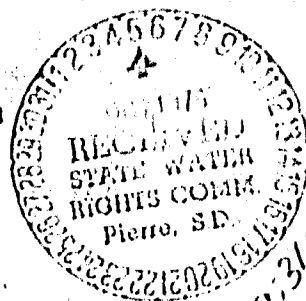


Water Right Number 3132-3

1. Considered 11-17, 19 76
2. Name of Applicant WAYNE E OGBEN
3. Post Office Address RICHLAND, WASHINGTON
4. Amount of water claimed 2.2
5. Source of water supply 89' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 156
7. Water to be diverted and used in KINGSBURY County
about 2W, 5 1/2 N Miles of DE SMET
8. Proof of Publication
Received 11-15-76
Not received
9. Application
Approved
Subject to
Not approved
Action deferred
10. Remarks:

No. 3132-3
 Map No. 2474-3 Water Division No. 3 VERMILLION RIVER District
 (Blanks to be Filled by the Engineer for the W. B. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Wayne E. Ogden
 Postoffice address 1324 Potter, Richland, State Nebraska 68302
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct labor
 3. Name of diversion work Wayne E. Ogden Irrigation Project #1
 4. Amount of water claimed (cubic feet per second) 2.2
 5. Source of water supply well
 6. Location of point of diversion 1800' N 135° W ad NE corner sec. 31-112-56

- County Kingsbury
 7. Annual period or periods during which water is to be used April through October
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 9. For irrigation use, Total number of acres to be irrigated 156

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>NW 1/4 NE 1/4 Sec 31-112-56</u>	<u>39</u>		
<u>NE 1/4 " " " "</u>	<u>38</u>		
<u>SW 1/4 " " " "</u>	<u>40</u>		
<u>SE 1/4 " " " "</u>	<u>39</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system five years. Additional time required to complete application of water to the proposed beneficial use three years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Brookings Register
 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. wellB. Works proposed to transport water to place of use. closed conduitC. Works proposed to apply water to beneficial use. center pivot irrigation machineEstimated Total Cost \$ 42,000

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Brookings

I, Wayne E. Ogden, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Wayne E. OgdenSubscribed and sworn to before me this 13 day of Sept 1972

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

This Water Rights Commission hereby approves Water Right Application No. 3132-3
WAYNE E. DAREN (Applicant) 1324 POTTER RICHLAND (Post Office Address)
WASHINGTON 99352 (State) With the following modifications:

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application OCTOBER 5, 19 76
 Date of return to applicant for correction, amendments or changes required —, 19 —
 Date of receipt of corrected application OCTOBER 19, 19 76
 Approved NOVEMBER 18, 19 76, Recorded in Book 16 Page 219

WATER RIGHT PERMIT NO. 3132-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3132-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is OCTOBER 5, 19 76.
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 18, 19 78.
3. The whole of said work is to be completed on or before NOVEMBER 18, 19 81.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 18, 19 84.
5. The water appropriated shall be used for the purpose of IRRIGATION.
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.2 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before NOVEMBER 18, 19 84; said water to be used during the following described annual period: APRIL THRU OCTOBER.

Witness my hand this 21st day of DECEMBER, 19 76

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter 30", Depth 89'
 (2) Casing, Type Steel Diameter 14" Thickness 1/4"
 (concrete, steel, etc.)
 (3) Perforated Screen.
 Type Cont. Slot, Diameter 14", Length 15'
 (4) Gravel Pack, Thickness 6", Length of gravel pack 30'

E. Dugout Information or Estimates.

(1) Surface dimensions —, Depth —

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 0' to 13' lay Soil, 13' to 34' sand
medium to coarse; 34' - 60' - clay with gravel
stringers; 60' to 89' gravel, coarse, and
sand medium to coarse

Depth to top of water bearing material 13'

Depth to bottom of water bearing material 89'

Thickness of water bearing material 50'

Depth to water (ground surface to water level) 15'

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property No Supply rds. On property owned by others over 100 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Wayne E. Olsen
 Signature of Applicant by Senja E. Jensen

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)

NAME Wayne E. Ogren
ADDRESS Richland, Washington
COUNTY Kingsbury

LEGAL DESCRIPTION

1. WELL LOCATION Center of NE 9 Sec 31-112-56
2. LOCATION OF AREA TO BE IRRIGATED NE 9 Sec 31-112-56

TYPE OF IRRIGATION

3. GRAVITY TOWLINE CENTER PIVOT ✓ GUN
4. CROPS TO BE IRRIGATED

WATER QUALITY

5. SAMPLE NUMBER 76-1307
6. SALINITY (EC X 10⁶) 834 (Med-High)
7. SODIUM (SAR) 0.68 (Low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that
ed to irrigate shall be acquired from South Dakota State University and;
e soils information has been acquired from _____ Conservation District,
nty Extension office or Soil Conservation Service.

at the legal description for the location of the well and land to be irrigated is true
and correct.

SCRIBED AND SWORN BEFORE ME THIS
DAY OF Sept 19 76.

TITLE OR SEAL)

Wayne E. Ogren
APPLICANT'S SIGNATURE
Approved by _____
conservation-
cent of 100 to a large degree determine the relative
success of this venture.

APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Wayne Ogren
 Address: Richland, Washington
co: Keith Jensen
Rt. 1, Box 17
Toronto, SD 57268

Date Rec'd: September 8, 1976
 Sample No. 76-1307
 Identification Well -
NE 1/4, Sec. 31, T 112N, R 56W

WATER ANALYSIS

Calcium (Ca)	70	ppm*	3.50	me/l**
Magnesium (Mg)	30	ppm	2.46	me/l
Sodium (Na)	27	ppm	1.17	me/l
Potassium (K)	17	ppm	0.44	me/l
Sulfate (SO ₄)	225	ppm	4.68	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	20	ppm	0.56	me/l
Bicarbonate (HCO ₃)	329	ppm	5.40	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	270	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	834	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.68			
Sodium	15.45	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.82			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations
 Total anions

7.57 me/l
 10.64 me/l

By: Shirley Kitten

Service Performed	Amount Due
Irrigation analysis	\$8.00

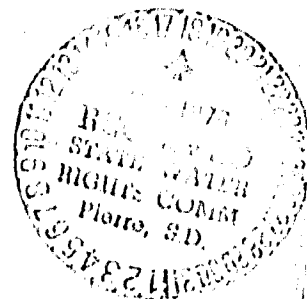
Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1307

Amount Enclosed \$

Signed



October 5, 1976

Mr. Wayne E. Ogren
Richland, Washington
c/o Keith Jensen
Rt. 1, Box 17
Toronto, SD-57268

Dear Mr. Ogren:

I am reporting herewith the analysis of the water sample #76-1307 submitted here in September.

The water quality is satisfactory for irrigation and there are no chemical problems suspected as a result of the use of this water on normal soils. However, the land in the N2 quarter of section 31-112-56 is almost impossible to irrigate with a center pivot system. There are areas of steep, thin soil, and areas of poorly drained creek bottom land which will just simply perform satisfactorily. If you irrigate accordingly the requirements of the Upland soils around them. I suspect that you would be severely disappointed in the use of the center pivot system trying to irrigate all of these lands alike or crop them alike. The only possible way it would work with a center pivot system is to keep the class 7 lands, the steep ones, in forage crops and also the poorly drained drainage way area in a water tolerant forage crop such as Reed's canary grass, or tall wheat grass. Otherwise you will be severely disappointed in the performance of this land and this irrigation.

A copy of this letter is accompanying the application materials and the water analysis to the State Conservation Commission for their action. If you receive a water use permit, I suggest you contact the conservationist of Kingsbury County and endeavor to work out a cropping and soil management plan which has a chance of success.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission

Form 6. - Notice of Intent to Appropriate Water

No. 3132-2

Publish first publication, on or before

November 4, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 28, 1976

Notice is hereby given that Wayne E. Ogren

whose post office address is Richland, Washington ~~South Dakota~~, has made an application in accordance with the provisions of the water laws of South Dakota for

a permit to appropriate for beneficial use 2.2 cubic feet of water per

second of time from the ground water through the

Wayne Ogren # 1, the point of diversion of which is to

be located in the center of the 1/4

of Section 31, Twp. 112N, Range 56W. Said water to be used for the purpose of providing irrigation on the following described land:
portions of

NE 1/4, Section 31, T112N, R56W

This application No. 3132-2 will be considered by the Water Rights

Commission at the Marvin Huggitt Hotel in Huron, South Dakota

upon the 17th day of November, 1976 at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc: Wayne E. Ogren, 1324 Potter, Richland, Wash, 99532

No. 3132-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brookings) ss.

I, James M. McLellan Jr. hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Brookings Daily Register.

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____
City of Brookings
County of Brookings and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

Nov. 4, 1976

Nov. 11, 1976

James M. McLellan Jr.
(Signature)

Editor-General Manager
(Title)

11-11-76
(Date Signed)

Legal No. 537 — Nov. 4 & 11
NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
October 28, 1976

Notice is hereby given that Wayne E. Ogren whose post office address is Richland, Washington, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from ground water through the Wayne Ogren No. 1, the point of diversion of which is to be located in the center of the NE¼ of Section 31, Twp. 112N, Range 56W. Said water to be used for the purpose of providing irrigation, on portions of the following described land: NE¼, Section 31, T112N, R56W.

This application No. 3132-2 will be considered by the Water Rights Commission at the Marvin Hughitt Hotel in Huron, South Dakota upon the 17th day of November, 1976 at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:
Burton F. Jones
Water Rights Specialist





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 23, 1987

WAYNE E. OGREN
RR #1 BOX 176
DESMET, SD 57231

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 3132-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 3132-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the questionnaire(s) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 29, 1987

3132-3

Wayne E Ogren
RR #1 Box 176
DeSmet, SD 57231

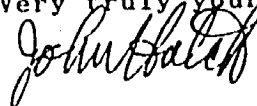
Dear Mr. Ogren:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 3132-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

RAIDY OGREN, OPERATOR
RR #1 BOX 176
DE SMET, SD 57231

3132-3

4a. Article Number

P 837 692 737

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-8-55

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991

U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



3132-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 7, 1995

RANDY OGREN, OPERATOR
RR #1 BOX 176
DE SMET SD 57231

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 3132-3. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 S Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No 3132-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire is received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

CC: WAYNE E OGREN, PO BOX 110111, ANCHORAGE, AK 99511



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 17, 1995

3132-3

Randy Ogren, operator
RR #1 Box 176
DeSmet, SD 57231

Dear Mr. Ogren.

