

Water Right Number 3520-3

1. Considered 2-23, 19 77
2. Name of Applicant Olive Montague
3. Post Office Address Jefferson
4. Amount of Water claimed 2.28
5. Source of Water supply 104' well
6. Water to be used for irr
- Acres to be irrigated 160
7. Water to be diverted and used in Union County
about 1N, 1W miles 1 of Jefferson
8. Proof of Publication Received 2-22-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 3520-3Map No. 2800-3 Water Division No. 3 BIG SIOUX RIVER District
(Blanks to be filled by the Engineer for the W. R. 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 Oliver Montagne
 Postoffice address R.R. 1 Jefferson, State SD 57038
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Montagne #1
4. Amount of water claimed (cubic feet per second) 2.28 c.f.s.
5. Source of water supply Well
6. Location of point of diversion SE 1/4 Sec 14 T8N-90N R48-49W

 _____ County Union
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 160

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 Ir.	Land Description	No. Acres Ir.
SE 1/4 Sec 14 T8N-90N R48-49W	160		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Elk Point Leader Courier
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Well and pump

B. Works proposed to transport water to place of use.

Pipe

C. Works proposed to apply water to beneficial use.

SprinklersEstimated Total Cost \$ 50,000.00Attachments: 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 FlourI, Oliver Montagne 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 Oliver MontagneSubscribed and sworn to before me this 7 day of January 1927Thos. J. ...
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3520-3

OLIVER MONTAGNE
(Applicant)

R.R#1, JEFFERSON
(Post Office Address)

SOUTH DAKOTA 57038
(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 adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application JANUARY 12, 19 77

Date of return to applicant for correction, amendments or changes required _____, 19 _____

Date of receipt of corrected application _____, 19 _____

Approved FEBRUARY 24, 19 77, Recorded in Book 17 Page 226

WATER RIGHT PERMIT NO. 3520-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3520-3 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 JANUARY 12, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before AUGUST 24, 19 79
3. The whole of said work is to be completed on or before FEBRUARY 24, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is FEBRUARY 24, 19 82
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 2.28 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 FEBRUARY 24, 19 82; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 14TH day of APRIL, 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued September 26, 19 79

Water License Issued September 26, 19 77

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 104
- (2) Casing, Type Transite, Diameter 16, Thickness 1"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
- Type Sawed Slotted, Diameter 16, Length 39
- (4) Gravel Pack, Thickness 14, Length of gravel pack 50

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 Will be sent later

Depth to top of water bearing material 40

Depth to bottom of water bearing material 104

Thickness of water bearing material 64

Depth to water (ground surface to water level) 16

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

On same owner's property 100 rds. On property owned by others 160 rds.

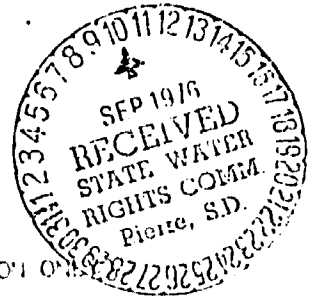
G. Water Storage Dams.

If the proposed water supply 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.

X. Oliver Montoya
Signature of Applicant

CONSERVATION
COMMISSION
FORM W1 #1

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 Oliver Montague
ADDRESS Rt 1 Safford, S. Dak
COUNTY Union

LEGAL DESCRIPTION

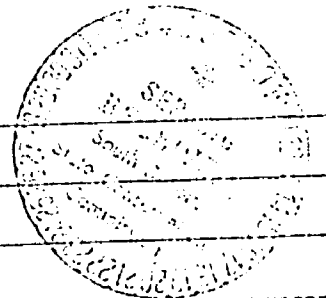
1. WELL LOCATION SE 1/4 14-90-49
2. LOCATION OF AREA TO BE IRRIGATED _____

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED Corn, Beans

WATER QUALITY

5. SAMPLE NUMBER 76-1148
6. SALINITY (EC X 10⁶) 1002
7. SODIUM (SAR) 1.88
8. RESIDUAL SODIUM CARBOXYLATE (meq/l.) 1.88



I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and; the soils information has been acquired from _____ Conservation District, County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true and correct.

