

WATER PERMIT NO. 7147-3

Name of Applicant: **James Eveson**

Address: **12054 455th Ave, Sisseton SD 57262**

Phone: **605 742-4662**

Amount of Water Claimed: **36.7 AF**

Total Acres: **NA**

Source of Water Supply: **runoff**

Water to be used for: **fish & wildlife propagation**

County: **Roberts**

Type of Waste Disposal System: **NA**

Location: **2 miles southwest of Sisseton**

PRIORITY

Date Received: **6-23-09**

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

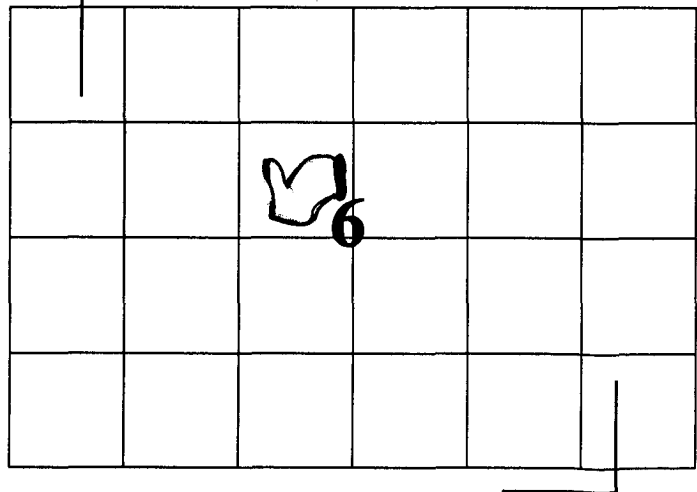
Corrected Application Received:

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

Remarks:

Diversion Point: **SE ¼ NW ¼ Sec 6-T125N-R51W**

Water Impounded: **SE ¼ NW ¼ Sec 6-T125N-R51W**



Depth of Well: **NA**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Thomas L Wickstrom, USFWS**

Reviewed and the Number Assigned on: **6-23-09**

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>7147-3</u>	(office use only) Hydrologic Unit <u>07020001</u>
	Basin <u>Minnesota Whetstone</u>	
	Newspaper <u>Sisseton Courier P.O. Box 169</u>	
	<u>605-698-7642</u>	<u>57262</u>

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JUN 23 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 | |

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 James Eveson ^N
(check one) ☐ Owner ☐ Tenant/lessee Phone (605) 742-4662
Mailing Address 12054 455th Ave Sisseton State SD 57262
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed _____ *CFS or _____ **GPM 36.7 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Watershed above dam
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Roberts
Embankment in the SE1/4NW1/4 Section 6, T. 125 N., R. 51 W. Water Impounded
Same area
- County or counties where water will be used Roberts
- Annual period during which water is to be used annually 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)

See Engineer's Sketch Plan

STATE OF SOUTH DAKOTA)

County of Roberts SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, James Eveson, the applicant, certify that I have read this application, have examined the attached map and that the masters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature James Eveson

Subscribed and sworn to before me this 22nd day of June 20 09

Andrea Nelson

Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7147-3**

Date of first receipt of application June 23, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7147-3 to James Evenson, 12054 455th Ave, Sisseton SD 57262 authorizing the construction of the dam and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7147-3 authorizes impoundment of 36.7 acre-feet of water from runoff by reconstructing an existing dam located in the SE ¼ NW ¼ Section 6 with water impounded in the SE ¼ NW ¼ Section 6; all in T125N-R51W.
2. The water appropriated shall be used for fish and wildlife propagation 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. 7147-3 is August 21, 2009.
5. The date from which applicant may claim right is June 23, 2009.
6. One-fifth of the construction is to be completed on or before February 21, 2012.
7. All construction is to be completed on or before August 21, 2014.
8. Water is to be put to beneficial use on or before August 21, 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. 7147-3 authorizes a dam with a storage capacity of 36.7 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 24 2009

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

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

2. Wastewater Disposal System Information

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

3. Dugout Information

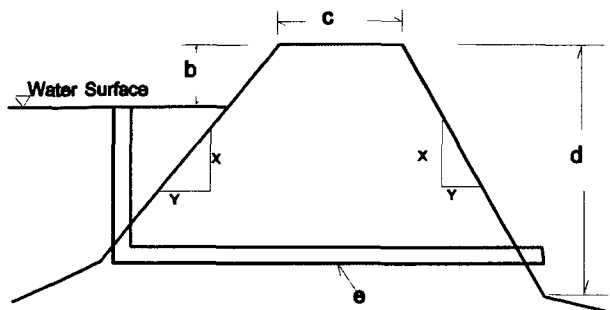
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

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

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

Konechene Engineering
104 Capitol Hill Drive
Pierre, SD 57501



- b) Freeboard _____ 3 feet
- c) Crest Width _____ 12 feet
- Crest Length _____ 235 feet
- d) Height _____ 24.5 feet
- e) Primary Outlet Capacity _____ 107 cfs
- If pipe, diameter _____ 48" drop w/36" out
- f) Secondary Spillway Capacity _____ 451.7 cfs
- Spillway Width _____ 50 feet
- g) X & Y Slope _____
- Upstream _____ 3:1
- Downstream _____ 3:1
- h) Surface Area of Impoundment _____ 4.1 acres
- i) Storage _____ 36.7 Acre Feet
- j) Drainage Area Above Dam _____ 941.0 Acres



James Evenson Roberts County



0.5 0.25 0 0.5
Miles

Legend

FEATURE

 Wetland Created

T. L. Wickstrom
Thomas L. Wickstrom
Fish & Wildlife Biol.
USFWS, Waubesa NWR

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PROGRAM





RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 6/23, 2009

RECEIVED OF Evenson Farms Inc James Evenson 12054 455th Ave Sisseton SD 57262

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

Fee for Application for Permit No. <u>7147-3</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>7147-3</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

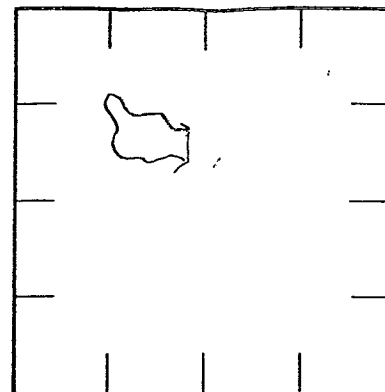
No. 04164

By Laurel Erbele
Chief Engineer

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.
941	31.4	597	452	18	4.1	—	36.7

Top of Dam 65

NOTE: Since minimum construction inspection is scheduled, it is necessary to hire a competent contractor.



NW Sec. 6 T. 125 N R. 51 W
Roberts County

LOCATION

ITEM	UNIT	QUANTITY
Earth Fill as determined by Tech	cy	
84-48" dia w/44-36" dia stub	ea	1
36" dia CMP	lin Ft	110
Concrete	cy	1.3
Sand seep collar	cy	23
4" dia PVC	lin Ft	100
Timber Pipe Support	ea	1
Timber Anti-Vortex	ea	1

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JUN 23 2009

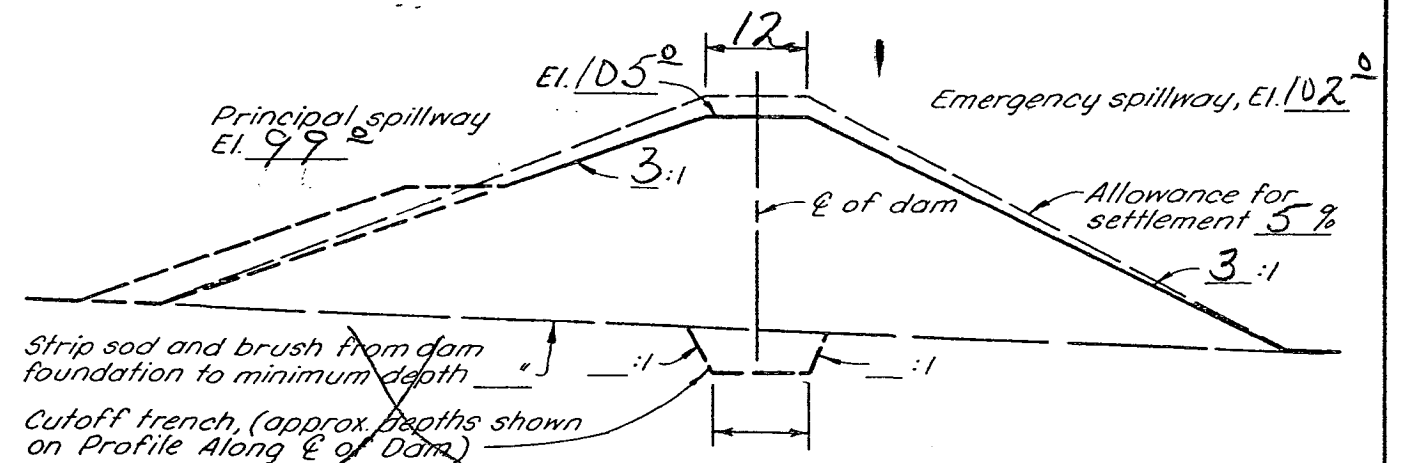
WATER RIGHTS PROGRAM



See attached topog by FF & WK
SKETCH PLAN OF DAM AND RESERVOIR AREA

Approximate scale 1" = _____

REFERENCE: GUIDE PLAN NO. 1.0



TYPICAL CROSS SECTION OF DAM

S.D. CONSTRUCTION AND MATERIAL SPECIFICATIONS:

SD-2 Cleaning & Grubbing
SD-7s Earth Fill
SD-9 Drain Fill
SD-12B Concrete
SD-15 CMP
SD-16 Timber Fabrication
SD-19 PVC