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. You may disregard the February 7, 1995, Notice of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire.

The questionnaire was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Division
(605) 773-3352

c: Wayne E Ogren, PO Box 110111, Anchorage, AK 99511

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. /

WAYNE E OGREN
PO BOX 110111
ANCHORAGE, AK 99511

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991

U.S. GPO: 1993-352-714

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3/30/95

4a. Article Number

P837692680

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-21-95

8. Addressee's Address (Only if requested and fee is paid)

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

3132-3

RANDY OGREN, OPERATOR
RR 1 BOX 176
DE SMET SD 57231

4a. Article Number

P 378 081 387

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

X-1-97

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

3132-3

Wayne Ogren
PO Box 110111
Anchorage AK 99511

4a. Article Number

P 378 084 407

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

5. Received By: (Print Name)

6. Signature (Addressee or Agent)

X *Wayne Ogren*

8. Addressee's Address (Only if requested
and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt



February 4, 1997

NOTICE

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

TO: RANDY OGREN, OPERATOR, RR 1 BOX 176, DE SMET, SD 57231

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 3132-3. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3132-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: WAYNE OGREN, PO BOX 110111, ANCHORAGE, AK 99511

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 25, 1997

3132-3

Randy Ogren
RR 1 Box 176
DeSmet, SD 57231

Dear Mr. Ogren:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

I completed a questionnaire for you based on our February 25th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

c: Wayne Ogren, PO Box 110111 Anchorage, AK 99511



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

January 9, 1998

NOTICE

TO: RANDY OGREN, OPERATOR, RR 1 BOX 176, DE SMET, SD 57231

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 3132-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, February 25, 1998, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3132-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

cc: WAYNE OGREN, PO BOX 110111, ANCHORAGE, AK 99511

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address (on the reverse of this form so that we can return this card to you).
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. ☐ Addressee's Address
 - 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to: 3132-3

RANDY OGREN, OPERATOR
RR 1 BOX 176
DE SMET SD 57231

4a. Article Number
2 179 157 129

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
1-10-98

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
[Signature]

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

March 2, 1998

NOTICE OF AMENDMENT OF WATER PERMIT

TO: RANDY OGREN, OPERATOR, RR 1 BOX 176, DE SMET, SD 57231

FROM: John Hatch, Chief Engineer
Water Rights Program.
(605) 773-3352



SUBJECT: Amendment to Water Permit No. 3132-3

Pursuant to the provisions of the notice dated January 9, 1998, and following the hearing February 25, 1998, the Water Management Board has amended Water Permit No. 3132-3 to add the following qualification:

"This water permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

This action was taken for failure to return the 1997 irrigation questionnaire. The addition of this qualification to your Water Permit means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

Please contact Genny McMath (605) 773-3352, if you have any questions.

c: Wayne Ogren, PO Box 110111, Anchorage, AK 99511

CERTIFICATION

I hereby certify that on March 2, 1998, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 2, 1998, regarding Amendment to the following Water Rights/Permits, addressed as stated below:

W.R. #954-2: Kimberly Kaye Sealine, 24300 173rd Ave., Caputa, SD 57725.

W.R. #1632-2: Kathleen Ann Perrigo, P.O. Box 771, Box Elder, SD 57719-0771.

W.R. #305-3: Iner Houska, 40970 246th St., Mitchell, SD 57301.

W.R. #699-3: H. T. Bosworth, RR 3, Box 216, Mitchell, SD 57301.

W.R. #849-3: Florence Demers, RR 2, Box 248, Elk Point, SD 57025-9757.

W.R. #1095-3: Fred Assam, Hamad Assam Corporation, 530 S. Phillips Ave., Sioux Falls, SD 57102.

W.R. #2487-3: Harvey Kloss, 204 Kansas, Apt. 7, Tulare, SD 57476.

W.P. #3132-3: Randy Ogren, Operator, RR 1, Box 176, DeSmet, SD 57231.

A copy of the Notice for W.P. #3132-3 was sent to the following:

Wayne Ogren, P.O. Box 110111, Anchorage, AK 99511.

W.R. #3341-3: Louis Voeltz, Voeltz Farm, Inc., RR 1, Box 212, Big Stone City, SD 57216.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 3rd day of March, 1998


Notary Public
KAREN SCHLAACK
NOTARY PUBLIC
SOUTH DAKOTA

KAREN SCHLAACK, Notary Public
My Commission Expires
April 1, 2001

March 2, 1998

Genny McMath
DENR/Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181



RE: UNCLAIMED CERTIFIED MAIL CONCERNING VIOLATION OF WATER
PERMIT NO. 3132-2

Ref: Letter, February 9, 1998, DD Brosz to Wayne Ogren, same subject

People:

We have not been at the address you used on the above referenced letter for three years. It was only by a fluke that we got the February 9 letter.

