

WATER PERMIT NO. 7095-3

Name of Applicant: **Scott Farm Partnership**

Address: **PO box 697, Alcester SD 57001**

Phone: **605 934-2864**

Amount of Water Claimed: **61.6 AF**

Total Acres: **NA**

Source of Water Supply: **runoff**

Water to be used for: **flood prevention and recreation**

County: **Clay**

Type of Waste Disposal System:

Location: **7 miles north of Vermillion**

PRIORITY Date Received: **1-29-09**

Application/License Fee: **\$200**

Corrected Application Received: **2-2-09**

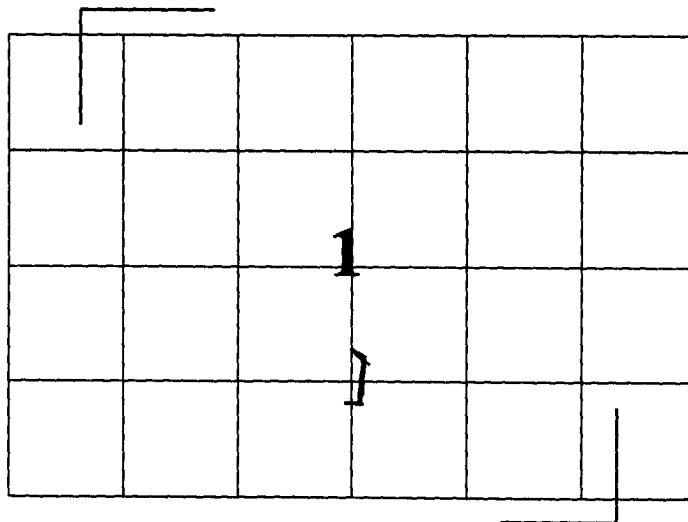
Period of Annual Use: **Jan 1 – Dec 31**

6/15/09

Remarks:

Diversion Point: **W ½ SE ¼ Sec 1-T93N-R52W**

Water Impounded: **W ½ SE ¼, E ½ SW ¼ Sec 1-T93N-R52W**



Depth of Well: **NA**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **M Burke, NRCS**

Reviewed and the Number Assigned on: **2-2-09**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for uses other than irrigation
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>7095-3</u> (office use only)	Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>	
	Newspaper <u>Plain Talk P.O. Box 357</u>	
	<u>605-624-2695</u>	<u>Vermillion 57069</u>

RECEIVED
JAN 29 2009
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>Flood Prevention</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.)

- Name of Applicant Scott Farm Partnership Phone 605-934-2864
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address P.O. Box 697, Alcester State SD 57001
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed _____ *CFS or _____ **GPM 61.6 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Run Off
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Clay
W 1/2 SE 1/4 of 01-93N-52W
water impounded: W 1/2 SE 1/4, E 1/2 SW 1/4 Sec 1 T93N R52W
- County or counties where water will be used Clay
- Annual period during which water is to be used Jan 1 - Dec 31
- 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)

STATE OF SOUTH DAKOTA

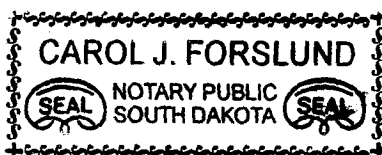
County of Clay SS

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, Gary L. Scott, 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.

Applicant's signature Scott Farm Partnership
R. Scott - Mg. Partner

Subscribed and sworn to before me this 27th day of January 2009



Carol J. Forslund
Notary Public signature

my commission expires 5-17-10

SOUTH DAKOTA
WATER PERMIT NO. 7095-3

Date of first receipt of application January 29, 2009.

Date of return to applicant for corrections, amendments or changes January 29, 2009.

Date of receipt of corrected application June 15, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7095-3 to Scott Farm Partnership, PO Box 697, Alcester SD 57001 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. 7095-3 authorizes impoundment of 61.6 acre-feet of water from runoff by constructing a dam located in the W 1/2 SE 1/4 Section 1 with water impounded in the W 1/2 SE 1/4, E 1/2 SW 1/4 Section 1; all in T93N-R52W.
2. The water appropriated shall be used for flood prevention, recreation and livestock water purposes 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. 7095-3 is August 17, 2009.
5. The date from which applicant may claim right is June 15, 2009.
6. One-fifth of the construction is to be completed on or before February 17, 2012.
7. All construction is to be completed on or before August 17, 2014.
8. Water is to be put to beneficial use on or before August 17, 2018.
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. 7095-3 authorizes a dam with a storage capacity of 61.6 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

AUG 21 2009

date



(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 _____

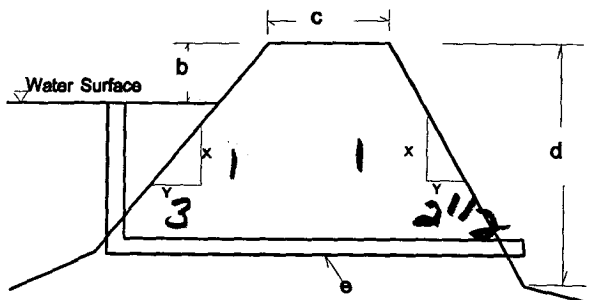
3. Dugout Information

- 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.

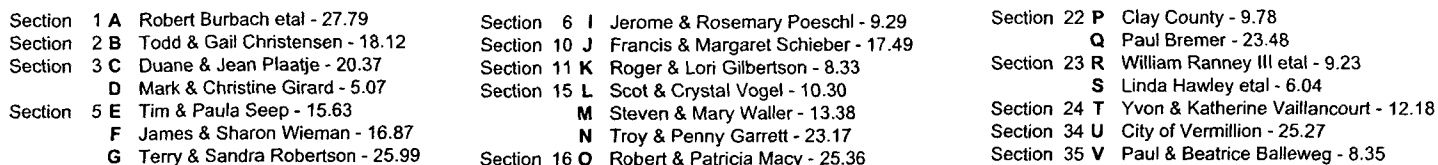
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

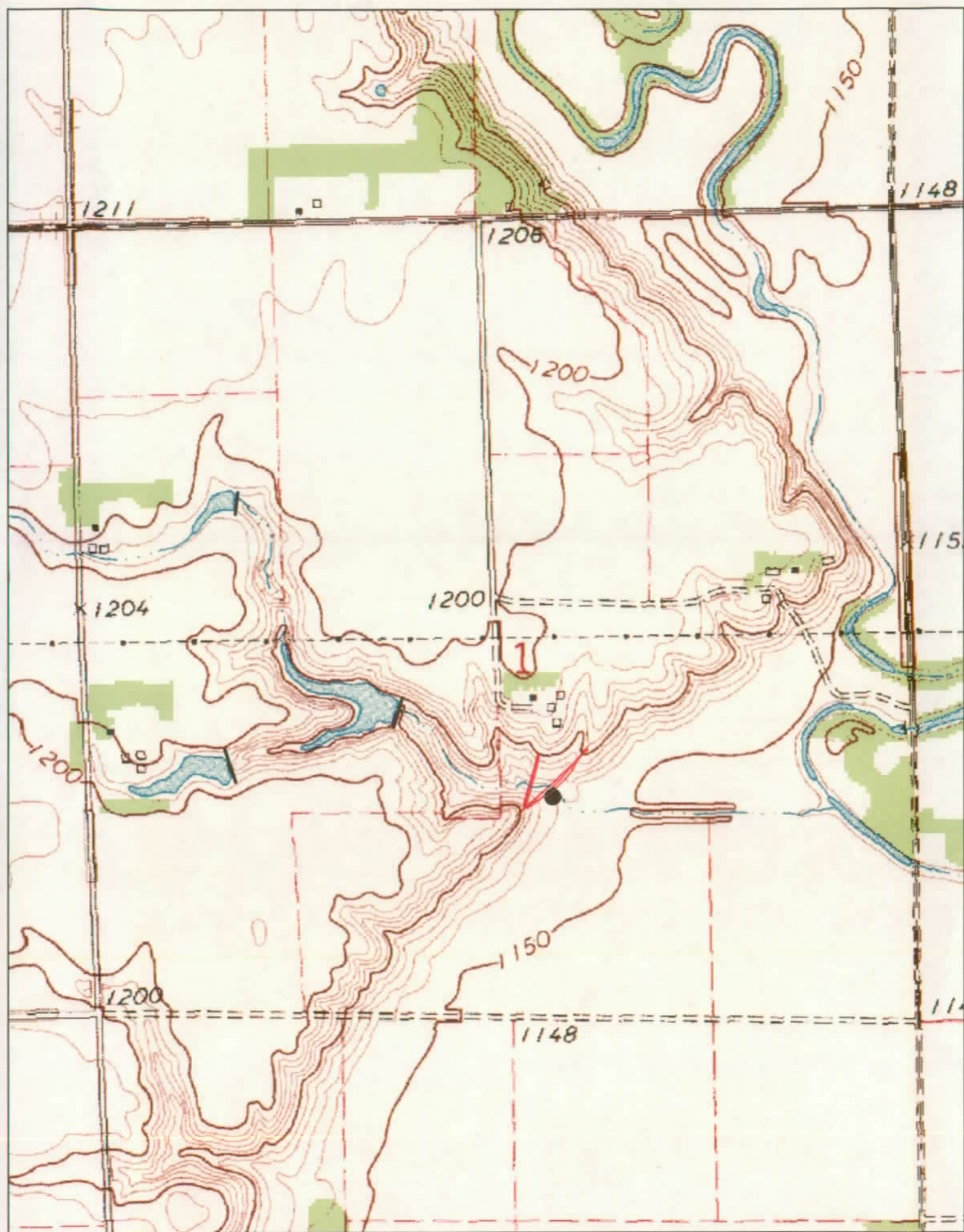


- b) Freeboard 1'
- c) Crest Width 14'
Crest Length 396'
- d) Height 22.9'
- e) Primary Outlet Capacity 140 cfs
If pipe, diameter 36"
- f) Secondary Spillway Capacity 472 cfs
Spillway Width 108'
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment 8.9
- i) Storage 61.6 Acre Feet @ P.S.
- j) Drainage Area Above Dam 3220 Acres

Land Owner

R 52 W







RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/2, 20 09

RECEIVED OF Scott Farm Partnership PO Box 697 Alcester SD 57001

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

Fee for Application for Permit No. <u>7095-3</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>7095-3</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.

04010

By

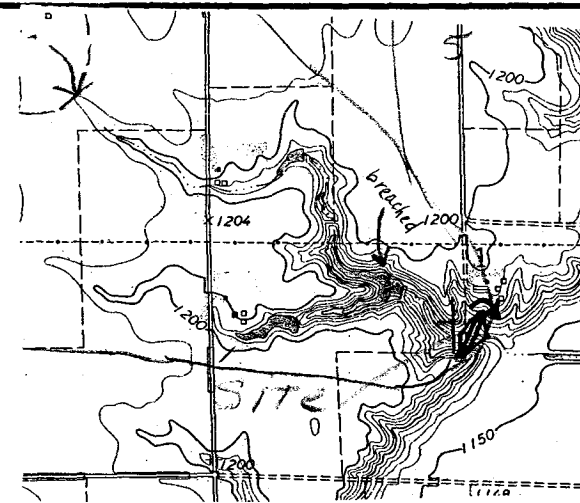
[Signature]
Chief Engineer

STRUCTURE DATA

DRAINAGE AREA ACRES	ANNUAL YIELD @ 80% AC.FT.	PEAK RUNOFF 50 YR. CFS. (25 or 50 yr)	EMERG. SPWY. 50 YR. CFS.	WATER DEPTH @ P.S. FT.	SURFACE AREA @ P.S. ACRES	SEDIMENT STORAGE AC.FT.	STORAGE		
							@ P.S. AC.FT.	@ E.S. AC.FT.	@ TOP OF DAM AC.FT.
2,220	56.5	569	427	15	8.9	12.3	61.6	82.4	116.7

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."
- LANDOWNER IS RESPONSIBLE FOR COMPLYING WITH ALL FEDERAL, STATE, AND LOCAL LAWS AND MAINTAINING THIS DAM IN ACCORDANCE WITH S.D. OPERATION & MAINTENANCE GUIDELINES.
- THIS PROJECT IS ☒ IS NOT CLASSIFIED AS A "DAM" BY S.D. LAW. ACCORDING TO S.D. LAW, A STRUCTURE IS CLASSIFIED AS A DAM IF IT IS > THAN 25 FT HIGH (TOP TO D.S. TOE) AND IMPOUNDS > THAN 15 AC FT OR IF IT IS > THAN 6 FT HIGH AND IMPOUNDS > THAN 50 AC FT.
- IF CULTURAL RESOURCES ARE DISCOVERED, DISCONTINUE CONSTRUCTION AND NOTIFY THE LOCAL NRCS OFFICE.
- SEED ABOVE HWL, THE TOP AND BACKSLOPE OF DAM, THE E.S., ALL DIKES, AND ALL DISTURBED AREAS DESIGNATED BY THE ENGINEER. SEEDING SHALL BE PERFORMED BY THE OWNER.
- SCARIFYING, STRIPPING, & EXCAVATION OF THE CORE TRENCH, SHALL BE INSPECTED AND APPROVED BY AUTHORIZED PERSONNEL PRIOR TO BACKFILL. EXCAVATE CORE TRENCH 1 FT INTO IMPERMEABLE MATERIAL. MINIMUM CORE TRENCH IN UNDISTURBED GROUND IS 2 FT. CONSTRUCT THE FULL DEPTH OF THE CORE TRENCH TO HWL. ELEV. (see Profile of Embankment).

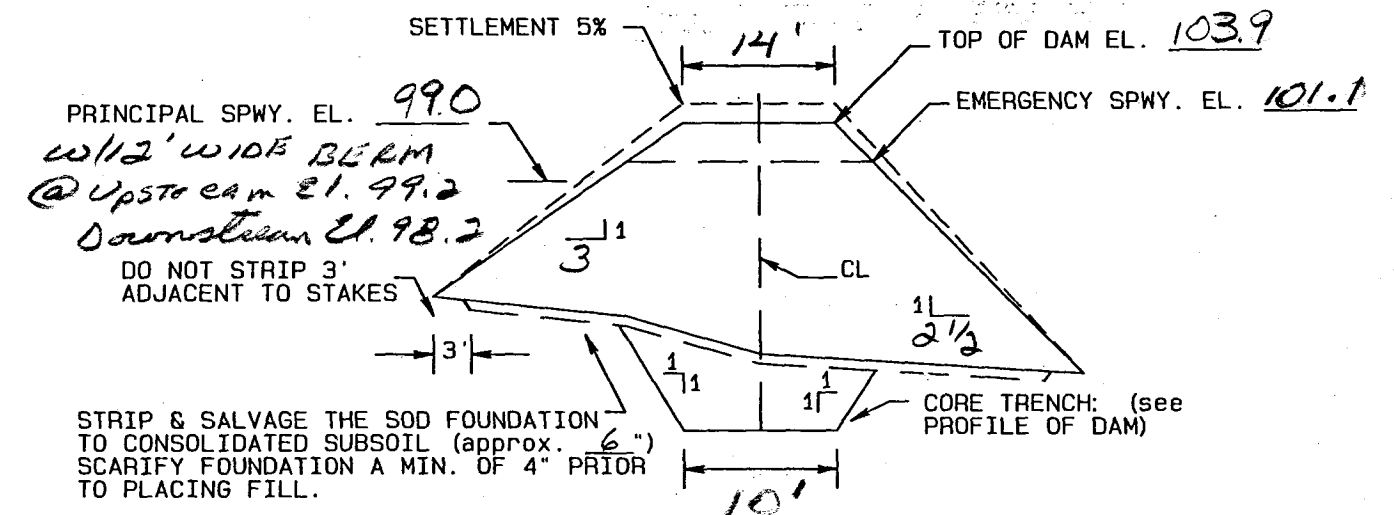


Swy Sec. 1 T93 R52
LOCATION MAP

TABLE OF QUANTITIES

ITEM	UNIT	QUANT.	AS BUILT
EXCAVATION	CU. YD.	2,005	
core trench @ 1213 cy., stripping @ 712 cy.)			
EXCAVATION (E.S.) (borrow) CU. YD.		7,322	(non-pay item)
EARTH FILL	CU. YD.	17,961	
(embankment @ 15,784 cy., stripping @ 712 cy., core @ 1,293 + 172)			
SEEDING	ACRES	2.5	BS. BIKB
PRINCIPAL SPWY.	EACH	1	
See sheet # 4 for details of P.S.			
NOTE: Above quantities may be estimated. Payment will be on surveyed/staked quantities.			

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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, 50 C.M.P.
- SD - 16 TIMBER FAB. & INSTALLATION
- SD - 17 METAL FAB. & INSTALLATION
- SD - 28 SEEDING

SD-954592 Geotextile

EARTH DAM

SCOTT FARM Partnership
CLAY COUNTY
Swy. Sec. 1, T93, R52

U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

Designed Pete Date 8/3/07 Approved by [Signature]
Drawn [Signature] Title: 7-14-09
Checked M. BURKE 8/07 Sheet 1 of 11 File Name: EarthDam11a17

See sheet #2
PLAN VIEW OF DAM & POOL AREA
approximate scale 1" = ____ ft.

