

Considered: _____

WATER PERMIT NO. 5719-3

Phone: 594-6617 493-6617

Name of Applicant: D and R Ogrens 493-6698 Don Ogren

Post Office Address: RR 1, Langford SD 57454 12302 425th Ave

Amount of Water Claimed: 135 AF Total Acres: _____

Source of Water Supply: runoff

Water to be used for: recreation & fish and wildlife County: Marshall

About 6 miles east of Langford

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C/.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received: 10-15-92 Fee: \$225 Remarks _____

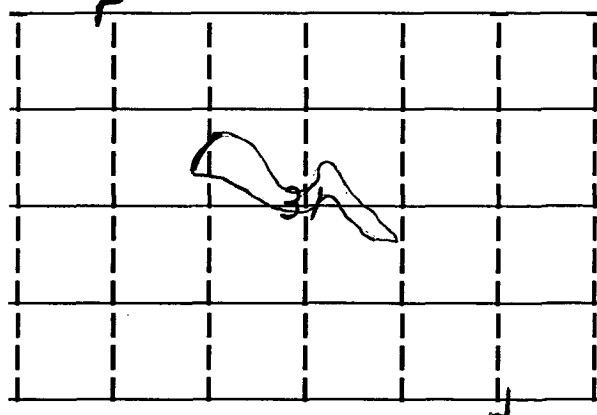
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: S 1/2 NW 1/4 Sec 31-T125N-R57W

Land to be Irrigated: _____



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: _____ REMARKS _____

Type of Map: aerial PREPARED BY: Larry D Mette, SCS Reviewed and the Number

Assigned on 10-16-92 By Karen Schlaak

Pierre

FORM 2: Application for uses other than irrigation

(type or print)

Mail to:

Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 5719-3 Hydrologic Unit 10160005
Basin James River
Newspaper Langford Bugle, Box 69, Britton
(office use only)



Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water:

☐ Municipal ☐ Suburban Housing ☒ Recreational ☐ Institutional
☐ Rural Water System ☐ Commercial ☒ Fish & Wildlife ☐ Geothermal Heat
☐ Domestic ☐ Industrial ☐ Other _____
(over 18 gpm)

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

- Name of Applicant D and R Ogren Phone 493-6617
Mailing Address RR 1 Langford State SD 57454
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed _____ *CFS or _____ **GPM 135 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply runoff
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) _____
Dam located in the ^{5/2} NW1/4, 31-125-57 Water impounded in the S1/2 NW1/4,
SW1/4 NE1/4, NW1/4 SE1/4 Sec 31-T125N-R57W County Marshall
- County or counties where water will be used Marshall
- Annual period during which water is to be used Year Round Jan 1 - Dec 31

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

This proposed project is being funded by D and R Ogrens, US Fish and Wildlife Service, Ducks Unlimited, North American Water Fowl Council and Marshall County Conservation District, for a fish and wildlife and recreational area. The earthen dam is 753' long, with an effective of 21.0'. The maximum base width is 126.6'. Top width is 12' and has a 15.8 acre surface area. A small area will be provided for access to livestock for water. Storage for the dam is approximately 135 acre feet, which is the approximate yield for a 25 year storm frequency. Therefore storage is more than adequate. Dam has a 100' wide emergency spill way and is designed for a 50 year frequency storm. Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map

and any other technical information. (see Instructions)

STATE OF SOUTH DAKOTA)

County of Marshall)^{SS}

I, Roy Ogren & Don Ogren, the applicants, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed

Roy L Ogren Donnell L Ogren
Subscribed and sworn to before me this 14th day of October 1992

Paula Jensen
Notary Public

Commission Expires: 5-13-99

**SOUTH DAKOTA
WATER PERMIT NO. 5719-3**

Date of first receipt of application October 15, 1992.

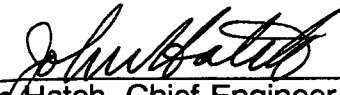
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5719-3 to D & R Ogren, RR 1, Box 162, Langford SD 57454 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5719-3 impounds 135 acre-feet of runoff water by constructing a dam located in the S 1/2 NW 1/4 Section 31-T125N-R57W. Water will be impounded in the S 1/2 NW 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4 Section 31-T125N-R57W.
2. The water appropriated shall be used for the purpose of supplying water for fish and wildlife production and may not exceed the amount of water needed for beneficial use for recreational purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 5719-3 is December 22, 1992.
5. The date from which applicant may claim right is October 15, 1992.
6. One-fifth of the construction is to be completed on or before June 22, 1995.
7. All construction is to be completed on or before December 22, 1997.
8. Water is to be put to beneficial use on or before December 22, 2001.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
2. Approval of Water Permit No. 5719-3 authorizes storage of up to 135 acre-feet annually.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

MAR 16 1993
date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- Drill Hole Diameter _____ Depth _____
- Casing Type _____ Diameter _____ Thickness _____
- Screen Type _____ Diameter _____ Thickness _____
- Gravel Pack Thickness _____ Length of Gravel Pack _____
- Depth to Top of Water Bearing Material _____
- Depth to Water (ground surface to water level) _____
- Distance to nearest existing domestic well:
On applicants property _____ On property owned by others _____

2. Dugout Information

- Surface Dimensions _____ Depth _____
- Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

Soil Conservation Service
Box 8, Britton, SD 57430

b) Freeboard _____ 3.0'

c) Crest Width _____ 12.0'

Crest Length _____ 753'

d) Height _____ 24.0'

e) Primary Outlet Capacity _____ NA

If pipe, diameter _____

f) Secondary Spillway Capacity _____ 620 cfs

Spillway Width _____ 100

g) X & Y Slope

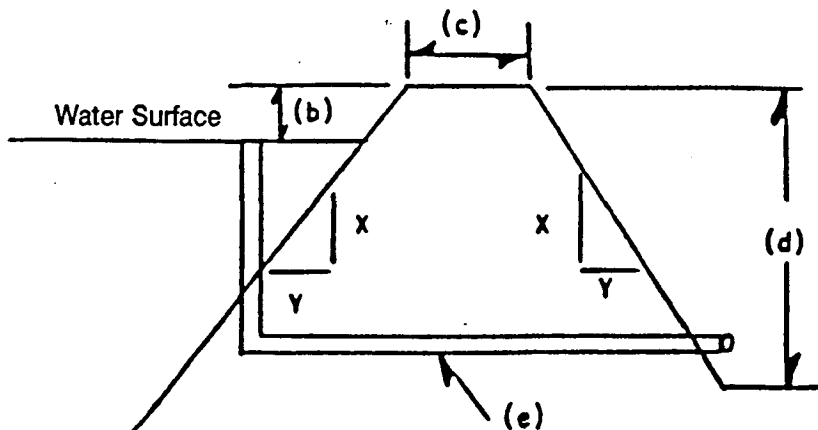
Upstream _____ 3.1

Downstream _____ 2.1

h) Surface Area of Impoundment _____ 15.8

i) Storage _____ 135 _____ Acre Feet

j) Drainage Area above Dam _____ 1500 _____ Acres



Worksheet 1: Runoff curve number (CN)