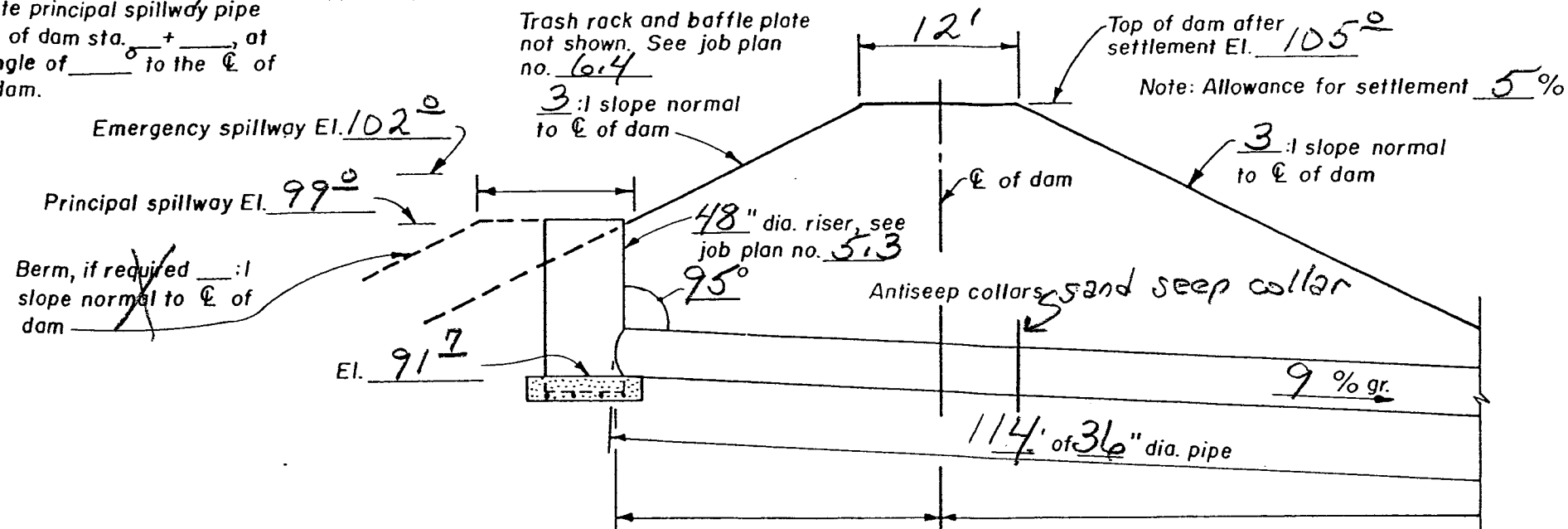
EARTH DAM

OPERATOR: James Evenson	
CONSERVATION DISTRICT: _____	
Class "A" Hazard	
Date _____	Approved by _____
Designed _____	Title _____
Drawn _____	Title _____
Traced _____	Sheet _____
Checked _____	Drawing No. _____

JOB PLAN NO. 1.0

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

As directed by technician
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

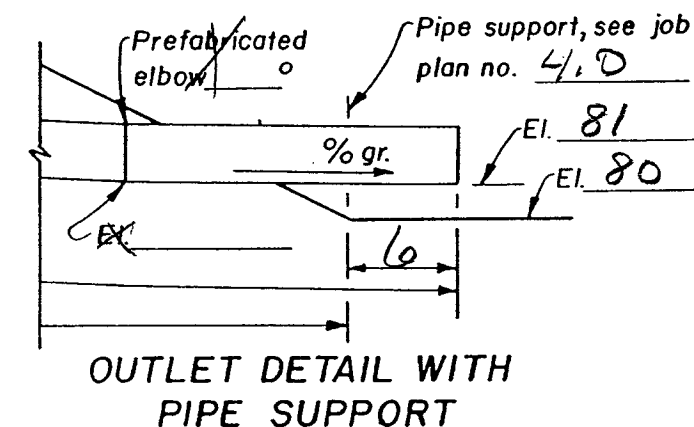
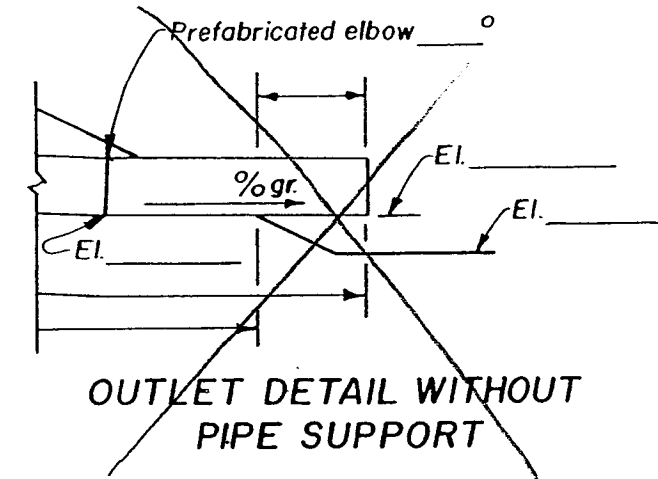
1. ELBOW, IF REQUIRED, MAY BE FABRICATED BY CONTINUOUS WELDING SEPERATE PIPE SECTIONS OR BY FABRICATING A CONTINUOUS WELDED JOINT ON THE UPSTREAM END OF LAST SECTION OF PIPE.
2. PIPE WALL THICKNESS SHALL BE GAGE OR INCHES.

All pipe to be vinyl
clad and spiral or
caulked seam and
double riveted

TABLE OF QUANTITIES

ITEM	UNIT	QUANTITY

APPLICABLE STANDARD S.C.S. SPECIFICATIONS

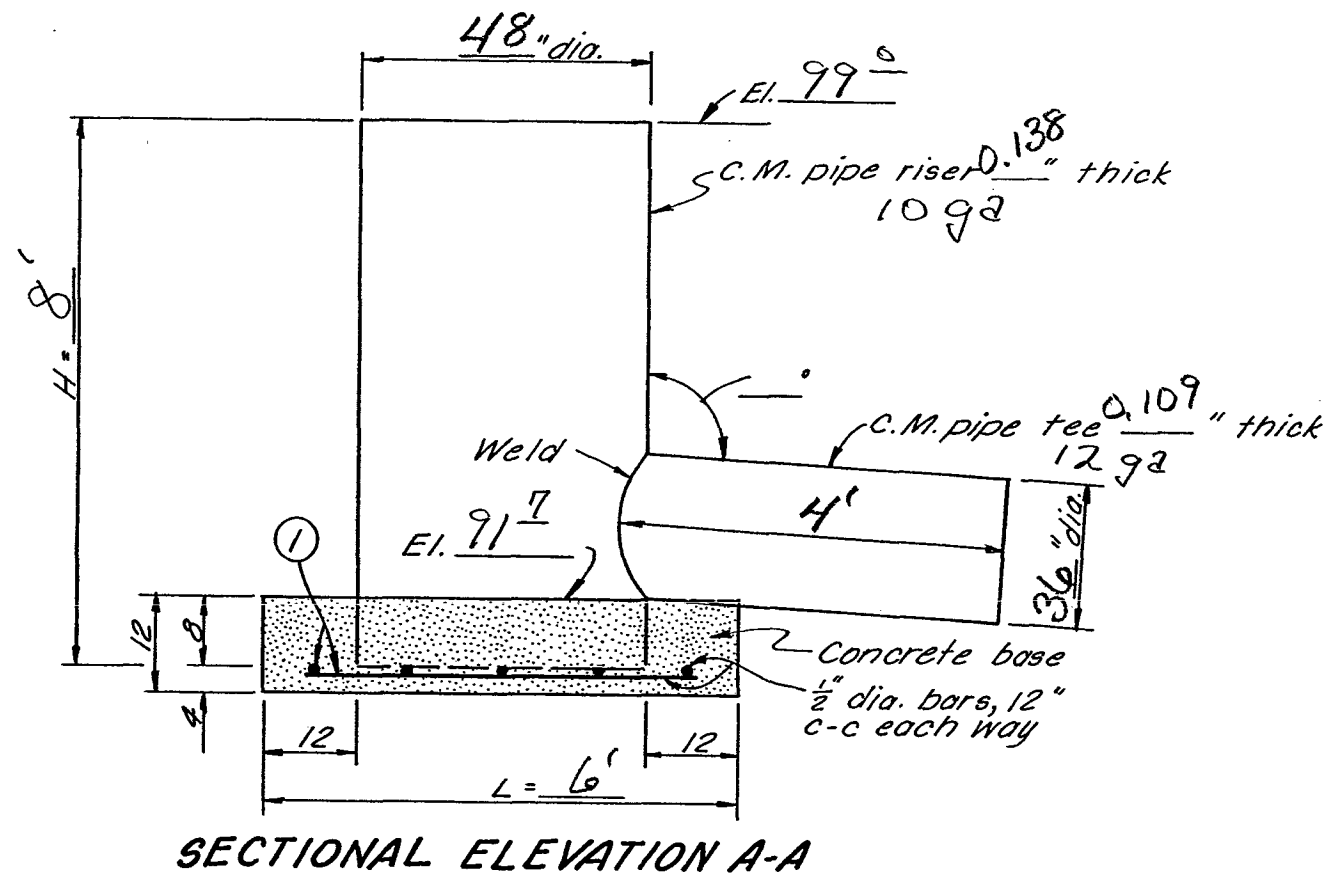
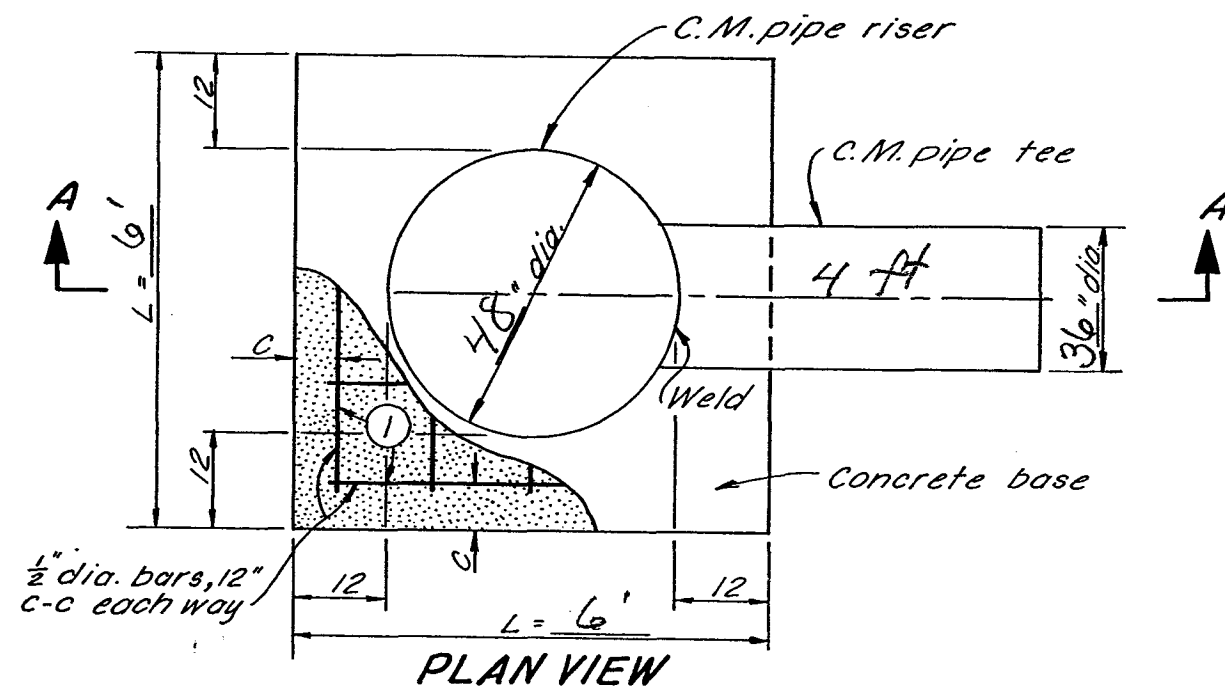


