

1. Considered March 25 19 81
 2. Name of Applicant Geraid Odegard
 3. Post Office Address Rt 3, Box 193, Brookings 57006
 4. Amount of Water Claimed 3.8
 5. Source of Water Supply two wells approx/ 45' deep
 6. Water to be used for IRR
 7. Acres to be irrigated 264 maximum acre feet
 8. Water to be diverted and used in Brookings County
about 3½ miles south of Bruce
 9. PROOF OF PUBLICATION Received (initials) 3-25-81
Not Received
- APPLICATION Approved 3/25/81
Subject to WI - JO
Not Approved
Action deferred

Priority 2/6/81 Date Received 2/6/81 Application Complete yes x no FEE 300.00
Remarks needed log

WATER
QUALITY

Date information and/or fee or corrected Application received (Log) 2/27/81
Period of Annual use APRIL - SEPTEMBER
Received yes 2/12/81 no APPROVED (CONDITIONAL) (Circle one)
WI-1 Description same as application yes xx no Remarks

Disapproved

Returned

Diversion Point

NE¼ NW¼ & SE¼ NW¼

25-111-51

Lands to be irrigated

NW¼ & SE¼ 25-111-51

WELL
LOG

Remarks

Driller Laced and Sons Licensed yes x no

Depth 45' deep (Both wells)

NAF Map No. 3851-3 Map located in Water Right xx Map file
 Type of Map aerial, Prepared by De Boer SCS

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 3/25/81

Questioned
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes no Remarks

REMARKS Date
 F.F. & C Final Decision, including F.F. & C of Law were adopted
 OF LAW, Date
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision
 DECISIONS was adopted
 ETC.

Remarks



No. 4635-3
 Map No. 3851-3 Water Division No. 3 BIG SIOUX District
 Above for Office Use 10176202



APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant GERALD ODEGNARD Phone No. 605/673-1245
 Post Office Address Rt 3 BROOKINGS State SD 57006
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation N.A.

2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT3. Name of diversion work GERALD ODEGNARD IRRIGATION PROJECT "1"4. Amount of water claimed (cubic feet per second) 3.8 CFS5. Source of water supply GROUND WATER

6. Location of point of diversion 2240 FT. N 119° E OF NW CORNER, NE 1/4 NW 1
AND 3030 FT N 138° E OF NW CORNER OF SEC 25,
T11N, R51W SE 1/4 NW 4 County BROOKINGS

7. Annual period or periods during which water is to be used APRIL - SEPTEMBER8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION9. For irrigation use, Total number of acres to be irrigated 264

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.
NN 1/4, NW 1/4, SEC 25, T11N, R51W	33
NE 1/4, " " " "	33
SE 1/4, " " " "	33
SW 1/4, " " " "	33

Land Description	No. Acres Irr.
NN 1/4, SE 1/4, SEC 25, T11N, R51W	33
NE 1/4, " " " "	33
SE 1/4, " " " "	33
SW 1/4, " " " "	33

Attach sheet if more space is needed

132

132

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 - years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water VOLGA TRIBUNE

12. Principal Features of the Proposed Water Supply System.

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

TURBINE PUMP

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

BURIED PIPE LINE

C. Works proposed to apply water to beneficial use.

CENTER PIVOTSEstimated Total Cost \$ 110,000

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) ss.

I, GERALD ODEGNARD 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 Gerald OdegardSubscribed and sworn to before me this 5th day of JANUARY 1981

WATER RIGHT APPLICATION APPROVAL

4635-3

The Board of Water Management hereby approves Water Right Application No. _____

Gerald Odegaard

Rt #3, Box 193, Brookings

(Applicant)

(Post Office Address)

South Dakota 57006

(State)

With the following qualifications.

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.

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application FEBRUARY 6, 1981
 Date of return to applicant for correction, amendments or changes required FEBRUARY 6, 1981
 Date of receipt of corrected application FEBRUARY 27, 1981
 Approved MARCH 25, 1981, Recorded in Book 22 Page 74

WATER RIGHT PERMIT NO. 4635-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4635-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 6, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 25, 1983
3. The whole of said work is to be completed on or before MARCH 25, 1986
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 25, 1986
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 3.8 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 irrigation purposes said appropriation must be limited to not more than 2 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 MARCH 25, 1986; said water to be used during the following described annual period: APRIL - SEPTEMBER

Witness my hand this 20th day of APRIL, 1981

THE BOARD OF WATER MANAGEMENT

By:

Chief Engineer Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Invoice

ED H. LACEY & SONS

P. O. BOX 796
TRENT, SO. DAK. 57065
Phone 605-428-5686

Number No 3467

Sold To Jerry Oelgaard
R.R.
Brookings, S. D.