Client D & R Ogren By Lainy D. Mehl Date 8-25-92
 County Marshall State So. Dak. Checked _____ Date _____
 Practice Dam- Multi Purpose Site # 2

Soil name and hydrologic group (table 2-1)	Cover description (cover type, treatment, and hydrologic condition)	CN (table 2-3)	Area (acres or %)	Product of CN x area
B	Pasture, grassland, or range	69	1000	69000
B	Row Crops - St Row + CR	75	200	15000
B	Small Grain - St. Row + CR	72	300	21600
Totals =			1500	105,600

CN (weighted) = $\frac{105600}{1500} = 70.4$

Use CN = 70



Worksheet 2: Time of concentration and peak discharge

Client D & R Ogren Site #2 By Harry D. McHale Date 8-25-92
 County Marshall State So. Dak. Checked _____ Date _____
 Practice Multi Purpose Dam

Estimating time of concentration

1. Data:

Rainfall distribution type = II (I, IA, II, III)
 Drainage area A = 1500 ac
 Runoff curve number CN = 70 (Worksheet 1)
 Watershed slope Y = 4 %
 Flow length l = 18000 ft

2. T_c using l , Y, CN and figure 2-27 = 3.4 hrs

or using equation 2-5

$$T_c = \frac{l^{0.8} \left[\frac{1000}{CN} - 9 \right]^{0.7}}{1140 Y^{0.5}} = \frac{()^{0.8} ()^{0.7}}{1140 ()^{0.5}} = \text{_____} \text{ hrs}$$



Use 50yr storm if storing more than 50 acre feet.

Estimating peak discharge

- Frequency yr
- Rainfall, P (24-hour) in
- Initial abstraction, I_a in
(Use CN with table 2-4)
- Compute I_a/P ratios $\frac{0.857}{4.8}$
- Unit peak discharge q_u cfs/ac/in
(Use T_c and I_a/P with exhibit 2-11)
- Runoff, Q in
(Use P and CN with figure 2-26 or table 2-2)
- Peak discharge, q_p $0.22 \times 1500 \times 1.88 =$ cfs
(Where $q_p = q_u AQ$) EFM.

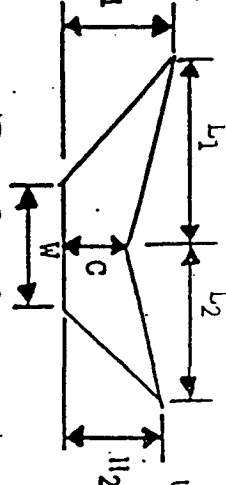
Storm #1	Storm #2	Storm #3
25	50	
4.2	4.8	
0.857	0.857	
0.20	0.178	
0.22	0.22	
1.46	1.88	
482	620	

SPILLWAYS - EARTH OR VEGETATED ^{11.54a} ^{Depth Spillway}

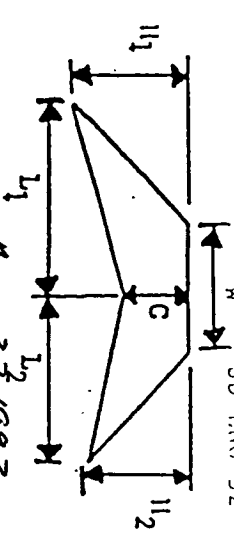
Crest Elev.	Crest Length	Permissible Velocity	H_p (ft)	q_x (ft ³ /s/ft)	Width (ft)	Velocity at Control Section	Q (ft ³ /s)
97.0	70	6.0	1.0	2.0	100	4.0	200
97.0	70	6.0	2.0	6.4	100	5.6	640
97.0	70	6.0	2.5	9.0	100	6.6	900

Use

15,529 cu yds
776 5% shrink
11.29 core trench
17434



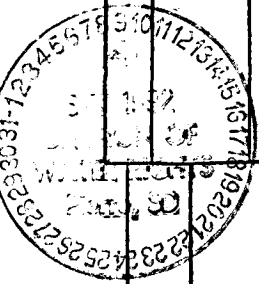
UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
EARTHWORK COMPUTATION SHEET
for Three Level Section



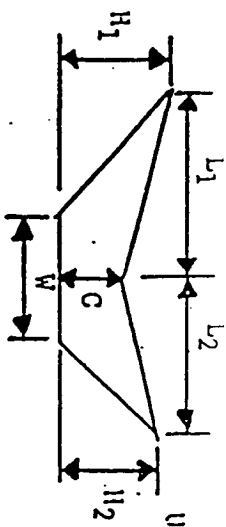
Owner or Operator D. R. Ogren Plan or Job No. Mt. Vernon Dam Date Aug 27, 1992

Calculations by Larry D. Methe Checked by Stanley Hargan 9-1-92

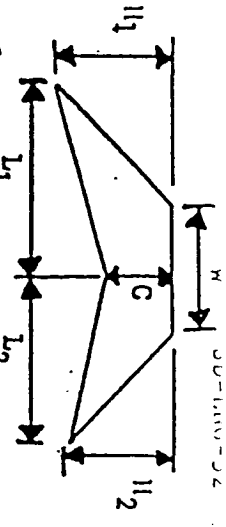
1	2	3	4	5	6	7	8	9	10	11
Station (ft.)	$\frac{C}{2}$ (ft.)	$L_1 + L_2$ (ft.)	Product of Cols. 2 & 3 (sq. ft.)	$\frac{W}{4}$ (ft.)	$H_1 + H_2$ (ft.)	Product of Cols. 5 & 6 (sq. ft.)	End area Sum of Cols. 4 & 7 (sq. ft.)	Sum of End Areas (sq. ft.)	Distance Between Stations (ft.)	Product of Cols. 9 & 10 (cu. ft. x ?)
1418	1.0	24.9	24.9	30	5.1	15.3	40.2	198.2	100	19820.0
2418	2.85	42.6	121.4	30	12.2	36.6	158.0	727.7	160	72770.0
3418	5.0	95.1	475.5	30	31.4	94.2	569.7	2155.2	90	193968.0
4418	11.45	126.6	1449.6	30	45.3	135.9	1585.5	3196.7	60	191442.0
4468	12.15	121.2	1472.6	30	44.2	132.6	1605.2	2885.5	70	201985.0
5438	10.3	112.5	1158.8	30	40.5	121.5	1286.3	1740.8	60	104448.0
5498	5.45	71.4	389.1	30	23.8	71.4	460.5	512.8	100	51280.0
6498	1.4	25.6	35.8	30	5.5	16.5	52.3	52.3	55	2876.5
7453	6.0	12.0	0.0	30	0.6	0.0	0.0			
Divide total of Column #11 by 54 to get cu. yds.										
838,589.5 54										



15,529 cu yds
776 5% shrink
11.29 core trench
17434



UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
EARTHWORK COMPUTATION SHEET
for Three Level Section



Owner or Operator B + R Ogren Plan or Job No. Mt. Rogers Dam Core Date Aug 27, 1992