Oliver Montague
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
21 DAY OF August 1976.
Robert Beckler
(TITLE OR SEAL)

ALL 11/2/76
APPROVED/INSTRUMENT APPROVED

(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: Oliver Fontagne
 Address: Rt. 1
Jefferson, SD 57038

Date Rec'd: August 26, 1976
 Sample No.: 76-1148
 Identification: Well-
351, Sec. 14, T. 90N, R. 49E

WATER ANALYSIS

Calcium (Ca)	122	ppm*	6.10	me/l**
Magnesium (Mg)	29	ppm	2.38	me/l
Sodium (Na)	89	ppm	3.87	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	102	ppm	2.12	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.10	me/l
Bicarbonate (HCO ₃)	595	ppm	9.76	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)	488	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1002	microhos per cm at 25° C.		
Sodium Adsorption Ratio	1.88			
Sodium	30.81	% of cations		
Residual sodium carbonate	1.28	me/l		
pH	6.85			

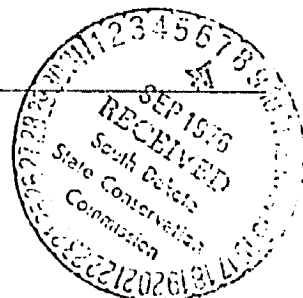
Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 12.56 me/l
 Total anions 11.93 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. 76-1148

Amount Encle. 1\$

Signed _____

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3520-3

(1) WHEREAS, On the 12th day of January A. D. 1977
Oliver Montagne

made Water Right Application No. 3520-3 for a permit to use 2.28 cubic feet per second of the waters
of groundwater (one well)

County of Union, State of South Dakota, for irrigation
purposes; and

(2) WHEREAS, On the 24th day of February A. D. 1977

Permit No. 3520-3 with a date of priority of January 12, 1977

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 24th day of February A. D. 1982 and for the
application to beneficial use of said water on or before the 24th day of February A. D. 1982

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 1.9 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,

for irrigating a 136 acre circle in the SE1/4, Sec. 14 - T90N - R49W

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Oliver Montagne
_____ of Jefferson, SD
the holder _____ and owner _____ of said permit No. 3520-3 a water right, dating from January 12, 1977
_____ to use of 1.9 cubic feet per second of the waters
of groundwater (one well)
in the County of Union and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point in the Center of the SE1/4, Sec. 14 -
T90N - R49W
_____ and conduct to and upon a 136 acre circle in the SE1/4, Section 14 - T90N - R49W
_____ for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3520-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 26th day of September A. D.
Nineteen Hundred and Seventy-nine

Board of Water Management

By: John Hatch
Chief Engineer JOHN HATCH

Form 15

Permit No. 3520-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Oliver Montagne

_____ the holder _____ of
Permit No. 3520-3, issued upon Application No. 3520-3, bearing date of priority of January 12,
1977 authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
groundwater (one well) County of Union, State of South Dakota at a
point in the Center of the SE 1/4, Section 14-T90N-R49W

_____, for irrigation

purpose, has B complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit, that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.0 cu. ft. per second of water.

Date September 26, 1979

John Hatch
JOHN HATCH, Chief Engineer
Water Rights, WSD

Form 6 - Notice of Intent to Appropriate Water

No. 3520-3

Publish first publication, or on before February 10, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 2, 1977

Notice is hereby given that Oliver Montagne
whose post office address is Jefferson, 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

2.21 cubic feet of water per second of time from the Great River through the
Montagne, the point of diversion of which is to be located in the

NE 1/4 Sec 14

of Section 14, Twp. 20N, Range: 10W. Said water to be used for the purpose
of providing irrigation on the following described land:

SE 1/4, Section 14, T20N, R10W

This application No. 3520-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 23 day of February, 19 77, 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:

Oliver Montagne, R. R. # 1, Jefferson, South Dakota 57038

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 3520-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester B. Emerson hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Leader-Courier

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 Elk Point.