ATTACHMENTS:
SD - 378 O & M GUIDELINES
PARTICIPANT RESPONSE (OWNER COPY)

4: 16PM 9/22/2006 JOB PLAN 1.1B Rev. 9/22/06

Tile Invert

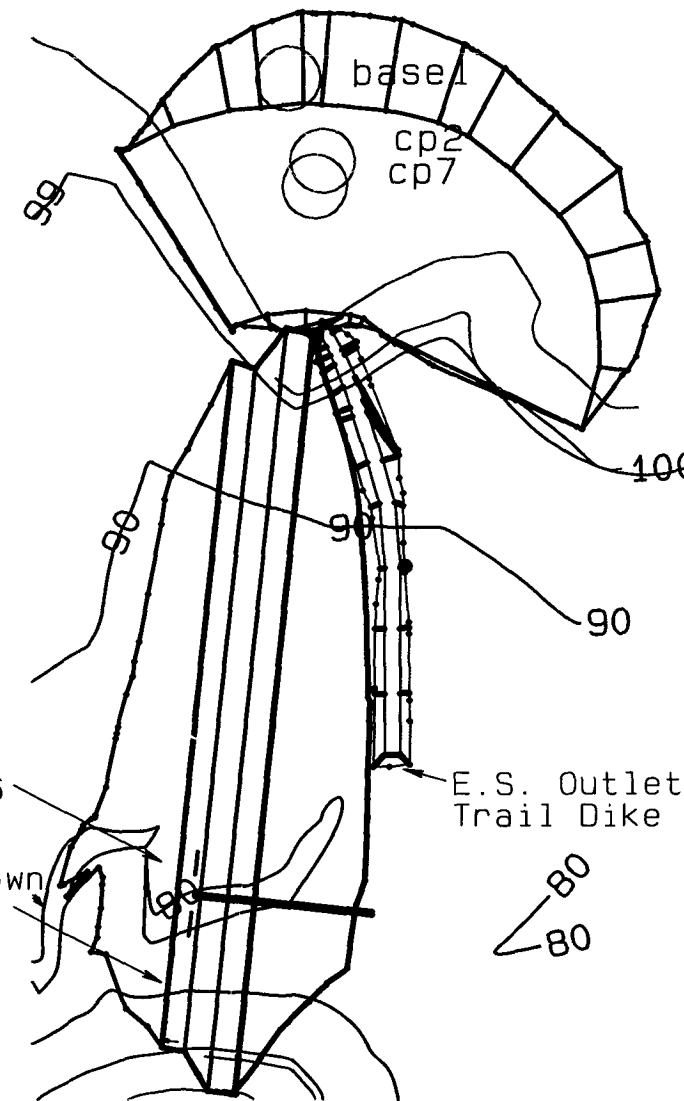
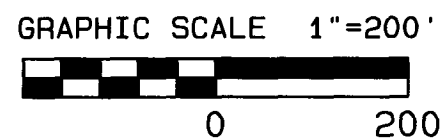
PROJECT CONTROL

base1	10000	10000	115.46
cp2	9957.7	10017.5	113.38
cp4	9448.4	9923.0	108.63
cp7	9944.2	10013.8	112.68
tile (i)	11214.3	8465.1	104.17

Note: base1, cp2, 4, & 7 are
top 1"x3" wood stake

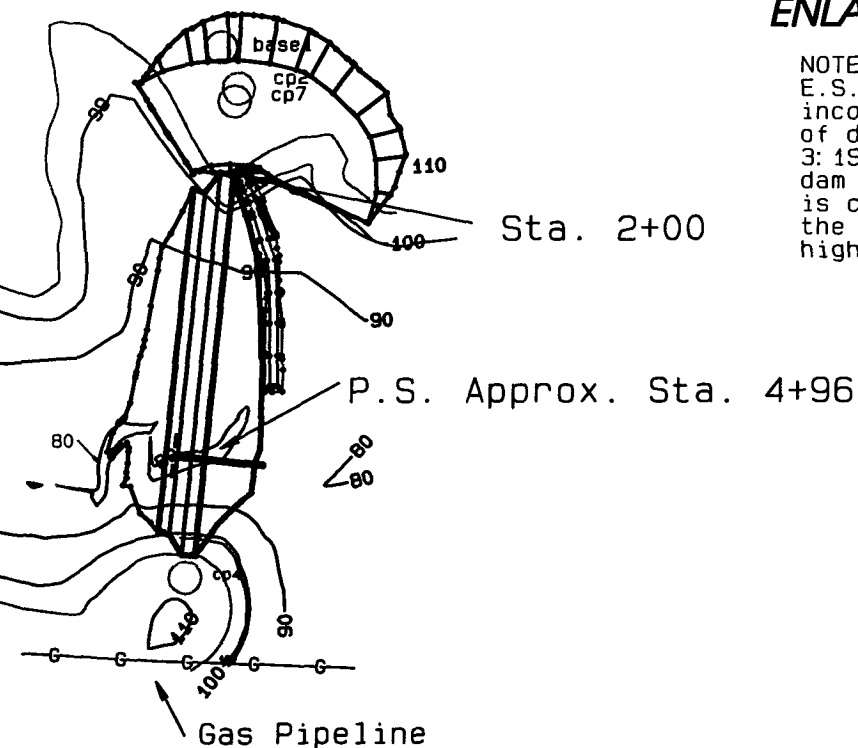
H.W.L. = 8.9 Surface acres
@ El. 99.0

PLAN VIEW



ENLARGED PLAN VIEW

NOTE:
E.S. Outlet Trail Dike may be
incorporated into the back toe
of dam as a berm @ 8' wide and
3:1SS and 1.5' higher than the
dam backtoe. When trail dike
is constructed independant of
the dam, the dike shall be 1.5'
high with an 8' top and 3:1SS.



Approved by:

Title:

Date:

Designed & Drafted by:

Pete Anderson July 08

Checked by:

NRCS NATURAL RESOURCES
CONSERVATION SERVICE

BROOKINGS FIELD SUPPORT OFFICE
520 THIRD AVENUE P.O. BOX 626
BROOKINGS, SOUTH DAKOTA 57006-0626

SCOTT FARM PARTNERSHIP
FARM POND

Ne4, Sw4, Section 1, T93 N, R52W.
Clay County, South Dakota

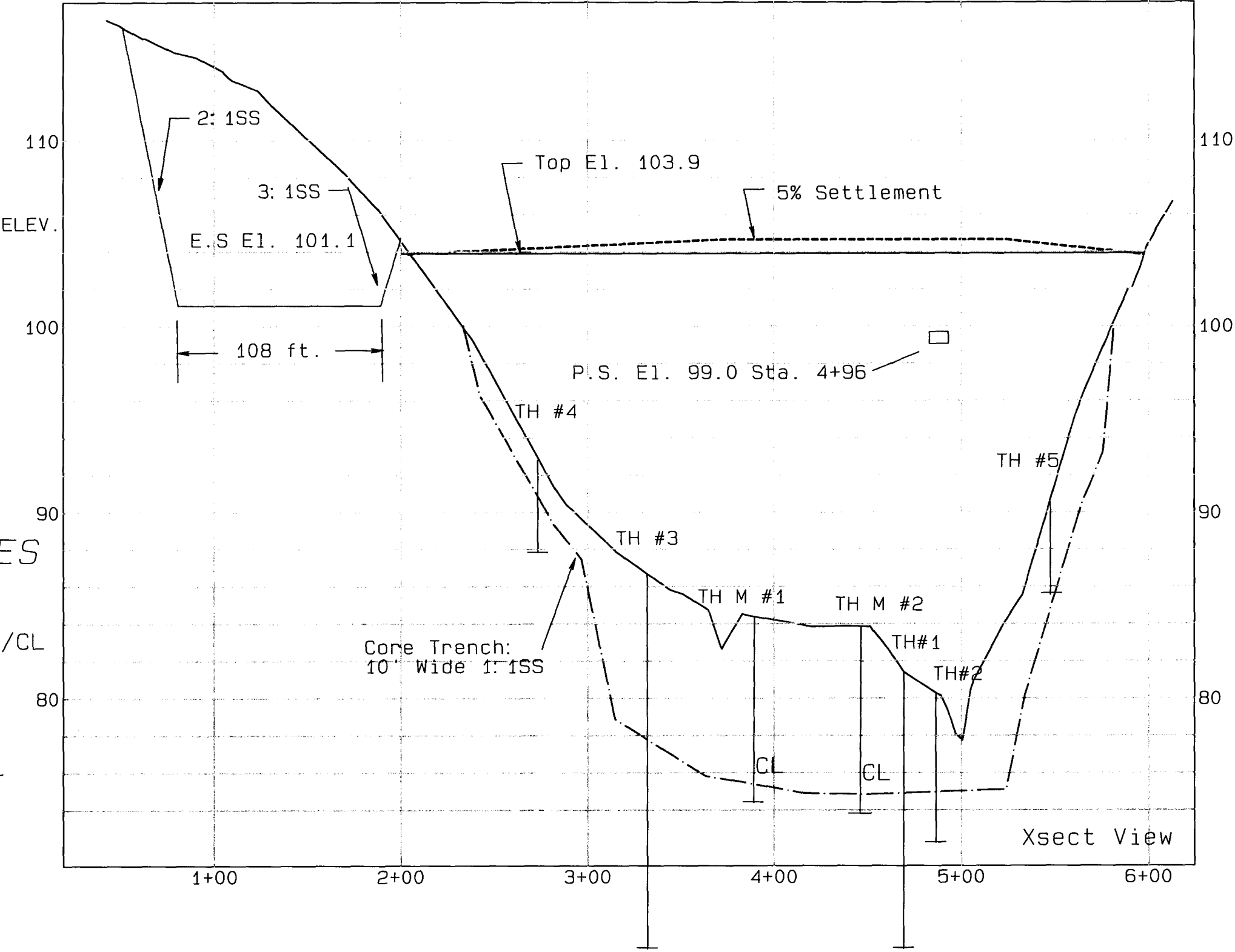
7/13/2009

4:12PM

Shet No. 2 of 11

fn: Nissenworking

PROFILE OF E. Spwy. & DAM



SOIL TEST HOLES

TH#1	TH#2	TH#3
0 ML/CL	0 ML/CL	0 ML/CL
4 CL	6 CL	2 CL
11 CH	8	
13 CL		
15		
		24
TH#4	TH#5	
5 CL	5 CL	

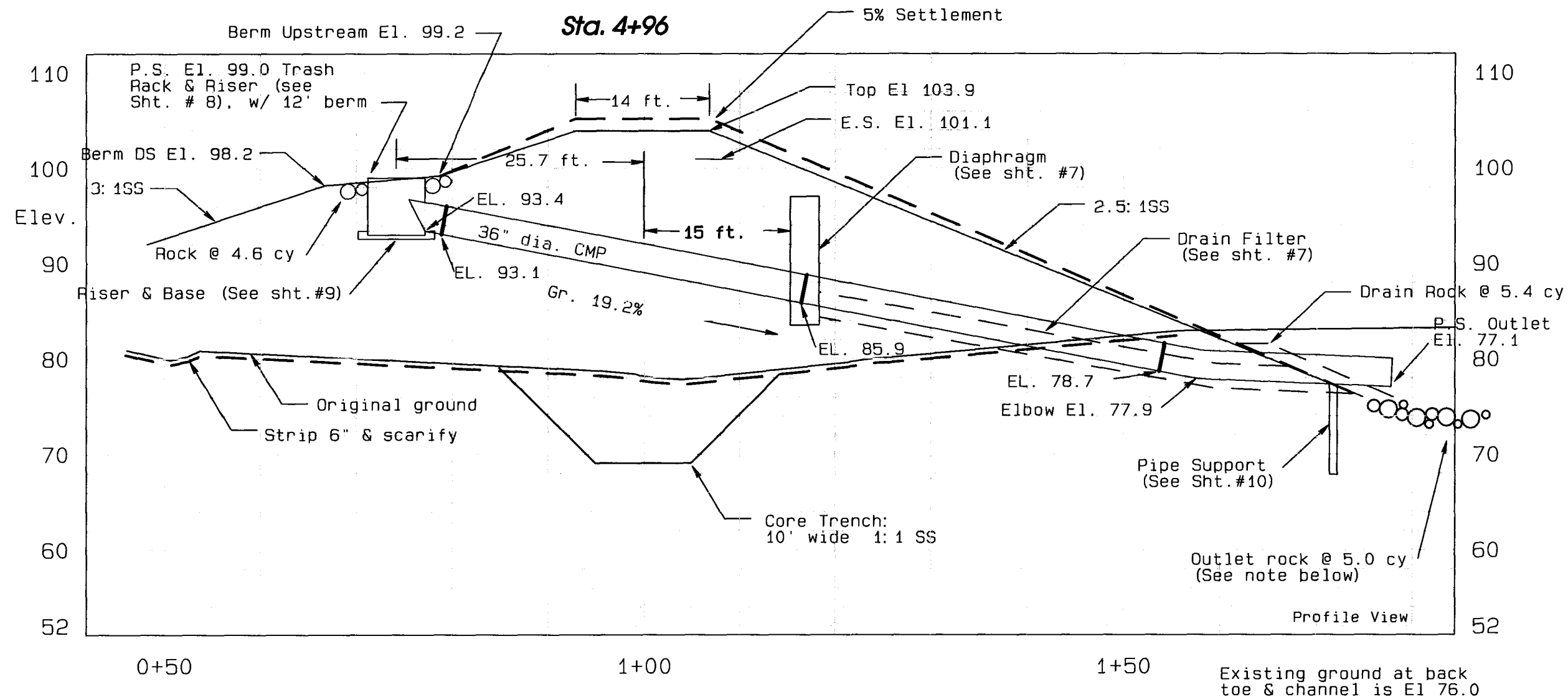
Approved by: _____
Title: _____

Date: _____
Designed & Drafted by: *Pete Anderson*
July 08
Checked by: _____

NRCS NATURAL RESOURCES
CONSERVATION SERVICE
BROOKINGS FIELD SUPPORT OFFICE
520 THIRD AVENUE P.O. BOX 626
BROOKINGS, SOUTH DAKOTA 57005-0626

SCOTT FARM PARTNERSHIP
FARM POND
Ne4, Sw4, Section 1, T93 N, R52W.
Clay County, South Dakota

7/14/2009
2: 51PM
Sht No. 3 of 11



PROFILE OF PRINCIPAL SPILLWAY

TABLE OF QUANTITIES for PRINCIPAL SPWY.

ITEM	UNIT	QUANTITY	AS BUILT QUANTITY
36" Dia. CMP @ 14 ga. 2 @ 38'; 1 @ 20' w/10 degree angle 4' from US end	Lin.Ft.	96	
72" Dia. 14 ga. Riser @ 6' w/36" stub @ 4' & 101 degree angle	Each	1	
Trash Rack	Each	1	
Connecting Bands	Each	3	
Riser Base (@ 2.0 cy)	Each	1	
Drain Diaphragm (See Diaphragm sheet for rock, geotextile, & filter quantities)	Each	1	
Rock @ Outlet 4.5 cy & Riser 4 cy	Cu.Yd.	9.5	
Pipe Support	Each	1	

Note: Pipe lengths may be changed with approval of the engineer. Total length of 36" dia. CMP is 96' +4' = 100'. Total rock on job is 15 cy (riser @ 4.6, outlet @ 5.0, & drain @ 5.4cy).

Rock Riprap:

- 1.) Place rock and 8 oz. filter fabric downstream of pipe invert. Place rock in bowl shape with the top of rock at the center of the bowl at El 74.5. Top perimeter of rock is El 76.0. When field stone is used, place several large (1000 lb plus) rock at the downstream end of rock, about 8 ft from pipe invert. Rock is 8' x 12' x 1'. The center 4'x6' portion of rock is 2' thick.
- 2.) Rock around riser shall be 3' wide by 1' thick.

