

WATER PERMIT NO. 7139-3

Name of Applicant: **D & R Ogren**

Address: **12302 425th Ave, Langford SD 57454** Phone: **605 493-6698**

Amount of Water Claimed: **67 AF** Total Acres: **NA**

Source of Water Supply: **runoff**

Water to be used for: **fish & wildlife propagation and livestock water** County: **Marshall**

Type of Waste Disposal System: **NA**

Location: **5 miles east of Langford**

PRIORITY Date Received: **5-28-09** Application/License Fee: **\$200**

Corrected Application Received: Period of Annual Use: **January 1 – December 31**

Remarks:

Diversion Point: **SW ¼ NE ¼ Sec 31-T125N-R57W**

Water Impounded: **SW ¼ NE ¼, N ½ SE ¼ Sec 31-T125N-R57W**

Depth of Well: **NA**

Well Driller:

Remarks:

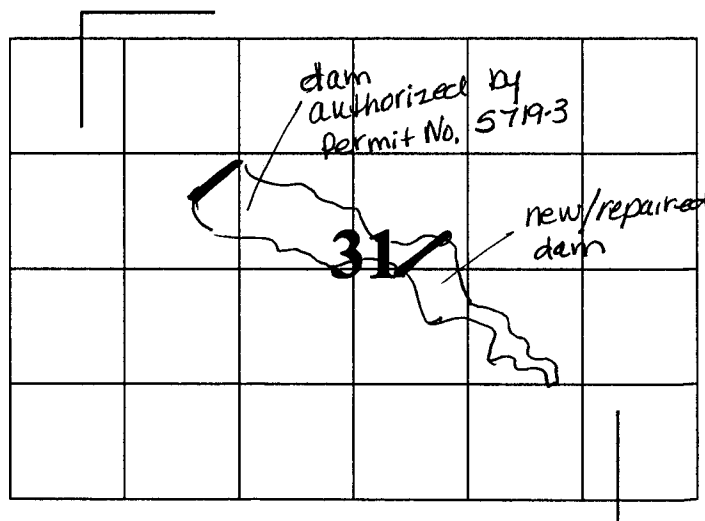
Type of Map: **aerial**

Prepared by: **Thomas Wickstorm, USFWS**

Reviewed and the Number Assigned on: **5-28-09**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



RECEIVED

MAY 28 2009

WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>7139-3</u> (office use only) Hydrologic Unit <u>1016 0005</u>
	Basin <u>James River</u>
	Newspaper <u>Britton Journal PO Box 69</u> <u>605-448-2281 (wed) 57430</u>

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

Check use(s) of water:

- | | | | |
|---|---|---|--|
| ☐ Municipal | ☐ Suburban Housing | ☐ Recreational | ☐ Institutional |
| ☐ Rural Water System | ☐ Commercial | ☒ Fish & Wildlife | ☐ Geothermal Heat |
| ☐ Domestic (over 18 gpm) | ☐ Industrial | ☐ Other <u>Livestock</u> | |

Type of Application: (check one)

- ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ 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.)

Embankment in the SW1/4NE1/4 Section 31, T. 125 N., R. 57 W.

- Name of Applicant D&R Ogren (check one) ☒ Owner ☐ Tenant/lessee Phone 605 4936698
Mailing Address 12302 425th Ave, Langford SD 57454
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed _____ *CFS or _____ **GPM 67 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Watershed above embankment.
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Marshall
SW1/4NE1/4 Section 31, T. 125 N., R. 57 W. Water impounded: SW1/4 NE1/4 NW1/4
SE1/4 Sec 31 T 125N R 57W
- County or counties where water will be used Marshall
- Annual period during which water is to be used annually Jan 1 - Dec 31
- 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)
See Engineers Job Plans.

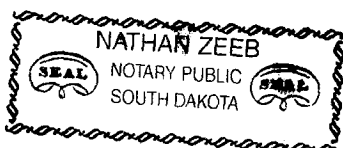
STATE OF SOUTH DAKOTA)
County of MARSHALL SS

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)

I, Don L. Ogren, the applicant, 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.

Applicant's signature Don L. Ogren by Don L. Ogren PTR.

Subscribed and sworn to before me this 24th day of May 20 09



Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7139-3**

Date of first receipt of application May 28, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7139-3 to D & R Ogren, 12302 425th Ave, Langford SD 57454 authorizing the construction of the dam and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7139-3 authorizes impoundment of 67 acre-feet of water from runoff by reconstructing a dam located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31 with water impounded in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 31; all in T125N-R57W.
2. The water appropriated shall be used for the purpose of fish and wildlife propagation and livestock water purposes and may not exceed the amount of water needed for beneficial use.
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. 7139-3 is July 6, 2009.
5. The date from which applicant may claim right is May 28, 2009.
6. One-fifth of the construction is to be completed on or before January 6, 2012.
7. All construction is to be completed on or before July 6, 2014.
8. Water is to be put to beneficial use on or before July 6, 2018.
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. Water Permit No. 7139-3 authorizes a dam with a storage capacity of 67.0 acre feet of water and sufficient water annually to maintain the water level to the outlet elevation.
2. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.

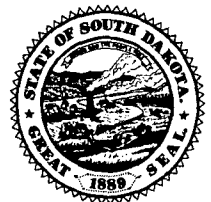
WATER MANAGEMENT BOARD

By: Garland Erbele

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

JUL 22 2009

date



(type or print in ink)

1. Well Information - Proposed Construction

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

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

3. Dugout Information

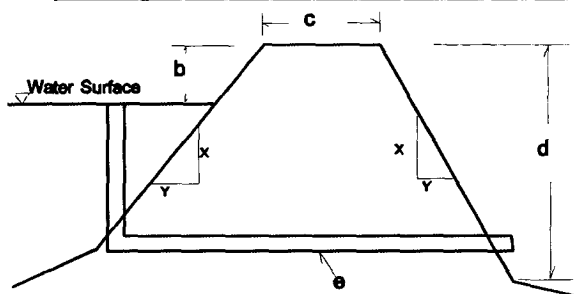
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. 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.

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

Konechne Engineering
104 Capitol Hill Dr
Pierre, SD 57501



- b) Freeboard _____ 3 ft.
- c) Crest Width _____ 12 ft.
Crest Length _____ 445 ft.
- d) Height _____ 21.6 ft.
- e) Primary Outlet Capacity _____ 75.6 cfs
If pipe, diameter _____ 60" drop w/48" out
- f) Secondary Spillway Capacity _____ 1.2 cfs
Spillway Width _____ 30 ft.
- g) X & Y Slope _____
Upstream _____ 3:1
Downstream _____ 3:1
- h) Surface Area of Impoundment _____ 8.6
- i) Storage _____ 67.0 Acre Feet
- j) Drainage Area Above Dam _____ 1,088.6 Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/28, 20 09

RECEIVED OF Donnell L Ogren 12302 425th Ave Langford SD 57454

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

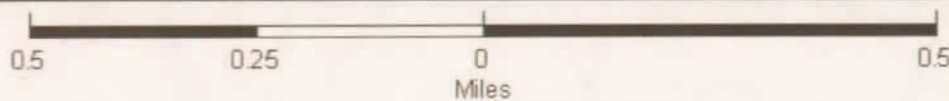
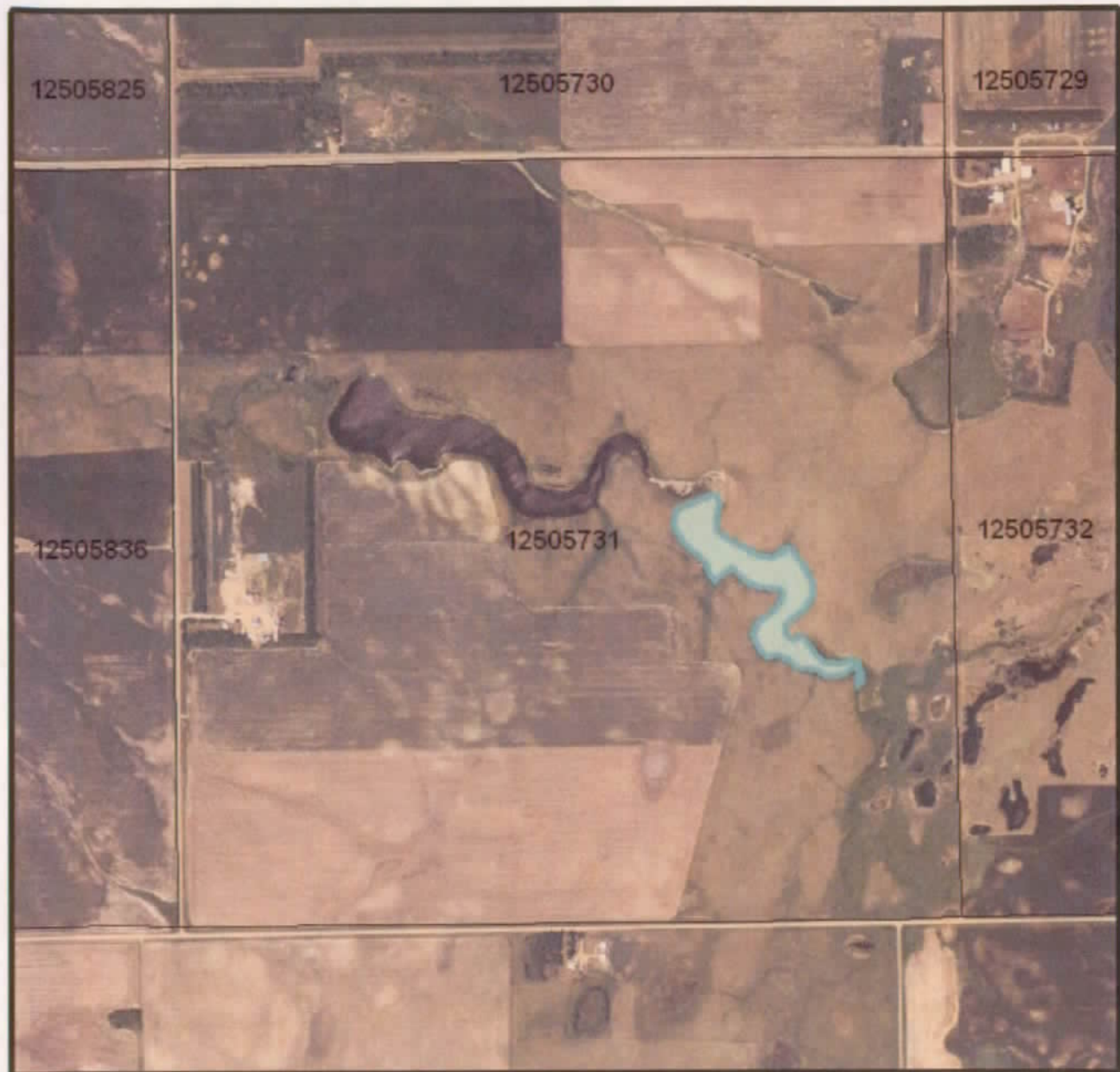
Fee for Application for Permit No. <u>E 7139-3</u> to Appropriate Water, to construct and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7139-3</u>	50	00
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	200 00

No. 04143

By Harold Erbe ry
Chief Engineer



D & R Ogren Marshall County Pond Repair



Legend

Wetland

T L Wickstrom
Thomas L. Wickstrom
Fish & Wildlife Biol.
US Fish & Wildlife Service
Waubesa, NWR

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MAY 28 2009

WATER RIGHTS
PROGRAM



D E N R

60-48 245

=====

POND DESIGN

=====

WinPond 1.5.2405.11111

Project ---- : Farm Pond

Description :

State ----- : South Dakota

County ----- : Marshall

Landowner -- : D & R Ogren

Township --- : 125 N

Range ----- : 57W

Section ---- : 31

Tract ----- :

Field ----- :

Designed By : Dave Konechne

Date designed: 5/11/2009

Date printed : 5/11/2009

Approved By : _____

Date : _____

File Name : C:\Documents and Settings\Elaine\...\New.prj

PLANNED IN COOPERATION WITH USDA-NRCS

Office Name
Address1
Address2
City

RECEIVED
MAY 28 2009
WATER RIGHTS
PROGRAM

Project --- : Farm Pond
 Prepared for: D & R Ogren
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 125 N RNG : 57W
 SEC : 31 FLD :
 Date: _____

***** JOB APPROVAL CLASS *****

Hazard Class	Low	A
Effective Height	Feet	19.6
Effective Storage	Ac-Ft	107.4
Overall Height	Feet	21.6
Total Storage	Ac-Ft	133.2
Storage X Effective Height	Ac-Ft Ft	2104
Contributing Drainage Area	Acres	1088
Contributing Drainage Area	Square Miles	1.70
Pipe Conduit Capacity	CFS	75.6
Open Channel Spillway Design Flow	CFS	1.2
Peak Inflow Aux Spillway Design Storm	CFS	410.9
Conduit - Inside Diameter	Inches	48
Conduit Material		HCMP
Inlet Type		Drop
Job Approval Class		
INVENTORY SIZE DAM		

***** ELEVATION-STORAGE INPUT DATA *****

ELEV (ft)	POOL AREA (acres)	INT.STORAGE (ac.ft.)	ACCUM.STORAGE (ac.ft.)
57.0	0.00		0.00
75.5	10.30	95.28	95.28
79.0	14.70	43.75	139.03
82.0	18.00	49.05	188.08
90.0	22.00	160.00	348.08

***** STORAGE VOLUMES *****

	ELEVATION (ft)	AREA (acres)	STORAGE (ac.ft.)
Inlet (Princ. spillway)	72.5	8.63	66.88
Aux. spillway	76.6	11.68	107.37
Max. water	77.1	12.34	113.66
Settled top of fill	78.6	14.20	133.25
Sediment - above inlet			0.00
- below inlet			0.00
Inlet to Aux.			40.49
Aux. to max. water			6.29

Project --- : Farm Pond
 Prepared for: D & R Ogren
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 125 N RNG : 57W
 SEC : 31 FLD :
 Date: _____

RUNOFF CURVE NUMBER DETERMINATION

Acres & (curve numbers) for
 Hydrologic Soil Group
 A B C D

COVER DESCRIPTION

ACCUMULATED: 1088.00 Acres

WEIGHTED CURVE NUMBER: 75.0

***** HYDROLOGIC DATA *****

Rainfall distr. type ----- :	II		
Drainage area, acres ----- :	1088.0	Watershed slope, % :	2.8
Runoff curve number ----- :	75	Flow length, ft. - :	15312
Time of concentration, hrs :	3.26		
(min.: 195.64)			

	----- Spillway -----	
	Principal	Auxiliary
Design frequency, yrs.:	2	25
24 hr. Rainfall, in. :	2.3	4.2
Runoff, in. ----- :	0.5	1.8
Peak inflow, cfs ---- :	107.51	410.86
Peak outflow, cfs --- :	75.64	1.22 A.S.
		227.06 P.S.

