

WATER PERMIT NO. 7205-3

Name of Applicant: Neil and Lyle Binn

Address: 10770 436th Ave, Veblen SD 57270 Phone:

Amount of Water Claimed: 92.3 AF Total Acres: NA

Source of Water Supply: runoff

Water to be used for: fish & wildlife propagation and recreation County: Marshall

Type of Waste Disposal System: NA

Location: 14 east of Britton

PRIORITY Date Received: 6-11-10 Application/License Fee: \$700

Corrected Application Received: Period of Annual Use: Jan 1 – Dec 31

Remarks:

Diversion Point: NW ¼ NE ¼ Sec 18-T127N-R55W

Water Impounded: N ½ NE ¼ Sec 18; S ½ SE ¼, NE ¼ SE ¼ Sec 7; all in T127N-R55W

Depth of Well: NA

Well Driller:

Remarks:

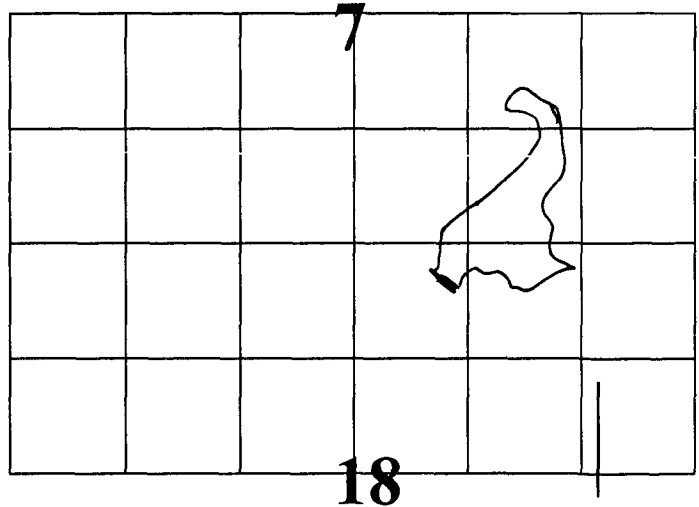
Type of Map: aerial

Prepared by: Thomas L Wickstrom, USFWS

Reviewed and the Number Assigned on: 6-11-10

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



SD Form - 1585LD V3

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

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7205-3</u> (office use only)	Hydrologic Unit <u>09020105</u>
	Basin <u>Red Rainy</u>	
	Newspaper <u>Butte Journal</u>	<u>PO Box 69</u>
	<u>605-448-2281</u>	<u>Butte SD 57420</u>

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JUN 11 2010

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.)

1. Name of Applicant Neil and Lyle Bien Phone 448-2173
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 10770 436th Ave Veblen SD 57270
(Address) (City) (State) (Zip Code)

2. Amount of water claimed *CFS or **GPM 92.3 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Watershed above embankment

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Marshall
Embankment at NW1/4NE1/4 Section 18, T. 127 N., R. 55 W.

5. County or counties where water will be used Marshall Water impounded: N1/2 NE1/4 Sec 18 - S1/2 SE1/4, NE1/4 SE1/4 Sec 7 all in T127N 55W

6. Annual period during which water is to be used annually Jan 1 - Dec 31

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

See attached Engineering design.

STATE OF SOUTH DAKOTA)
County of Marshall) SS

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

I, Neil Bien, 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 Neil BienSubscribed and sworn to before me this 9th day of June 20 10Jay A. Hinkley
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 7205-3

Date of first receipt of application June 11, 2010.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7205-3 to Neil and Lyle Bien, 10770 436th Ave, Veblen SD 57270 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. 7205-3 authorizes impoundment of 92.3 acre-feet of water from runoff by constructing a dam located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18 with water impounded in the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7; all in T127N-R55W.
2. The water appropriated shall be used for fish and wildlife propagation and recreational use 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. 7205-3 is August 9, 2010.
5. The date from which applicant may claim right is June 11, 2010.
6. One-fifth of the construction is to be completed on or before February 9, 2013.
7. All construction is to be completed on or before August 9, 2015.
8. Water is to be put to beneficial use on or before August 9, 2019.
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. 7205-3 authorizes a dam with a storage capacity of 92.3 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.

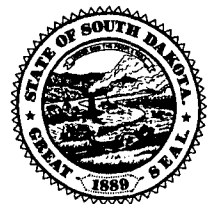
WATER MANAGEMENT BOARD

By: Garland Erbele

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

SEP 10 2010

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 applicant's property _____ On property owned by others _____

2. Wastewater Disposal System Information

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

3. Dugout Information

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

4. Water Storage Dams

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

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

Konechne Engineering
104 Capitol Drive
Pierre, SD 57501

b) Freeboard 2

c) Crest Width 12

Crest Length 155

d) Height 9

e) Primary Outlet Capacity 10.1 cfs

If pipe, diameter 48"with 12"outlet

f) Secondary Spillway Capacity 200

Spillway Width 40

g) X & Y Slope (e.g. 3 to 1 is a typical slope)

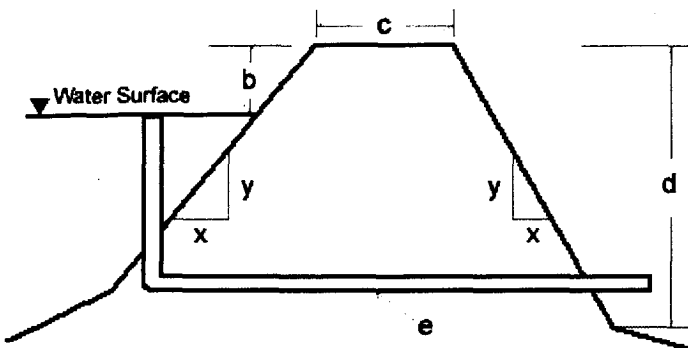
Upstream 3:1

Downstream 3:1

h) Surface Area of Impoundment 41

i) Storage 92.3 Acre Feet

j) Drainage Area Above Dam 401.0 Acres



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 6/11, 2010

RECEIVED OF M Neil Bier 10770 436th Ave Vebler SD 57270

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

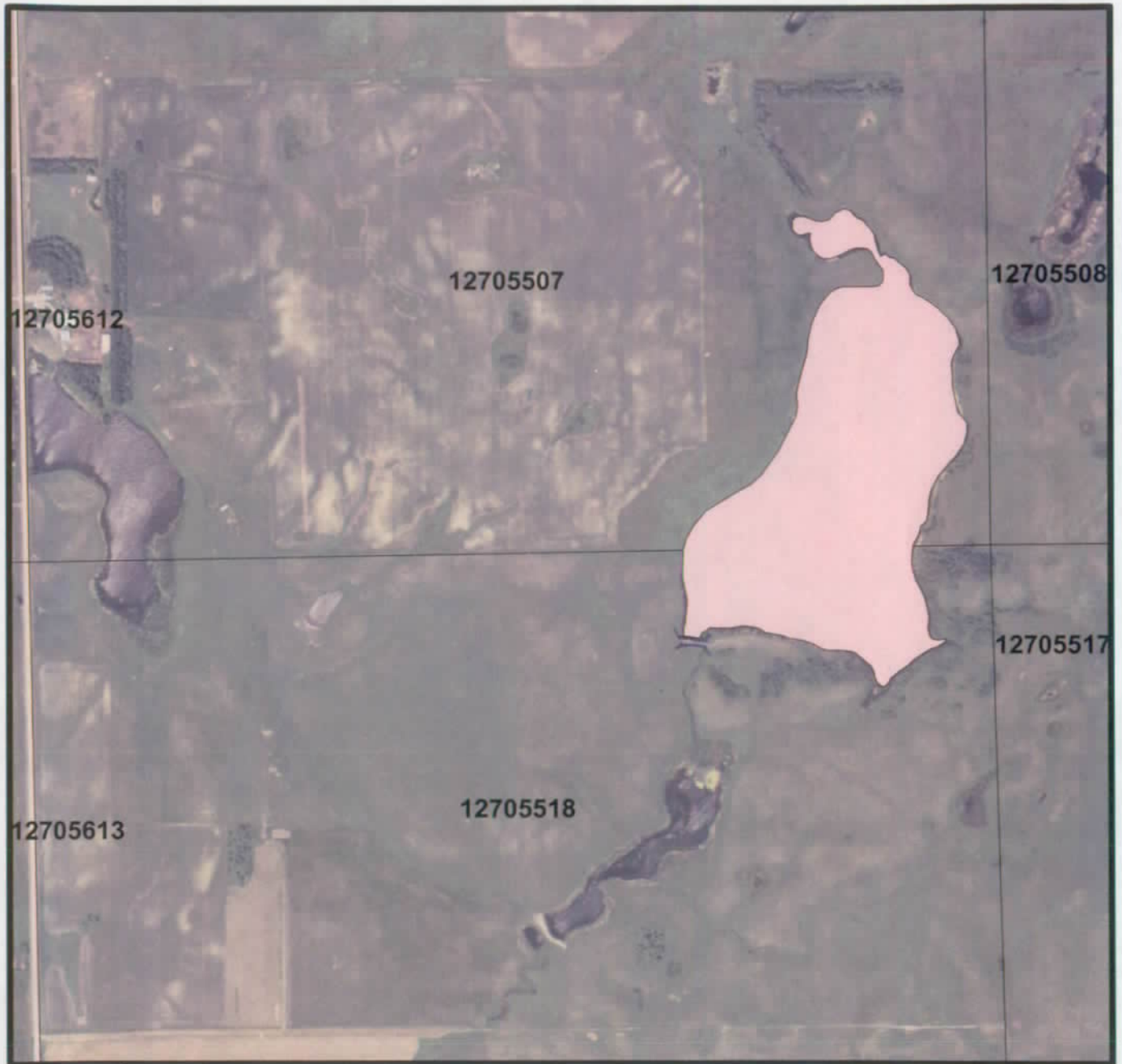
Fee for Application for Permit No. <u>7205-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7205-3</u>	200	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	700 00

