

FLOOD CONTROL PERMIT NO. FC-31

Name of Applicant: McCook County

Address: PO Box 550, Salem SD 57058 Phone: 605 425-2731

Amount of Water Claimed: NA Total Acres: NA

Source of Water Supply: Island Lake / Skunk Creek

Water to be used for: flood control project County: McCook & Minnehaha

Type of Waste Disposal System:

Location: 8 miles northwest of Montrose

PRIORITY Date Received: 8-13-2001

Fee: \$150

Corrected Application Received:: 10-15-2001

Period of Annual Use: Jan 1 – Dec 31

Remarks:

Diversion Point: NW ¼ NW ¼ Sec 30-T104N-
R52W

Land to be Irrigated: NA

Depth of Well: NA

Well Driller: : NA

Remarks:

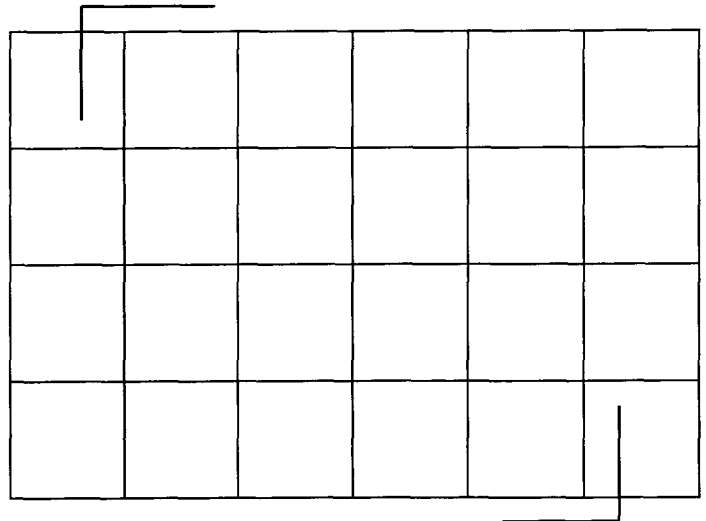
Type of Map: topo

Prepared by: Brian L Fowlds, RLS

Reviewed and the Number Assigned on: 10-15-2001

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



FORM 2: Application for flood control permit
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>FC-31</u> Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Salem Special, Salem</u>



Application For Flood Control Permit Within The State Of South Dakota

- Name of Applicant McCook County
Address PO Box 550
(Street, RR or Box)
Salem SD 57058 Phone No. 605-425-2731
(City) (State) (Zip Code)
- Name of watercourse Island Lake / Skunk Creek
- Location of project (e.g. SW NE section 2-T89N-R58W) N 1/2, Sec 30-1140N-R53E T104N-R52W
104
- County or counties where project is located McCook, Minnehaha
- Give a brief description of the proposed project including the type of project (Dam, Dikes, Channel Modifications, etc.) and purpose for the project. When available include any preliminary engineering reports or other information that will help explain the project. (Attach sheet if more space is needed.)

See attachments

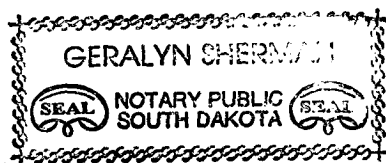
Attachment: Attach Map (see instructions)

STATE OF SOUTH DAKOTA) SS
County of McCook

I, MICHAEL KREUTZFELDT the applicant, certify that I have read this application, have examined the attached map and that the matters are true and that I intend, and am able to complete the necessary construction.

Signed Michael Kreutzfeldt

Subscribed and sworn to before me this 12th day of October 2001



Berwyn Sherman
Notary Public
My commission expires: 04-05-2005

SOUTH DAKOTA
FLOOD CONTROL PERMIT NO. FC-31

Date of first receipt of application October 15, 2001.

The Water Management Board approved Flood Control Permit No. FC-31 on March 13, 2002 for the McCook County, PO Box 550, Salem SD 57058 subject to the following limitations, conditions and qualifications:

1. Flood Control Permit No. FC-31 authorizes construction of a permanent outlet for Island Lake. This lake is located in portions of Section 24 and the NE ¼ Section 25, T104N, R53W and Section 19, T104N, R52W along the border between McCook and Minnehaha County. McCook County proposes to install approximately 2700 feet of buried 24 inch pipe to provide an outlet for Island Lake to alleviate flooding for the purpose of protecting County Highway 110. The pipeline's inlet will be constructed with a bottom elevation of 1738.60 feet mean sea level (fmsl) and will be located in the NW¼ NW¼ Section 30, T104N, R52W. The pipeline's route will be in an easterly direction. The pipeline's outlet elevation will be 1735.32 fmsl and located in the N½ NE¼ Section 30, T104N, R52W. Water discharged from the outlet will flow into the upper reach of Skunk Creek.
2. This project will reduce flooding of County Highway 110 resulting in increased public safety. It will reduce costly flood damage and on going county maintenance costs.
3. The date from which applicant may claim right is October 15, 2001.
4. All construction is to be completed on or before March 13, 2007.

QUALIFICATIONS

1. McCook and Minnehaha County are responsible for maintenance of the flood control works.
2. Flood Control Permit No. FC-31 is subject to securing necessary easements.
3. The Water Management Board retains jurisdiction of Flood Control Permit No. FC-31 in the event that additional information shows that this project causes adverse downstream impacts.

WATER MANAGEMENT BOARD

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

APR 16 2002

date

RECEIPT
Water Rights Program
South Dakota Department of Environment and Natural Resources

416884

Pierre, August 13, 20 01

RECEIVED OF Treasurer of McCook County, PO Box 278, Salem, SD 57058
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 _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	200 00

By Darland Eibeck
Chief Engineer *gm*

ISLAND LAKE
DRAINAGE AREA

CONTRIBUTING
AREA OF CREEK

PIPE INLET

END OF CHANNEL
CLEANOUT

PIPE
OUTLET

2705 LF OF
24" CMP

MOORE CO
MINNEAPOLIS CO

FC-31

ENGINEERING REPORT

ISLAND LAKE EMERGENCY OUTLET

A. EXISTING CONDITIONS

Island Lake is a lake without a natural outlet. From the USGS maps, it appears that there are approximately 1,800 acres that drain into Island Lake. It also appears from the contours and the elevations we shot that the current surface of the lake would be approximately 600 acres. The water surface on May 18, 1999 was at elevation 1740.6 and at the time of the survey on October 17th 2000 the water surface was at elevation 1738.2.

B. PROPOSED IMPROVEMENTS

The proposal for an emergency outlet is to construct a 24" corrugated metal pipe from the drainage way at Station 10+08.5 approximately 350' south of the highway to approximately Station 37+13.5 approximately 100' south of the highway and then clean out a channel to the upper reaches of Skunk Creek. It is proposed to establish the outlet elevation at elevation 1735.32. This is 3.28 feet below the inlet pipe, which is at elevation 1738.60. The proposed route would offer the least amount of excavation with shortest amount of pipe. The construction would consist of 2705 lineal feet of 24" Corrugated Metal Pipe and 350' lineal feet of channel.

