

WATER PERMIT NO. 7212-3

Name of Applicant: James Evenson

Address: 12054 455th Ave, Sisseton SD 57262

Phone: ⁷⁴²605 642-4662

Amount of Water Claimed: 23.3 add'l AF

Total Acres: NA

Source of Water Supply: runoff

Water to be used for: fwp, livestock

County: Roberts

Type of Waste Disposal System: NA

Location: 2 miles southwest of Sisseton

PRIORITY

Date Received: 9-13-2010

Application/License Fee: \$500

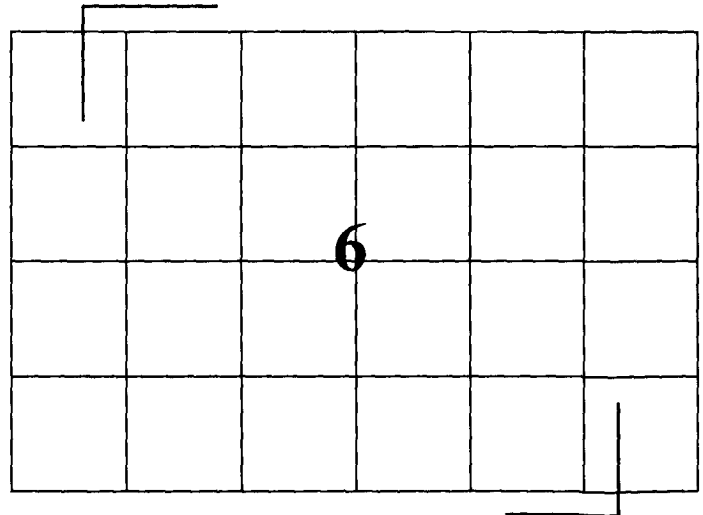
Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks: Add'l storage to the 36.7 AF authorized by Water Permit No. 7147-3

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: NA

Remarks:

Type of Map: aerial

Prepared by: Thomas L Wickstrom, USFWS

Reviewed and the Number Assigned on: 9-13-2010

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

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>7212-3</u>	(office use only) Hydrologic Unit <u>07020001</u>
	Basin _____	
	Newspaper _____	

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SEP 13 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 <u>Livestock</u>	

Type of Application:
(check one)

☐ New	☐ Vested Right (Use predates Mar 2, 1955)	☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____		
☐ Amendment/Correction to Permit No. _____		

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

Add Storage to Water Permit # 7147-3

- Name of Applicant James Evenson Phone (605)742-4662
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 12054 455th Ave Sisseton SD 57262
(Address) (City) (State) (Zip Code)
- Amount of water claimed _____ *CFS or _____ **GPM 2.33 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
Add
- 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: SE 1/4 NW 1/4 Sec 6 - T125N - R51W
- 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 Engineers Sketch Plan of Dam

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. Also, attach map and any other technical information. (see instructions)

I, James Evenson, 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 James EvensonSubscribed and sworn to before me this 8th day of Sept 20 10

My Commission

Expires 3-28-13Notary Public signature Andrea Nelson

**SOUTH DAKOTA
WATER PERMIT NO. 7212-3**

Date of first receipt of application September 13, 2010.

The Water Management Board approved Water Permit No. 7212-3 on March 9, 2011 for James Evenson, 12054 455th Ave, Sisseton SD 57262 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7212-3 authorizes impoundment of an additional 23.3 acre-feet of water. Water Permit No. 7147-3 authorized impoundment of 36.7 acre-feet of water from runoff by constructing a 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 permit authorizes an increase in the storage capacity of an additional 23.3 acre-feet for a total storage capacity of 60 acre-feet in the dam.
2. The water appropriated shall be used for the purpose of 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 from which applicant may claim right is September 13, 2010.
5. One-fifth of the construction is to be completed on or before September 9, 2013.
6. All construction is to be completed on or before March 9, 2016.
7. Water is to be put to beneficial use on or before March 9, 2020.
8. 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 Nos. 7147-3 and 7212-3, combined authorizes a dam with a storage capacity of 60 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

APR 26 2011

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.

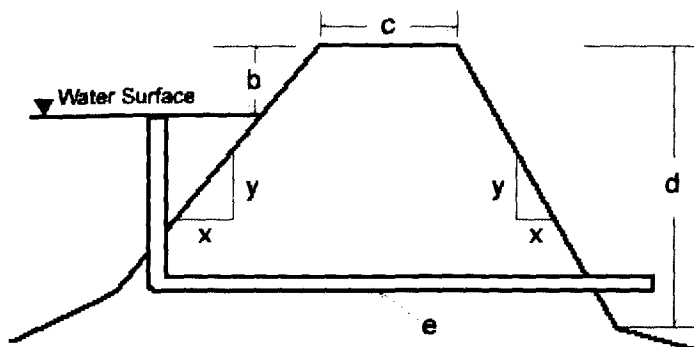
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:
- Konechne Engineering
104 Capitol Hill Drive
Pierre, SD 57501

- b) Freeboard 3.2 feet
- c) Crest Width 12
Crest Length 430
- d) Height 34
- e) Primary Outlet Capacity 75

If pipe, diameter 48" drop with 24" outlet

- f) Secondary Spillway Capacity 489
Spillway Width 50
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream 3:1
Downstream 3:1

- h) Surface Area of Impoundment 5.3
- i) Storage 60.0 Acre Feet
- j) Drainage Area Above Dam 941.0 Acres





James Evenson Roberts County



0.5

0.25

0

0

Miles

*TLW
Thomas L. Wickstrom
Fish & Wildlife Biol.
Waubesa NW*

Legend

FEATURE

 Wetland Created

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WATER RIGHTS
PROGRAM



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WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 9/13, 20 10

RECEIVED OF J A Evenson Stacked Rock Ranch 12054 455th Ave Sisseton SD 57242

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	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. _____	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. **04612**

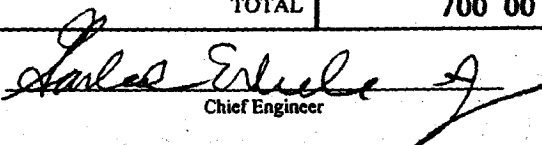
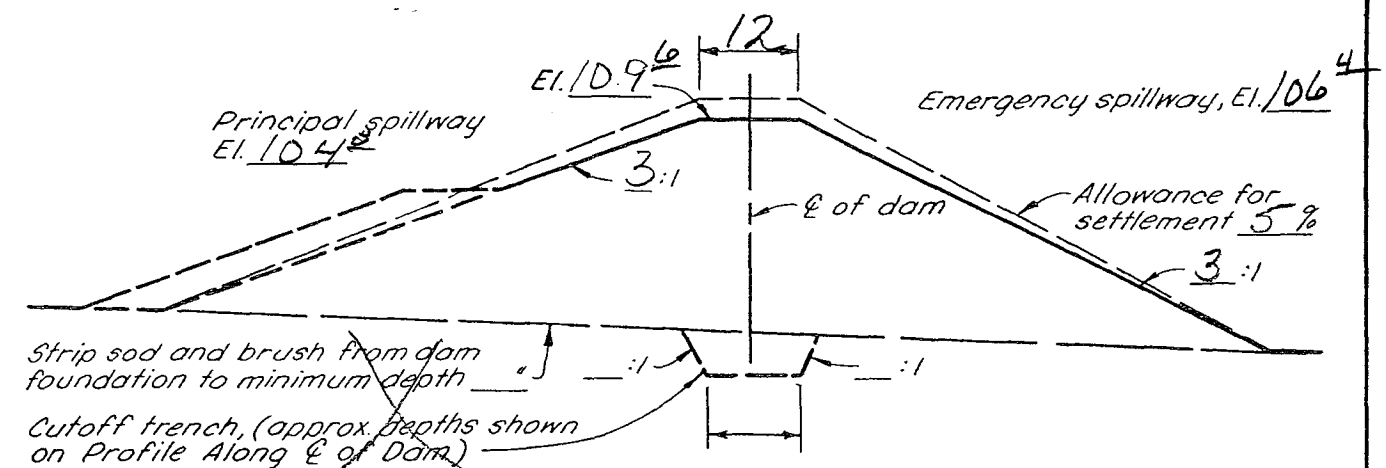
By 
Chief Engineer

TABLE OF QUANTITIES

Top of D3m 89

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

[illegible]

REGISTERED PROFESSIONAL ENGINEER
 REG. NO. 3208
 DAVID F. KONECHNE
 SOUTH DAKOTA

Approximate scale 1" = _____

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-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	Drawing No.	
Checked		No		
		of		

JOB PLAN NO. 1.0

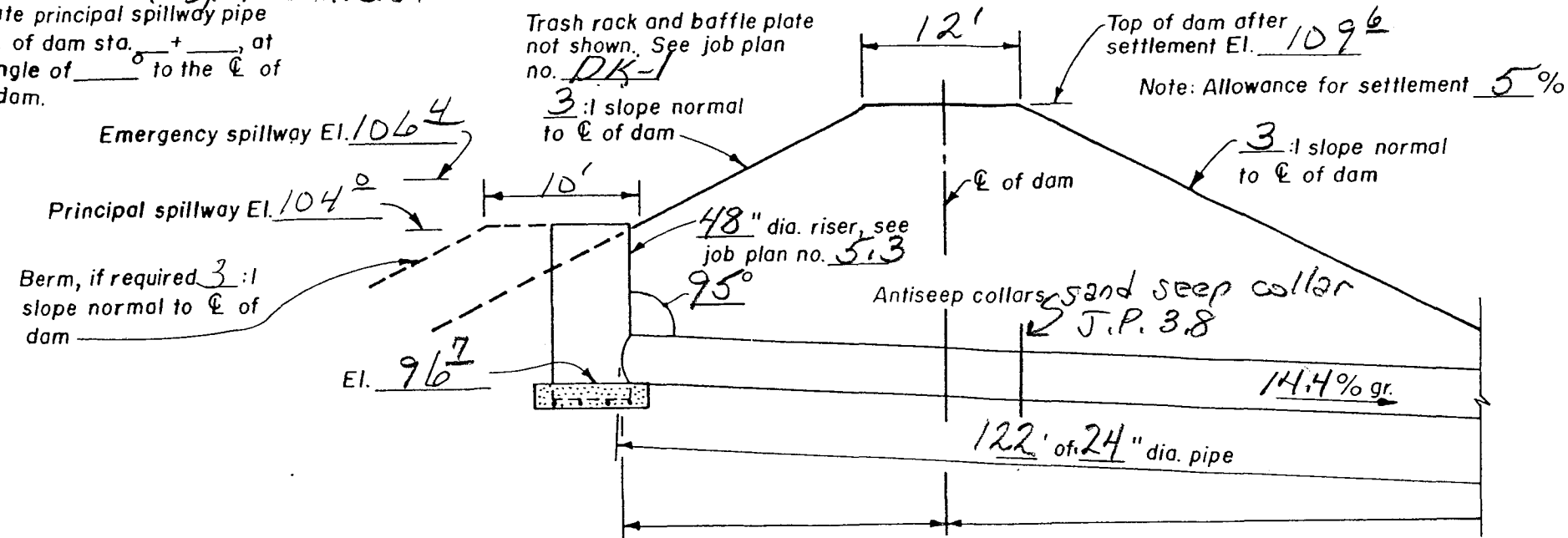
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SEP 13 2010

**WATER RIGHTS
PROGRAM**

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

As directed by technician
Locate principal spillway pipe
at C of dam sta. + , at
an angle of ° to the C of
the dam.