Please change the mailing address as follows:

Wayne E. Ogren
P.O. Box 29513
Bellingham, WA 98228-1513

Thank you,

Wayne Ogren

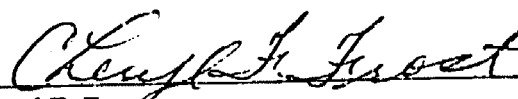
WEO/bl

cc: file

CERTIFICATION

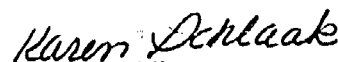
I hereby certify that on February 9, 1998, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated February 9, 1998, along with a Notice dated January 9, 1998, that was sent out Certified Mail, but was returned Unclaimed, regarding Unclaimed Certified Mail Concerning Violation of Water Permit No. 3132-3, addressed as stated below:

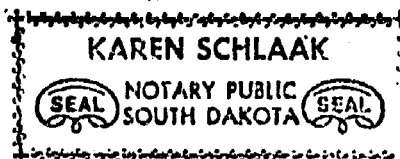
Wayne Ogren, P.O. Box 110111, Anchorage, AK 99511.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 10th day of February, 1998


Notary Public



KAREN SCHLAAK, Notary Public
My Commission Expires
April 1, 2001



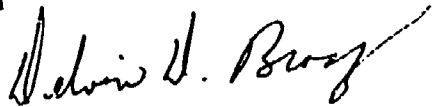
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 9, 1998

NOTICE

TO: Wayne Ogren, PO Box 110111, Anchorage, AK 99511

FROM: Delvin D Brosz, PE, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division 

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Permit No. 3132-3

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you January 16 and January 22, 1998 to pick up and sign for the certified mail.

If you have any questions, please contact Genny McMath, (605) 773-3352.

enclosure



3132-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 1999

NOTICE

TO: RANDY OGREN, OPERATOR, RR 1 BOX 176, DE SMET, SD 57231
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3132-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3132-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:45 am, March 3, 1999 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3132-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Cenny McMath at (605) 773-3352.

C: WAYNE OGREN, PO 29513, BELLINGHAM, WA 98228-1513

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

3132-3

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: **RANDY OGREN, OPERATOR
RR 1 BOX 176
DE SMET SD 57231**

4a. Article Number **2119141595**

4b. Service Type

☐ Registered ☒ Certified

☐ Express Mail ☐ Insured

☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery **1-23-99**

5. Received By: (Print Name) **R.O.B.**

6. Signature (Addressee or Agent) **X**

8. Addressee's Address (Only if requested and fee is paid)

102505-07-8-0179 Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: **Wayne Ogren
PO Box 29513
Bellingham, WA 98228-1513**

4a. Article Number **P378 030 627**

4b. Service Type

☐ Registered ☒ Certified

☐ Express Mail ☐ Insured

☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: (Print Name) **Wayne Ogren**

6. Signature (Addressee or Agent) **X**

8. Addressee's Address (Only if requested and fee is paid)

102505-07-8-0179 Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1999

3132-3

Randy Ogren
RR 1 Box 176
DeSmet, SD 57231

Dear Mr. Ogren:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Permit No. 3132-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



3132-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3101
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: RANDY OGREN, OPERATOR, RR 1 BOX 176, DE SMET, SD 57231
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3132-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3132-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 1:30 pm, March 1, 2000 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3132-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: WAYNE OGREN, PO 29513, BELLINGHAM, WA 98228-1513

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

3132-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Wayne Ogren
PO Box 29513
Bellingham WA 98228-1513

2. Article Number (Copy from service label)

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

D. Is delivery address different from the address on the label?
If YES, enter delivery address below

☐ Agent

☐ Addressee

☐ Yes

☐ No

3. Service Type

☒ Certified Mail

☐ Registered

☐ Insured Mail

☐ Express Mail

☐ Return Receipt for Merchandise

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Domestic Return Receipt

102595-99-M-1789



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2000

NOTICE

TO: Randy Ogren, RR #1 Box 176, DeSmet, SD 57231

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Division 

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Permit No. 3132-3

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail return-receipt requested envelope to our office marked "unclaimed". The envelope indicated the post office notified you January 15th and January 20th to pick up and sign for the certified mail.

If you have any questions, please contact Genny McMath, (605) 773-3352.

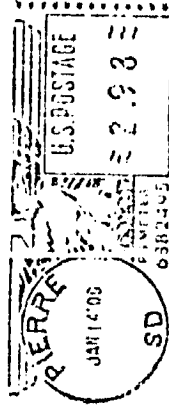
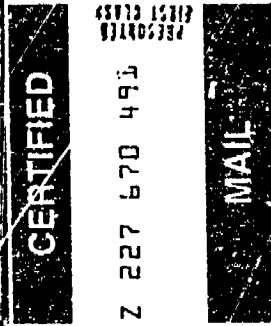
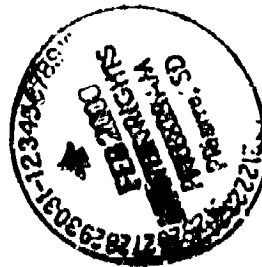
enclosure

3132-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

RETURN SERVICE REQUESTED



1/15
1/20
1/25
RANDY OGREN, OPERATOR
RR 1 BOX 176
DE SNET SD 57231

Send Back 1-30-00

3/32-3

See page 10 for instructions on how to use this card.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RANDY OGREN, OPERATOR
RR 1 BOX 176
DE SMET SD 57231

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

2227676491

PS Form 3811, July 1999

Domestic Return Receipt

102532-99-1A-1789



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 28, 2000

3132-3

Randy Ogren
RR 1 Box 176
De Smet, SD 57231

Dear Mr. Ogren:

Thank you for calling about your 1999 irrigation questionnaire. I completed a form for you based on our telephone conversation.

