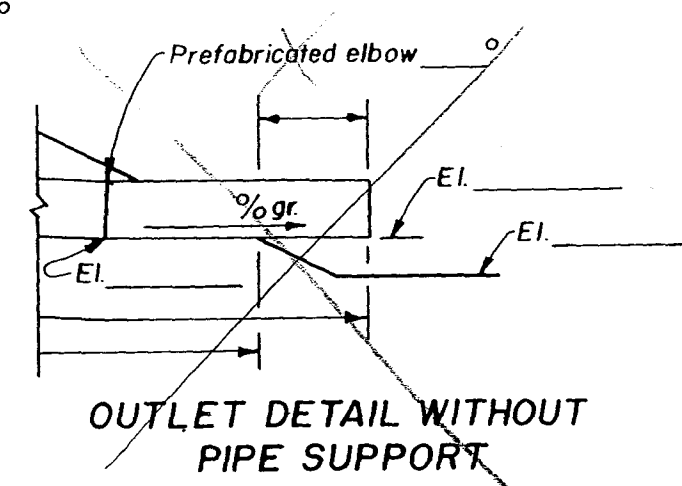
JOB PLAN NO. 1.0

(Rev. 4-73) 5, N-29, 073.1a(1.

Locate principal spillway pipe at $\mathcal{C}$ of dam sta. + , at an angle of ° to the $\mathcal{C}$ of the dam.



CROSS SECTION OF DAM ALONG $\mathcal{C}$ OF PRINCIPAL SPILLWAY
(Not to scale)



SPECIFICATION NOTES

1. ELBOW, IF REQUIRED, MAY BE FABRICATED BY CONTINUOUS WELDING SEPERATE PIPE SECTIONS OR BY FABRICATING A CONTINUOUS WELDED JOINT ON THE UPSTREAM END OF LAST SECTION OF PIPE.
2. PIPE WALL THICKNESS SHALL BE GAGE OR INCHES.

48" - 10 g2
36" - 12 g2
All pipe to be spiral
wire/c129

TABLE OF QUANTITIES

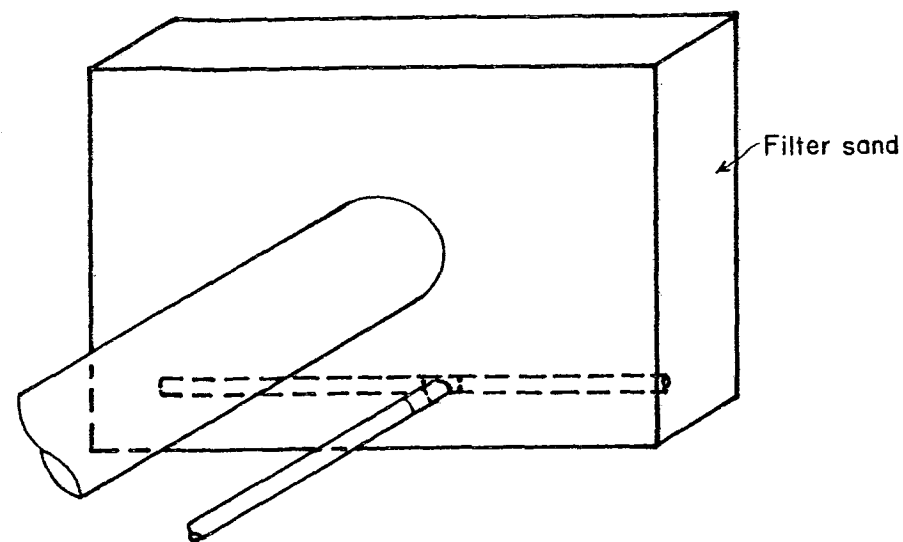
ITEM	UNIT	QUANTITY

APPLICABLE STANDARD S.C.S. SPECIFICATIONS

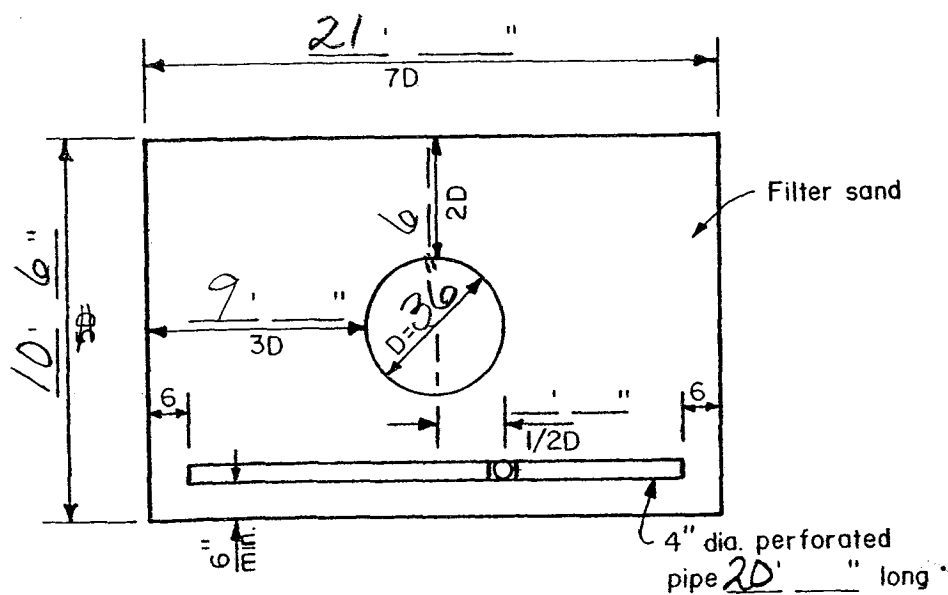
NE Sec. 31, T. 126 N, R. 57 W
Marshall County
LOCATION

**CORRUGATED METAL PIPE
DROP INLET PRINCIPAL SPILLWAY**

OPERATOR <u>Jim Peters</u>	
CONSERVATION DISTRICT _____	
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Designed _____	Date _____
Drawn _____	Approved by _____
Traced _____	Title _____
Checked _____	Sheet _____
	Drawing No. _____



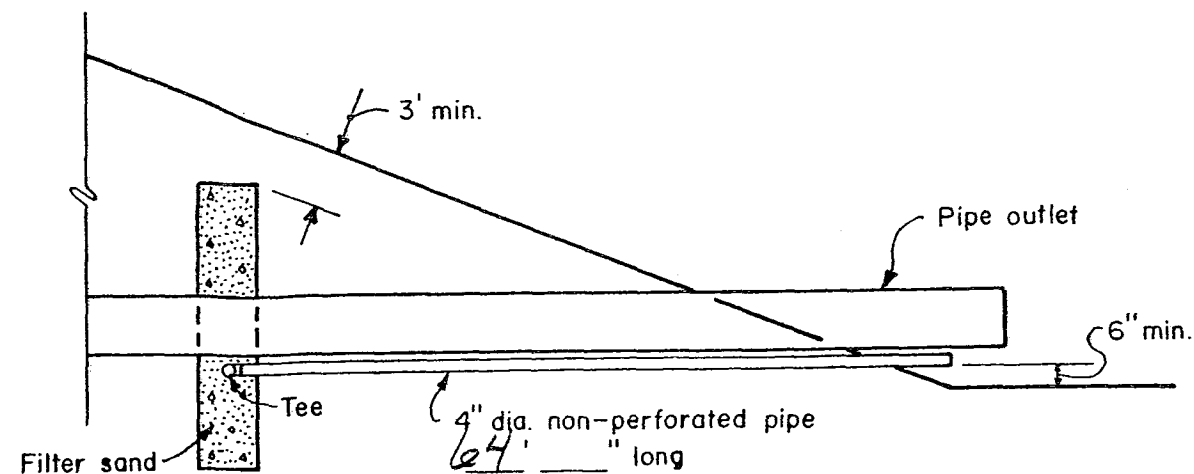
ISOMETRIC VIEW



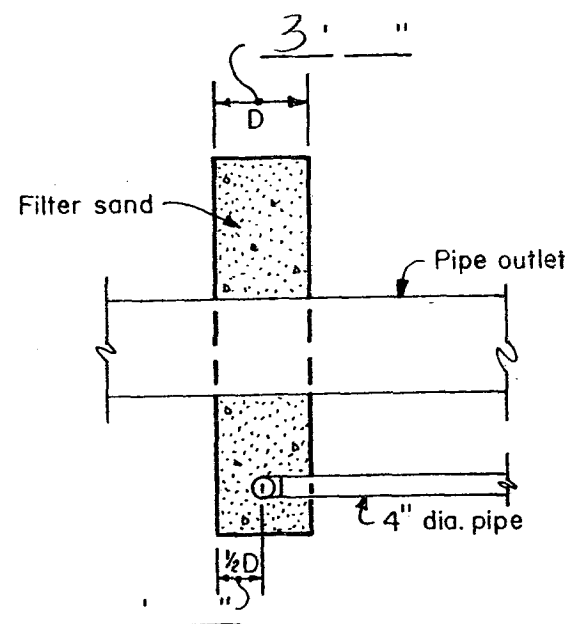
UPSTREAM VIEW

NOTE:

1. THE 4" DIA. PIPE SHALL BE ASTM D1785, SCHEDULE 40, PVC.
2. PROVIDE AN ANIMAL GUARD ON DRAIN OUTLET PIPE. DRILL 2, 1/2" DIA. HOLES, ON $\varnothing$ 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).