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

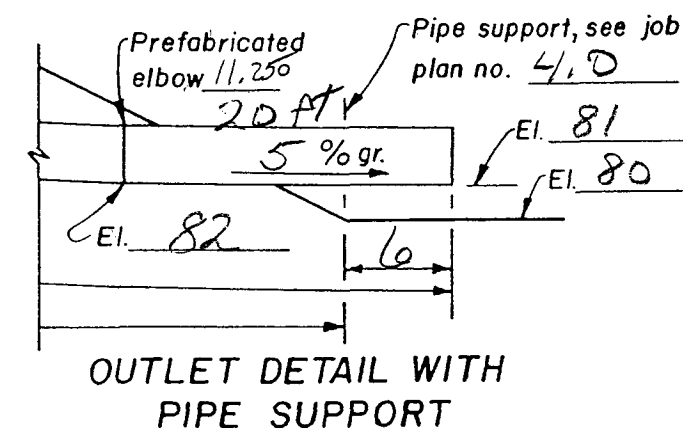
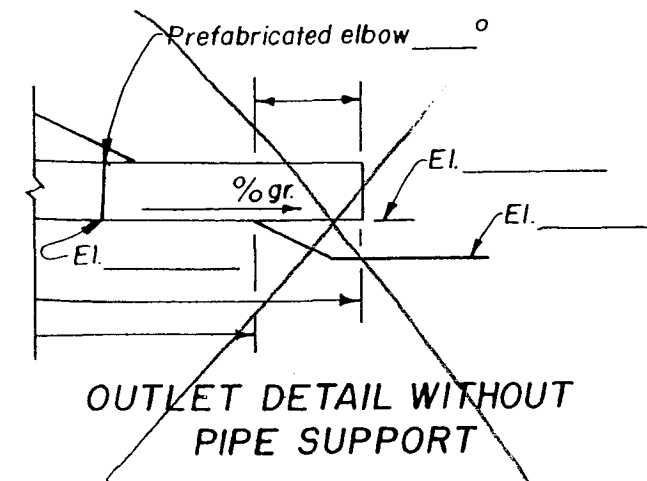
SPECIFICATION NOTES

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.

TABLE OF QUANTITIES

[illegible]

APPLICABLE STANDARD S.C.S. SPECIFICATIONS



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

LOCATION

CORRUGATED METAL PIPE
DROP INLET PRINCIPAL SPILLWAY

OPERATOR James Evenson

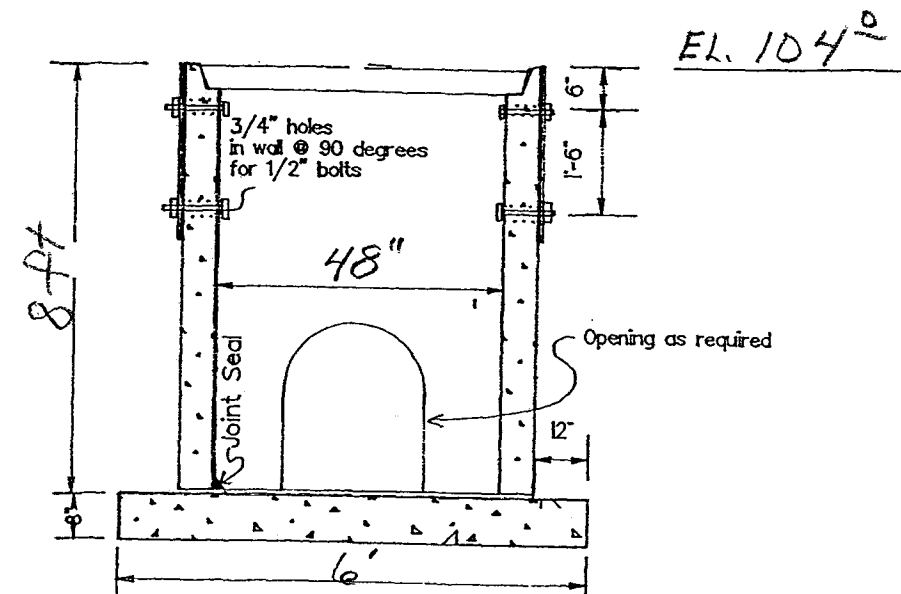
CONSERVATION DISTRICT

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

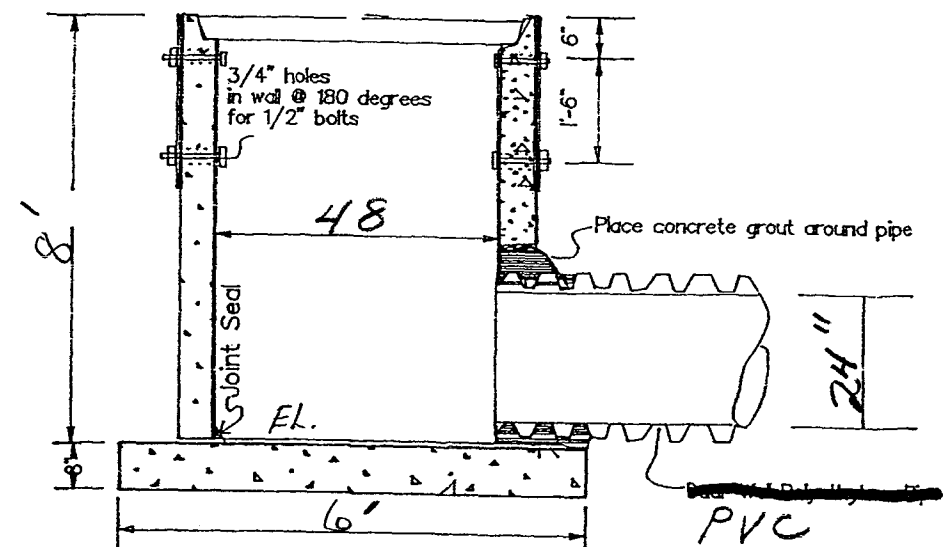
	Date	Approved by
Designed		Title
Drawn		Title
Traced		Title
Checked	Sheet No of	Drawing No.

REFERENCE: GUIDE PLAN NO. 2.0

Rev. 8/80
JOB PLAN NO. 2.0



FRONT VIEW



SIDE VIEW

CONSTRUCTION NOTES:

- 1- Reinforced concrete pipe shall meet ASTM C-478.
- 2- ~~PVC - SDR-35 or SDR-26~~ ~~PVC pipe shall be equal to~~ ~~ASTM D-1784~~
- 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

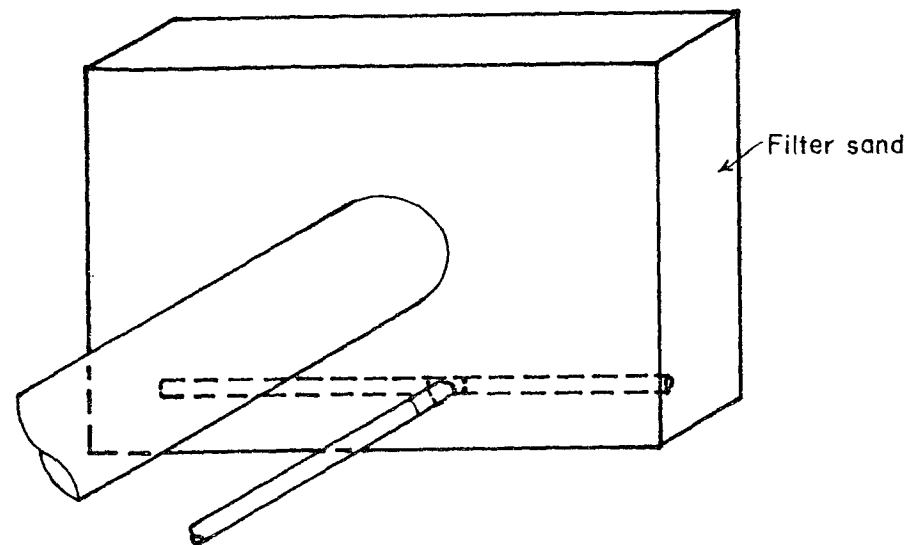
TABLE OF QUANTITIES

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

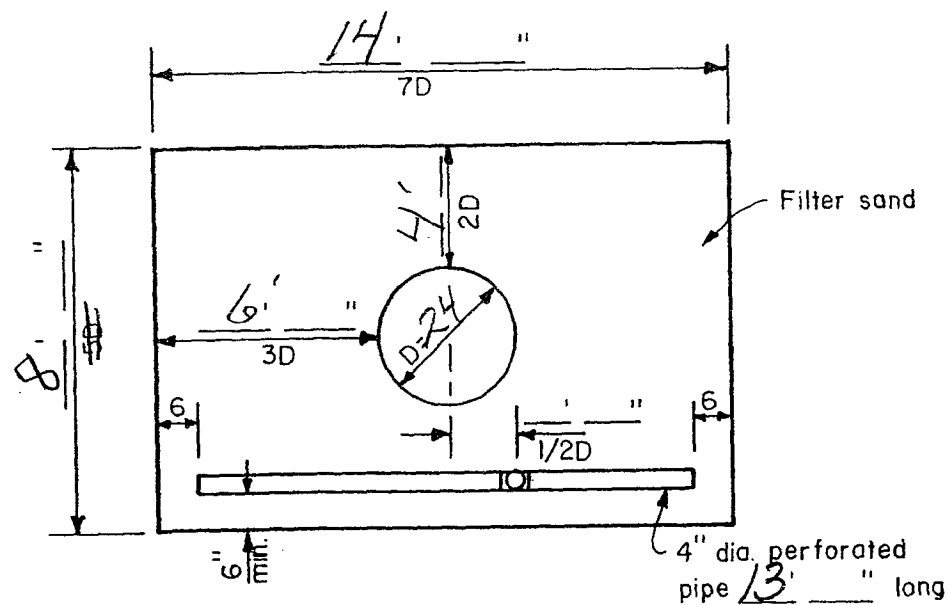
James Evenson

CONCRETE RISER for PVC Pipe PVC	
DESIGNED BY <u>D. K. 2</u>	APPROVED BY _____
DRAWN BY <u>D. K. 2</u>	TITLE _____
DATE _____	SHEET _____ OF _____

DK-2



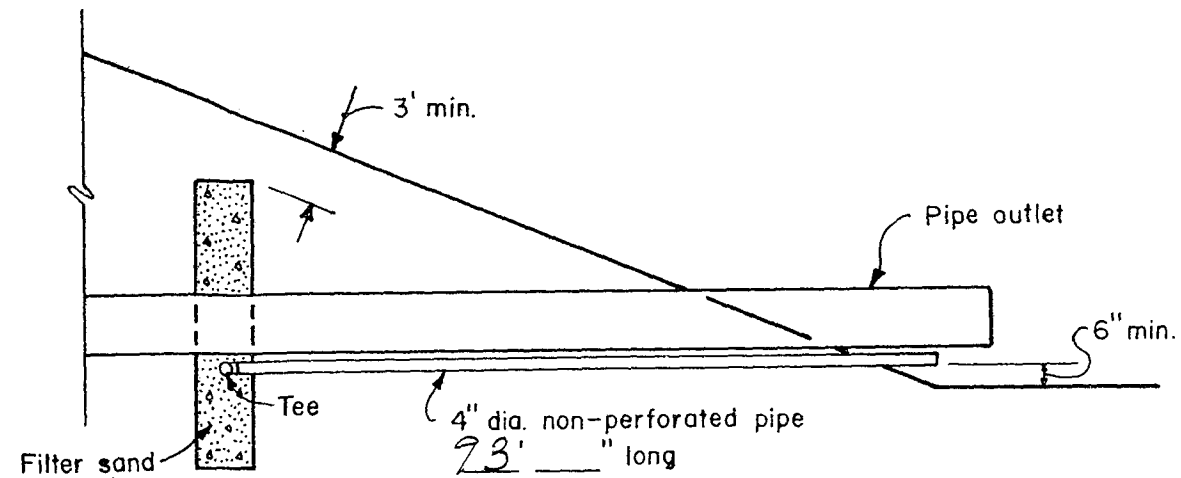
ISOMETRIC VIEW



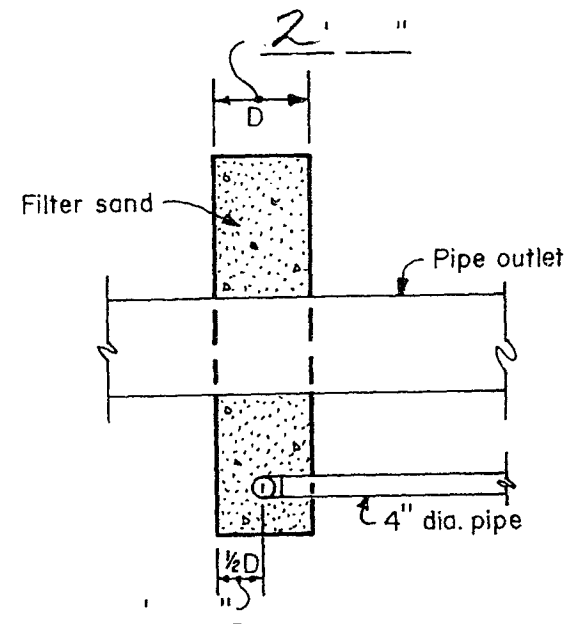
UPSTREAM VIEW

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 $\pm 6"$ 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