You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit No. 3132-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you again for calling and if you have any questions, please contact me.

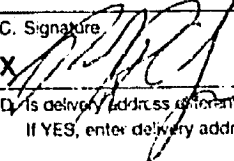
Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

c: Wayne Ogren

3132-3

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly)	
1. Article Addressed to: Wayne Ogren PO Box 29513 Bellingham WA 98228-1513		B. Date of Delivery 1-23-01	
		C. Signature X 	
		☐ Agent ☐ Addressee	
		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
		4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. Article Number (Copy from service label) 7000 0600 0026 9814 2140			
PS Form 3811, July 1999 Domestic Return Receipt 102595-00 M-0952			

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly)	
1. Article Addressed to: RANDY OGREN, OPERATOR RR 1 BOX 176 DE SMET SD 57231		B. Date of Delivery 1-31-01	
		C. Signature X 	
		☐ Agent ☐ Addressee	
		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
		4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. Article Number (Copy from service label) 7000 0600 0026 9814 2157			
PS Form 3811, July 1999 Domestic Return Receipt 102595-00 M-0952			



3132-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: RANDY OGREN, OPERATOR, RR 1 BOX 176, DE SMET, SD 57231
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3132-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3132-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 10:00 am, March 7, 2001 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3132-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 2, 2001, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: WAYNE OGREN, PO 29513, BELLINGHAM, WA 98228-1513

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 5, 2001

3132-3

Randy Ogren
RR 1 Box 176
De Smet, SD 57231

Dear Mr. Ogren:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Permit No. 3132-3.

I completed a questionnaire for you based on our March 5th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

c: Wayne Ogren

RECEIPT

413155

Division of Water Rights South Dakota Department of Water and Natural Resources

Pierre, April 6 19 92

Wayne Ogren, 4550 E 135th Ave, Anchorage, AK 99516

RECEIVED OF

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

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

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. 3132-3 50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____ (Any Other Work Provided by Law)

Total

50 00

By John Hobbs
Chief Engineer

Permit No. 3132-3
Vermillion River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

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

I have this day, June 26, 2001, made a thorough examination of the water use system constructed by Wayne E Ogren of PO Box 29513, Bellingham, WA 98228-1513 holder of Permit No. 3132-3, bearing the priority of October 5, 1976 authorizing the diversion of 2.20 cu. ft. per second of the waters of ground water for irrigation purposes, in Kingsbury County.

Inspection contact & relationship to permit holder, if applicable: **Randy Ogren, operator**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Huron Drilling
- 2) No. of Wells 1
- 3) Depth(s) 62 feet
- 4) Well log is available Y
- 5) Comment: legal on log incorrect

Casing:

- 1) Diameter 16 inches
- 2) Length 47 feet
- 3) Type Plastic

Screen:

- 1) Type stainless steel
- 2) Length 15 feet

Pump:

- 1) Make Byron Jackson
- 2) Model 771H7212

Motor:

- 1) Make General Electric
- 2) Model No. 5K6254XM501A
- 3) Horsepower rating 60 hp

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 2,770 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Rienke
- 2) Number of towers 10
- 3) End gun Y
- 4) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate N

Mr. Ogren indicated that pivot was used a couple of weeks last year and that the wiring between the pivot and well needs to be repaired. A portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$ is inundated and is impassable for the pivot.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
3) Exceptions to compliance are: none

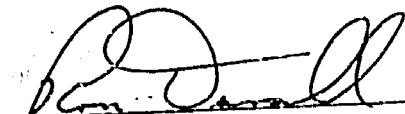
The system is in fair condition with the point of diversion located as follows: Well: 2,575 feet W and 1,585 feet N from the SE corner section 31-T112N-R56W (NW¼SE¼). The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: All in section 31-T112N-R56W

NE¼NE¼ 34 ac
NW¼NE¼ 34 ac

SW¼NE¼ 34 ac
SE¼NE¼ 34 ac

comprising a total of 136 acres of land and the license should be issued for 1.78 cfs.

Comments or other permit(s) associated with the project: none | All structures, wells and lands on map Y


Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: August 13, 2001

Approval of Location Change and/or Additional Diversion Point(s)**NAME:** Wayne E Ogren**ADDRESS:** PO Box 29513, Bellingham, WA 98228-1513**DATE:** August 10, 2001**COUNTY:** Kingsbury**TELEPHONE:** 854-3170**AUTHORITY:**

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

Water Permit No. 3132-3 authorizes irrigation of 156 acres from one well that was to be located near the center of the NE¼ section 31-T112N-R56W. An inspection found that the well is actually located in the NW¼SE¼ section 31 approximately 2,700 feet from the point specified on the original application.

The lithology of the well completion report matches the Form 2A proposed well construction even though the well is not as deep as originally proposed – 62 feet versus 89 feet. The permitted diversion rate of 2.20 cfs will be reduced to 1.78 cfs with licensing of No. 3132-3.

- **If irrigation, no new land is irrigated**

The acreage developed is 136 acres versus 156 acres applied for on the original application.