DATE
CUSTOMER'S ORDER NO.
SHIP TO

SOLD BY	CASH	C.O.D.	CHARGE	O.N. ACCT	MDSE RETD.	PAID OUT	
QUANTITY	DESCRIPTION					PRICE	AMOUNT
51'	Leatboring						
0-2	Black dirt						
2-11	Sand + Clay						
11-33	Water bearing fine to coarse gravel						
33-51	Uniform Sand Medium						
51-	Blue Clay						

TERMS: Net Cash 30 Days - 1% Service Charge Per Month on Accounts 30 Days Past Due.

All claims and returned goods must be accompanied by this bill.

RECEIVED BY _____



47-113
Made in U.S.A.

ORIGINAL

Well Information

(1) Drill Hole, Diameter 24", Depth 45'

(2) Casing, Type STEEL, Diameter 16", Thickness _____
(wood, concrete, steel, etc.)

(3) Screen, Type JOHNSON, Diameter 16", Length 10 ft.

(4) Gravel Pack, Thickness 4", Length of gravel pack 15 ft.

(1) Surface dimensions, _____, Depth _____

(1) Water Bearing Materials. (Attach a copy of test well log)

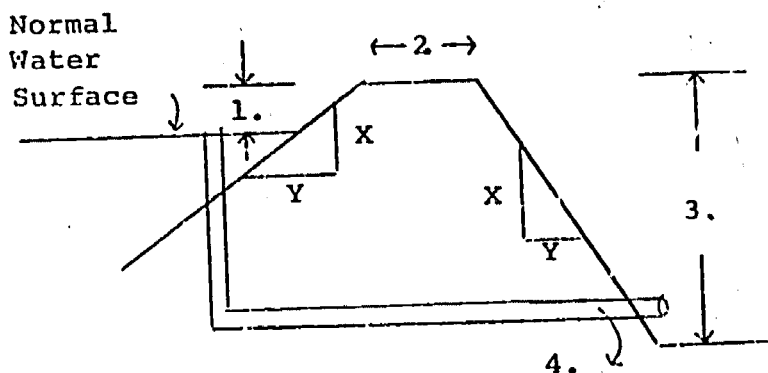
Depth to top of water bearing material 2'
Depth to bottom of water bearing material 45'
Depth to water (ground surface to water level) 15'

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

On same owner's property _____ rds.

On property owned by others 200⁺ rds.

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



1. Freeboard _____
2. Crest width _____
3. Height of Dam _____
4. Outlet dimensions:
 - Pipe diameter _____
 - Spillway width _____
- X & Y slope:
 - Upstream _____
 - Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

Gerald Odegard
Signature Applicant

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Gerald Olsgaard

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

The Solomon clay soils along the west side of the NW of Sec. 25 should be left in grass unless drained because of problems with ponding if irrigated.

RECOMMENDED MANAGEMENT:

The railroad right-of-way in the SW of Sec. 25 should not be irrigated until
the such time the railroad is abandoned and you have secured legal rights to do
so.

SOIL/WATER COMPATIBILITY APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: GERALD OLEGARD OWNERS ADDRESS: RT 3
 COUNTY LAND LOCATED IN: BROOKINGS PHONE: 693-4265 BROOKINGS, SD.
 TENANT'S NAME AND ADDRESS: (If Other Than Owner) N/A.

3684-366

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.
 This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

1. WELL LOCATION OR DIVERSION POINT: SE 1/4, NE 1/4, NW 1/4, SEC. 25, T11N, R51W
2. SURFACE WATER SOURCE: AND SE 1/4, SE 1/4, NW 1/4, SEC. 25, T11N, R51W
3. LOCATION OF AREA TO BE IRRIGATED: NW 1/4 & SE 1/4, SEC. 25, T11N, R51W
4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)

TYPE OF IRRIGATION: (Show approximate acres under each type of system)

5. GRAVITY TOWLINE CENTER PIVOT GUN OTHER (Specify)
6. CROPS TO BE IRRIGATED CORN AND ALFALFA

7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED:

IN WHAT NAME: NONE

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

8. SAMPLE NUMBER: 81-013

9. SALINITY (EC X 10⁶) 1719

10. SODIUM (SAR) 0.95 ADJUSTED (SAR) 2.95 (2.0)

RECEIVED

JAN 21 1981

South Dakota

Division of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at A.M./P.M., on JAN 21, 1981, at the following location: WEGOUT IN NW 1/4, SEC. 25, T11N, R51W (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

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

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
5th DAY OF JANUARY, 1981.

Robert W. R. Brev
 (NOTARY PUBLIC)

Gerald Olegard
 APPLICANT'S SIGNATURE

John H. Hill
 Director, Division of Conservation

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED



IMPORTA

5/29/81

4635-3

John:

Call from Darlene see
going to refer this to
Wynn as the water
sample was taken from a
dugout not the wells.
hold until checked out.