C. HYDRAULICS

In recent years during high water events, the water from Island Lake has submerged County Highway 110 on numerous occasions creating an accessibility problem for motorists, and a financial burden for McCook and Minnehaha counties. With no outlet in place now the counties must continue to raise the existing grade line of the road, and supply erosion control measures. The proposed system would give Island lake a relief from rising waters, Without significantly adding extra flow to the downstream drainage way as shown in the chart below. These flows are assuming an initial lake elevation of 1738.60'.

Storm Frequency (yr)	Proposed Flow Out of Lake (cfs)	Existing Flow of Drainagway (cfs)	Combined Flow (cfs)	Percentage Change (%)
10	0.16	325.42	325.58	.0005
25	0.22	387.33	387.55	.0006
100	0.34	479.60	479.94	.0007

D. ATTACHMENTS

The following are attached in support of this report:

1. USGS Overall Drainage Areas, Plan View, and Plan and Profile

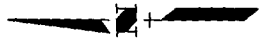
E. REPORT PREPARATION:

This report was prepared by

Grant V. Pokos, E.I.T.

Clark Engineering Corporation

Submitted on September 19th, 2001

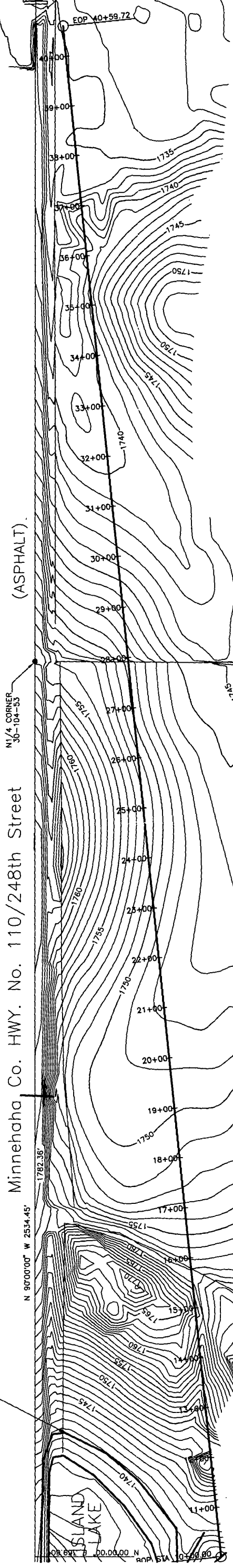


WATER'S EDGE
MAY 18, 1999
Elev 1740.6

Minnehaha Co. HWY. No. 110/248th Street

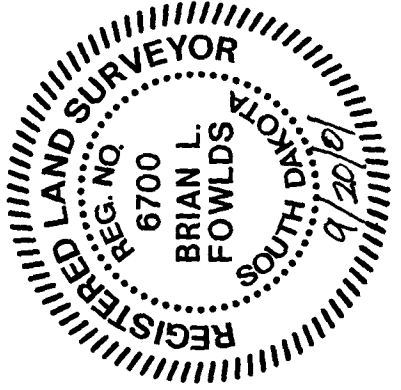
N 90°00'00" W 2534.45'

N 1/4 CORNER
30-104-53



NE 1/4
SEC. 30-104-53
(OLLERICH FAMILY TRUST)

NW 1/4
SEC. 30-104-52
(KAY. A. MILES)



I HEREBY CERTIFY THIS TOPOGRAPHIC SURVEY AND SURVEY THAT FROM IT IS BASED WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA.

Brian L. Fowlds
SIGNATURE

DATE 9/20/01 REG. NO. 6700

CLARK
ENGINEERING CORPORATION
CONSULTING ENGINEERS & LAND SURVEYORS
1410 W. RUSSELL STREET • SIOUX FALLS, SD 57104-1328
Phone (605) 331-2505 • Fax (605) 331-2502
ABERDEEN, SD
RAPID CITY, SD
MINNEAPOLIS, MN
FORT MYERS, FL

PROJECT NO. 99022.002
DWG FILE: 99022.dwg
DRAWN BY: CVP
CHECKED BY: BLF
REVISIONS:
SCALE: 0 100
PROJECT: ISLAND LAKE
OWNER: MCCOOK COUNTY

PLAN VIEW

SHEET 1 of 2
DATE: 9/01



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 14, 2001

Michael Kreutzfeldt
McCook County
PO Box 550
Salem SD 57058

Dear Mr. Kreutzfeldt:

Thank you for submitting the *Application for a Flood Control Permit* for McCook County. In order to complete the application the following is required.

Enclosed is the topographic map submitted with the application. On the map, please indicate the proposed pipeline route. There are also inconsistencies regarding the legal description of the location of the project as described on the application form and Plan View 1 & 2. Please clarify the legal descriptions.

The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties.

Prior to the our consideration of this application, we would like to know if the Minnehaha County Commission has passed a resolution agreeing to or supporting this proposed project.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

c: Bradley Stangohr, Clark Engineering Co.

MINNEHAHA COUNTY, SOUTH DAKOTA

HIGHWAY DEPARTMENT

BOX 1364

SIOUX FALLS, S. D. 57101

October 3, 2001

Karen Schlaak
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501

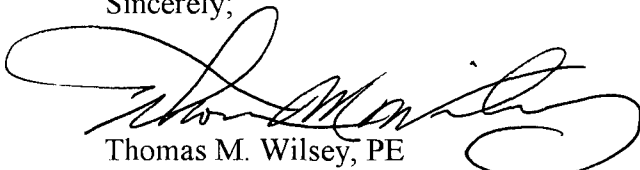
Re: Island Lake Flood Control Project

Dear Karen;

The McCook County flood control project at Island Lake is a joint venture with Minnehaha County. The Minnehaha County Commission has approved and we are assisting with this project.

If there are any additional questions, please contact our office.

Sincerely;


Thomas M. Wilsey, PE
Assistant County Highway Supt.





October 11, 2001

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Michael Kreutzfeldt
McCook County
PO Box 550
Salem SD 57058

RE: Island Lake Flood Control Project

Dear Mr. Kreutzfeldt:

For your information, enclosed is a copy of the October 9, 2001 letter we received from the Minnehaha County Highway Department stating the Minnehaha County Commission has approved and will assist with the above project.

Upon receipt of the other information requested in our August 14, 2001 letter (copy enclosed), further processing of the application will continue.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

c: Bradley Stangohr, Clark Engineering Co.

Clark Engineering Corporation
PO Box 20
1011 1st Ave SE
Aberdeen, SD 57402-0020
605-225-3494
fax 605-225-5433

**CLARK
ENGINEERING
CORPORATION**

Fax

To: Lynn Beck

From: Don Weigel

SD DENR

Fax: 605-773-4068

Pages: 3

Phone:

Date: 11/20/01

Re: Island Lake

CC:

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

• **Comments:**

Lynn,

You contacted our office to ask about the Island Lake Application for a Flood Control Permit. The Sioux Falls office of Clark Engineering Corporation completed the engineering report for the application.