- **Review of Existing Diversions**

Water Right No. 3131-3 held by Robert and Scott Lee authorizes irrigation of the SW¼ section 31 from a well located approximately 1,300 feet from the well used for No. 3132-3. Both wells are located in the Vermillion East Fork aquifer. There has been no record of interference between these wells which have been in use since the late 1970's.

RECOMMENDED ACTION

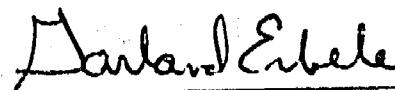
Based on the above criteria, it is recommended that the change in the diversion point location be licensed for the current location.



Ron Duvall, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
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

AUG 22 2001

3132-3

Wayne E Ogren
PO Box 29513
Bellingham, WA 98228-1513

Dear Mr. Ogren:

Enclosed is Water License No. 3132-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413166 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

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

Sincerely,

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

enclosures

c: Randy Ogren, De Smet, SD



3132-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 16, 2002

NOTICE

TO: RANDY OGREN, OPERATOR, RR 1 BOX 176, DE SMET, SD 57231
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3132-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3132-3 qualification.

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3132-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: WAYNE OGREN, PO 29513, BELLINGHAM, WA 98228-1513

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

2132-3

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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.		A. Received by (Please Print Clearly) _____ B. Date of Delivery <u>1-17-02</u> C. Signature <u>[Signature]</u> ☐ Agent ☒ Addressee D. Is delivery address different from item 1? ☒ Yes If YES, enter delivery address below: _____ ☐ No	
1. Article Addressed to: RANDY OGREN, OPERATOR RR 1 BOX 176 DE SMET SD 57231		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
7001 2510 0004 4797 4012 PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0952		4. Restricted Delivery? (Extra Fee) ☐ Yes	

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1. Article Addressed to: Wayne Ogren PO Box 29513 Bellingham, WA 98228-1513		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
2. PS		4. Restricted Delivery? (Extra Fee) ☐ Yes 102595-00-M-0952	



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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 5, 2002

3132-3

Randy Ogren
RR 1 Box 176
DeSmet, SD 57231

Dear Mr. Ogren:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 3132-3.

I completed a questionnaire for you based on our March 5th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

c: Wayne Ogren



3132-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 17, 2003

NOTICE

TO: RANDY OGREN, OPERATOR, RR 1 BOX 176, DE SMET, SD 57231
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3132-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3132-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3132-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

cc: WAYNE OGREN, PO 29513, BELLINGHAM, WA 98228-1513

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



3132-3

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February 24, 2003

3132-3

Randy Ogren
RR 1 Box 176
DeSmet SD 57231

Dear Mr. Ogren:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 3132-3.

I completed a questionnaire for you based on our February 24th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

c: Wayne Ogren



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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January 14, 2004

NOTICE

TO: RANDY OGREN, OPERATOR, RR 1 BOX 176, DE SMET, SD 57231
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3132-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3132-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3132-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

cc: WAYNE OGREN, PO 29513, BELLINGHAM, WA 98228-1513

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



3132-3

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3132-3

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WAYNE OGREN
PO BOX 29513
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Waiver of Signature ☐ YES ☐ NO

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**DEPARTMENT of ENVIRONMENT
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March 1, 2004

3132-3

Randy Ogren
20135 SD Hwy 25
DeSmet SD 57231

Dear Mr. Ogren:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. I completed a questionnaire for you based on our February 27, 2004 telephone conversation.

You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 3132-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

c: Wayne Ogren



3132-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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523 EAST CAPITOL
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January 20, 2005

NOTICE

TO: RANDY OGREN, OPERATOR, 20135 SD HWY 25, DE SMET, SD 57231

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire(s)

Our records indicate that the 2004 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3132-3. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3132-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 8:30 am, March 2, 2005 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3132-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before February 25, 2005, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: WAYNE OGREN, PO 29513, BELLINGHAM, WA 98228-1513

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



3132-3

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Current Status

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Waiver of Signature ☐ YES ☐ NO

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STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3132-3

(1) Wayne E Ogren, PO Box 29513, Bellingham WA 98228-1513 made Application No. 3132-3, October 5, 1976 for a water permit to divert 2.20 cubic feet of water per second from groundwater (one well), Kingsbury County, South Dakota for irrigation purposes. Permit No. 3132-3, with a priority date of October 5, 1976 was approved November 18, 1976 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 18, 1981 and for the application to beneficial use of said water on or before November 18, 1984.

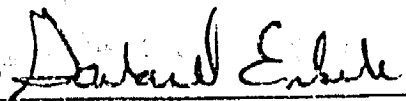
An investigation conducted for licensing purposes found the well under Water Permit No. 3132-3 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 2,575 feet W and 1,585 feet N from the SE corner of Section 31-T112N-R56W (NW ¼ SE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 31-T112N-R56W	NE ¼ NE ¼	34 acres
	NW ¼ NE ¼	34 acres
	SW ¼ NE ¼	34 acres
	SE ¼ NE ¼	34 acres
Total 136 acres		

(4) Pursuant to South Dakota Water Law 46-5-30.1 Wayne E Ogren, PO Box 29513, Bellingham WA 98228-1513 the holder and/or owner of Water Right No. 3132-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (one well) with a priority date of October 5, 1976 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Right No. 3132-3 and subject to South Dakota State Law.


GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 22 2001

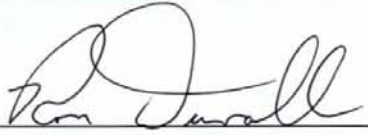
date



1000 0 1000 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights


Ron Duvall, Nat. Res. Engineer
August 10, 2001

No. 3132-3



3132-3

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RANDY OGREN, OPERATOR
20135 SD HWY 25
DE SMET SD 57231

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3132-3

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www.state.sd.us/denr

February 28, 2005

3132-3

Randy Ogren
20135 SD Hwy 25
DeSmet SD 57231

Dear Mr. Ogren:

I am writing to acknowledge receipt of the information for your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 3132-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

c: Wayne Ogren

112-56

82.3

2-211

Wayne E Ogven

1324 Potter

Richland Washington

99352

NE⁴ sec 31 - 112-56

Kingsbury County

Water claimed - 2.2 cfs
Acres Irrigated - 156

59.7

70.3

1860'
N 135° W

well

31

81.3

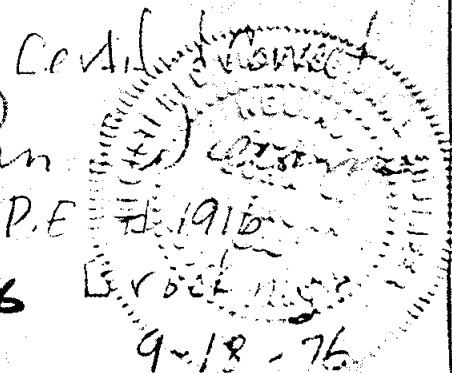


114.3

John

P.E.

112-56





3132-3

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www.state.sd.us/denr

January 24, 2006

NOTICE

TO: RANDY OGREN, OPERATOR, 20135 SD HWY 25, DE SMET, SD 57231

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3132-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3132-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 10:30 am, March 2, 2006 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3132-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

c: WAYNE OGREN, PO 29513, BELLINGHAM, WA 98228-1513

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



3132-3

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www.state.sd.us/denr

February 22, 2006

3132-3

Randy Ogren
20135 SD Hwy 25
DeSmet SD 57231

Dear Mr. Ogren:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. I completed a questionnaire for you based on our February 21st telephone conversation.

You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 3132-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

c: Wayne Ogren



3132-3

**DEPARTMENT of ENVIRONMENT
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January 26, 2007

NOTICE

TO: RANDY OGREN, OPERATOR, 20135 SD HWY 25, DE SMET, SD 57231

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 3132-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 3132-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 10:30 am, March 7, 2007 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 3132-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

c: WAYNE OGREN, PO 29513, BELLINGHAM, WA 98228-1513

NOTE: Please contact the Water Rights' Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



2132-3

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RANDY OGREN, OPERATOR
20135 SD HWY 25
DE SMET SD 57231

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Mail was not signed for until March 13th. Irrigation
Questionnaire received Feb 12th. No board action was
necessary. *Gu*

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3132-3

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www.state.sd.us/denr

February 13, 2007

3132-3

Randy Ogren
20135 SD Hwy 25
DeSmet SD 57231

Dear Mr. Ogren:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. I completed a questionnaire for you based on our February 12th telephone conversation.

You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 3132-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

c: Wayne Ogren

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 3132-3

Date: 1/17/08

I/We request that Water Right No. 3132-3

formerly owned by: Wayne Ogren

be transferred to: (name & address) Geib Family Trust, % Mark Geib,
20344 Hwy 25, DeSmet SD 57231

Telephone No. 605-854-3188

Title to the following described land(s)/property has been transferred as described above:

136 acres – NE ¼ Section 31, T112N, R56W

I/We understand that the validity of Water Right No. 3132-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Mark Geib, the new owner, certify that the above information is true and correct.

Mark Geib
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/17, 20 08

RECEIVED OF Mark Geib 20344 Hwy 25 Desmet SD 57231

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	2	50
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. _____		
Fee for Filing Transfer Form _____ 3132-3		
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. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law) _____	TOTAL	
	2	50

No. 03077

By [Signature]
Chief Engineer

Water Rights Program File Documentation

Permit/Right No. and Owner:

Permit No.	Owner	Status	Uses
1212-3	Page Brothers	License	Irrigation
3131-3	Robert B/ Scott A Lee	License	Irrigation
3132-3	Geib Family Trust	License	Irrigation
4282-3	Marvin Ogren	License	Irrigation
6480-3	Keith Larson	License	Irrigation

Date: June 18, 2024 County: Kingsbury

RE: aquifer designation

COMMENTS:

Jensen (2024) as part of a review of the Spirit Lake management unit of the Vermillion East Fork aquifer (VEF:SL) determined that Water Right Nos. 1212-3, 3131-3, 3132-3, 4282-3, & 6480-3, previously assigned an aquifer designation of Vermillion East Fork (VEF) aquifer should be reassigned. In reviewing the best information currently available for aquifer and management unit naming conventions, the best aquifer designation for Water Right Nos. 1212-3, 3131-3, 3132-3, 4282-3, & 6480-3 is the Spirit Lake management unit of the Vermillion East Fork (VEF: SL) aquifer as shown in Figure 1.