Approved by:

Title:

Date:

Designed & Drafted by:
Pete Anderson

Aug 08

Checked by:

NRCS NATURAL RESOURCES
CONSERVATION SERVICE

BROOKINGS FIELD SUPPORT OFFICE
520 THIRD AVENUE P.O. BOX 626
BROOKINGS, SOUTH DAKOTA 57006-0626

SCOTT FARM PARTNERSHIP
FARM POND

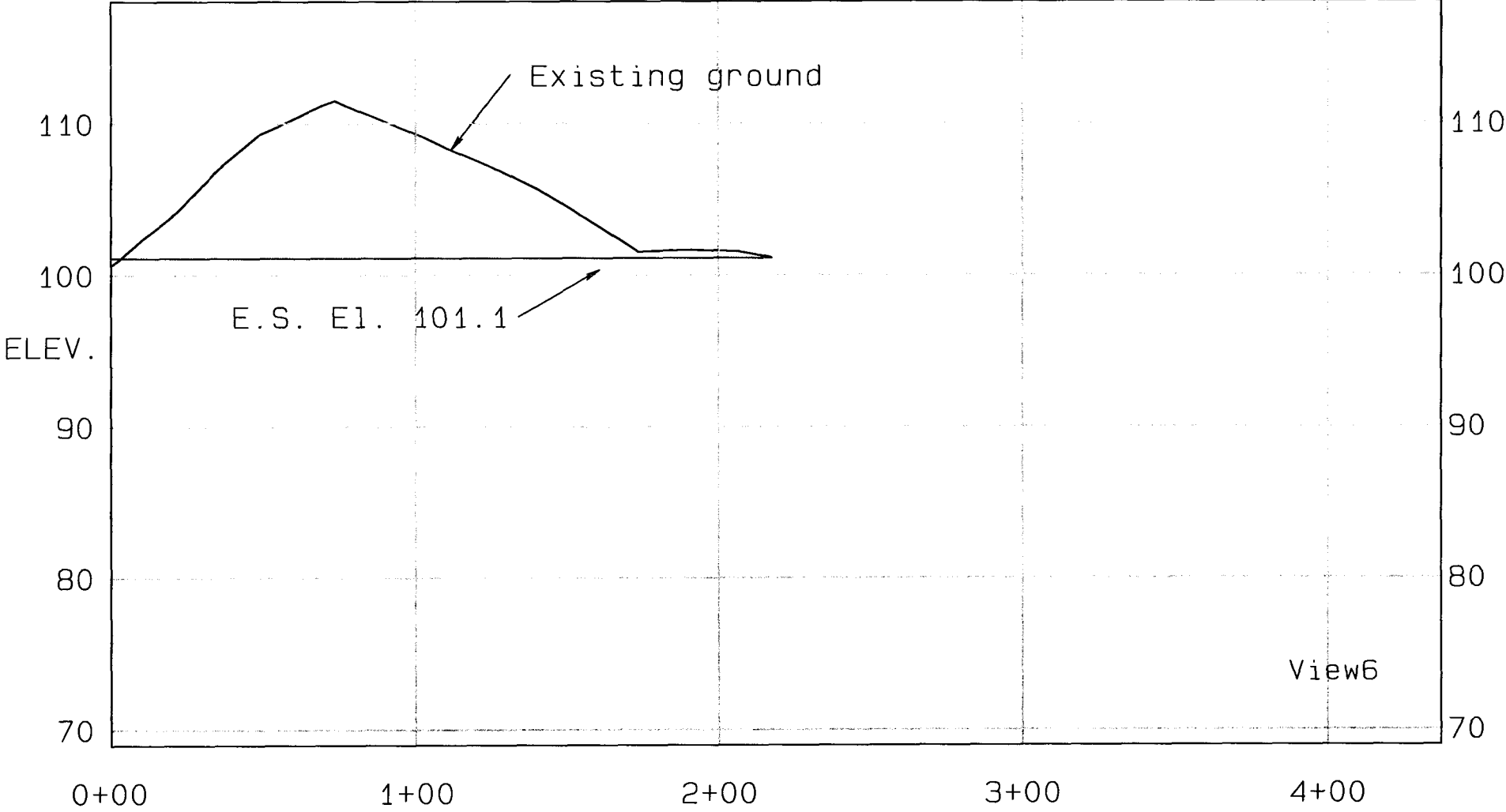
Ne4, Sw4, Section 1, T93 N, R52W.
Clay County, South Dakota

7/13/2009
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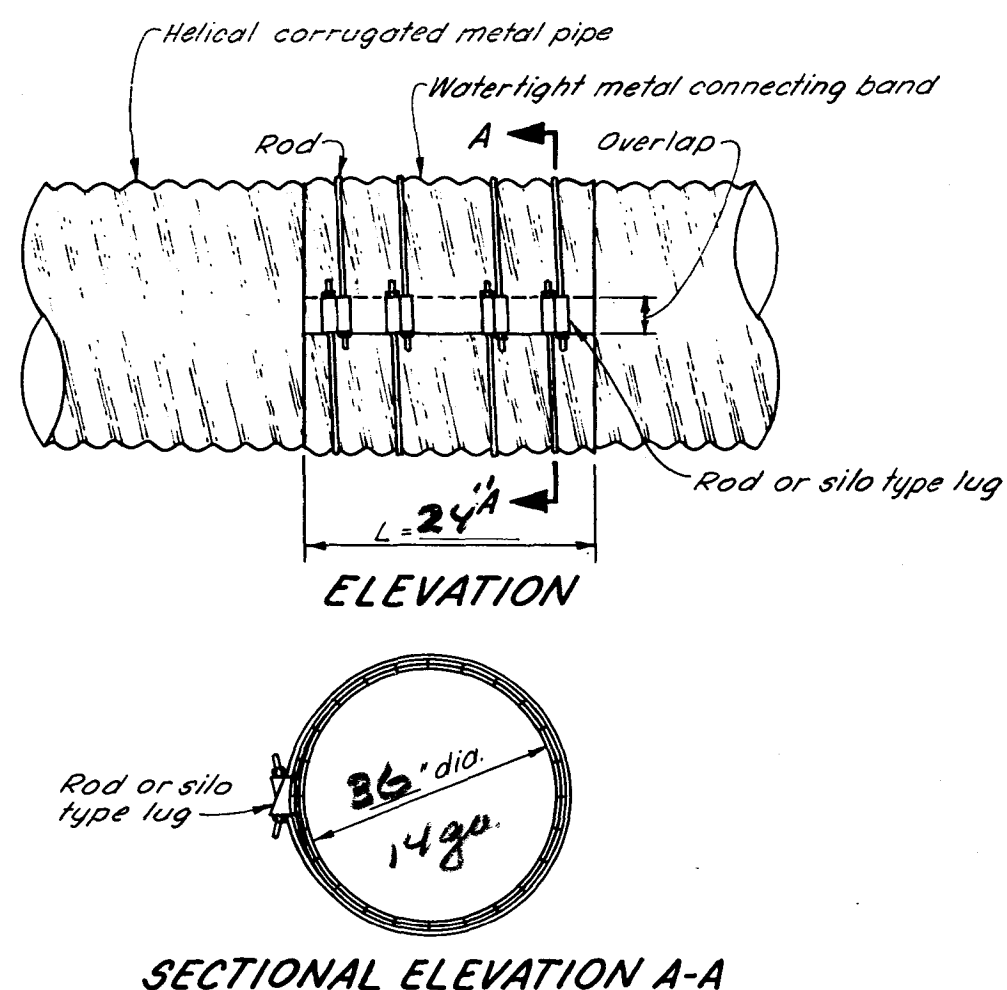
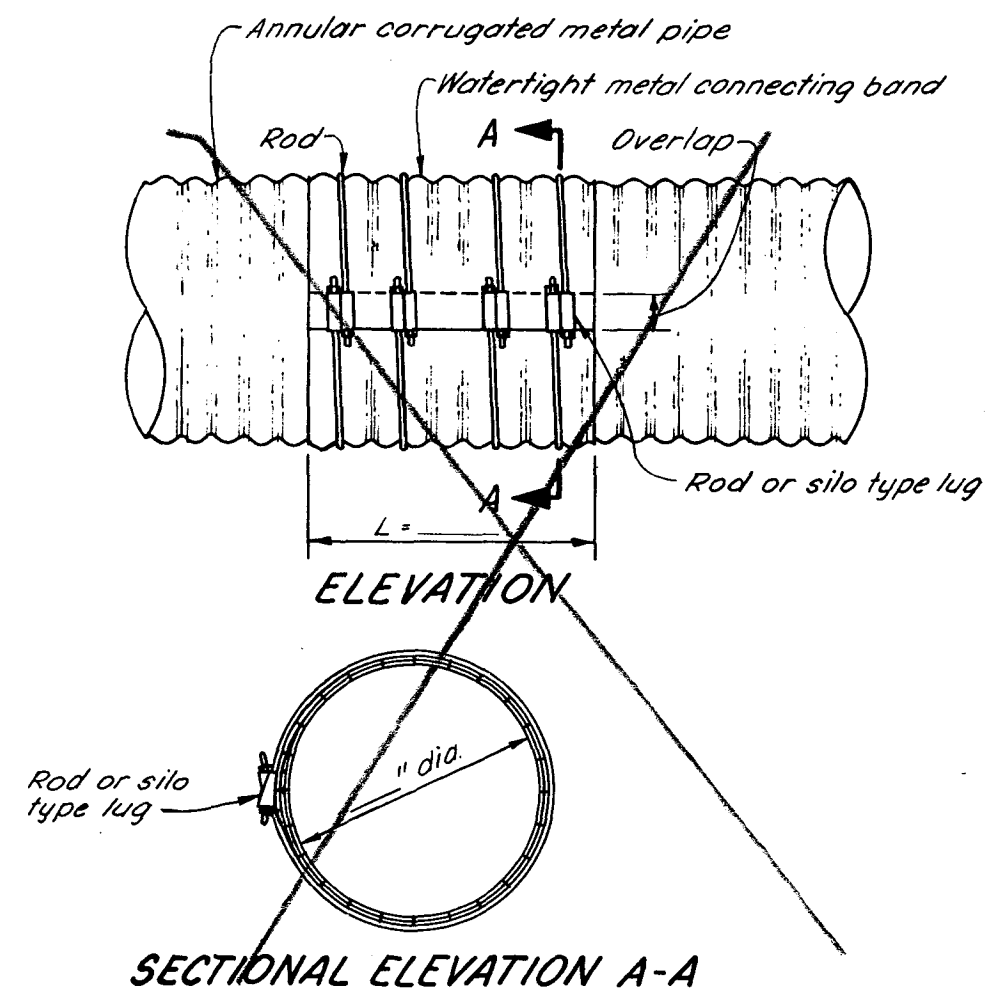
Sht No. 4 of 11

NOTE: Dike (not shown) shall be 1.5' higher in elevation than adjacent E.S. or existing ground when dike is downstream of E.S.



PROFILE of E. Spwy. & DAM

Approved by: _____ Title: _____	
Date: _____	
Designed & Drafted by: <i>Pete Anderson</i> July 08	
Checked by: _____	
 NRCS NATURAL RESOURCES CONSERVATION SERVICE	BROOKINGS FIELD SUPPORT OFFICE 520 THIRD AVENUE P.O. BOX 526 BROOKINGS, SOUTH DAKOTA 57006-0626
	SCOTT FARM PARTNERSHIP FARM POND Ne4, Sw4, Section 1, T93 N, R52W. Clay County, South Dakota
7/14/2009 2:52PM Sht No. 5 of 11	



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	6	4	1/2	12	2
21-30	24	6	4	1/2	12	2
36-48	24	6	4	1/2	12	2

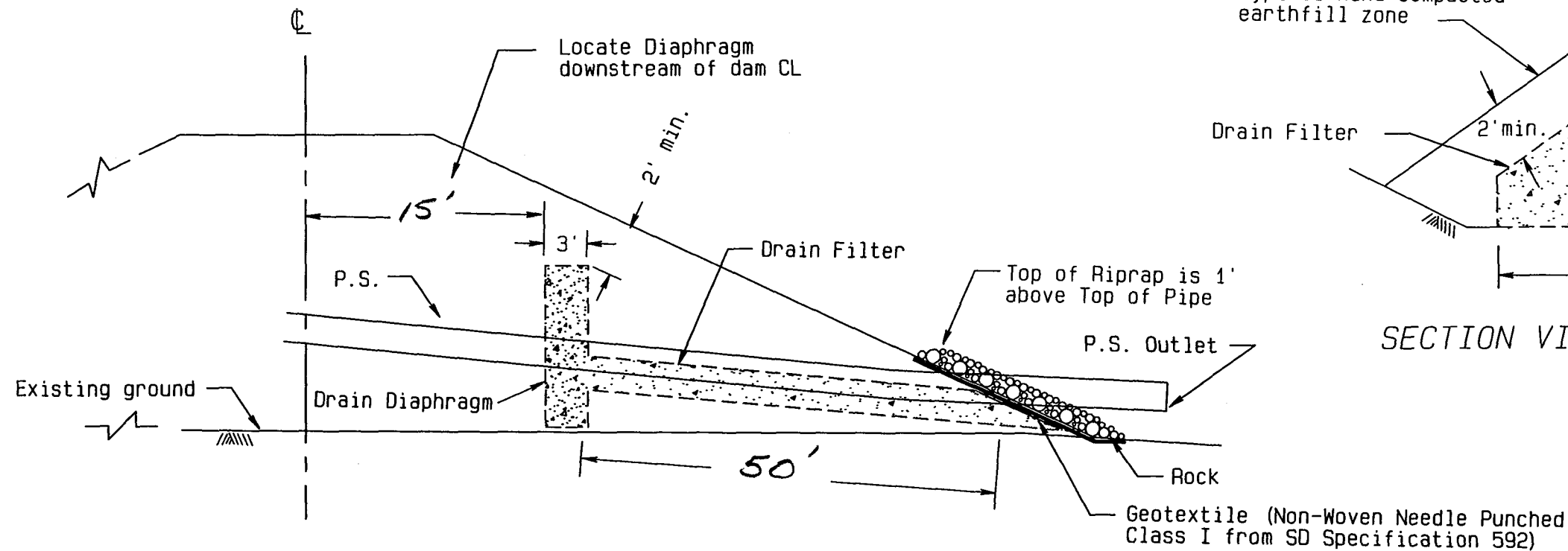
NOTES:

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.
A mastic gasket is acceptable @ 12" wide.

WATERTIGHT CONNECTING BAND FOR ANNULAR AND HELICAL CORRUGATED METAL PIPE

OPERATOR: <u>Scott Farms</u>	
CONSERVATION DISTRICT: <u>CLAY</u>	
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Date	Approved by
Designed	Title
Drawn	Title
Traced	Title
Checked	Sheet No. <u>6</u> of <u>10</u>
	Drawing No.

JOB PLAN NO. 3.0



PROFILE VIEW OF DIAPHRAGM & DRAIN FILTER

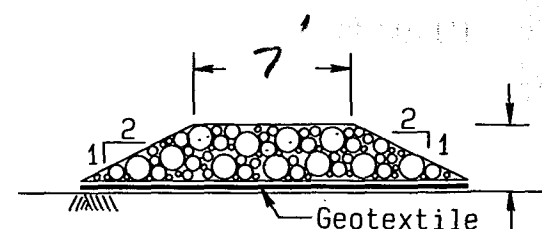
no scale

NOTE:

- 1.) No compaction of the Drain Filter extending from the Diaphragm to the D.S. embankment face is required beyond that resulting from the placing and spreading operations.
- 2.) The Drain Diaphragm & Drain Filter will be installed by placing filter material in 15 inch lifts prior to compaction. Each lift shall be saturated uniformly with approximately 1.2 gallons of water per cubic foot of loose filter material prior to compaction. Each lift shall be compacted by a minimum of two passes of a hand-directed vibratory compactor over the entire lift surface. No compaction of Drain Filter required above pipe invert.
- 3.) Maximum height of drop of the riprap onto Geotextile is 3'.
- 4.) If filter and earth fill are placed concurrently, maintain filter 1 ft. higher than adjacent earth fill to avoid contamination of the filter by the earth fill.

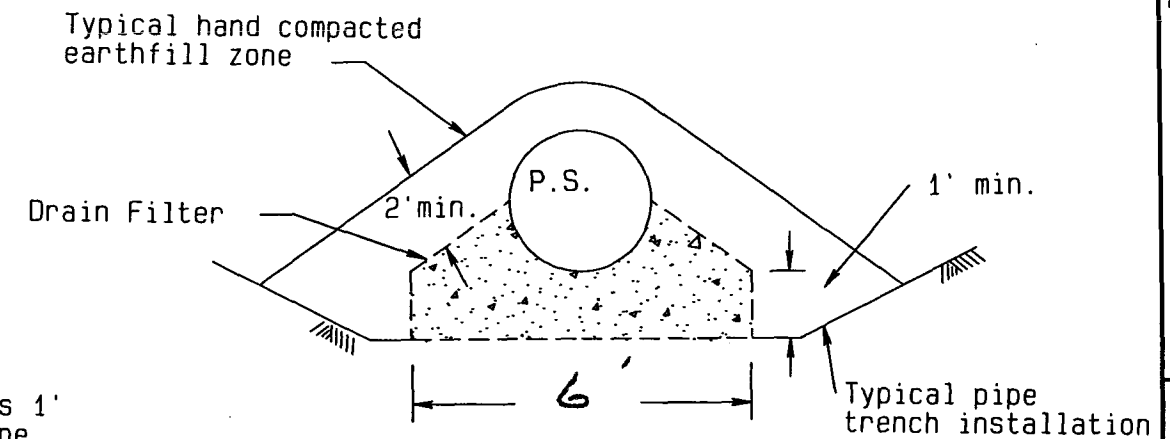
TABLE of QUANTITIES for DIAPHRAGM & DRAIN FILTER

1.) FINE FILTER	48.6 cu.yd.
2.) GEOTEXTILE	16.8 sq.yd.
3.) ROCK	5.4 cu.yd.