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
8.3cy

Sec. _____, T. _____, R. _____

County _____
LOCATION

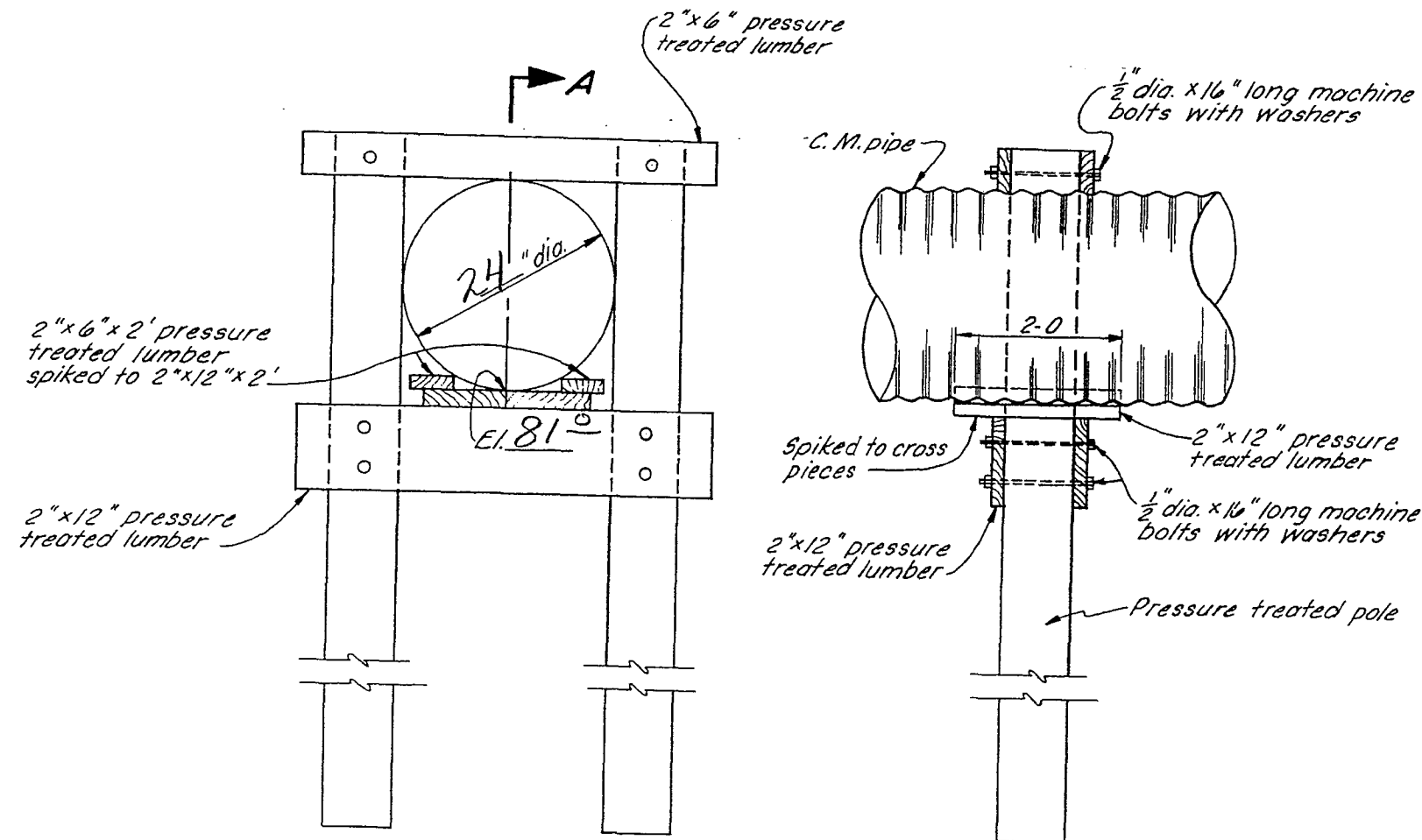
SAND ANTISEEP COLLAR

OPERATOR James Evenson

CONSERVATION DISTRICT _____

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

JOB PLAN NO. 3.8



ELEVATION
SECTIONAL ELEVATION A-A

TABLE OF QUANTITIES

ITEM	LENGTH FOR 24" DIA. C.M. PIPE	UNIT	QUANTITY
PRESSURE TREATED POLE 10" DIA.	10-0	EACH	2
2" X 12" PRESSURE TREATED LUMBER	4-0	EACH	2
2" X 6" PRESSURE TREATED LUMBER	4-0	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

NOTES:

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

TIMBER PIPE SUPPORT

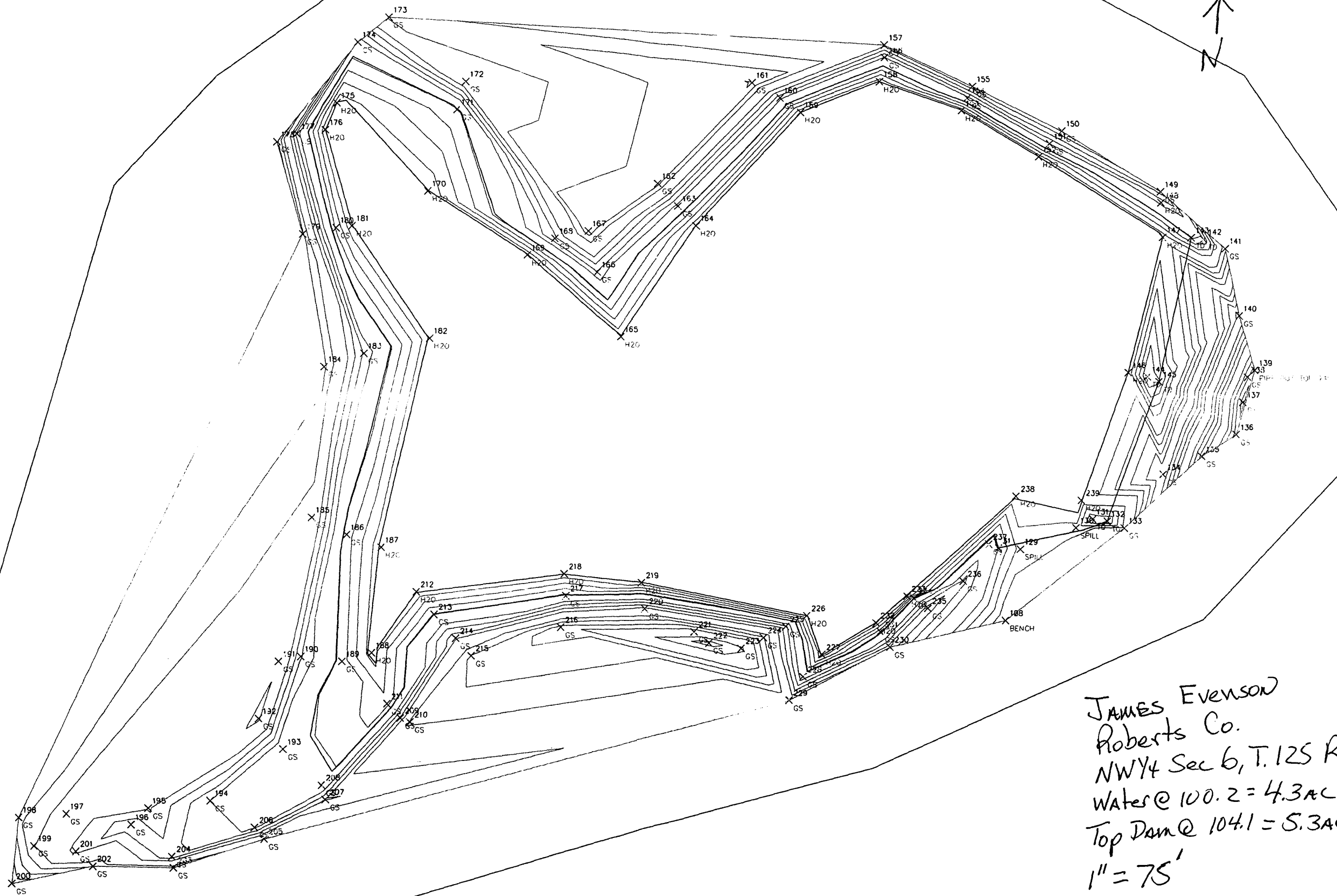
OPERATOR: James Evenson

CONSERVATION DISTRICT: _____

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

REFERENCE: GUIDE PLAN NO. 4.0

JOB PLAN NO. 4.0



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'

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SEP 13 2010

WATER RIGHTS
PROGRAM

1*****
SITES XEQ 08/11/2010 WATER RESOURCE SITE ANALYSIS COMPUTER PROGRAM
VER 2005.1.04 (USER MANUAL - DATED DECEMBER 2005)
TIME 10:30:04

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

SITES 01/01/2005 1.4703125 H5
SAVMOV 0 101
SAVMOV 101 1 1
STRUCTURE James Evenson
81 0
100 4.3
104 5.3
106 5.8
109 6.5
ENDTABLE
WSDATA 5A1 AC 75 941 13728 7.9
PDIRECT 2.4 4.30
POOLDATA ELEV 104 104 80 80 SC
PSINLET 1 12.57
PSDATA 1 122 24 .01 81
ASDATA 41 140 80 2 .08 2
ASINSURF 41 .03
ASINLET 41 0.0 0.0 30 0.0 3
130 10
ENDTABLE
ASEXSURF 41 .035
.65 0
3
2 0
.02
ENDTABLE
ASEXIT 41 N 100
BTMWIDTH FEET 50
GRAPHICS I
GO,DESIGN HL TYPE2 24 TYPE2378 24
SAVMOV 2 101 1
ENDJOB

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

***** MESSAGE - ALTERNATE SUBWATERSHED ID (A) BEING USED SINCE
USER DID NOT INPUT AN ID.

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

1SITES -----
XEQ 08/11/2010 WSID=
VER 2005.1.04 SUBW= A
TIME 10:30:04 SITE = S 1 PASS= 1 PART= 1
James Evenson

***** 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	
2.40	0.00	0.00	4.30	
WSDATA - CN	DA-SM	TC/L	-/H	QRF
75.00	1.47	13728.00	7.90	0.00
SITEDATA- PERM POOL	CREST PS	FP SED	VALLEY FL	378?
104.00	104.00	0.00	80.00	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	122.00	24.00	0.00	
PS N	KE	WEIR L	TW EL	
0.010	1.00	12.57	81.00	
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	140.00	80	
AUX.DATA - INLET N	SIDE SLOPE	EXIT N	EXIT SLOPE	ACTUAL AUX?
0.030	2.00	0.035	0.080	NO
BTM WIDTH - BW1	BW2	BW3	BW4	BW5
ft 50.00	0.00	0.00	0.00	0.00

AUXILIARY SPILLWAY RATING DEVELOPED USING WSPVRT.

1SITES -----

XEQ 08/11/2010

VER 2005.1.04

TIME 10:30:04

James Evenson
 SITE = S 1

PASS= 1

WSID=
 SUBW= A
 PART= 2

PERM POOL	104.00 FT	60.1 ACFT	5.30 AC	0.0 CFS
CREST PS	104.00 FT	60.1 ACFT	5.30 AC	0.0 CFS
SED ACCUM	104.00 FT	60.1 ACFT	5.30 AC	0.0 CFS
START ELEV	104.00 FT	60.1 ACFT	5.30 AC	0.0 CFS
NRCS-PSH	D= 24.00 HR	P= 2.40 IN	Q= 0.59 IN	DA= 1.47 SM

TC= 1.78 HR CN= 75.00 VOL= 46.5 ACFT
PEAK = 170.6 CFS, AT 13.2 HRS.

ROUTED RESULT - HYD TYPE EMAX VOL-MAX AMAX QMAX
NRCS-PSH 106.37 FT 73.3 ACFT 5.89 AC 74.6 CFS

PS STORAGE 13.3 ACFT, BETWEEN AUX. CREST AND SED. ACCUM ELEVATIONS.