In reviewing the files for Water Right Nos. 1212-3, 3131-3, 3132-3, 4282-3, & 6480-3, the public notice and permit listed the water source as the Vermillion East Fork aquifer but the license for Water Right Nos. 1212-3, 3131-3, 3132-3, 4282-3, & 6480-3 list the water source only as groundwater. This change of aquifer designation, to the Spirit Lake management unit of the Vermillion East Fork aquifer, does not represent a physical change in the water source. It is an update to the name of the aquifer materials to reflect the currently best available information for aquifer extents. This update to the aquifer name does not authorize any increase in the amount of water appropriated by Water Right Nos. 1212-3, 3131-3, 3132-3, 4282-3, & 6480-3, relocation of existing wells, or completion of additional wells into the aquifer. Going forward, issuance of any pertinent documents will reflect the updated aquifer designation.

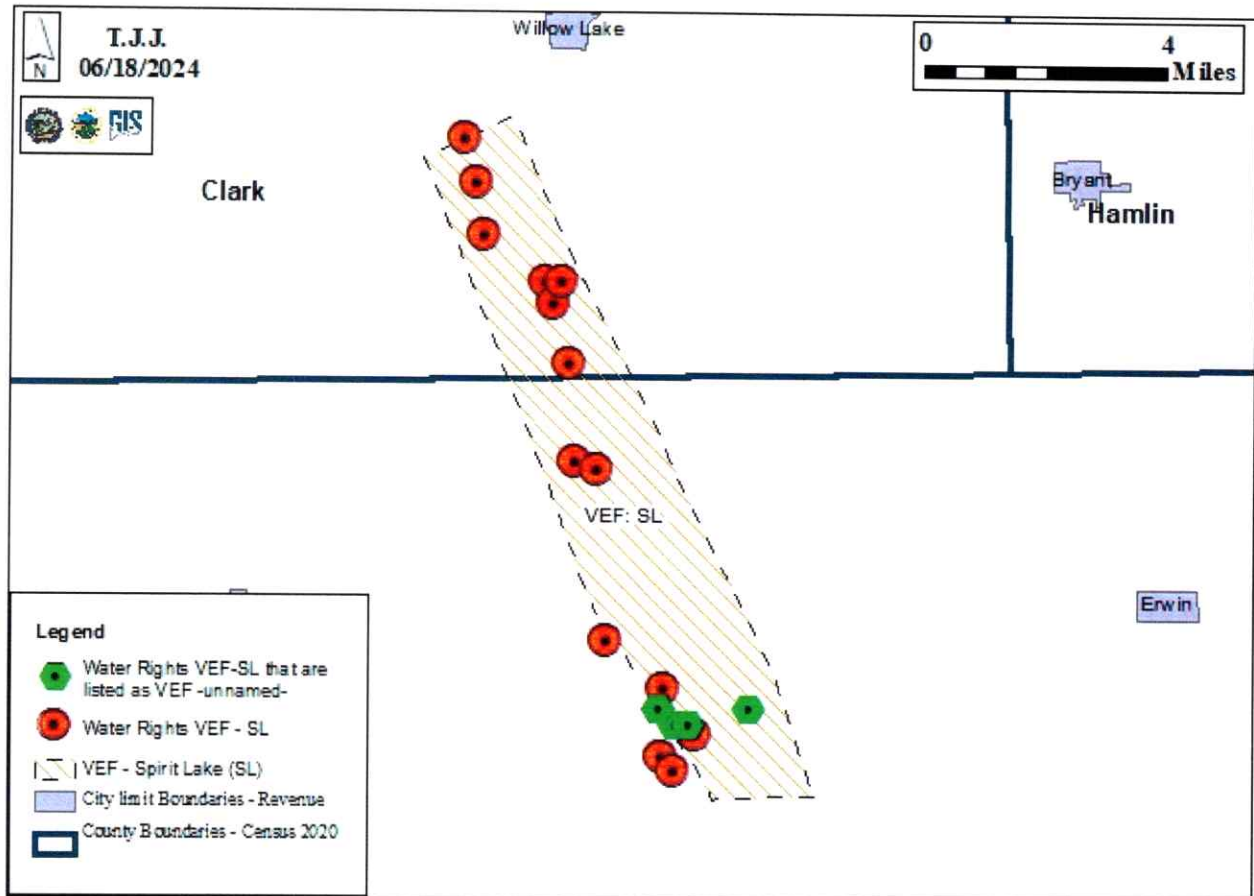


Figure 1. Map of the approximate Vermillion East Fork: Spirit Lake aquifer boundary (modified from Hedges et al, 1982), Water Rights/Permits for Vermillion East Fork: Spirit Lake aquifer, and Water Rights/Permits for Vermillion East Fork: Spirit Lake aquifer previously assigned Vermillion East Fork aquifer.

Tyler Jensen
 Tyler Jensen
 Natural Resources Engineer I

Eric Gronlund
 Eric Gronlund
 Chief Engineer

Jensen, T. 2024. Report to the Chief Engineer on Water Permit Application No. 8848-3. SD DANR-Water Rights Program. Joe Foss Building, Pierre, South Dakota.

Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., and Schoon, R.A. 1982. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3 Ground-Water Storage, Task 4: Computerized Data Base. United States Army Corps of Engineers Contract DACW 45-80-C-0185.