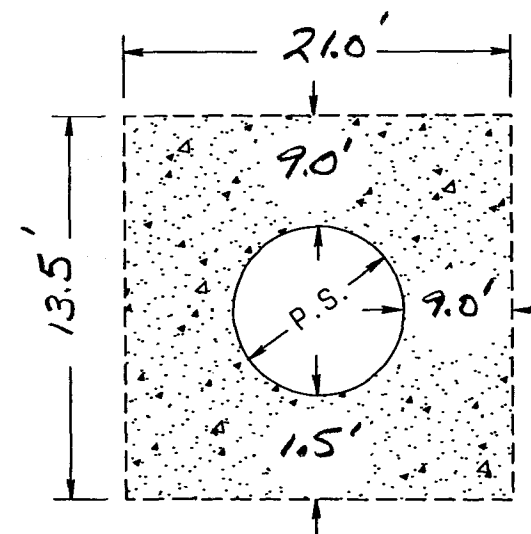
SECTION of RIPRAP

Perpendicular to Slope



SECTION VIEW OF DRAIN FILTER

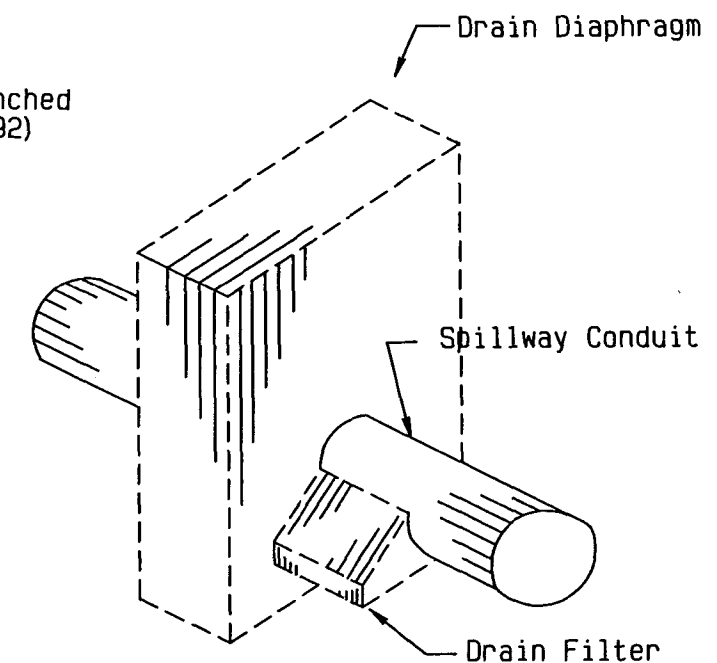
no scale



SECTION VIEW of DRAIN DIAPHRAGM

no scale

ROCK FILTER GRADATION	
STONE WEIGHT POUNDS	% PASSING
50	100
30	50 - 80
10	15 - 50
3	0 - 15



PARTIAL ISOMETRIC of Diaphragm & Drain Filter

FINE FILTER GRADATION

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

JOB PLAN No. 3.8-B

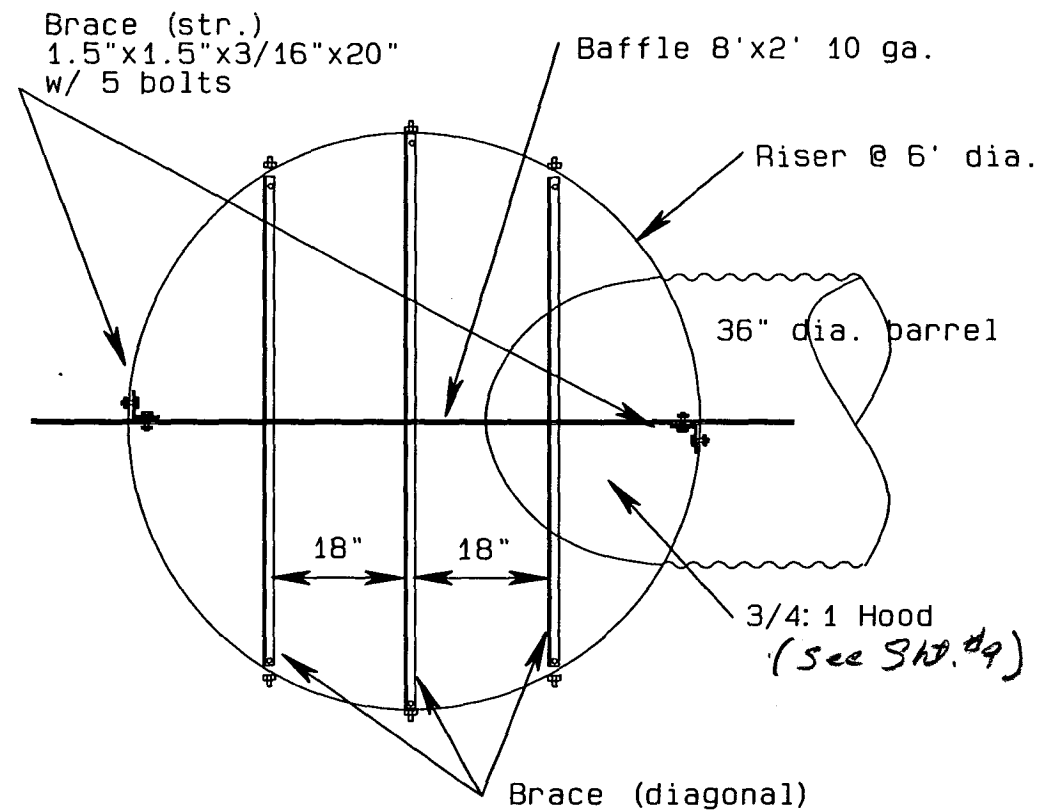
Date 1-09
Designed Pete Anderson
Drawn
Checked
Approved

PRODUCER Scott Farms
SECTION T. R. COUNTY
CONSERVATION DISTRICT

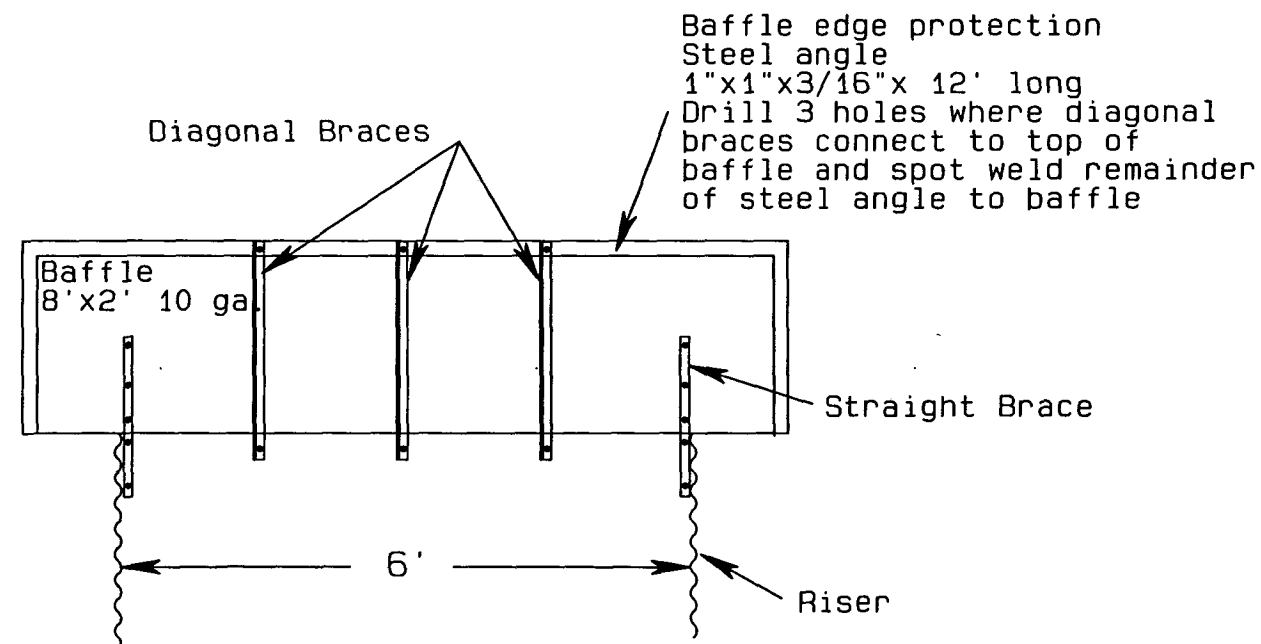
USDA - NRCS
Brookings Field Support Office
520 Third Street
Brookings, South Dakota 57006

NRCS
Natural Resources Conservation Service
United States Department of Agriculture

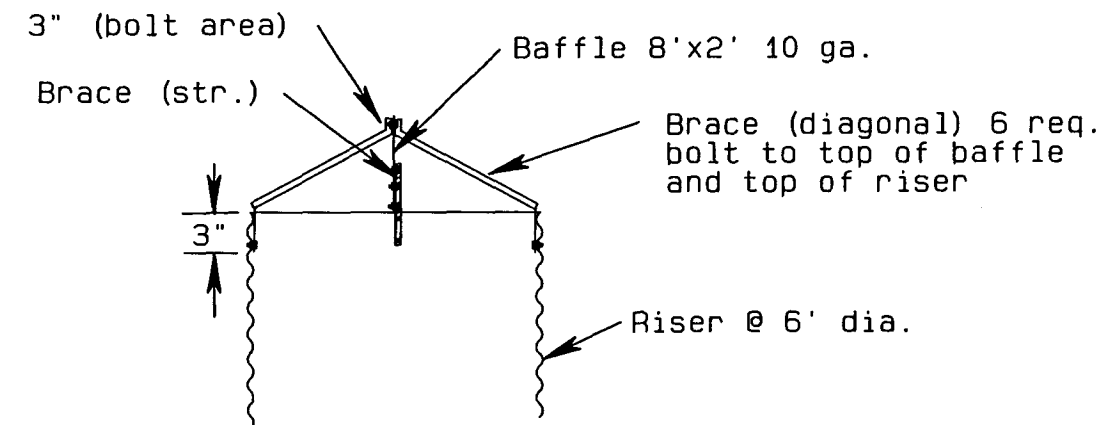
File Name: JP388coarseoutlet
Drawing No.
6/23/2009 8:50AM
Sheet 2 of 11



PLAN VIEW
scale 1" = 2' 1:24



SECTION VIEW of BAFFLE
scale 1" = 2' 1:24



FRONT VIEW
no scale

NOTE:

- 1.) All cuts shall be shear or saw cuts.
- 2.) All bolts shall have a nut and split washer.
- 3.) All bolts, nuts, and washers, shall be galvanized, cadmium plated, or stainless steel.
- 4.) Holes in braces shall be placed to match corrugations in pipe.
- 5.) The diagonal braces will need to be cut and rewelded in the area of the bolts. All welds shall be painted with 2 coats of rust resistant paint.
- 6.) The one-piece 8'x2' baffle shall be "in-line" with the pipe barrel.

TABLE OF QUANTITIES

ITEM DESCRIPTION	UNIT	QUANTITY	AS BUILT
8' x 2' x 10 ga. steel	EACH	1	
Steel equal angles (1.5"x1.5"x3/16")	LIN.FT.	28'	
Steel equal angle (1"x1"x3/16" baffle edge protection)	LIN.FT.	12'	
Bolts, Nuts, & Washers	JOB	1	

NOTE: All braces are 1.5"x1.5"x3/16"
2 @ 4'-4" diagonal
4 @ 4'-0" diagonal
2 @ 1'-8" straight

Approved by: _____
Title: _____

Date: _____
Designed & Drafted by: *Pete Anderson*
Checked by: _____

NRCS NATURAL RESOURCES
CONSERVATION SERVICE

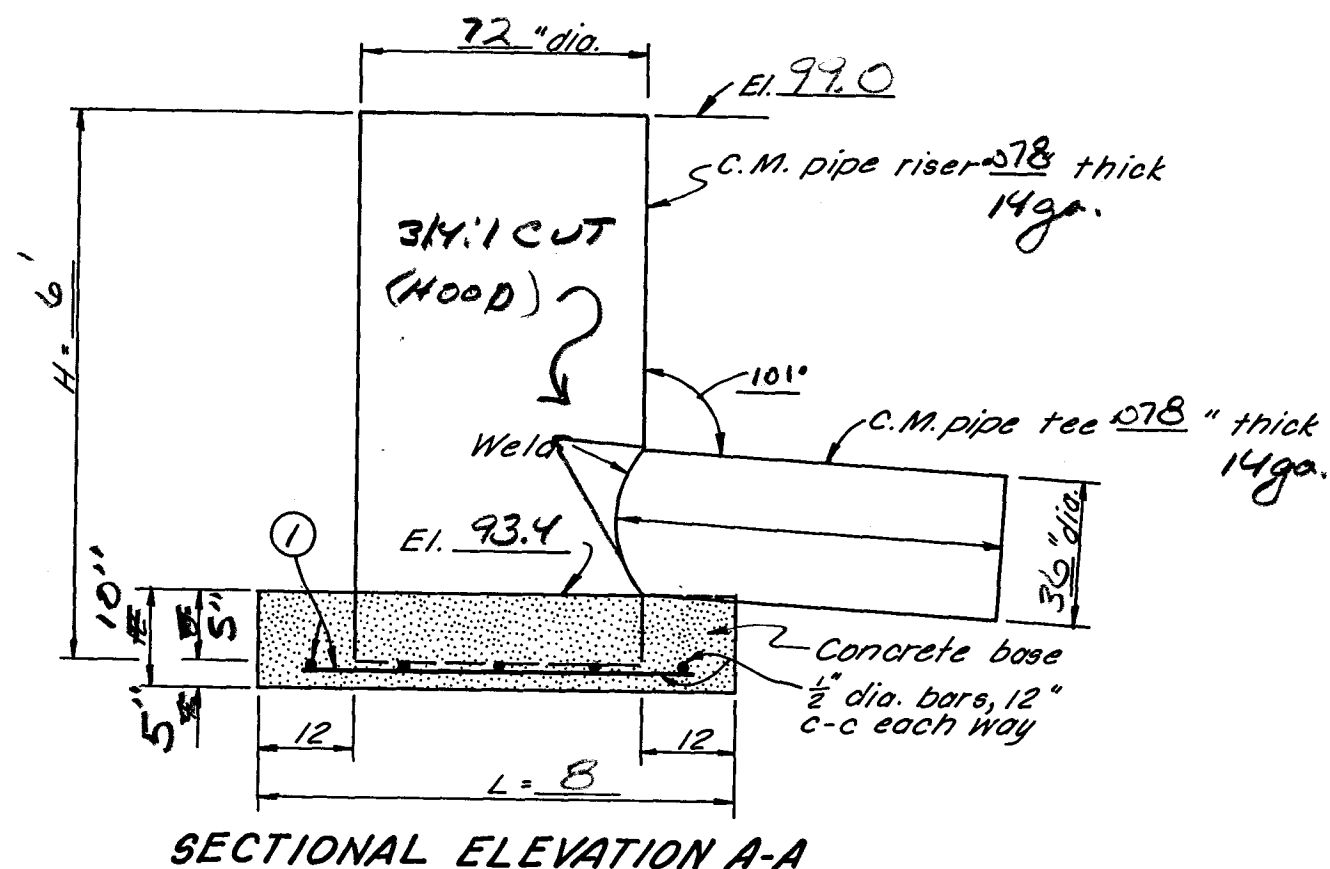
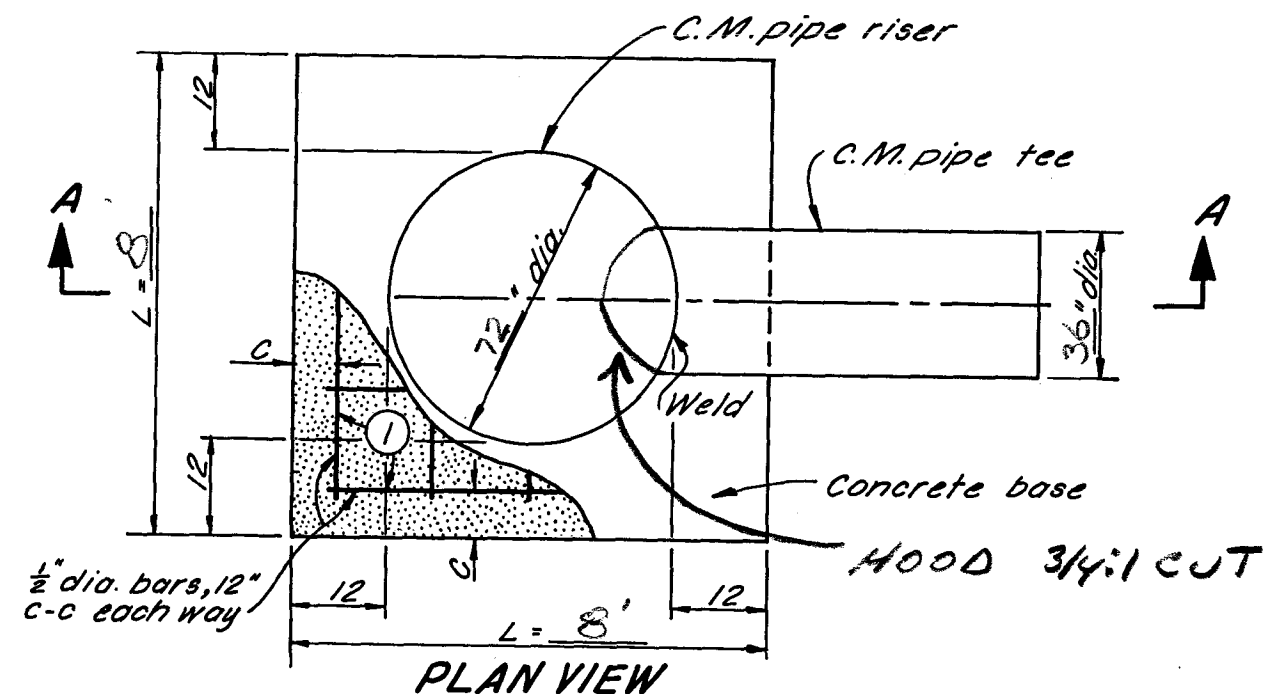
BROOKINGS FIELD SUPPORT OFFICE
520 THIRD AVENUE P.O. BOX 626
BROOKINGS, SOUTH DAKOTA 57006-0626