DRAWDOWN (DDT) TEST 104.00 FT 60.1 ACFT 0.00 CFS
CONTROL IS 0.000 DETENTION STORAGE

DRAWDOWN TIME = 1.10 DAYS, TO 0.0 CFS (LIMIT = 10.00 DAYS)

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

RATING TABLE NUMBER 1

	ELEV. FEET	Q-TOTAL CFS	Q-PS CFS	Q-AUX. CFS	VOLUME AC-FT	AREA ACRE
1	104.00	0.00	0.00	0.00	60.05	5.30
2	104.38	9.16	9.16	0.00	62.09	5.40
3	104.76	25.92	25.92	0.00	64.16	5.49
4	105.14	47.62	47.62	0.00	66.27	5.59
					FULL CONDUIT FLOW, ELEV = 105.52 FT	
5	105.52	73.31	73.31	0.00	68.42	5.68
6	105.96	73.97	73.97	0.00	70.91	5.79
7	106.39	74.61	74.61	0.00	73.45	5.89
8	106.83	75.25	75.25	0.00	76.03	5.99
9	107.26	75.88	75.88	0.00	78.66	6.09
10	107.70	76.50	76.50	0.00	81.33	6.20
11	108.13	77.12	77.12	0.00	84.04	6.30
12	108.57	77.74	77.74	0.00	86.80	6.40
13	109.00	78.35	78.35	0.00	89.60	6.50

1SITES -----

XEQ 08/11/2010
VER 2005.1.04
TIME 10:30:04

James Evenson
SITE = S 1 PASS= 1 PART= 3
WSID= SUBW= A

AUX. CREST 106.37 FT 73.3 ACFT 5.89 AC 74.6 CFS

PS STORAGE 13.3 ACFT, BETWEEN AUX. CREST AND SED. ACCUM ELEVATIONS.

START ELEV 104.00 FT 60.1 ACFT 5.30 AC 0.0 CFS

EFFECTIVE HEIGHT(H)= 26.4 FEET, PRODUCT= 1933. (H * STORAGE AT CREST AUX.).

INPUT DESIGN CLASS = A1 = LT 3000. PRODUCT.

NRCS-FBH D= 24.00 HR P= 4.30 IN Q= 1.89 IN DA= 1.47 SM

TC= 1.78 HR CN= 75.00 VOL= 148.6 ACFT
 PEAK = 628.6 CFS, AT 13.2 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	104.00	0.00	0.00	0.00	60.05	5.30
2	104.38	9.16	9.16	0.00	62.09	5.40
3	104.76	25.92	25.92	0.00	64.16	5.49
4	105.14	47.62	47.62	0.00	66.27	5.59
FULL CONDUIT FLOW, ELEV = 105.52 FT						
5	105.52	73.31	73.31	0.00	68.42	5.68
6	105.63	73.48	73.48	0.00	69.02	5.71
7	105.74	73.64	73.64	0.00	69.62	5.73
8	105.84	73.80	73.80	0.00	70.23	5.76
9	105.95	73.96	73.96	0.00	70.84	5.79
10	106.05	74.11	74.11	0.00	71.46	5.81
11	106.16	74.27	74.27	0.00	72.07	5.84
12	106.26	74.42	74.42	0.00	72.69	5.86
13	106.37	74.58	74.58	0.00	73.31	5.89
14	106.50	79.59	74.77	4.82	74.09	5.92
15	106.63	84.70	74.97	9.74	74.87	5.95
16	106.87	108.56	75.31	33.25	76.28	6.00
17	107.16	151.50	75.73	75.76	78.03	6.07
18	107.69	270.62	76.49	194.13	81.25	6.19
19	108.34	460.80	77.42	383.38	85.38	6.35
20	109.00	696.37	78.35	618.02	89.60	6.50

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	60.	110.	-10.0	0.030	**	**	**	INLET
2	110.	140.	0.0	0.030	**	**	**	CREST
3	140.	240.	8.0	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 3 used in computing exit channel velocities.

DRAWDOWN USING FREEBOARD STORM FOLLOWS, STARTING AT ELEVATION 106.37 FT.

DRAWDOWN (DDT) TEST 104.00 FT 60.1 ACFT 0.00 CFS

CONTROL IS 0.000 DETENTION STORAGE

DRAWDOWN TIME = 0.92 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	50.0	108.64	87.3	6.4	2.27	14.0

PEAK - CFS	Q-PS	Q-AUX.	Q-TOT.
DISCHARGE =	77.8	489.4	567.3

	CRITICAL DEPTH FT	CRITICAL VELOCITY FT/SEC	CRITICAL SLOPE-Sc FT/FT	25% OF Q Sc FT/FT
AUXILIARY SPILLWAY ---	1.41	6.57	0.016	0.022

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

Aux. Spillway Discharge = 489. cfs; Bottom Width = 50. ft

REACH NO.	FROM STA	TO STA	SLOPE %	MANNING'S n	VELOCITY ft/s	TOTAL STRESS lb/ft^2	EFFECTIVE STRESS lb/ft^2
3	140.	240.	8.00	0.035	10.73	4.40	2.675

AUXILIARY SPILLWAY DURATION FLOW = 6.4 HOURS
ATTACK, OE/B = 1.4 ACFT/FT

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

EXIT CHANNEL FLOW SUPERCRITICAL: MAX VELOCITY= 10.7 FT/SEC
EXIT SLOPE = 0.080 FT/FT
FLOW DEPTH = 0.9 FT

>>>>> NHCP378 RUN - MINIMUM DEPTH, DESIGN FLOW TO TOP OF DAM; 1.00 FT REQUIRED
FOR THIS PASS. NEW TOP OF DAM ELEVATION = 109.64.

ROUTED RESULTS	BTM WIDTH FT	MAX ELEV FT	VOL-MAX ACFT	AREA-MAX AC	AUX.HP FT	VOL-AUX. ACFT
MINIMUM AUX.	50.0	109.64	93.7	6.6	3.26	20.4

PEAK - CFS	Q-PS	Q-AUX.	Q-TOT.
DISCHARGES =	79.2	847.0	926.3

	CRITICAL DEPTH FT	CRITICAL VELOCITY FT/SEC	CRITICAL SLOPE-Sc FT/FT	25% OF Q Sc FT/FT
AUXILIARY SPILLWAY ---	2.02	7.77	0.015	0.020

***** WARNING - SOLUTION EXCEEDED MAX. INPUT ELEVATION (109.00) BY 0.63 FT.

Inflow Hyd 1 PSH-Peak = 74.58 CFS at 14.82 hrs., Location Point

Inflow Hyd 1 FBH-Peak = 567.28 CFS at 13.62 hrs., Location Point
HYDOUT 1

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

0 SUBWATERSHED(S) ANALYZED.

1 STRUCTURE(S) ANALYZED.

2 HYDROGRAPHS ROUTED AT LOWEST SITE.

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

SITES.....COMPUTATIONS COMPLETE

>>>	SITE ID	SUBWS ID	SUBWS DA (SQ MI)	CURVE NO.	TC (HRS)	TOTAL DA (SQ MI)	TYPE DESIGN	STRUC CLASS	<<<
	S 1	A	1.47	75.	1.78	1.47	378CR	A1	

PASS NO.	DIA./ WIDTH (IN/FT)	AUX.CREST ELEV (FT)	BTM. WIDTH (FT)	MAX. HP (FT)	MAX. ELEV (FT)	EMB. VOL. (CY)	INTEGR.* DIST. (FT)	EXIT* VEL. (FT/SEC)	TYPE HYD
1	24.0	106.4	50.0	3.3	109.6	0.	0.	10.7	MIN. AUX.

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

SITES.....SUMMARY TABLE 1 COMPLETED.

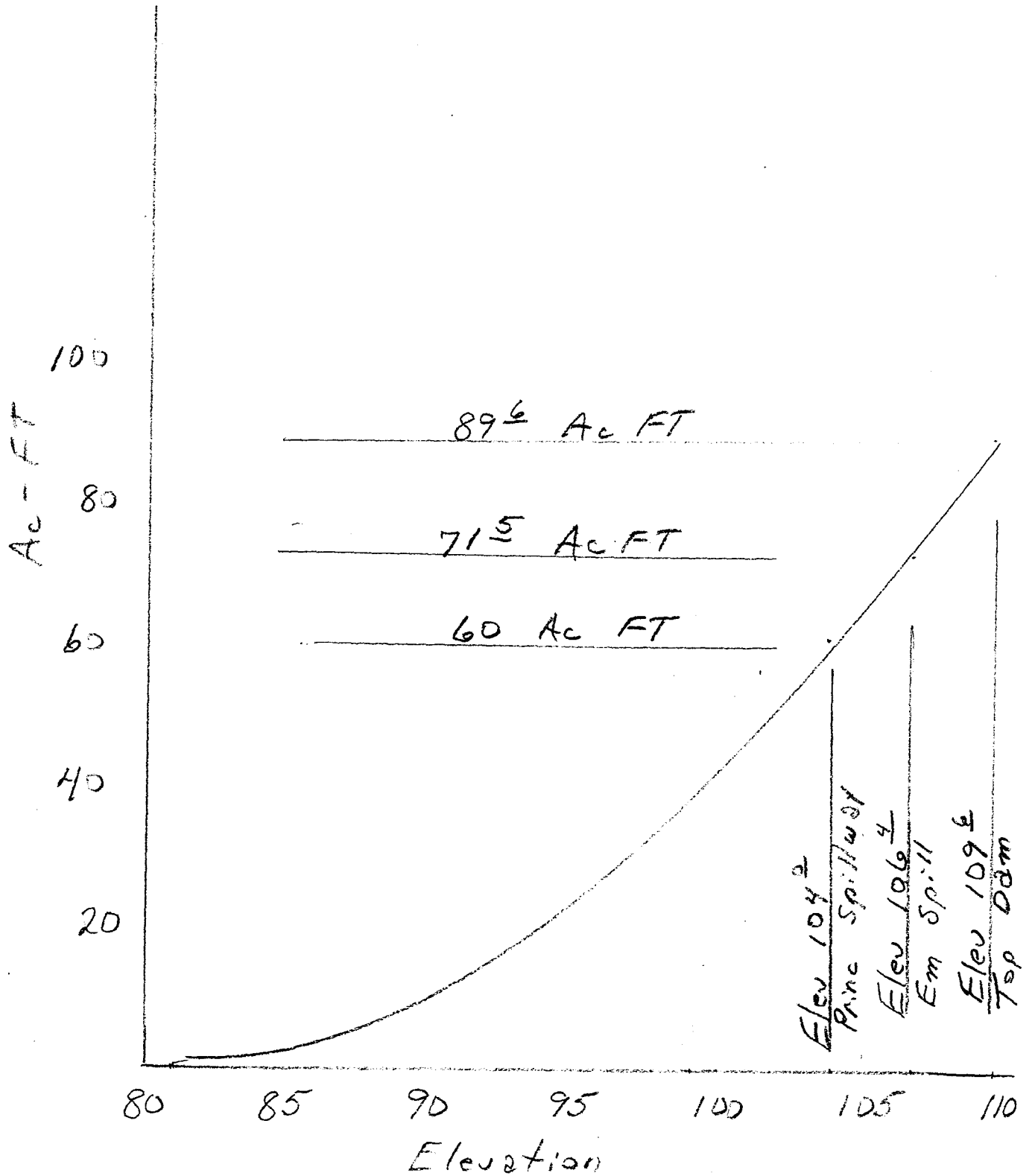
NRCS SITES VERSION 2005.1.04 ,01/01/2005
FILES

INPUT = C:\evenson\48-24pvc.D2C
OUTPUT = C:\evenson\48-24pvc.OUT
DATED 08/11/2010 10:30:04