OUTLET DETAIL



SIDE VIEW

FILTER GRADATION

SIEVE SIZE	PERCENT PASSING
3/8"	100
4	95-100
8	80-100
16	50-85
30	25-60
50	10-30
100	2-10

See spec SD-9

24.5 cy

NE Sec. 31, T. 126N, R. 57W

Marshall County

LOCATION

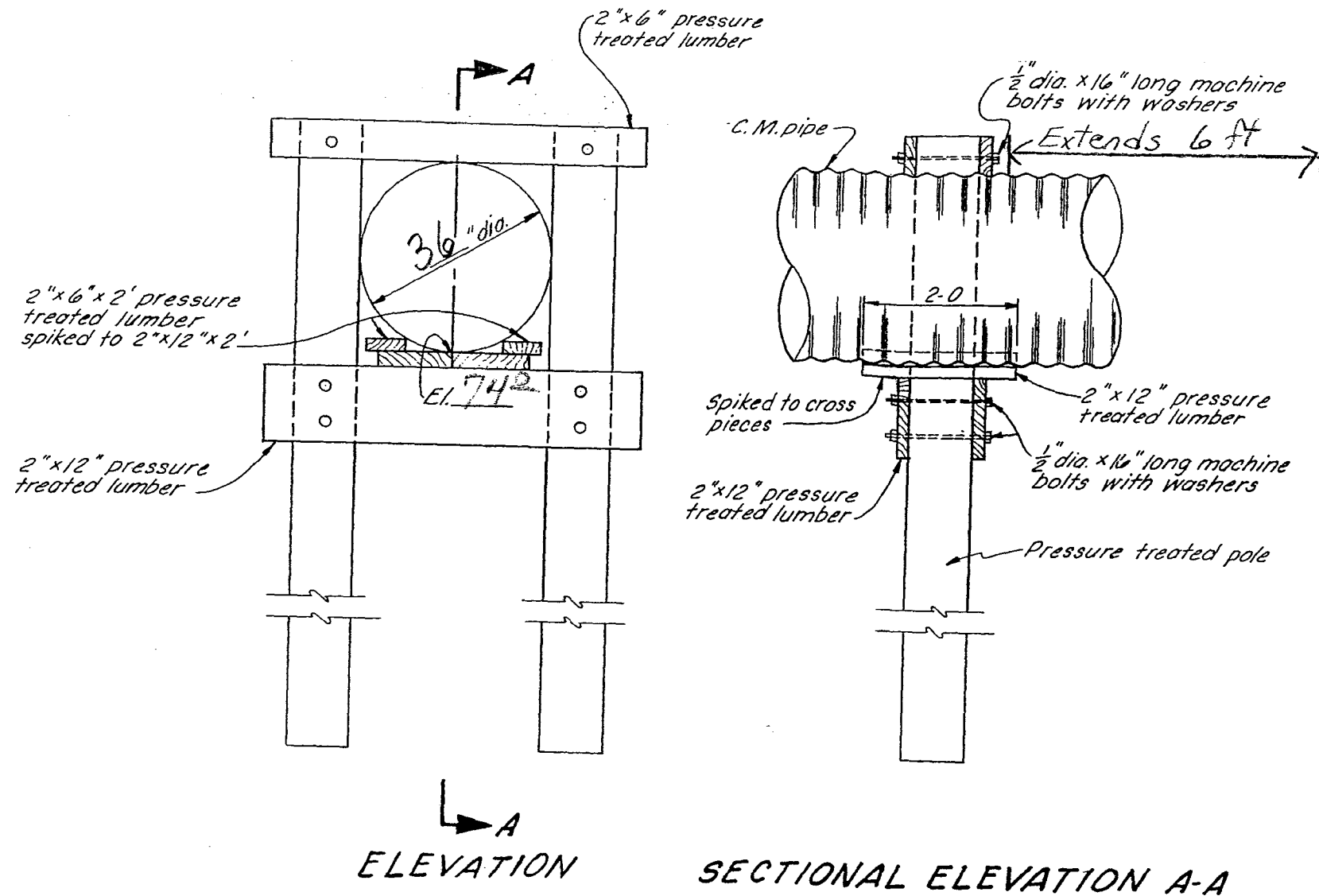
SAND ANTISEEP COLLAR

OPERATOR Jim Peters

CONSERVATION DISTRICT _____

Designed _____	Date _____	Approved by _____
Drawn _____		Title _____
Traced _____		Title _____
Checked _____	No _____	Sheet _____
	of _____	Drawing No. _____

JOB PLAN NO. 3.8



NOTES:

- HAND OR MACHINE TAMP BACKFILL THOROUGHLY AROUND FOOTINGS AND COLUMNS.

TABLE OF QUANTITIES

ITEM	LENGTH FOR 36" DIA. C.M. PIPE	UNIT	QUANTITY
PRESSURE TREATED POLE 10" DIA.	10-0	EACH	2
2" X 12" PRESSURE TREATED LUMBER	5-0	EACH	2
2" X 6" PRESSURE TREATED LUMBER	5-0	EACH	2
2" X 12" PRESSURE TREATED LUMBER	2-0	EACH	3
2" X 6" PRESSURE TREATED LUMBER	2-0	EACH	2
1/2" DIA. MACHINE BOLTS WITH NUTS	1-4	EACH	10
1/2" DIA. WASHERS		EACH	20