Sec. , T. , R.
County

LOCATION

CORRUGATED METAL PIPE DROP INLET PRINCIPAL SPILLWAY

OPERATOR <u>James Evenson</u>	
CONSERVATION DISTRICT <u> </u>	
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Date <u> </u>	Approved by <u> </u>
Designed <u> </u>	Title <u> </u>
Drawn <u> </u>	Title <u> </u>
Traced <u> </u>	Sheet <u> </u>
Checked <u> </u>	No <u> </u>
	of <u> </u>



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	44	6	6-0

TABLE OF QUANTITIES

ITEM	UNIT	QUANTITY
CONCRETE	CU. YD.	1.3
REINFORCING STEEL	LB.	44

NOTE: All pipe to be vinyl clad and spiral or caulked seam and double riveted

C.M. PIPE RISER WITH FABRICATED TEE

OPERATOR: James Evenson

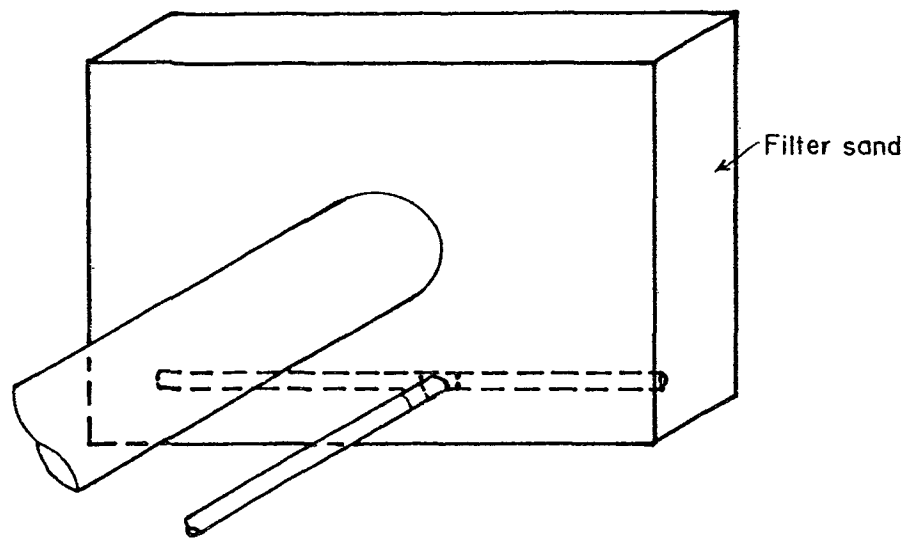
CONSERVATION DISTRICT: _____

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

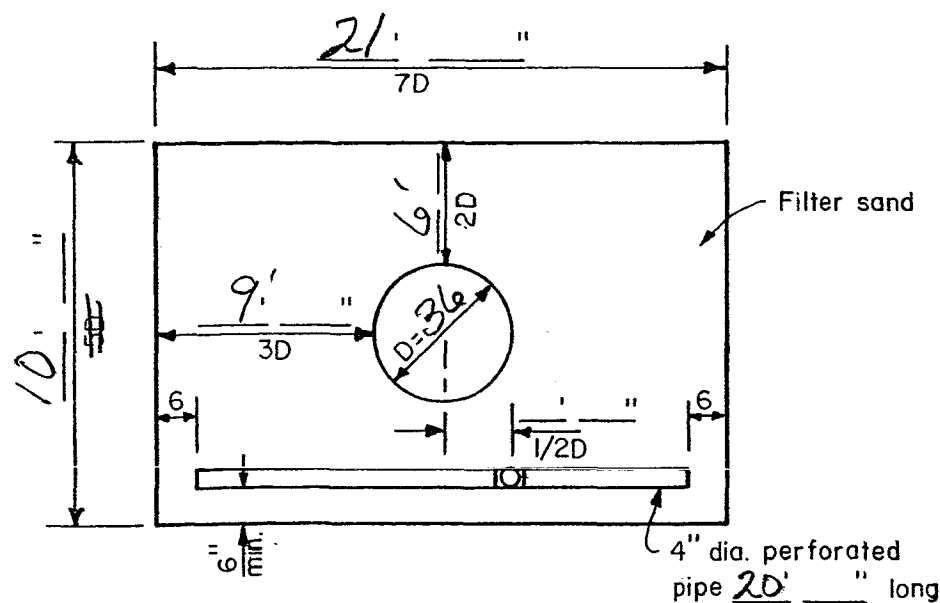
Designed _____	Date _____	Approved by _____
Drawn _____		Title _____
Traced _____		Title _____
Checked _____	Sheet _____ of _____	Drawing No. _____

JOB PLAN NO. 5.3

5, N-29,073.5-30



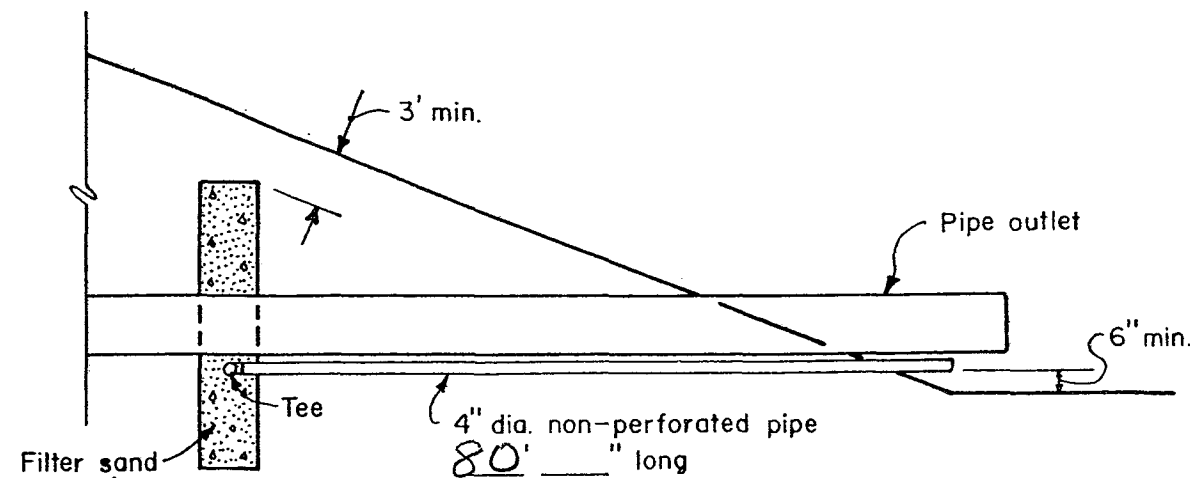
ISOMETRIC VIEW



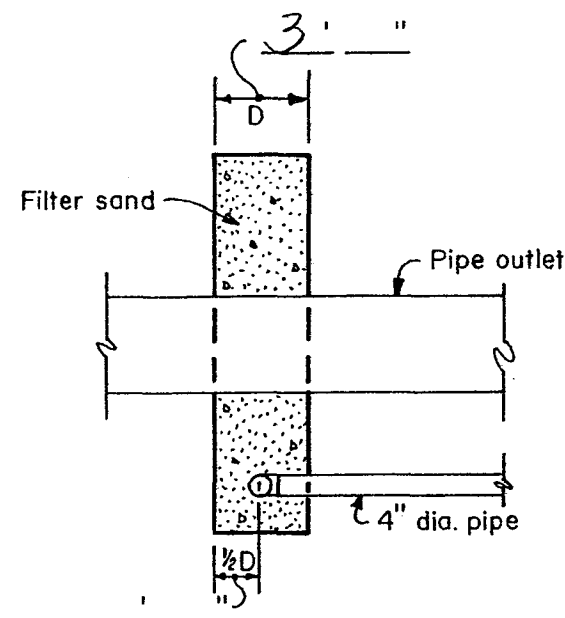
UPSTREAM VIEW

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 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
23 cy

Sec. _____, T. _____, R. _____

_____ County

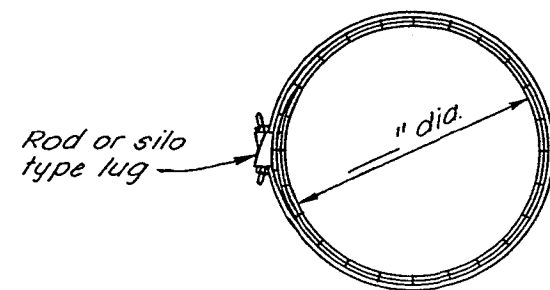
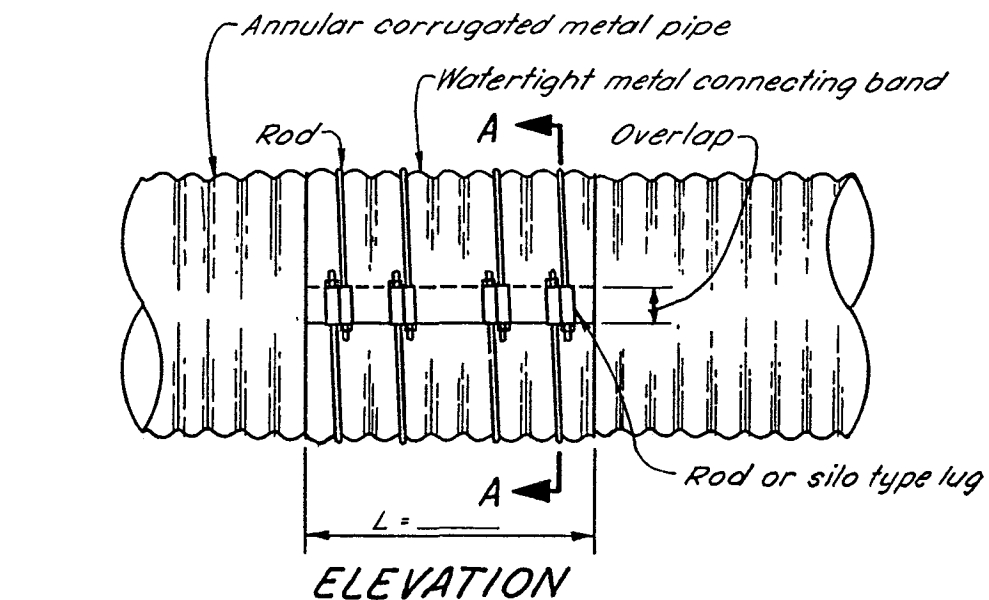
LOCATION