You asked about the following:

1. Elevations of the road. - Minnehaha County Hwy. #110.
2. Calculations of capacity of downstream channel.
3. Overflow capacity of a dam downstream of the lake.
4. Elevation of the natural or current outlet of Island Lake.
5. Are there any easement agreements or other agreements with downstream landowners for construction of the pipe.

I reviewed our file information for this project and found the following information relating to the above questions.

1. Attached please find a copy of the left 1/2 of Sheet 2 of 2 from the permit application. This is a plan/profile sheet of the proposed pipe. In the upper left corner, I marked the centerline elevations of Minnehaha Co. #110. We shot these elevations during our field survey of the site.

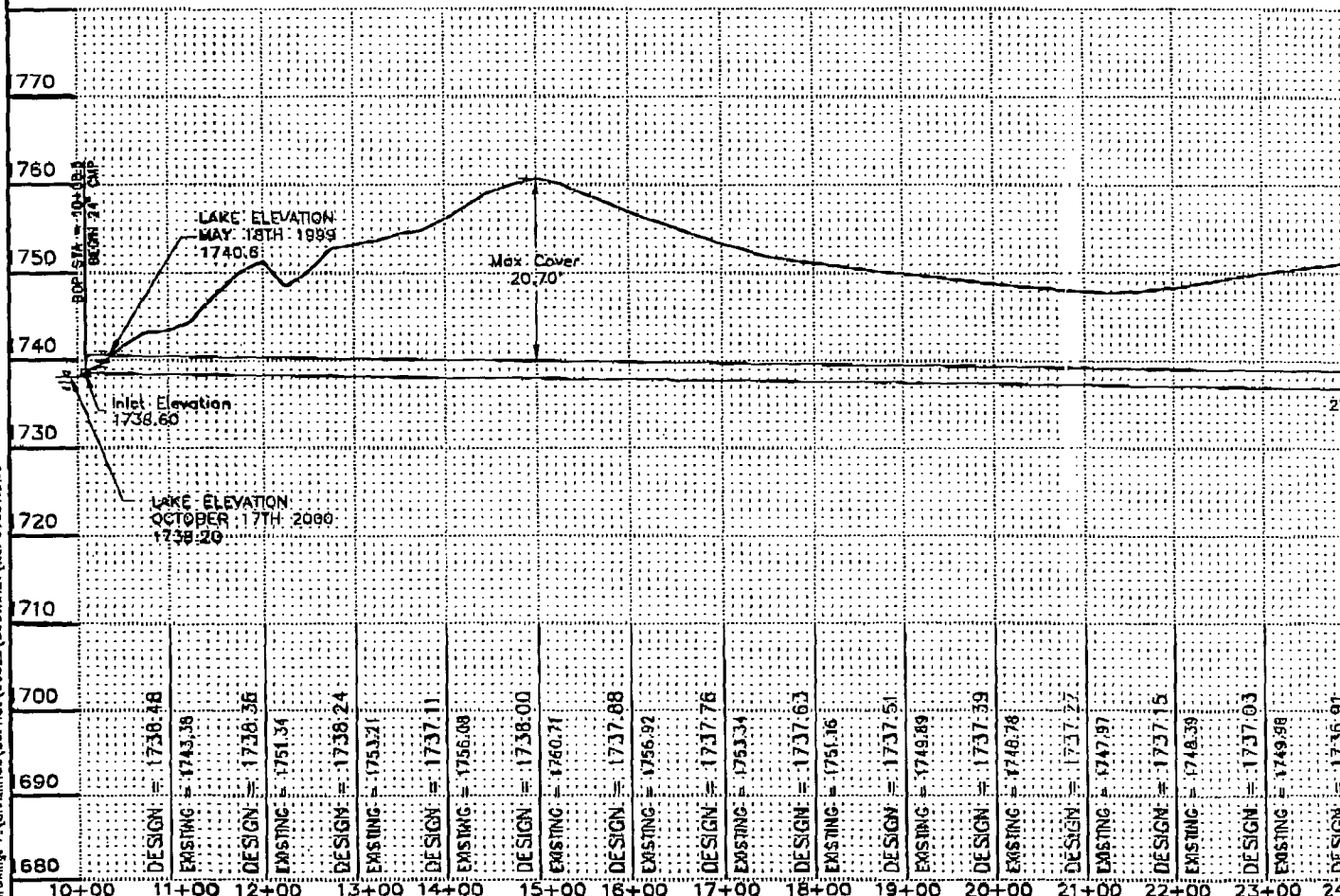
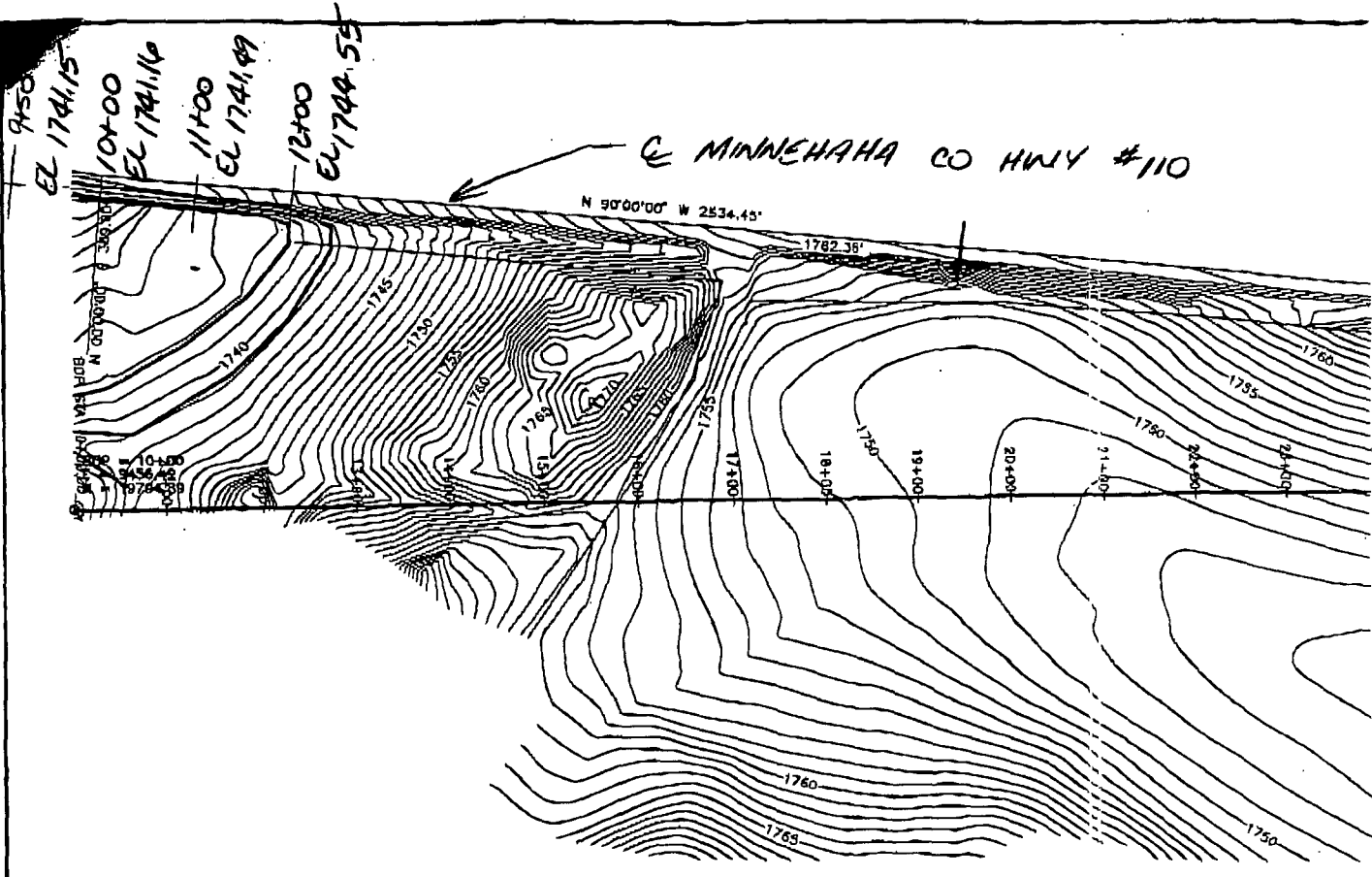
November 20, 2001