No. 04576

By [Signature]
Chief Engineer



Neil and Lyle Bien Marshall County



0.5 0.25 0 0.5
Miles

Legend

 Wetland Enhancement

*Thomas L. Wickstrom
Fish & Wildlife Biologist
Waubesa NWR*

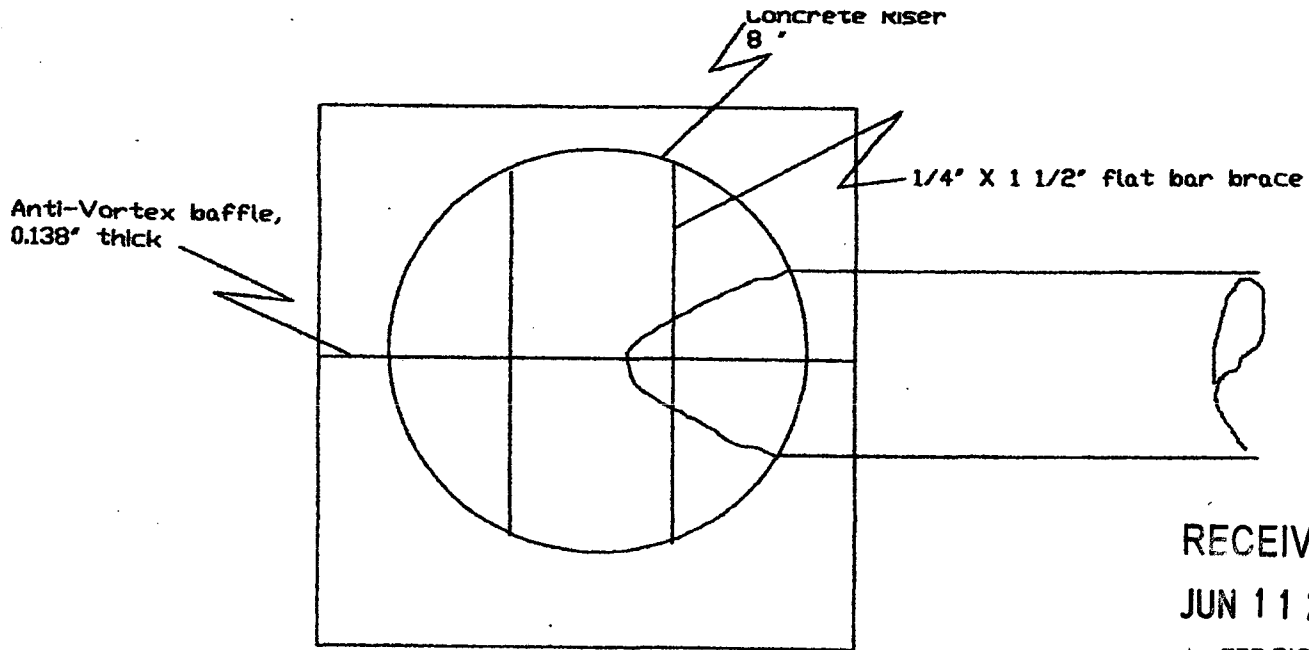
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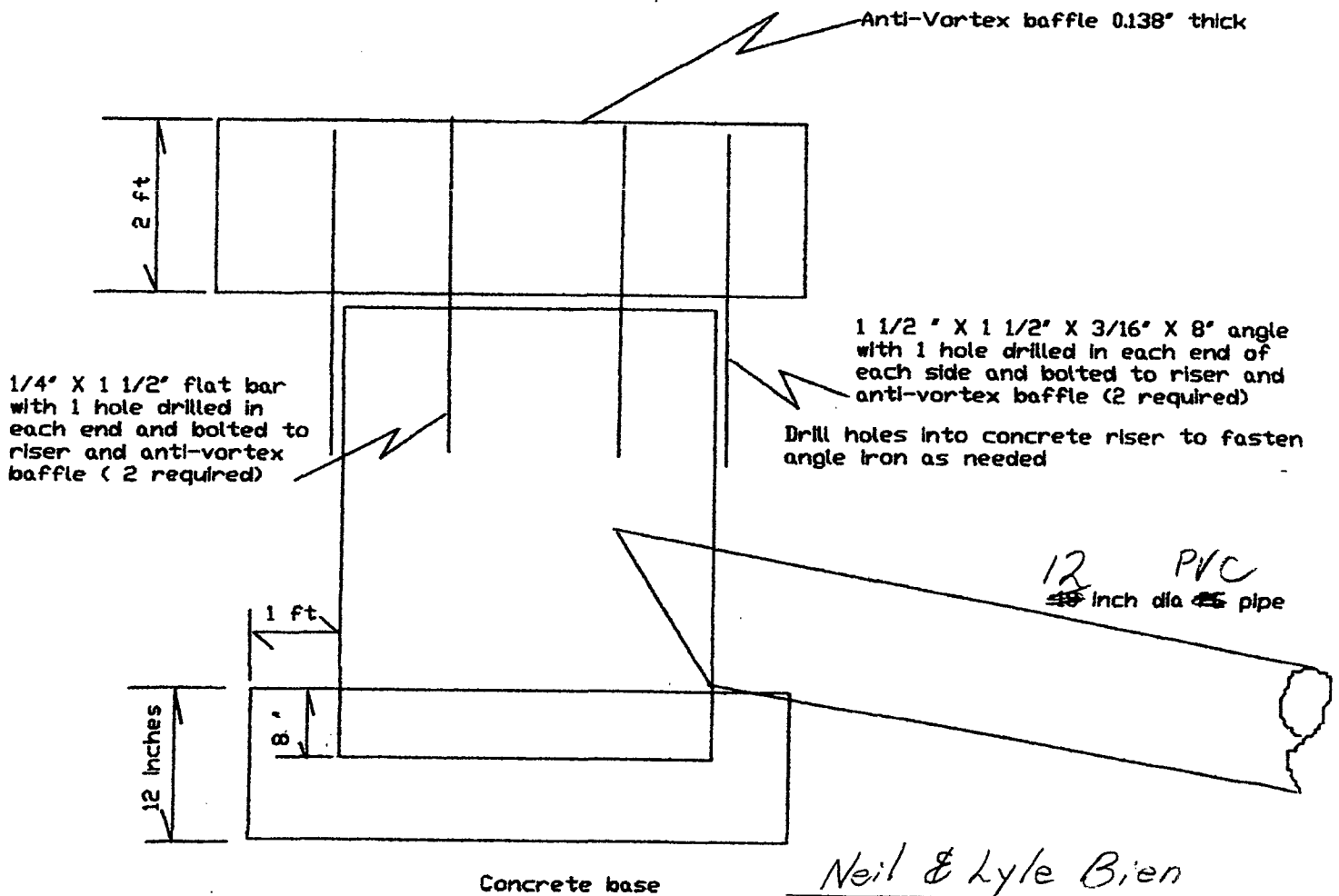
Anti-Vortex For Concrete Riser



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PROGRAM



Neil & Lyle Bien

DK-1

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.
401	11.4	308	188	4.5	41	—	92.3