SAND ANTISEEP COLLAR

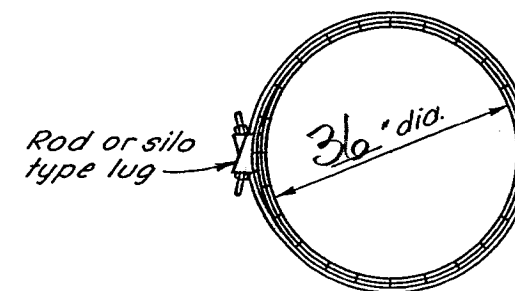
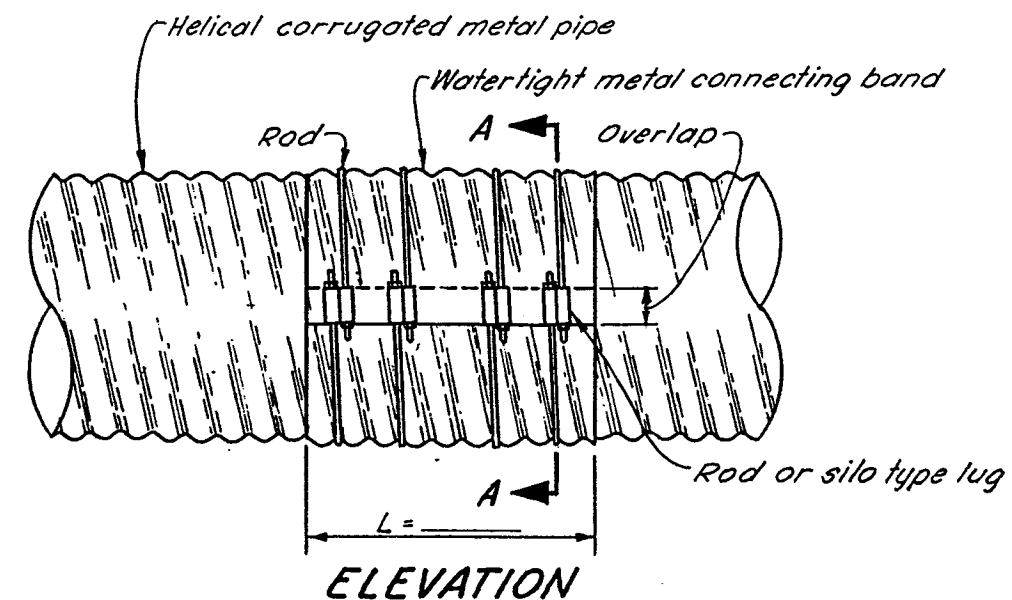
OPERATOR James Evenson

CONSERVATION DISTRICT _____

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



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.

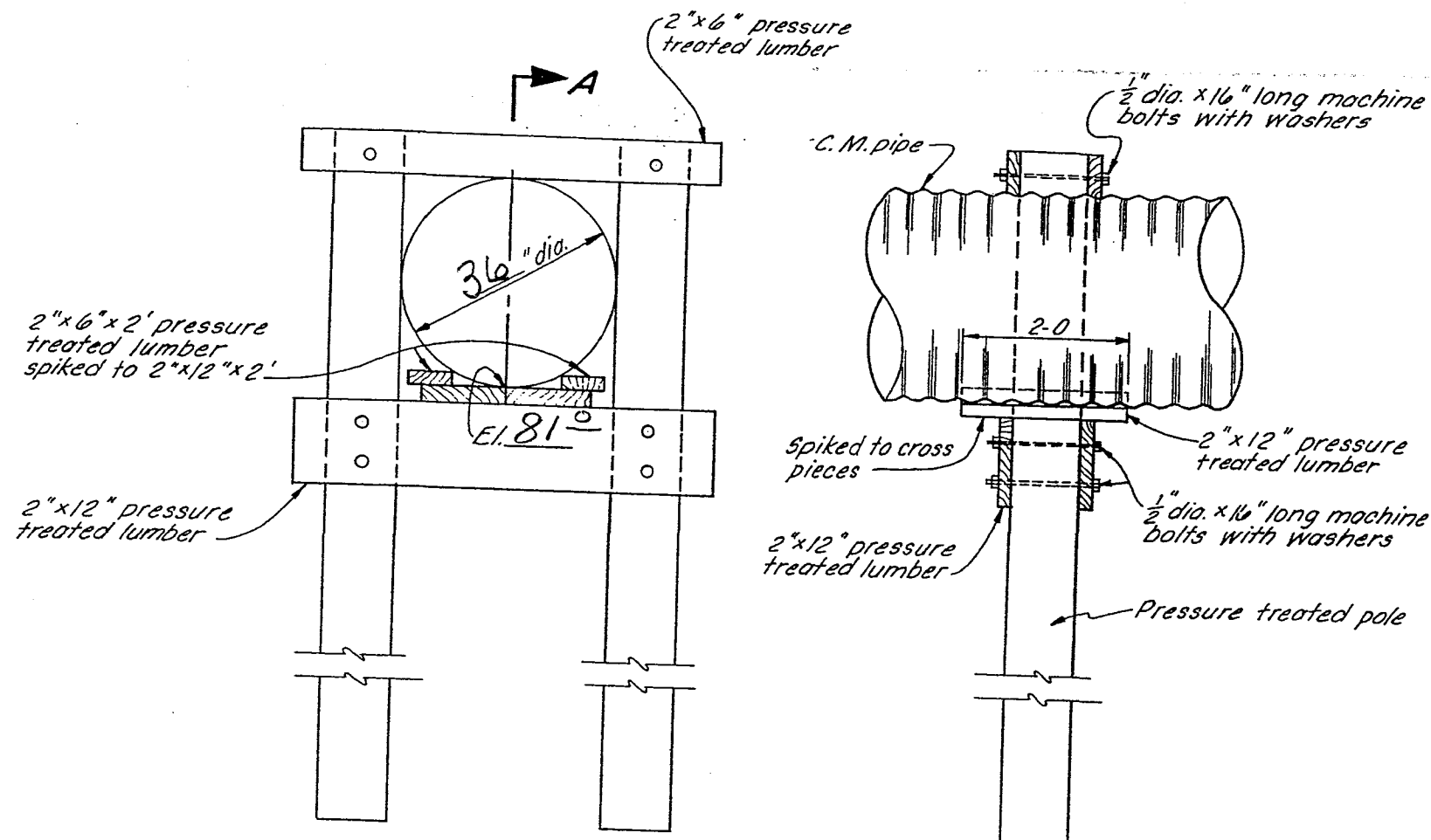
WATERTIGHT CONNECTING BAND FOR ANNULAR AND HELICAL CORRUGATED METAL PIPE

OPERATOR: James Evenson

CONSERVATION DISTRICT: _____

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed: _____	Date: _____	Approved by: _____
Drawn: _____		Title: _____
		Title: _____



ELEVATION

SECTIONAL ELEVATION A-A

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

NOTES:

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

TIMBER PIPE SUPPORT

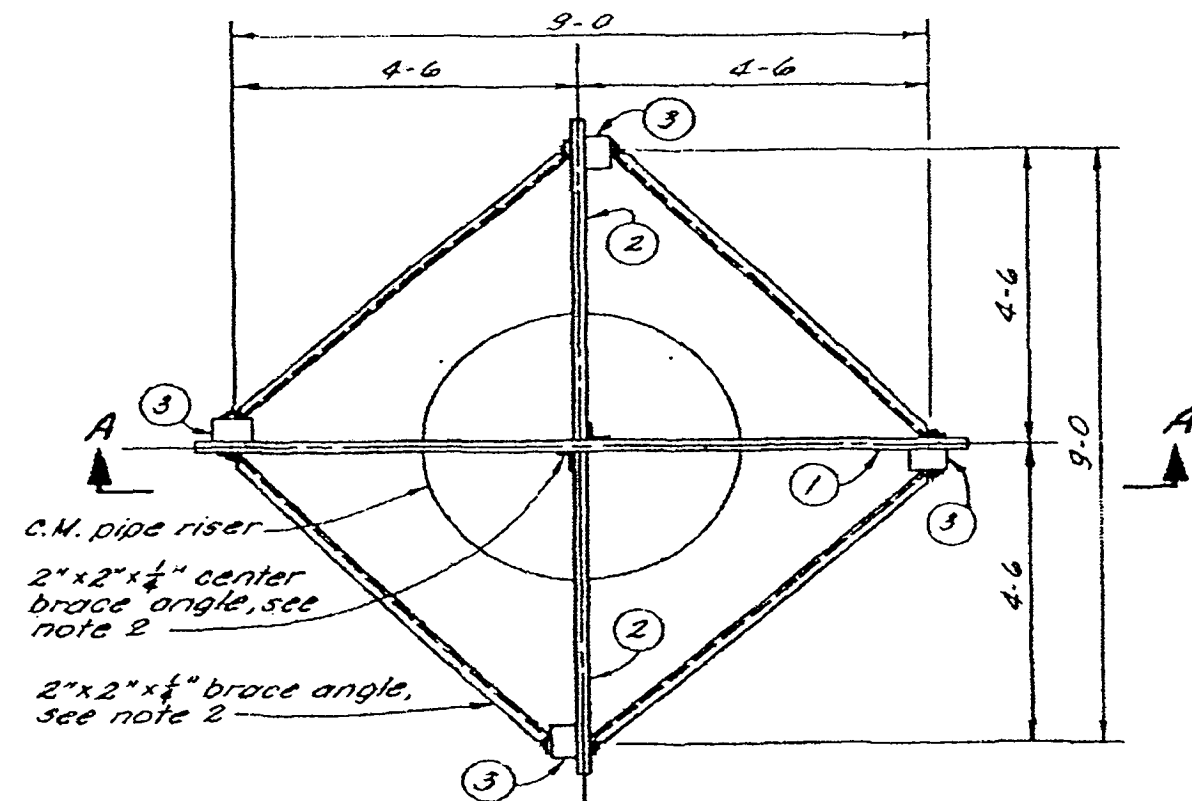
OPERATOR: James Evenson

CONSERVATION DISTRICT: _____

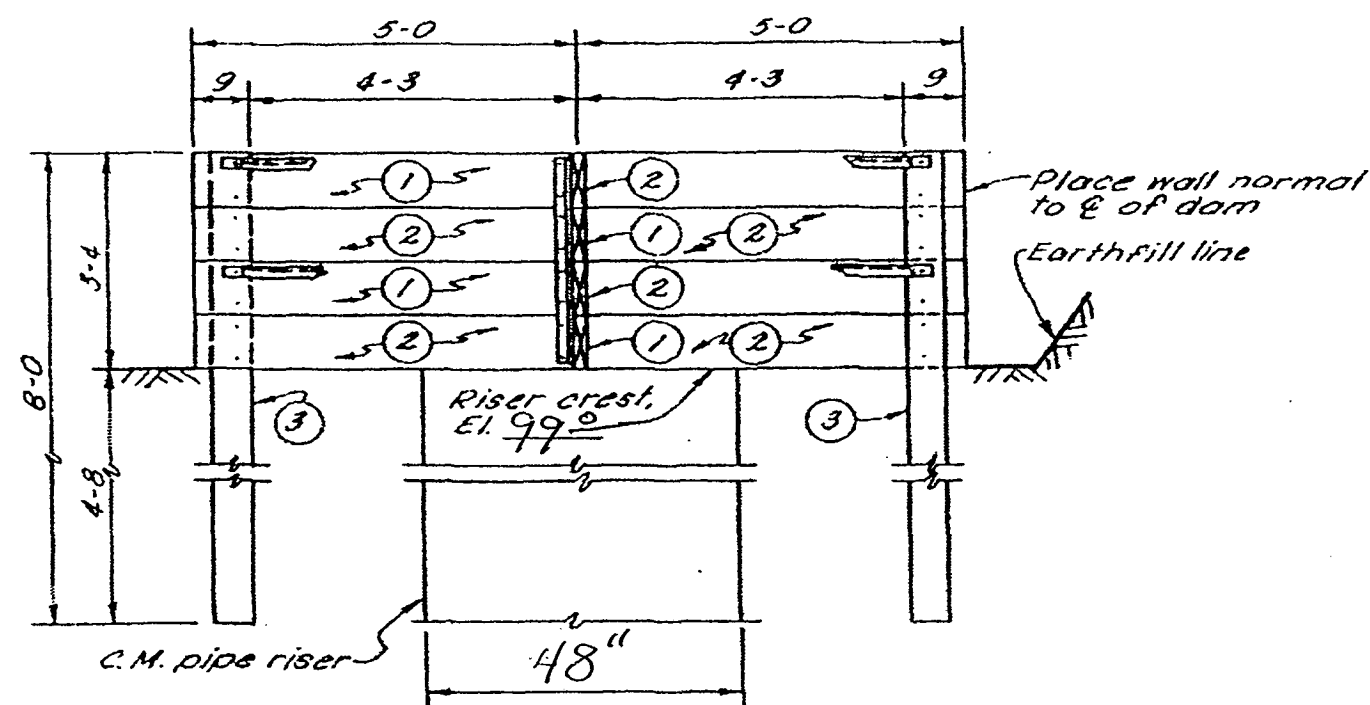
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Drawn _____		Title _____
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Checked _____	Sheet _____ of _____	Drawing No. _____

JOB PLAN NO. 4.0

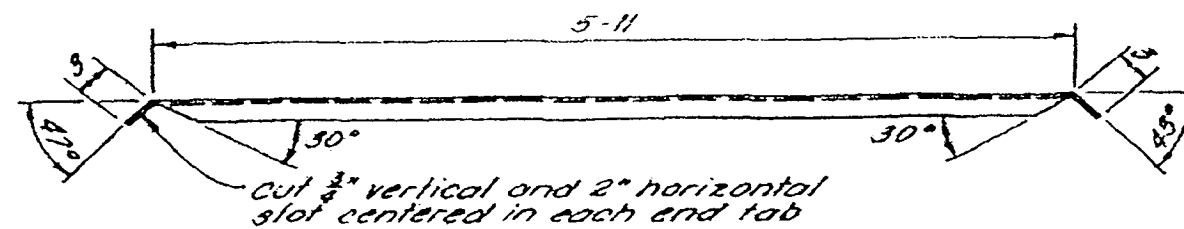
5, N-29,073.4a



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:

- 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.
- 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.
- 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: James Evenson

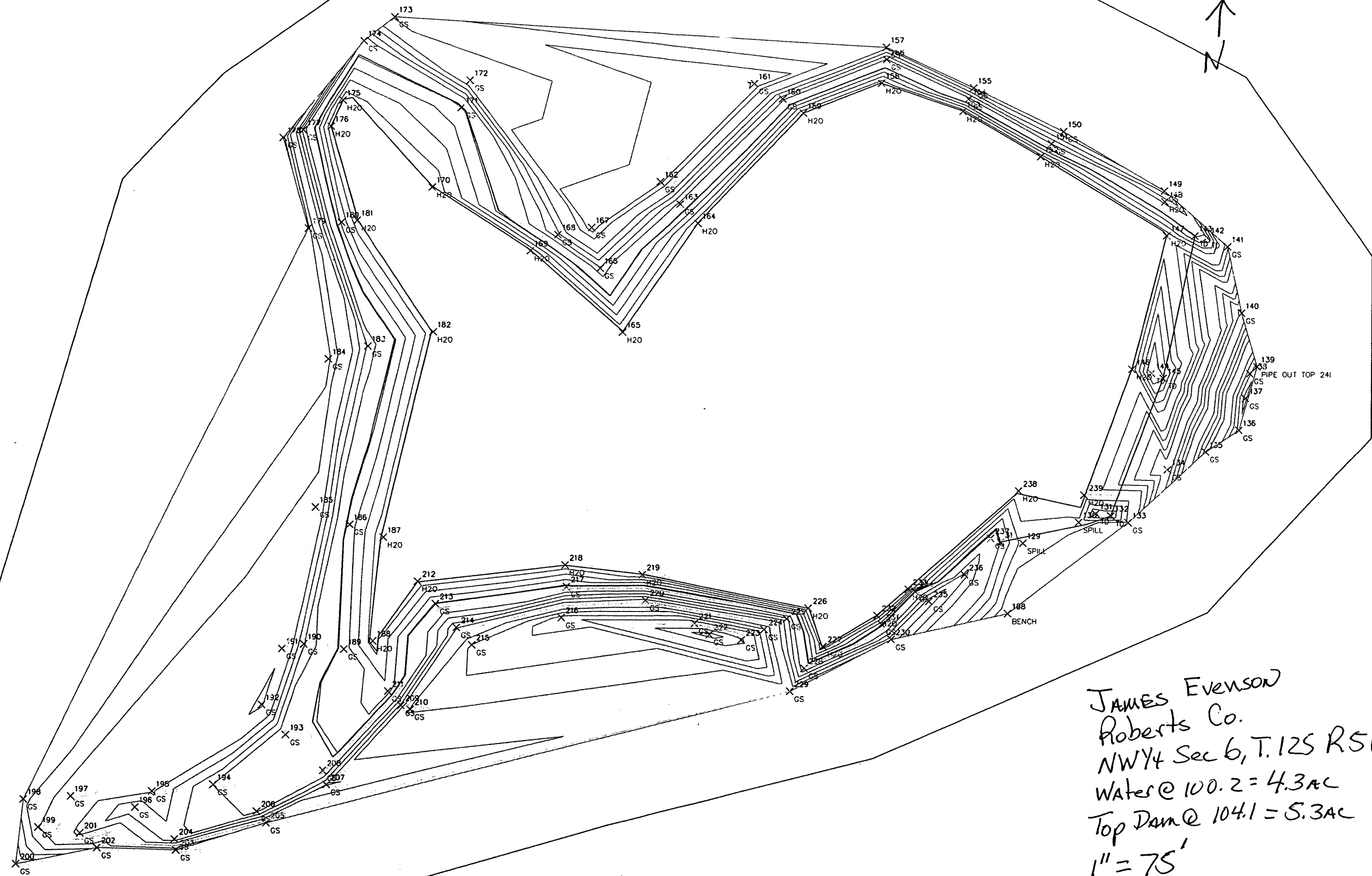
CONSERVATION DISTRICT: _____

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

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

JOB PLAN NO. 6.4

5, N-29, 073.6-40



JAMES EVENSON
Roberts Co.
NW 1/4 Sec 6, T. 12S R. 51
Water @ 100.2 = 4.3 AC
Top Dam @ 104.1 = 5.3 AC
1" = 75'

48-36 e 99

=====

POND DESIGN

=====

RECEIVED

JUN 23 2009

WATER RIGHTS
PROGRAM

WinPond 1.5.2405.11111

Project ---- : Farm Pond

Description : Repalace failed PE Hood

State ----- : South Dakota

County ----- : Roberts

Landowner -- : James Evenson

Township --- : 125N

Range ----- : 51W

Section ---- : NW 6

Tract ----- :

Field ----- :

Designed By : Dave Konechne

Date designed: 5/25/2009

Date printed : 5/25/2009

Approved By : _____

Date : _____

File Name : C:\Documents and Settings\Elaine\...\New.prj

PLANNED IN COOPERATION WITH USDA-NRCS

Office Name
Address1
Address2
City

Project --- : Farm Pond
 Prepared for: James Evenson
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 125N RNG : 51W
 SEC : NW 6 FLD :
 Date: _____

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

Hazard Class	Low	A
Effective Height	Feet	21.7
Effective Storage	Ac-Ft	48.5
Overall Height	Feet	25.0
Total Storage	Ac-Ft	65.5
Storage X Effective Height	Ac-Ft Ft	1053
Contributing Drainage Area	Acres	941
Contributing Drainage Area	Square Miles	1.47
Pipe Conduit Capacity	CFS	107.0
Open Channel Spillway Design Flow	CFS	451.7
Peak Inflow Aux Spillway Design Storm	CFS	597.0
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.)
81.0	0.00		0.00
100.0	4.30	40.85	40.85
104.0	5.30	19.20	60.05

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

	ELEVATION (ft)	AREA (acres)	STORAGE (ac.ft.)
Inlet (Princ. spillway)	99.0	4.07	36.66
Aux. spillway	101.7	4.73	48.52
Max. water	104.0	5.29	59.85
Settled top of fill	105.0	5.55	65.48
Sediment - above inlet			0.00
- below inlet			0.00
Inlet to Aux.			11.86
Aux. to max. water			11.33

RUNOFF CURVE NUMBER DETERMINATION

COVER DESCRIPTION

Acres & (curve numbers) for
 Hydrologic Soil Group
 A B C D

ACCUMULATED: 941.00 Acres

WEIGHTED CURVE NUMBER: 75.0

Project --- : Farm Pond
 Prepared for: James Evenson
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 125N RNG : 51W
 SEC : NW 6 FLD :
 Date: _____

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

Rainfall distr. type ----- :	II		
Drainage area, acres ----- :	941.0	watershed slope, % :	7.9
Runoff curve number ----- :	75	Flow length, ft. - :	13728
Time of concentration, hrs : (min.: 106.73)	1.78		

	Principal	Spillway	Auxiliary
Design frequency, yrs.:	2		25
24 hr. Rainfall, in. :	2.4		4.3
Runoff, in. ----- :	0.6		1.9
Peak inflow, cfs ---- :	161.69		596.99
Peak outflow, cfs --- :	107.00		451.67 A.S.
			122.36 P.S.