REFERENCE: GUIDE PLAN NO. 4.0

JOB PLAN NO. 4.0

TIMBER PIPE SUPPORT

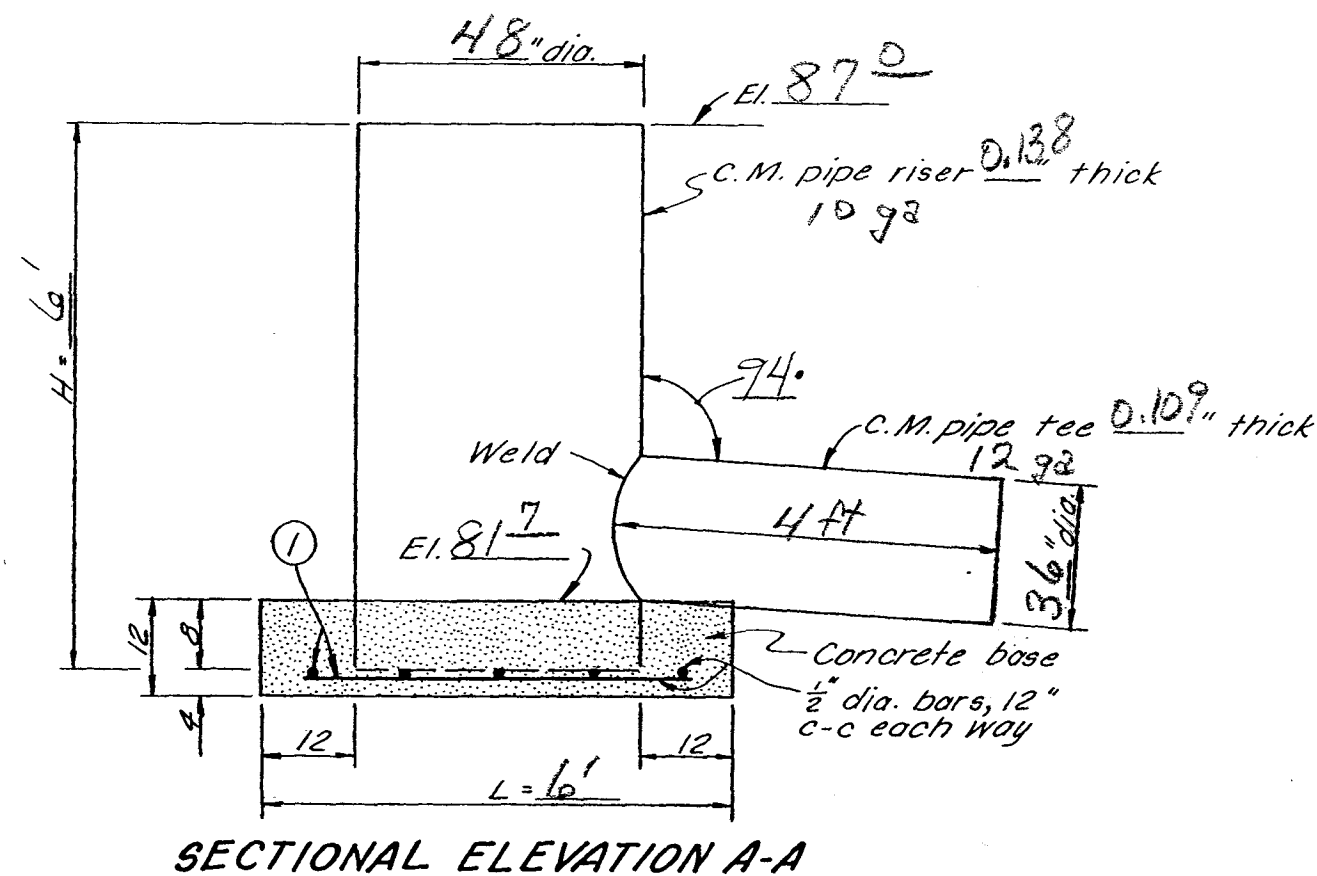
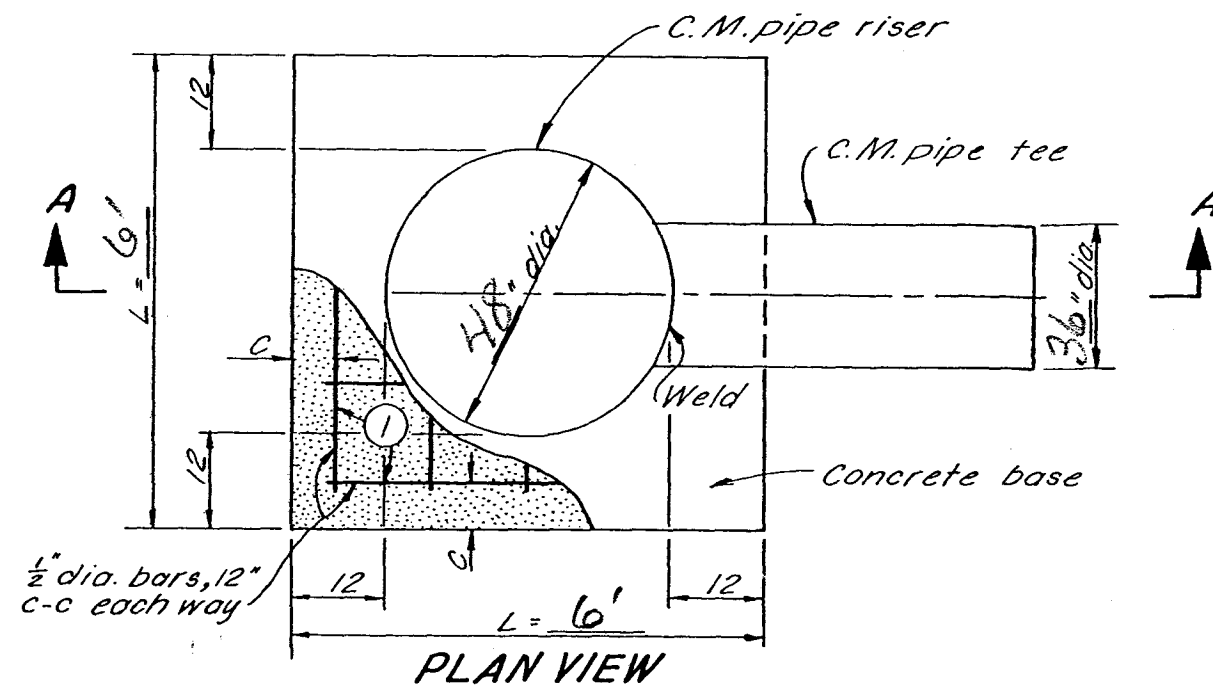
OPERATOR: Jim Peters

CONSERVATION DISTRICT: Marshall Co.

NE Sec 31, T 126 N, R 57 W

Designed.....	Date.....	Approved by.....
Drawn.....		Title.....
Traced.....		Title.....
Checked.....	Sheet No.....	Drawing No.....
	of.....	

5, N-29,073.4a



REFERENCE: GUIDE PLAN NO. 5.3

STEEL SCHEDULE

RISER DIA. IN.	BAR SIZE	MARK	TYPE	NO. REQ'D.	LENGTH FT.-IN.	TOTAL LENGTH FT.-IN.	TOTAL WT. LB.	C IN.	L FT.-IN.
48	4	1	STR.	12	5-6	66-0	56	3	6-6

TABLE OF QUANTITIES

ITEM	UNIT	QUANTITY
CONCRETE	CU. YD.	1.6
REINFORCING STEEL	LB.	56

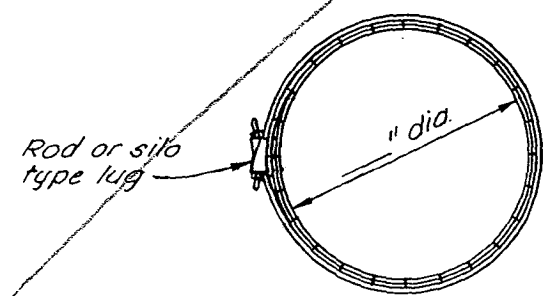
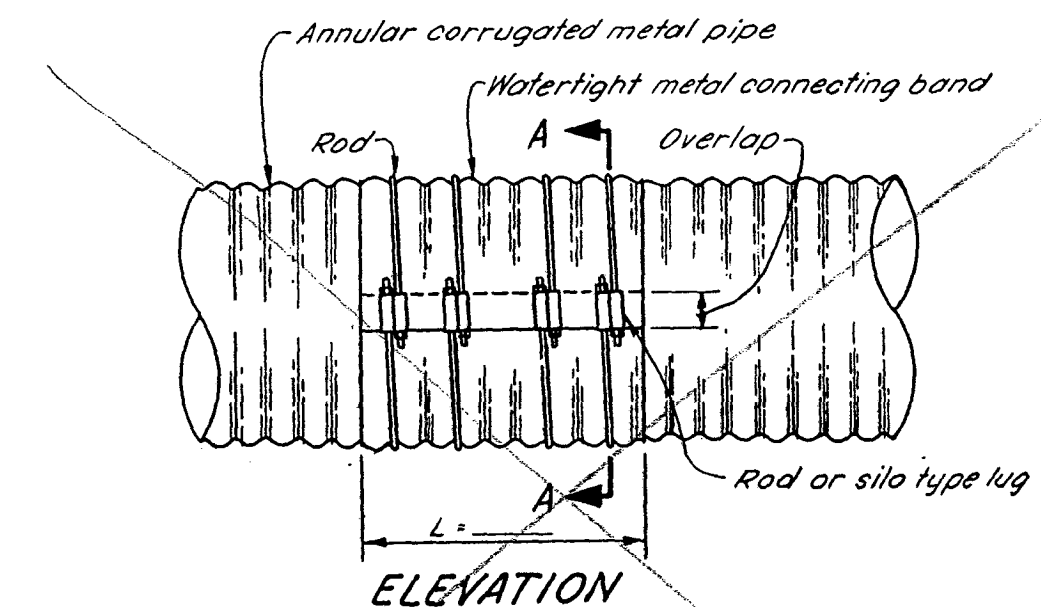
NOTE: All CMP to be spiral vinyl clad