Top O3m 227

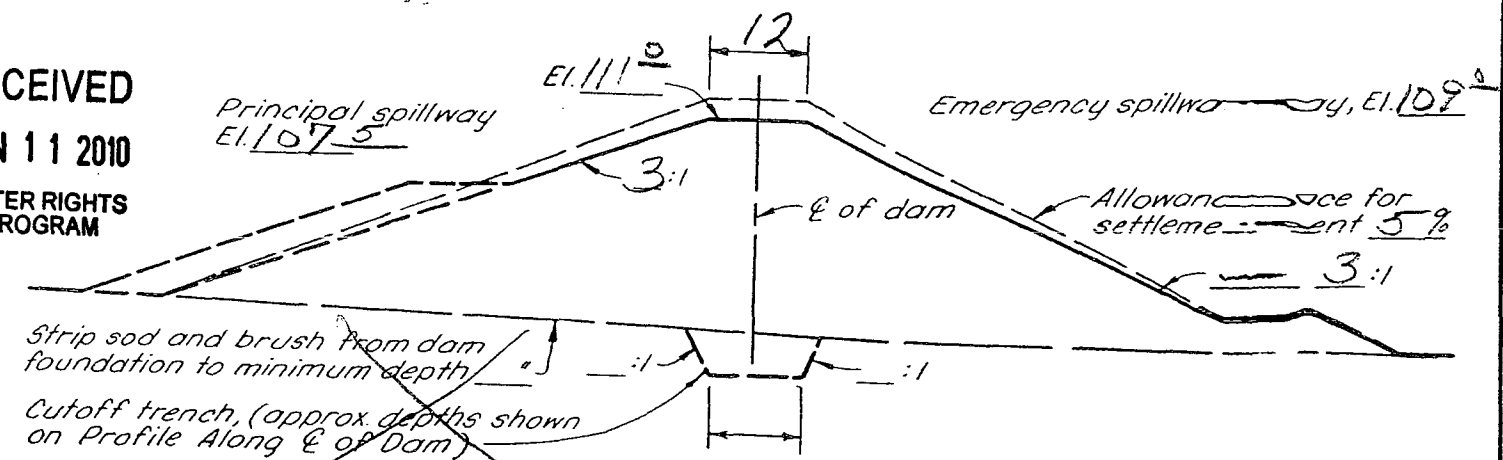
- A 25-yr storm is routed thru upper dam to act as a metering dam for lower structure

Sec. 18 T. 127 N. R. 55 W
Marshall County

TABLE OF QUANTITIES

[illegible]

**WATER RIGHTS
PROGRAM**



TYPICAL CROSS SECTION OF DAM

UPPER DAM
EARTH DAM

S.D. CONSTRUCTION AND MATERIAL SPECIFICATIONS:

SD-2 Clearing & Grubbing
SD-7s Earth Fill
SD-9 Drain Fill
SD-12B Concrete
SD-17 Metal Fabrication
SD-19 PVC

OPERATOR:

R: Neil & Lyle Bieenen

CONSERVATION DISTRICT:

Marshall

Class "A" Hazard

See top pg by FF&WL

SKETCH PLAN OF DAM AND RESERVOIR AREA

Approximate scale 1" = _____

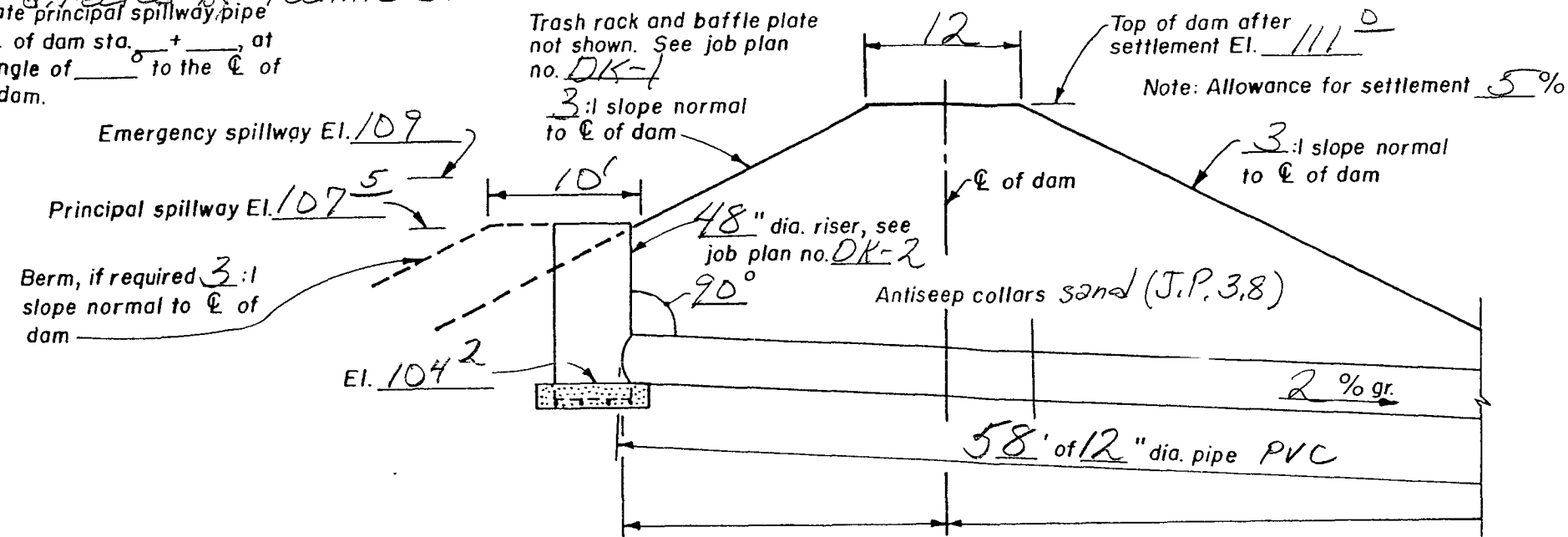
REFERENCE: GUIDE PLAN NO. 1.0

JOB PLAN NO. 1.0

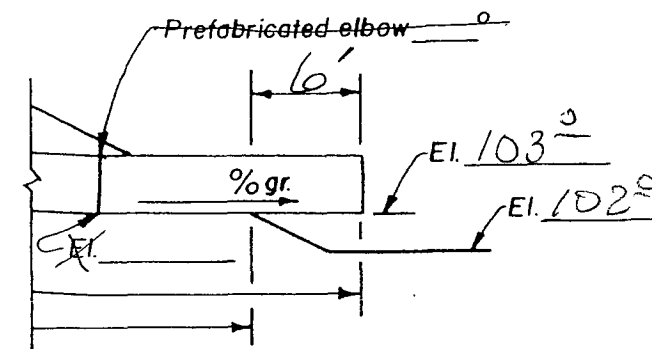
USDA-SCS-LINCOLN, NEBR. 1973

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

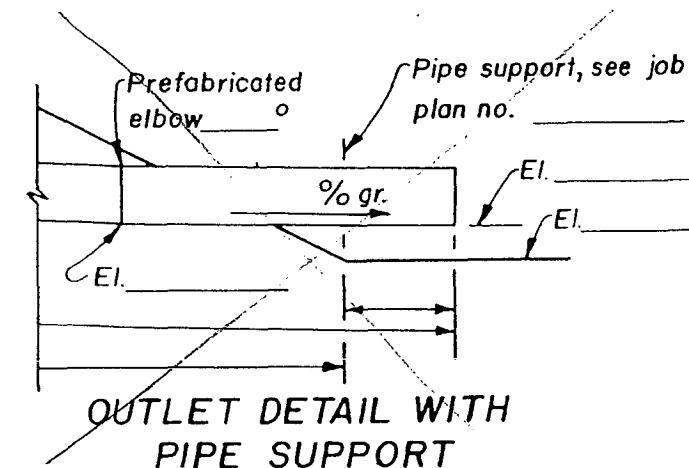
As directed by technician
Locate principal spillway pipe
at CL of dam sta. $\text{---} + \text{---}$, at
an angle of ---° to the CL of
the dam.