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

Inlet type: Drop Inlet Elevation: 99.0

	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. ----	135.0		
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 -----	91.70		

Auxiliary elevation -----	101.7		
STORAGE (ac.ft.):			
Temporary (PS-AS) ----	11.86		
Total at Auxiliary ---	48.52		
Effective height, ft. ---	21.7		
Height x storage -----	1053		
Drawdown time, days-hrs.	0-3.3		
Trial used -----	1		

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

Project --- : Farm Pond
 Prepared for: James Evenson
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 125N RNG : 51W
 SEC : NW 6 FLD :
 Date: _____

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

Auxiliary elev. :	101.7	Retardance ----- :	B
Bottom width, ft. :	50	Level sect. length, ft.:	25
Flow depth, ft. - :	2.26	Side slope ratio, n:1 :	3.00
EXIT CHANNEL -			
Max. Vel., fps - :	7.0	Retardance ----- :	B

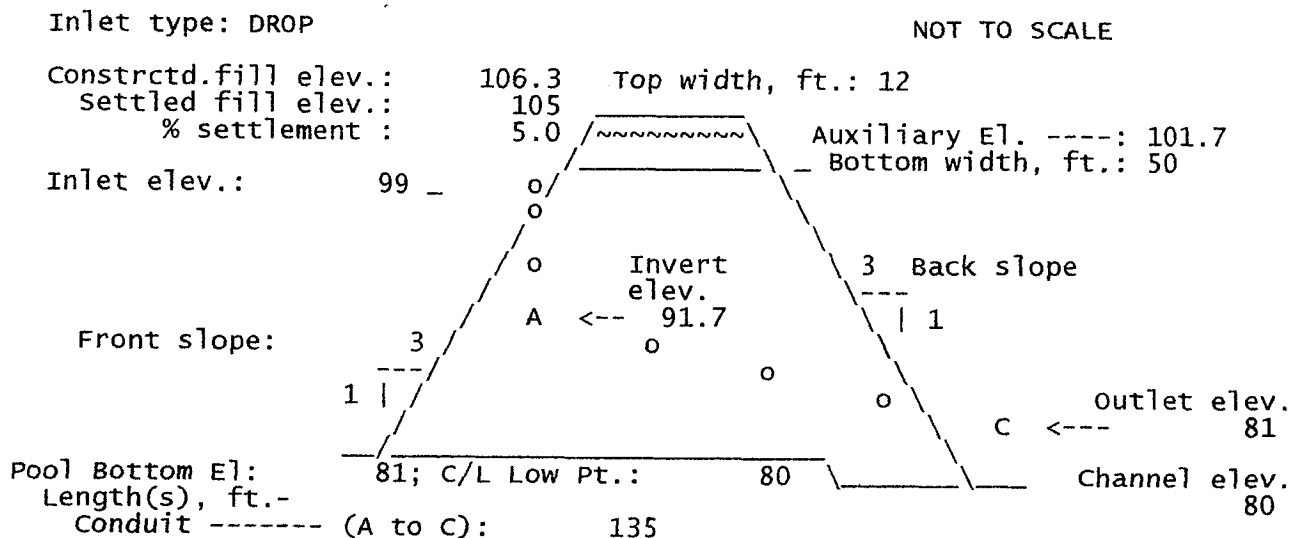
Flow, cfs ----- :	451.67	Exit slope, % --- Min.:	4
		Max.:	5
Settled fill elev.:	105.0	Drawdown time, days-hrs:	0-10.4
Channel elev. --- :	80.0	Overall height, ft. -- :	25.0
(downstream toe)			

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

Inlet Type -----	DROP
Conduit Type -----	HCMP - Helical Corrugated Metal Pipe
Diameter, in. -----	36.00
Inlet extension, ft --	0.0
Length, lin. ft. -----	115.0 Extends 6.0 ft. beyond dnstr.toe
Length, lin. ft. -----	135.0 Pipe length used in routing
Slope, % -----	8.0
Max.fill over pipe, ft.	18.5

Horizontal Distances (ft.)	
Upstrm: edge of top width to inlet end of pipe :	20.7
Dnstrm: edge of top width to toe ----- :	75.0

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



Project --- : Farm Pond
 Prepared for: James Evenson
 Prepared by : Dave Konechne
 Checked by : _____

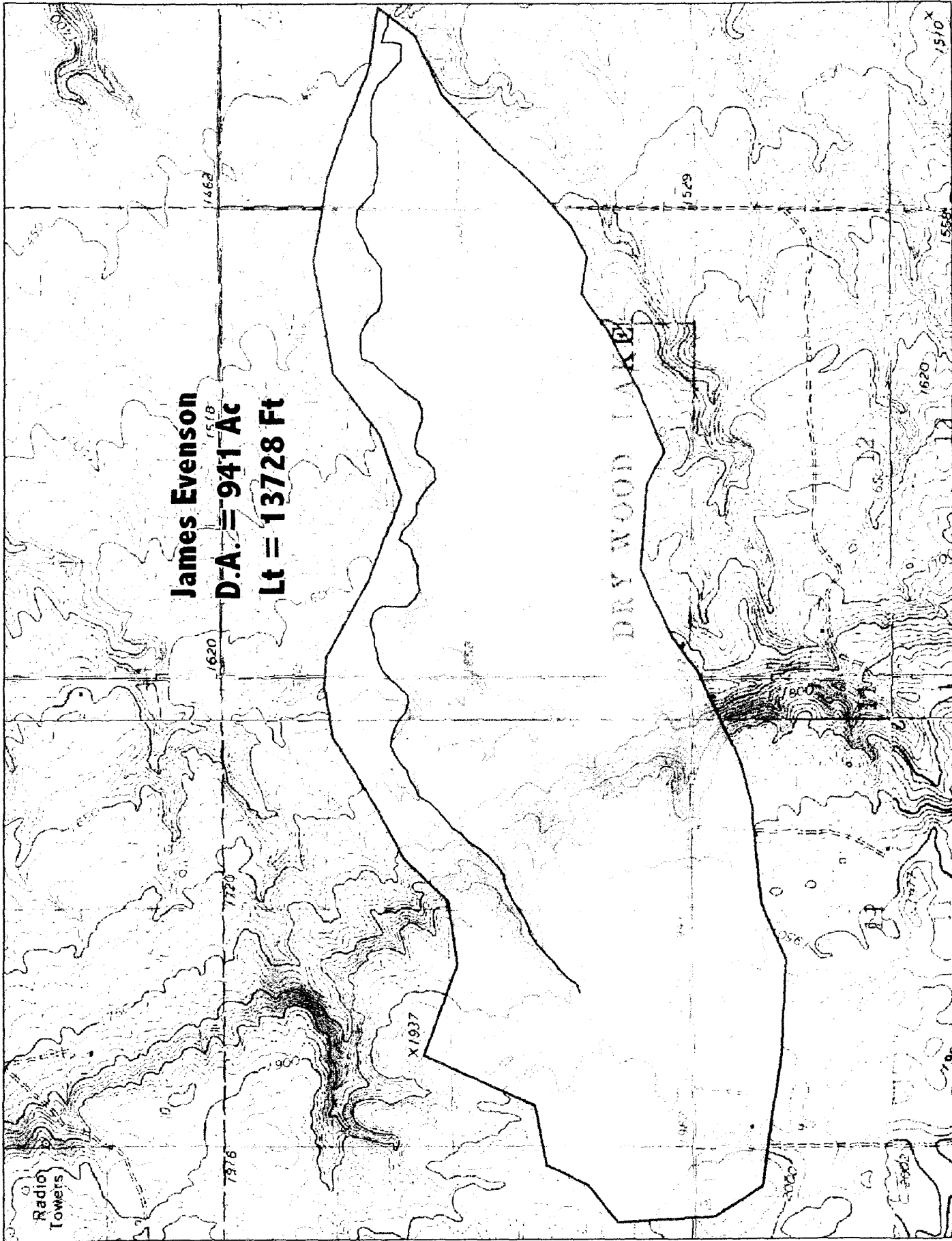
TWP : 125N RNG : 51W
 SEC : NW 6 FLD :
 Date: _____

***** SUMMARY *****
 Inlet type: DROP Inlet Elevation: 99

CONDUIT: Type -----	HCMP - Helical Corrugated Metal Pipe
Diameter, in. ---	36
Length, lin. ft. -	135 Extends 6 ft. beyond dnstr.toe
RISER : Type -----	HCMP - Helical Corrugated Metal Pipe
Diameter, in. ---	48
Height, ft. ----	7.3 = Inlet elev. - Invert elev.
AUX. : Elevation -----	101.7
Bottom width, ft. -	50
Hp, flow depth, ft. -	2.26
Exit slope, % min. -	4
max. -	5
Effective height, ft. ----	21.7 = AS elev. - low pt. on C/L
Height x storage -----	1053
Overall height, ft. ----	25 = 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)



James Evenson

NW 16, T125N, R51W

<u>Grid Line</u>	<u>Length</u>
1	1.8
2	2.5
3	2.7
4	3
5	2.1
6	2.1
7	2.2
8	1.6
9	0.4
A	5.9
B	7.1
C	5.0

$$86.4 \times 1507 \frac{\text{ft}}{\text{mi}} = 54928 \text{ ft}$$

<u>Contour</u>	<u>Grid Crossing</u>
1450	3
1500	4
1550	5
1600	6
1650	8
1700	5
1750	3
1800	3
1850	7
1900	4
1950	6
2000	1
	<u>55</u>