Betty

Checked out

Senders State College, 8/28/81

H₂O OK

Betty

No. 4635-3

Publish first publication, on or before March 12, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 3, 1981

Notice is hereby given that Gerald Odogaard whose post office

address is Brookings, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 3.8 cubic feet of water per second of time from groundwater

(two wells) through the G Odogaard Irr. Proj #1, the point(s) of diversion of which ~~XX~~(are) to be located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 25, Twp. 111N, Range 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NW $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 25, T111N, R51W

This Application No. 4635-3 will be considered by the Water Management Board at the Holiday Inn, Sandy Shore Room, Watertown SD upon the 25th day of March, 1981

at 1:00P.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Gerald Odogaard
Rt 3, Box 193
Brookings SD 57006

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

Affidavit of Publication

STATE OF SOUTH DAKOTA,

County of Brookings

ss.

Thomas G. Reynolds, of said county, being first duly sworn, on oath says that he is the publisher or manager of The Volga Tribune, a weekly newspaper printed and published in Volga, said County of Brookings, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said county for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of

publication; that the notice of hearing on

application to appropriate water

, a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this affidavit, was published in said newspaper at

least once in each week for two successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

March 12, 1981 ; , 19
March 19, 1981 ; , 19
 , 19 ; , 19
 , 19 ; , 19
 , 19 ; , 19

that the full amount of the fees for the publication

of the annexed notice is \$ 19.53

Thomas G. Reynolds

Subscribed and sworn to before me this 19th

day of March, 1981.

Notary Public
County of Brookings, South Dakota

NOTICE OF HEARING ON APPLICATION TO APPROPRIATE WATER

Notice is hereby given that Gerald Odegaard whose post office address is Brookings, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 56-01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 3.8 cubic feet of water per second of time from ground-water (two wells) through the G. Odegaard Irr. Proj. #1, the points of diversion of which are to be located in the NE 1/4 NW 1/4 and SE 1/4 NW 1/4 of Section 25, Twp. 111N, Range 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NW 1/4 and SE 1/4, Section 25, T111N, R51W.

This Application No. 4635-3 will be considered by the Water Management Board at the Holiday Inn, Sandy Shore Room, Watertown, S.D. upon the 25th day of March, 1981 at 1:00 p.m. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-28 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, S.D., prior to the hearing date for assistance to assure access to the hearing.

Water Management Board
Betty Westlund
Water Rights Specialist
(Publ. March 12, 1981)

Rec'd 3/25/81

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7967

PIERRE, February 8, 1931

RECEIVED OF Gerald Odegaard, Rt 3. Brookings SD 57006

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

Fee for Application for Permit to Appropriate Water No. 6635-3 (examination, processing, recording and filing)	300	00
Fee for Inspecting Construction, and Issuing Cert. of Construction No		
Fee for Inspecting Beneficial Use, and Issuing Water License No		
Fee for Issuing Location Certificate-Dry Draw, No		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	300	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (KW)



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

Post Office Brookings S.D.

Date 9 September 1981

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 maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 4635-3.

Water Right Permit No. 4635-3 states that the diversion system is to be constructed by Ed. Foss & Sons, and that the water is put to beneficial use by Ronald Odgaard.

The diversion system was completed on 25 June 1981. Applying the water to beneficial use was completed on 25 June 1981.

You 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

Ronald Odgaard
(Signature)



Department of Water & Natural Resources

Joa Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4635-3

April 20, 1988

Gerald Odegaard
RR 3, Box 184
Brookings, South Dakota 57006

Dear Mr. Odegaard:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 4635-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

441243

Pierre, May 10, 1988, 19

RECEIVED OF Gerald Odegård, Route 3, Box 184, Brookings, SD 57006

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. <u>4635-3</u>	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 Hatch
Chief Engineer JOHN HATCH MS

Permit No. 4635-3BIG SIOUX RIVER Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by GERALD
ODEGAARD of BROOKINGS, SD, holder of
 Permit No. 4635-3, bearing the priority of FEBRUARY 6, 1981 authorizing
 the diversion of 3.9 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in BROOKINGS County.

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

A. Works used to divert the water:

1 52' DEEP WELL WITH 14" STEEL CASING, & 14" SS SCREEN
 A VALLEY PUMP, CODE L-B1, S BOWL, SERIAL # 10HH0.4A 14.11235, 800 GPM CAPACITY
 POWERED BY A 40 HP U.S. ELECTRIC HOLLOWSHAFT MOTOR, TYPE-RU, 1800 RPM, SERIAL #

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

560' OF UNDERGROUND 8" STEEL MAINLINE PIPE TO PIVOT

C. Works used to apply water to beneficial use:

1 7 TOWER VALLEY ELECTRIC CENTER PIVOT, 1280' LONG, WITH NELSON
 LOW PRESSURE (35 PSI), 800+ GPM CAPACITY

The system is in the following condition GOOD

The point of diversion is located 1860' EAST AND 1120' SOUTH OF THE
NORTHWEST CORNER OF SECTION 25, T11N, R51W.