County of Union and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

February 10, 1977

February 17, 1977

Lester B. Emerson
(Signature)

Publisher
(Title)

2-17-1977
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER 2/17
Pierre, South Dakota 57501
February 2, 1977

Notice is hereby given that
Oliver Montagne whose post of-
fice address is Jefferson, 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 2.28 cubic feet of
water per second of time from
ground water through the Mon-
tagne # 1, the point of diversion
of which is to be located in the
NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Twp.
90N, Range 49W. Said water to
be used for the purpose of pro-
viding irrigation on portions of
the following described land:
SE $\frac{1}{4}$, Section 14, T90N, R49W

This application No. 3520-3
will be considered by the Water
Rights Commission at their of-
fice at Pierre upon the 23 day
of February, 1977, at 10:00 a.m.
All interested persons may ap-
pear and be heard.

WATER RIGHTS COMMISSION

By: Burton F. Jones.
Water Rights Specialist
Pub. Feb. 10, 17



Form 10.

No. 3520-3



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Jefferson
Date 7-18-77

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3520-3.

Water Right Permit No. 3520-3 states that the diversion system is to be constructed by Feb 24, 1982 and that the water is to be put to beneficial use by Feb 24, 1982.

The diversion system was completed on July 15, 1977.
Applying the water to beneficial use was completed on July 15, 1977.

I may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Oliver H. Antegone
(Signature)

Permit No. 3520-3Water Division 3 Big Sioux River Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by OLIVER
MONTAGNE of R.R. #1, JEFFERSON holder
of Permit No. 3520-3, bearing date of priority of JANUARY 12, 1977
authorizing the diversion of 2.28 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in UNION County.

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

The Water Use System consists of,

A. Works used to divert the water:

104' DEEP WELL WITH 16" DIA TRANSLITE CASING
LAYNE BOWLER WELLLINE PUMP #815526, 35HP-12 KEH BOWLS
POWERED BY CATERPILLAR #3208 DIESEL ENGINE-150HP.

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

15' OF 10" MAINLINE TO CENTER OF PLOT

C. Work used to apply water to beneficial use.

PIERCE CIRCLE MASTER CENTER PLOT-ELECTRIC
DRIVE WITH END GUN

The system is in the following condition: GOOD

The point of diversion is located IN THE CENTER OF THE SE¹ SECTION 14,
T90N, R40W

The works are capable of diverting and conveying to the place of use 2.0cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

FOR IRRIGATION A 136 ACRE CIRCLE IN THE
SE¹ SECTION 14, T90N, R40W

comprising a total of 136 = 1.9 acres of land.

Date AUGUST 9-1979
Paul M. Jones
(Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7021

PIERRE, August 28, 1979

RECEIVED OF Oliver Montagne, Jefferson, SD 57038

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

Fee for Application for Permit to appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and issuing Cert. of Construction No. 3520-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 3820-3		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filling _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

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:

OLIVER MONTAGNE
RR 1 BOX 250
JEFFERSON SD 57038

4. Article Number

3520-3
P 378 081 382

4b. Service Type

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

7. Date of Delivery

2-5-97

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)

X *[Signature]*



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

 JOE FOSS BUILDING
 523 EAST CAPITOL
 PIERRE, SOUTH DAKOTA 57501-3181
NOTICE
TO: OLIVER MONTAGNE, RR 1 BOX 250, JEFFERSON, SD 57038

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) 3520-3. 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) 3520-3 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.

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 10, 1997

3520-3

Oliver Montagne
RR 1 Box 250
Jefferson, SD 57038

Dear Mr. Montagne:

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.

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



3520-3
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: OLIVER MONTAGNE, RR 1 BOX 250, JEFFERSON, SD 57038

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 has not been submitted for Permit No(s) 3520-3. 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 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, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3520-3 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 March 1, 1999, 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.

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 a interpreter for the hearing impaired.

3520-3

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): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
	3. Article Addressed to: OLIVER MONTAGNE RR 1 BOX 250 JEFFERSON SD 57038		4a. Article Number P 378 080 678	
	5. Received By: (Print Name)		4b. Service type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ Return Receipt for Merchandise ☐ COD	
	6. Signature: (Addressee or Agent) <i>X Oliver Montagne</i>		7. Date of Delivery 1-23-95	
		8. Addressee's Address (Only if requested and fee is paid)		Thank you for using Return Receipt Service.
PS Form 3811, December 1994		10259-98-B-0229 Domestic Return Receipt		



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 28, 1999

3520-3

Oliver Montagne
48064 330th St
Jefferson, SD 57038

Dear Mr. Montagne:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 3520-3.