GRAPHICS FILES GENERATED

James Evenson

NW Sec 6, T125N, R51W



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

$$36.4 \times 150\% = 54728 \text{ ft}$$

<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>

$$S = \frac{1.571 \times 50 \times 55}{54728} = 0.079 \times 100 = 7.9\%$$

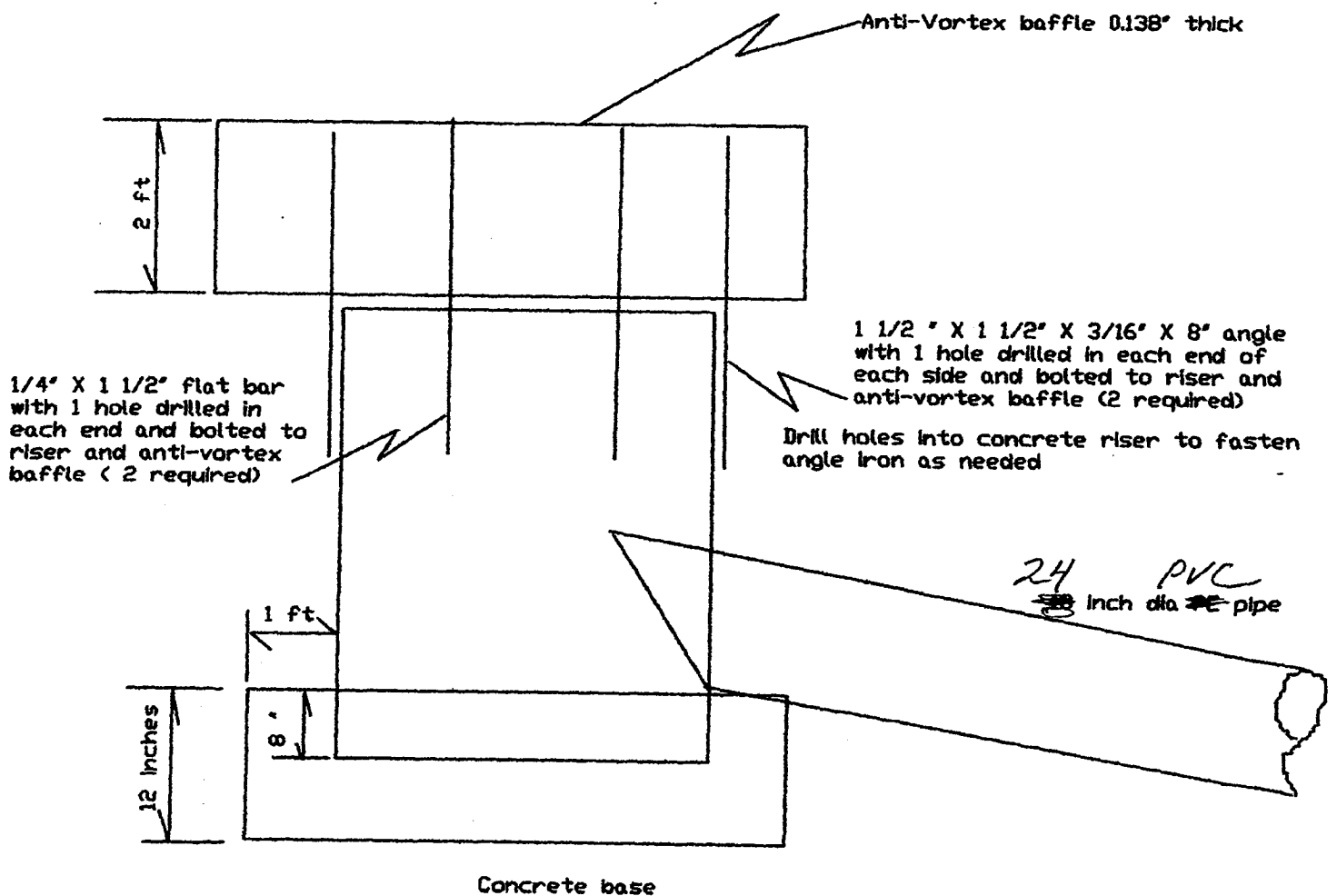
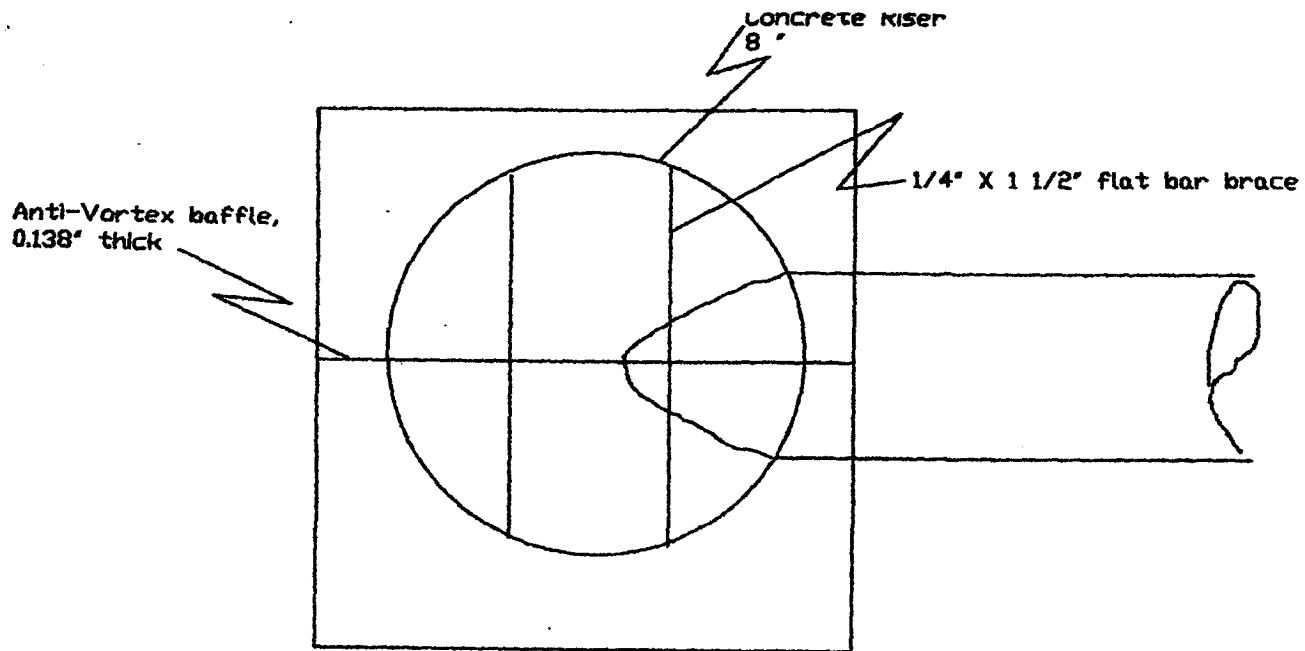
$$D.A. = 941 \text{ Ac}$$

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

$$CN = 75$$

$$\text{Hydrology} = 31.4 \text{ A-FR}$$

Anti-Vortex For Concrete Riser



Water Permit Application No. 7212-3

James Evenson

Top of Dam Elev. - 109.6
 2nd Spillway Elev. - 106.4
 P. Spillway Elev. - 104.0
 Dis Comb Tce Elev. - 75.6

Cont. 3 - Low Hazard Dam

Ht. = 34 ft

Normal Storage Capacity - 60 Ac-Ft
 Int. Storage Capacity - 71.5
 Max Storage Capacity - 89.6

Int. Capacity x Eff. Ht. = $71.5 \times 26.4 = 1887 \approx 3000 \therefore 25 \text{ yr}$
Minimum Spillway Design

From USGS WRI 80-80 Tech. for Est. Flood Peaks ... in 50"
 $DA = 941 \text{ Ac} = 1.41 \text{ mi}^2$ Slope = 150 ft/mi. $S = 2.99$

$$Q_{15} = 83.4 A^{.60} S^{.44} S^{.72}$$

$$= 83.4 (1.41)^{.60} (150)^{.44} (2.99)^{.72}$$

$$= 83.4 (1.265) (9.0673) (.4545)$$

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

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

$$= 132 (1.41)^{.65} (150)^{.46} (2.99)^{.67}$$

$$= 132 (1.2846) (10.231) (.4697)$$

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

Secondary Spillway Capacity

$$Q = CLH^{3/2} \quad C = 2.6$$

$$= 2.6 (50) (3.2)^{1.5} \quad L = 50$$

$$= \underline{745 \text{ cfs}} \quad H = 3.2$$

NRCs Annual Y = 16

$$CN = 75 \quad DA = 941 \quad ISO = 2^{1/2}$$

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 - S&S NRCs - OK
9. EPP - N/A Cont. 3 - OK

$$80\% \text{ chance} = 0.18$$

$$0.18 \times 941/12 = \underline{14 \text{ Ac-Ft}}$$

$$50\% \text{ chance} = 0.43$$

$$0.43 \times 941/12 = \underline{34 \text{ Ac-Ft}}$$

$$10\% \text{ chance} = 2.2$$

$$2.2 \times 941/12 = \underline{172 \text{ Ac-Ft}}$$



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7212-3, James Evenson**

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. 7212-3, James Evenson, 12054 455th Avenue, Sisseton SD 57262.

The Chief Engineer is recommending APPROVAL of Application No. 7212-3 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 Nos. 7147-3 and 7212-3, combined authorizes a dam with a storage capacity of 60 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
October 14, 2010



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October 14, 2010

James Evenson
12054 455th Ave.
Sisseton, SD 57263

Dear Mr. Evenson:

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 construction of the dam. The construction of the dam may not begin until Water Permit No. 7212-3 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 Evenson Dam will be classified as a small size Category 3, Low Hazard dam with a dam height of 34 feet and a normal storage capacity of 60 acre-feet and a maximum storage capacity of 90 acre-feet.

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

Sincerely,

for 
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

REPORT ON
WATER PERMIT APPLICATION NO. 7212-3
James Evenson
September 17, 2010

Water Permit Application No. 7212-3 has been filed by James Evenson to impound an additional 23.3 acre-feet of water. Water Permit No. 7147-3 authorized impoundment of 36.7 acre-feet of water from runoff by reconstructing an existing dam located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6-T125N-R51W, in Roberts County. This application requests to increase the storage capacity an additional 23.3 acre-feet for a total storage capacity of 60 acre-feet. 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. 7212-3 is approved.

The dam will be 34 feet high with a normal storage capacity of 60 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 90 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.

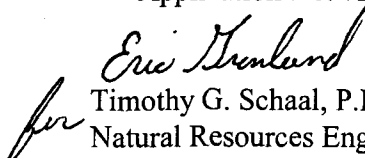
The dam has a drainage area of 941 acres or 1.47 square miles. The dam is designed to have a 48 inch diameter concrete riser with a 24 inch diameter PVC barrel with 5.6 feet of freeboard as the primary spillway, and a 50 foot wide earthcut secondary spillway with 3.2 feet of freeboard. A 25 year frequency 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 745 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 Evenson Dam will be located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ 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 Evenson 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 Evenson 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 Evenson Dam and the Little Minnesota River.

Conclusions:

1. Water Permit Application No. 7212-3 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. 7212-3.


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

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NOV - 5 2010

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. 7213-3 Appropriate Water, 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:

Oct. 26, 2010, _____;

Nov. 2, 2010, _____;

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 \$ 41.72

Harley E. Deutsch

Subscribed and sworn to before me this 2nd day of

November, A.D., 2010

John Reutsch

Notary Public, Roberts County, South Dakota
My commission expires February 3, 2016

NOTICE OF APPLICATION NO. 7212-3 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 an additional 23.3 acre-feet of water. Water Permit No. 7147-3 authorized impoundment of 36.7 acre-feet of water from runoff by constructing a dam located in the SE 1/4 NW 1/4 Section 6 with water impounded in the SE 1/4 NW 1/4 Section 6; all in T125N-R51W. This application requests to increase the storage capacity an additional 23.3 acre-feet for a total storage capacity of 60 acre-feet in dam. 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. 7212-3 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 November 12, 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 \$41.72.
(Oct. 26-Nov. 2 -- 2 wks)



DEPARTMENT of ENVIRONMENT
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October 15 2010

Sisseton Courier
PO Box 169
Sisseton SD 57262

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7212-3 to Appropriate Water to be published twice. Please publish the first notice on October 26, 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 James Evenson, 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. 7212-3

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

Date _____

We are in receipt of your letter of October 15, 2010 enclosing Notice to Appropriate Water by Application No. 7212-3 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.