Calculations by Kary D. Mette Checked by Standa Strangman 9-1-92

1	2	3	4	5	6	7	8	9	10	11
Station (ft.)	$\frac{C}{2}$ (ft.)	$L_1 + L_2$ (ft.)	Product of Cols. 2 & 3 (sq. ft.)	$\frac{W}{4}$ (ft.)	$H_1 + H_2$ (ft.)	Product of Cols. 5 & 6 (sq. ft.)	End area Sum of Cols. 4 & 7 (sq. ft.)	Sum of End Areas (sq. ft.)	Distance Between Stations (ft.)	Product of Cols. 9 & 10 (cu. ft. x ?)
1418	0.0	12.0	0.0	3.0	0.6	0.0	0.0	28.0	100	2800.0
2418	1.0	16.0	16.0	3.0	4.0	12.0	28.0	73.0	100	7300.0
3418	1.5	18.0	27.0	3.0	6.0	18.0	45.0	178.0	90	16020.0
4468	3.5	26.0	91.0	3.0	14.0	42.0	133.0	197.0	10	11820.0
4468	2.0	26.0	40.0	3.0	8.0	24.0	64.0	172.0	70	12040.0
5438	3.0	24.0	72.0	3.0	12.0	36.0	108.0	136.0	60	8160.0
5498	1.0	16.0	16.0	3.0	4.0	12.0	28.0	28.0	100	2800.0
6498	0.0	12.0	0.0	3.0	0.0	0.0	0.0			<u>60940.0</u> 54 1129
Divide total of Column #11 by 54 to get cu. yds.										



South Dakota
Larry D. Mette 8-31-92
Don & Roy Ogren

Multi Purpose Dam site #2
2
1 1

Pool				
Storage Curve	Elev 77.0	0.3 Ac Ft		
	Elev 82.0	7.5 Ac Ft	2.75 Ac Surface	
	Elev 87.0	27.6 Ac Ft	6.0 Ac Surface	
	Elev 92.0	69.8 Ac Ft	10.7 Ac Surface	
Spillway Elev.	Elev 97.0	135 Ac Ft	15.8 Ac Surface	
Top of Dam	Elev 100.0	192 Ac Ft	19.7 Ac Surface	

Spillway Elevation 97.0 - 100 ft wide with 70' level crest.

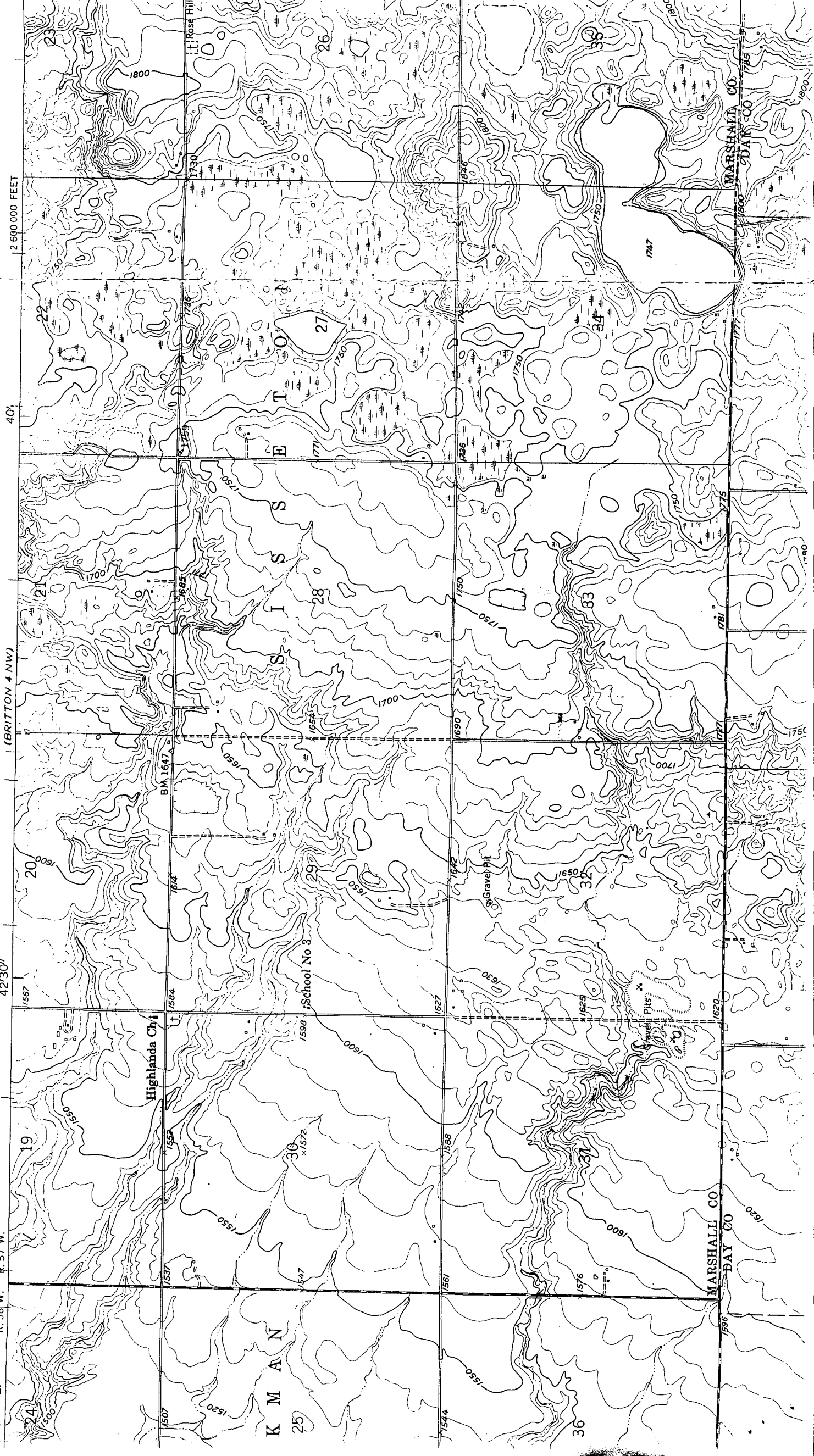
Spillway Capacity at 98.0 = 200 cfs

Spillway Capacity at 99.0 = 620 cfs

Spillway capacity at 99.5 = 900 cfs



598000m.E. R. 58 W. R. 57 W.

