

## FLOOD CONTROL PERMIT NO. FC-5

The Water Management Board hereby approves Flood Control Permit No. FC-5, Lake Poinsett Area Development Association, c/o Virgil Herriott, Lake Norden, South Dakota 57248 to construct a gated control structure on the Lake Poinsett outlet.

Approval of the permit does not increase the likelihood or severity of downstream flood damages, does not impair existing water rights or endanger human life or property. The permit authorizes construction of the proposed project to reduce flood damage, bank erosion and nutrient loading the lake with the following qualifications:

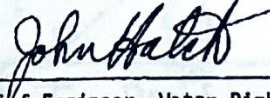
1. That the gated structure may be closed only during times when water is backed up from the Big Sioux River and may flow into the lake over the outlet.
2. That the gates may not be used to raise the water level in Lake Poinsett. The gates must remain open when the water level elevation of the lake is higher than the water level downstream of the outlet.
3. That the ordinary high water mark (High WM) elevation 1651.5 feet msl may not be affected by this Flood Control Permit and that the Board may review this permit if it appears that the High WM is being affected or a new High WM is being formed above or below the established High WM.
4. That the construction of the control structure, future maintenance and repair, and gate operation are the responsibility of the Lake Poinsett Area Development Association.
5. That the gates must be capable of being locked in position so unauthorized persons may not operate or tamper with the gates.

Date of first receipt of application August 22, 1986

Approved March 4, 1987

1. The date from which the applicant may claim right is August 22, 1986
2. The whole of said work is to be completed on or before March 4, 1992.
3. The project shall be used for the purpose of flood control on Lake Poinsett
4. The prior water rights of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of the water must not be unlawfully impaired by this flood control project.

WATER MANAGEMENT BOARD



Chief Engineer, Water Rights Division  
Dept. of Water and Natural Resources

APR 30 1987