BAFFLE for CMP RISER
See SH. #9
1/4 Section T. N. R. W.
Clay County, South Dakota

6/19/2009 4:32 PM

fn: job plan/NissenBaffle

Sht No. **8** of **11**



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.
72	4	I	STR.	16	7'-0"	116'	75	6	8'

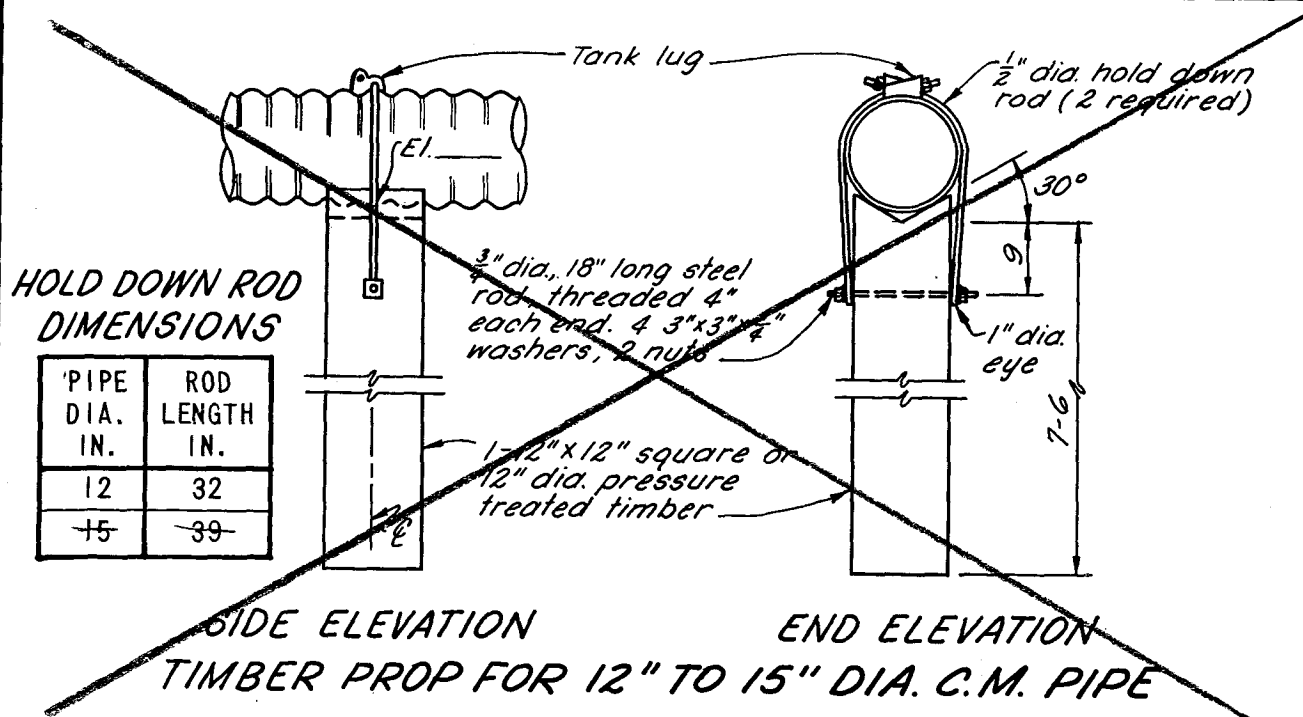
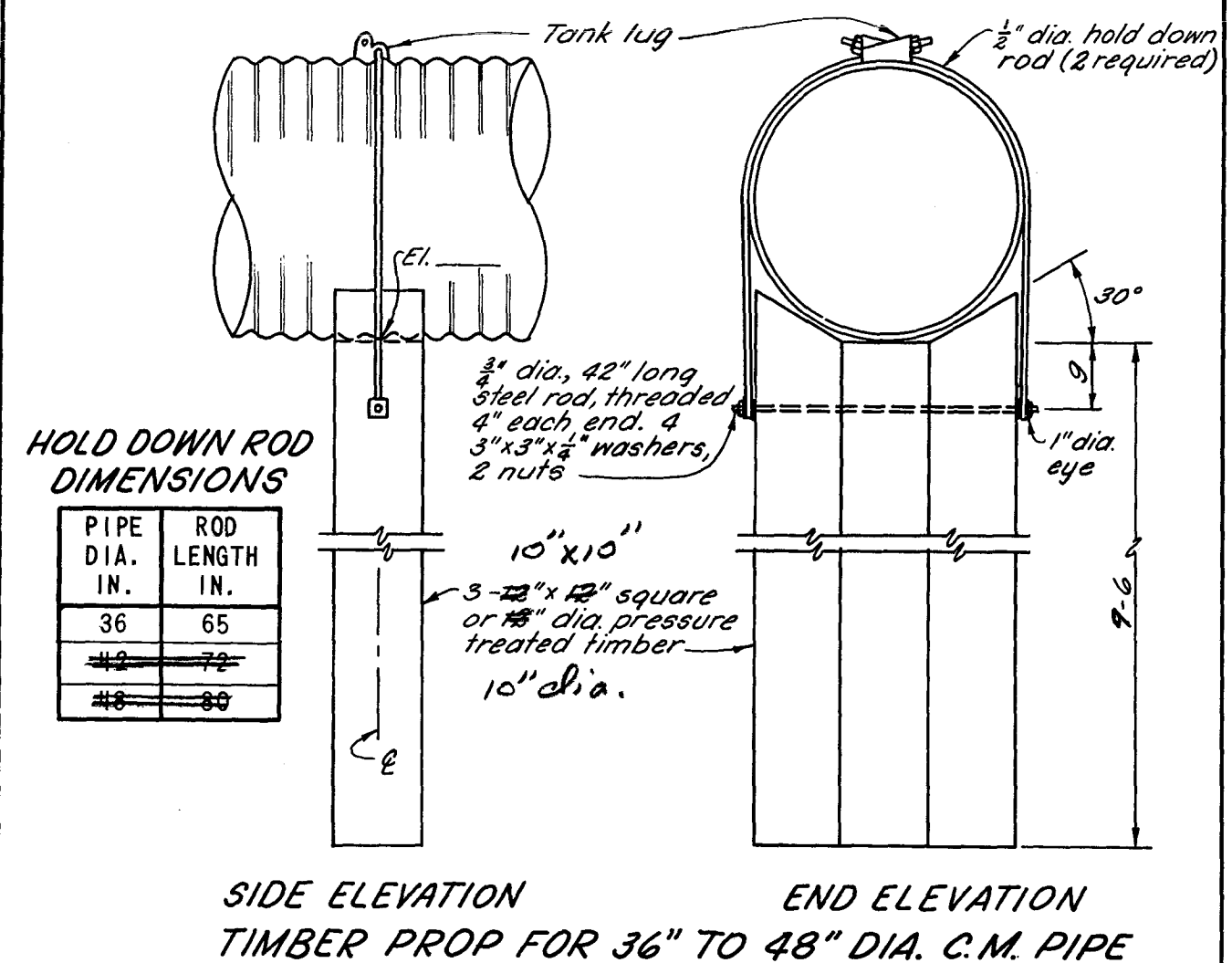
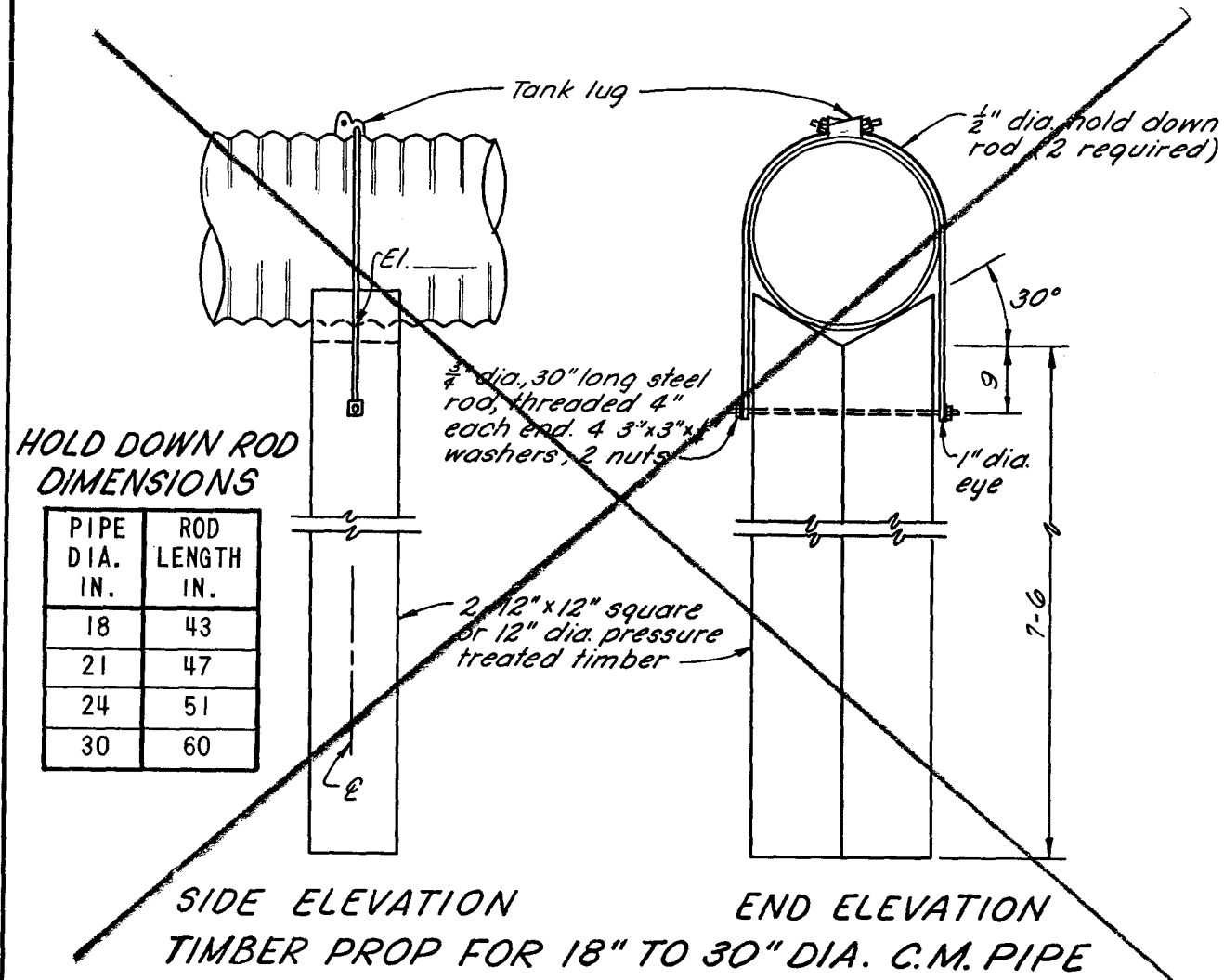
TABLE OF QUANTITIES

ITEM	UNIT	QUANTITY
CONCRETE	CU. YD.	2.0
REINFORCING STEEL	LB.	66

NOTE: 1.) A 3/4:1 CUT SHALL EXTEND INTO THE RISER WHEN FABRICATING THE 4' STUB AT 36" DIA.

RISER/HOOD
Combination
C.M. PIPE RISER WITH
FABRICATED TEE

OPERATOR: <u>SEOTT FARMS</u>	
CONSERVATION DISTRICT: <u>CLAY</u>	
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Designed: <u>P. Audin</u>	Date: <u>8/10/8</u>
Drawn: _____	Approved by: _____
Traced: _____	Title: _____
Checked: _____	Sheet: <u>9</u> of <u>11</u>
	Drawing No. _____



NOTES:

1. STEEL PARTS SHALL BE STRUCTURAL QUALITY STEEL.
2. GALVANIZE OR PAINT ALL STEEL ITEMS AS SPECIFIED.
3. CROSS OUT PLANS NOT APPLICABLE.

TIMBER PIPE SUPPORT

OPERATOR: Scott Farms

CONSERVATION DISTRICT: 104

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed: RA Date: 4/17 Approved by: _____
 Drawn: _____ Title: _____
 Traced: _____ Title: _____
 Checked: _____ Sheet: 18 Drawing No. _____
 of 11

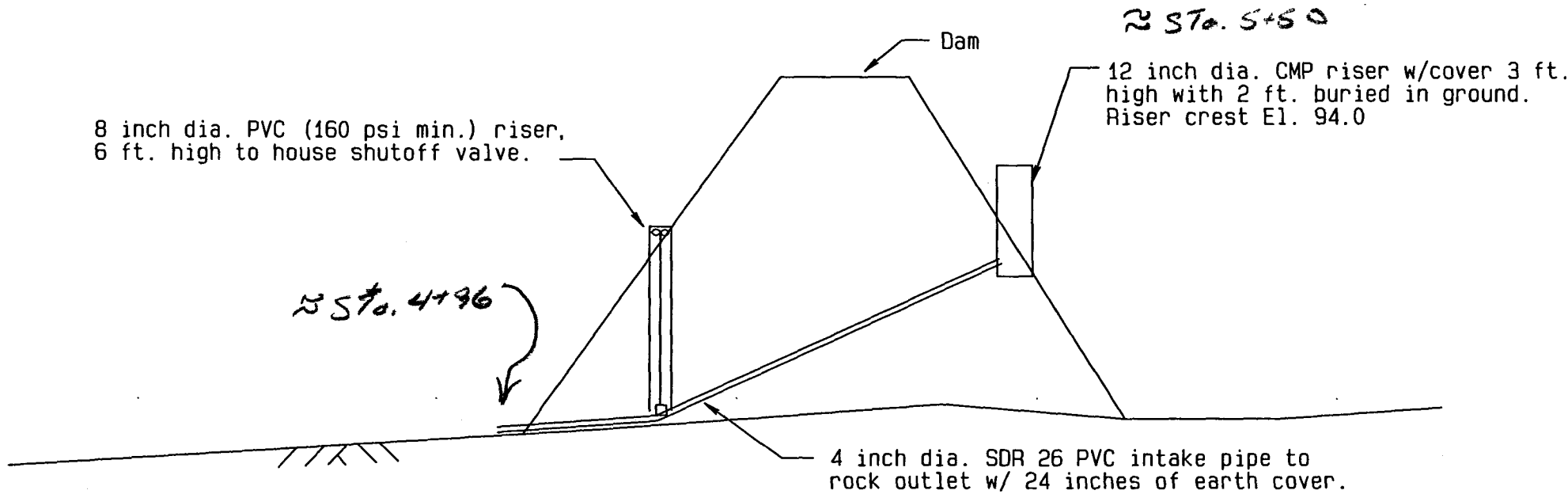
JOB PLAN NO. 4.1

NOTES for RISER & DELIVERY PIPE:

- 1.) Riser for intake pipe shall be a slotted 12" diameter CMP. Only the top 1' of 12" dia. CMP shall be slotted. One method of obtaining the 'slots' is by drilling a minimum of 40 to 50 5/8" diameter holes, in the top 1' of the pipe. CMP riser is 3 feet long and buried 2' in original ground, or dam earth fill. Insert 4" dia. PVC pipe in the bottom portion of 12" CMP. Top of 12" CMP shall have a slotted cover.
- 2.) Install a 6' riser of 8" diameter PVC pipe in the dam embankment on the downstream side of dam to house a shutoff valve for the 4" dia. delivery pipe. Valve is to be shut during freezing weather. Riser shall be capped and filled with insulation during cold weather. Mark riser with post for safety purposes.
- 3.) The 4" dia. PVC delivery pipe shall be buried with 24 inches of earth cover.
- 4.) Inlet riser (12" dia. CMP) shall have a perforated cover and a solid base.
- 5.) 4" dia. delivery pipe shall be SDR 26.

TABLE of QUANTITIES

4" Dia. SDR26 PVC	126 Lin.ft.
12" Dia. CPM w/2 covers	3 Lin.ft.
4" shut-off Valve	1 Each
8" Dia. 160 psi PVC w/ cap	6 Lin.ft.



Note: A less expensive drawdown method is to manufacture a 4" dia. or 5" dia. stub on riser at the same elevation as barrel invert. This may require a valve subject to freezing. This inlet would have about 30 lbs pressure on a 4" line and 45 lbs. pressure on a 5" line. An over sized ball may prevent flow.