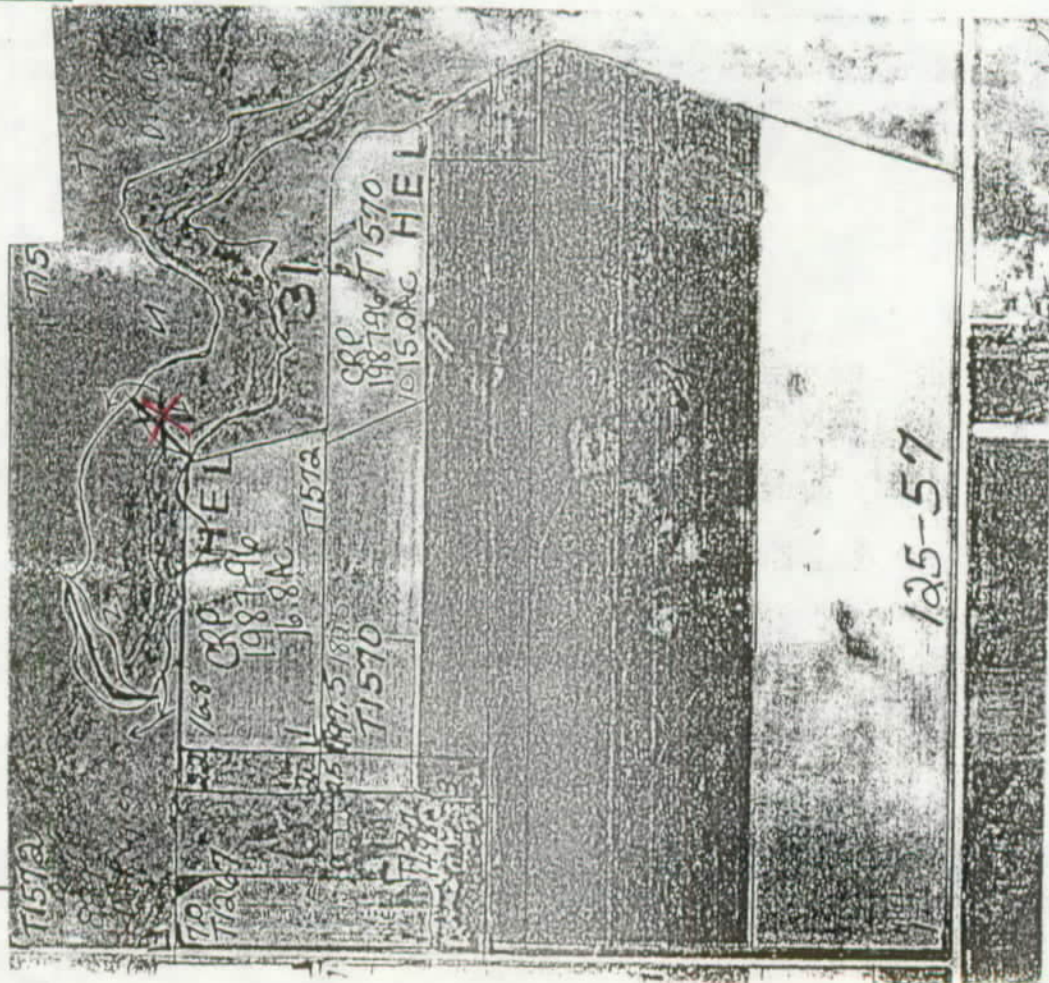


12 600 000 FEET

TABLE OF QUANTITIES

DRAINAGE AREA	ANNUAL YIELD	PEAK RUNOFF	EMERG. SPLWY. CAPACITY	WATER DEPTH	SURFACE AREA	SEDIMENT STORAGE	TOTAL STORAGE
ACRES	AC.FT.	m^3 50-YR.	C.F.S.	FEET	ACRES	AC.FT.	AC.FT.
1500	3375	620	620	21	158	378	135

20% Cholic 112.5 Ac Ft.



SKETCH PLAN OF DAM AND RESERVOIR AREA

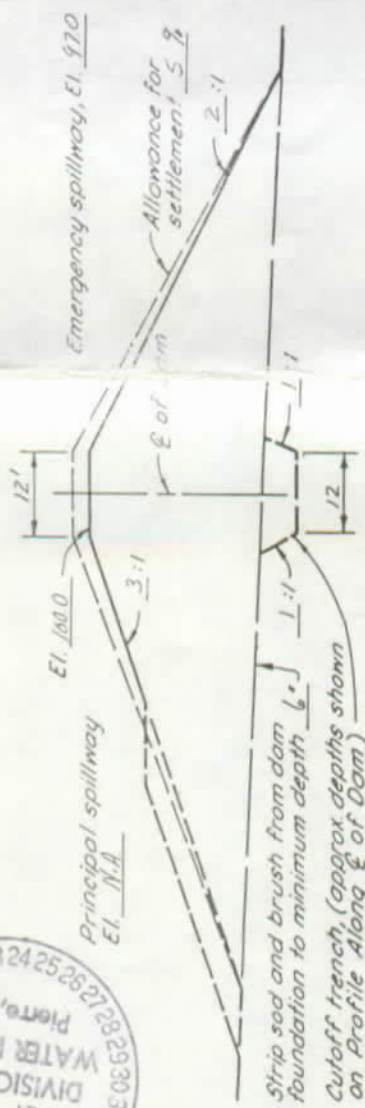
Approximate scale 1" = ~~400~~ 812'

REFERENCE: GUIDE PLAN NO. 1.0



Sec. 31 T. 12S. R. 57
Marshall County

LOCATION

[illegible]

TYPICAL CROSS SECTION OF DAM

S.D. CONSTRUCTION AND MATERIAL SPECIFICATIONS:

S.D. 4 Stripping

S.D. 5. Excavation

S.D	75	Earth Fill	Compaction
1	10	10	10
2	10	10	10
3	10	10	10
4	10	10	10
5	10	10	10
6	10	10	10
7	10	10	10
8	10	10	10
9	10	10	10
10	10	10	10
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13	10	10	10
14	10	10	10
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91	10	10	10
92	10	10	10
93	10	10	10
94	10	10	10
95	10	10	10
96	10	10	10
97	10	10	10
98	10	10	10
99	10	10	10
100	10	10	10

S.D 10 Salvaging and Spreading Topsoil

EARTH DAM

OPERATOR: D. R. Ogren

CONSERVATION DISTRICT: Marshall

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

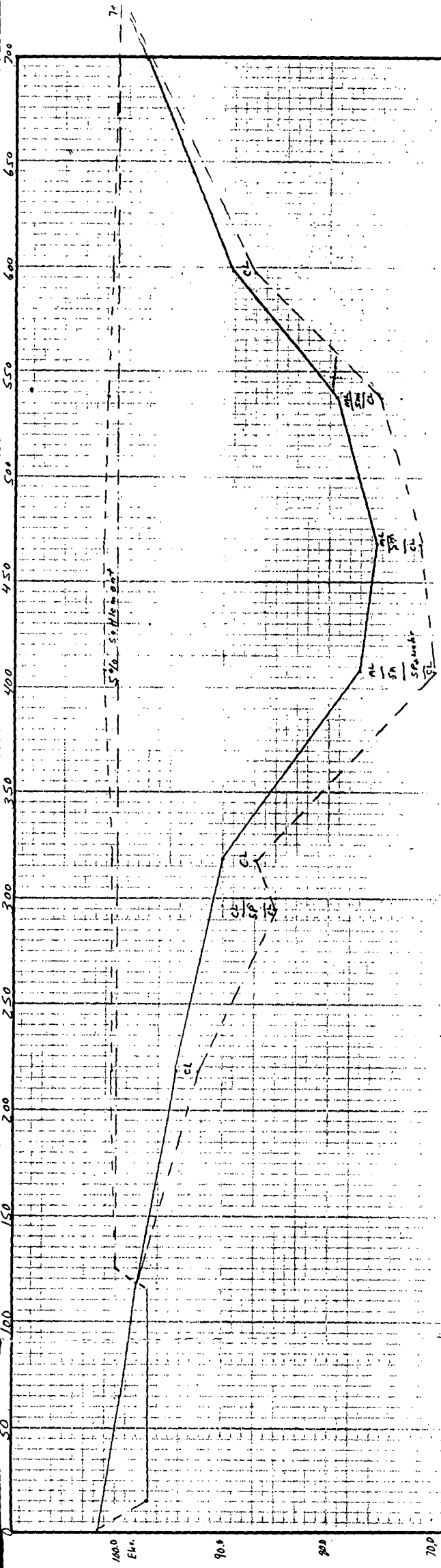
10 m.	Date	Approved by
	27	Lawrence M. M.