October 15, 2010

James Evenson
12054 455th Ave
Sisseton SD 57262

Dear Mr. Evenson:

Water Permit Application No. 7212-3 for fish & wildlife propagation and livestock 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 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

c: Tom Wickstrom, USFWS Waubay NWR 44401 134A St, Waubay SD 57273-5301

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 October 26, 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. 7212-3 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 an additional 23.3 acre-feet of water. Water Permit No. 7147-3 authorized impoundment of 36.7 acre-feet of water from runoff by constructing a 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 to increase the storage capacity an additional 23.3 acre-feet for a total storage capacity of 60 acre-feet in dam. 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. 7212-3 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 November 12, 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 _____.

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NOV - 4 2010

WATER RIGHTS
PROGRAM

**Umberger Living Trust
Erva Umberger-Swafford Administrator
12023 456th Avenue
Sisseton, SD 57262
605-742-0419**

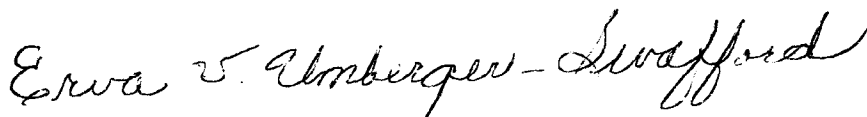
To: Mr. Eric Gronlund
Water Rights Program, Foss Building
523 E. Capitol
Pierre, SD 57501

It was brought to my attention this morning, by part of my legal team, that my neighbor, James Evenson, of 12054 455th Ave., Sisseton, SD 57262, who lives one mile west of my property, which consists of approximately 29.5 acres, filed an application for a water permit (NO. 7212-3) to impound an additional 23.3 acres-feet of water.

I am very opposed to this action as with the exception of a very wet year, the winding creek that goes through my property can & does run dry for a period of weeks in the summer.

Additional water storage by Mr. Evenson would make a hardship for maintaining cattle, horses, and the abundance of wildlife that the creek services, whether on my property, or my neighbors east of this property, who maintain livestock and horses. A dry creek bed limits what my property could be used for and the aesthetic value of having a running creek flowing through the property over the rocks in a waterfall effect.

Thank You
Respectfully

A handwritten signature in cursive script that reads "Erva V. Umberger-Swafford". The signature is fluid and matches the printed name below it.

Erva V. Umberger-Swafford



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 12, 2010

NOTICE

TO: James Evenson
12054 455th Avenue
Sisseton SD 57262

Erva V. Umberger – Swafford
Umberger Living Trust
12023 456th Avenue
Sisseton SD 57262

FROM: Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Notice of Hearing on Water Permit Application No. 7212-3, James Evenson

A petition to the approval of Water Permit Application No. 7212-3 has been filed by Erva V. Umberger Swafford. The petition was filed in response to the Notice of Application published in the Sisseton Courier. This notice schedules a hearing on the application before the South Dakota Water Management Board.

Application No. 7212-3 proposes to appropriate water to impound an additional 23.3 acre-feet of water. Water Permit No. 7147-3 authorized impoundment of 36.7 acre-feet of water from runoff by constructing a 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 to increase the storage capacity an additional 23.3 acre-feet for a total storage capacity of 60 acre-feet in dam. The water is for fish and wildlife propagation and livestock water purposes.

The Water Management Board will conduct a hearing to consider Application No. 7212-3 at 10:30 AM on Wednesday, March 9, 2011 in the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Avenue, Pierre SD. Future notice will be provided to all parties if there are changes to the hearing date or time. Pursuant to SDCL 46-2-9, 46-2-11, and 46-2A-23, the Board has legal authority and jurisdiction to conduct this hearing.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7212-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) the proposed use is a beneficial use and 4) it is in the public interest. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny the application based on the evidence presented at the public hearing.

The March 9, 2011, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any party of record opposing the application. The request for an automatic delay must be filed by February 25, 2011.

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

Enclosed is a copy of the report, recommendation, affidavit of publication and petition in the matter of Water Permit Application No. 7212-3. State law directs the Chief Engineer to provide Water Management Board members with a copy of all pleadings including petitions for each proceeding. This same information will be sent to the Board members in advance of the hearing. In addition, enclosed are two documents intended to acquaint parties with the hearing process entitled "Procedure for Hearings before the Water Management Board" and "Summary of South Dakota Water Laws and Rules". You are encouraged to review these documents prior to the hearing.

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

Questions regarding the hearing process may be directed to Eric Gronlund, Water Rights Program at (605) 773-3352. In addition, please notify the Department of Environment and Natural Resources at least 48 hours before the hearing if you have a disability for which special arrangements must be made at the hearing.

c: Diane Best, Assistant Attorney General
Thomas L. Wickstrom, US Fish and Wildlife Service, 44401 134A St, Waubay SD 57273-4524

NOTE: Since this matter does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case need not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by February 25, 2011.

CERTIFICATION

I hereby certify that on November 12, 2010, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated November 12, 2010, regarding hearing for Water Right Permit Application No. 7212-3, as addressed below:

James Evenson
12054 455th Avenue
Sisseton SD 57262

Erva V. Umberger – Swafford
Umberger Living Trust
12023 456th Avenue
Sisseton SD 57262

Diane Best, Assitant Attorney General
300 N. Dakota Avenue, Suite 403
Sioux Falls SD 57104

Thomas L. Wickstrom
US Fish and Wildlife Service
44401 134A St
Waubay SD 57273-4524



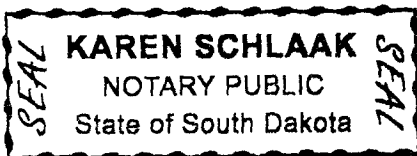
Gail Jacobson
Water Rights Program, DENR

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 12th day of November, 2010.



Karen Schlaak
Notary Public
My Commission expires April 1, 2013





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 22, 2011

NOTICE

TO: James Evenson
12054 455th Avenue
Sisseton SD 57262

Erva V. Umberger – Swafford
Umberger Living Trust
12023 456th Avenue
Sisseton SD 57262

FROM: Garland Erbele, Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: Notice of Hearing on Water Permit Application No. 7212-3, James Evenson

This notice is a reminder that the Water Management Board will conduct a hearing to consider Application No. 7212-3 at 10:30 AM on Wednesday, March 9, 2011 in the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Avenue, Pierre SD.

Application No. 7212-3 proposes to appropriate water to impound an additional 23.3 acre-feet of water. Water Permit No. 7147-3 authorized impoundment of 36.7 acre-feet of water from runoff by constructing a 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 to increase the storage capacity an additional 23.3 acre-feet for a total storage capacity of 60 acre-feet in dam. The water is for fish and wildlife propagation and livestock water purposes. A petition in response to the public notice of the application was filed by Erva V. Umberger Swafford.

Applicable provisions of the notice sent to parties of record on November 12, 2010 still apply at the hearing. That notice included the report, recommendation, affidavit of publication and petition in the matter of Water Permit Application No. 7212-3. This is the same information that is sent to the Water Management Board members in advance of the hearing. If any party needs replacement copy sent, please contact the Water Rights Program.

Questions regarding the hearing process may be directed to Eric Gronlund, Water Rights Program at (605) 773-3352. In addition, please notify the Department of Environment and Natural Resources at least 48 hours before the hearing if you have a disability for which special arrangements must be made at the hearing.

c: Diane Best, Assistant Attorney General
Thomas L. Wickstrom, US Fish and Wildlife Service, 44401 134A St, Waubay SD 57273-4524

CERTIFICATION

I hereby certify that on February 22, 2011, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated February 22, 2011, regarding hearing for Water Right Permit Application No. 7212-3, as addressed below:

James Evenson
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Sisseton SD 57262

Erva V. Umberger – Swafford
Umberger Living Trust
12023 456th Avenue
Sisseton SD 57262

Diane Best, Assisat Attorney General
300 N. Dakota Avenue, Suite 403
Sioux Falls SD 57104

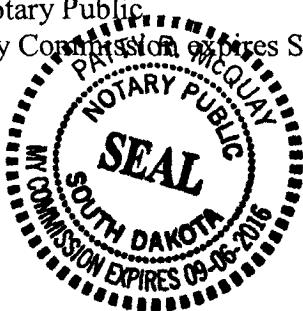
Thomas L. Wickstrom
US Fish and Wildlife Service
44401 134A St
Waubay SD 57273-4524


Gail Jacobson
Water Rights Program, DENR

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 22nd day of February 22, 2011.


Patty McQuay
Notary Public
My Commission expires September 6, 2016





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 26 2011

James Evenson
12054 455th Ave
Sisseton SD 57262

Dear Mr. Evenson:

Enclosed is Water Permit No. 7212-3 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

Modification of James Evenson Dam

Water Permit Application No. 7212-3

Install an 8 inch PVC C-10 Waterman Canal gate inside the 48 inch diameter concrete riser.

-Bottom of gate to be 6 inches above bottom of concrete riser (Elev. 97.2)

-Extend lifting stem min 6 inches above metal anti-vortex



C-10 CANAL GATE

This gate is designed for use on canal and pipeline systems which operate at low "heads" and where a moderately priced gate is desired. Typical installations include: farm turnouts, control of industrial wastes, drainage and for tide control.

Construction is of grey iron with an all-bolted steel frame with $\frac{1}{4}$ " minimum thickness. The standard stem is of a special leaded steel which resists corrosion. The stem is operated at the structural frame top by a heavy cast-bronze lift nut and a cast iron wheel.

Adjustable cast iron wedge blocks, held securely in place by two machine bolts, assure a dependable seating closure with a practical degree of water tightness. The cast iron seats are machined or ground. A solid rim "easy-grip" handwheel is standard.

Optional materials include: bronze seats; stainless steel structural frame and bolts; stainless steel or brass stems; and special epoxy, coal tar or ASTM galvanized coatings.

When desired, design variation in stem diameter, pitch and thread rotation are available to match existing equipment. Extended stems, special lifts, oil seals, stem guides and limit nuts are a few of the optional items available for use with these gates.

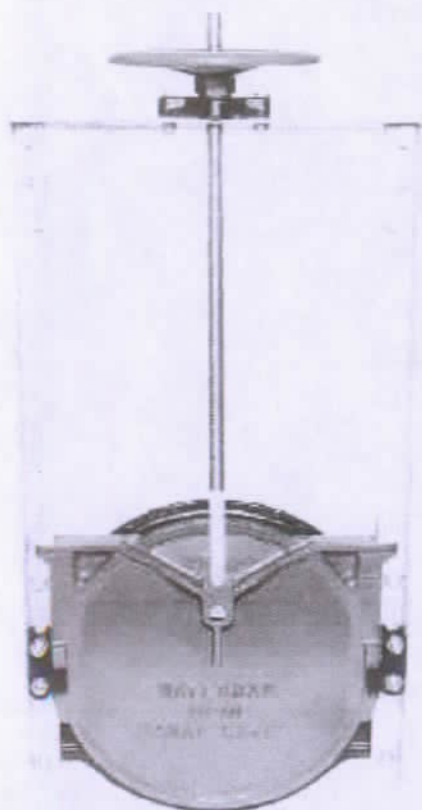
Various sizes and options are available.

Special materials available include: "Ni-Resist" iron castings, stainless steel structural frame and assembly bolts; total galvanizing per ASTM A-123; coal tar, and epoxy coatings.

Recommended Maximum Seating Heads

6" - 24"	23 foot head
30" - 36"	11 foot head
42" - 48"	9 foot head
54" - 72"	6 foot head

Recommended Maximum Unseating Head - 0

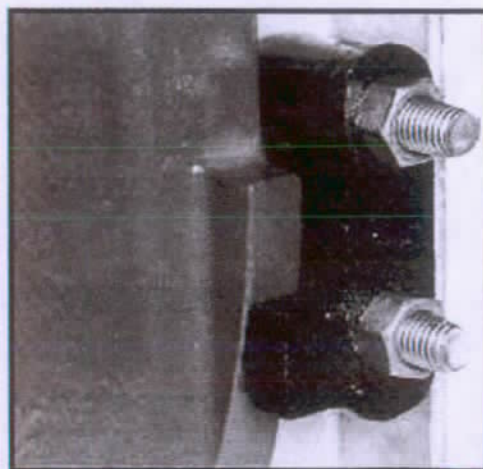


Bronze lift nut furnished as standard on all Waterman Canal Gates.