2. Part C. of the Engineering Report provides Hydraulic analysis of the Existing flow of the Drainage way, the Combined Flow, and the percent change. Note that the percent change due to flow from the pipe is very small for each of the storm events analyzed. I did not find any other hydraulic calculations for the channel in our files.
3. Clark Engineering Corporation (CEC) did not complete any analysis of a dam downstream of Island Lake.
4. No elevations were shot to determine the elevation the lake must reach before water would leave the closed basin.
5. CEC has no information about any easements or agreements for construction of the pipe. If any agreements have been discussed or reached with downstream landowners, McCook or Minnehaha Counties would have initiated those discussions and would have that information.

I believe this answers the questions you asked. If you need additional information, please call me at 1-888-225-3494.

Don Weigel

Clark Engineering Corporation, Aberdeen



CLARK

ENGINEERING CORPORATION
CONSULTING ENGINEERS & LAND SURVEYORS
1410 W. RUSSELL STREET • SIOUX FALLS, SD 57104-1328
Phone (605) 331-2505 • Fax (605) 331-2602

ABERDEEN, SD
RAPID CITY, SD
MINNEAPOLIS, MN
FORT MYERS, FL

September 20, 2003 3:05 PM
Drawings: 98P001A, 98P001B, 98P001C, 98P001D, 98P001E, 98P001F, 98P001G

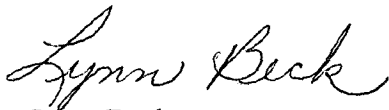
Water Rights Division - DENR

Conversation or File Documentation

Name of Person: **Mick Kreutzfeldt, McCook County Hwy. Supt.** File No. **FC-31**
Address: **P.O. Box 550, Salem, SD 57058** County: **McCook**
Date: **November 26, 2001** Telephone: **(605)425-2731**
RE: **FC-31 for Island Lake in McCook and Minnehaha Counties.**

Comments:

Mr. Kreutzfeldt said that McCook County would be responsible for maintenance of the outlet on Island Lake. He will fax a letter stating that McCook County accepts the responsibility. Mr. Kreutzfeldt also said that County Highway 110 has been built up 7' since 1985 in 4 or 5 different projects. Water was 1' over the road in 1999, since then only gravel has been added to the road. Water was close to going over the road in the spring of 2001. The east end of the road is the low elevation. This elevation on a surveyed topographic map prepared by Clark Engineering is 1741.15 fmsl.



Lynn Beck
Natural Resources Engineer

*Received fax 11.27.01 stating that McCook and Minnehaha counties will be financially responsible for maintenance of Island Lake outlet. Fax signed by McCook and Minnehaha County Highway Superintendents.
Lynn Beck*

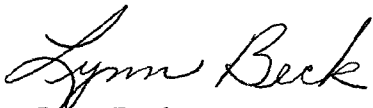
Water Rights Division - DENR

Conversation or File Documentation

Name of Person: **Thomas M. Wilsey, Assistant County Highway Supt.** File No. **FC-31**
Address: **Minnehaha County Hwy. Dept., Box 1364, Sioux Falls, SD 57101**
County: **Minnehaha**
Date: **November 26, 2001** Telephone: **(605)367-4316**
RE: **FC-31 for Island Lake in McCook and Minnehaha Counties.**

Comments:

Mr. Wilsey said that McCook County would be responsible for the maintenance of the outlet project for Island Lake. Minnehaha County agrees the project needs to be built and is offering some financial support.

A handwritten signature in cursive script that reads "Lynn Beck".

Lynn Beck
Natural Resources Engineer

CLARK

ENGINEERING CORPORATION

1011 First Ave. S.E.
P. O. Box 20
Aberdeen, SD 57402-0020
(605)225-3494
FAX: 605-225-5433

FACSIMILE TRANSMITTAL

Date: 1/4/02 Time: _____

2 Pages Sent (including transmittal)

ATTENTION: LYNN BECK

COMPANY: SD DENR

FAX #: 605-773-4068

FROM: DOV HEIGEL

RE: ISLAND LAKE

MESSAGE: LYNN,

THIS IS THE SUMMARY REPORT
FOR THE CALLS FOR THE ISLAND LAKE
APPLICATION

Page 1

Run date: 12-14-2001

Watershed above pipe outlet: Runoff

$$A = 333 \text{ ac} = .5203 \text{ mi}^2$$

$$S = 184.7' / \text{mi}$$

$$S_i = 3.33$$

Combined

% increase

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

$$= 425.28 \text{ cfs}$$

$$425.80$$

$$\frac{.52}{425.8} * 100 = .122$$

$$Q_{50} = 106 A^{.63} S^{.45} S_i^{-.69}$$

$$= 320.60 \text{ cfs}$$

$$320.91$$

$$.097$$

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

$$= 235.51 \text{ cfs}$$

$$235.69$$

$$.076$$

$$Q_{10} = 57.7 A^{.56} S^{.43} S_i^{-.80}$$

$$= 144.18 \text{ cfs}$$

$$144.26$$

$$.055$$

$$Q_5 = 41.2 A^{.53} S^{.42} S_i^{-.91}$$

$$= 87.30 \text{ cfs}$$

$$87.34$$

$$.046$$

$$Q_2 = 21.2 A^{.48} S^{.44} S_i^{-1.16}$$

$$= 38.14 \text{ cfs}$$

$$38.15$$

$$.026$$

Volume to Island Lake from watershed:

$$A = 2535 \text{ ac. (includes lake area)} = 3.9609 \text{ mi}^2$$

$$S = .0397 \text{ weighted avg. for watershed. } \leftarrow \text{don't need for Vol. calc}$$

$$S_i = 3.33$$

$$\text{Current lake area} = 600 \text{ ac.}$$

$$V_{100} = 589 A^{.77} S_i^{-1.49} = 283.12 \text{ ac.ft} \div 600 = .4719'$$

$$V_{50} = 491 A^{.76} S_i^{-1.54} = 219.20 \text{ ac.ft} \div 600 = .3653'$$

$$V_{25} = 403 A^{.75} S_i^{-1.59} = 167.10 \text{ ac.ft} \div 600 = .2785'$$

$$V_{10} = 296 A^{.73} S_i^{-1.65} = 111.08 \text{ ac.ft} \div 600 = .1851'$$

$$V_5 = 222 A^{.72} S_i^{-1.69} = 78.31 \text{ ac.ft} \div 600 = .1305'$$

$$V_2 = 129 A^{.72} S_i^{-1.74} = 42.85 \text{ ac.ft} \div 600 = .0714'$$

Flowmaster Program: Slope of Pipe = .0012'/ft $n = .024$ $D = 24"$

$Q_{100 \text{ yr}} = 0.52 \text{ cfs}$	$V_{100} = 0.92 \text{ fps}$	$Q_{10} = 0.08 \text{ cfs}$	$V_{10} = 0.52 \text{ fps}$
$Q_{50} = 0.31 \text{ cfs}$	$V_{50} = 0.79 \text{ fps}$	$Q_5 = 0.04 \text{ cfs}$	$V_5 = 0.41 \text{ fps}$
$Q_{25} = 0.18 \text{ cfs}$	$V_{25} = 0.67 \text{ fps}$	$Q_2 = .01 \text{ cfs}$	$V_2 = 0.28 \text{ fps}$

11/27/2021 10:23 16054252731
11/27/2021 09:00 6053677255
11/27/2021 09:43 16054252731

MCCOOK CO HIGHWAY
MINNEHAHA CO HWY
MCCOOK CO HIGHWAY

PAGE 01
PAGE 01
PAGE 02

November 26, 2001

Department of Environment and Natural Resources
Joe Foss Building
523 East Capital
Pierre, S.D. 57501-3182

RE: Island Lake Flood Control Project

The McCook County Highway Dept & Minnehaha County Highway Dept.
will share equally in the costs of maintaining the flood control
structure after construction has been completed.


Michael Kreutzfeldt
McCook County


Bob Walster
Minnehaha County

REPORT ON FLOOD CONTROL APPLICATION NO. FC-31

**McCook County
January 11, 2002**

Flood Control Application No. FC-31 has been filed by McCook County to construct a permanent outlet for Island Lake. This lake is located in portions of Section 24 and the NE $\frac{1}{4}$ Section 25, T104N, R53W and in portions of Section 19, T104N, R52W along the border between McCook and Minnehaha County. McCook County proposes to install 2,705 feet of buried 24-inch pipe to provide an outlet for Island Lake. The outlet is to alleviate flooding for the purpose of protecting County Highway 110. The pipeline's inlet will be constructed with a bottom elevation of 1738.60 feet mean sea level (fmsl) and will be located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, T104N, R52W. The pipeline's outlet elevation will be 1735.32 fmsl and located in the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 30, T104N, R52W. Channel clean out will extend 350 feet beyond the pipe outlet. Water discharged from the outlet will flow into an unnamed tributary to West Skunk Creek.

PROPOSED PROJECT

Island Lake is located in northeastern McCook and northwestern Minnehaha County about 7 miles northeast of Montrose and has a drainage area of approximately 2.8 square miles. Due to high precipitation and runoff the last few years the measured water levels have been as high as 1740.6 fmsl. October of 2000 the water level was measured at 1738.2 fmsl giving Island Lake a surface area of approximately 600 acres. The estimated overflow elevation for Island Lake, from USGS topographic maps, is 1755 fmsl. The rising lake levels have inundated County Highway 110, which is an east-west road through Island Lake.

County Highway 110 has been built up 7 feet in four different projects since 1985. Water was one foot over the highway in the spring of 1999 and almost over the road in the spring of 2001. The McCook County Highway Superintendent indicated that the low end of the road is at the east-end of Island Lake. Elevations surveyed by Clark Engineering indicate that the road is 1741.2 fmsl at the east-end of the lake. The proposed outlet elevation of the lake is 1738.6 fmsl this would provide 2.6 feet of freeboard for the county road.

The drainage area for the unnamed tributary above the outlet of the pipeline is approximately 0.52 square miles. The 100-year frequency event for this drainage would produce a peak of 480 cubic feet per second (cfs). The 2,705 feet of 24-inch pipe from Island Lake would add only 0.34 cfs to this flow or 0.07% increase. The 480 cfs from the watershed and the 0.34 cfs flow from the pipe were provided by Clark Engineering using Hydroflow/Hydrograph 6.1 flood routing software. This assumes an initial lake elevation of 1738.6 fmsl.

Results from the Hydroflow/Hydrograph 6.1 Program

Storm Frequency (yr)	Proposed Flow Out of Lake (cfs)	Existing Flow of Drainage-way (cfs)	Combined Flow (cfs)	Percentage Change (%)
10	0.16	325.42	325.58	.05
25	0.22	387.33	387.55	.06
100	0.34	479.60	479.94	.07

Results using U.S. Geologic Survey "Techniques For Estimating Flood Peaks, Volumes, and Hydrographs on Small Watersheds and Flowmaster Program for pipe flows.

Storm Frequency (yr)	Proposed Flow Out of Lake (cfs)	Existing Flow of Drainage-way (cfs)	Combined Flow (cfs)	Percentage Change (%)
2	.01	38.14	38.15	.026
5	.04	87.30	87.34	.046
10	.08	144.18	144.26	.055
25	.18	235.51	235.69	.076
50	.31	320.60	320.91	.097
100	.52	425.28	425.80	.122

Island Lake does not have an operating outlet. Spring 1997 runoff (a record year) added two feet of water to the lake. Assuming a lake level at the bottom of the proposed pipe inlet, a similar runoff event may cause the pipe outlet to run at capacity, which is 5.2 cfs. This would be a small percent increase to the runoff from the watershed above the pipe outlet.

McCook County Highway Department and Minnehaha County Highway Department will share equally in the cost of maintaining the flood control structure after construction has been completed. At the time of this report McCook County Highway Department did not have the required easements to construct the proposed Island Lake outlet.

EXISTING WATER RIGHTS AND DOWNSTREAM CONCERNS

There are no water rights held on Island Lake or in the Island Lake watershed. There are no water rights on the drainage above and below the proposed pipe outlet located on a tributary to West Skunk Creek.