The works are capable of diverting and conveying to the place of use 1.78 (800 GPM)cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 25, T11N, R51WNW 1/4 NW 1/4 - 33 ACRESNE 1/4 NW 1/4 - 33 ACRESSE 1/4 NW 1/4 - 33 ACRESSW 1/4 NW 1/4 - 32 ACREScomprising a total of 131 acres of land and the license should be issued for 1.78 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: * THE WELL LOC WITH THE PERMIT Date: 4-12-88

PLACES THE WELL APPROXIMATELY 200-300' FROM THE

ACTUAL LOCATION, BUT MR. ODEGAARD SAYS IT

MUST BE THE CORRECT WELL AS IT WAS THE

ONLY PRODUCTION WELL DRILLED.

(signature)

LICENSE FOR PERMIT NUMBER 4635-3 (Gerald Odigaard)

1. Legal location of wells: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T11N, R5W

dams & structures: Pivot: Near center of NW $\frac{1}{4}$, Section 25, T11N, R5W

2. Well Information: Well Drilling Firm Lacey

No. of wells 1 Depth 52

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level _____

Pump a) make _____ Motor a) make _____

b) model _____ b) model no. _____

c) size _____ c) horsepower rating _____

d) capacity _____ GPH d) motor efficiency rating _____

e) turbine pump _____

no. of stages _____

3. Distribution lines:

a) size of lines _____

b) type _____

c) length _____

(Other information on
examination report)

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles
Rainbird _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

✓

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

✓

2. Special Qualifications to permit being abided by.

✓

3. All Structures, wells and lands on map.

REMARKS:

Only one well + one quarter-section developed

Water License No. 4635-3

(1) Gerald Odegaard
of RR #3, Box 184, Brookings, South Dakota 57006
made Application No. 4635-3, February 6, 1981 for a water permit to appropriate
3.80 cubic feet per second of water from groundwater (two wells),
Brookings County, South Dakota for irrigation purposes.
Permit No. 4635-3, with a priority date of February 6, 1981
was approved March 25, 1981 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before March 25, 1986 and for the application to beneficial use of said
water on or before March 25, 1986.

and

applicant

(2) It is certified that the ~~Application~~ ^{applicant} 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 per second of water
for beneficial use. The location of the diversion point(s) is 1860' East and 1120' South of the
Northwest Corner of Section 25, T111N, R51W.

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, irrigate the following land in T111N, R51W

Section 25	NW $\frac{1}{4}$ NW $\frac{1}{4}$	33 Acres
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	33 Acres
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	33 Acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	32 Acres
TOTAL		131 ACRES

(4) Pursuant to §46-5-30.1 Gerald Odegaard
of RR#3, Box 184, Brookings, South Dakota 57006

the holder(s) and/or owner(s) of Water Permit No. 4635-2 is issued a license to appropriate water, the right to use 1.78 cubic feet per second of water from groundwater (one well) with a priority date of February 6, 1981 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 Permit No. 4635-3 and subject to South Dakota State Law.



Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH
DEC 21 1983

 **Department of
Water & Natural Resources**

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

4635-3

DEC 21 1988

Gerald Odegaard
RR 3, Box 184
Brookings, South Dakota 57006

Dear Mr. Odegaard:

Enclosed is Water License No. 4635-3. This is the final water right document completing your process of obtaining a Water Right.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4635-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,



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

enclosures



**Department of
Water & Natural Resources**

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

February 8, 1989

GERALD ODEGAARD
RR 3 BOX 184
BROCKINGS, SD 57006

NOTICE

RE: Violation of Water Permit No(s). 4635-3

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 4635-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4635-3 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 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

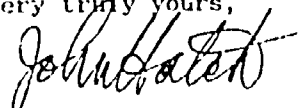
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 4635-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,


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





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-2181

#4635-3

February 17, 1989

Gerald Odegard
RR 3, Box 184
Brookings, SD 57006

Dear Mr. Odegard:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;



February 17, 1989
Odegard
page 2

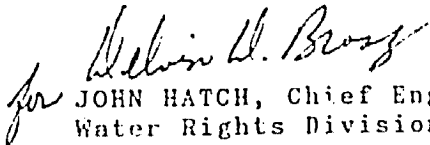
Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified.

If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,


for JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

February 23, 1989

4635-3

Gerald Odegaard
RR #3 Box 184
Brookings, SD 57006

Dear Mr. Odegaard:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 4635-3. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 29, 1997

4635-3

Gerald Odegaard
20767 466th Ave
Brookings, SD 57006-5700

Dear Mr. Odegaard:

Thank you for the prompt return of your 1997 irrigation questionnaire. Enclosed is the chemigation report that should have been mailed to you with the questionnaire.