***** PRINCIPAL SPILLWAY TRIALS *****

Inlet type: Drop Inlet Elevation: 72.5

	TRIAL 1	TRIAL 2	TRIAL 3
CONDUIT: Type -----	HCMP		
Diameter, in. --	48.00		
Height, in. ----			
Width, in. ----			
Manning's n ----	0.021		
Inlet ext., ft. -	0.0		
Length, ft. ----	101.0		
Entrance Coefficient, Ke	1.000		
RISER : Type -----	HCMP		
Diameter, in. --	60.00		
Length, in. ----			
Width, in. ----			
Weir length, in.	188.50		
Crest radius, in.			
Invert elevation -----	62.50		
Auxiliary elevation -----	76.6		
STORAGE (ac.ft.):			
Temporary (PS-AS) ----	40.49		
Total at Auxiliary ---	107.37		
Effective height, ft. ---	19.6		
Height x storage -----	2104		
Drawdown time, days-hrs.	0-2.8		
Trial used -----	1		

CONDUIT TYPES ----- : HCMP - Helical Corrugated Metal Pipe

Project --- : Farm Pond
 Prepared for: D & R Ogren
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 125 N RNG : 57W
 SEC : 31 FLD :
 Date: _____

***** AUXILIARY SPILLWAY DETAILS *****
 Discharge determination: Qe values from ASFILE

Auxiliary elev. :	76.6	Retardance ----- :	B
Bottom width, ft. :	30	Level sect. length, ft.:	25
Flow depth, ft. - :	0.52	Side slope ratio, n:1 :	3.00
EXIT CHANNEL -			
Max. Vel., fps - :	5.0	Retardance ----- :	B

Flow, cfs ----- :	1.22	Exit slope, % --- Min.:	4
		Max.:	30
Settled fill elev.:	78.6	Drawdown time, days-hrs:	0-8.9
Channel elev. --- :	57.0	Overall height, ft. -- :	21.6
(downstream toe)			

***** CONDUIT DETAIL *****

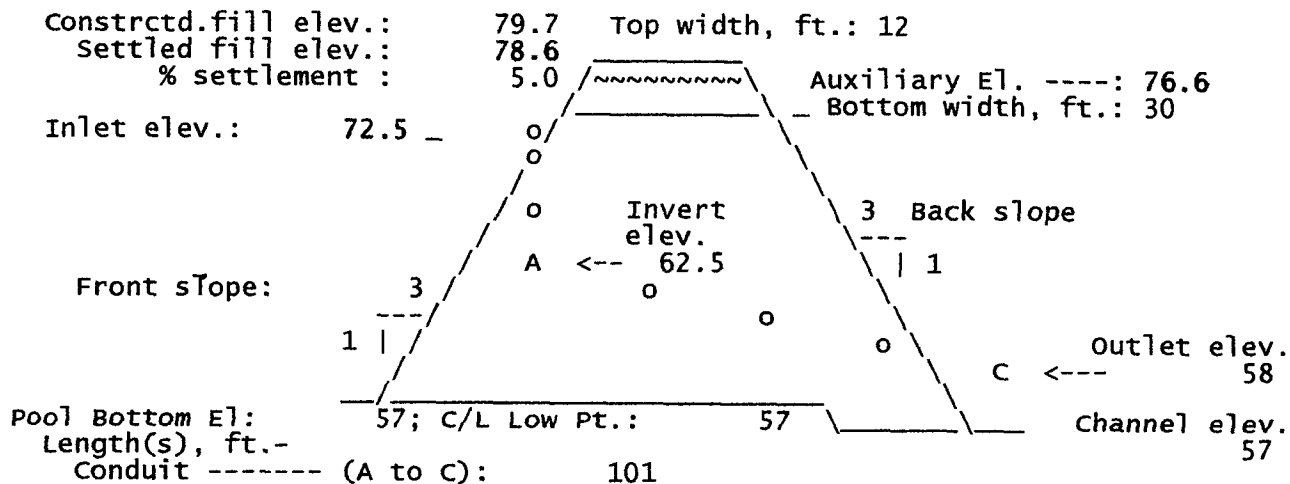
Inlet Type -----	DROP
Conduit Type -----	HCMP - Helical Corrugated Metal Pipe
Diameter, in. -----	48.00
Inlet extension, ft --	0.0
Length, lin. ft. -----	104.0 Extends 6.0 ft. beyond dnstr.toe
Length, lin. ft. -----	101.0 Pipe length used in routing
Slope, % -----	4.5
Max.fill over pipe, ft.	14.1

Horizontal Distances (ft.)	
Upstrm: edge of top width to inlet end of pipe :	20.5
Dnstrm: edge of top width to toe ----- :	64.8

***** DESIGN ELEVATIONS (at principal spillway) *****

Inlet type: DROP

NOT TO SCALE



TWP : 125 N RNG : 57W
SEC : 31 FLD :
Date: _____

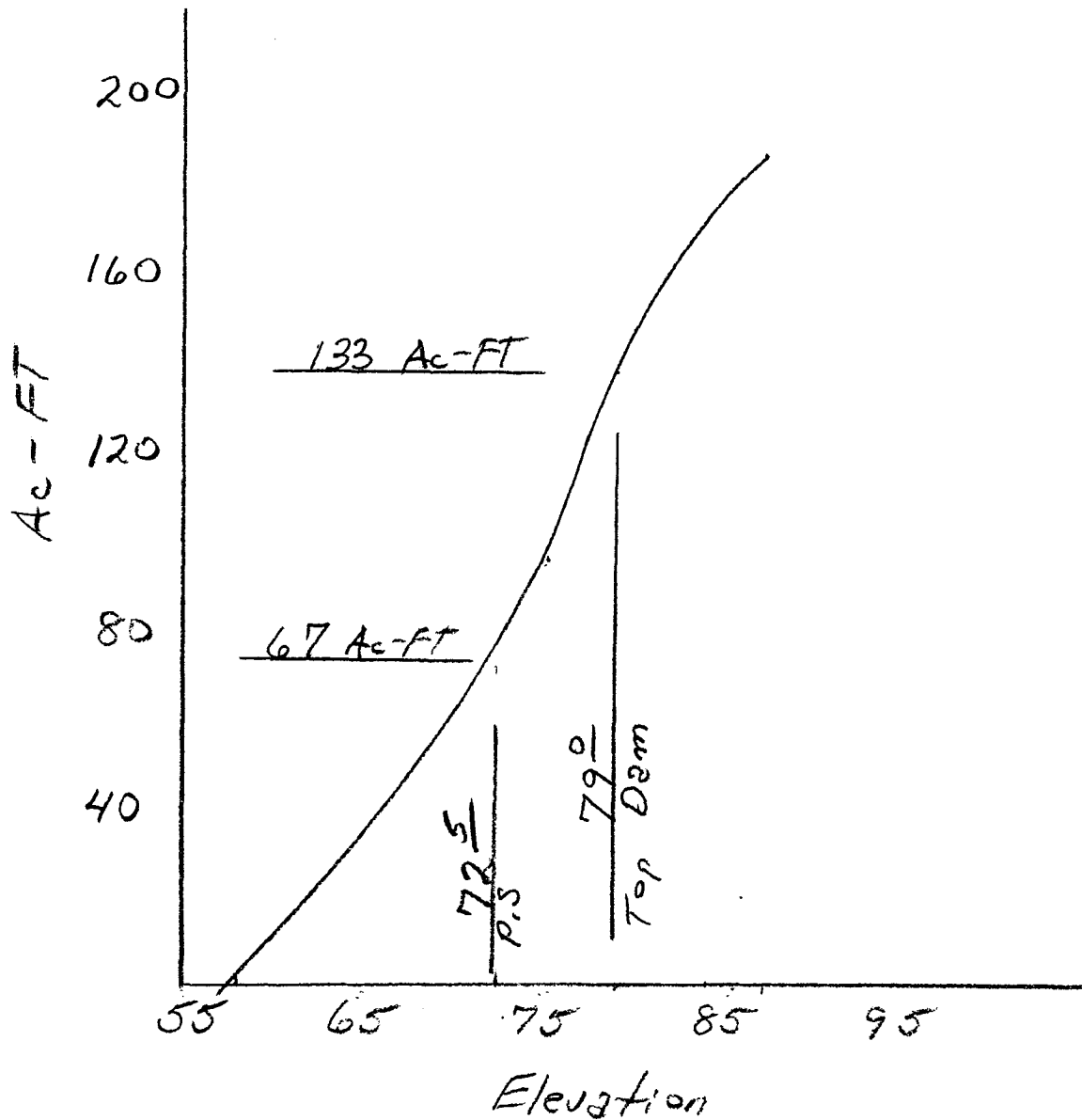
Inlet type: DROP	Inlet Elevation: 72.5
------------------	-----------------------

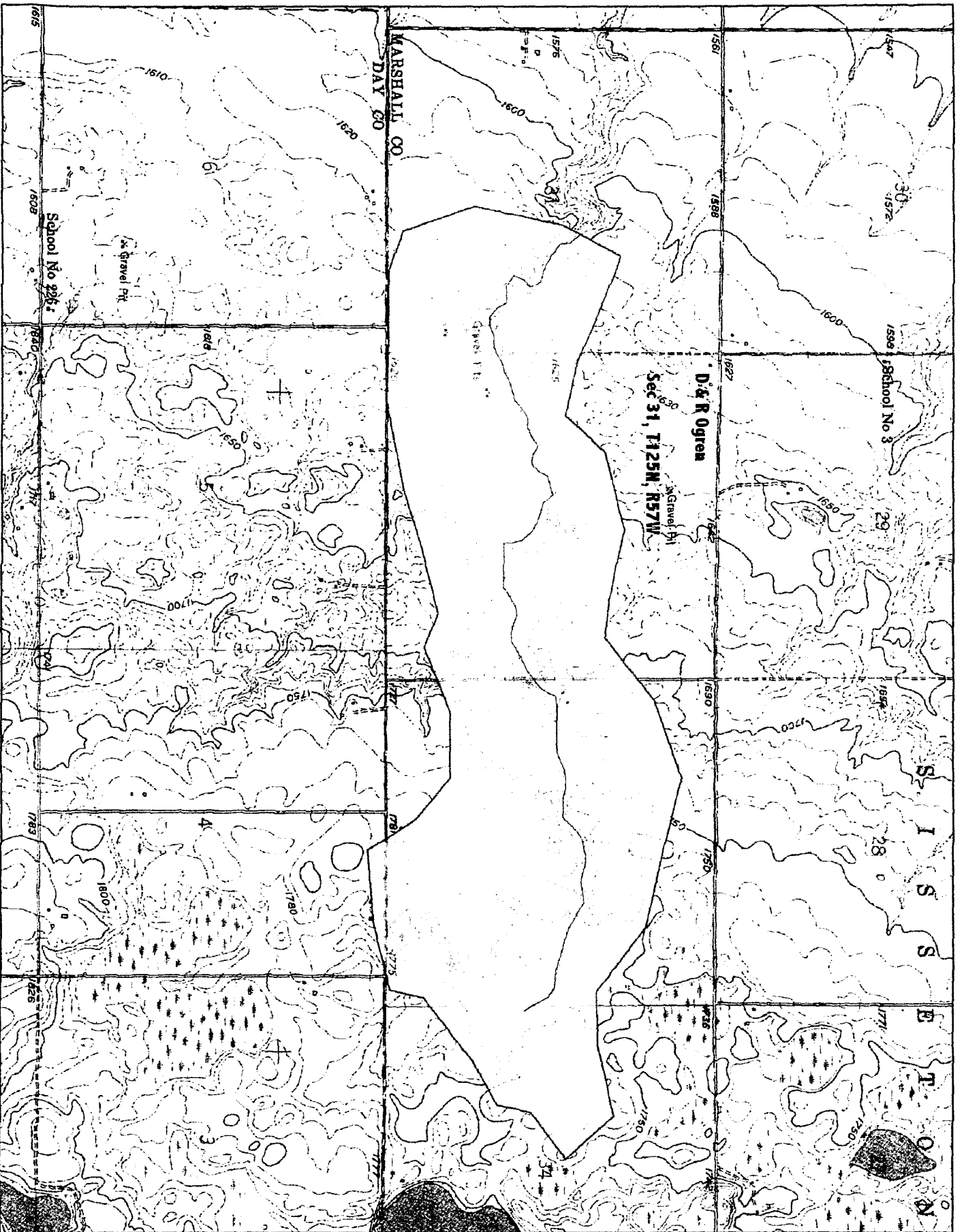
***** PROJECT DEFAULTS *****

Design based on -----:	Settled slopes
Berms settled -----:	False
Auxiliary spillway to Top of Dam: -----:	2.0 (ft)
Freeboard -----:	1.0 (ft)
Minimum bottom width -----:	10.0 (ft)
Maximum bottom width -----:	150 (ft)
Feet above inlet (Drawdown) -----:	1.0 (ft)
Percent or storage drained (Drawdown) -----:	85.0 (ft)
Minimum flow (Drawdown) -----:	0.1 (cfs)
Orifice Coefficient -----:	0.71 (ft)
Full Pipe Flow Required? -----:	Yes
Stage required above Prin. Spwy. Crest: -----:	0.5 (ft)
Max. drainage area for required stage: -----:	20.0 (acres)

O & R Ogren

Sec 31, T125N, R57W





D & R Ogren

Sec 31, T125N, R57W

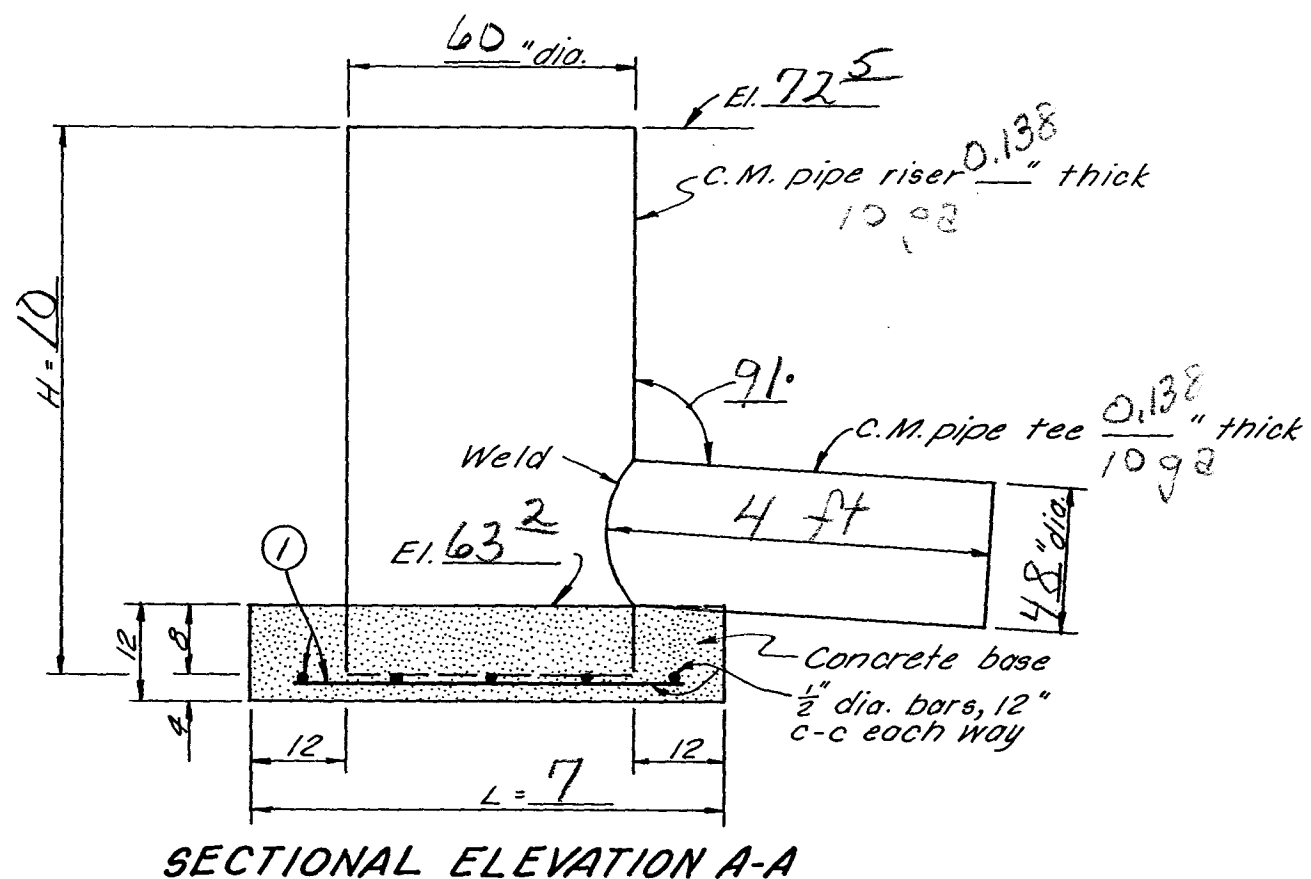
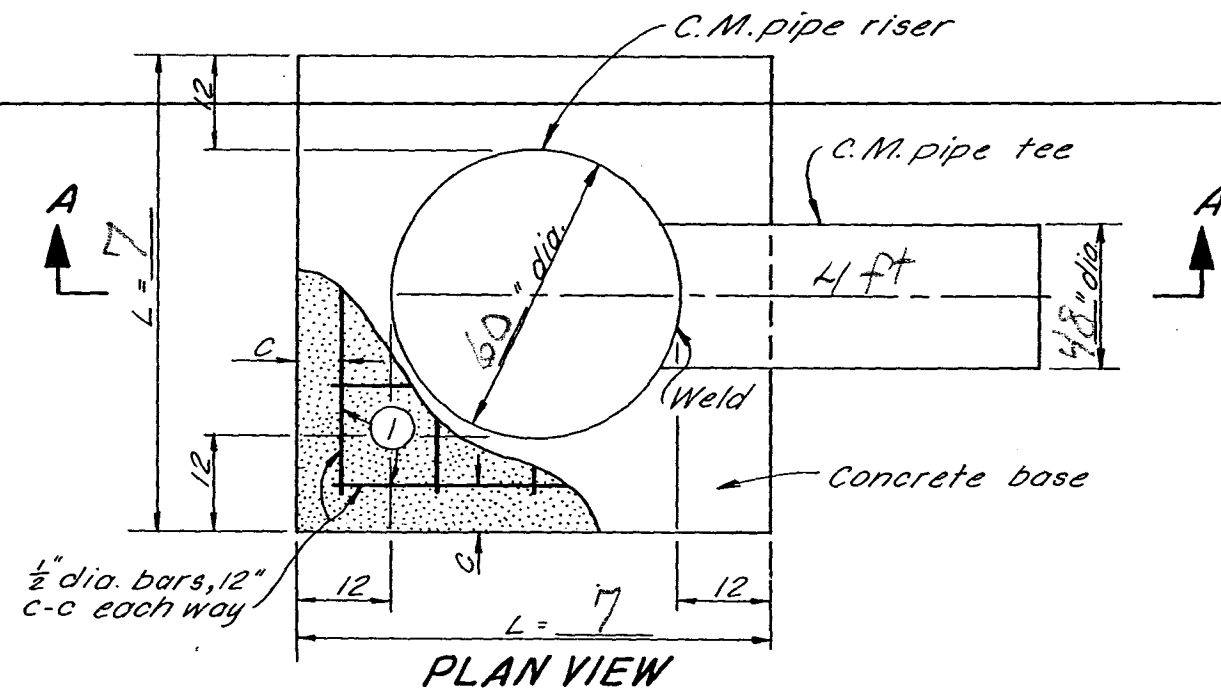
<u>Grid Line</u>	<u>Length</u>
1	0.9
2	1.1
3	1.8
4	2.1
5	2.1
6	1.8
7	1.5
8	1.3
9	1.4
10	1.6
11	1.4
12	1.4
13	1.6
14	1.3
A	1.8
B	6.5
C	6.8
D	5.7
E	1.1
$43.2 \times 2000 \text{ ft/in} = 86400$	