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

NOT TO SCALE

8-122



(8-123)
151.5

Prepared
by
L E De Smet Coapt
11/5/77

14

(8-122)

72.1

Well X

(8-121)
79.6

90-49

58.4

MAP # 2800-3 APP # 3520-3

(8-117)

68.3

(8-111)

85.4

81.6

(8-119)

(1-151)

44.8 (8-4)

(8-78)



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: OLIVER MONTAGNE, 48064 330TH ST, JEFFERSON, SD 57038

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire has not been submitted for Permit No(s) 3520-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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 **Wednesday, March 2, 2022 at 9:30 am (Central Time)** 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3520-3 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 before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed 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 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: ZTSCWG**

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 AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 25, 2022

3520-3

Oliver Montagne
48064 330th St
Jefferson SD 57038

Dear Mr. Montagne:

I am writing to acknowledge receipt of your 2021 irrigation questionnaire.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 3520-3. 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
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

October 26, 2022

3520-3

Oliver Montagne
320 Dakota Dunes Blvd Apt 303
N Sioux City SD 57049-5261

Dear Sir:

Enclosed is a "Notice" dated October 21, 2022 concerning the 2022 irrigation questionnaire.

The notice was originally mailed to 48064 330th St, Jefferson SD. The post office notified us that your address has changed, and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: OLIVER MONTAGNE, 320 DAKOTA DUNES BLVD APT 303, N SIOUX CITY, SD 57049
5261

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire has not been submitted for Permit No(s) 3520-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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 **Wednesday, March 8, 2023 at 9:30 am (Central Time)** 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3520-3 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 before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed 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 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: ZYYONB**

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 AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 24, 2023

3520-3

Britt Montagne
PO Box 344
Jefferson SD 57038 0344

Dear Mr. Montagne:

I am writing to acknowledge receipt of the 2022 irrigation questionnaire for Oliver Montagne.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 3520-3. The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

As we discussed, the annual irrigation questionnaire will be directed to your attention in the future. If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: BRITT MONTAGNE, MANAGER, PO BOX 344, JEFFERSON, SD 57038 0344

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire has not been submitted for Permit No(s) 3520-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 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 on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 3520-3 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 before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: YGUYDK**

cc: OLIVER MONTAGNE, 320 DAKOTA DUNES BLVD, APT 303, N SIOUX CITY SD 57049

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 AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 23, 2025

3520-3

Oliver Montagne
4002 Teton Trce, Apt 222
Sioux City IA 51104

Dear Mr. Montagne:

Enclosed is a "Notice" dated January 14, 2025, concerning the 2024 Irrigation Questionnaire(s).

The notice was originally mailed to Oliver Montagne, 320 Dakota Dunes Blvd, Apt 303 N Sioux City SD 57049. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaire or submit your report online at <https://danr.sd.gov/iq/> using this password **YGUYDK**.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

FORWARD SEE NFE 114182310001/15/25
MONTAGNE TIME EXP RTN TO SEND
4002 TETON TRCE APT 222
SIOUX CITY IA 51104-4889
RETURN TO SENDER



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 19, 2025

3520-3

Tim Montagne
513 Main St
Jefferson SD 57038

Dear Mr. Montagne:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 3520-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

cc: OLIVER MONTAGNE, 4002 TETON TRCE APR 22, SIOUX CITY IA 51104



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

August 12, 2026

3520-3

Tim Montagne - Manager
513 Main St
Jefferson, SD 57038

Dear Mr. Montagne:

We are contacting you regarding Water Right No. 3520-3, authorizing the diversion of 1.9 cubic feet of water per second from one well for the irrigation of 136 acres located in the SE ¼, Section 14-T90N-R49W, Union County.

Irrigators in South Dakota are required to submit an annual irrigation questionnaire reporting how much water was pumped during the irrigation season. Our records show the land authorized for irrigation under Water Right No. 3520-3 has been in the Conservation Reserve Program (CRP) through 2026.

The purpose of this letter is to find out the status of irrigation on your property. Please take a few minutes and answer the questions on the attached sheet and return it in the envelope provided. Please let us know if you have decided not to resume irrigation for the upcoming year 2027.

Thank you in advance for your help in updating this water right.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us