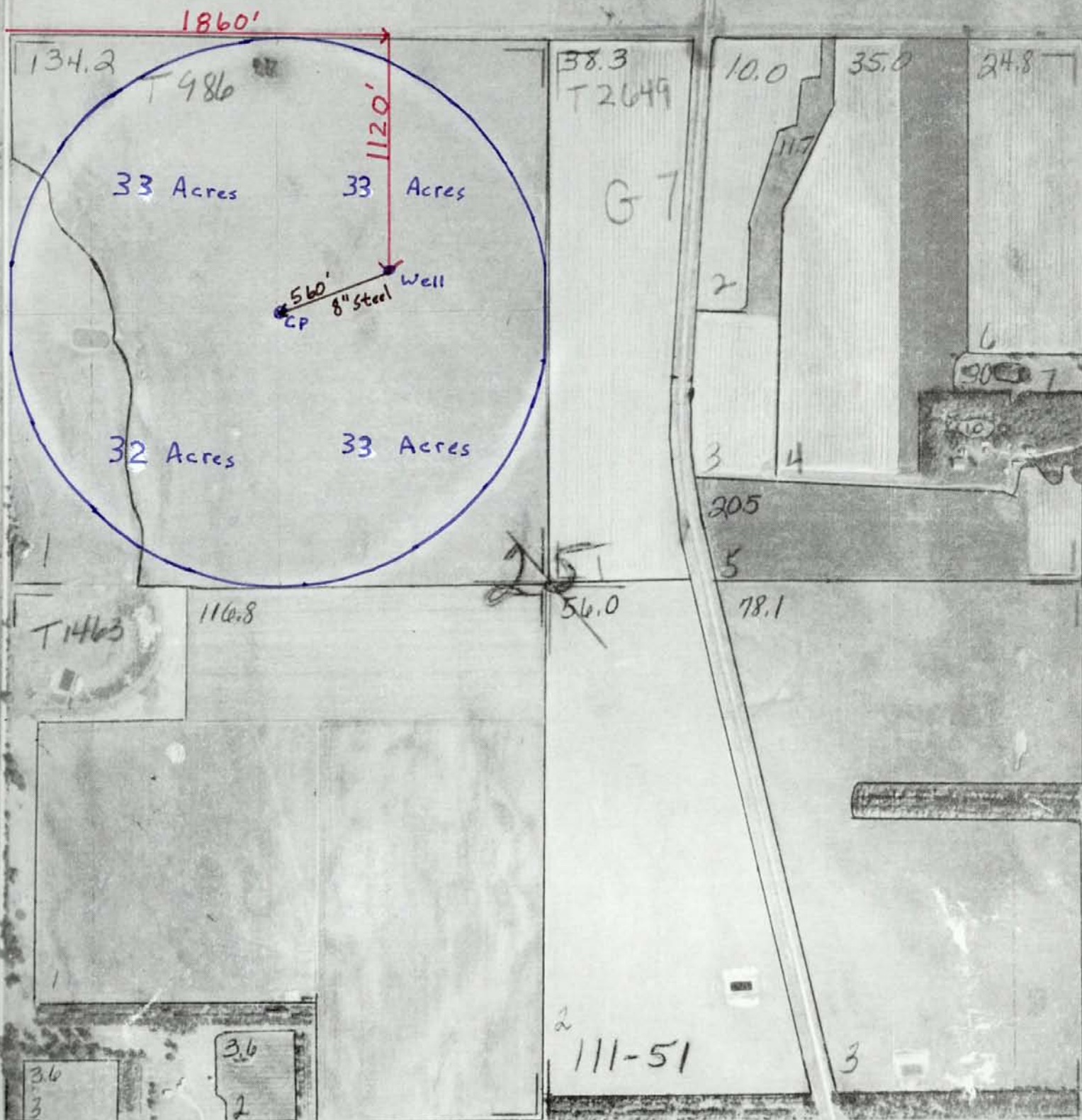
I apologize for the delay in getting this form to you. If possible, please try to complete and return the form to us by December 1, 1997. I am enclosing a postage paid envelope for your convenience.

If you have any questions, please contact me.