C.M. PIPE RISER WITH FABRICATED TEE

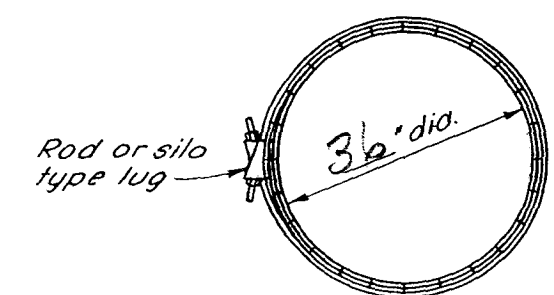
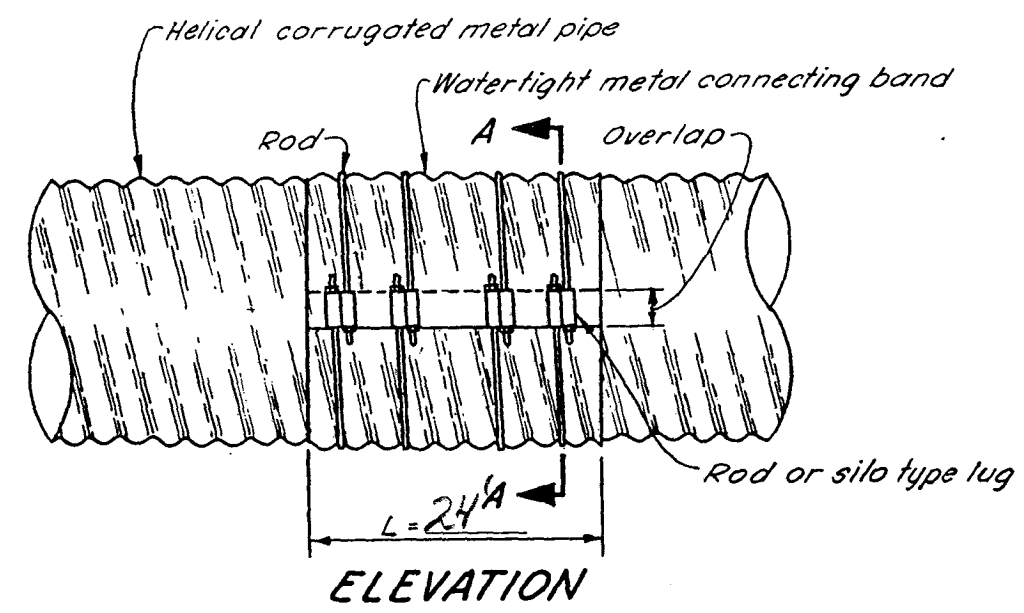
OPERATOR: <u>Jim Peters</u>	
CONSERVATION DISTRICT: <u>Marshall Co.</u>	
NE Sec 31, T 126 N, R 57 W	
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Designed by _____	Date _____
Drawn by _____	Approved by _____
Traced by _____	Title _____
Checked by _____	Sheet _____
	Drawing No. _____

JOB PLAN NO. 5.3

5, N-29,073.5-30



SECTIONAL ELEVATION A-A



SECTIONAL ELEVATION A-A

DIMENSIONS AND QUANTITIES

PIPE DIA. INCHES	MINIMUM "L" INCHES	APPROX. OVERLAP INCHES	NUMBER OF RODS & LUGS	MINIMUM ROD DIA. IN.	NEOPRENE GASKET WIDTH INCHES	ASPHALT MASTIC GAL.
6-18	12	2	2	1/2	12	1/2
21-30	24	3	4	1/2	12	1 1/2
36-48	24	6	4	1/2	12	2

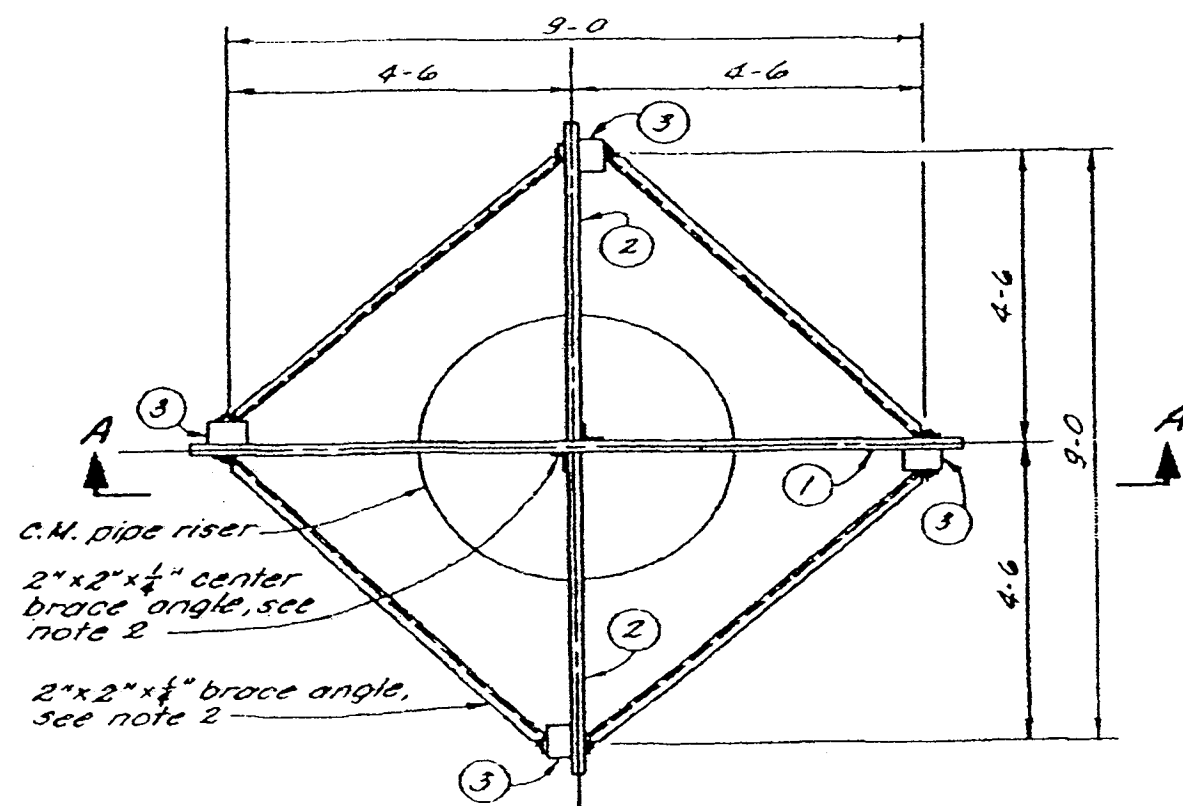
NOTES:

1. WATERTIGHTNESS WILL BE OBTAINED BY USE OF (1) 3/8" THICK NEOPRENE GASKET (WIDTH AS SHOWN) OR (2) ASPHALT MASTIC SEALING MATERIAL TO COVER FULL WIDTH OF BAND.
2. CROSS OUT BAND AND QUANTITIES NOT APPLICABLE.