CROSS SECTION OF DAM ALONG C OF PRINCIPAL SPILLWAY
(Not to scale)



OUTLET DETAIL WITHOUT PIPE SUPPORT



~~OUTLET DETAIL WITH
PIPE SUPPORT~~

Sec. _____, T. _____, R. _____
County _____

CORRUGATED METAL PIPE
DROP INLET PRINCIPAL SPILLWAY

OPERATOR Neil & Lyle Bien

CONSERVATION DISTRICT

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

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

SPECIFICATION NOTES

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

48" Concrete riser with
12" PVC, gnost as
necessary

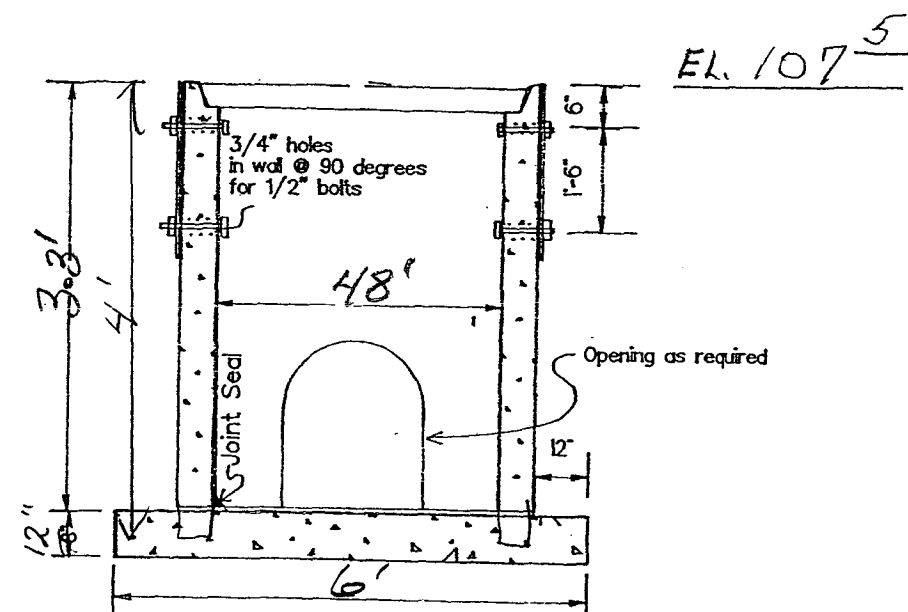
TABLE OF QUANTITIES

[illegible]

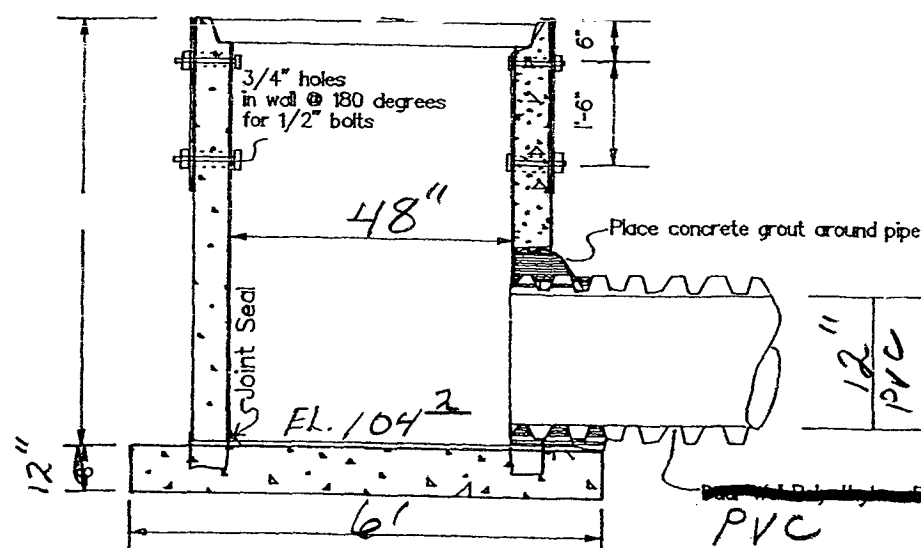
APPLICABLE STANDARD S.C.S. SPECIFICATIONS

Rev. 8/80
JOB PLAN NO. 2.0

REFERENCE: GUIDE PLAN NO. 2.0



FRONT VIEW



SIDE VIEW

CONSTRUCTION NOTES:

- 1- Reinforced concrete pipe shall meet ASTM C-478.
- 2- ~~Reinforced concrete pipe shall be equal to~~ *PVC- SDR-35 or SDR-26*
- 3- Provide holes in concrete pipe for lifting lugs.
- 4- Alternative to concrete base is poured in place concrete base

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

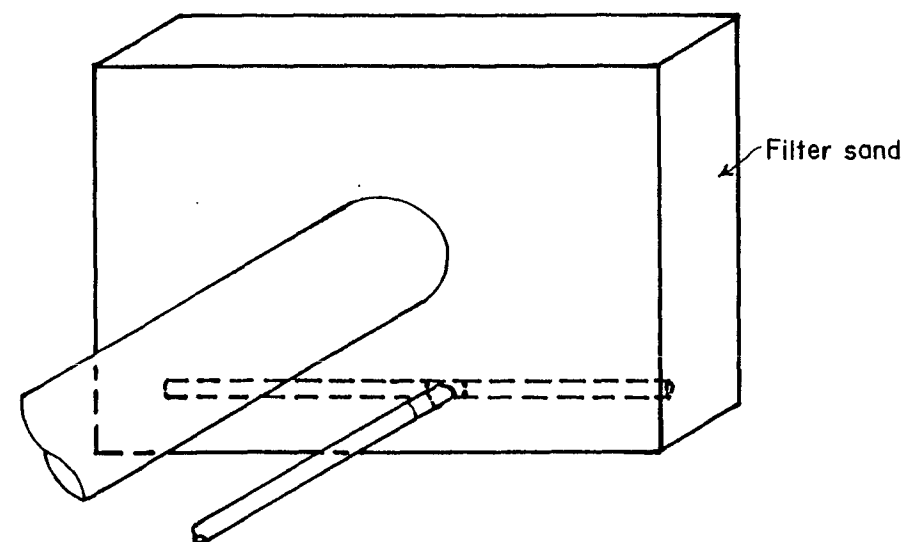
ITEM	UNIT	QUANTITY
CONCRETE	CU. YD.	1.3
REINFORCING STEEL	LB.	44

Neil & Lyk Bien

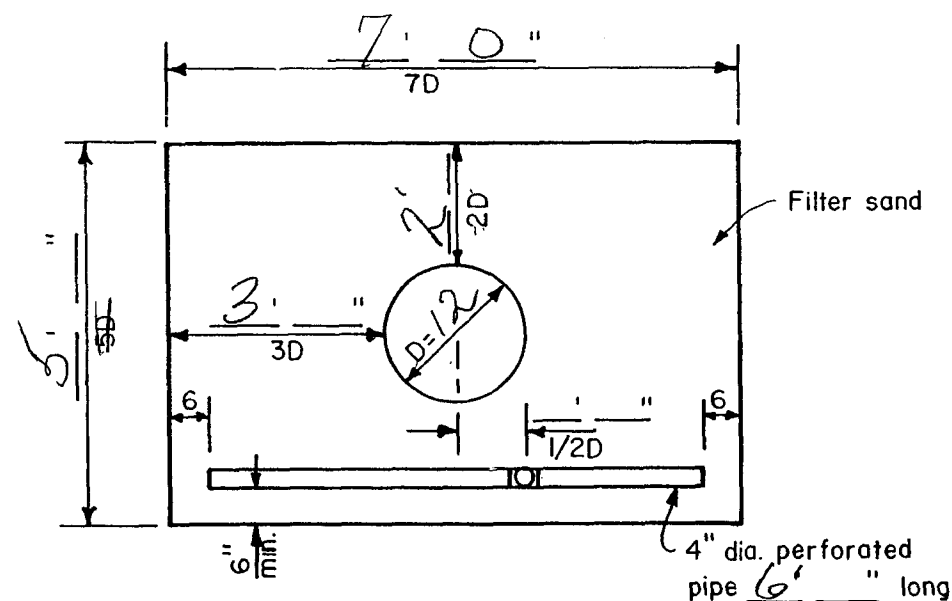
CONCRETE RISER
for ~~Reinforced~~ Pipe *PVC*