<u>Contour</u>	<u>Grid Crossing</u>
1590	3
1610	10
1630	3
1650	12
1670	9
1690	6
1710	9
1730	9
1750	14
77	

CN = 75

$$S = 1.571(20)(77) / 86400 = 0.028 \times 100 = 2.8\%$$

Rev. 8/80
JOB PLAN NO. 2.0



STEEL SCHEDULE									
RISER DIA. IN.	BAR SIZE	MARK	TYPE	NO. REQ'D.	LENGTH FT.-IN.	TOTAL LENGTH FT.-IN.	TOTAL WT. LB.	C IN.	L FT.-IN.
60	4	1	STR.	14	6-6	91-0	61	4	7-0

ITEM	UNIT	QUANTITY
CONCRETE	CU. YD.	1.9
REINFORCING STEEL	LB.	61

NOTE: All CMP to be vinyl clad and spiral or caulked seam close riveted

C.M. PIPE RISER WITH FABRICATED TEE

OPERATOR: D & R Ogren

CONSERVATION DISTRICT: _____

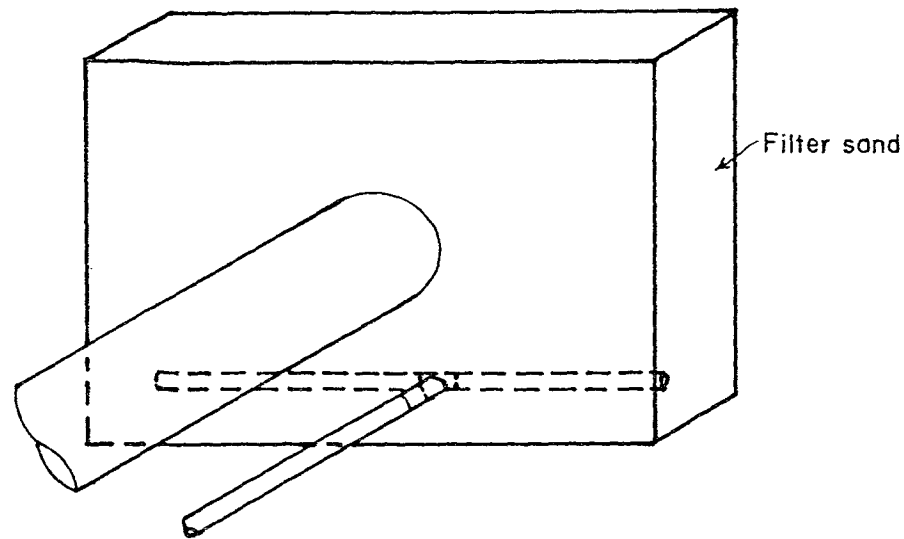
**U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE**

Date	
Designed	Approved by
.....	Title
Drawn	
.....	Title
Traced	Sheet
.....	Drawing No.
Checked	No
.....	of

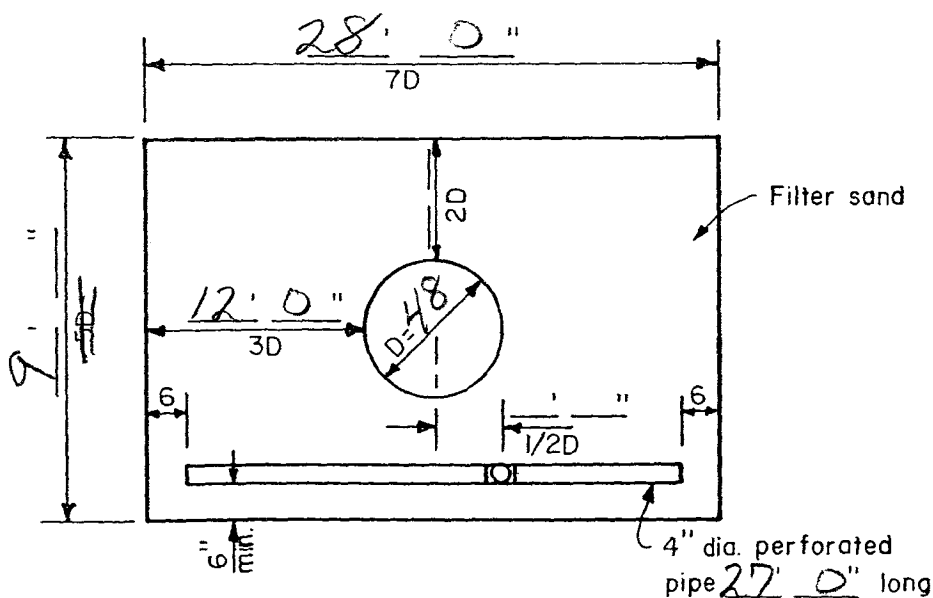
REFERENCE: GUIDE PLAN NO. 5.3

JOB PLAN NO. 5.3

5,N-29,073.5-30



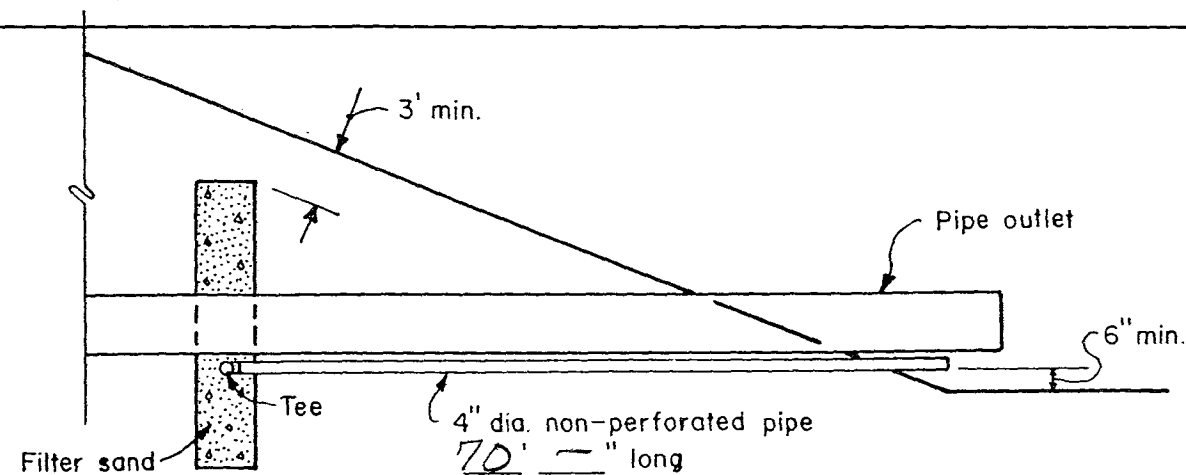
ISOMETRIC VIEW



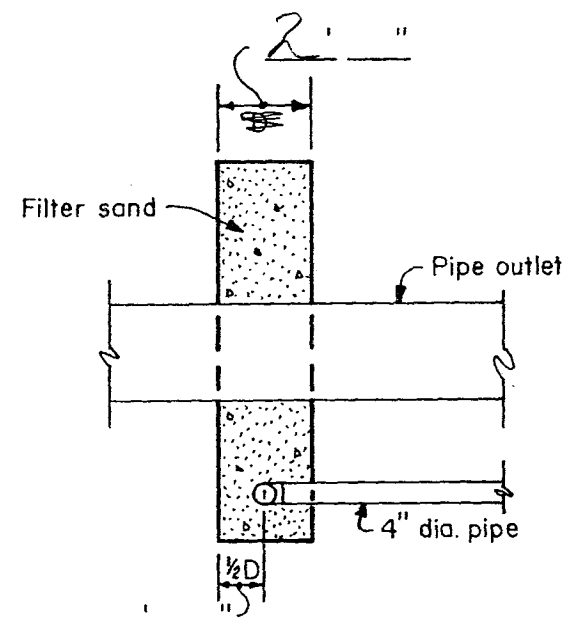
UPSTREAM VIEW

NOTE:

1. THE 4" DIA. PIPE SHALL BE ASTM D1785, SCHEDULE 40, PVC.
2. PROVIDE AN ANIMAL GUARD ON DRAIN OUTLET PIPE. DRILL 2, 1/2" DIA. HOLES, ON $\frac{1}{2}$ 6" FROM END OF PIPE AND PLACE A 3/8" DIA., 5 1/2" LONG GALVANIZED STEEL BOLT THRU THEM AND SECURE WITH A NUT (PLACE BOLT HORIZONTAL).