Sincerely,

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

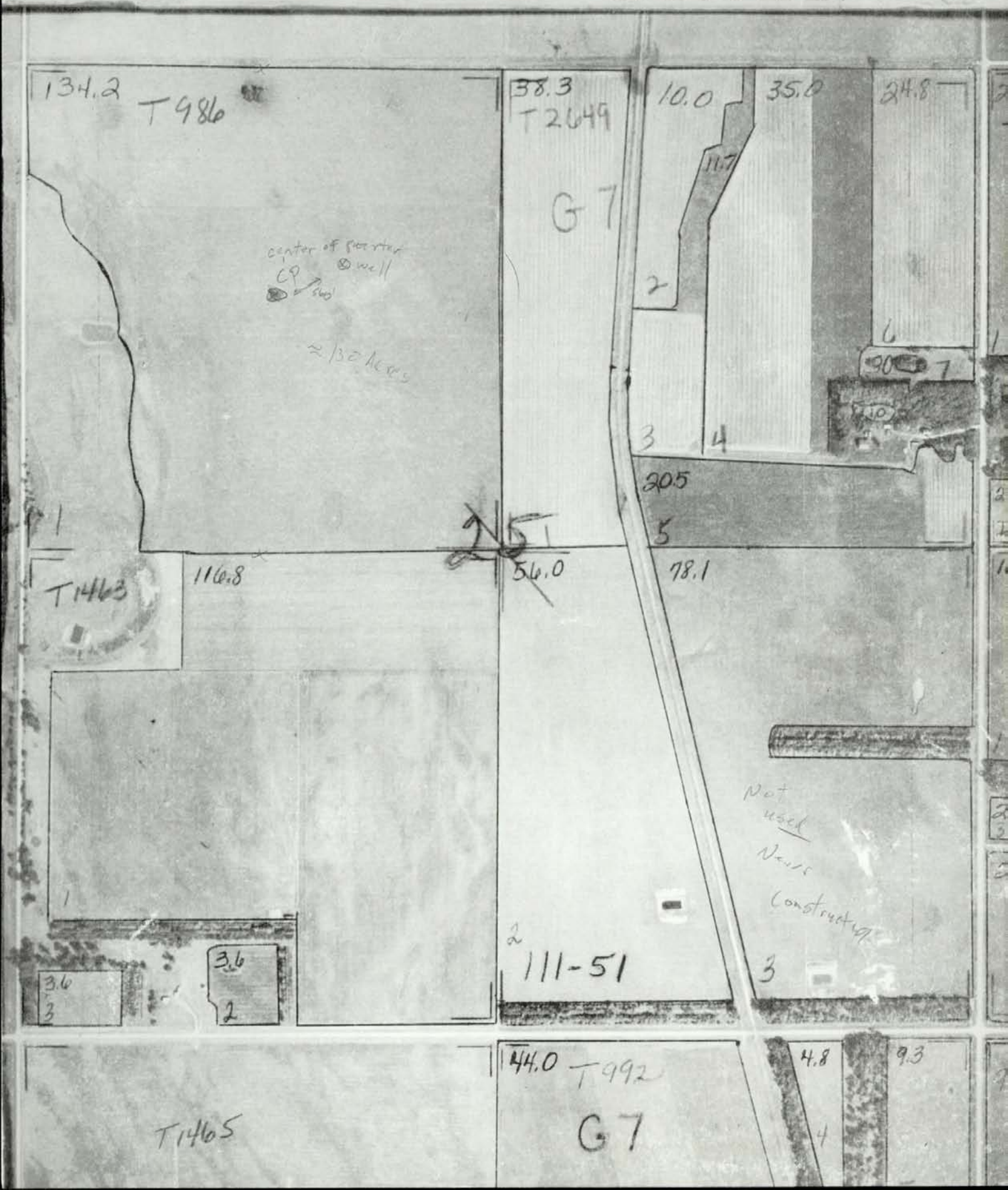
NOT TO SCALE



Thomas M. Brardner
 Natural Resources Engineer
 T1465 4-12-88

Water License No.
 4635-3

NOT TO SCALE



FARM NO. NAME AND ADDRESS FARMLAND CROPLAND

OPERATOR

OWNER

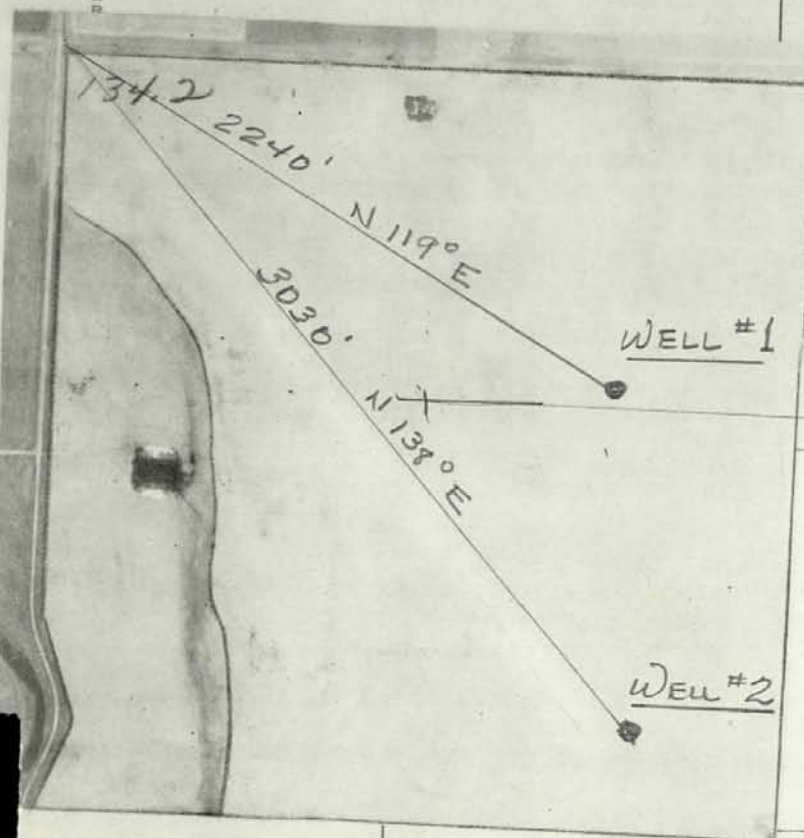
Tract No. 14-132

1968

Farm No. 20A-161

Operator _____

Owner _____



GERALD ODEGAARD
IRRIGATION PROJECT #1
BROOKINGS, S.D.