DESIGNED BY: D. Knecht
DRAFTED BY: D. Knecht
DATE: _____
APPROVED BY: _____
TITLE: _____
SHEET OF: _____
DWG NO. _____

DK-2



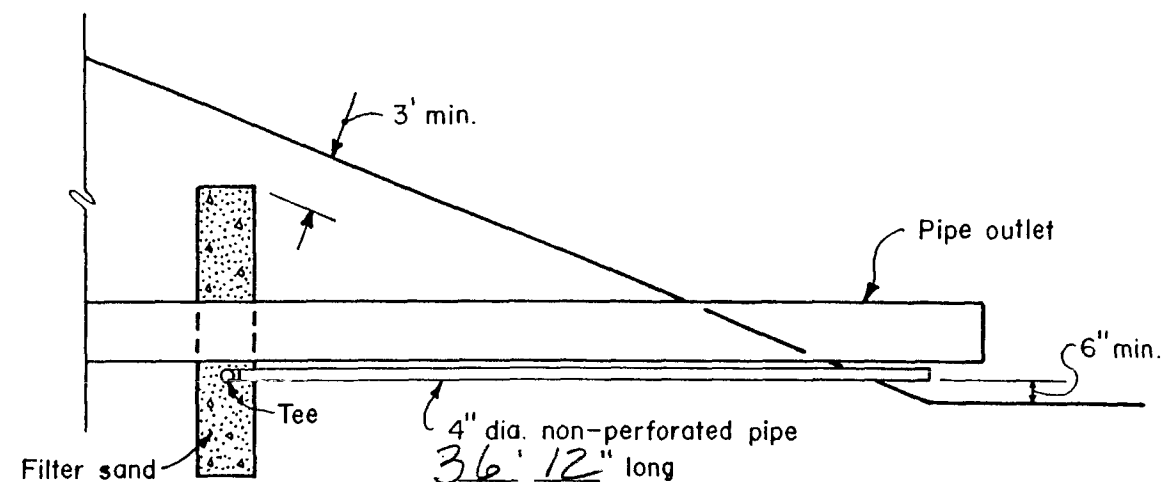
ISOMETRIC VIEW



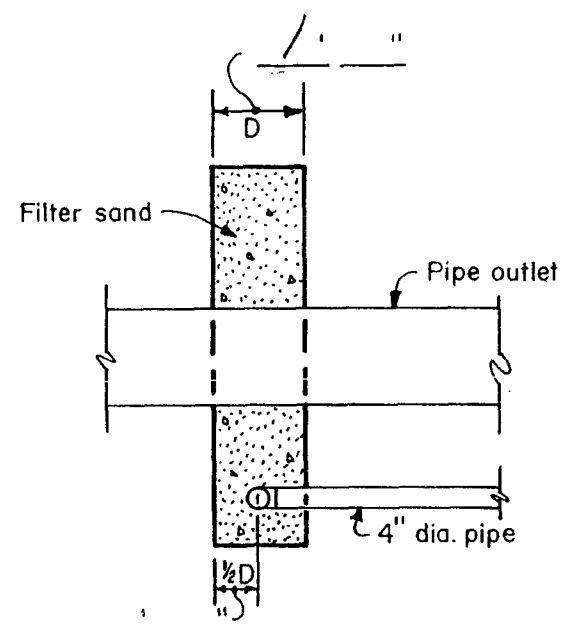
UPSTREAM VIEW

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 $\frac{1}{2}$ " 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
1.3 cy

Sec. _____, T. _____, R. _____

County _____
LOCATION

SAND ANTISEEP COLLAR

OPERATOR Neil & Lyle Bein

CONSERVATION DISTRICT _____

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

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

JOB PLAN NO. 3.8

Neil & Lyle Bien
Marshall Co.

Sec 7 & 18 - 127-55

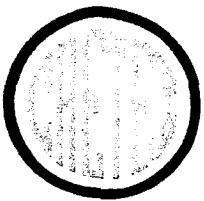
Spillway @ 109.0 = 54.74c

Top @ 111.1 = 58.44c

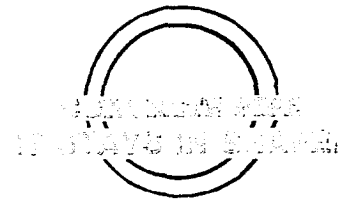
Dam

1" = 200'





SOUTH DAKOTA CONCRETE PRODUCTS COMPANY
PIERRE, SD 57501 • (605) 224-8641 • FAX (605) 224-6928

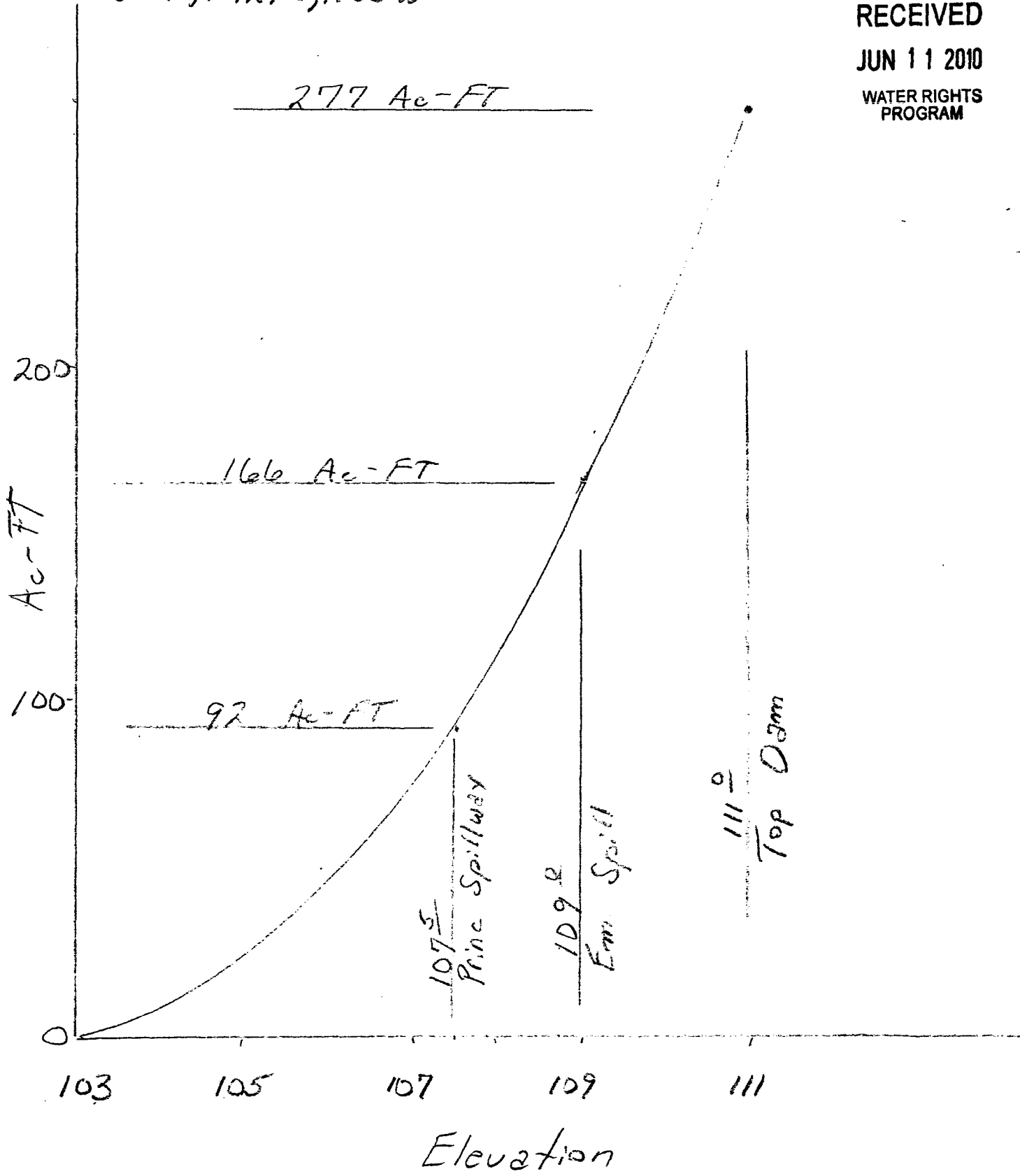


PROJECT Neil & Lyle Bien - Marshall Co.