OUTLET DETAIL



SIDE VIEW

FILTER GRADATION	
SIEVE SIZE	PERCENT PASSING
3/8"	100
4	95-100
8	80-100
16	50-85
30	25-60
50	10-30
100	2-10

see spec 'SD-9
18.7 cy

Sec. _____, T. _____, R. _____

_____ County

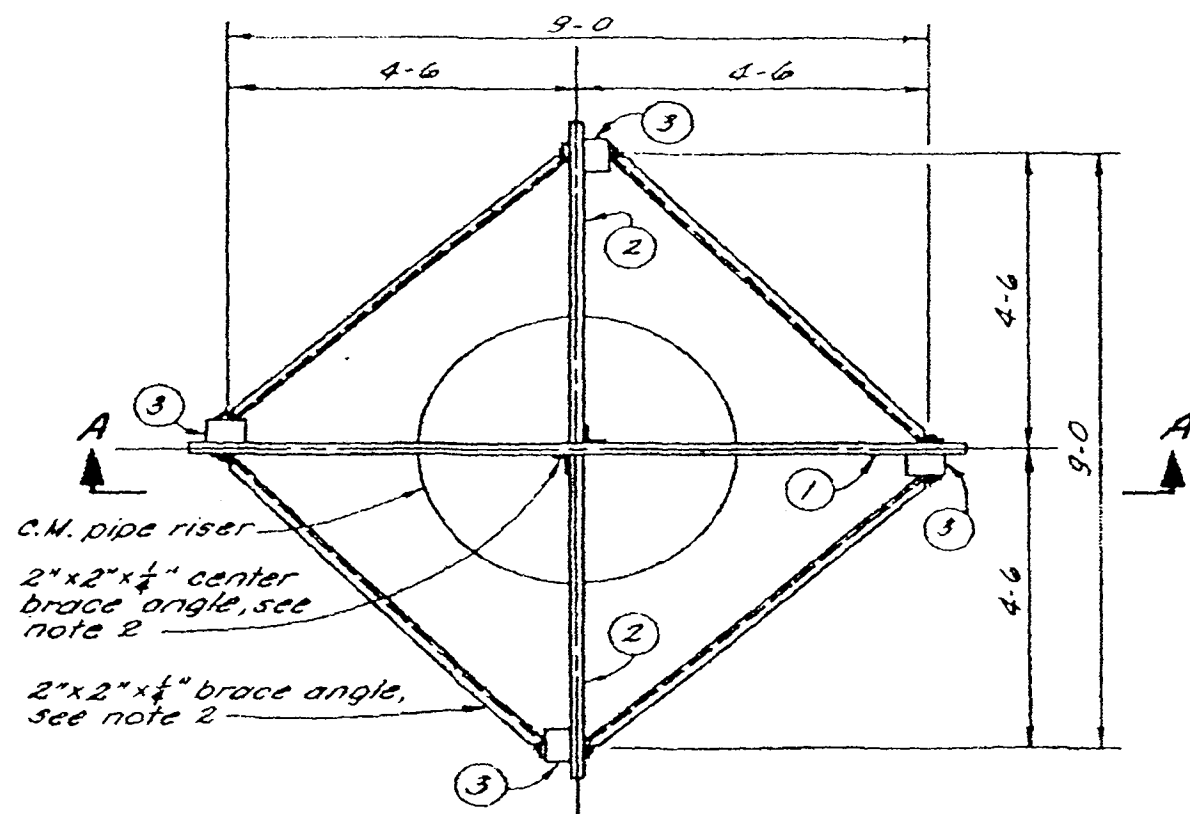
LOCATION

SAND ANTISEEP COLLAR

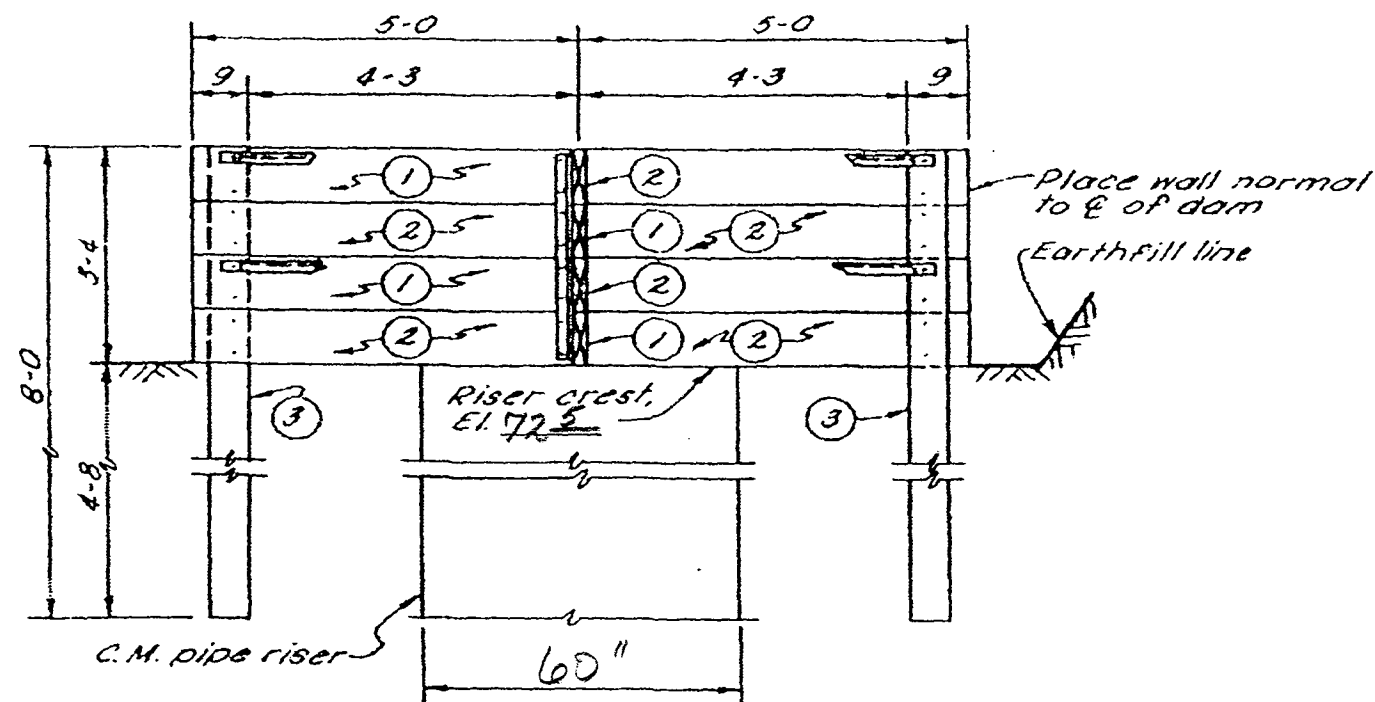
OPERATOR D & R Ogren

CONSERVATION DISTRICT _____

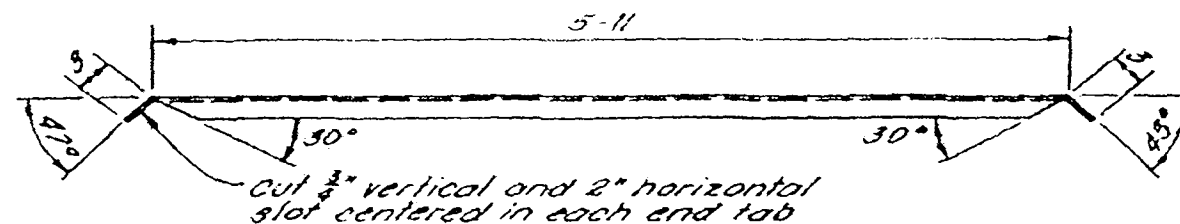
Date _____		Approved by _____	
Designed _____		Title _____	
Drawn _____		Title _____	
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Checked _____		No _____	of _____



PLAN VIEW



SECTIONAL ELEVATION A-A



PLAN VIEW OF BRACE ANGLE

TABLE OF QUANTITIES

ITEM	MARK	NO. REQ'D.	QUANTITY
2" X 10" X 10' PRESSURE TREATED LUMBER	1	4	67 BD. FT.
2" X 10" X 4'-11" PRESSURE TREATED LUMBER	2	8	66 BD. FT.
4" X 6" X 8' PRESSURE TREATED POST	3	4	64 BD. FT.
2" X 2" X 1/4" X 6'-5" STEEL ANGLE		8	164 LB.
2" X 2" X 1/4" X 3'-2" STEEL ANGLE		2	20 LB.
5/8" X 8" STEEL BOLTS, NUTS, 2 WASHERS		32	32 SETS
1/2" X 3" STEEL BOLTS, NUTS, 2 WASHERS		32	32 SETS

NOTES:

1. TO 4" X 6" POSTS (4 REQUIRED) BOLT 2" X 10" BOARDS USING TWO 5/8" X 8" BOLTS PER 2" X 10" BOARD. DO NOT PLACE BOLTS CLOSER THAN 1 1/2" FROM EDGE OF BOARD.
2. FOR CENTER BRACE ANGLES DRILL 8 - 9/16" HOLES 5/8" FROM OUTER EDGE OF EACH LEG OF EACH ANGLE AND CENTERED 5 1/4" APART ALONG THE LEG.
3. ATTACH BRACE ANGLES TO TOP BOLT ON TOP 2" X 10" BOARD AND TO TOP BOLT ON NEXT TO BOTTOM BOARD.

TRASH RACK AND BAFFLE
FOR RISER DIA. 36" THRU 60"

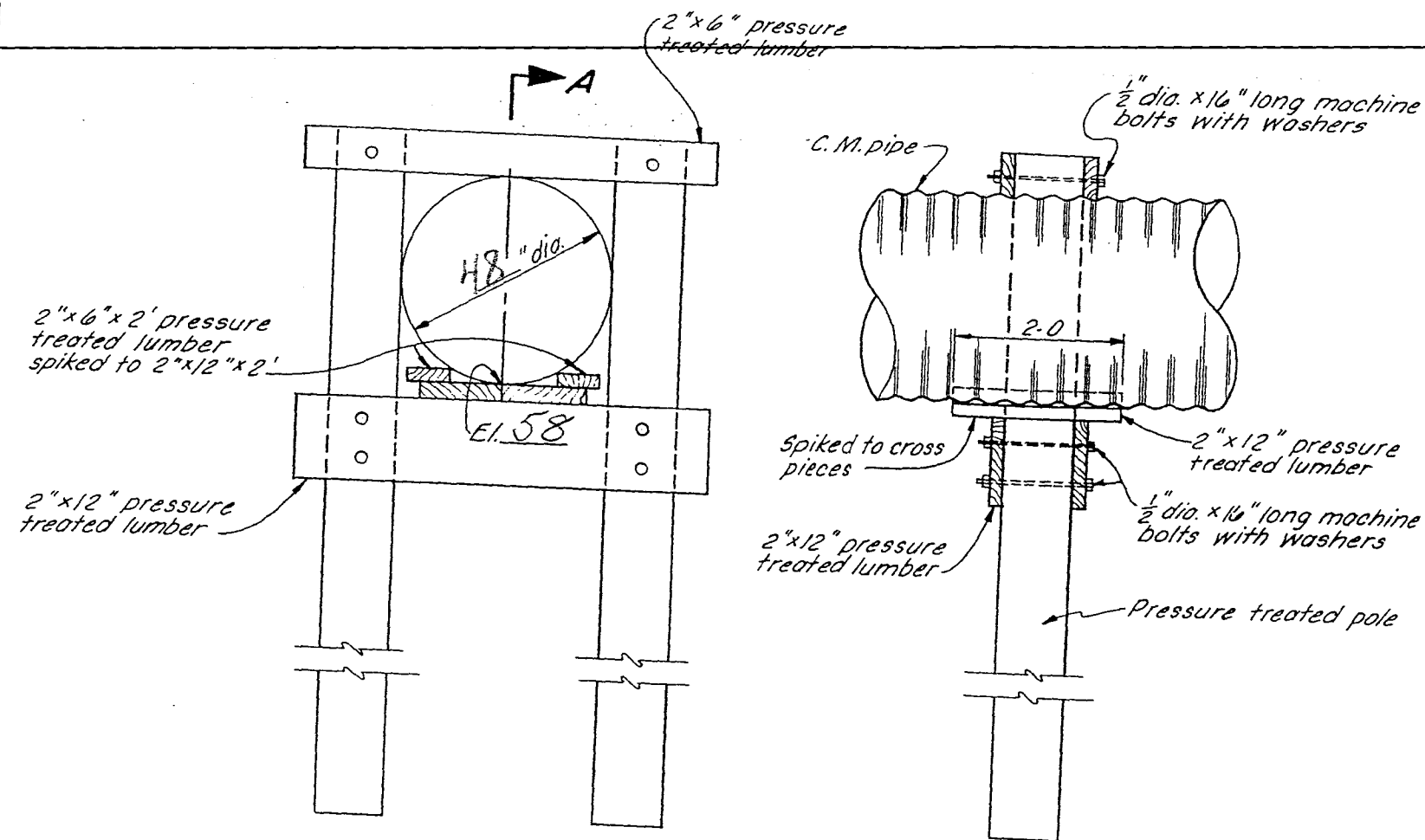
OPERATOR: D & R Ogren
CONSERVATION DISTRICT: _____

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed _____	Date _____	Approved by _____
Drawn _____		Title _____
Traced _____		Title _____
Checked _____		Sheet _____ of _____

JOB PLAN NO. 6.4

5, N-29, 073.6-40



ELEVATION

SECTIONAL ELEVATION A-A

TABLE OF QUANTITIES

ITEM	LENGTH FOR 48" DIA. C.M. PIPE	UNIT	QUANTITY
PRESSURE TREATED POLE 10" DIA.	12-0	EACH	2
2" X 12" PRESSURE TREATED LUMBER	6-0	EACH	2
2" X 6" PRESSURE TREATED LUMBER	6-0	EACH	2
2" X 12" PRESSURE TREATED LUMBER	2-0	EACH	3
2" X 6" PRESSURE TREATED LUMBER	2-0	EACH	2
1/2" DIA. MACHINE BOLTS WITH NUTS	1-4	EACH	10
1/2" DIA. WASHERS		EACH	20

REFERENCE: GUIDE PLAN NO. 4.0

NOTES:

- HAND OR MACHINE TAMP BACKFILL THOROUGHLY AROUND FOOTINGS AND COLUMNS.

TIMBER PIPE SUPPORT

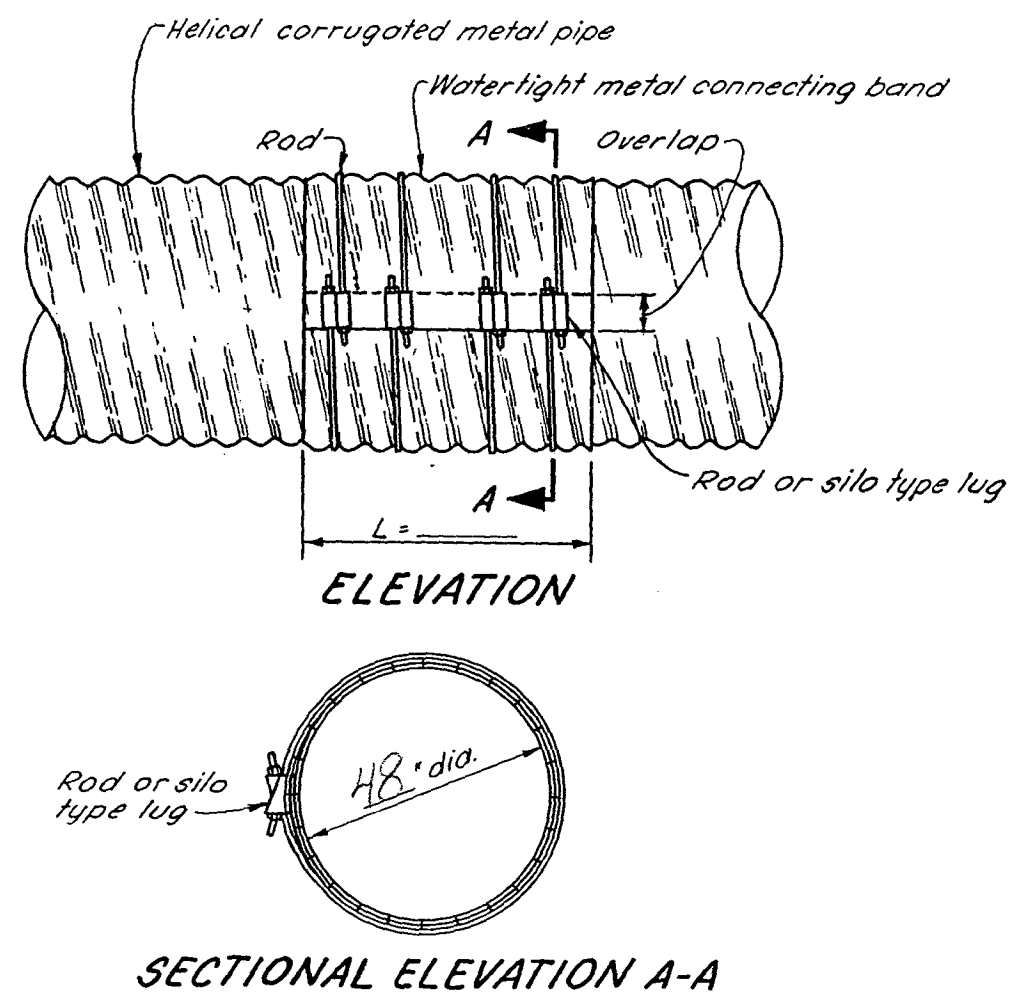
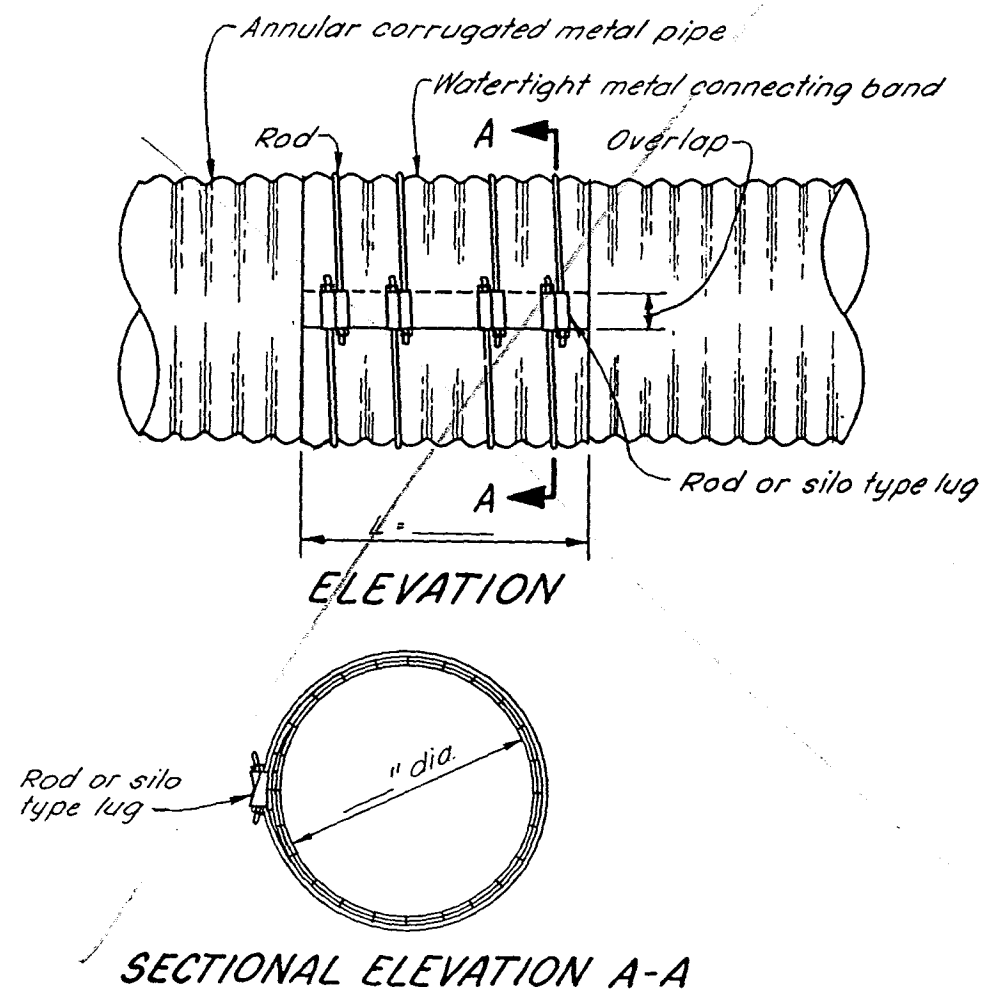
OPERATOR: D & R Ogren

CONSERVATION DISTRICT: _____

Designed.....	Date.....	Approved by.....
Drawn.....		Title.....
Traced.....		Title.....
Checked.....	Sheet No. of.....	Drawing No.