Frame Types for Various Installation Requirements

- F Flatback for headwall mounting
- SB Spigotback for annular or recor spiral corrugated pipe.
- CIP For solvent cement mounting over plastic pipe
- C With galvanized steel tapered setting collar for concrete or asbestos cement pipe.
- SA Spigotback for annular corrugated pipe.
- TYPE 4 For mounting in plastic pipe utilizing special two part epoxy.

Features $\frac{1}{4}$ " minimum thickness. Compare to competitor's gates.

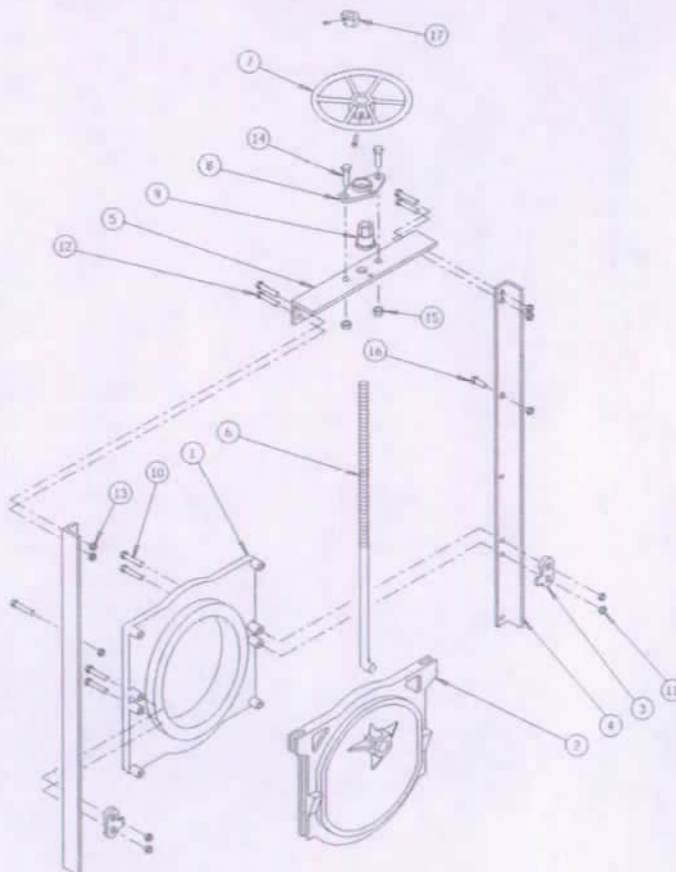


Waterman Model C-10 wedging system offers two point adjustment and larger wedging surfaces for a more positive contact.

C-10 CANAL GATE PARTS

PARTS LIST		
No.	Name	Qty.
1	Frame	1
2	Cover	1
3	Wedge (R&L)	2
4	Guide Rail (R&L)	2
5	Headrail	1
6	Stem	1
7	Handwheel	1
8	Thrust Collar	1
9	Lift Nut	1
10	Wedge Bolt	4
11	Wedge Nut	4
12	Frame Bolt	4
13	Frame Nut	4
14	Collar Bolt	2
15	Collar Nut	2
16	Stop Bolt & Nut	1
17	Limit Nut (optional) *	1

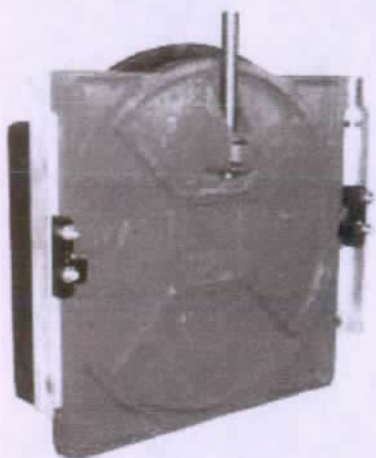
* With set screw



CL-10 CANAL GATE

Waterman CL-10 Canal Gates are identical to our model C-10 Gates with the exception of the cast iron cover (slide) which is of a flat plate type construction with ribs reinforcing its face, to withstand the maximum heads as noted for our C-10 gates. This gate cover also features a square bottom design, which allows a more open "clog-free" flow at points of initial opening. The seat being only slightly raised above the cover plate surface helps prevent trash from collecting behind the cover which can cause difficulty in operation.

Available with threaded thrust nut for true NRS application. All parts are interchangeable with our Standard C-10 gate. Available in a variety of sizes.



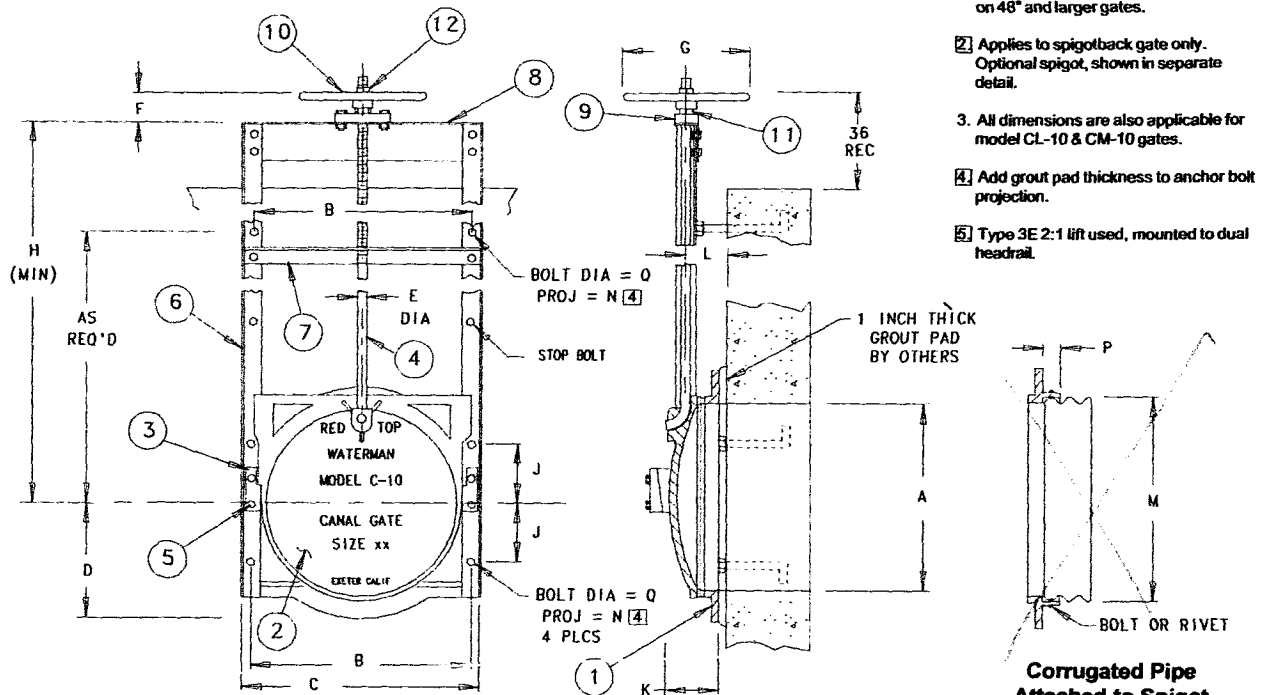
Shown with
optional
threaded thrust nut
for true non-rising
stem operation

CL-10



Flat Plate Type,
Square Bottom

C-10 CANAL GATE

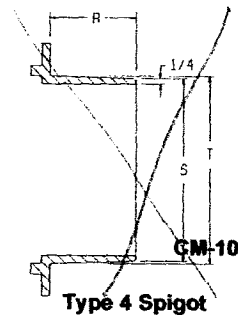
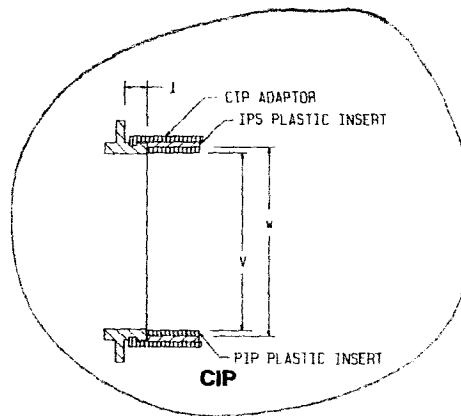


NOTES

- 1 TYPE 2 lubricated ball bearing lift used on 48" and larger gates.
- 2 Applies to spigotback gate only. Optional spigot, shown in separate detail.
3. All dimensions are also applicable for model CL-10 & CM-10 gates.
- 4 Add grout pad thickness to anchor bolt projection.
- 5 Type 3E 2:1 lift used, mounted to dual headrail.

PARTS LIST

No.	Name	Qty.
1	Frame	1
2	Cover	1
3	Wedge (Right & Left)	1 ea.
4	Stem	1
5	Wedge Bolts	4
6	Guide Rail	2
7	Stem Support	A/R
8	Head Rail	1
9	Lift Collar	1
10	Handwheel	1
11	Lift Nut	1
12	Limit Nut	1



A	B	C	D	E	F	G	H	J	K	L	M	N	P	Q	R	S	T	V	W
6	8	9 1/4	4	3/4	2 1/4	10	24	3	3 1/2	2 1/2	7	3 1/2	2 1/4	1 1/2	-	-	-	6.160	6.645
8	10	12	4 1/4	3/4	2 1/4	10	24	3	3 1/2	2 1/2	9	3 1/2	2 1/4	1 1/2	4	7 1/4	8	8.160	8.645
10	12	13 1/4	6	3/4	2 1/4	10	24	3 1/2	3 1/2	2 1/2	11	3 1/2	2 1/4	1 1/2	3 1/4	9 1/4	10	10.220	10.770
12	14	15 1/4	7	3/4	2 1/4	10	24	4	3 1/2	3	13	4	2 1/4	1 1/2	4	11 1/4	12	12.270	12.780
14	16	17 1/4	8	3/4	2 1/4	10	27	4 1/4	3 1/2	3 1/4	15	4	2 1/4	1 1/2	-	-	-	-	-
15	17	18 1/4	8 1/4	3/4	2 1/4	10	30	5	4 1/2	3 1/2	16	4	2 1/4	1 1/2	4	14 1/4	15	-	-
16	18 1/4	20 1/4	9 1/4	3/4	2 1/4	10	32	5 1/2	4 1/2	3 1/2	17	4 1/2	2 1/4	1 1/2	-	-	-	-	-
18	21	22 1/4	10 1/2	1	3 1/4	12	34	6	4 1/2	4 1/4	19	4 1/2	2 1/4	1 1/2	4	17 1/4	18	-	-
20	23 1/4	25 1/4	11 1/4	1	3 1/4	12	38	7	4 1/2	4	21	4 1/2	2 1/4	1 1/2	-	-	-	-	-
21	24	25 1/4	12 1/4	1	3 1/4	12	40	7	4 1/2	4	22	4 1/2	2 1/4	1 1/2	-	-	-	-	-
24	27 1/4	29 1/4	13 1/4	1	3 1/4	12	44	8	5 1/2	4 1/4	25	4 1/2	2 1/4	1 1/2	-	-	-	-	-
30	33 1/4	36 1/4	17 1/4	1 1/4	4	15	54	10	6	4 1/2	31	6	2 1/4	1 1/2	-	-	-	-	-
36	39 1/4	42 1/4	20 1/4	1 1/4	4	15	62	12	6 1/4	5 1/4	37	6	2 1/4	1 1/2	-	-	-	-	-
42	45 1/4	48 1/4	23 1/4	1 1/2	5	18	84	14	7	6	43	6	2 1/2	1 1/2	-	-	-	-	-
48	51 1/4	54 1/4	26 1/4	1 1/2	6	24	90	16	7 1/4	6 1/4	49 1/4	6	2 1/2	1 1/2	-	-	-	-	-
54	58 1/4	61 1/4	30	2	6	30	100	18	7 1/4	6 1/2	55 1/4	7	3	1	-	-	-	-	-
60	65	68	34	2	6	30	102	20	8 1/4	7 1/4	61 1/4	8	3 1/4	1	-	-	-	-	-
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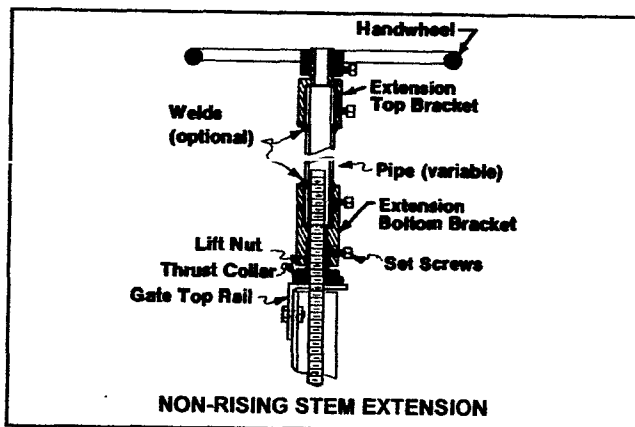
GATE DIMENSIONS IN INCHES

STEM EXTENSIONS

(USE WITH C-10, CL-11 AND C-20 MODELS)
RIISING STEM EXTENSIONS (RSE)

Waterman Rising-Stem Extensions are factory installed to the height ("H") required. They provide a rising stem and handwheel, keeping threads and lifts above the water level and allowing the amount of gate opening to be readily determined. Cast iron brackets, fastened to the top and bottom of standard galvanized steel pipe, are secured to the frame headrail and mount to the standard handwheel and stem hardware.