DATE _____

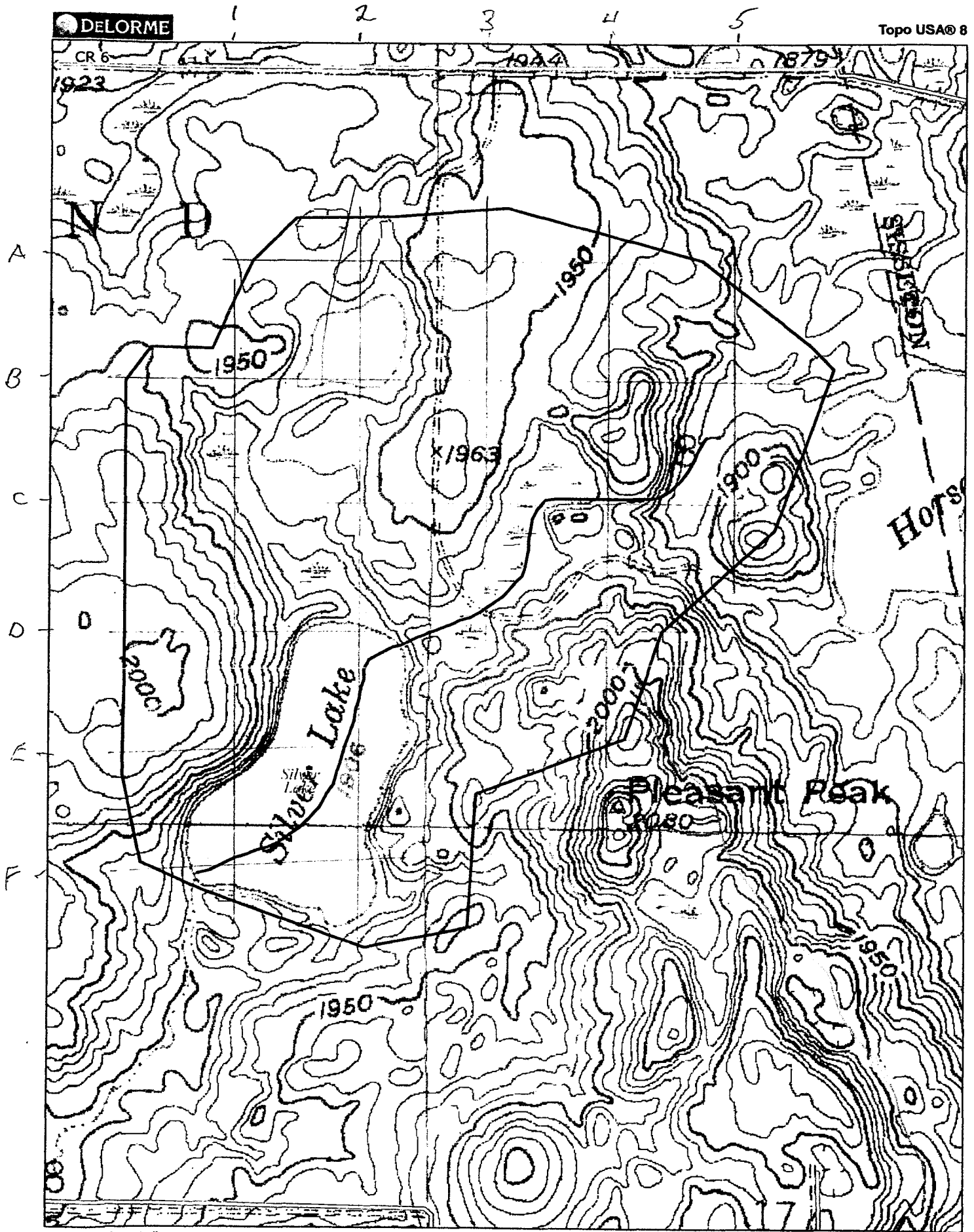
Sec 13, T 127 N, R 53 W

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WATER RIGHTS
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DeLORME

Topo USA® 8



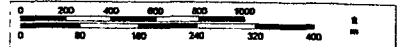
Data use subject to license.

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www.delorme.com

TM
MN (4.1°E)

Scale 1 : 10,400



1" = 866.7 ft

Data Zoom 13-7

No. 1 Elye Bien

1*****
 SITES XEQ 05/28/2010 WATER RESOURCE SITE ANALYSIS COMPUTER PROGRAM
 VER 2005.1.04 (USER MANUAL - DATED DECEMBER 2005)
 TIME 10:07:20

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

SITES 01/01/2005 Neil Bein 7-127-55 0.6265625 H5
 SAVMOV 0 101
 SAVMOV 101 1 18 1
 * North Dam Sec 7, T127, R55W Marshall Co
 * 25-yr storm thru PS to act as rregulating dam for lower structure
 STRUCTURE
 103 0
 109 54.7
 111 58.4
 ENDTABLE
 WSDATA 5A1No AC 72 401 5238 4.9
 PDIRECT 4.2 4.20
 POOLDATA ELEV 107.5 107.5 103 103 SC
 PSINLET 1 12.56
 PSDATA 1 60 12 .01 103
 ASDATA 41 120 50 3 .04 2
 ASINSURF 41 .03
 ASINLET 41 0.0 0.0 50 0.0 3
 150 5
 ENDTABLE
 ASEXSURF 41 .035
 .65 0
 3
 2 0
 .02
 ENDTABLE
 ASEXIT 41 N 80
 BTMWIDTH FEET 40
 GRAPHICS I
 GO,DESIGN HL TYPE2 24 TYPE2378 24
 SAVMOV 2 101 1
 ENDJOB

1SITES XEQ 05/28/2010 ----- COMMENT PAGE -----
 VER 2005.1.04 Neil Bein 7-127-55 WSID =

North Dam Sec 7, T127, R55W Marshall Co

25-yr storm thru PS to act as rregulating dam for lower stru

***** 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.

1 SITES

XEQ 05/28/2010
VER 2005.1.04
TIME 10:07:20

Neil Bein 7-127-55
SITE = S 1

WSID=
SUBW= No
PART= 1
PASS= 1

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

STORM DISTRIBUTION-PSH 24 HOUR TYPE II RAINFALL DISTRIBUTION

STORM DISTRIBUTION AUX. -24 HOUR TYPE II RAINFALL DISTRIBUTION

PRECIP. - P-PS,1-DAY	P-PS,10-DAY	P-SD	P-FB	
4.20	0.00	0.00	4.20	
WSDATA - CN	DA-SM	TC/L	-/H	ORF
72.00	0.63	5238.00	4.90	0.00
SITEDATA- PERM POOL	CREST PS	FP SED	VALLEY FL	378?
107.50	107.50	0.00	103.00	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	60.00	12.00	0.00	
PS N	KE	WEIR L	TW EL	
0.010	1.00	12.56	103.00	
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	120.00	50	
AUX.DATA - INLET N	SIDE SLOPE	EXIT N	EXIT SLOPE	ACTUAL AUX?
0.030	3.00	0.035	0.040	NO
BTM WIDTH - BW1	BW2	BW3	BW4	BW5
ft 40.00	0.00	0.00	0.00	0.00

AUXILIARY SPILLWAY RATING DEVELOPED USING WSPVRT.

1SITES

XEQ 05/28/2010
VER 2005.1.04
TIME 10:07:20

Neil Bein 7-127-55
SITE = S 1

WSID=
SUBW= No
PART= 2
PASS= 1

PERM POOL	107.50 FT	92.3 ACFT	41.03 AC	0.0 CFS
CREST PS	107.50 FT	92.3 ACFT	41.03 AC	0.0 CFS

START ELEV 107.50 FT 92.5 ACFT 41.06 AC 0.0 CFS
 EFFECTIVE HEIGHT(H)= 5.5 FEET, PRODUCT= 758. (H * STORAGE AT CREST AUX.).
 INPUT DESIGN CLASS = A1 = LT 3000. PRODUCT.
 NRCS-FBH D= 24.00 HR P= 4.20 IN Q= 1.60 IN DA= 0.63 SM
 TC= 1.14 HR CN= 72.00 VOL= 53.5 ACFT
 PEAK = 308.3 CFS, AT 12.7 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	107.50	0.00	0.00	0.00	92.31	41.03
2	107.59	0.98	0.98	0.00	95.87	41.81
3	107.67	2.78	2.78	0.00	99.50	42.59
4	107.76	5.10	5.10	0.00	103.19	43.38
FULL CONDUIT FLOW, ELEV = 107.84 FT						
5	107.84	7.86	7.86	0.00	106.96	44.16
6	107.93	7.93	7.93	0.00	110.61	44.91
7	108.01	7.99	7.99	0.00	114.32	45.66
8	108.09	8.06	8.06	0.00	118.10	46.40
9	108.17	8.12	8.12	0.00	121.93	47.15
10	108.25	8.19	8.19	0.00	125.83	47.90
11	108.34	8.25	8.25	0.00	129.79	48.65
12	108.42	8.31	8.31	0.00	133.81	49.39
13	108.50	8.38	8.38	0.00	137.89	50.14
14	108.62	11.83	8.47	3.36	144.23	51.28
15	108.75	15.29	8.57	6.73	150.71	52.42
16	108.97	30.67	8.73	21.94	162.74	54.47
17	109.25	61.21	8.93	52.28	177.83	55.16
18	109.75	145.12	9.28	135.84	205.65	56.09
19	110.38	289.22	9.70	279.52	241.06	57.24
20	111.00	470.83	10.10	460.73	277.20	58.40

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	70.	120.	0.0	0.030	**	**	**	CREST
2	120.	200.	4.0	0.035	0.65	3	2.0	EXIT !

@ The program interprets retardance curve index entries of less than 1 as Manning's n values.

* 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 2 used in computing exit channel velocities.

DRAWDOWN USING FREEBOARD STORM FOLLOWS, STARTING AT ELEVATION 108.49 FT.

DRAWDOWN (DDT) TEST 107.50 FT 92.3 ACFT 0.00 CFS
 CONTROL IS 0.000 DETENTION STORAGE

DRAWDOWN TIME = 9.60 DAYS, TO 0.0 CFS (LIMIT = 10.00 DAYS)

ROUTED RESULTS	BTM WIDTH FT	MAX ELEV FT	VOL-MAX ACFT	AREA-MAX AC	AUX.-HP FT	VOL-AUX. ACFT
NRCS-FBH	40.0	108.49	137.3	50.0	0.00	0.0

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

PEAK - CFS DISCHARGE =	Q-PS 8.4	Q-AUX. 0.0	Q-TOT. 8.4
---------------------------	-------------	---------------	---------------

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

***** MESSAGE - MAX. DISCHARGE OF 0. CFS IS BELOW CREST AUXILIARY
 SPILLWAY. NO STABILITY STRESS COMPUTED.

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 (188. CFS).