JOB PLAN NO. 4.0

5, N-29,073.4a



DIMENSIONS AND QUANTITIES

PIPE DIA. INCHES	MINIMUM "L" INCHES	APPROX. OVERLAP INCHES	NUMBER OF RODS & LUGS	MINIMUM ROD DIA. IN.	NEOPRENE GASKET WIDTH INCHES	ASPHALT MASTIC GAL.
6-18	12	2	2	1/2	12	1/2
21-30	24	3	4	1/2	12	1 1/2
36-48	24	6	4	1/2	12	2

NOTES:

1. WATERTIGHTNESS WILL BE OBTAINED BY USE OF (1) 3/8" THICK NEOPRENE GASKET (WIDTH AS SHOWN) OR (2) ASPHALT MASTIC SEALING MATERIAL TO COVER FULL WIDTH OF BAND.
2. CROSS OUT BAND AND QUANTITIES NOT APPLICABLE.

WATERTIGHT CONNECTING BAND FOR ANNULAR AND HELICAL CORRUGATED METAL PIPE

OPERATOR: D & R Ogren

CONSERVATION DISTRICT: _____

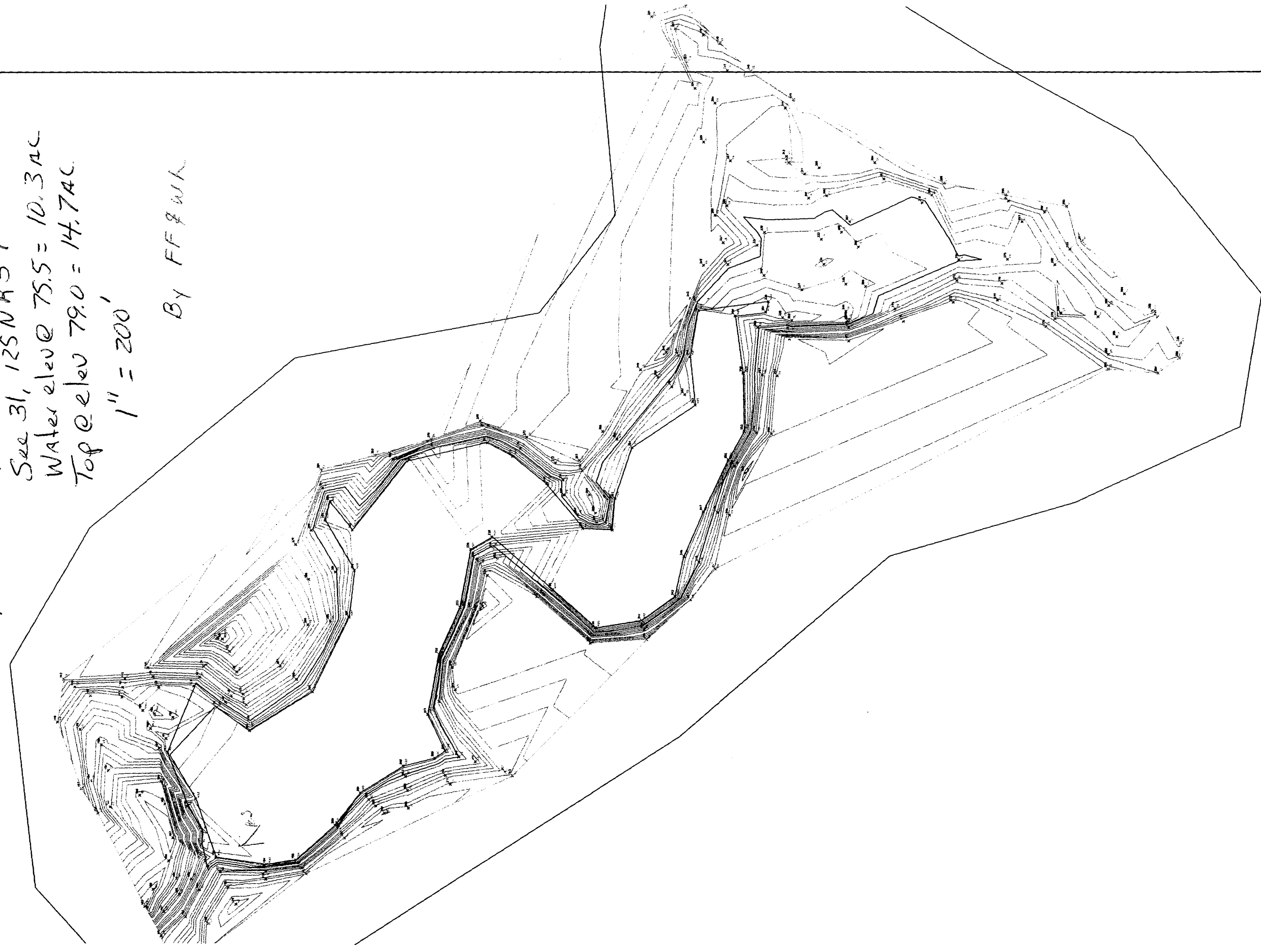
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed.....	Date.....	Approved by.....
Drawn.....		Title.....

D & R Ogden
Marshall Co.
Sec 31, 12S NR 57
Water elev @ 75.5 = 10.3 AC
Top @ elev 79.0 = 14.7 AC
1" = 200'

By FF & Wk

↑
N



RECEIVED

JUN 29 2009

WATER RIGHTS
PROGRAM

PRC

=====

POND DESIGN

=====

WinPond 1.5.2405.11111

Project ---- : Farm Pond

Description :

State ----- : South Dakota

County ----- : Marshall

Landowner -- : Dan Orgen

Township --- : 125N

Range ----- : 57W

Section ---- : 31

Tract ----- :

Field ----- :

Designed By : Dave Konechne

Date designed: 6/27/2009

Date printed : 6/27/2009

Approved By : _____

Date : _____

File Name : C:\Documents and Settings\Elaine\...\New.prj

PLANNED IN COOPERATION WITH USDA-NRCS

Office Name
Address1
Address2
City

Project --- : Farm Pond
 Prepared for: Dan Orgen
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 125N RNG : 57W
 SEC : 31 FLD :
 Date: _____

***** JOB APPROVAL CLASS *****

Hazard Class	Low	A
Effective Height	Feet	19.2
Effective Storage	Ac-Ft	102.8
Overall Height	Feet	22.9
Total Storage	Ac-Ft	152.7
Storage X Effective Height	Ac-Ft Ft	1974
Contributing Drainage Area	Acres	1088
Contributing Drainage Area	Square Miles	1.70
Pipe Conduit Capacity	CFS	11.9
Open Channel Spillway Design Flow	CFS	232.0
Peak Inflow Aux Spillway Design Storm	CFS	410.9
Conduit - Inside Diameter	Inches	12
Conduit Material		SDR
Inlet Type		Drop
Job Approval Class		
INVENTORY SIZE DAM		

***** ELEVATION-STORAGE INPUT DATA *****

ELEV (ft)	POOL AREA (acres)	INT.STORAGE (ac.ft.)	ACCUM.STORAGE (ac.ft.)
57.0	0.00		0.00
		95.28	
75.5	10.30		95.28
		43.75	
79.0	14.70		139.03
		49.05	
82.0	18.00		188.08
		160.00	
90.0	22.00		348.08

***** STORAGE VOLUMES *****

	ELEVATION (ft)	AREA (acres)	STORAGE (ac.ft.)
Inlet (Princ. spillway)	72.5	8.63	66.88
Aux. spillway	76.2	11.18	102.79
Max. water	78.9	14.55	137.31
settled top of fill	79.9	15.69	152.70
Sediment - above inlet			0.00
- below inlet			0.00
Inlet to Aux.			35.91
Aux. to max. water			34.51

Project --- : Farm Pond
 Prepared for: Dan Orgen
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 125N RNG : 57W
 SEC : 31 FLD :
 Date: _____

RUNOFF CURVE NUMBER DETERMINATION

Acres & (curve numbers) for
 Hydrologic Soil Group

COVER DESCRIPTION

A B C D

ACCUMULATED: 1088.00 Acres

WEIGHTED CURVE NUMBER: 75.0

***** HYDROLOGIC DATA *****

Rainfall distr. type ----- :	II		
Drainage area, acres ----- :	1088.0	Watershed slope, % :	2.8
Runoff curve number ----- :	75	Flow length, ft. - :	15312
Time of concentration, hrs :	3.26		
(min.: 195.64)			

	----- Spillway -----	
	Principal	Auxiliary
Design frequency, yrs.:	2	25
24 hr. Rainfall, in. :	2.3	4.2
Runoff, in. ----- :	0.5	1.8
Peak inflow, cfs ---- :	107.51	410.86
Peak outflow, cfs --- :	11.90	231.99 A.S.
		12.47 P.S.

***** PRINCIPAL SPILLWAY TRIALS *****

Inlet type: Drop

Inlet Elevation: 72.5

	TRIAL 1	TRIAL 2	TRIAL 3
CONDUIT: Type -----	SDR		
Diameter, in. --	12.00		
Height, in. ----			
Width, in. -----			
Manning's n ----	0.011		
Inlet ext., ft. -	0.0		
Length, ft. -----	112.0		
Entrance Coefficient, Ke	1.000		
RISER : Type -----	RC		
Diameter, in. --	48.00		
Length, in. ----			
Width, in. -----			
Weir length, in.	150.80		
Crest radius, in.			
Invert elevation -----	67.20		
Auxiliary elevation -----	76.2		
STORAGE (ac.ft.):			
Temporary (PS-AS) ----	35.91		
Total at Auxiliary ---	102.79		
Effective height, ft. ---	19.2		
Height x storage -----	1974		
Drawdown time, days-hrs.	1-4.5		
Trial used -----	1 --		

CONDUIT TYPES ----- : SDR-26 - PVC SDR-26 Pipe

Project --- : Farm Pond
 Prepared for: Dan Orgen
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 125N RNG : 57W
 SEC : 31 FLD :
 Date: _____

***** AUXILIARY SPILLWAY DETAILS *****
 Discharge determination: Qe values from ASFILE

Auxiliary elev. :	76.2	Retardance ----- :	B
Bottom width, ft. :	10	Level sect. length, ft.:	25
Flow depth, ft. - :	2.68	side slope ratio, n:1 :	3.00
EXIT CHANNEL -			
Max. Vel., fps - :	7.0	Retardance ----- :	A

Flow, cfs ----- :	231.99	Exit slope, % --- Min.:	4
		Max.:	6
settled fill elev.:	79.9	Drawdown time, days-hrs:	2-4.7
Channel elev. --- :	57.0	overall height, ft. -- :	22.9
(downstream toe)			

***** CONDUIT DETAIL *****

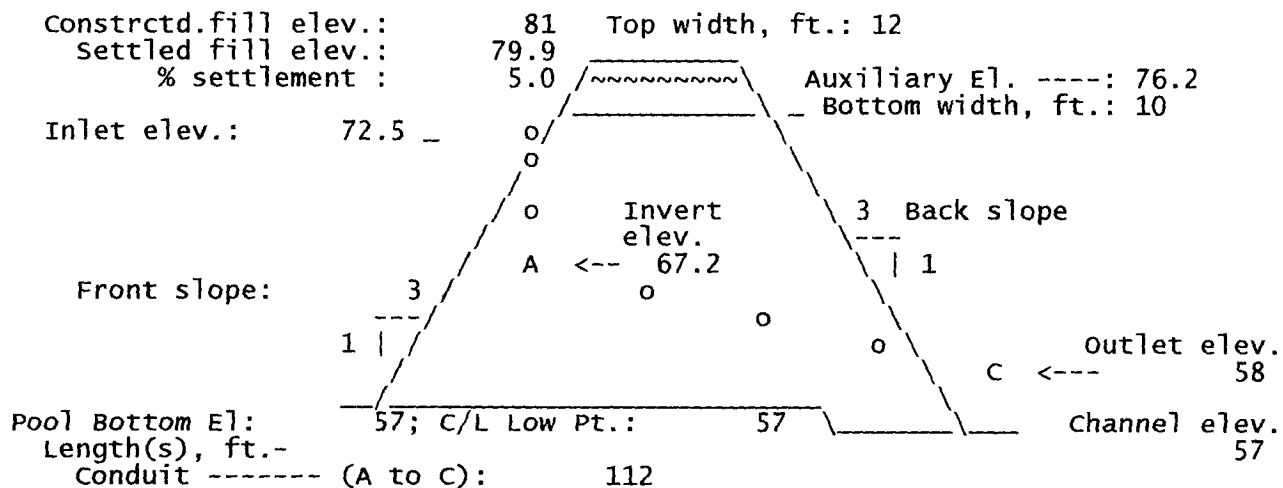
Inlet Type -----	DROP
Conduit Type -----	SDR-26 - PVC SDR-26 Pipe
Diameter, in. -----	12.00
Inlet extension, ft --	0.0
Length, lin. ft. -----	112.0 Extends 6.0 ft. beyond dnstr.toe
Slope, % -----	8.3
Max.fill over pipe, ft.	15.9

Horizontal Distances (ft.)	
Upstrm: edge of top width to inlet end of pipe :	24.4
Dnstrm: edge of top width to toe ----- :	68.7

***** DESIGN ELEVATIONS (at principal spillway) *****

Inlet type: DROP

NOT TO SCALE



Project --- : Farm Pond
 Prepared for: Dan Orgen
 Prepared by : Dave Konechne
 Checked by : _____

TWP : 125N RNG : 57W
 SEC : 31 FLD :
 Date: _____

***** SUMMARY *****

Inlet type: DROP Inlet Elevation: 72.5

CONDUIT: Type -----	SDR-26 - PVC SDR-26 Pipe
Diameter, in. ---	12
Length, lin. ft. -	112 Extends 6 ft. beyond dnstr.toe
RISER : Type -----	RC - Reinforced Concrete
Diameter, in. ---	48
Height, ft. -----	5.3 = Inlet elev. - Invert elev.
AUX. : Elevation -----	76.2
Bottom width, ft. -	10
Hp, flow depth, ft.	2.68
Exit slope, % min.	4
max.	6
Effective height, ft. ----	19.2 = AS elev. - low pt. on C/L
Height x storage -----	1974
Overall height, ft. -----	22.9 = stld. fill elev - chan. elev
NOTE -----	***** INVENTORY SIZE DAM

***** PROJECT DEFAULTS *****

Design based on -----	Settled slopes
Berms settled -----	False
Auxiliary spillway to Top of Dam: -----	2.0 (ft)
Freeboard -----	1.0 (ft)
Minimum bottom width -----	10.0 (ft)
Maximum bottom width -----	150 (ft)
Feet above inlet (Drawdown) -----	1.0 (ft)
Percent or storage drained (Drawdown) -----	85.0 (ft)
Minimum flow (Drawdown) -----	0.1 (cfs)
Orifice Coefficient -----	0.71 (ft)
Full Pipe Flow Required? -----	Yes
Stage required above Prin. Spwy. Crest: -----	0.5 (ft)
Max. drainage area for required stage: -----	20.0 (acres)

D & R Ogren

Marshall Co.