PROFILE OF RISER w/DELIVERY LINE to OUTLET
no scale

Approved by:	Date:
Designed by: PA	5-07
Drawn by: Pete Anderson	AE 9-28-04
Checked by:	
USDA U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE	
RISER INLET for a dam w/ outlet for:	
Scott Farms	
Sec. T. N. R. W. County, South Dakota	
Drawing No. NissenDrawdown	
Sht No. of	

10

RECEIVED

JUL 16 2009

1*****WATER RIGHTS*****
 SITES XEQ 09/25/2008 WATER RESOURCE SITE ANALYSIS PROGRAM
 VER 2005.1.3 (USER MANUAL - DATED OCTOBER 2007)
 TIME 14:38:53

***** 80-80 LIST OF INPUT DATA *****

SITES 01/01/2005 Dick Nissen 3.46875 H7
 SAVMOV 0 101
 SAVMOV 101 1
 STRUCTURE

78	.0004
80	.0197
82	.1659
84	.5494
86	1.1395
88	2.0034
90	3.0745
92	4.0564
94	5.1419
96	6.4246
98	8.0177
100	9.7934
102	11.7297
104	13.8416
105.6	15.8336

P.S. El. 99.0
E.S. 100.80 Hp = 1.82
Factor 1843
Raise E.S. to El. 101.1
New Factor = 1933
Top = 101.1 + 1.8 + 1.0 = 103.9

ENDTABLE
 WSDATA 5A11 AC 75 2220 6.14
 PDIRECT 2.7 5.40 1.00
 POOLDATA ELEV 99 99.0 87 77.5 76 SC
 PSINLET 1 18.8
 PSDATA 1 104 36 .022 77.3

ASDATA 41 200 200 2.5 .08 2
 ASINSURF 41 5.6 C
 ASINLET 41 0.0 0.0 115 0.0 3
 200 6

ENDTABLE
 ASEXSURF 41 5.6
 .8 0
 2
 2 0
 .02

ENDTABLE
 ASEXIT 41 N 100
 BTMWIDTH FEET 108

GRAPHICS I
 GO, DESIGN HL TYPE1 24 TYPE1378 24

SAVMOV 2 101 1
 ENDJOB

***** MESSAGE - ALTERNATE STRUCTURE ID (S 1) BEING USED
 SINCE USER DID NOT INPUT AN ID.

***** MESSAGE - DRAINAGE AREA FROM WSDATA CONTROL BEING CONVERTED FROM
 ACRES TO SQUARE MILES FOR COMPUTATION PURPOSES.

1SITES -----
 XEQ 09/25/2008 Dick Nissen WSID=
 VER 2005.1.3 SUBW= 1
 TIME 14:38:53 SITE = S 1 PASS= 1 PART= 1

***** BASIC DATA *****
 CLIMATE AREA - NOT DEFINED DESIGN CLASS A1 = LT 3000.

STORM DISTRIBUTION-PSH 24 HOUR TYPE I RAINFALL DISTRIBUTION

STORM DISTRIBUTION AUX. -24 HOUR TYPE I RAINFALL DISTRIBUTION

PRECIP. - P-PS,1-DAY	P-PS,10-DAY	P-SD	P-FB	
2.70	0.00	5.40	1.00	
WSDATA - CN	DA-SM	TC/L	-/H	QRF
75.00	3.47	6.14	0.00	0.00
SITEDATA- PERM POOL	CREST PS	FP SED	VALLEY FL	378?
99.00	99.00	87.00	76.00	YES
BASEFLOW	INITIAL EL	EXTRA VOL	SITE TYPE	
0.00	0.00	0.00	DESIGN	
PSDATA - NO. COND	COND L	DIA/W	-/H	
1.00	104.00	36.00	0.00	
PS N	KE	WEIR L	TW EL	
0.022	1.00	18.80	77.30	
2ND STG	ORF H	ORF L	START AUX.	
0.00	0.00	0.00	0.00	
ASCRESTS - AUX.1	AUX.2	AUX.3	AUX.4	AUX.5
0.00	0.00	0.00	0.00	0.00
AUX.DATA - REF.NO.	RETARD. Ci	TIE STATION	INLET LENGTH	
41	0.00	200.00	200	
AUX.DATA - INLET Ci	SIDE SLOPE	EXIT Ci	EXIT SLOPE	ACTUAL AUX?
5.600	2.50	5.600	0.080	NO
BTM WIDTH - BW1	BW2	BW3	BW4	BW5
ft 108.00	0.00	0.00	0.00	0.00

AUXILIARY SPILLWAY RATING DEVELOPED USING WSPVRT.

1SITES -----
 XEQ 09/25/2008 Dick Nissen WSID=
 VER 2005.1.3 SUBW= 1
 TIME 14:38:53 SITE = S 1 PASS= 1 PART= 2

PERM POOL	99.00 FT	61.6 ACFT	8.91 AC	0.0 CFS
CREST PS	99.00 FT	61.6 ACFT	8.91 AC	0.0 CFS
SED ACCUM	99.00 FT	61.6 ACFT	8.91 AC	0.0 CFS
START ELEV	99.00 FT	61.6 ACFT	8.91 AC	0.0 CFS

NRCS-PSH D= 24.00 HR P= 2.70 IN Q= 0.77 IN DA= 3.47 SM
 TC= 6.14 HR CN= 75.00 VOL= 142.4 ACFT

PEAK = 148.6 CFS, AT 15.5 HRS.

ROUTED RESULT - HYD TYPE	EMAX	VOL-MAX	AMAX	QMAX
NRCS-PSH	100.77 FT	78.8 ACFT	10.54 AC	134.8 CFS

PS STORAGE 17.2 ACFT, BETWEEN AUX. CREST AND SED. ACCUM ELEVATIONS.

DRAWDOWN (DDT) TEST 99.00 FT 61.6 ACFT 0.00 CFS
 CONTROL IS 0.000 DETENTION STORAGE

DRAWDOWN TIME = 1.03 DAYS, TO 0.0 CFS (LIMIT = 10.00 DAYS)

 RATING TABLE DEVELOPED, SITE = S 1:
 BY PROGRAM FOR PS AND AUX. SPILLWAYS
 AUX. RATING USED WSPVRT METHOD.

RATING TABLE NUMBER 1

	ELEV. FEET	Q-TOTAL CFS	Q-PS CFS	Q-AUX. CFS	VOLUME AC-FT	AREA ACRE
1	99.00	0.00	0.00	0.00	61.63	8.91
2	99.44	16.84	16.84	0.00	65.61	9.29
3	99.87	47.62	47.62	0.00	69.75	9.68
4	100.31	87.48	87.48	0.00	74.07	10.09
FULL CONDUIT FLOW, ELEV = 100.75 FT						
5	100.75	134.69	134.69	0.00	78.58	10.52
6	101.35	136.45	136.45	0.00	85.13	11.10
7	101.96	138.16	138.16	0.00	92.05	11.69
8	102.57	139.85	139.85	0.00	99.33	12.33
9	103.17	141.52	141.52	0.00	107.00	12.97
10	103.78	143.17	143.17	0.00	115.06	13.61
11	104.39	144.80	144.80	0.00	123.52	14.32
12	104.99	146.41	146.41	0.00	132.44	15.08
13	105.60	148.01	148.01	0.00	141.81	15.83

***** MESSAGE - CREST OF AUXILIARY SPILLWAY RAISED 0.05 FT ABOVE THE FULL PIPE
 FLOW ELEVATION IN THE NEXT RATING TO AVOID HAVING INTERPOLATION
 PROBLEMS. NEW CREST ELEVATION = 100.80.

1SITES -----

XEQ 09/25/2008
 VER 2005.1.3

Dick Nissen

WSID=
 SUBW= 1

TIME 14:38:53

SITE = S 1

PASS= 1

PART= 3

AUX. CREST ~~100.80 FT~~ 79.1 ACFT 10.57 AC 134.8 CFS

PS STORAGE 17.5 ACFT, BETWEEN AUX. CREST AND SED. ACCUM ELEVATIONS.

~~START ELEV 99.00 FT 61.6 ACFT 8.91 AC 0.0 CFS~~EFFECTIVE HEIGHT(H) = 23.3 FEET, PRODUCT = ~~1843~~ (H * STORAGE AT CREST AUX.).

INPUT DESIGN CLASS = A1 = LT 3000. PRODUCT.

NRCS-SDH D= 24.00 HR P= 5.40 IN Q= 2.78 IN DA= 3.47 SM
 TC= 6.14 HR CN= 75.00 VOL= 513.8 ACFT

PEAK = 614.8 CFS, AT 14.9 HRS.

NRCS-FBH D= 24.00 HR P= 1.00 IN Q= 0.03 IN DA= 3.47 SM
 TC= 6.14 HR CN= 75.00 VOL= 5.5 ACFT

PEAK = 6.2 CFS, AT 24.1 HRS.

 RATING TABLE DEVELOPED, SITE = S 1:
 BY PROGRAM FOR PS AND AUX. SPILLWAYS
 AUX. RATING USED WSPVRT METHOD.

RATING TABLE NUMBER 2

	ELEV. FEET	Q-TOTAL CFS	Q-PS CFS	Q-AUX. CFS	VOLUME AC-FT	AREA ACRE
1	99.00	0.00	0.00	0.00	61.63	8.91
2	99.44	16.84	16.84	0.00	65.61	9.29
3	99.87	47.62	47.62	0.00	69.75	9.68
4	100.31	87.48	87.48	0.00	74.07	10.09
FULL CONDUIT FLOW, ELEV = 100.75 FT						
5	100.75	134.69	134.69	0.00	78.58	10.52
6	100.75	134.74	134.74	0.00	78.64	10.52
7	100.76	134.76	134.76	0.00	78.71	10.53
8	100.77	134.78	134.78	0.00	78.77	10.54
9	100.77	134.79	134.79	0.00	78.84	10.54
10	100.78	134.81	134.81	0.00	78.91	10.55
11	100.79	134.83	134.83	0.00	78.97	10.55
12	100.79	134.85	134.85	0.00	79.04	10.56
13	100.80	134.87	134.87	0.00	79.10	10.57
14	101.04	141.57	135.55	6.02	81.67	10.80
15	101.28	148.23	136.24	12.00	84.29	11.03
16	101.71	176.87	137.46	39.41	89.15	11.45
17	102.24	374.20	138.94	235.27	95.33	11.98
18	103.20	994.13	141.59	852.54	107.33	13.00
19	104.40	1992.27	144.83	1847.44	123.70	14.34
20	105.60	3230.64	148.01	3082.63	141.81	15.83

SUMMARY OF AUXILIARY SPILLWAY SURFACE CONDITIONS USED IN COMPUTATIONS BY REACH

REACH	FROM STA (ft)	TO STA (ft)	SLOPE (%)	RETARDANCE CURVE INDEX	VEGETAL COVER FACTOR	MAINT. CODE	ROOTING DEPTH (ft)	REACH LOCATION *
1	0.	85.	-7.1	5.6	**	**	**	INLET
2	85.	200.	0.0	5.6	**	**	**	CREST
3	200.	300.	8.0	5.6	0.80	2	2.0	EXIT !

* Upper case indicates a reach of constructed spillway channel.

** The program does not use vegetal cover factor, maintenance code, and rooting depth for inlet and crest reaches in computations.

! Reach 3 used in computing exit channel velocities.

ROUTED RESULTS	BTM WIDTH FT	MAX ELEV FT	VOL-MAX ACFT	AREA-MAX AC	AUX.-HP FT	VOL-AUX. ACFT
NRCS-SDH	108.0	102.62	99.9	12.4	1.82	20.8

***** NOTE -- ACTUAL Hp OF 1.82 RAISED TO MEET MIN. 378 CRITERIA.

PEAK - CFS DISCHARGE =	Q-PS 140.0	Q-AUX. 471.7	Q-TOT. 611.7
---------------------------	---------------	-----------------	-----------------

	CRITICAL DEPTH FT	CRITICAL VELOCITY FT/SEC	CRITICAL SLOPE-Sc FT/FT	25% OF Q Sc FT/FT
AUXILIARY SPILLWAY ---	0.83	5.14	0.031	0.133

AUXILIARY SPILLWAY DURATION FLOW = 17.5 HOURS

***** MESSAGE - NHCP378 CRITERIA USED BUT AUXILIARY SPILLWAY RATING NOT BASED ON ASFILE RATINGS.

EXIT CHANNEL FLOW SUPERCRITICAL: MAX VELOCITY= 6.9 FT/SEC
EXIT SLOPE = 0.080 FT/FT
FLOW DEPTH = 0.6 FT

EROSIONALLY EFFECTIVE STRESS FOR STABILITY ANALYSIS OF AUX. EXIT CHANNEL
(Refer to Ag. Handbook 667, Chapt. 3, for allowable stresses.)

Aux. Spillway Discharge = 472. cfs; Bottom Width = 108. ft

REACH NO.	FROM STA	TO STA	SLOPE %	MANNING'S n	VELOCITY ft/s	TOTAL STRESS lb/ft^2	EFFECTIVE STRESS lb/ft^2
3	200.	300.	8.00	0.044	6.85	3.13	0.386

DRAWDOWN USING FREEBOARD STORM FOLLOWS, STARTING AT ELEVATION 99.15 FT.

DRAWDOWN (DDT) TEST 99.00 FT 61.6 ACFT 0.00 CFS
CONTROL IS 0.000 DETENTION STORAGE

DRAWDOWN TIME = 0.66 DAYS, TO 0.0 CFS (LIMIT = 10.00 DAYS)

ROUTED	BTM WIDTH	MAX ELEV	VOL-MAX	AREA-MAX	AUX.-HP	VOL-AUX.
RESULTS	FT	FT	ACFT	AC	FT	ACFT
NRCS-FBH	108.0	99.15	62.9	9.0	0.00	0.0

***** NOTE -- ACTUAL Hp OF 0.00 RAISED TO MEET MIN. 378 CRITERIA.

PEAK - CFS	Q-PS	Q-AUX.	Q-TOT.
DISCHARGE =	5.6	0.0	5.6

	CRITICAL	CRITICAL	CRITICAL	25% OF Q
	DEPTH	VELOCITY	SLOPE-Sc	Sc
AUXILIARY	FT	FT/SEC	FT/FT	FT/FT
SPILLWAY ---	0.00	0.00	0.000	0.000

AUXILIARY SPILLWAY DURATION FLOW =	0.0 HOURS
ATTACK, OE/B =	0.0 ACFT/FT

***** MESSAGE - NHCP378 CRITERIA USED BUT AUXILIARY SPILLWAY RATING NOT BASED ON ASFILE RATINGS.

>>>> NHCP378 RUN - MINIMUM FLOW IN AUX. SPILLWAY FROM TR60
USING FORMULA WITHOUT 200 CFS MINIMUM LIMIT (438. CFS).

ROUTED	BTM WIDTH	MAX ELEV	VOL-MAX	AREA-MAX	AUX.-HP	VOL-AUX.
RESULTS	FT	FT	ACFT	AC	FT	ACFT
MIN. AUX.	108.0	102.56	99.3	12.3	1.76	20.2

***** NOTE -- ACTUAL Hp OF 1.76 RAISED TO MEET MIN. 378 CRITERIA.

PEAK - CFS	Q-PS	Q-AUX.	Q-TOT.
DISCHARGE =	139.8	437.6	577.4

	CRITICAL	CRITICAL	CRITICAL	25% OF Q
	DEPTH	VELOCITY	SLOPE-Sc	Sc
AUXILIARY	FT	FT/SEC	FT/FT	FT/FT
SPILLWAY ---	0.79	5.01	0.033	0.146

>>>> NHCP378 RUN - MINIMUM DEPTH, CREST AUX. TO TOP OF DAM IS 2.00 FT.
NEW TOP OF DAM ELEVATION = 102.80.

ROUTED	BTM WIDTH	MAX ELEV	VOL-MAX	AREA-MAX	AUX.HP	VOL-AUX.
RESULTS	FT	FT	ACFT	AC	FT	ACFT
MINIMUM AUX.	108.0	102.80	102.3	12.6	2.01	23.2

PEAK - CFS	Q-PS	Q-AUX.	Q-TOT.
DISCHARGES =	140.5	594.8	735.3

	CRITICAL	CRITICAL	CRITICAL	25% OF Q
	DEPTH	VELOCITY	SLOPE-Sc	Sc
AUXILIARY	FT	FT/SEC	FT/FT	FT/FT
SPILLWAY ---	0.97	5.54	0.026	0.100

Inflow Hyd 1 PSH-Peak = 134.76 CFS at 17.44 hrs., Location Point

Inflow Hyd 1 SDH-Peak = 611.72 CFS at 15.25 hrs., Location Point
 Inflow Hyd 1 FBH-Peak = 5.58 CFS at 26.82 hrs., Location Point
 HYDOUT 1

1SITES....JOB NO. 1 COMPLETE.