ROUTED RESULTS	BTM WIDTH FT	MAX ELEV FT	VOL-MAX ACFT	AREA-MAX AC	AUX.-HP FT	VOL-AUX. ACFT
MIN. AUX.	40.0	109.98	218.6	56.5	1.48	80.7

^^^^ NOTE -- ACTUAL Hp OF 1.48 RAISED TO MEET MIN. 378 CRITERIA.

PEAK - CFS DISCHARGE =	Q-PS 9.4	Q-AUX. 188.2	Q-TOT. 197.7
---------------------------	-------------	-----------------	-----------------

	CRITICAL DEPTH FT	CRITICAL VELOCITY FT/SEC	CRITICAL SLOPE-Sc FT/FT	25% OF Q Sc FT/FT
AUXILIARY SPILLWAY ---	0.86	5.12	0.019	0.026

>>>>> NHCP378 RUN - MINIMUM DEPTH, CREST AUX. TO TOP OF DAM IS 2.00 FT.
 NEW TOP OF DAM ELEVATION = 110.50.

ROUTED	BTM WIDTH	MAX ELEV	VOL-MAX	AREA-MAX	AUX.HP	VOL-AUX.
--------	-----------	----------	---------	----------	--------	----------

Water Permit Application No. 7205-3

Neil & Lyle Brien

Top of Dam Elev. - 111.0
 2nd Spillway Elev. - 109.0
 P. Spillway Elev. - 107.5
 D/S Emb. Toe Elev. - 102.0

Cont. 3-Low Hazard Dam

Ht. = 9 ft

Normal Storage Capacity = 92 A.-Ft
 Int. Storage Capacity = 166
 Max. Storage Capacity = 277

Int. Capacity x Eff Ht. = $166 \times 5.5 = 913 < 3000 \therefore 25 \text{ yr}$
Minimum Spillway Design

From USGS WRI 98-4055 "Tech. for Est. Peak Flow ... in SO"
 Region A $OA = 401 \text{ A} = 0.63 \text{ mi}^2$ $P_H = 0.85$

$$Q_{25} = 218 CA^{.513} P_H^{.480}$$

$$= 218 (0.63)^{.513} (0.85)^{.480}$$

$$= 218 (.7892) (.4584)$$

$$= \underline{79 \text{ cfs}}$$

$$Q_{100} = 362 CA^{.521} P_H^{.447}$$

$$= 362 (.63)^{.521} (0.85)^{.447}$$

$$= 362 (.7861) (.4836)$$

$$= \underline{138 \text{ cfs}}$$

Secondary Spillway Capacity

$$Q = CH^3$$

$$C = 2.6$$

$$h = 40$$

$$H = 2.0$$

$$= (2.6)(40)(2)^3$$

$$= \underline{295 \text{ cfs}}$$

NRCS Annual Yield

$$CN = 72 \quad DA = 401 \quad ISO = 2\frac{1}{2}$$

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 - OK
9. EPP - N/A Cont. 3 - OK

$$80\% \text{ chance} = 0.11$$

$$0.11 \times 401/12 = \underline{4 \text{ A.-Ft}}$$

$$50\% \text{ chance} = 0.33$$

$$0.33 \times 401/12 = \underline{11 \text{ A.-Ft}}$$

$$10\% \text{ chance} = 1.80$$

$$1.80 \times 401/12 = \underline{60 \text{ A.-Ft}}$$



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

July 14, 2010

Neil Bien
10770 435th Ave.
Veblin, SD 57270

Dear Mr. Bien:

We have reviewed the plans and specifications for your dam project located on the Silver Lake outlet in the NW ¼ NE ¼ of Sec. 18-T127N-R55W, in Marshall County. The plans and specifications for the project 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. 7205-3 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 Bien Dam No.2 will be classified as a small size Category 3, Low Hazard dam with a dam height of 9 feet and a normal storage capacity of 92 acre-feet and a maximum storage capacity of 277 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
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**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7205-3, Neil and Lyle Bien**

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. 7205-3, Neil and Lyle Bien, 10770 436th Avenue, Veblen SD 57270.

The Chief Engineer is recommending APPROVAL of Application No. 7205-3 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. 7205-3 authorizes a dam with a storage capacity of 92.3 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 13, 2010

REPORT ON
WATER PERMIT APPLICATION NO. 7205-3
Neil and Lyle Bien
June 17, 2010

Water Permit Application No. 7205-3 has been filed by Neil and Lyle Bien to impound 92.3 acre-feet of water from runoff by constructing a dam located at the outlet of Silver Lake in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18-T127N-R55W, in Marshall County. The application also requests impoundment of sufficient water to maintain water to the new outlet elevation. The water will be used for fish and wildlife production and recreational use 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, construction of the dam can not begin until Water Permit Application No. 7205-3 is approved.

The dam will be 9 feet high with a normal storage capacity of 92.3 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 277 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 401 acres or 0.63 square miles. The dam is designed to have a 48 inch concrete riser with a 12 inch diameter PVC barrel with 3.5 feet of freeboard as the primary spillway, and a 40 foot wide earthcut secondary spillway with 2.0 feet of freeboard. A 25 year frequency event produces a peak runoff of approximately 80 cfs and a 100 year frequency event produces a peak runoff of approximately 138 cfs. The earthcut spillway will have a capacity of approximately 295 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 4 acre-feet. The annual yield with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be 11 acre-feet and the annual yield with a 10 percent chance, or 1 out of 10 years, is expected to be 60 acre-feet.

The Bien Dam No. 2 will be located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18-T127N-R55W at the outlet of Silver Lake, about 2 miles upstream of the confluence of the unnamed tributary and Wild Rice Creek. The Department of Game, Fish and Parks holds Water Right No. 949-3 for 660 acre-feet of storage in White Lake Dam, which is located about 8 miles downstream of the proposed project. Approval of Water Right No. 7205-3 should not have any adverse effect on Water Right No. 949-3. There are no other existing Water Permits located on the unnamed tributary or Wild Rice Creek between the proposed dam and White Lake Dam.

Page 2

Application No. 7205-3

Neil & Lyle Bien

Conclusions:

1. Water Permit Application No. 7205-3 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. 7205-3.

A handwritten signature in black ink, reading "Timothy G. Schaal". The signature is written in a cursive, flowing style.

Timothy G. Schaal, P.E.

Natural Resources Engineering Specialist

2T(July 21, 28)

ION

JUL 29 2010

NOTICE OF APPLICATION
NO. 7205-3 to Appropriate
Water

A. County of Marshall.

WATER RIGHTS
PROGRAM

Notice is given that Neil and Lyle Bien, 10770 436th Ave, Veblen SD 57270 has filed an application for a water permit to impound 92.3 acre-feet of water from runoff by constructing a dam located in the NW 1/4 NE 1/4 Section 18 with water impounded in the N 1/2 NE 1/4 Section 18, S 1/2 SE 1/4, NE 1/4 SE 1/4 Section 7; all in T127N-R55W. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation and recreational use purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7205-3 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 contest-

ing 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 9, 2010.

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 \$47.50.

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

that the Notice of Application No. 7205-3 (Bien)
SD DENR

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

July 21, 2010
July 28, 2010

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

Forty-seven and 50/100
Lyle M Bien

Subscribed and sworn to before me this 28th

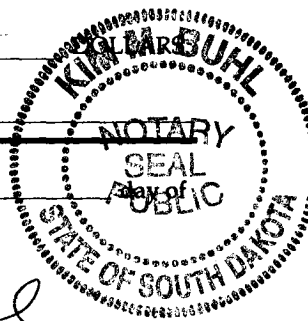
July

A. D., 2010

Kim M Buhl

Notary Public, Marshall County, S. D.

My Commission Expires March 12, 2016





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

July 14, 2010

Britton Journal
PO Box 69
Britton SD 57430

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7205-3 to Appropriate Water to be published twice. Please publish the first notice on July 21, 2010 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 Neil & Lyle Bien, 10770 436th Ave., Veblen SD 57270 (Ph # 605-448-2173).

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. 7205-3

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

Date _____

We are in receipt of your letter of July 14, 2010 enclosing Notice to Appropriate Water by Application No. 7205-3 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
denr.sd.gov

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

July 14, 2010

Neil & Lyle Bien
10770 436th Ave
Veblen SD 57270

Dear Sirs:

Water Permit Application No. 7205-3 for fish & wildlife & recreational use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Britton Journal printed at Britton SD (Ph # 605-448-2281). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352
eric.gronlund@state.sd.us

enclosures

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

Instruction to Newspaper - Publish first Notice on July 21, 2010 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. 7205-3 to Appropriate Water

Notice is given that Neil and Lyle Bien, 10770 436th Ave, Veblen SD 57270 has filed an application for a water permit to impound 92.3 acre-feet of water from runoff by constructing a dam located in the NW ¼ NE ¼ Section 18 with water impounded in the N ½ NE ¼ Section 18, S ½ SE ¼, NE ¼ SE ¼ Section 7; all in T127N-R55W. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation and recreational use purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7205-3 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 9, 2010.