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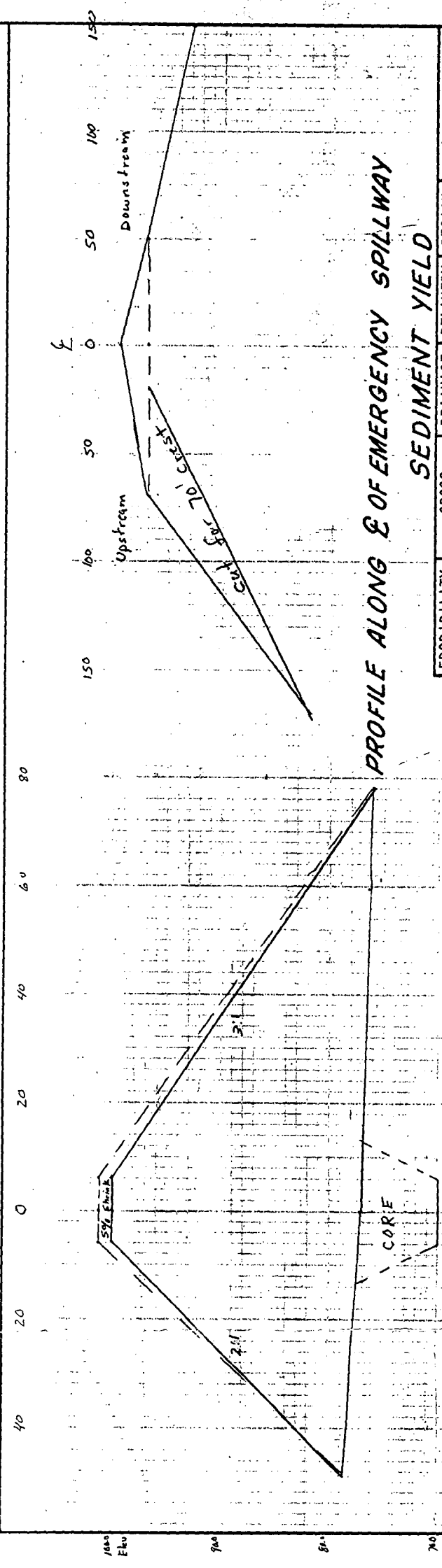
Total 8,076

Sheet	Drawing No.
1	1

JOB PLAN NO. 1.0



CROSS SECTION AT CREST OF EMERGENCY SPILLWAY AND PROFILE ALONG E OF DAM



PROFILE ALONG E OF EMERGENCY SPILLWAY

SEDIMENT YIELD

ERODIBILITY AREA ACRES	GROSS RATE A.F./AC./YR.	DRAINAGE AREA ACRES	DELIVERY RATE %	DESIGN PERIOD YEARS	REQ'D. SEDIMENT VOLUME AC.FT.
F	0.0021	1500	0.24	50	37.8

MAXIMUM CROSS SECTION OF DAM

CORE



Soil Survey
Marshall Co.
So. Oak.

31-125-57



D + R Cyren
pt 1 Box 162

DAY	COUNTY
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
29	29
30	30
31	31

RECEIPT

413438

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre,

September 22, 19 92

RECEIVED OF Roy Ogren, Langford, SD 57454

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

Fee for Application for Permit No. <u>5719-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	225	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	225 00

By

Chief Engineer

John Hatch

Application No. 5719-3
D. and R. Ogrens
S² NW⁴ Section 31-125-57
Marshall Co, IL

Category 3, small dam:

$$H_{\text{eff}} \times \text{Int. Storage} < 3000$$

$$21' \times 135 \text{ ac.ft} = 2835 < 3000$$

$$H_{\text{eff}} = 21.0'$$

$$\text{Int. storage} = 135 \text{ ac.ft}$$

USGS "Tech. for Estimating Flood Peaks"

$$\text{drainage area} = 1500 \text{ a.c.} = 65,340,000 \text{ ft}^2 = 2.34 \text{ sq. mi.}$$

$$\text{drainage slope} = .04' / 1 = 211.2' / \text{mi}$$

$$S_i = 2.99$$

$$Q_{25} = 83.4 A^{0.60} S^{0.44} S_i^{-0.72}$$

$$= 83.4 (2.34)^{0.60} (211.2' / \text{mi})^{0.44} (2.99)^{-0.72}$$

$$= 655.39 \text{ cfs}$$

$$Q_{50} = 945.82 \text{ cfs}$$

Primary Spillway Capacity:

No primary

50yr. design

Emergency Spillway Capacity:

Elev. 97.0

Elev. crest = 100.0

100' w x 70' l

3'

$$Q = \text{CLK}^{3/2}$$

$$C = 2.6$$

$$L = 100'$$

$$H = 3'$$

$$Q = 2.6 (100)(3)^{3/2} = 1351 \text{ cfs}$$

1351 cfs > 655 cfs. ∴ adequate.

74:02:08:09 - Review

1) Topo Map

Y

6) Spillway Rating Curve

Y

2) Dam Axis Profile

Y

7) Plans & Specs of Spillway Str.

N/A

3) Dam X-Section

Y

8) Specifications (Referenced)

Y

4) Area-Capacity Curve

Y

9) EPP

N/A

5) Detailed Drainage of Outlet

Risk assessment by SES.

LOCATION NOTICE FOR DAM/DUGOUT

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

MARSHALL

County



74240
Location Notice No.

I, D & R OGREN, of

ROUTE 1 BOX 94

Address & Zip Code

Langford, SD 57454

MARSHALL

County

OWNER

(owner or operator)

, of the following described land, do hereby

notify the Water Management Board of the State of South Dakota and all others concerned that I am exercising my right under SDCL 46-4, for construction of a DAM for the purpose of impounding runoff waters for WILDLIFE/LIVESTOCK purposes.
(type of use)

(dam or dugout)

The following data is presented in compliance with SDCL 46-4-3 and 46-4-4.