AREA IRRIGATED
 NW 1/4 AND SE 1/4 SEC 25,
 T111N, R51W
ACRES IRRIGATED 264 AC
WATER CLAIMED 3.8 CFS

JAN 24, 1981
 Harrell W. DeBoer

Legal Description NW 1/4 25-111-51

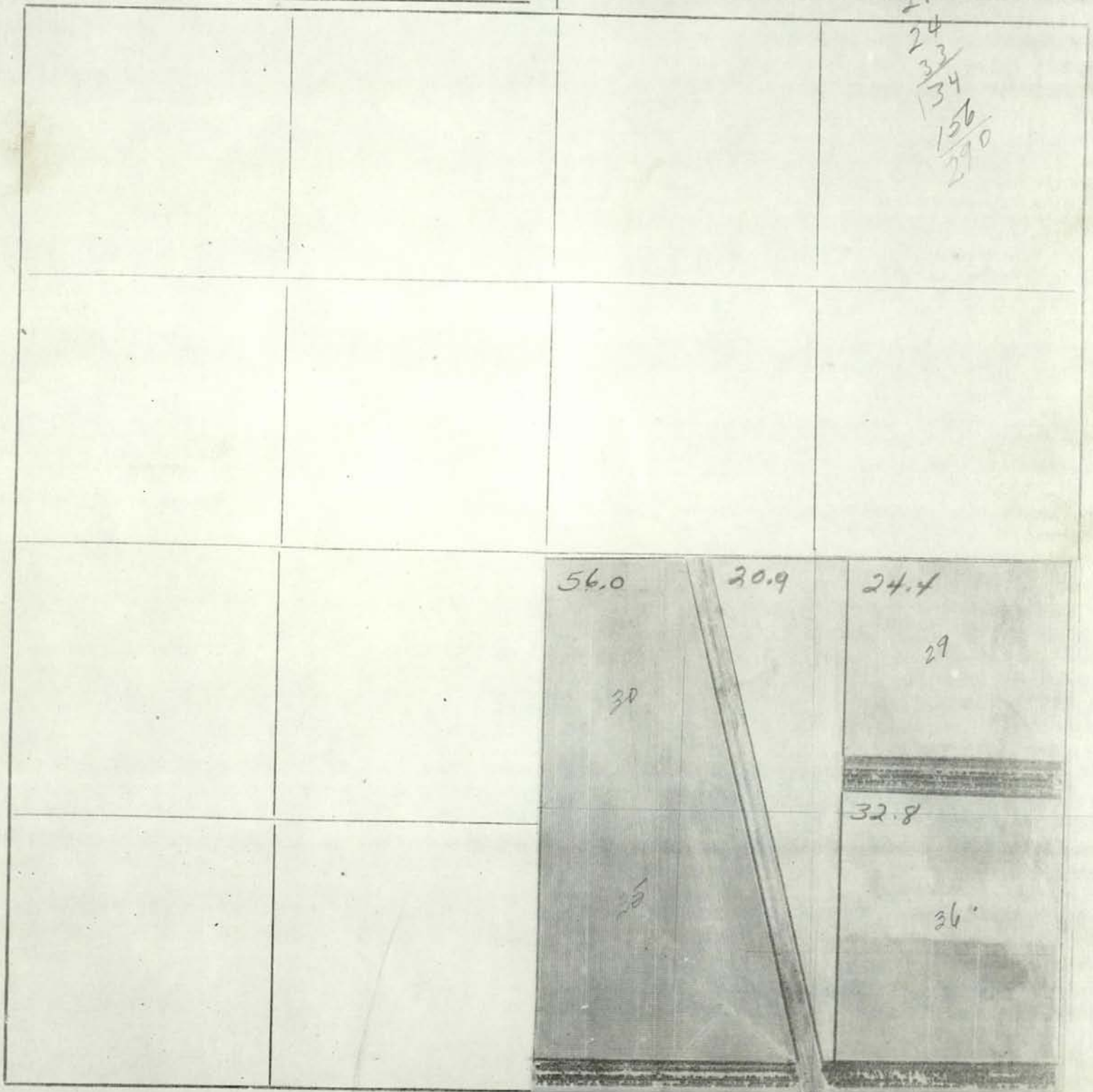
~~App. 28813~~

App. 4635-3

FARM NO. _____ NAME AND ADDRESS _____
 FARMLAND _____ CROPLAND _____
 OPERATOR _____
 OWNER _____

Tract No. 14-120
 Farm No. 208-161
 Operator _____
 Owner _____

56
 21
 24
 33
 134
 156
 290



Legal Description 18'4 25-11-51
Map No. 388123 Appl 4635-3

4635-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 22, 2023

4635-3

Margaret L Odegaard Revocable
Living Trust
2400 Sunrise Ridge Circle, Apt 302
Brookings SD 57006

Dear Ms. Odegaard:

I am contacting you regarding the transfer of Water Right No. 4635-3 and the 2022 irrigation questionnaire.

The water right is currently listed under the name of Gerald Odegaard. It is our understanding the water right needs to be transferred to you. Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed is the 2022 irrigation questionnaire that needs to be completed and returned to us. If you have a renter on the property with that information, let me know and I can get ahold of them.

I have included a copy of the water right, map and postage envelope for your use in submitting the information. Thank you in advance for updating the water right.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
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 19, 2024

NOTICE

TO: GERALD ODEGAARD, 20767 466TH AVE, BROOKINGS, SD 57006 5700

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4635-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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) 4635-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 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. 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) 4635-3 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 before the **March 6, 2024** 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: EHCDBT**

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

February 27, 2024

4635-3

Craig Odegaard, Op
20780 466th Ave
Brookings SD 57006

Dear Mr. Odegaard:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 4635-3. The information was received prior to the March 6, 2024, Water Management Board meeting and this permit number has been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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

NOTE: Water Right No. 4635-3 is still held in the name of Gerald Odegaard. Please contact the Water Rights Program when you are ready to transfer ownership of the Water Right.

Dewell, Amanda

From: Dewell, Amanda
Sent: Friday, March 15, 2024 3:06 PM
To: odegard@brookings.net
Subject: Water Right Ownership Transfer
Attachments: 4635-3_xfer.pdf

Doug –

Attached is a partially completed "Notice of Transfer of Ownership" for Water Right No. 4635-3, previously held by Gerald Odegard.