A small three acre dam is located 1.3 miles downstream of the proposed pipe outlet. The 100-year frequency event for the drainage above the dam would produce a peak of 930 cfs. The additional flow from Island Lake would increase the flow to the dam by only 0.04%.

CONCLUSIONS

1. The Island Lake outlet structure will reduce flooding to County Highway 110 resulting in increased public safety. It will reduce costly flood damage and grade raises to County Highway 110.
2. Flood Control Permit Application FC-31 should be approved since the project will reduce damage from flooding or erosion, will not increase the likelihood or the severity of flood damage in areas other than the project area, and will not impair existing water rights.
3. McCook County Highway Department and Minnehaha County Highway Department will share equally in the cost of maintaining the Island Lake outlet.
4. The McCook County Highway Department will need to obtain easements from the landowners whose property the pipeline crosses.



Lynn Beck
Natural Resources Engineer Specialist
Water Rights Program

FLOOD CONTROL APPLICATION NO. FC-31



SCALE 0.5 0 0.5 1 1.5 Miles





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR FLOOD CONTROL PERMIT
APPLICATION NO. FC-31, McCook County**

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 Flood Control Permit Application No. FC-31, McCook County, c/o Michael Kreutzfeldt, Highway Superintendent, PO Box 550, Salem SD 57058.

The Chief Engineer is recommending APPROVAL of Application No. FC-31 because 1) the project will reduce damage from flooding, 2) will not increase the likelihood or the severity of flood damages downstream, 3) necessary easements will be obtained, 4) will not impair existing water rights, and 5) it is in the public interest with the following qualifications:

1. McCook and Minnehaha County are responsible for maintenance of the flood control works.
2. Flood Control Permit No. FC-31 is subject to securing necessary easements.
3. The Water Management Board retains jurisdiction of Flood Control Permit No. FC-31 in the event that additional information shows that this project causes adverse downstream impacts.

Garland Erbele, Chief Engineer
January 15, 2002



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 2002

Thomas M. Wilsey, PE
Assistant County Highway Supt.
Minnehaha County
Box 1364
Sioux Falls SD 57101

Dear Mr. Wilsey:

Please find enclosed a copy of the report, Chief Engineer's recommendation and notice of hearing on Flood Control Application No. FC-31 filed by McCook County. This application is for the construction of an outlet for Island Lake.

The notice of hearing will be published in the Argus Leader and Salem Special on January 24th and 31st scheduling a March 13th hearing before the Water Management Board.

This information is being sent to you because the new pipe outlet for Island Lake will be in Minnehaha County and the county is assisting in the project.

If you have any questions on the application, please contact Lynn Beck or myself at 605 773-3352.

Sincerely,

Eric Gronlund
Water Rights Program

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

January 15, 2002

Michael Kreutzfeldt
Mc Cook County
PO Box 500
Salem, SD 57058

Dear Mr. Kreutzfeldt:

Water Permit Application No. FC-31 for flood control use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publishers of the Salem Special printed at Salem, SD (Ph # 605-425-2361) and the Argus Leader printed at Sioux Falls, SD (Ph #605-331-2200). You will need to contact the newspapers and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a 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 newspapers to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspapers have also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish first Notice on January 24, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. FC - 31 for a Flood Control Permit

Notice is given that McCook County, PO Box 550, Salem SD 57058 has filed an application for a flood control permit to construct a permanent outlet for Island Lake. This lake is located in portions of Section 24 and the NE ¼ Section 25, T104N, R53W and Section 19, T104N, R52W along the border between McCook and Minnehaha County. McCook County proposes to install approximately 2700 feet of buried 24 inch pipe to provide an outlet for Island Lake to alleviate flooding for the purpose of protecting County Highway 110. The pipeline's inlet will be constructed with a bottom elevation of 1738.60 feet mean sea level (fmsl) and will be located in the NW¼ NW¼ Section 30, T104N, R52W. The pipeline's route will be in an easterly direction. The pipeline's outlet elevation will be 1735.32 fmsl and located in the N½ NE¼ Section 30, T104N, R52W. Water discharged from the outlet will flow into the upper reach of Skunk Creek.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. FC - 31 because 1) the project will not increase the likelihood or severity of flood damages downstream, 2) will not endanger human life or property, 3) will not impair existing water rights, and 4) is in the public interest because failure to keep water off of County Highway 110 may result in unsafe driving conditions, accessibility problems for motorists and ongoing county maintenance costs.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. 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 March 1, 2002. 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.

The Water Management Board will consider this application at 10:00 A.M., March 3, 2002 in the Matthew Training Center, Foss Building, 523 E Capitol Ave., Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The March 13, 2002 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by March 1, 2002.

Any hearing will be an adversary proceeding. Any person filing a petition 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. This 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. Contact Eric Gronlund by March 1, 2002, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This 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-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 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, 46-5-47, 46-5-48 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Steven Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

Argus Leader
PO Box 5034
Sioux Falls, SD 57117-5034

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. FC-31 to Appropriate Water to be published twice. Please publish the first notice on January 24, 2002 with the second publication 7 days later.

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 Michael Kreutzfeldt, McCook County, PO box 550, Salem, SD 57058 (Ph # 605-425-2731).

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. FC-31

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

Date _____

We are in receipt of your letter of January 16, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. FC-31 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

Salem Special
PO Box 220
Salem, SD 57058-0220

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. FC-31 to Appropriate Water to be published twice. Please publish the first notice on January 24, 2002 with the second publication 7 days later.

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Natural Resources Engineer
605 773-3352

enclosures

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

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Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

No. FC-31

Date _____

We are in receipt of your letter of January 16, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. FC-31 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Argus Leader
AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

Beth Buchanan being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

Thursday ,the 24 day of January 2002 ,

Thursday ,the 31 day of January 2002 ,

,the day of 2002 ,

,the day of 2002 ,

,the day of 2002 ,

,the day of 2002 ,

,the day of 2002 ,

and that \$58.63 was charged for publishing the same including A \$5.00 affidavit fee. *l l l l*

Subscribed and sworn to before 1/31/2002

JOAN STAHL
NOTARY PUBLIC
SOUTH DAKOTA

Notary Public, South Dakota

My Commission expires June 30th, 2005

State Notices

NOTICE OF HEARING
on Application No. FC-31 for a
Flood Control Permit
Notice is given that McCord
County, PO Box 550, Salinas
SD 57058 has filed an applica-
tion for a flood control permit to
construct a permanent outlet
for Island Lake. This lake is
located in portions of Sections
24 and the NE 1/4 Section 25
T104N, R63W and Section 19,

1104N, F&W along the border of the Chief Engineer, recom- Chief Engineer's address is Capitol Ave., Pierre, SD. The examine witnesses according to SDCL 1-26. This and other

haria County, McCook County and Minne- mends APPROVAL of Application, Foss County are not final or binding due process rights will be for

proposes to install approxi- No. FC-31 because 1) the Building 523 E. Congress, Pierre not be exercised. Decided by the

metically 2700 feet of buried 2) likelihood or severity of flood the SD 57571, 6805-7239-352D, and upon the Board, The Board is

much pipe to provide an outlet damage downstream, 2) will is given above. A petition filed

for Island Lake to alleviate not endanger human life or by either an interested person

flooding for the purpose of pro- property, 3) will not impair ex- or the applicant must be filed

tecting County Highway 110, isting water rights, and 4) is by March 1, 2002. The petition

The pipeline's inlet will be located in the public interest because it may be informal, but must in

level) and will be located in unsate driving cond- sions for opposing or supporting

the NW 1/4 NW 1/4 Section 33, 104N, F&W. The pipe, meters and ongoing county

line's outlet will be in an est- maintenance costs.

any direction, the pipeline's Any person interested in op- legal counsel, if legal counsel is

outlet elevation will be 7735.32 posing or supporting this ap- obtained.