Sec 31, 125 N R 57

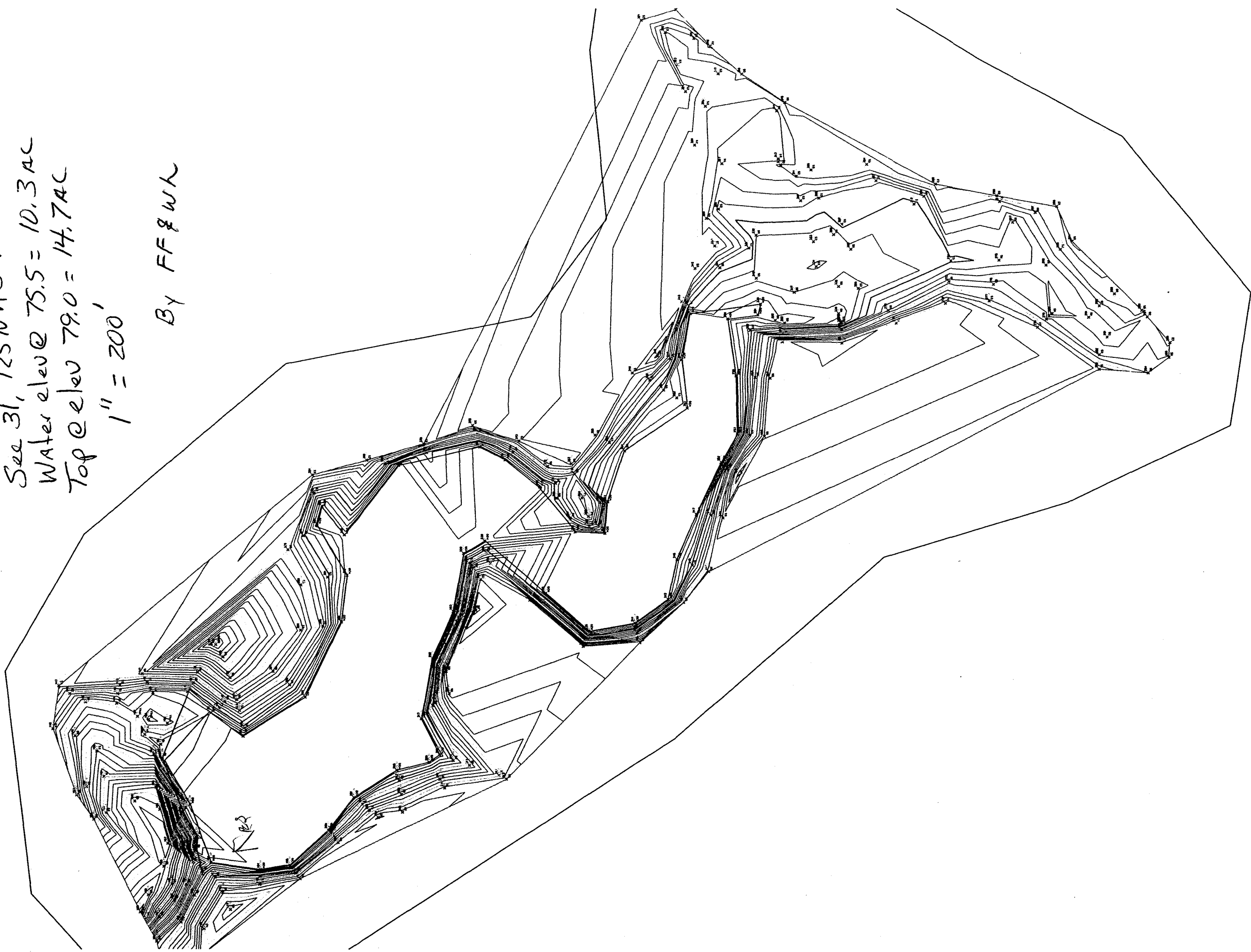
Water elev @ 75.5 = 10.3 AC

Top @ elev 79.0 = 14.7 AC

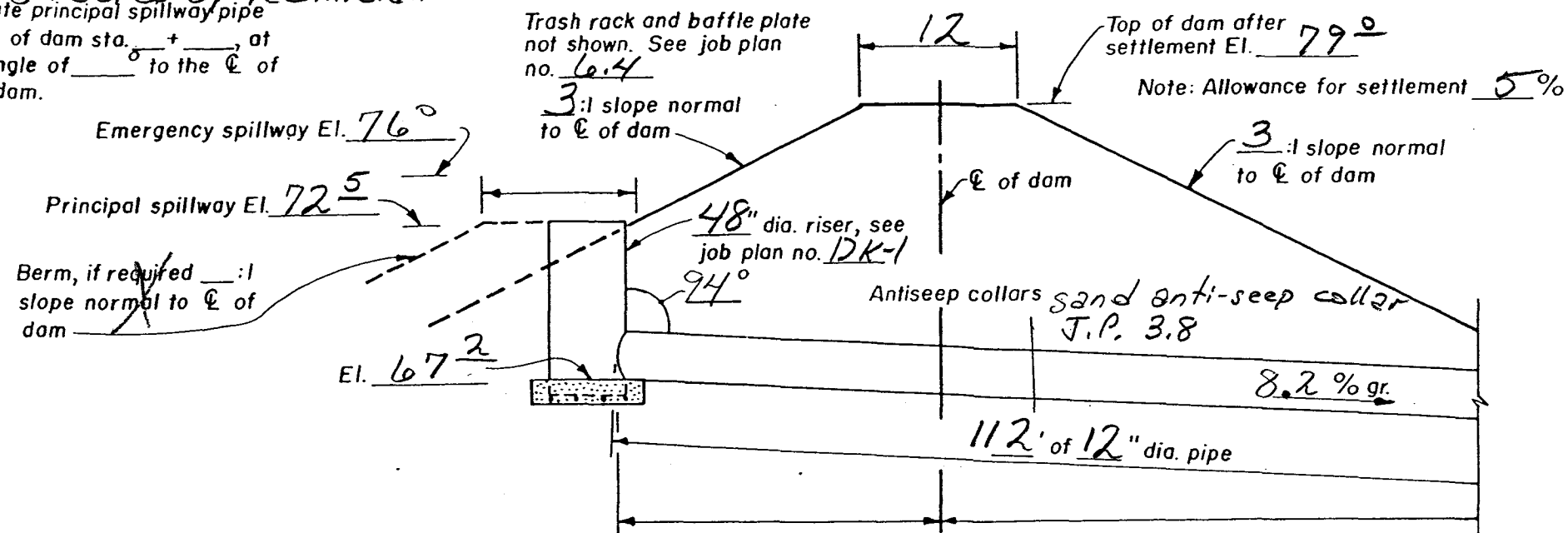
1" = 200'

By FF & WH

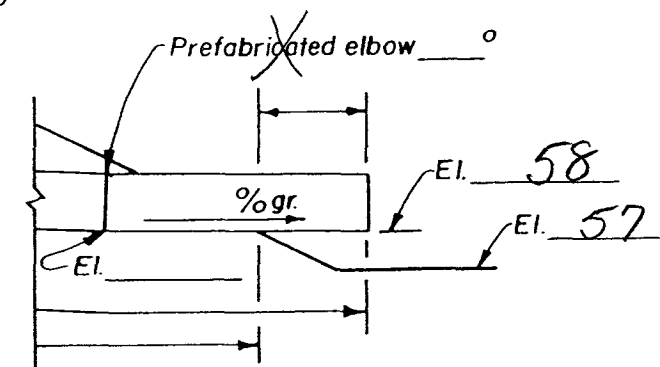
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N



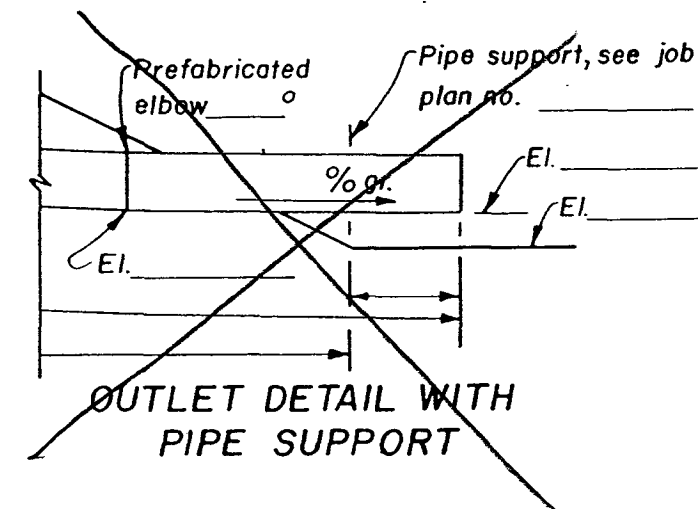
As directed by the
Locate principal spillway pipe
at $\angle$ of dam sta. + , at
an angle of $^{\circ}$ to the $\angle$ of
the dam.



CROSS SECTION OF DAM ALONG C OF PRINCIPAL SPILLWAY
(Not to scale)



OUTLET DETAIL WITHOUT PIPE SUPPORT



~~OUTLET DETAIL WITH
PIPE SUPPORT~~

Sec. _____, T. _____, R. _____
_____ County

LOCATION

CORRUGATED METAL PIPE
DROP INLET PRINCIPAL SPILLWAY

OPERATOR Dan Ogren #1

CONSERVATION DISTRICT

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

		Date		
Designed	-----	Approved by	-----	
	-----	Title	-----	
Drawn	-----			
	-----	Title	-----	
Traced	-----	Sheet	Drawing No.	
	-----	No		
Checked	-----			

SPECIFICATION NOTES

1. ELBOW, IF REQUIRED, MAY BE FABRICATED BY CONTINUOUS WELDING SEPERATE PIPE SECTIONS OR BY FABRICATING A CONTINUOUS WELDED JOINT ON THE UPSTREAM END OF LAST SECTION OF PIPE.
2. PIPE WALL THICKNESS SHALL BE _____ GAGE OR _____ INCHES.

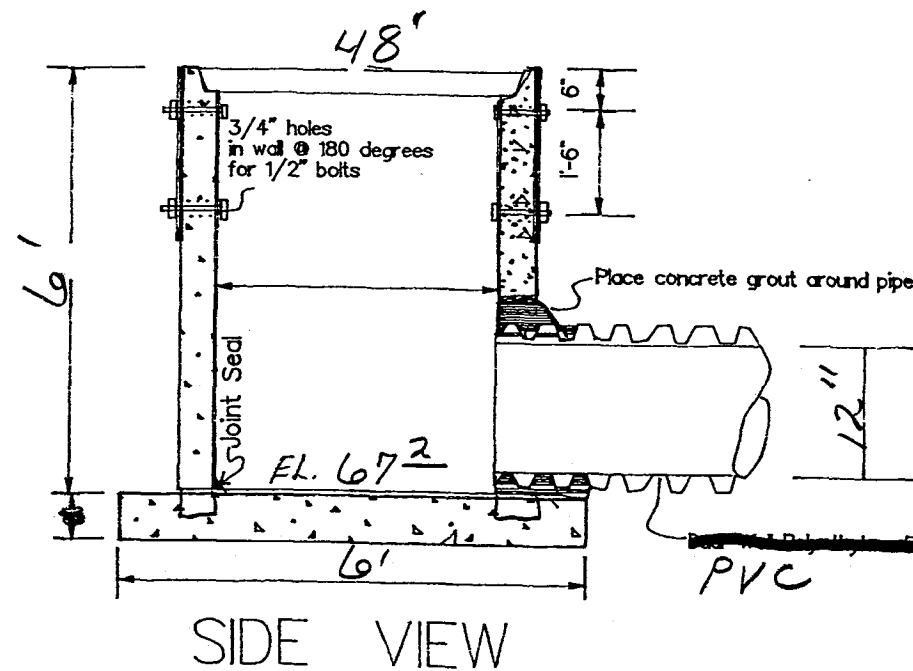
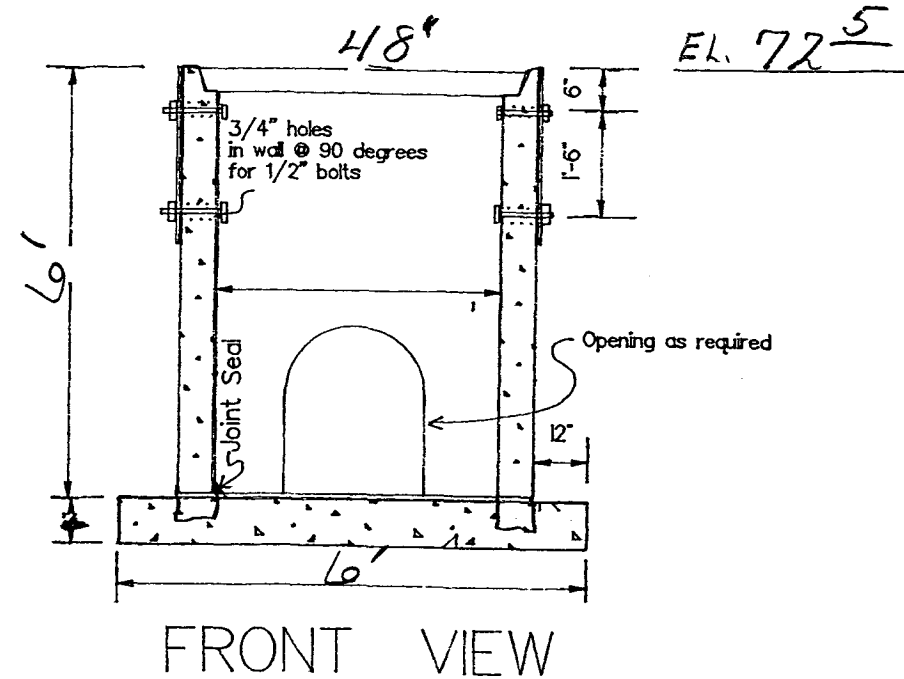
TABLE OF QUANTITIES

[illegible]

APPLICABLE STANDARD S.C.S. SPECIFICATIONS

Rev. 8/80
JOB PLAN NO. 2.0

REFERENCE: GUIDE PLAN NO. 2.0



CONSTRUCTION NOTES:

- 1- Reinforced concrete pipe shall meet ASTM C-478.
- 2- ~~Reinforced concrete pipe shall be equal to~~ *PVC - SDR-35 or SDR-26*
- 3- Provide holes in concrete pipe for lifting lugs.
- 4- Alternative to concrete base is poured in place concrete base

STEEL SCHEDULE

RISER DIA. IN.	BAR SIZE	MARK	TYPE	NO. REQ'D.	LENGTH FT.-IN.	TOTAL LENGTH FT.-IN.	TOTAL WT. LB.	C IN.	L FT.-IN.
48	4	1	STR.	12	5-6	66-0	44	6	6-0

TABLE OF QUANTITIES

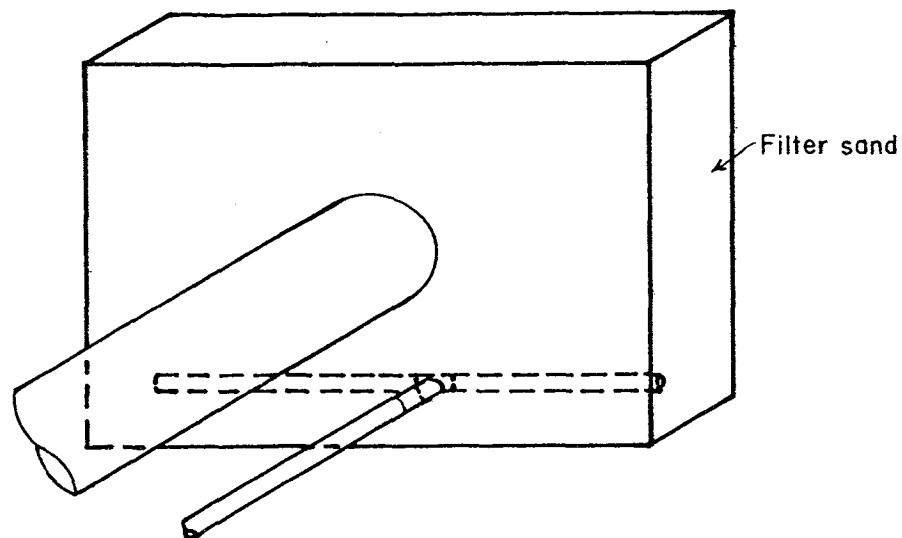
ITEM	UNIT	QUANTITY
CONCRETE	CU. YD.	1.3
REINFORCING STEEL	LB.	44

Dan Ogren #1

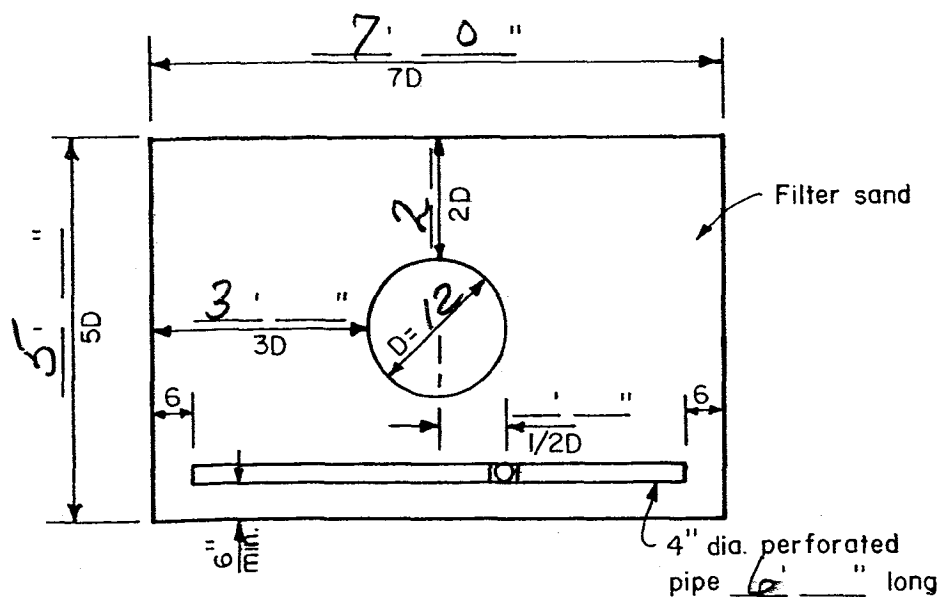
CONCRETE RISER
for ~~Reinforced~~ Pipe PVC