Please complete the highlighted portions, sign, and return the form via email or by printing and mailing to:

SD DANR
Water Rights Program
523 E Capitol Ave
Pierre SD 57501

** If the Water Right is to be transferred into the name of a Trust, please list a contact for future correspondence and inquiries. Ex: Odegard Family Trust, c/o Doug Odegard.

There is a fee of \$50.00 for the transfer of a water right. Payment can be made by mailing a check (payable to SD Water Rights Program) to the address above, or by calling our Fiscal Office and submitting payment over the phone 605.773.4216.

I'm also including a link to the full Water Rights file for [WR No. 4635-3](#), for your records.

Thank you for helping in straightening out the matter of ownership of this water right.

Amanda Dewell

DANR - Water Rights Program
Main Phone: 605 773-3352
Website: danr.sd.gov





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 21, 2024

4635-3

Margaret L Odegaard Revocable Living Trust
c/o Doug Odegaard
2400 Sunrise Ridge Cir
Brookings SD 57006

Dear Odegaard:

I have received your "Notice of Transfer of Ownership" form and the required fees. Enclosed is a receipt of payment for your records.

Water Right No. 4635-3, previously owned by Gerald Odegaard is now listed under the Margaret L Odegaard Revocable Living Trust. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Water Right, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Water Right will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

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

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date March 20, 2024

RECEIVED OF M. L. Odegaard 2400 Sunrise Ridge Cir., Brookings SD 57006

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	\$ _____
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 <u>4635-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By *Eric Gronlund*
Chief Engineer

BN

NOTICE OF TRANSFER OF OWNERSHIP

PAID

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

MAR 20 2024
Ck# 4269
Rec't# 36024

No. 4635-3

Date: 3/15/24

I/We request that Water Right No. 4635-3

formerly owned by: Gerald Odegaard; 20767 466th Ave, Brookings SD 57006

be transferred to: (name & address) Margaret L. Odegaard Revocable Living Trust
2400 Sunrise Ridge Cir, Brookings, SD 57006
Email: odegaard@brookings.net Telephone No. 605-690-6447

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

131 acres: NW ¼ Section 25-T111N-R51W

I/We understand that the validity of Water Right No. 4635-3 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 Fifty Dollars (\$50.00) 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 Margaret L. Odegaard, the new owner, certify that the above information is true and correct.

Margaret L. Odegaard
(Signed by new owner)

NOTE: Water permits may be cancelled for non-construction 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.

RECEIVED

MAR 20 2024

OFFICE OF
WATER