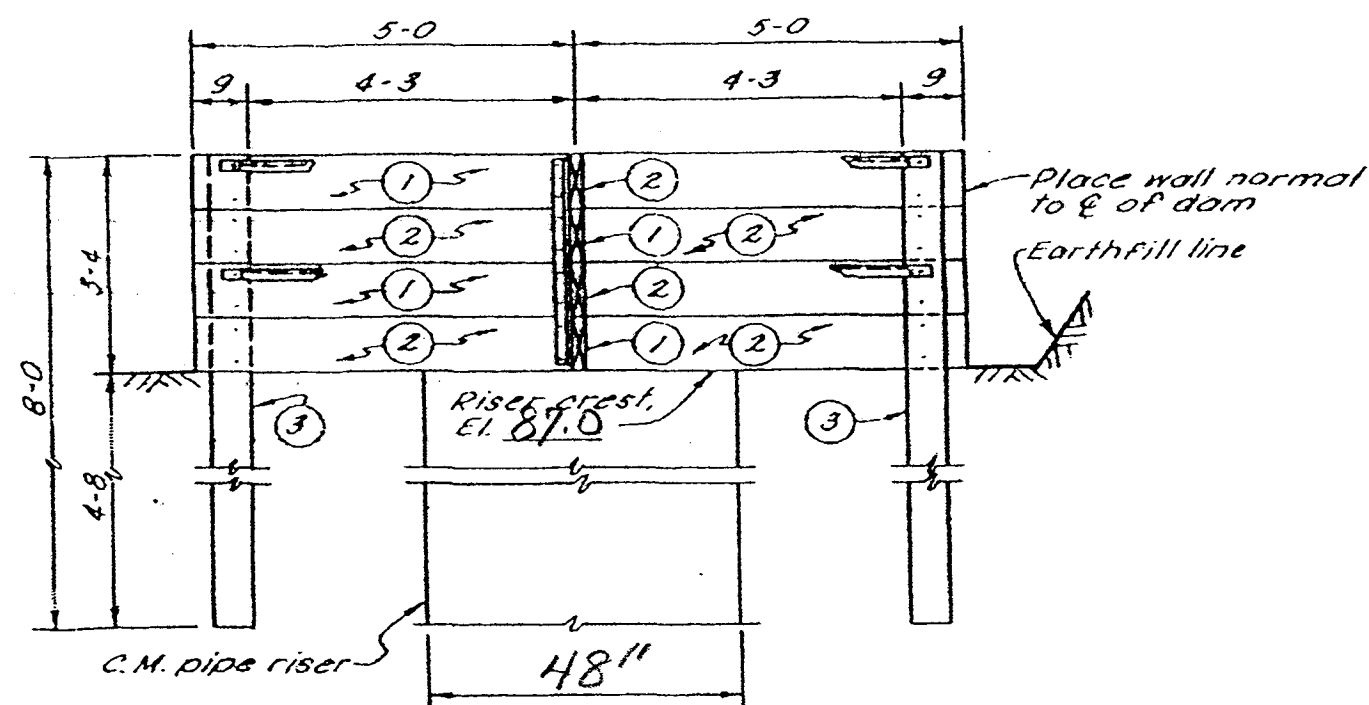
All CMP to be vinyl c/24

**WATERTIGHT CONNECTING BAND
FOR ANNULAR AND HELICAL
CORRUGATED METAL PIPE**

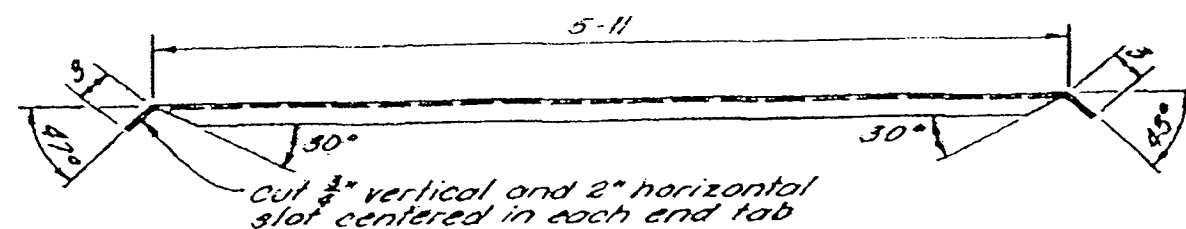
OPERATOR: <u>Jim Peters</u>	
CONSERVATION DISTRICT: _____	
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Designed _____	Date _____
Drawn _____	Approved by _____
Traced _____	Title _____
Checked _____	Title _____
	Sheet _____
	Drawing No. _____
	No. _____
	of _____



PLAN VIEW



SECTIONAL ELEVATION A-A



PLAN VIEW OF BRACE ANGLE

TABLE OF QUANTITIES

ITEM	MARK	NO. REQ'D.	QUANTITY
2" X 10" X 10' PRESSURE TREATED LUMBER	1	4	67 BD. FT.
2" X 10" X 4'-11" PRESSURE TREATED LUMBER	2	8	66 BD. FT.
4" X 6" X 8' PRESSURE TREATED POST	3	4	64 BD. FT.
2" X 2" X 1/4" X 6'-5" STEEL ANGLE		8	164 LB.
2" X 2" X 1/4" X 3'-2" STEEL ANGLE		2	20 LB.
5/8" X 8" STEEL BOLTS, NUTS, 2 WASHERS		32	32 SETS
1/2" X 3" STEEL BOLTS, NUTS, 2 WASHERS		32	32 SETS

NOTES:

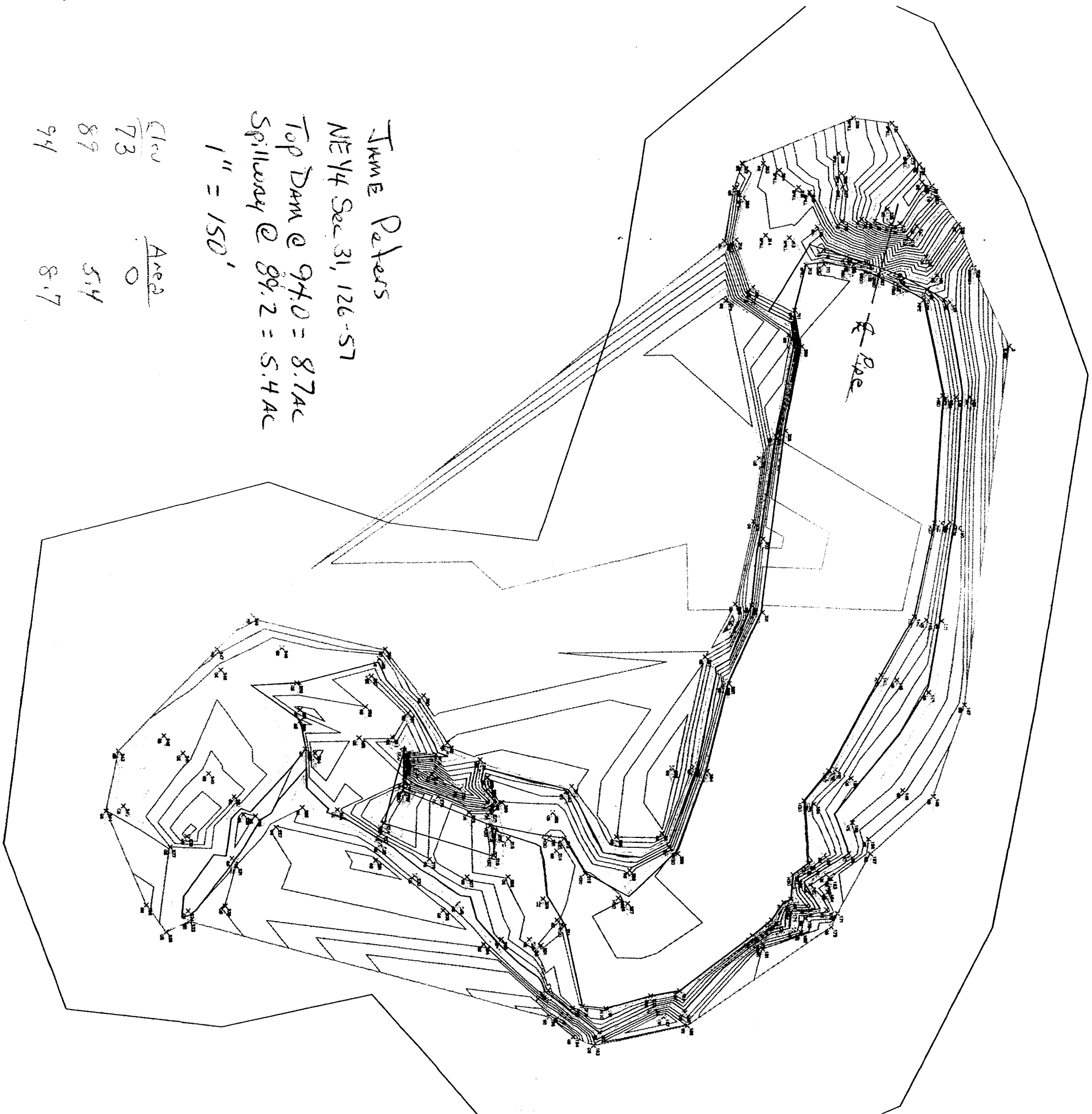
1. TO 4" X 6" POSTS (4 REQUIRED) BOLT 2" X 10" BOARDS USING TWO 5/8" X 8" BOLTS PER 2" X 10" BOARD. DO NOT PLACE BOLTS CLOSER THAN 1 1/2" FROM EDGE OF BOARD.
2. FOR CENTER BRACE ANGLES DRILL 8 - 9/16" HOLES 5/8" FROM OUTER EDGE OF EACH LEG OF EACH ANGLE AND CENTERED 5 1/4" APART ALONG THE LEG.
3. ATTACH BRACE ANGLES TO TOP BOLT ON TOP 2" X 10" BOARD AND TO TOP BOLT ON NEXT TO BOTTOM BOARD.