NS 1/4 Section 33, 1104N, F&W cation must file a written pet- The Water Management

RS2N, Water delivered to the and Chief Engineer. The appli- Board will consider this applica- person filing a petition and/or

the outlet will flow through the cant must also file a petition if 2002 in the Matthew Training

upper reach of Stunk Creek, opposed to the Chief Engi- The Center, Foss Building, 523 E. may present evidence of cross-

Pursuant to SDCL 46-24-2, nts recommendations.

46-23-1, 46-23-3, 46-23-11, 46-23-12, 46-23-16, 46-23-17, 46-23-18, 46-23-19, 46-23-20, 46-23-21, 46-23-22, 46-23-23, 46-23-24, 46-23-25, 46-23-26, 46-23-27, 46-23-28, 46-23-29, 46-23-30, 46-23-31, 46-23-32, 46-23-33, 46-23-34, 46-23-35, 46-23-36, 46-23-37, 46-23-38, 46-23-39, 46-23-40, 46-23-41, 46-23-42, 46-23-43, 46-23-44, 46-23-45, 46-23-46, 46-23-47, 46-23-48, 46-23-49, 46-23-50, 46-23-51, 46-23-52, 46-23-53, 46-23-54, 46-23-55, 46-23-56, 46-23-57, 46-23-58, 46-23-59, 46-23-60, 46-23-61, 46-23-62, 46-23-63, 46-23-64, 46-23-65, 46-23-66, 46-23-67, 46-23-68, 46-23-69, 46-23-70, 46-23-71, 46-23-72, 46-23-73, 46-23-74, 46-23-75, 46-23-76, 46-23-77, 46-23-78, 46-23-79, 46-23-80, 46-23-81, 46-23-82, 46-23-83, 46-23-84, 46-23-85, 46-23-86, 46-23-87, 46-23-88, 46-23-89, 46-23-90, 46-23-91, 46-23-92, 46-23-93, 46-23-94, 46-23-95, 46-23-96, 46-23-97, 46-23-98, 46-23-99, 46-24-1, 46-24-2, 46-24-3, 46-24-4, 46-24-5, 46-24-6, 46-24-7, 46-24-8, 46-24-9, 46-24-10, 46-24-11, 46-24-12, 46-24-13, 46-24-14, 46-24-15, 46-24-16, 46-24-17, 46-24-18, 46-24-19, 46-24-20, 46-24-21, 46-24-22, 46-24-23, 46-24-24, 46-24-25, 46-24-26, 46-24-27, 46-24-28, 46-24-29, 46-24-30, 46-24-31, 46-24-32, 46-24-33, 46-24-34, 46-24-35, 46-24-36, 46-24-37, 46-24-38, 46-24-39, 46-24-40, 46-24-41, 46-24-42, 46-24-43, 46-24-44, 46-24-45, 46-24-46, 46-24-47, 46-24-48, 46-24-49, 46-24-50, 46-24-51, 46-24-52, 46-24-53, 46-24-54, 46-24-55, 46-24-56, 46-24-57, 46-24-58, 46-24-59, 46-24-60, 46-24-61, 46-24-62, 46-24-63, 46-24-64, 46-24-65, 46-24-66, 46-24-67, 46-24-68, 46-24-69, 46-24-70, 46-24-71, 46-24-72, 46-24-73, 46-24-74, 46-24-75, 46-24-76, 46-24-77, 46-24-78, 46-24-79, 46-24-80, 46-24-81, 46-24-82, 46-24-83, 46-24-84, 46-24-85, 46-24-86, 46-24-87, 46-24-88, 46-24-89, 46-24-90, 46-24-91, 46-24-92, 46-24-93, 46-24-94, 46-24-95, 46-24-96, 46-24-97, 46-24-98, 46-24-99, 46-25-1, 46-25-2, 46-25-3, 46-25-4, 46-25-5, 46-25-6, 46-25-7, 46-25-8, 46-25-9, 46-25-10, 46-25-11, 46-25-12, 46-25-13, 46-25-14, 46-25-15, 46-25-16, 46-25-17, 46-25-18, 46-25-19, 46-25-20, 46-25-21, 46-25-22, 46-25-23, 46-25-24, 46-25-25, 46-25-26, 46-25-27, 46-25-28, 46-25-29, 46-25-30, 46-25-31, 46-25-32, 46-25-33, 46-25-34, 46-25-35, 46-25-36, 46-25-37, 46-25-38, 46-25-39, 46-25-40, 46-25-41, 46-25-42, 46-25-43, 46-25-44, 46-25-45, 46-25-46, 46-25-47, 46-25-48, 46-25-49, 46-25-50, 46-25-51, 46-25-52, 46-25-53, 46-25-54, 46-25-55, 46-25-56, 46-25-57, 46-25-58, 46-25-59, 46-25-60, 46-25-61, 46-25-62, 46-25-63, 46-25-64, 46-25-65, 46-25-66, 46-25-67, 46-25-68, 46-25-69, 46-25-70, 46-25-71, 46-25-72, 46-25-73, 46-25-74, 46-25-75, 46-25-76, 46-25-77, 46-25-78, 46-25-79, 46-25-80, 46-25-81, 46-25-82, 46-25-83, 46-25-84, 46-25-85, 46-25-86, 46-25-87, 46-25-88, 46-25-89, 46-25-90, 46-25-91, 46-25-92, 46-25-93, 46-25-94, 46-25-95, 46-25-96, 46-25-97, 46-25-98, 46-25-99, 46-26-1, 46-26-2, 46-26-3, 46-26-4, 46-26-5, 46-26-6, 46-26-7, 46-26-8, 46-26-9, 46-26-10, 46-26-11, 46-26-12, 46-26-13, 46-26-14, 46-26-15, 46-26-16, 46-26-17, 46-26-18, 46-26-19, 46-26-20, 46-26-21, 46-26-22, 46-26-23, 46-26-24, 46-26-25, 46-26-26, 46-26-27, 46-26-28, 46-26-29, 46-26-30, 46-26-31, 46-26-32, 46-26-33, 46-26-34, 46-26-35, 46-26-36, 46-26-37, 46-26-38, 46-26-39, 46-26-40, 46-26-41, 46-26-42, 46-26-43, 46-26-44, 46-26-45, 46-26-46, 46-26-47, 46-26-48, 46-26-49, 46-26-50, 46-26-51, 46-26-52, 46-26-53, 46-26-54, 46-26-55, 46-26-56, 46-26-57, 46-26-58, 46-26-59, 46-26-60, 46-26-61, 46-26-62, 46-26-63, 46-26-64, 46-26-65, 46-26-6