DESIGNED BY <i>D. K. Ogren</i>	APPROVED BY
DRAWN BY <i>D. K. Ogren</i>	TITLE
DATE	SHEET OF

DK-1



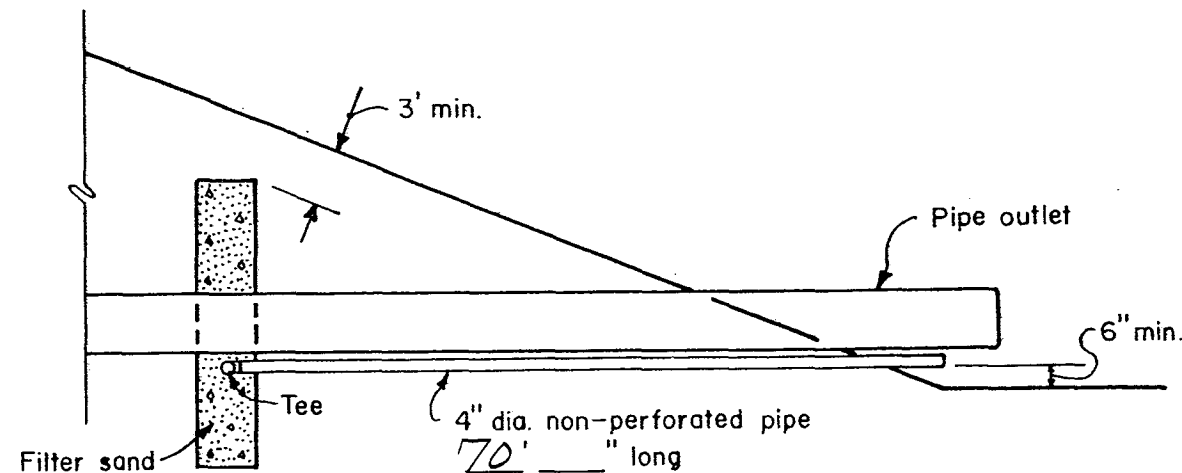
ISOMETRIC VIEW



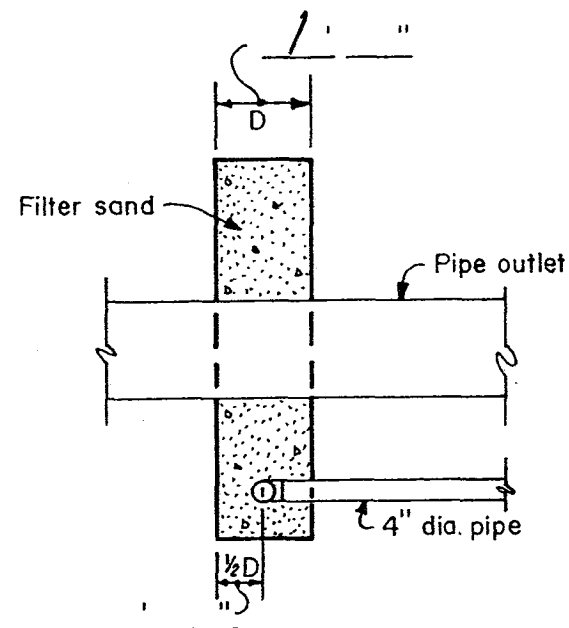
UPSTREAM VIEW

NOTE:

1. THE 4" DIA. PIPE SHALL BE ASTM D1785, SCHEDULE 40, PVC.
2. PROVIDE AN ANIMAL GUARD ON DRAIN OUTLET PIPE. DRILL 2, 1/2" DIA. HOLES, ON $\frac{1}{2}$ " 6" FROM END OF PIPE AND PLACE A 3/8" DIA., 5 1/2" LONG GALVANIZED STEEL BOLT THRU THEM AND SECURE WITH A NUT (PLACE BOLT HORIZONTAL).



OUTLET DETAIL



SIDE VIEW

SIEVE SIZE	PERCENT PASSING
3/8"	100
4	95-100
8	80-100
16	50-85
30	25-60
50	10-30
100	2-10

see spec SD-9
1.3 cy

Sec. _____, T. _____, R. _____

_____ County

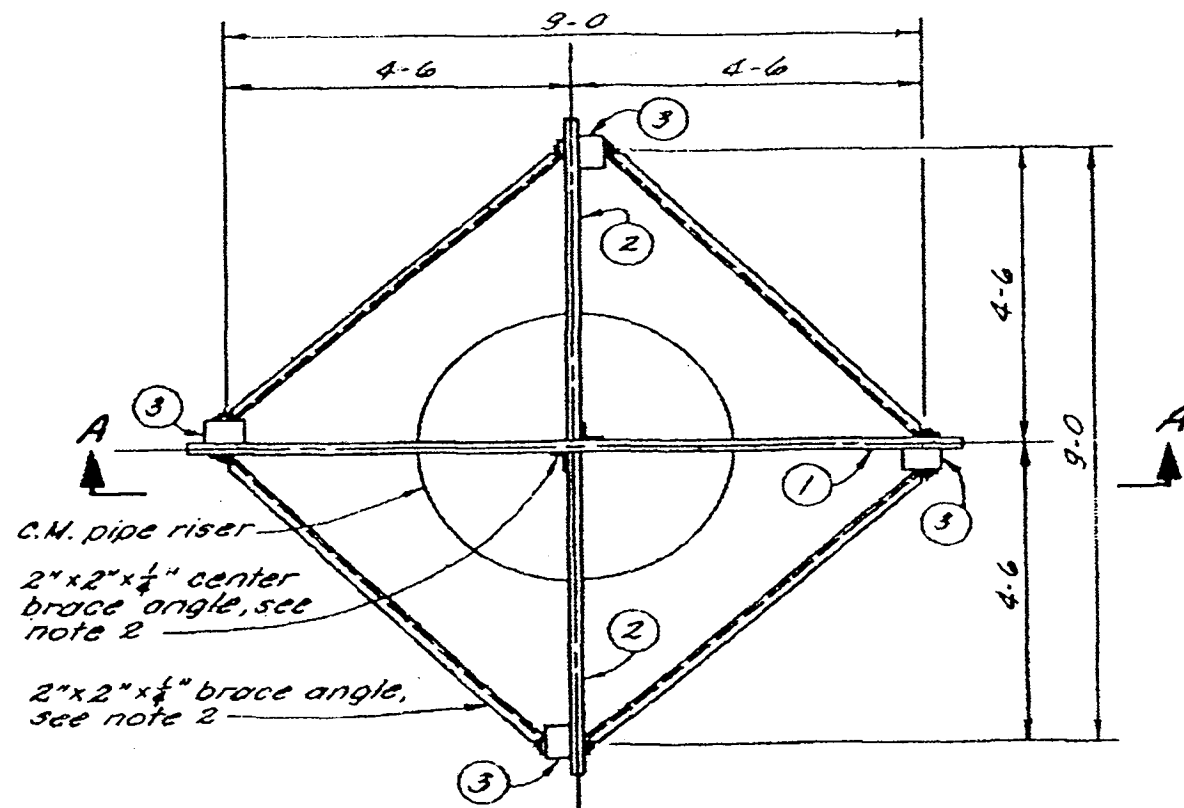
LOCATION

SAND ANTISEEP COLLAR

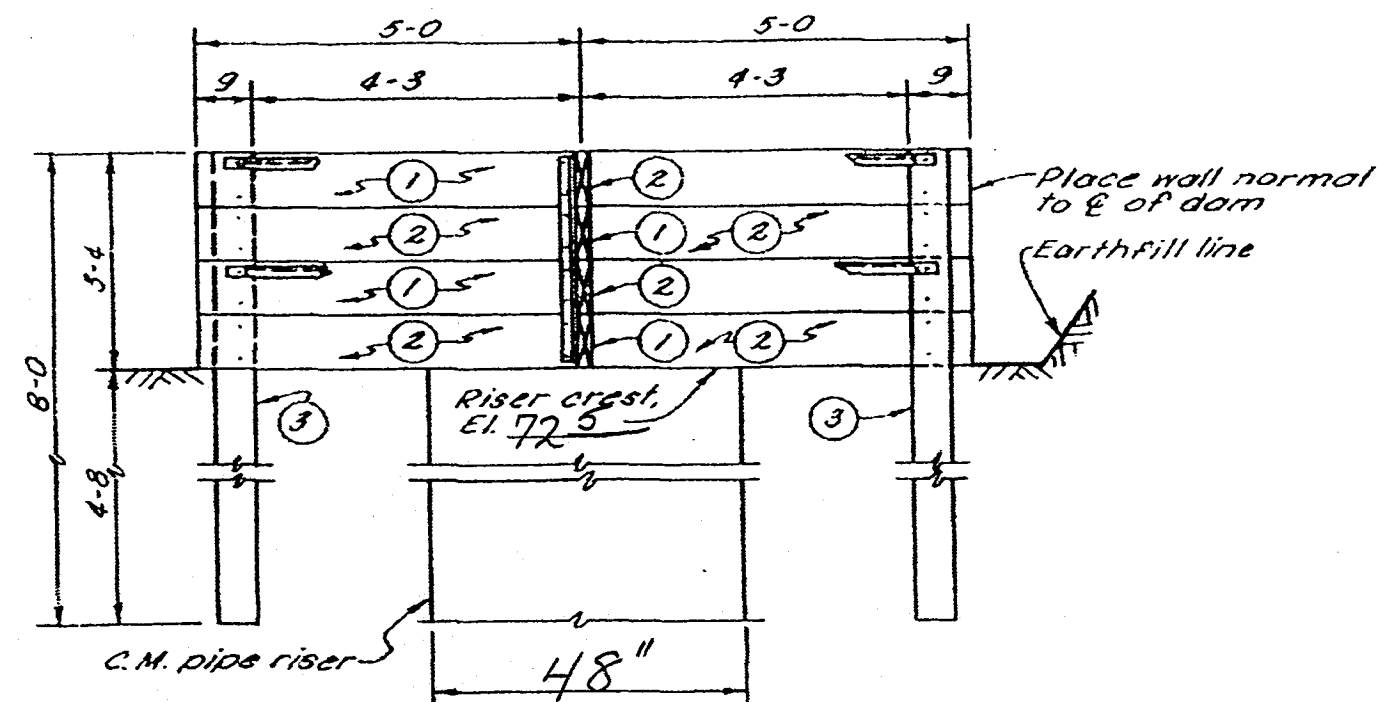
OPERATOR Dan Ogren #1

CONSERVATION DISTRICT _____

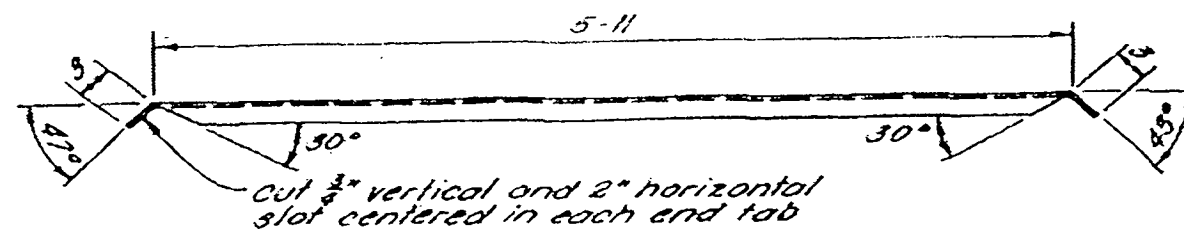
Designed _____	Date _____	Approved by _____
Drawn _____		Title _____
Traced _____		Title _____
Checked _____	Sheet _____	Drawing No. _____
	No _____	
	of _____	



PLAN VIEW



SECTIONAL ELEVATION A-A



PLAN VIEW OF BRACE ANGLE

TABLE OF QUANTITIES

ITEM	MARK	NO. REQ'D.	QUANTITY
2" X 10" X 10' PRESSURE TREATED LUMBER	1	4	67 BD. FT.
2" X 10" X 4'-11" PRESSURE TREATED LUMBER	2	8	66 BD. FT.
4" X 6" X 8' PRESSURE TREATED POST	3	4	64 BD. FT.
2" X 2" X 1/4" X 6'-5" STEEL ANGLE		8	164 LB.
2" X 2" X 1/4" X 3'-2" STEEL ANGLE		2	20 LB.
5/8" X 8" STEEL BOLTS, NUTS, 2 WASHERS		32	32 SETS
1/2" X 3" STEEL BOLTS, NUTS, 2 WASHERS		32	32 SETS

NOTES:

- TO 4" X 6" POSTS (4 REQUIRED) BOLT 2" X 10" BOARDS USING TWO 5/8" X 8" BOLTS PER 2" X 10" BOARD. DO NOT PLACE BOLTS CLOSER THAN 1 1/2" FROM EDGE OF BOARD.
- FOR CENTER BRACE ANGLES DRILL 8 - 9/16" HOLES 5/8" FROM OUTER EDGE OF EACH LEG OF EACH ANGLE AND CENTERED 5 1/4" APART ALONG THE LEG.
- ATTACH BRACE ANGLES TO TOP BOLT ON TOP 2" X 10" BOARD AND TO TOP BOLT ON NEXT TO BOTTOM BOARD.

TRASH RACK AND BAFFLE
FOR RISER DIA. 36" THRU 60"

OPERATOR: Don Ogren #1
CONSERVATION DISTRICT: _____

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed _____	Date _____	Approved by _____
Drawn _____		Title _____
Traced _____		Title _____
Checked _____		Checked by _____

JOB PLAN NO. 6.4

5, N-29, 073.6-40

Water Permit Application No. 7139-2
DER Ogren

Top of Dam Elev. - 79 }
2nd Spillway Elev. - 76 }
P. Spillway Elev. - 72.5 } Ht. = 21.6 ft
DB Emb. Toe Elev. - 57.4 } Cont. 3 - Low Hazard Dam

Normal Storage Capacity = 67 A.-ft
Int Storage Capacity = 107.4
Max. Storage Capacity = 133.25

Int. Capacity x Eff. Ht. = 107.4 x 19.6 = 2105 < 3000 ∴ 25 yr
Minimum Spillway Design

From USGS WRI 40.80 "Tech. for Est Flood Peaks ... in 50"
DA = 1088 Ac = 1.70 mi² S = 105 ft/mi S_i = 3.89

$$Q_{25} = 83.4 A^{.60} S^{.44} S_i^{-.72}$$

$$= 83.4 (1.70)^{.60} (105)^{.44} (3.89)^{-.72}$$

$$= 83.4 (1.3749) (7.75) (0.3760)$$

$$= \underline{335 \text{ cfs}}$$

$$Q_{100} = 132 A^{.65} S^{.46} S_i^{-.67}$$

$$= 132 (1.70)^{.65} (105)^{.46} (3.89)^{-.67}$$

$$= 132 (1.4119) (8.5061) (0.4025)$$

$$= \underline{638 \text{ cfs}}$$

Secondary Spillway Capacity

$$Q = CLH^{3/2}$$

$$C = 2.6$$

$$L = 30$$

$$H = 3$$

$$= 2.6 (30) (3)^{1.5}$$

$$= \underline{405 \text{ cfs}}$$

NRCS Annual Yield

$$DA = 1088 \text{ CN} = 75 \text{ ISO} = 2 1/2$$

Section 74:02:08:09

1. Topo Map - OK
2. Dam Arch Profile - OK
3. Dam Max X-Sec - OK
4. Area Capacity - OK
5. Outlet Details - OK
6. Spillway Routing - OK
7. Spillway Details - OK
8. Specs - st NRCS - OK
9. EPP - N/A Cont. 3 - OK

$$80\% \text{ chance} = 0.17$$

$$0.17 \times 1088^{1/2} = \underline{15 \text{ A.-ft}}$$

$$50\% \text{ chance} = 0.43$$

$$0.43 \times 1088^{1/2} = \underline{39 \text{ A.-ft}}$$

$$10\% \text{ chance} = 2.20$$

$$2.20 \times 1088^{1/2} = \underline{200 \text{ A.-ft}}$$

File No. 7139-3

Water Rights Division -DENR
Conversation or File Documentation

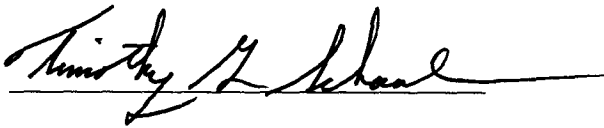
NAME OF PERSON OR FILE: D & R Ogren

ADDRESS: XXXXXXXXXXXXXXXXXX COUNTY: Marshall

DATE: June 29, 2009 TELEPHONE: XXXXXXX

RE: P&S change

Today, Dave Konechne gave me another set of P&S for the Ogren Dam authorized under Water Permit No. 7139-3. He changed the primary spillway drop inlet structure so it will now have a 48 inch diameter concrete riser with a 12 inch diameter PVC barrel with no change in inlet elevation. I told him I would file doc. this info. and no other P&S approval will be necessary.