TRASH RACK AND BAFFLE
FOR RISER DIA. 36" THRU 60"

OPERATOR: <u>Jim Peters</u>	
CONSERVATION DISTRICT: <u>Marshall Co.</u>	
NE Sec 31, T 126 N, R. 57 W	
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Designed: _____	Date: _____
Drawn: _____	Approved by: _____
Traced: _____	Time: _____
Checked: _____	Sheet No. _____
	Drawing No. _____

JOB PLAN NO. 6.4

5, N-29, 073.6-40



June Peters

NE 1/4 Sec 31, 126-57

Top Dam @ 94.0 = 8.7 ac

Spillway @ 84.2 = 5.4 ac

1" = 150'

Clu	Area
73	0
89	5.4
94	8.7

Long 76 P.S. - 104

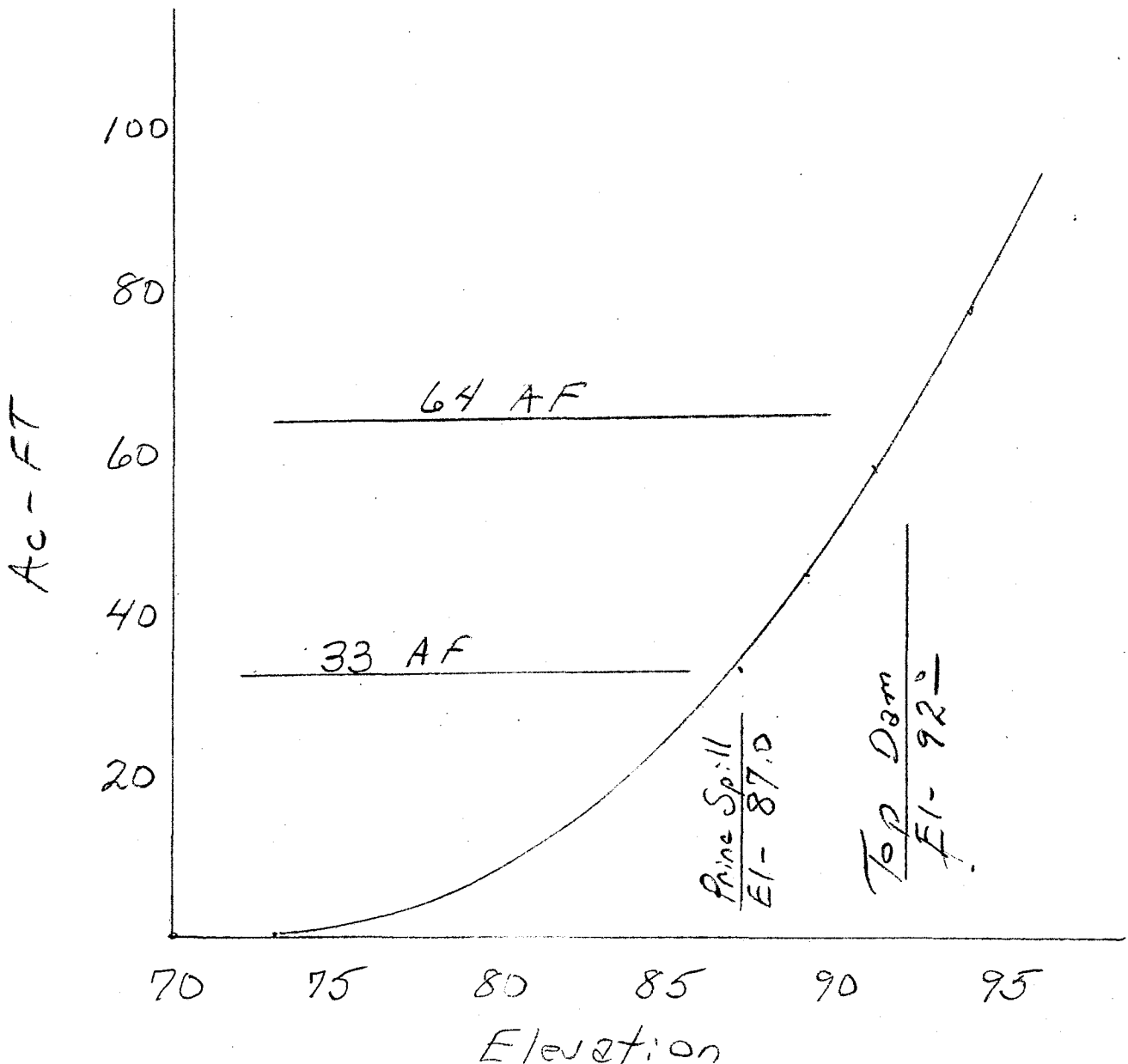
COMPUTATION SHEET

BY	DATE	PROJECT <i>Jim Peters</i>	SHEET ____ OF ____
CHKD BY	DATE	FEATURE <i>NE Sec 31, T126N, R57W</i>	
DETAILS <i>Stage - Storage</i>			

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POND DESIGN

=====

WinPond 1.5.2405.11111

Project ---- : Farm Pond

Description : Replace 15" PE hood Inlet

State ----- : South Dakota

County ----- : Marshall

Landowner -- : Jim Peters

Township --- : 126

Range ----- : 57

Section ---- : NE 31

Tract ----- :

Field ----- :

Designed By : Dave Konechne

Date designed: 5/10/2008

Date printed : 5/13/2008

Approved By : _____

Date : _____

File Name : C:\Documents and Settings\Elaine\...\peters-31-126-57.prj

PLANNED IN COOPERATION WITH USDA-NRCS

Office Name
Address1
Address2
City

Project --- : Farm Pond
 Prepared for: Jim Peters
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 126 RNG : 57
 SEC : NE 31 FLD :
 Date: _____

***** JOB APPROVAL CLASS *****

Hazard Class	Low	A
Effective Height	Feet	16.1
Effective Storage	Ac-Ft	43.7
Overall Height	Feet	19.3
Total Storage	Ac-Ft	64.6
Storage X Effective Height	Ac-Ft Ft	704
Contributing Drainage Area	Acres	1465
Contributing Drainage Area	Square Miles	2.29
Pipe Conduit Capacity	CFS	87.5
Open Channel Spillway Design Flow	CFS	337.3
Peak Inflow Aux Spillway Design Storm	CFS	451.1
Conduit - Inside Diameter	Inches	36
Conduit Material		HCMP
Inlet Type		Drop
Job Approval Class		
INVENTORY SIZE DAM		

***** ELEVATION-STORAGE INPUT DATA *****

ELEV (ft)	POOL AREA (acres)	INT.STORAGE (ac.ft.)	ACCUM.STORAGE (ac.ft.)
73.0	0.00		0.00
89.0	5.40	43.20	43.20
94.0	8.70	35.25	78.45

***** STORAGE VOLUMES *****

	ELEVATION (ft)	AREA (acres)	STORAGE (ac.ft.)
Inlet (Princ. spillway)	87.0	4.73	33.08
Aux. spillway	89.1	5.47	43.74
Max. water	91.2	6.87	56.87
Settled top of fill	92.3	7.58	64.61
Sediment - above inlet			0.00
- below inlet			0.00
Inlet to Aux.			10.67
Aux. to max. water			13.12

RUNOFF CURVE NUMBER DETERMINATION

COVER DESCRIPTION	Acres & (curve numbers) for Hydrologic Soil Group			
	A	B	C	D
ACCUMULATED:	1465.00	Acres	WEIGHTED CURVE NUMBER: 72.0	

Project --- : Farm Pond
 Prepared for: Jim Peters
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 126 RNG : 57
 SEC : NE 31 FLD :
 Date: _____

***** SUMMARY *****

Inlet type: DROP Inlet Elevation: 87

CONDUIT: Type -----	HCMP	- Helical Corrugated Metal Pipe
Diameter, in. ---	36	
Length, lin. ft. -	111	Extends 6 ft. beyond dnstr.toe
RISER : Type -----	HCMP	- Helical Corrugated Metal Pipe
Diameter, in. ---	48	
Height, ft. -----	6	= Inlet elev. - Invert elev.
AUX. : Elevation -----	89.1	
Bottom width, ft. -	80	
Hp, flow depth, ft. -	2.13	
Exit slope, % min. -	4	
max. -	7	
Effective height, ft. ----	16.1	= AS elev. - low pt. on C/L
Height x storage -----	704	
Overall height, ft. -----	19.3	= stld. fill elev - chan. elev
NOTE -----	*****	INVENTORY SIZE DAM