(1) Date of:

(a) This notice _____

(b) Proposed construction _____

(2) Legal description of the land upon which the dam/dugout is located:

SW $\frac{1}{4}$ OF NE $\frac{1}{4}$

31-125-57

(describe to the nearest 40 acre sub-division)

(3) Location of the dam/dugout from a section corner:

45 RODS EAST AND 15 RODS NORTH OF THE SW CORNER

(describe distance N.S.E.W. from the corner)

(4) County MARSHALL

(5) The owner of the land DON AND ROY OGREN

(6) Acre feet of water claimed annually 5 ACRE FEET

Notes: If the storage of the proposed structure at the spillway crest or overflow elevation exceeds twenty five (25) acre feet, a water permit from the Water Management Board is required.

A location notice is only required on a dugout, if the dugout captures surface runoff waters.

** Continue on other side **

(7) Complete the following information for the proposed dam/dugout:

• Items to be completed for a dugout

*a) Dam/Dugout designed by NATURAL RESOURCES CONSERVATION SERVICE

PO BOX 8, BRITTON, SD 57430-0008

(name and address)

b) Freeboard 3.0'

c) Crest Width 12.0'

Crest Length 392'

d) Height 23'

• Depth, if Dugout _____

e) Outlet Dimensions:

Pipe diameter 15"

Spillway width 100'

f) X & Y Slope:

Upstream 3:1

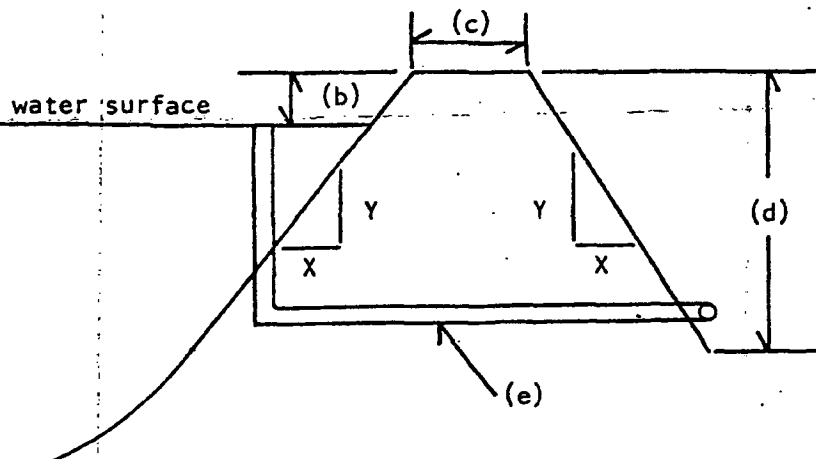
Downstream 2:1

*g) Water surface area 6.8

*h) Storage at spillway crest or overflow elevation
(acre feet) 24.5

i) Maximum storage to top of dam
(acre feet) 47

*j) Drainage area above dam/dugout
2000



Enclosed herewith is ten dollars (\$10.00). The Water Management Board is requested to file this Location Notice in their official records. A copy of this Location Notice has been filed (do not record) with the Register of Deeds of _____ County in accordance with SDCL 46-4-3.

Don L. Ogren Roy L. Ogren
owner

STATE OF SOUTH DAKOTA)
COUNTY OF Marshall) ss

locator

I, Don L. & Roy L. Ogren the applicant, certify that I have read this Location Notice and that the matters stated in this notice are true and that I intend, and am able to start construction within sixty days after the filing of this notice.

Signed

Don L. Ogren Roy L. Ogren

Subscribed and sworn to before me this 19th day of October, 1995

(seal)

L. Jay Erickson
notary public

NOT TO SCALE



(Ivan P. Sovall-op)

125-57

75.0
T1571

175L-B7

68.8 T1259

9.2
Q MNL

T1571
255
Larry Olson

T1259
309
Marvin Ralph Oye
(Rogers Oye op)

T1572

D + R Ogren - Proposed
Wildlife & Rec
Dam

T1572

Larry D. Mett
Soil Cons Service
Box 8
Britton, S.D. 57430

7.0
T1267

22 16.8
CRP
1987-96
16.8 AC

T1572

31

T1572
889
D + R Ogren

2.5 199.5 182.5
T1570

CRP
1987-96 T1570
1015.0 AC HEL

T1571
1498

T1570
889
D + R Ogren

125-57

Appl. No. 5719-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 22, 1992

Donnell & Roy Ogren
Langford SD 57454

Dear Sirs:

On September 9, 1992 we received plans and specifications for a 135 acre-foot dam to be located in Marshall County and a check for \$225.00.

Enclosed is a set of Application For Permit forms and instructions. Please complete the Form 2 and Form 2A. The application forms must be signed and notarized. A different set of application forms need to be completed if you intend to irrigate from the dam. Please contact us and we will send the forms for irrigation.

Please submit a map (aerial photo) showing the location of the dam in relation to a government section corner or quarter corner by direction and distance. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).

A written preliminary risk assessment of the downstream hazard potential needs to be provided to aid in determining the hazard classification for the proposed dam (see enclosed Safety of Dams Rules Sections 74:02:08:05 and 74:02:08:05.01). The hazard classification for the dam (Category 1, 2 or 3) needs to be known in order to determine what provisions of the Safety of Dams Rules will apply to your dam.

An assessment of the downstream hazard potential is to consist of a list of properties downstream from the dam (homes, roads, dams and other structures) with the potential affects of a dam failure to these properties. The legal descriptions of these downstream properties and the elevation above the waterway need to be included in the assessment. The risk assessment needs to be prepared by an engineer as defined in the Safety of Dams rules. The Soil Conservation Service may be able to assist with the risk assessment.

Upon receipt of the above, further processing will continue. If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosures

UNITED STATES
DEPARTMENT OF
AGRICULTURE

SOIL
CONSERVATION
SERVICE

P.O. Box 8
Britton,
South Dakota 57430

October 1, 1992

D & R Ogren
Route 1 Box 162
Langford, SD 57454



Dear Don & Roy:

This letter is in response to your request for assistance on a risk assessment of the downstream hazards, if your proposed dam failed.

The dam is located in the SW1/4 of the NW1/4 of 31-125-57 with an effective height of 21.0 ft. It has approximately 135 acre feet of storage capacity. The emergency spillway is 100 ft. wide, and is designed for 50 year storm frequency. Failure of this dam would cause damage to a township road 1/4 mile downstream. Below this road the channel flattens out and one mile later hits the county road and crosses Highway 27. At this point water could flood Ogren's lower cattle lots but in my opinion would cause no significant damage to their lots or the roads. There are no other farm sites or building sites in the flood plain for more than 3 miles downstream.

In my opinion this dam would fall into a category 3 dam.

Sincerely,

A handwritten signature in cursive script that reads "Larry D. Mette".

Larry D. Mette
Conservation Technician

Conversation or File Documentation

NAME OF PERSON OR FILE: Larry Mette, SCS Conservation TechnicianADDRESS: P.O. Box 8, Britton, SD 57430 COUNTY MarshallDATE: 11-4-92 TELEPHONE (605) 448-2442RE: Ogren Dam, Marshall Co.

COMMENTS:

I spoke with Mr. Mette, by phone, to ask him why a primary spillway was not included in the design of Ogren's Dam. Mr. Mette said that SCS did not require a primary spillway if storage capacity of the dam exceeded the volume from the 5 year event. He also said that the storage capacity of Ogren's Dam would exceed the 25 year event, therefore they felt that a trickle tube was unnecessary.