Dick Nissen

0 SUBWATERSHED(S) ANALYZED.

1 STRUCTURE(S) ANALYZED.

3 HYDROGRAPHS ROUTED AT LOWEST SITE.

0 TRIALS TO OBTAIN BOTTOM WIDTH FOR SPECIFIED STRESS OR VELOCITY.

SITES.....COMPUTATIONS COMPLETE

>>>	SITE ID	SUBWS ID	SUBWS DA (SQ MI)	CURVE NO.	TC (HRS)	TOTAL DA (SQ MI)	TYPE DESIGN	STRUC CLASS	<<<
	S 1	1	3.47	75.	6.14	3.47	378NR	A1	

PASS NO.	DIA./ WIDTH (IN/FT)	AUX.CREST ELEV (FT)	BTM. WIDTH (FT)	MAX. HP (FT)	MAX. ELEV (FT)	EMB. VOL. (CY)	INTEGR.* DIST. (FT)	EXIT* VEL. (FT/SEC)	TYPE HYD
1	36.0	100.8	108.0	2.0	102.8	0.	0.	0.0	MIN. AUX.

* INTEGRITY DIST. AND EXIT VEL. ARE BASED ON THE ROUTED HYDROGRAPH
 AND WILL NOT RELATE TO THE MAX. ELEV. (TOP OF DAM),
 WHICH IS SET BY MINIMUM DESIGN CRITERIA.

SITES.....SUMMARY TABLE 1 COMPLETED.

NRCS SITES VERSION 2005.1.3 ,01/01/2005
 FILES

INPUT = C:\Program Files\USDA\SITES\nissen\36CMPRiser.D2C
 OUTPUT = C:\Program Files\USDA\SITES\nissen\36CMPRiser.OUT
 DATED 09/25/2008 14:38:53

Water Permit Application No. 7095-3
Scott Farm Partnership

Top of Dam Elev. - 103.9
2nd Spillway Elev. - 101.1
P. Spillway Elev. - 99
D/S Emb. Toe Elev. - 76 } - Ht. = 27.9 ft

Cat. 3 - Low Hazard Dam

Normal Storage Capacity - 61.6 A.-Ft
Int. Storage Capacity - 82.4
Max. Storage Capacity - 116.7

Int. Capacity x Eff. Ht. = $82.4 \times 23.3 = 1919 \sim 3000 \therefore 25^{yr}$
Minimum Spillway Design

From USGS WRI 98-4055 "Tech. Serv. Est. Peak Flows ... in SD"
Region B DA = 2220 A = 3.47 mi.²
 $P_{II} = 1.20$

$$\begin{aligned} Q_{25} &= 148 CA^{.584} P_{II}^{.730} \\ &= 148 (3.47)^{.584} (1.20)^{.730} \\ &= 148 (2.0680) (1.1424) \\ &= \underline{\underline{350 \text{ cfs}}} \end{aligned}$$

$$\begin{aligned} Q_{100} &= 275 CA^{.625} P_{II}^{.742} \\ &= 275 (3.47)^{.625} (1.20)^{.742} \\ &= 275 (2.1762) (1.1499) \\ &= \underline{\underline{685 \text{ cfs}}} \end{aligned}$$

Secondary Spillway Flow

$$\begin{aligned} Q &= CLH^{3/2} \quad C = 2.6 \\ &= 2.6 (108) (2.8)^{1.5} \quad L = 108 \\ &= \underline{\underline{1315 \text{ cfs}}} \quad H = 2.8 \end{aligned}$$

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. Cat. 3 N/A - OK

NRCS Annual Yield
DA = 2220 A CN = 75 ISS = 4

$$\begin{aligned} 80\% \text{ chance} &= 0.33 \\ 0.33 \times 2220/12 &= \underline{\underline{61 \text{ A.-Ft}}} \end{aligned}$$

$$\begin{aligned} 50\% \text{ chance} &= 0.80 \\ 0.80 \times 2220/12 &= \underline{\underline{148 \text{ A.-Ft}}} \end{aligned}$$

$$\begin{aligned} 10\% \text{ chance} &= 3.6 \\ 3.6 \times 2220/12 &= \underline{\underline{666 \text{ A.-Ft}}} \end{aligned}$$



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 2009

Scott Farm Partnership
c/o Gary L Scott
PO Box 697
Alcester SD 57001

Dear Mr. Scott:

Thank you for submitting the *Application for a Permit to Appropriate Water* for a storage dam to be used for flood prevention and recreation. In order to complete the application, the following is required.

- The application/license filing fee will be \$200.00.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

*Check
710
1/30/09
200*

Water Rights Division -DENR
Conversation or File Documentation

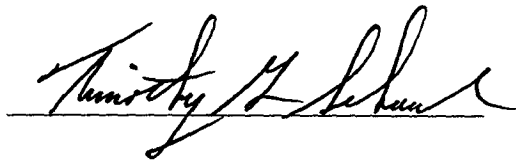
NAME OF PERSON OR FILE: Scott Farm Partnership

ADDRESS: XXXXXXXXXXXXXXXXXX COUNTY: Clay

DATE: March 4, 2009 TELEPHONE: XXXXXXX

RE: AP 7095-3 P&S

I talked to Pete Anderson with the NRCS in Brookings (692-2344) today about the P&S with Application No. 7095-3. I told him we need a stamped & signed title page, asked about the flood control portions of the application, and talked about whose land the dam and reservoir were on. He said the dam may be on Scott Farms with the reservoir on Dick Nissen's. I told him if that was the case we should have a flood easement with the application. He was not sure yet on the flood control bypass system, if it will be the riser with gated pipe as shown on sheet 10 or incorporated on the primary spillway. I asked him to let us know.

A handwritten signature in black ink, appearing to read "Timothy G. Schaal", written over a horizontal line.

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

Schaal, Tim

From: Gronlund, Eric
Sent: Wednesday, May 13, 2009 1:41 PM
To: 'gscott@alkota.com'
Cc: Schlaak, Karen; Schaal, Tim
Subject: FW: Application for Permit to Appropriate Water - Scott Family Partnership

Mr. and Mrs. Scott:

Karen Schlaak forwarded me your email inquiry regarding the status of application for a storage dam. The water permit application was received by DENR on January 29th. Tim Schaal is the DENR staff engineer in charge of reviewing storage dam applications and approval of the plans and specification (P&S) to insure they meet safety of dam regulations. Since the P&S for the storage dam were prepared by NRCS, Mr. Schaal contacted Pete Anderson with NRCS directly on March 4th to discuss the design. Specific issues that need to be addressed prior to approval of P&S and proceeding to public notice of the application are:

- 1) The plans and specification needed the NRCS engineer who designed the dam to sign the plans and affix his professional engineering stamp to the document.
- 2) There was discussion that the dam would be on Scott Farms with the reservoir on Dick Nissen's property. DENR stated if water would be impounded on a neighboring landowner's property, a flood easement will need to be in place and filed with the application.
- 3) The application includes a listed use as "flood prevention". Mr. Schaal discussed this with Mr. Anderson, who indicated NRCS was not sure yet on the flood control bypass system. Mr Schaal asked for specifics on the design on this matter.

Since March 4th, DENR has assumed that NRCS is working to define the flood control bypass system and address the potential easement issue prior to formally signing and re-submitting the P&S. Mr. Schaal is out of the office the remainder of this week but I have included him in this email so that when he returns he can contact Pete Anderson to see where NRCS is at in addressing the issues listed above.

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

-----Original Message-----

From: Dawn Scott [<mailto:gscott@alliancecom.net>]
Sent: Wednesday, May 13, 2009 12:31 PM
To: Schlaak, Karen
Subject: Application for Permit to Appropriate Water

I sent an Application for a Permit to Appropriate Water for a storage dam to your department in January for Scott Farm Partnership. I also submitted a check for \$200.00 for the application/filing fee. I have received no word about the application since that time. Is the application being considered? Has it been acted upon? Is there something I haven't done that is delaying the process?

We would like to begin construction this summer. Can you relay any information to me about the application.

I can be reached at gscott@alkota.com or by telephone at 605/937-2864.

I will be thankful for any help you can give me.

John A. Gors, P.C.

Attorney at Law
10 Austin Street,
PO Box 396,
Vermillion, SD 57069-0396

FAX

Date: 6-3-09
Number of pages including cover sheet: 4

To:

Tim Schaal

Phone:

Fax phone: 605-773-4068

CC:

From:

John A. Gors

Phone:

605-624-2231

Fax phone:

605-624-6628

REMARKS:

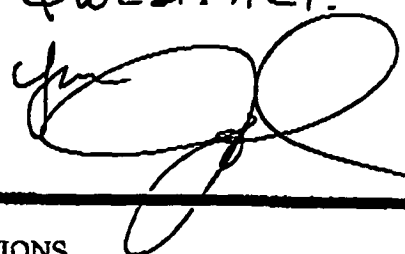
☐ Urgent

☐ For your review

☐ Reply ASAP

☐ Please comment

Tim - I had things jump around when we talked today by phone. The dam will be on Scott's land and will back up water on Nissen's land. - Here is the easement I prepared, let me know what you think. my E-Mail is jagors@qwest.net.

Thank you 

FACSIMILE DELIVERY INSTRUCTIONS

This facsimile contains information which (A) may be legally privileged, proprietary in nature, or otherwise protected by law from disclosure, and (B) is intended only for the use of the addressee(s) named above. If you are not the addressee, or the person responsible for delivering this to the addressee(s), you are hereby notified that reading, copying or distributing this facsimile is prohibited. If you have received this facsimile in error, please telephone us immediately and mail the facsimile back to us at the above address. Thank you.

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE. THANK YOU.



JOHN A. GORS, P.C.
ATTORNEY AT LAW

10 AUSTIN STREET
P.O. Box 396
VERMILLION, SOUTH DAKOTA 57069-0396
E-Mail: jagors@qwest.net

RECEIVED
JUN 15 2009
WATER RIGHTS
PROGRAM

PH: 605-624-2231

FAX: 605-624-6628

June 11, 2009

Tim Schaal
Department of Environment and Natural Resources
Natural Resources Engineering Specialist
PMB 2020
SD DENR
Joe Foss Building
523 E Capitol
Pierre, SD 57501

Re: Nissen Farms/Scott Farm Partnership

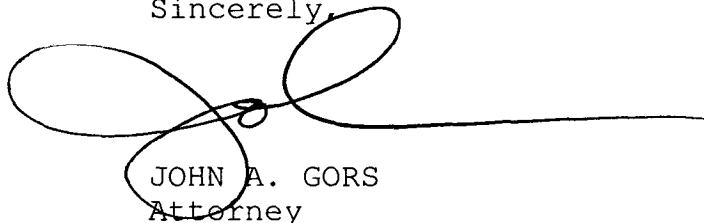
Dear Tim:

The easement for the above has been filed and recorded. I am enclosing herein a copy of the recorded easement for your information.

We had previously been advised that a copy of the easement needed to be attached to the application. I assume you can get this to the proper party.

If there is anything else that you would like me to do with this, please let me know.

Sincerely,



JOHN A. GORS
Attorney

JAG/ka
Enclosures
Pc: Nissen Farms
Scott Farm Partnership

Prepared by:

John A. Gors, P.C.

Attorney at Law

10 Austin Street

PO Box 396

Vermillion, SD 57069-0396

Ph: 605-624-2231

Fax: 605-624-6628

Email: jagors@qwest.net

STATE OF SOUTH DAKOTA, County of Clay ss

Filed for record this 10 day of June 20 09

At 3:20 o'clock P.M. and Recorded in Book 47

of Misc on Page 824

Betty McCambridge Register of Deeds

Dec 14 09 p d ck



PERPETUAL EASEMENT

THIS PERPETUAL EASEMENT made and entered into by and between NISSEN FARMS, INC. of 30966 463rd Avenue, Vermillion, SD 57069 (GRANTOR) and SCOTT FARM PARTNERSHIP of PO Box 697, Alcester, SD 57001 (GRANTEE), and in consideration of the mutual covenants contained herein, the parties agree as follows:

1.

GRANTEE has erected or will erect an earthen dam on property owned by GRANTEE. The purpose of this dam is to hold back water draining across GRANTEE'S property. This dam will create a pond of water, said water will pond on land owned by GRANTOR. The land on which the dam will be erected, and which is owned by GRANTEE, is described as follows:

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 93 NORTH, RANGE 52 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA.

GRANTOR consents to GRANTEE'S erection of this dam and consents to an unlimited amount of water ponding on GRANTOR'S property as described hereafter.

2.

GRANTOR acknowledges that water will pond on GRANTOR'S property as a result of the above described dam and consents to such ponding of water in an unlimited amount. The land owned by GRANTOR, and on which said water will pond, is described as follows:

THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST
QUARTER OF SECTION 1, TOWNSHIP 93 NORTH, RANGE 52 WEST
OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA.

3.

The parties agree that the land to benefit by this easement is that land of GRANTEE described in paragraph 1 above and the land to be burdened by this easement is that land of GRANTOR described in paragraph 2 above.

4.

The parties agree that this easement shall be perpetual, run with the land and be binding on the parties, their heirs, personal representatives and assigns.

Dated this 10th day of June, 2009.

SCOTT FARM PARTNERSHIP:

NISSEN FARMS, INC.:

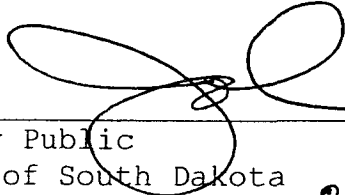
By: G. Scott
Gary Scott
Its: Partner

By: Richard H. Nissen
Richard Nissen
Its: President

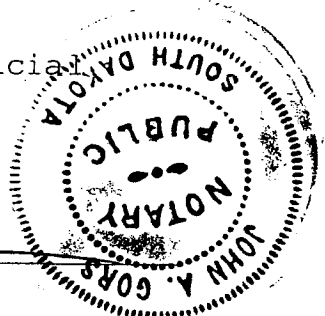
State of South Dakota)
) ss
County of Clay)

On this the 10th day of June, 2009,
before me, the undersigned officer, personally appeared Gary
Scott, as the case may be of the State of South Dakota, known to
me or satisfactorily proven to be the person described in the
foregoing instrument, and acknowledged that he executed the same
in the capacity therein stated and for the purposes therein
contained.

In witness whereof I hereunto set my hand and official
seal.



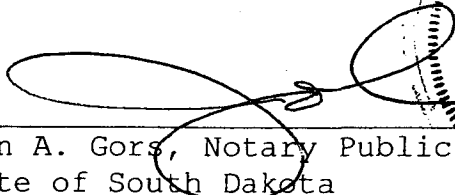
Notary Public
State of South Dakota
My Commission Expires: 8-15-2012



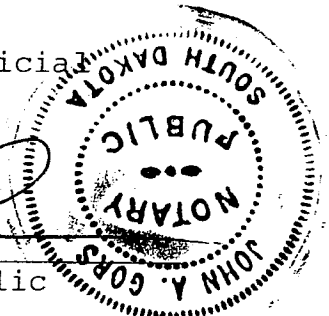
State of South Dakota)
) ss
County of Clay)

On this the 10th day of June, 2009,
before me, the undersigned officer, personally appeared Richard
Nissen, as the case may be of the State of South Dakota, known
to me or satisfactorily proven to be the person described in the
foregoing instrument, and acknowledged that he executed the same
in the capacity therein stated and for the purposes therein
contained.

In witness whereof I hereunto set my hand and official
seal.



John A. Gors, Notary Public
State of South Dakota
My Commission Expires: 08/15/2012





**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 27, 2009

Gary L. Scott
PO Box 697
Alcester, SD 57001

Dear Mr. Scott:

We have reviewed the plans and specifications for your dam project located in the W ½ SE ¼ of Sec. 1-T93N-R52W, in Clay County. The plans and specifications for your dam are approved. Approval of the plans and specifications does not authorize construction of the dam. The construction of the dam may not begin until Water Permit No. 7095-3 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 Scott Dam will be classified as a small size Category 3, Low Hazard dam with a dam height of 28 feet and a normal storage capacity of 61.6 acre-feet and a maximum storage capacity of 117 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: Pete Anderson, NRCS Brookings



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7095-3, Scott Farm Partnership**

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. 7095-3, Scott Farm Partnership, c/o Gary L. Scott, PO Box 697, Alcester SD 57001

The Chief Engineer is recommending APPROVAL of Application No. 7095-3 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. 7095-3 authorizes a dam with a storage capacity of 61.6 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 27, 2009

REPORT ON
WATER PERMIT APPLICATION No. 7095-3
Scott Farm Partnership
July 17, 2009

Water Permit Application No. 7095-3 has been filed by Scott Farm Partnership, c/o Gary L. Scott, to impound 61.6 acre-feet of water from runoff by constructing a dam located in the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1-T93N-R52W, in Clay County. The application also requests impoundment of sufficient water to maintain water to the outlet elevation. The water will be used for flood prevention, recreation and livestock water purposes.

Discussion:

The dam will be classified as a small size, Category 3, Low Hazard dam. The dam has been designed by the Natural Resources Conservation Service (NRCS). Preliminary plans and specifications have been reviewed; however, construction of the dam can not begin until final plans and specifications are approved and Water Permit Application No. 7095-3 is approved.