$$S = \frac{1.571 \times 50 \times 55}{54928} = 0.079 \times 100 = 7.9\%$$

$$D.A. = 941 \text{ Ac}$$

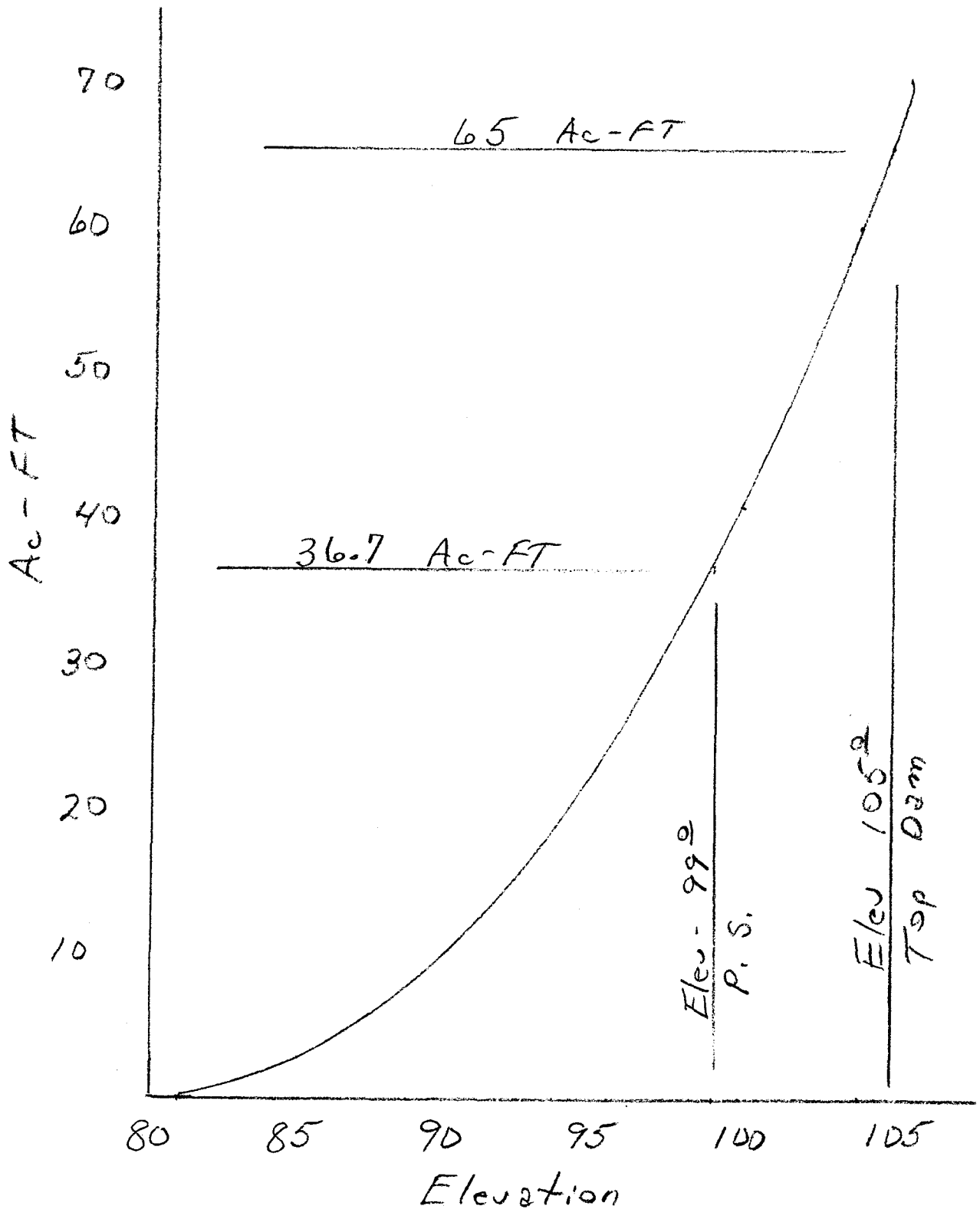
$$L = 1328 \text{ ft}$$

$$CN = 75$$

$$R_{max} = 21.4 \text{ A-F}$$

James Evenson

NW Sec 6, T125N, R51W



Water Permit Application No. 7147-3
James Eveson

Top of Dam Elev. - 105
2nd Spillway Elev. - 102
P. Spillway Elev. - 99
Dis Emb Toe Elev. - 80.5

Cont. 3 - Low Hazard Dam

Ht. = 24.5 ft

Normal Storage Capacity - 36.7 A-Ft
Int. Storage Capacity - 48.5
Max. Storage Capacity - 65.5

Int. Capacity x Eff Ht. = $48.5 \times 21.7 = 1053 < 3000 \therefore 25 \text{ yr}$
Minimum Spillway Design

From USGS WRT 80-80 " Table for Est. Flood Peaks ... in 50"
DA = 941 A = 1.47 m² Slope = 15.2 ft/m: S = 2.99

$$Q_{25} = 83.4 A^{.60} S^{.44} S^{-.72}$$

$$= 83.4 (1.47)^{.60} (15.2)^{.44} (2.99)^{-.72}$$

$$= 83.4 (1.2601) (9.0673) (.4545)$$

$$= \underline{435 \text{ cfs}}$$

$$Q_{100} = 132 A^{.65} S^{.46} S^{-.67}$$

$$= 132 (1.47)^{.65} (15.2)^{.46} (2.99)^{-.67}$$

$$= 132 (1.2846) (10.5231) (0.4647)$$

$$= \underline{800 \text{ cfs}}$$

Secondary Spillway Capacity

$$Q = CLH^{3/2}$$

$$C = 2.6$$

$$L = 50$$

$$H = 3.0$$

$$= \underline{675 \text{ cfs}}$$

NRCS Annual Yield
CU = 75 DA = 941 ISD = 242

Section 74:02:08:09

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

80% chance = 0.18
 $0.18 \times 941/2 = \underline{14 \text{ A-Ft}}$

50% chance = 0.43
 $0.43 \times 941/2 = \underline{34 \text{ A-Ft}}$

10% chance = 2.2
 $2.2 \times 941/2 = \underline{172 \text{ A-Ft}}$

Schaal, Tim

From: Schaal, Tim
Sent: Tuesday, June 09, 2009 9:08 AM
To: 'Thomas_Wickstrom@fws.gov'
Subject: RE: Water Right/Location Notice

Here you go--it looks like there are 3 Location Notices for the NW 1/4 and the photo shows 5 dams. Not sure which one you are looking at ??

Tim

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

From: Thomas_Wickstrom@fws.gov [mailto:Thomas_Wickstrom@fws.gov]
Sent: Monday, June 08, 2009 7:21 PM
To: Schaal, Tim
Subject: Water Right/Location Notice

Tim,

Do you have a Water Right or Location Notice for James Evenson in Roberts Co, NW1/4 Section 6, 125-51?

Thanks,

Tom

(See attached file: Pondrepair.jpg)

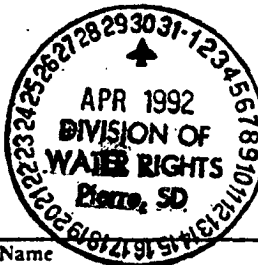


LOCATION NOTICE FOR DAM/DUGOUT

Mail to: Water Rights Div.
DWNr, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

Roberts

County



72907

Location Notice No.

1. Evenson's Farms Inc.

Name

RR#3 Box 267-A Sisseton, S.D. 57262

Address & Zip Code

Roberts

County

Evenson Bros

(owner or operator)

, of the following described land, do hereby

notify the Water Management Board of the State of South Dakota and all others concerned that I am exercising my right under SDCL 46-4, for construction of a Multi-Purpose Dam for the purpose of impounding runoff waters for livestock & wild life purposes.
(type of use)

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

(1) Date of:

(a) This notice

4-28-92

(b) Proposed construction

6-1-92

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

SE⁴ NW⁴ Sec 6 125-51

(describe to the nearest 40 acre sub-division)

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

85 rods EAST 155 Rods South of NW corner of Sec 6

(describe distance N.S.E.W. from the corner)

(4) County Roberts

(5) The owner of the land Evenson Bros.

(6) Acre feet of water claimed annually 4.0 Ac. ft.

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

A location notice is only required on a dugout, if the dugout captures surface runoff waters.

•• Continue on other side ••

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

• Items to be completed for a dugout

• a) Dam/Dugout designed by

SCS.

205 E. OAK Room 208 Federal Building
(name and address)

b) Freeboard

3.0'

c) Crest Width

12.0'

Crest Length

230'

d) Height

20.0'

• Depth, if Dugout

N/A

e) Outlet Dimensions:

Pipe diameter

N/A

Spillway width

42'

f) X & Y Slope:

Upstream

3:1

Downstream

2:1

• g) Water surface area

1.6 AC

• h) Storage at spillway crest or overflow elevation

(acre feet)

9.6

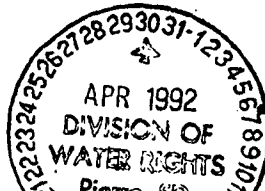
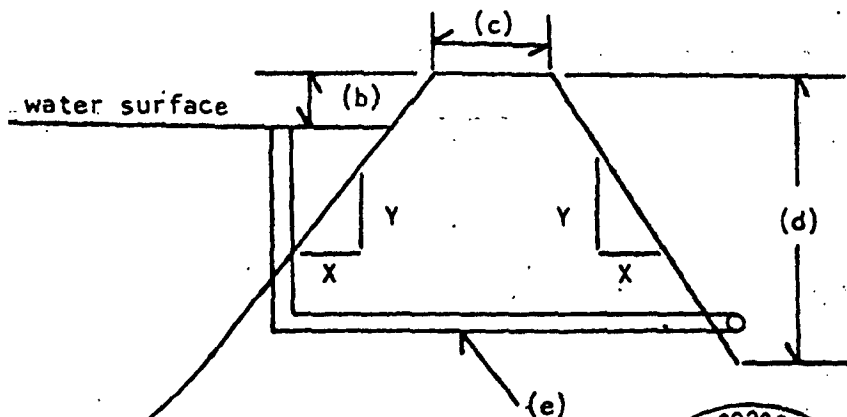
i) Maximum storage to top of dam

(acre feet)

15.6

j) Drainage area above dam/dugout

300 AC.



Enclosed herewith is ten dollars (\$10.00). The Water Management Board is requested to file this Location Notice in their official records. A copy of this Location Notice has been filed (do not record) with the Register of Deeds of Roberts County in accordance with SDCL 46-4-5.

Eugene J. Jensen
E. Jensen
owner

STATE OF SOUTH DAKOTA
COUNTY OF Roberts

Eugene J. Jensen
E. Jensen

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

Signed

Eugene J. Jensen
E. Jensen

Subscribed and sworn to before me this 28 day of

April

, 1992

(seal)

Melorene Lotter
notary/public



LOCATION NOTICE
FOR DAM/DUGOUT

Mail to: Water Rights Div.
DENR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

Roberts
COUNTY

Location Notice No. 73111

I, Evenson Farms Inc., of

Rte 3, Box 266, Sisseton, SD 57262 Roberts,
Address & Zip Code County

Evenson Farms Inc., of the following described land, do hereby
(owner or operator)

notify the Water Management Board of the State of South Dakota and all others concerned that I am exercising my right under SDCL 46-4, for construction of a dam/ditch plug for the purpose of impounding runoff waters for wildlife purposes.

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

(1) Date of:

(a) This notice June 1, 1992

(b) Proposed construction August, 1992

(2) Legal description of the land upon which the dam/dugout is located:
W1/2SW1/4 of Section 6, T. 125 N., R. 51 W.
(describe to nearest 40 acre sub-division)

(3) Location of the dam/dugout from a section corner:
(see attached aerial photo)

(4) County Roberts

(5) The owner of the land Evenson Farms Inc. United States of America

(6) Acre feet of water claimed annually 16.8

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

A location notice is only required on a dugout, if the dugout captures surface runoff waters.