I told Mr. Mette that we recommend a primary spillway to avoid erosion problems during low flows through the secondary outlet.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: L. Beck



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 10, 1992

Larry D. Mette
P.O. Box 8
Britton, SD 57430

Dear Mr. Mette:

We have reviewed the plans and specifications for the Ogren Dam located in the S 1/2 NW 1/4 Sec. 31-125-57. The plans and specifications as submitted are acceptable; however, they will not be officially approved until Water Permit Application No. 5719-3 is approved. It is recommended that a primary spillway, such as a trickle tube, be provided to avoid erosion problems in the secondary spillway during low flows.

The review was to determine compliance with the Water Management Board Safety of Dams Rules, Chapter 74:02:08. Approval of these plans and specifications does not release Don Ogren and Roy Ogren, as owners of the dam, from the responsibility for operating and maintaining the dam in good repair to assure the safety of the dam.

The Ogren dam will be classified as a small size category 3 dam with an effective dam height of 21.0 feet, normal storage capacity of 135 acre-feet.

If you have any questions, please feel free to contact me.

Sincerely,

Gale N. Selken, P.E.
Natural Resources Engineer IV
for John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

cc: Don and Roy Ogren

Report on Application No. 5719-3
D and R Ogren
November 4, 1992

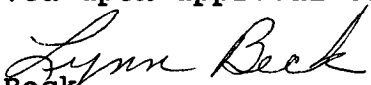
This application proposes to impound 135 acre-feet of runoff water by constructing a dam located in the S 1/2 NW 1/4 Section 31-T125N-R57W. Water will be impounded in the S 1/2 NW 1/4, SW 1/4 NE 1/4, and NW 1/4 SE 1/4 of Section 31-T125N- R57W. The water will be used for recreational purposes and for fish and wildlife production.

According to the risk assessment submitted with the application, the dam is a category 3 dam. "Category 3 dam" is a low hazard dam whose failure may cause limited damage to agricultural lands or county and township roads or minimum economic loss. The dam will be 24 feet high (effective height of 21 feet) with a storage capacity of 135 acre-feet to the emergency spillway elevation. The spillway is required to have a minimum capacity of passing a 25 year frequency event based on Safety of Dams rule 74:02:08:07:01. This rule states that for a small size category three dam with an emergency spillway, the minimum spillway design flood is a 25-year frequency, if the product of the intermediate storage capacity times the effective height is less than 3000. The product of the storage times the effective height is 2835.

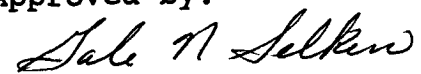
The plans and specifications have been reviewed for this project and will be approved after a water permit is obtained. The drainage area of the proposed dam is 2.34 square miles (1500 acres) and a 25-year frequency will produce a peak runoff of 655 cubic feet per second. The dam is designed with a 100 foot wide emergency spillway with a capacity of 1351 cubic feet per second, which exceeds the capacity for passing a 25-year frequency event. There is no primary spillway, however it is our recommendation that a primary spillway, such as a trickle tube, be provided to avoid erosion problems in the secondary spillway during low flows. The dam will be located on an unnamed drainage 5 miles east of Langford, South Dakota. There are no water rights on the drainage that would be affected by the dam.

Conclusions:

- 1) Water is available from the unnamed drainage.
- 2) Existing water rights will not be impaired.
- 3) Plans and specifications for the dam are acceptable and will be approved upon approval of the water right application.


Lynn Beck
Natural Resources Engineer III

Approved by:


Gale N. Selken, P.E.
Natural Resources Engineer IV

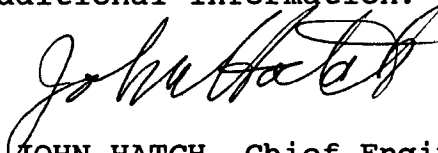
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5719-3, D and R Ogren

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5719-3, D and R Ogren, RR 1, Langford, SD 57454.

The Chief Engineer is recommending APPROVAL of Application No. 5719-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
2. Approval of Water Permit No. 5719-3 authorizes storage of up to 135 acre-feet annually.

See report on application for additional information.

A handwritten signature in cursive script, appearing to read "John Hatch", written in dark ink.

JOHN HATCH, Chief Engineer
November 17, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

November 18, 1992

Donnell and Roy Ogren
RR 1
Langford, SD 57454

Dear Sirs:

Water Permit Application No. 5719-3 for recreation, fish and wildlife use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Langford Bugle printed at Britton, SD (Ph # 448-2281). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 18, 1992

Langford Bugle
Box 69
Britton, SD 57430

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5719-3 to be published twice. Please publish the first notice on November 25, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is D and R Ogren, RR 1, Langford, SD 57454 (Ph # 594-6617).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on November 25, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5719-3 to Appropriate Water

Notice is given that D and R Ogren, RR 1, Langford, SD 57454 has filed an application for a water permit to impound 135 acre-feet of runoff water by constructing a dam located in the S 1/2 NW 1/4 Section 31-T125N-R57W. Water will be impounded in the S 1/2 NW 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4 Section 31-T125N-R57W. The water will be used for recreational purposes and for fish and wildlife production.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5719-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by December 14, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5719-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for December 22, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the December 22, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The December 22, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by December 14, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by December 14, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
 County Marshall)

I, Charles L. Card

certify that the attached printed Notice was taken
 from the Langford Bugle

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 Britton

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

Nov. 25, 1992

Dec. 2, 1992

Charles L. Card
 (Signature)

publisher

(Title)

Dec. 2, 1992

(Date Signed)

Cost of Printing: \$52.60



2T(Nov. 25-Dec. 2)

NOTICE OF HEARING
 on Application No. 5719-3
 to Appropriate Water

Notice is given that D and R Ogren, RR 1, Langford, SD 57454 has filed an application for a water permit to impound 135 acre-feet of runoff water by constructing a dam located in the S 1/2 NW 1/4 Section 31-T125N-R57W. Water will be impounded in the S 1/2 NW 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4 Section 31-T125N-R57W. The water will be used for recreational purposes and for fish and wildlife production.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5719-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by December 14, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5719-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for December 22, 1992, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre, SD. If this application is opposed or the recommendation is contested, the December 22, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class

(over)

Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The December 22, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by December 14, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by December 14, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 16 1993

Roy and Don Ogren
D & R Ogren
RR 1 Box 162,
Langford, SD 57454

Dear Sirs:

Enclosed is Water Permit No. 5719-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 23, 2002

5719-3

Don Ogren
D & R Ogren
12302 425th Ave
Langford SD 57454

Dear Mr. Ogren:

On October 8, 2002 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5719-3, was completed by Stacy Johnson, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352

RECEIPT
WATER RIGHTS PROGRAM
South Dakota Department of Environment and Natural Resources

Date December 4, 2002

RECEIVED OF Danell & Roy Oger, 12302 41st Ave., Longford SD 57454

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	50.00	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5719-3</u>		
Fee for Filing Transfer Form _____		
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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No.