The dam will be 28 feet high with a normal storage capacity of 61.6 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 117 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 2,220 acres or 3.47 square miles. The dam is designed to have a 72 inch diameter CMP riser with a 36 inch diameter CMP barrel with 4.9 feet of freeboard as the primary spillway, and a 108 foot wide earthcut secondary spillway with 2.8 feet of freeboard. A 25 year frequency event produces a peak runoff of approximately 350 cfs and a 100 year frequency event produces a peak runoff of approximately 685 cfs. The earthcut spillway will have a capacity of approximately 1315 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 61 acre-feet. The annual yield with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be 148 acre-feet and the annual yield with a 10 percent chance, or 1 out of 10 years, is expected to be 666 acre-feet.

The Scott Dam will be located in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 1-T93N-R52W on an unnamed tributary to the Vermillion River, about one-half mile upstream of the confluence of the unnamed tributary and the Vermillion River. There are no existing Water Permits/Rights filed on the unnamed tributary between the proposed dam and the Vermillion River.

Conclusions:

1. Water Permit Application No. 7095-3 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. 7095-3.
3. An easement has been filed with the application to impound water on the upstream neighbor's property in the SW $\frac{1}{4}$ of Sec. 1-T93N-R52W.



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

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

RECEIVED
AUG 10 2009
WATER RIGHTS
PROGRAM

Penny Tucker

Being first duly sworn, deposes and says: That he/she is a resident of the County of Clay and State of South Dakota; that

THE PLAIN TALK

is a legal newspaper of general circulation, printed and published in Vermillion, in said County and State, by Yankton Media, Inc., and is now and has been such newspaper continuously during all the times hereinafter mentioned; that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit: and that the notice and advertisement headed:

NOTICE OF APPLICATION NO. 7095-3

TO APPROPRIATE WATER

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in each week

for 2 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two-hundred paid copies weekly, and had been published in the said county of Clay for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Vermillion, the said place of publication; that the first publication of said notice in said newspaper as aforesaid

was on Friday, the 31st day of July, 20 09, and that the succeeding publications were severally

on Friday, the 7th day of August, 20 09,

on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

on Friday, the _____ day of _____, 20 _____,

that the fees charged for the printing and publication of the said notice and advertisement in said newspaper as aforesaid were

Forty-four _____ dollars and 08 cents

and that said fees for the printing and publishing of said notice and advertisement have been fully paid; that the full amount of the fee charged for the publishing of the said attached annexed notice and advertisement inures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Penny Tucker

Subscribed and sworn to before me

this 7th day of August, 20 09

Kathryn Heles

Notary Public

My Commission Expires 9-10-14

NOTICE OF APPLICATION NO. 7095-3 to Appropriate Water

Notice is given that Scott Farm Partnership, c/o Gary L. Scott, PO Box 697, Alcester SD 57001 has filed an application for a water permit to impound 61.6 acre-feet of water from runoff by constructing a dam located in the W 1/2 SE 1/4 Section 1 with water impounded in the W 1/2 SE 1/4, E 1/2 SW 1/4 Section 1; all in T93N-R52W. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water is for flood prevention, recreation and livestock water purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7095-3 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 17, 2009.

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.

Public: July 31 & August 7, 2009

Published twice at the total approximate cost of \$44.08
Estimated publishing cost per circulated copy: \$.01



**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 27, 2009

Scott Farm Partnership
c/o Gary L Scott
PO Box 697
Alcester SD 57001

Dear Mr. Scott:

Water Permit Application No. 7095-3 for recreation and livestock water 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 Plain Talk printed at Vermillion SD (Ph # 605-624-2695). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications 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 Notices 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 applications.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 27, 2009

Plain Talk
PO Box 357
Vermillion SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7095-3 to Appropriate Water to be published twice. Please publish the first notice on July 27, 2009 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 Scott Farm Partnership, c/o Gary L Scott, PO Box 697, Alcester SD 57001 (Ph # 605-934-2864).

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. 7095-3

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

Date _____

We are in receipt of your letter of July 27, 2009 enclosing Notice to Appropriate Water by Application No. 7095-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper - Publish first Notice on July 31, 2009 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7095-3 to Appropriate Water

Notice is given that Scott Farm Partnership, c/o Gary L Scott, PO Box 697, Alcester SD 57001 has filed an application for a water permit to impound 61.6 acre-feet of water from runoff by constructing a dam located in the W ½ SE ¼ Section 1 with water impounded in the W ½ SE ¼, E ½ SW ¼ Section 1; all in T93N-R52W. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water is for flood prevention, recreation and livestock water purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7095-3 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 17, 2009.

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.

Published twice at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 21 2003

Scott Farm Partnership
c/o Gary Scott
PO Box 697
Alcester SD57001

Dear Mr. Scott:

Enclosed is Water Permit No. 7095-3 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

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**Date 11-15-09TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Scott Farm Partnership
% Gary L. Scott
(name)
P.O. Box 697
(address)
Alister SD 57001 605/934-2864
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

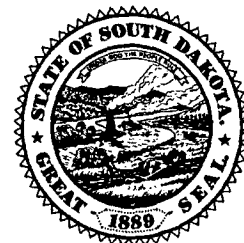
Water Permit No. 7095-3 states that the water use system is to be constructed by 8/17/2014, and water is to be put to beneficial use by 8/17/2018.
(date) (date)

The water use system was completed on 10-30-2009.
(date)

Applying the water to beneficial use was completed on 10-30-2009.
(date)

You may schedule an investigation so that the water license may be issued.

G. L. Scott 11/15/09
(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 8, 2009

7095-3

Gary L Scott
Scott Farm Partnership
PO Box 697
Alcester SD 57001

Dear Mr. Scott:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your water use system authorized under Water Permit No. 7095-3.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads 'Genny McMath'.

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7095-3

I have this day, December 18, 2024, made a thorough examination of the water use system constructed by Scott Farm Partnership, PO Box 697, Alcester, SD 57001, of Permit No. 7095-3, bearing the priority of 6/15/2009, authorizing impoundment of 61.6 acre-feet of water from runoff by constructing a dam located in the W1/2 SE1/4 Section 1 with water impounded in the W1/2 SE1/4, E1/2 SW1/4 Section 1; all in T93N-R52W, for flood prevention, recreation and livestock water purposes and may not exceed the amount of water needed for beneficial use. The dam is in Clay County.

Inspection contact: Gary L. Scott

A. Works used to put water to beneficial use:

- 1) Height to crest 26.8 feet from downstream toe.
- 2) Height to outlet pipe 21.9 feet from downstream toe.
- 3) Height to emergency spillway 24.0 feet from downstream toe.
- 4) Crest width 14 feet
- 5) Crest length 400 feet
- 6) Emergency Spillway width 108 feet
- 7) Approx. storage to outlet pipe 61.6 ac-ft.
- 8) Approx. storage to spillway 82.4 ac-ft.
- 9) Approx. storage to crest 116.7 ac-ft.
- 10) Date constructed: 2009

B. Works used to put water to beneficial use:

- 1) This is an earth fill embankment utilizing a 14-foot-wide top trapezoidal dam. The end of the discharge pipe is armored with rock riprap. The water impounded in the reservoir is put to beneficial use in-place.

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by: Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period. N/A
- 3) List any extended period of nonuse: None
- 4) Exceptions to compliance are: None

D. Condition and Location:

- 1) The system is in good condition with the dam centerline above the discharge pipe is located as follows: 2,720 feet east and 1,520 feet north of the SW corner of Section 1 T93N R52W (42.89963, -96.93404, NW1/4SE1/4).
- 2) The works are capable of storing 61.6 acre-feet of water with an outlet elevation of 77.1 feet based on the NRCS plans, approximately 1158 USGS elevation.
- 3) All structures and lands on map Yes

E. Comments or other permit(s) associated with the project: The dam dimensions and storage area are from the original plans from NRCS. The dam appears to be built to the plan dimensions. The dam is well maintained and in good condition. The old dam that is about 800 feet upstream of the new dam only goes partially across the lake area and is open at the north end.

Keith DeJong

Keith DeJong, PE Ret.
Water Rights Inspector
DANR, Water Rights Program

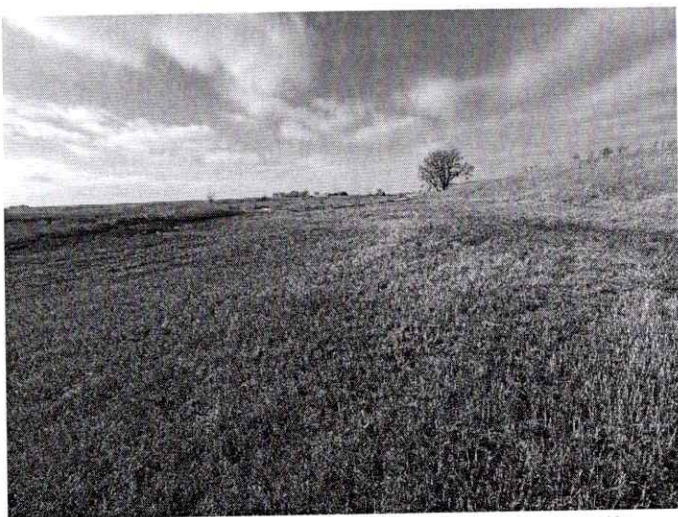
Date report completed: December 19, 2024



Looking south across the overflow spillway at the dam and lake.



Looking south from the overflow spillway along the east side of the dam.



Looking west in the middle of the overflow spillway toward the dam and lake.



Looking west-northwest from the top of the dam at the lake and the 6' riser with a 36" CMP outlet pipe.



Looking south along the top of the dam from above the discharge pipe.



Looking west at the dam and discharge pipe outlet from the downstream drainageway.



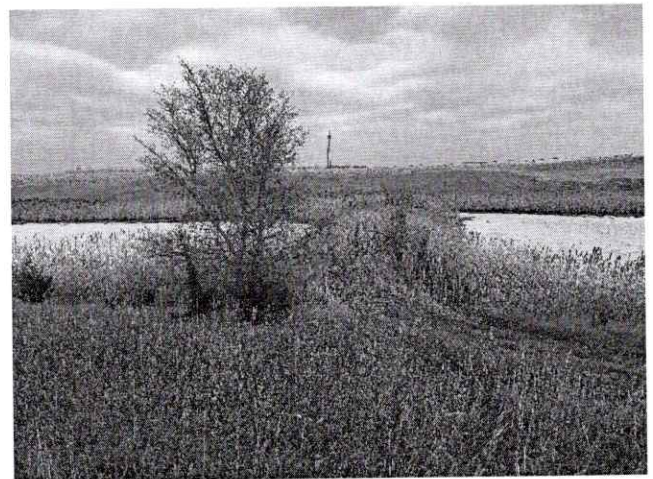
Looking north along the top of the dam from above the discharge pipe.



Looking west at the 36" CMP discharge pipe outlet.

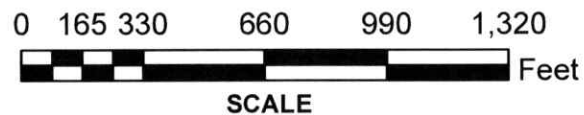
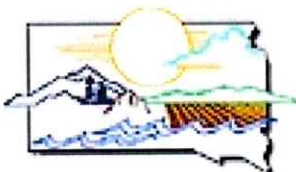
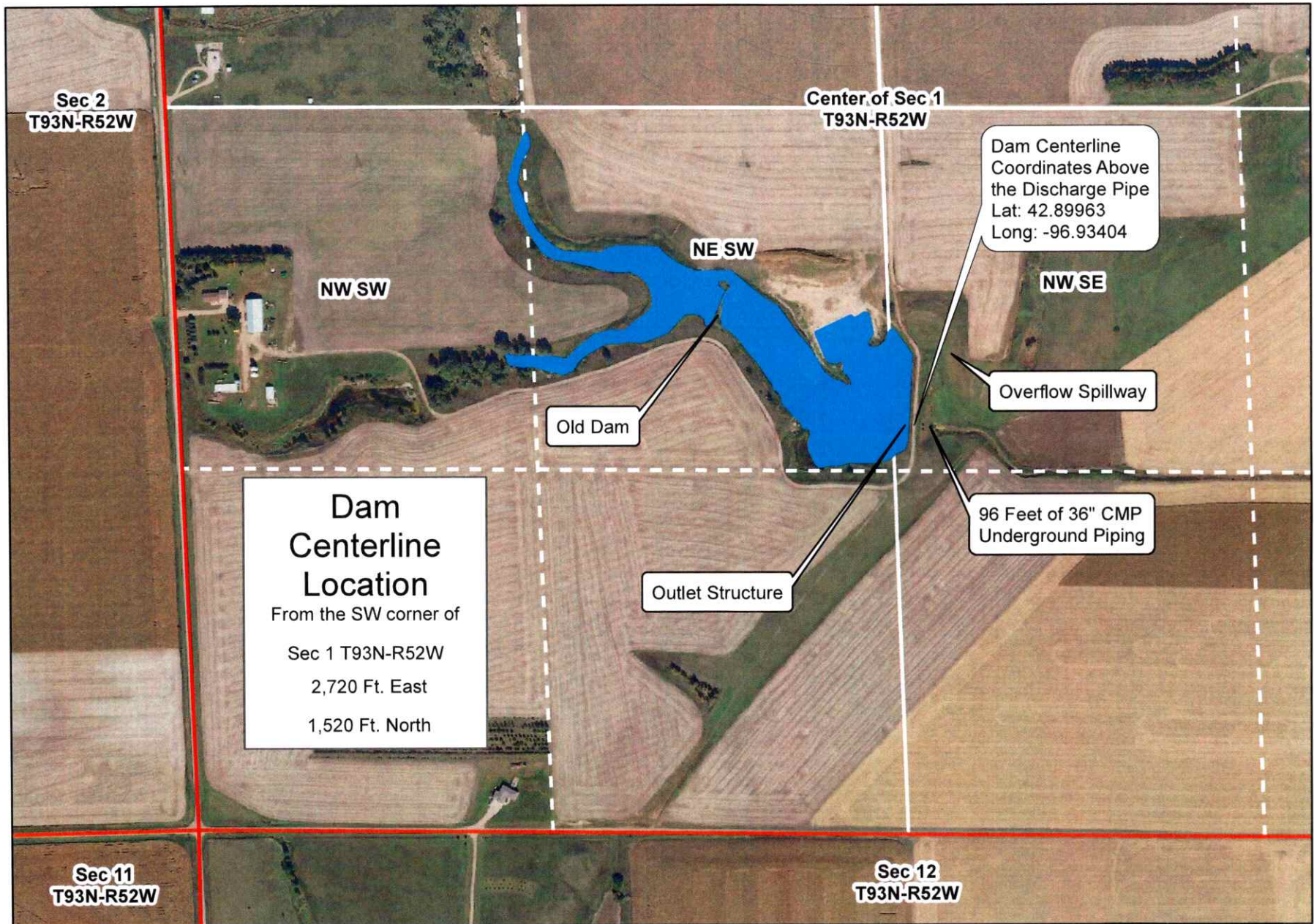


Looking east from just above the discharge pipe outlet.



Looking north at the old, breached dam that is about 800 feet upstream from the new dam.

Water Permit No. 7095-3



Keith DeJong
Keith DeJong, PE Ret.
Staff Engineer
December 18, 2024



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

Scott Farm Partnership
c/o Gary Scott
PO Box 697
Alcester, SD 57001

No. 7095-3

Dear Mr. Scott:

Enclosed is Water License No. 7095-3. 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.

So 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,

Mark Mayer, PE
Director of Office of Water
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7095-3**

(1) Scott Farm Partnership, PO Box 697, Alcester, SD 57001, made Application No. 7095-3, January 29, 2009, for the impoundment of 61.6 acre-feet of water from runoff by constructing a dam, Clay County, South Dakota for flood prevention, recreation and livestock water purposes. Permit No. 7095-3, with a priority date of June 15, 2009, was approved August 17, 2009, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before August 17, 2014, and for the application to beneficial use of water on or before August 17, 2018.

The permit holder submitted a Notice of Completion of Works and Application of Water to Beneficial Use form on November 18, 2009. The Notice stated the diversion system was completed on October 30, 2009 and the water was placed to beneficial use on October 30, 2009.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to construction of a storage dam and is entitled to impound 61.6 acre-feet of water for beneficial use with sufficient water annually to maintain the water level to the outlet elevation.

The location of the dam is:

- 2,720 feet E and 1,520 feet N from the SW corner of Section 1, T93N, R52W (NW ¼ SE ¼)
(Latitude 42.89963 and Longitude -96.93404)

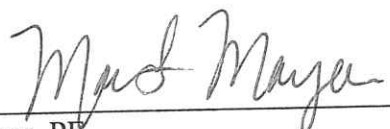
(3) The water is to be used during the following described annual period: January 1 – December 31.

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

(5) Pursuant to South Dakota Water Law 46-5-30.1 Scott Farm Partnership, the holder and/or owner of Water Right No. 7095-3 is issued a license for the impoundment of 61.6 acre-feet of water from runoff by constructing a dam, with a priority date of June 15, 2009, from the location specified in (2) of this license for flood prevention, recreation and livestock water purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7095-3 and subject to the following qualifications:

1. Water Permit No. 7095-3 authorizes a dam with a storage capacity of 61.6 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.



Mark Mayer, PE
Director of Office of Water

4/3/25

date