***** PROJECT DEFAULTS *****

Design based on -----	Settled Slopes
Berms settled -----	False
Auxiliary spillway to Top of Dam: -----	2.0 (ft)
Freeboard -----	1.0 (ft)
Minimum bottom width -----	10.0 (ft)
Maximum bottom width -----	150 (ft)
Feet above inlet (Drawdown) -----	1.0 (ft)
Percent or storage drained (Drawdown) -----	85.0 (ft)
Minimum flow (Drawdown) -----	0.1 (cfs)
Orifice Coefficient -----	0.71 (ft)
Full Pipe Flow Required? -----	Yes
Stage required above Prin. Spwy. Crest: -----	0.5 (ft)
Max. drainage area for required stage: -----	20.0 (acres)

Project --- : Farm Pond
 Prepared for: Jim Peters
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 126 RNG : 57
 SEC : NE 31 FLD :
 Date: _____

***** HYDROLOGIC DATA *****

Rainfall distr. type ----- :	II		
Drainage area, acres ----- :	1465.0	Watershed slope, % :	6.0
Runoff curve number ----- :	72	Flow length, ft. - :	24360
Time of concentration, hrs :	3.51		
(min.: 210.84)			
----- Spillway -----			
	Principal	Auxiliary	
Design frequency, yrs.:	2	25	
24 hr. Rainfall, in. :	2.3	4.2	
Runoff, in. ----- :	0.4	1.6	
Peak inflow, cfs ---- :	102.73	451.08	
Peak outflow, cfs --- :	87.47	337.33 A.S.	
		110.10 P.S.	

***** PRINCIPAL SPILLWAY TRIALS *****

Inlet type: Drop Inlet Elevation: 87.0

	TRIAL 1	TRIAL 2	TRIAL 3
CONDUIT: Type -----	HCMP		
Diameter, in. --	36.00		
Height, in. ----			
Width, in. -----			
Manning's n ----	0.021		
Inlet ext., ft. -	0.0		
Length, ft. ----	111.0		
Entrance Coefficient, Ke	1.000		
RISER : Type -----	HCMP		
Diameter, in. --	48.00		
Length, in. ----			
Width, in. -----			
Weir length, in.	150.80		
Crest radius, in.			
Invert elevation -----	81.00		
Auxiliary elevation ----	89.1		
STORAGE (ac.ft.):			
Temporary (PS-AS) ----	10.67		
Total at Auxiliary	43.74		
Effective height, ft. ---	16.1		
Height x storage -----	704		
Drawdown time, days-hrs.	0-4.5		
Trial used -----	1 --		

CONDUIT TYPES ----- : HCMP - Helical Corrugated Metal Pipe

Project --- : Farm Pond
 Prepared for: Jim Peters
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 126 RNG : 57
 SEC : NE 31 FLD :
 Date: _____

***** AUXILIARY SPILLWAY DETAILS *****
 Discharge determination: Qe values from ASFILE

Auxiliary elev. :	89.1	Retardance ----- :	B
Bottom width, ft. :	80	Level sect. length, ft.:	100
Flow depth, ft. - :	2.13	Side slope ratio, n:1 :	2.00
EXIT CHANNEL -			
Max. Vel., fps - :	5.0	Retardance ----- :	B

Flow, cfs ----- :	337.33	Exit slope, % --- Min.:	4
		Max.:	7
Settled fill elev.:	92.3	Drawdown time, days-hrs:	0-11.8
Channel elev. --- :	73.0	Overall height, ft. -- :	19.3
(downstream toe)			

***** CONDUIT DETAIL *****

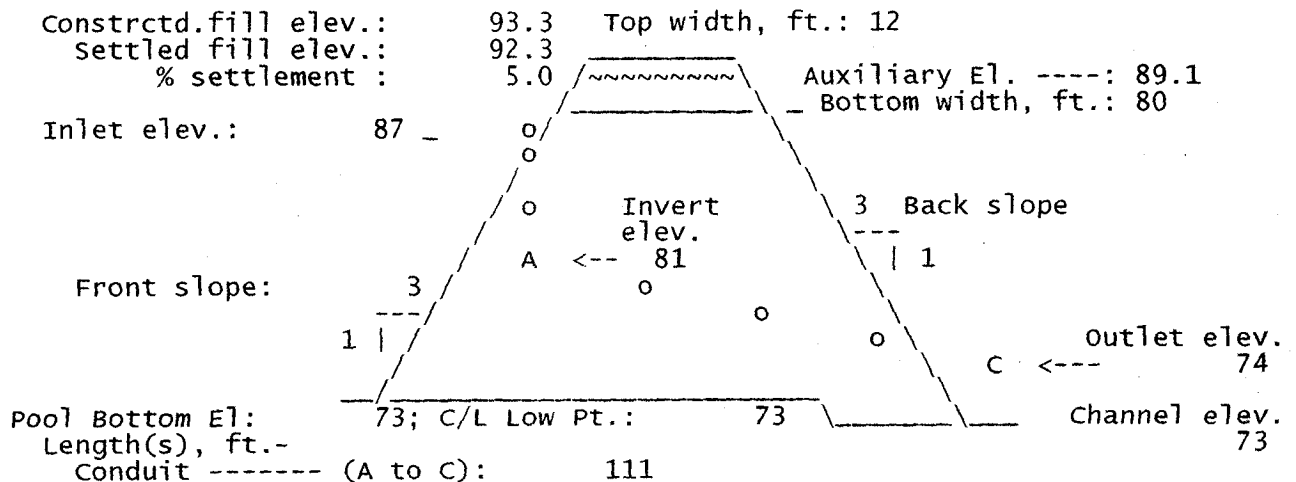
Inlet Type -----	DROP
Conduit Type -----	HCMP - Helical Corrugated Metal Pipe
Diameter, in. -----	36.00
Inlet extension, ft --	0.0
Length, lin. ft. -----	95.0 Extends 6.0 ft. beyond dnstr.toe
Length, lin. ft. -----	111.0 Pipe length used in routing
Slope, % -----	6.3
Max.fill over pipe, ft.	14.7

Horizontal Distances (ft.)	
Upstrm: edge of top width to inlet end of pipe :	17.9
Dnstrm: edge of top width to toe ----- :	57.9

***** DESIGN ELEVATIONS (at principal spillway) *****

Inlet type: DROP

NOT TO SCALE



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 6/18, 20 08

RECEIVED OF James E Peters 42160 116th St Britton SD 57430

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

Fee for Application for Permit No. <u>7042-3</u> to Appropriate Water, to construct and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7042-3</u>	50	00
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	200 00

No.

03681

By

Michael Edwards
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

July 16, 2008

James Peters
42160 116th Street
Britton, SD 57430

Dear Mr. Peters:

We have reviewed the plans and specifications for your dam project located in the NW ¼ NE ¼ of Sec. 31-T126N-R57W, in Marshall County. The plans and specifications for your dam are 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 Peters Dam will be classified as a small size Category 3, Low Hazard dam with a dam height of 19 feet and a normal storage capacity of 33 acre-feet and a maximum storage capacity of 106 acre-feet.

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

Sincerely,

Timothy G. Schaal, P.E.
Natural Resources Engineering Specialist
for Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

c: Dave Konechne, Konechne Engineering
Tom Wickstrom, USFWS



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7042-3, James Peters**

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. 7042-3, James Peters, 42160 116th Street, Britton SD 57430.

The Chief Engineer is recommending APPROVAL of Application No. 7042-3 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. 7042-3 authorizes a dam with a storage capacity of 33.0 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
July 15, 2008

REPORT ON
WATER PERMIT APPLICATION NO. 7042-3
James Peters
July 1, 2008

Water Permit Application No. 7042-3 has been filed by James Peters to impound 33 acre-feet of water from runoff by reconstructing an existing dam located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31-T126N-R57W, in Marshall County. The application also requests impoundment of sufficient water to maintain water to the outlet elevation. The water will be used for fish and wildlife production and livestock water purposes. In 1997, Location Notice No. 74595 was filed for the dam with a storage capacity of 22.95 acre-feet.

Discussion:

The dam will be classified as a small size, Category 3, Low Hazard dam. The dam has been designed by Konechne Engineering. The plans and specifications have been reviewed and will be approved; however, reconstruction of the dam can not begin until Water Permit Application No. 7042-3 is approved.