000403

By

Danell Oger
Chief Engineer *gm*

Permit No. 5719-3
James River - Water District

Other permit/license(s) associated with project: none

Contact Person & Address: Don Ogren, 12302 425th Avenue, Langford SD 57454

Report Of Examination Of Works

On, **October 8, 2002**, I made a thorough examination of the water use system constructed by D&R Ogren of 12302 425th Avenue, Langford SD 57454 holder of Permit No. 5719-3, bearing the priority of October 15, 1992, authorizing the storage of 135 acre-feet of the waters of runoff for recreational purposes, in Marshall County.

The system is in the following condition good. The point of diversion is located from the NW corner it is 1610 feet south and 1078 feet east in Section 31 T125N-R57W with a longitude of -97.727488 and a latitude of 45.598099. The works are capable of storing 135 acre-feet of water that is to be used for recreational purposes. The license should be issued for 135 acre-feet of storage.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA
- 4) Exceptions to compliance are: none

Report On the Specifics of the System

Dam Information:

- | | |
|--|--|
| 1) Height to crest <u>24</u> feet | 2) Height to primary spillway or outlet <u>19</u> feet |
| 3) Height to secondary spillway <u>21</u> ft | 4) Crest width <u>12</u> feet |
| 5) Crest length <u>675</u> feet | 6) Spillway length <u>NA</u> feet |
| 7) Spillway width <u>130</u> feet | 8) Approx. storage <u>135</u> ac-ft |
| 9) Outlet tubes: | |
| a) diameter <u>12</u> inches | b) type <u>Steel</u> |

COMMENTS: Outlet tube on the downstream side of the dam is bent slightly. Large concrete blocks on the upstream side of the dam.

Stacy J. Johnson

Stacy J. Johnson

Natural Resources Project Engineer
DENR, Water Rights Program

12-16-02

Date

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5719-3

(1) D & R Ogren, 12302 425th Ave, Langford SD 57454 made Application No. 5719-3, October 15, 1992 for a water permit to impound 135 acre feet of water from runoff, Marshall County, South Dakota for fish and wildlife propagation and recreational purposes. Permit No. 5719-3, with a priority date of October 15, 1992 was approved December 22, 1992 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before December 22, 1997 and for the application to beneficial use of water on or before December 22, 2001.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holders and/or owners of Water Right No. 5719-3 are issued a license, bearing a priority date of October 15, 1992, to impound 135 acre feet of water.

The location of the storage dam (spillway) is 1,610 feet south and 1,078 feet east from the northwest corner of Section 31-T125N-R57W (SW ¼ NW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 5719-3 including the following qualifications:

- Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
- Approval of Water Permit No. 5719-3 authorizes storage of up to 135 acre-feet annually.

Garland Erbele

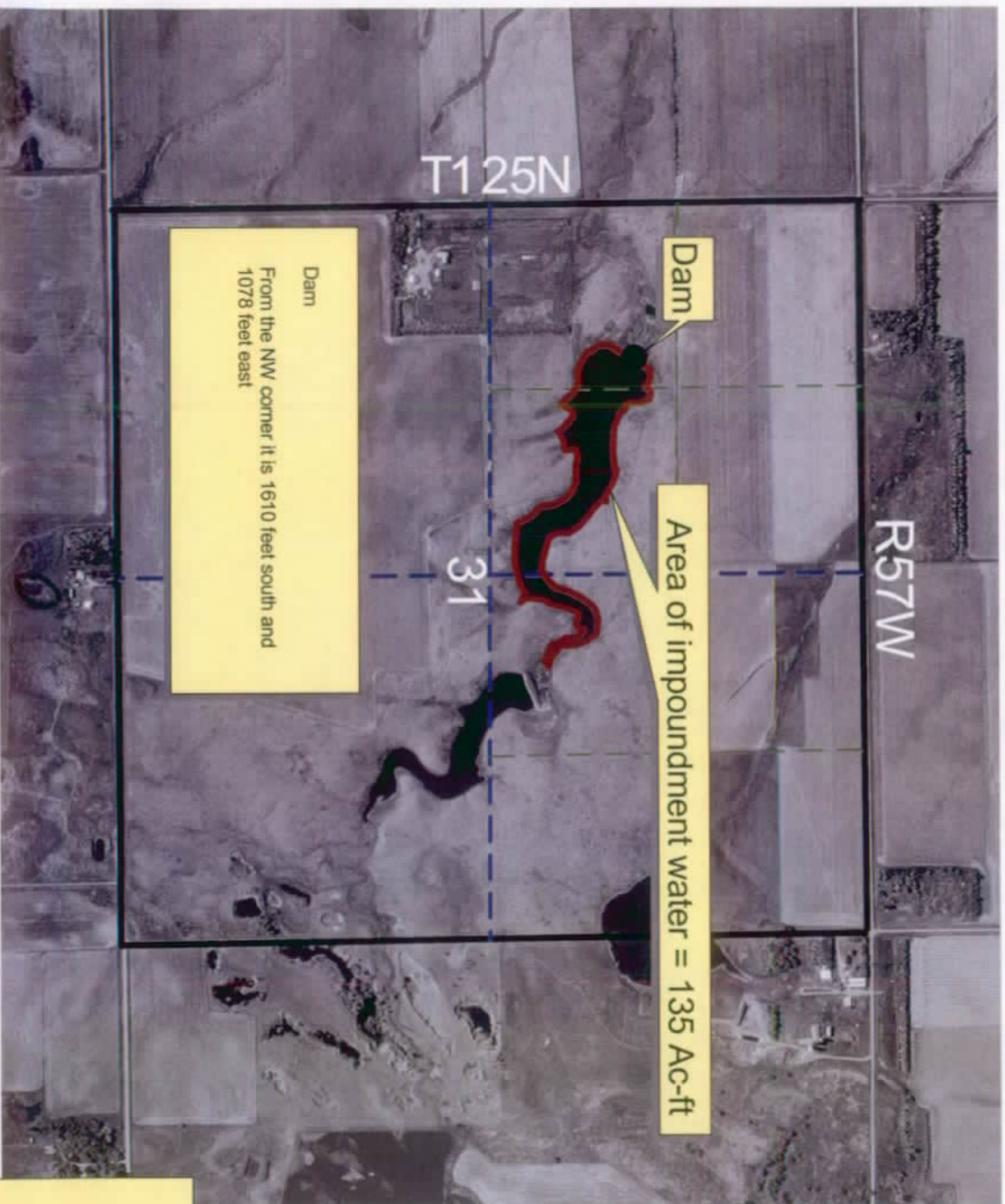
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAR 19 2003

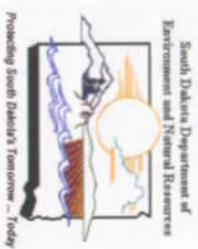
date



Water Permit No. 5719-3



South Dakota



Stacy J. Johnson 10-22-02
 Stacy J. Johnson
 Natural Resources Project Engineer
 SD DENR 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

MAR 19 2003

5719-3

D & R Ogren
12302 425th Ave
Langford SD 57454

Dear Sir:

Enclosed is Water License No. 5719-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 000403 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