** Continue on next page **



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

* Items to be completed for a dugout

*a) Dam/Dugout designed by U.S.F.W.S., Waubay NWR,
Rte 1, Box 79, Waubay, South Dakota 57273

b) Freeboard 3 feet

d) Height 14 feet
*Depth, if Dugout 14 feet

c) Crest width 190 feet

e) Outlet Dimensions

Pipe dia. _____

Crest Length 20 feet

Spillway width 1:3 feet

f) X & Y Slope:

Upstream 1:3

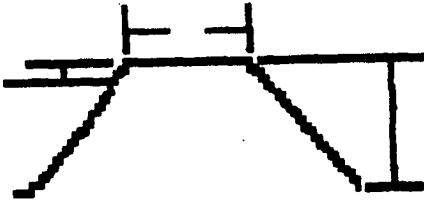
Downstream 1:3

*g) Water Surface Area 3.0 acres

*h) Storage at spillway crest or overflow
elevation (acre feet) 16.8

i) Maximum storage to top of dam.
(acre feet) 16.8

*j) Drainage area above dam/dugout
3 acres



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

Evenson Farms Inc.

STATE OF SOUTH DAKOTA)

U.S.F.W.S.

COUNTY OF Roberts)

LOCATION

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

Signed

Evenson Farms Inc.

Subscribed and sworn before me this 1st day of September, 1992.

(seal)

Grace J. Robinson

My commission expires May 31, 1998

NOT TO SCALE

2-40

14.0
(2) R

Everson Farms, Inc.

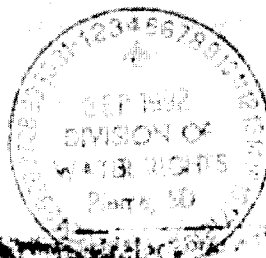
T-2200

T-345

200.5
T-PC

125346

Everson Farms, Inc.



125-51 T-538



LOCATION NOTICE FOR DAM/DUGOUT

#2

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

Roberts
County

74560

Location Notice No.

I, Edenon Farms, Inc., of
Name

RR# 3 Box 265-A, Sisseton, SD 57262
Address & Zip Code

Roberts
County

EDENSON FARMS, of the following described land, do hereby
(owner or operator)

notify the Water Management Board of the State of South Dakota and all others concerned that I am exercising my right
under SDCL 46-4, for construction of a dam for the purpose of impounding runoff waters
(dam or dugout)
for livestock & wildlife purposes.
(type of use)

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

(1) Date of:

(a) This notice _____

(b) Proposed construction _____

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

SE⁴, NW⁴, Sec. 6, T-125, R-51
(describe to the nearest 40 acre sub-division)

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

2600 ft. SE of NW section corner
(describe distance N.S.E.W. from the corner)

(4) County Roberts

(5) The owner of the land Edenon Farms Inc.

(6) Acre feet of water claimed annually 22

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

A location notice is only required on a dugout, if the dugout captures surface runoff waters.

** Continue on other side **



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

• Items to be completed for a dugout

*a) Dam/Dugout designed by USDA, NRCS

205 E. Oak, Fed Bldg., Sisseton, SD 57262
(name and address)

b) Freeboard 3 ft

c) Crest Width 12 ft.

Crest Length 300 ft.

d) Height 12.8 ft.

• Depth, if Dugout _____

e) Outlet Dimensions:

Pipe diameter 24 in.

Spillway width 50 ft.

f) X & Y Slope:

Upstream 3:1

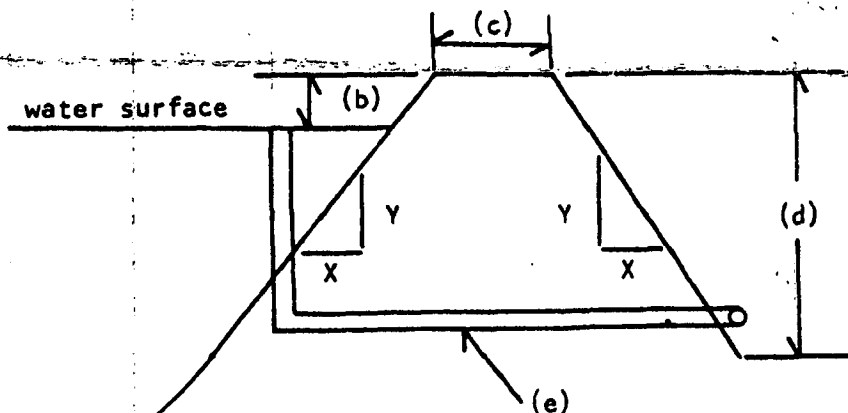
Downstream 2:1

*g) Water surface area 3.5 Ac

*h) Storage at spillway crest or overflow elevation
(acre feet) 32

i) Maximum storage to top of dam
(acre feet) 32

*j) Drainage area above dam/dugout
770



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

[Signature]
owner

STATE OF SOUTH DAKOTA)
COUNTY OF _____) ss

locator

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

Signed

[Signature]

Subscribed and sworn to before me this 13th day of December, 1996

Carol Martenson
notary public

Commission expires 1-16-2004

#1 Dam 125 A

#2 - 730 A

NOT TO SCALE

39.4

Evenson Farm

NHEL
2-14.0

3-314 NHEL

NC

NC

NC 2-54

T-5384

215



**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. 7147-3, James Eveson**

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. 7147-3, James Eveson, 12054 455th Avenue, Sisseton SD 57262.

The Chief Engineer is recommending APPROVAL of Application No. 7147-3 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. 7147-3 authorizes a dam with a storage capacity of 36.7 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. 7147-3
James Eveson
July 7, 2009

Water Permit Application No. 7147-3 has been filed by James Eveson to impound 36.7 acre-feet of water from runoff by reconstructing an existing dam located in the SE ¼ NW ¼ of Section 6-T125N-R51W, in Roberts 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.

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. 7147-3 is approved.

The reconstructed dam will be 24.5 feet high with a normal storage capacity of 36.7 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 65.5 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 941 acres or 1.47 square miles. The dam is designed to have a 48 inch diameter CMP riser with a 36 inch diameter CMP barrel with 6 feet of freeboard as the primary spillway, and a 50 foot wide earthcut secondary spillway with 3.0 feet of freeboard. A 25 year frequency event produces a peak runoff of approximately 435 cfs and a 100 year frequency event produces a peak runoff of approximately 800 cfs. The earthcut spillway will have a capacity of approximately 675 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 14 acre-feet. The annual yield with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be 34 acre-feet and the annual yield with a 10 percent chance, or 1 out of 10 years, is expected to be 172 acre-feet.

The Eveson Dam will be located in the SE ¼ NW ¼ of Section 6-T125N-R51W on an unnamed tributary to the Little Minnesota River, about 6 miles upstream of the confluence of the unnamed tributary and the Little Minnesota River. The Tekakwitha Indian Mission, Inc. holds Water Right No. 1126-3, which has a priority date of August 25, 1964 for 75 acre-feet of water annually for storage in a dam located about 1 mile downstream of the Eveson Dam. The Tekakwitha Dam has about 1600 acres of additional drainage area. The annual yield for this additional drainage area with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be 57 acre-feet. The Eveson Dam and the Tekakwitha Dam have been in place for a number of years and apparently there have been no interference issues. There are no other existing Water Permits/Rights filed on the unnamed tributary between the Eveson Dam and the Little Minnesota River.

Conclusions:

1. Water Permit Application No. 7147-3 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. 7147-3.



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



**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 28, 2009

James Eveson
12054 455th Ave.
Sisseton, SD 57263

Dear Mr. Eveson:

We have reviewed the plans and specifications for your dam project located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 6-T125N-R51W, in Roberts County. The plans and specifications for your dam are approved. Approval of the plans and specifications does not authorize reconstruction of the dam. The reconstruction of the dam may not begin until Water Permit No. 7147-3 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 Eveson Dam will be classified as a small size Category 3, Low Hazard dam with a dam height of 24.5 feet and a normal storage capacity of 36.7 acre-feet and a maximum storage capacity of 65.5 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

RECEIVED

AUG 24 2009

WATER RIGHTS
PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA }
County of Roberts } ss.

Harley E. Deutsch of said county, being first duly sworn, on oath says, that he is publisher of THE SISSETON COURIER, a weekly newspaper printed and published in Sisseton, in said county of Roberts, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bonafide circulation of at least two hundred copies weekly, and has been published within said county for 52 successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the Notice of Notice Of Application No. 7147-3, 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 in each week for two successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

Aug. 04, 2009, _____;
Aug. 11, 2009, _____;
_____, _____;
_____, _____;
_____, _____;

that the full amount of the fee is charged for publication of said Notice insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division there has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever and that the fees charged for the publication there of are \$39.71

Harley E. Deutsch

Subscribed and sworn to before me this 11th day of

August, A.D., 2009

Julian Reutsack

Notary Public, Roberts County, South Dakota

My commission expires February 3, 2010

NOTICE OF APPLICATION NO. 7147-3 TO APPROPRIATE WATER

Notice is given that James Evenson, 12054 455th Ave., Sisseton, SD 57262, has filed an application for a water permit to impound 36.7 acre-feet of water from runoff by reconstructing an existing dam located in the SE1/4 NW1/4 Section 6 with water impounded in the SE1/4 NW1/4 Section 6; all in T125N-R51W. 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. 7147-3 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 21, 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 \$39.71.

(Aug 4-11 -- 2 wks)

RECEIVED



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 28, 2009

Sisseton Courier
PO Box 169
Sisseton SD 57262

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7147-3 to Appropriate Water to be published twice. Please publish the first notice on August 4, 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 James Eveson, 12054 455th Ave., Sisseton SD 57262 (Ph # 605-742-4662).

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. 7147-3

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

Date _____

We are in receipt of your letter of July 28, 2009 enclosing Notice to Appropriate Water by Application No. 7147-3 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 28, 2009

James Eveson
12054 455th Ave
Sisseton SD 57262

Dear Mr. Eveson:

Water Permit Application No. 7147-3 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 Sisseton Courier printed at Sisseton SD (Ph # 605-698-7642). 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.

Instruction to Newspaper - Publish first Notice on August 4, 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. 7147-3 to Appropriate Water

Notice is given that James Eveson, 12054 455th Ave, Sisseton SD 57262 has filed an application for a water permit to impound 36.7 acre-feet of water from runoff by reconstructing an existing dam located in the SE ¼ NW ¼ Section 6 with water impounded in the SE ¼ NW ¼ Section 6; all in T125N-R51W. 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. 7147-3 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 21, 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

SEP 24 2009

James Evenson
12054 455TH Ave
Sisseton SD 57262

Dear Mr. Evenson:

Enclosed is Water Permit No. 7147-3 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