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
denr.sd.gov

SEP 10 2010

Neil & Lyle Bien
10770 436th Ave
Veblen SD 57270

Dear Sirs:

Enclosed is Water Permit No. 7205-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

enclosures

Permit No. 7205-3
Red Rainy - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

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

I have this day, **October 9, 2013**, made a thorough examination of the water use system constructed by **Neil & Lyle Bien** of **10770 426th Ave. Veblin, SD 57270** holder of Permit No. **7205-3**, bearing the priority of **June 11, 2010** authorizing the storage of **92.3** acre-feet of the waters of **runoff** for **fish & wildlife propagation and recreational use** purposes, in **Marshall** County.

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

A. Works used to divert the water:

A 9 ft. high earthen dam with a normal storage capacity of 92.3 acre-feet of water.

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

N/A

C. Works used to apply water to beneficial use:

A 9 ft. high earthen dam with a normal storage capacity of 92.3 acre-feet of water.

The system is in the following condition **good**. The point of diversion is located **500 ft. south & 1600 ft. west of the NE corner of Sec. 18-T127N-R55W, NW ¼ NE ¼, (Lat. 45. 81785 Long. -97.46664)**. The works are capable of storing **92.3** acre-feet of water which is to be used for **fish & wildlife propagation and recreational use**. Water has been put to beneficial use to the maximum extent as follows:

A 9 ft. high earthen dam with a normal storage capacity of 92.3 acre-feet of water.

and the license should be issued for **92** acre-feet of storage.

Applicable permit qualifications have been complied with: Yes **X**

Exceptions to compliance are: **none** Date Report Completed: **January 30, 2014**



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

REPORT ON INSPECTION OF PERMIT NO. 7205-3

DATE OF INSPECTION: October 9, 2013

NAME & ADDRESS OF PERMIT HOLDER: Neil & Lyle Bien, 10770 426th Ave, Veblin, SD 57270

DIVERSION POINT LEGAL LOCATION: 500 ft. south & 1600 ft. west of the NE corner of Sec. 18-T127N-R55W, NW ¼ NE ¼, (Lat. 45.81785 Long. -97. 46664).

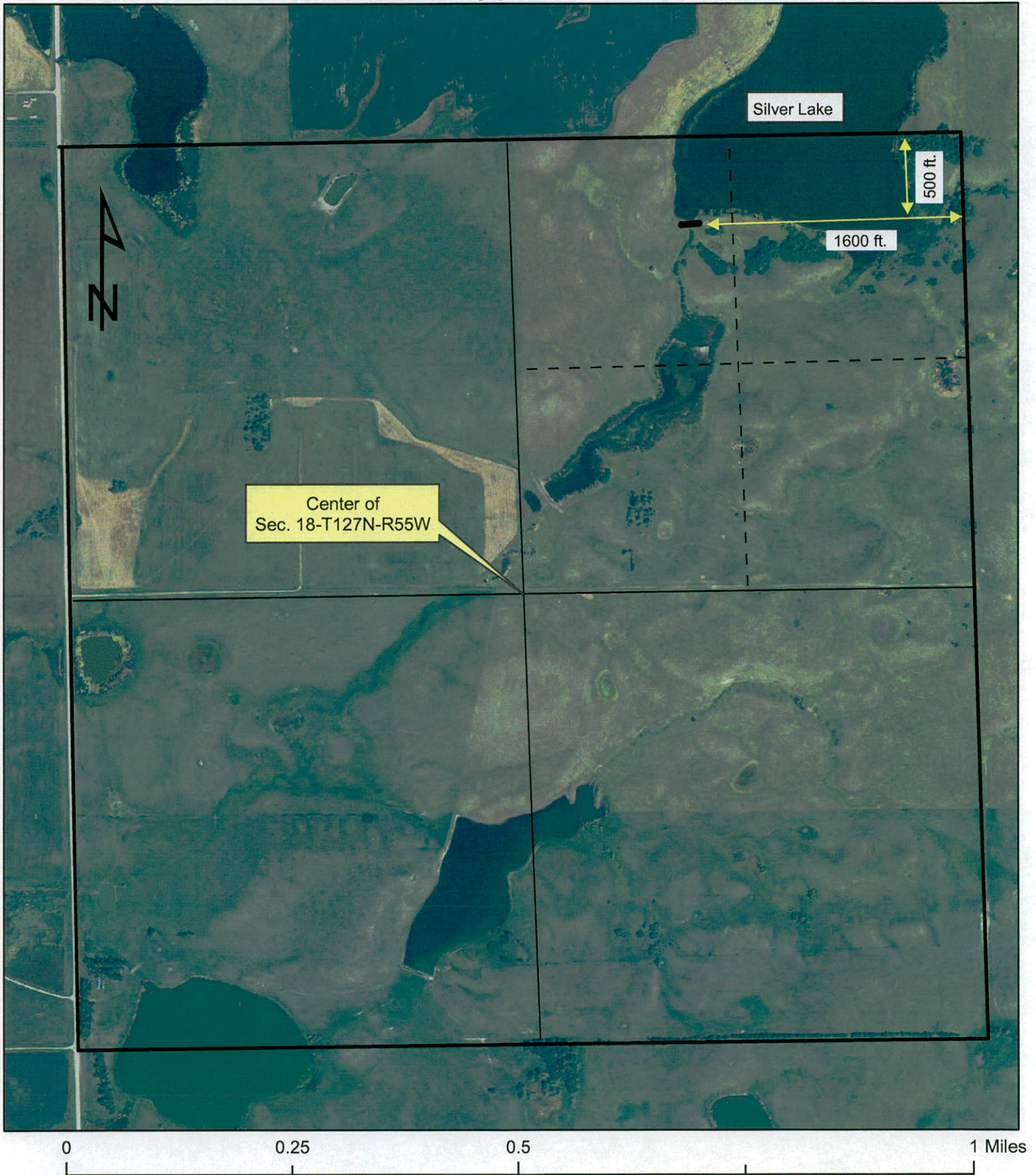
DAM INFORMATION:

- 1) Height to crest 9 feet
- 2) Height to primary spillway 5.5 feet
- 3) Height to secondary spillway 7 feet
- 4) Crest width 12 feet
- 5) Crest length 155 feet
- 6) Spillway length XXX feet
- 7) Spillway width 40 feet
- 8) Approx. storage (Normal) 92.3 acre-feet
- 9) Approx. storage (Maximum) 277 acre-feet
- 10) Date constructed: 2010

PERMIT QUALIFICATIONS AND REGULATIONS:

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

Water Permit Application No. 7205-3



Timothy G. Schaal

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

1/30/14



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov



FEB 20 2014

7205-3

Neil & Lyle Bien
10770 436th Ave
Veblen SD 57270

Dear Sirs:

Enclosed is Water License No. 7205-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7205-3

(1) Neil & Lyle Bien, 10770 436th Ave., Veblen SD 57270 made Application No. 7205-3, June 11, 2010 for a water permit to impound 92.3 acre feet of water from runoff in a dam located in Marshall County, South Dakota and used for fish & wildlife propagation and recreational purposes. Permit No. 7205-3, with a priority date of June 11, 2010 was approved August 9, 2010 and issued to the applicants for impoundment of water with construction of the storage dam to be completed on or before August 9, 2015 and the application to beneficial use of water on or before August 9, 2019.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the storage dam and are entitled to impound 92.3 acre feet of water for beneficial use with sufficient water annually to maintain the water level to the outlet elevation.

The location of the storage dam (spillway) is 500 feet south and 1,600 feet west of the NE corner of Section 18, T127N, R55W (NW ¼ NE ¼). Water is impounded in the N ½ Section 18 and S ½ SE ¼ & NE ¼ SE ¼ Section 7, T127N, R55W.

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Neil & Lyle Bien, 10770 436th Ave., Veblen SD 57270 the holders and/or owners of Water Right No. 7205-3 are issued a license to impound 92.3 acre feet water from runoff in a storage dam with a priority date of June 11, 2010 from the location specified in (2) of this license. The water is used for fish and wildlife propagation and recreational use.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7205-3 and subject to the following qualifications:

- Water Right No. 7205-3 authorizes a dam with storage capacity of 92.3 acre feet of water and sufficient water annually to maintain the water level to the outlet elevation.
- Low flows as needed for downstream domestic use, including livestock water and prior water rights must be bypassed.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 20 2014

date