The stem extends through the entire length of pipe. With the addition of oil seals, these rising stem extension can be used where weather conditions require that the stem operate in oil to prevent freezing.



NON-RIISING STEM EXTENSION

NON-RIISING STEM EXTENSIONS

(USE WITH C-10, CL-11 AND C-20 MODELS)

Waterman Non-Rising Stem Extensions are an accessory to Waterman stock gates. They are used to position the gate handwheel at convenient and non-changing operating elevations. This eliminates the problem of gate stems protruding into traffic areas or walkways.

The use of Waterman Non-Rising Stem Extensions also eliminates the expense and inconvenience of ordering gate frames of special dimensions to meet different operating height conditions.

The extensions are readily installed in the field. The upper and lower brackets are joined by a section of standard galvanized steel pipe (normally not furnished) by means of threads, set screws, pins or welds. The length of the pipe determines the elevation of the handwheel. Waterman Stem Guides, such as Eye Bolt, NRS-K, SK-1, SK-2, K-1 and K-2 Series, are recommended to secure the handwheel location.

Complete units are available from the factory when desired.

6" - 24" gates require 1 1/4" pipe

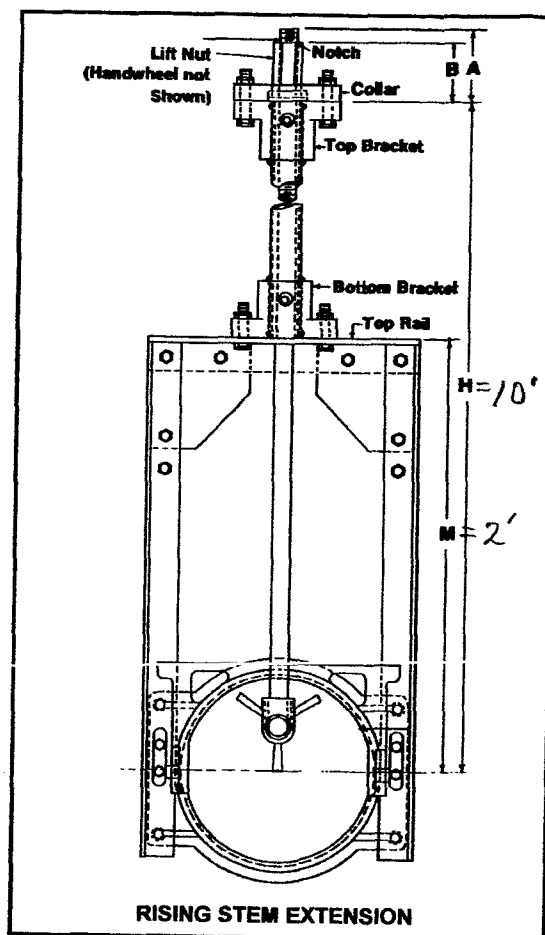
30" - 36" gates require 1 1/2" pipe

42" - 48" gates require 2" pipe

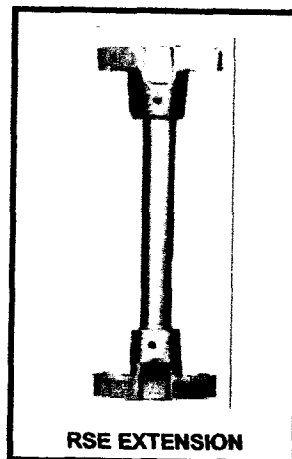
These extensions may also be adapted to C-20 gates and Series R slide gates.

Waterman

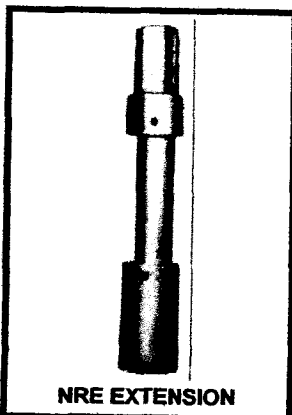
INDUSTRIES, INC.



RIISING STEM EXTENSION



RSE EXTENSION



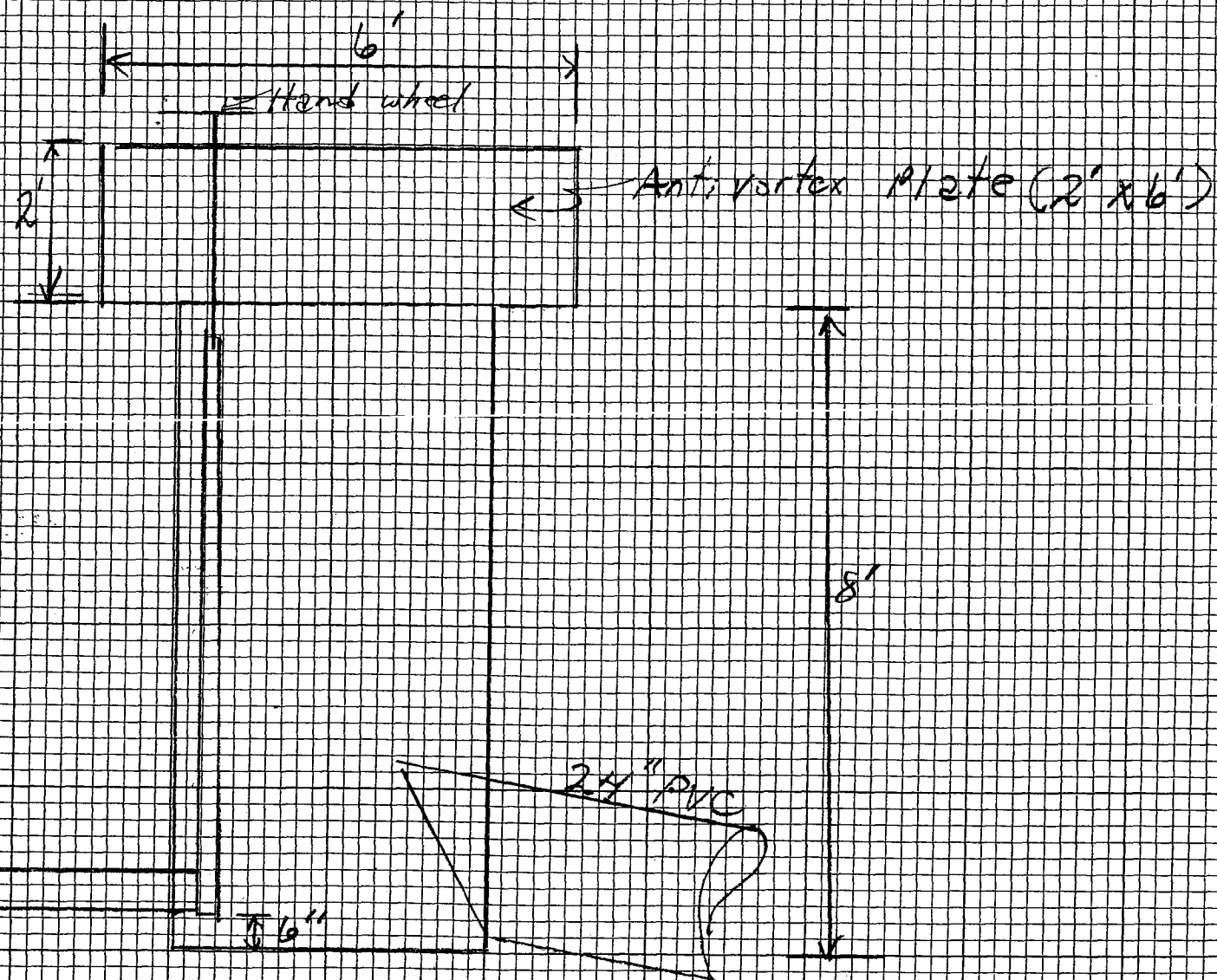
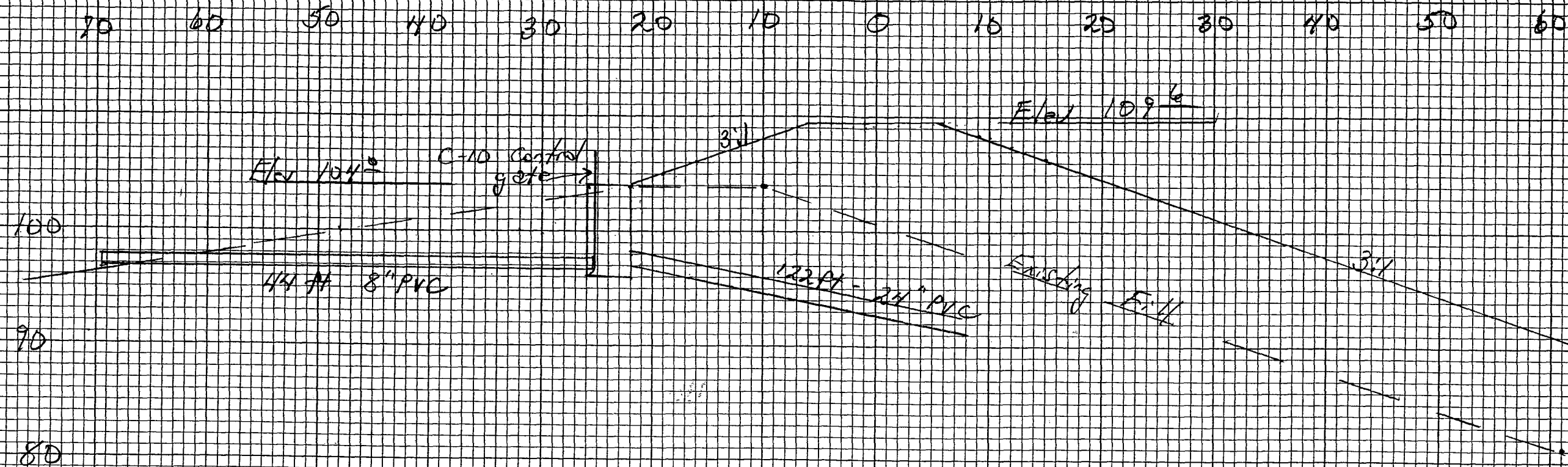
NRE EXTENSION

Gate Size	A	B	M	H
6	3 1/4	2 1/4	24	
8	3 3/8	2 3/8	26	
10	3 1/2	2 1/2	28	
12	3 3/4	2 3/4	30	
14	3 1/2	2 1/2	32	
15	3 3/4	2 3/4	34	
16	3 1/2	2 1/2	36	
18	4 1/4	3 1/4	38	
20	4 1/2	3 1/2	40	
21	4 3/4	3 3/4	42	
24	4 1/2	3 1/2	44	
30	5	4	54	
36	5 1/2	4 1/2	62	
42	6	5	74	
48	7	6	90	
54	7 1/2	6 1/2	100	
60	7 1/2	6 1/2	102	
72	*	*	121	

10 ft

VARIABLE AS REQUIRED

All dimensions in inches and apply to C-10 Series gates.
 * Special fabricated design for geared type lift.



Date _____
Designed _____
Drawn _____
Checked _____
Approved _____

Jame Kuenson
NW sec 6, T 125 N, R 51 W
Roberts Co.

CAD file:
NE900-10-002a.dwg

Drawing No.

Sheet of