State Notices

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WAT
PRO
Pier

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of McCook) SS

I, Tray Schwane

certify that the attached printed Notice was taken

from the Salem Special

printed and published in Salem

County of McCook and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

January 24, 2002

January 31, 2002

Cost of Printing \$72.89

[Signature]
 (Signature)

Owner
 (Title)

2/1/02
 (Date Signed)

Public Notice

**NOTICE OF HEARING
 on Application No. FC - 31
 for a Flood Control Permit**

Notice is given that McCook County, PO Box 550, Salem, SD 57058 has filed an application for a flood control permit to construct a permanent outlet for Island Lake. This lake is located in portions of Section 24 and the NE 1/4 Section 25, T104N, R53W and Section 19, T104N, R52W along the border between McCook and Minnehaha County. McCook County purposes to install approximately 2700 feet of buried 24 inch pipe to provide an outlet for Island Lake to alleviate flooding for the purpose of protecting County Highway 110. The pipeline's inlet will be constructed with a bottom elevation of 1738.60 feet mean sea level (fmsl) and will be located in the NW 1/4 NW 1/4 Section 30, T104N, R52W. The pipeline's route will be in an easterly direction. The pipeline's outlet elevation will be 1735.32 fmsl and located in the N 1/2 NE 1/4 Section 30, T104N, R52W. Water discharged from the outlet will flow into the upper reach of Skunk Creek.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. FC - 31 because 1) the project will not increase the likelihood or severity of flood damages downstream, 2) will not endanger human life or property, 3) will not impair existing water rights, and 4) is in the public interest because failure to keep water off of County Highway 110 may result in unsafe driving conditions, accessibility problems for motorists and ongoing county maintenance costs.

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1/24, 1/31

RECEIVED

FEB - 8 2002

**WATER RIGHTS
 PROGRAM**

*Montrose, S.D.
2-27-2002*

Chief Engineer
Water Rights Program
Foss Building, 523 E. Capitol
Pierre, S. D. 57501

Dear Sir:

I am writing in support of the application that Mc Cook County, P.O. Box 550 Salem, S.D. has filed for a flood control permit to construct a permanent outlet for Island Lake which is located along the border between Mc Cook and Minnehaha counties, for the purpose of protecting Highway 110.

This is a main artery highway running easterly from U. S. Highway 81 north of Salem to State highway 19 and on east to Colton and meeting up with Interstate 29 and Dell Rapids. This highway is located six miles north of Montrose and the next east-west highway is another seven miles north running easterly from U. S. 81 past the Orland-Franklin school area on east to Chester.

The extremely rough terrain on the east side of the East Vermillion river is the main reason for no through east-west roads in this area from southern Lake County to south of Montrose.

Mc Cook and Minnehaha have had to close this highway a number of times when it was either under water or was ice packed when the high winds had blown the water across the road and then freezing.

I live in this area and use this highway a lot of the time. I thank you for any consideration in this matter.

James R Miles

James R Miles
24735 453rd Ave.
Montrose, S. D. 57048

RECEIVED

FEB 28 2002

WATER RIGHTS
PROGRAM

Chief Engineer
Water Rights Program
Foss Building, 523 E. Capitol
Pierre, S. D. 57501

Montrose, S. D.
2-27-2002

Dear Sir:

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I live in this area and use this highway a lot of the time. I thank you for any consideration in this matter.

James R Miles

James R Miles
24735 453rd Ave.
Montrose, S. D. 57048

RECEIVED
MAR - 4 2002
WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 16 2002

Michael Kreutzfeldt
Mc Cook County
PO Box 500
Salem, SD 57058

Dear Mr. Kreutzfeldt:

Enclosed is Flood Control Permit No. FC-31 as approved by the Water Management Board. If you have any questions pertaining to the permit, please contact this office.

Sincerely,

A handwritten signature in black ink, which appears to read "Garland Erbele".

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

Enclosure

Gronlund, Eric

From: Gronlund, Eric
Sent: Wednesday, April 28, 1999 11:49 AM
To: Rath, Mark; Beck, Lynn
Cc: Hatch, John
Subject: Island Lake in NE McCook County

Received a call from Lyle Eichacker, a McCook County Commissioner, they are looking at emergency drainage measures which I believe are largely to protect a homeowner. Island Lake is roughly a 300 acre lake in both McCook & Minnehaha County. It sounds like a very similar situation to Opdahl Slough and Lake Astoria with the exception that the primary motive is a single emotional landowner. The County does have a road through the lake but it has been raised about 7 feet. They are looking at some type of pipe outlet (sounds like it will take a 16 foot cut in some places). I explained what I believe their authority is under the county's emergency drainage measures (one-year temporary draining) and that a permanent new outlet structure may require a flood control permit at a state level.

He wanted to know if someone would be available on May 4th to informally discuss this with the Commission. I informed him that wasn't the best day because we had a Board meeting the next day but I said I'd get back to him on Friday and let him know.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr



April 30, 1999

McCook County Commissioners
c/o Geralyn Sherman, County Auditor
PO Box 190
Salem SD 57058

Dear Commissioners:

Commissioner Lyle Eichacker recently called to discuss flood relief alternatives for Island Lake in northeastern McCook County. Commissioner Eichacker requested that a staff member attend your May 4th meeting to discuss state laws regarding emergency flood relief. Unfortunately, with a Water Management Board meeting scheduled for next week we are not able to attend your meeting. However, I wanted to write concerning emergency flood control measures that are available to the county.

I understand that a possible solution being discussed is to evacuate flood waters from the lake with a pipeline outlet. Construction of emergency flood control facilities is allowed under South Dakota Codified Laws 46-5-48 and 46A-10A-15 for the immediate protection of life or property. Emergency flood control measures under the county drainage laws require a public hearing and are limited to six months with an opportunity to renew for one additional period of six months. I believe that the process for conducting emergency drainage measures as set forth in SDCL 46A-10A-15 for Island Lake may require concurrence by both McCook and Minnehaha County.

After one year, the emergency drainage measures on a lake must be disabled unless a state flood control permit is obtained. In the case of a pipeline, disabling the outlet may be accomplished by plugging the inlet of the pipeline with concrete for a minimum distance. Simply closing and locking an inlet valve does not adequately disable the structure since an outlet mechanism still exists. A flood control permit is needed if a permanent structure is installed because for this lake it establishes a new lake outlet elevation.

If we can be of further assistance or answer questions, please contact Eric Gronlund at (605) 773-3352.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Program