The reconstructed dam will be 19 feet high with a normal storage capacity of 33 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 64 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 1465 acres or 2.29 square miles. The dam is designed to have a 48 inch diameter CMP riser with a 36 inch diameter CMP barrel with 5.0 feet of freeboard as the primary spillway, and an 80 foot wide earthcut secondary spillway with 3.0 feet of freeboard. A 25 year frequency event produces a peak runoff of approximately 153 cfs and a 100 year frequency event produces a peak runoff of approximately 270 cfs. The earthcut spillway will have a capacity of approximately 1080 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 13.5 acre-feet. The annual yield with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be 40.0 acre-feet and the annual yield with a 10 percent chance, or 1 out of 10 years, is expected to be 220 acre-feet.

The Peters Dam will be located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31-T126N-R57W on an unnamed tributary to the Crow Creek Drain, about 2 miles upstream of the confluence of the unnamed tributary and the Crow Creek Drain. There are no existing Water Permits/Rights filed on the unnamed tributary between the proposed dam and the Crow Creek Drain

Conclusions:

1. Water Permit Application No. 7042-3 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 domestic use should be a qualification on Water Permit Application No. 7042-3.



Timothy G. Schaal, P.E.
Natural Resources Engineering Specialist

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA County of Marshall.

2T(July 23, 30)

NOTICE OF APPLICATION

NO. 7042-3 to Appropriate Water

Notice is given that James Peters, 42160 116th St, Britton SD 57430 has filed an application for a water permit to impound 33 acre-feet of water from runoff by constructing a dam located in the NW 1/4 NE 1/4 Section 31 with water impounded in the N 1/2 NE 1/4 Section 31; all in T126N-R57W. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation and livestock water purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7042-3 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 this 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 this 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 August 10, 2008.

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.

d county, being first duly sworn on oath says that he is publisher of the BRITTON JOURNAL, a weekly newspaper printed and published in the City of Britton, in the County of Marshall, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly and has been published within said County for fifty-two successive weeks, next prior to the publication of the notice herein mentioned and is printed wholly or in part in an office at said place of publication;

that the

*Notice of Application No. 7042-3
Is Appropriate Water - James Peters*

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet and is made a part of this affidavit, was published in said newspaper at least once each week for two successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

*July 23, 2008
July 30, 2008*

that the full amount of the fee charged for the publication of said notice inures to the benefit of publisher of said newspaper, that no agreement or understanding for the division thereof has been made with any person, and that no part thereof has been agreed to be paid to any other person whomsoever, and that the fee for the publication thereof

Thirty-six dollars

Subscribed and sworn to before me this

30th

A. D., *2008*

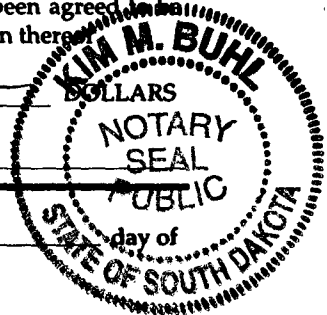
RECEIVED
JUL 31 2008

**WATER RIGHTS
PROGRAM**

Kim M. Buhl

Notary Public, Marshall County, S. D.

My Commission Expires March 12, 2010





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 16, 2008

Britton Journal
PO Box 69
Britton SD 57430

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7042-3 to Appropriate Water to be published twice. Please publish the first notice on July 23, 2008 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 James Peters, 42160 116th St, Britton SD 57430 (Ph # 605-448-2751).

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

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

No. 7042-3

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

Date _____

We are in receipt of your letter of July 16, 2008 enclosing Notice to Appropriate Water by Application No. 7042-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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

July 16, 2008

James Peters
42160 116th St
Britton SD 57430

Dear Mr. Peters:

Water Permit Application No. 7042-3 for Fish and Wildlife use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Britton Journal printed at Britton SD (Ph # 605-448-2281). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and 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 and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also 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 July 23, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 7042-3 to Appropriate Water

Notice is given that James Peters, 42160 116th St, Britton SD 57430 has filed an application for a water permit to impound 33 acre-feet of water from runoff by constructing a dam located in the NW ¼ NE ¼ Section 31 with water impounded in the N ½ NE ¼ Section 31; all in T126N-R57W. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation and livestock water purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7042-3 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 this 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 this 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 August 10, 2008.

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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 17 2003

James Peters
42160 116th St
Britton SD 57430

Dear Mr. Peters:

Enclosed is Water Permit No. 7042-3 authorizing construction of your water diversion system 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. 7042-3
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, April 14, 2015, made a thorough examination of the water use system constructed by James Peters of 42160 116th St. Britton, SD 57430 holder of Permit No. 7042-3, bearing the priority of July 28, 1997 (22.95 ac-ft.) & June 17, 2008 (10.05 ac-ft.) authorizing the storage of 33 acre-feet of the waters of runoff for fish & wildlife propagation and livestock water purposes, in Marshall County.

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

A. Works used to divert the water:

A 23 ft. high earthen dam with a normal storage capacity of 33 ac-ft. of water

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

N/A

C. Works used to apply water to beneficial use:

A 23 ft. high earthen dam with a normal storage capacity of 33 ac-ft. of water

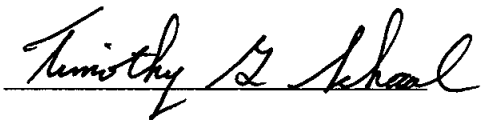
The system is in the following condition good. The point of diversion is located 300 ft. south and 1700 ft. west of the NE corner of Sec. 31-T126N-R57W (NW ¼ NE ¼), (Lat. 45.68858 Long. -97.71703). The works are capable of storing 33 acre-feet of water which is to be used for fish & wildlife propagation and livestock water. Water has been put to beneficial use to the maximum extent as follows:

A 23 ft. high earthen dam with a normal storage capacity of 33 ac-ft. of water

and the license should be issued for 33 acre-feet of storage.

Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: April 22, 2015



Timothy G. Schaal, P.E.
Engineer IV
SD DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 7042-3

DATE OF INSPECTION: April 14, 2015

NAME & ADDRESS OF PERMIT HOLDER: James Peters, 42160 116th St., Britton, SD 57430

DIVERSION POINT LEGAL LOCATION: 300 ft. south & 1700 ft. west of the NE corner of Sec. 31-T126N-R57W (NW ¼ NE ¼) (Lat. 45.68858 Long. -97.71703).

DAM INFORMATION:

- 1) Height to crest 23 feet
- 2) Height to primary spillway 18 feet
- 3) Height to secondary spillway 20 feet
- 4) Crest width 12 feet
- 5) Crest length 275 feet
- 6) Spillway length XXX feet
- 7) Spillway width 80 feet
- 8) Approx. storage (Normal) 33 acre-feet
- 9) Approx. storage (Maximum) 64 acre-feet
- 10) Date constructed: 1997 & 2008

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. 7042-3



South Dakota Department of
Environment and Natural Resources



Timothy G. Schaal

Timothy G. Schaal, P.E.

Engineer IV

SD DENR, Water Rights Program

4/22/15



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

May 27, 2015

7042-3

James Peters
42160 116th St
Britton SD 57430

Dear Mr. Peters:

Enclosed is Water License No. 7042-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7042-3

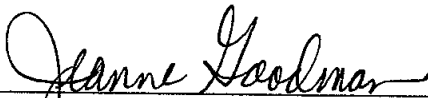
(1) James Peters, 42160 116th St, Britton SD 57430 made Application No. 7042-3, June 17, 2008 for a water permit to impound 33 acre-feet of water from runoff, Marshall County, South Dakota for fish and wildlife propagation and livestock watering purposes. Permit No. 7042-3, with priority date of June 17, 2008 (10.05 acre-feet) and July 28, 1997 (22.95 acre-feet associated with Location Notice 74595) was approved August 10, 2008 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 10, 2013 and for the application to beneficial use of water on or before August 10, 2017.

(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. 7042-3 is issued a license, bearing priority dates of June 17, 2008 and July 28, 1997 to impound 33 acre-feet of water from runoff for fish and wildlife propagation and livestock watering purposes.

The location of the storage dam (spillway) is 300 feet south and 1,700 feet west of the NE corner of Section 31-T126-R57W (NW 1/4 NE 1/4).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 7042-3, including the following now applicable qualifications:

- Water Permit No. 7042-3 authorizes a dam with a storage capacity of 33 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 by-passed.



Jeanne Goodman, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

MAY 19 2015

date