A handwritten signature in black ink, appearing to read "Timothy G. Schaal", written over a horizontal line.

Timothy G. Schaal, P.E.
Natural Resources Engineering Specialist
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7139-3 D & R Ogren**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 7139-3, D & R Ogren, c/o Don L. Ogren, 12302 425th Avenue, Langford SD 57454.

The Chief Engineer is recommending APPROVAL of Application No. 7139-3 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. Water Permit No. 7139-3 authorizes a dam with a storage capacity of 67.0 acre feet of water and sufficient water annually to maintain the water level to the outlet elevation.
2. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.

See report on application for additional information.

Garland Erbele, Chief Engineer
June 10, 2009

REPORT ON
WATER PERMIT APPLICATION NO. 7139-3
D & R Ogren
June 8, 2009

Water Permit Application No. 7139-3 has been filed by D & R Ogren, c/o Don L. Ogren to impound 67 acre-feet of water from runoff by reconstructing an existing dam located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31-T125N-R57W, in Marshall County. The application also requests impoundment of sufficient water to maintain water to the outlet elevation. The water will be used for fish and wildlife production and livestock water purposes. In 1995, Location Notice No. 74240 was filed for the dam with a storage capacity of 24.5 acre-feet.

Discussion:

The dam will be classified as a small size, Category 3, Low Hazard dam. The dam has been designed by Konechne Engineering. The plans and specifications have been reviewed and will be approved; however, reconstruction of the dam can not begin until Water Permit Application No. 7139-3 is approved.

The reconstructed dam will be 21.6 feet high with a normal storage capacity of 67 acre-feet with a reservoir level at the primary spillway elevation, and a maximum storage capacity of 133.25 acre-feet with a reservoir level at the top of dam elevation. A dam of this size and hazard classification is required to have a minimum spillway design capable of passing a 25-year frequency event.

The dam has a drainage area of 1088 acres or 1.70 square miles. The dam is designed to have a 60 inch diameter CMP riser with a 48 inch diameter CMP barrel with 6.5 feet of freeboard as the primary spillway, and a 30 foot wide earthcut secondary spillway with 3.0 feet of freeboard. A 25 year frequency event produces a peak runoff of approximately 335 cfs and a 100 year frequency event produces a peak runoff of approximately 638 cfs. The earthcut spillway will have a capacity of approximately 405 cfs.

The annual yield for this drainage area with an 80 percent chance of occurrence, or 8 out of 10 years, is expected to be 15 acre-feet. The annual yield with a 50 percent chance of occurrence, or 1 out of 2 years, is expected to be 39 acre-feet and the annual yield with a 10 percent chance, or 1 out of 10 years, is expected to be 200 acre-feet.

The Ogren Dam will be located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31-T125N-R57W on an unnamed tributary to the Crow Creek Ditch, about 10 miles upstream of the confluence of the unnamed tributary and the Crow Creek Ditch. The applicant holds Water Right No. 5719-3, which was issued in 1992 for storage of 135 acre-feet of water in dam located about one-half mile downstream of the proposed reconstructed dam. There are no other existing Water Permits/Rights filed on the unnamed tributary between the proposed dam and the Crow Creek Ditch.

Conclusions:

1. Water Permit Application No. 7139-3 should be approved since unappropriated water is available and approval should not have any adverse effect on existing Water Permits/Rights.
2. If approved, the low flow bypass requirement for domestic use should be a qualification on Water Permit Application No. 7139-3.



Timothy G. Schaal, P.E.
Natural Resources Engineering Specialist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

June 10, 2009

Don L. Ogren
12302 425th Ave.
Langford, SD 57454

Dear Mr. Ogren:

We have reviewed the plans and specifications for your dam project located in the SW ¼ NE ¼ of Sec. 31-T125N-R57W, in Marshall County. The plans and specifications for your dam are approved. Approval of the plans and specifications does not authorize reconstruction of the dam. The reconstruction of the dam may not begin until Water Permit No. 7139-3 is approved.

Our review was to determine compliance with the requirements of the Water Management Board Safety of Dams Rules, Chapter 74:02:08. Approval of these plans and specifications does not release you, as owner of the dam, from the responsibility for operating and maintaining the dam in good repair to ensure the safety of the dam.

The Ogren Dam No. 2 will be classified as a small size Category 3, Low Hazard dam with a dam height of 21.6 feet and a normal storage capacity of 67 acre-feet and a maximum storage capacity of 133 acre-feet.

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

Sincerely,

Timothy G. Schaal, P.E.
Natural Resources Engineering Specialist
for Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

c: Dave Konechne, Konechne Engineering
Tom Wickstrom, USFWS

JUN 25 2009

, County of Marshall.

WATER RIGHTS
PROGRAM

**NOTICE OF APPLICATION
NO. 7139-3 to Appropriate
Water**

Notice is given that D & R Ogren, c/o Don L Ogren, 12302 425th Ave, Langford SD 57454 has filed an application for a water permit to impound 67 acre-feet of water from runoff by reconstructing a dam located in the SW 1/4 NE 1/4 Section 31 with water impounded in the SW 1/4 NE 1/4, N 1/2 SE 1/4 Section 31; all in T125N-R57W. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation and livestock water purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7139-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the

Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 July 6, 2009.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary,

id county, being first duly sworn on oath says that he is publisher of the BRITTON JOURNAL, a weekly newspaper printed and published in the City of Britton, in the County of Marshall, 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 is printed wholly or in part in an office at said place of publication;

that the

Notice of Application - Water
Dept of NR Don Ogren

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

June 17, 2009

June 24, 2009

that the full amount of the fee charged for the publication of said notice inures to the benefit of publisher of said newspaper, that no agreement or understanding for the division thereof has been made with any person, and that no part thereof has been agreed to be paid to any other person whomsoever, and that the fee for the publication thereof

Forty-three and 90/100

Douglas M. Carl
by Charles L. Carl

Subscribed and sworn to before me this

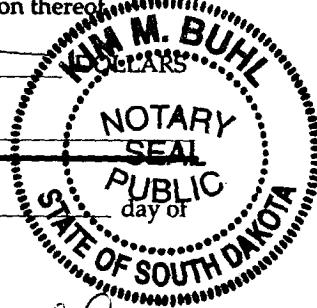
24th

June

A. D., 2009

Kim M. Buhl

Notary Public, Marshall County, S. D.



My Commission Expires March 12, 2010



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

June 10, 2009

Britton Journal
PO Box 69
Britton SD 57430

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7139-3 to Appropriate Water to be published twice. Please publish the first notice on June 17, 2009 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 & R Ogren, c/o Don L. Ogren, 12302 425th Ave., Langford SD 57454 (Ph # 605-493-6698).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 7139-3

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

Date _____

We are in receipt of your letter of June 10, 2009 enclosing Notice to Appropriate Water by Application No. 7139-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

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

June 10, 2009

D & R Ogren
c/o Don L Ogren
12302 425th Ave
Langford SD 57454

Dear Mr. Ogren:

Water Permit Application No. 7139-3 for fish & wildlife use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Britton Journal printed at Britton SD (Ph # 605-448-2281). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications 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 Notices and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

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.

Instruction to Newspaper - Publish first Notice on June 17, 2009 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7139-3 to Appropriate Water

Notice is given that D & R Ogren, c/o Don L Ogren, 12302 425th Ave, Langford SD 57454 has filed an application for a water permit to impound 67 acre-feet of water from runoff by reconstructing a dam located in the SW ¼ NE ¼ Section 31 with water impounded in the SW ¼ NE ¼, N ½ SE ¼ Section 31; all in T125N-R57W. This application requests impoundment of sufficient water to maintain water to the outlet elevation. The water is for fish and wildlife propagation and livestock water purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7139-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 July 6, 2009.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 22 2009

D & R Ogren
12302 425th Ave
Langford SD 57454

Dear Mr. Ogren:

Enclosed is Water Permit No. 7139-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

Permit No. 7139-3
James River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

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

I have this day, **October 10, 2013**, made a thorough examination of the water use system constructed by **D & R Ogren** of **12302 425th Ave., Langford, SD 57454** holder of Permit No. **7139-3**, bearing the priority of **May 28, 2009** authorizing the storage of **67** acre-feet of the waters of **runoff** for **fish & wildlife propagation and livestock water** purposes, in **Marshall** County.

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

A. Works used to divert the water:

A 21.6 ft. high earthen dam with a normal storage capacity of 67 acre-feet of water.

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

N/A

C. Works used to apply water to beneficial use:

A 21.6 ft. high earthen dam with a normal storage capacity of 67 acre-feet of water.

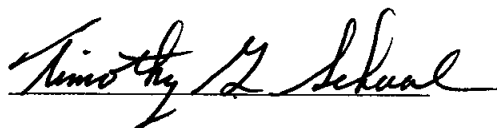
The system is in the following condition **good**. The point of diversion is located **2250 ft. south & 1800 ft. west of the NE corner of Sec. 31-T125N-R57W, SW ¼ NE ¼ (Lat. 45.59585 Long. -97.71810)**. The works are capable of storing **67** acre-feet of water which is to be used for **fish & wildlife propagation and livestock water**. Water has been put to beneficial use to the maximum extent as follows:

A 21.6 ft. high earthen dam with a normal storage capacity of 67 acre-feet of water

and the license should be issued for **67** acre-feet of storage.

Applicable permit qualifications have been complied with: Yes **X**

Exceptions to compliance are: **none** Date Report Completed: **February 12, 2014**



Timothy G. Schaal, P.E.
Engineer IV
SD DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 7139-3

DATE OF INSPECTION: October 10, 2013

NAME & ADDRESS OF PERMIT HOLDER: D & R Ogren, 12302 425th Ave., Langford, SD 57454

DIVERSION POINT LEGAL LOCATION: 2250 ft. south & 1800 ft. west of the NE corner of Sec. 31-T125N-R57W, SW ¼ NE ¼ (Lat. 45.59585 Long. -97.71810).

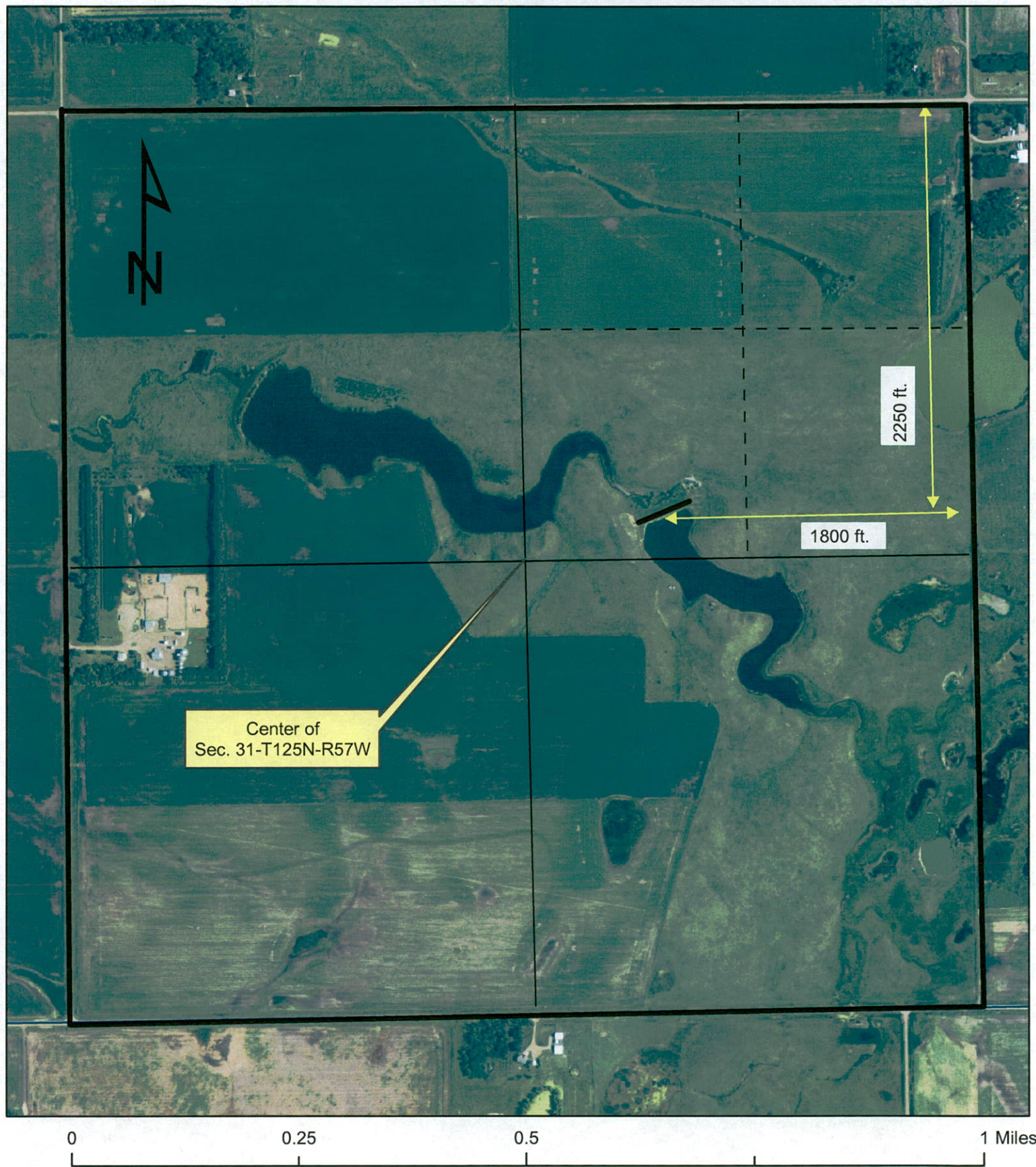
DAM INFORMATION:

- 1) Height to crest 21.6 feet
- 2) Height to primary spillway 15.1 feet
- 3) Height to secondary spillway 18.6 feet
- 4) Crest width 12 feet
- 5) Crest length 445 feet
- 6) Spillway length XXX feet
- 7) Spillway width 30 feet
- 8) Approx. storage (Normal) 67 acre-feet
- 9) Approx. storage (Maximum) 133 acre-feet
- 10) Date constructed: 2009

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit XXX
- 2) Special qualifications to permit being abided by XXX
- 3) All structures, wells and lands on map XXX
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period XXX

Water Permit Application No. 7139-3



Timothy G. Schaal

Timothy G. Schaal, P.E.
Engineer IV
SD DENR, Water Rights Program

2/12/14



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov



FEB 20 2014

7139-3

D & R Ogren
12302 425th Ave
Langford SD 57454

Dear Sirs:

Enclosed is Water License No. 7139-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7139-3

(1) D & R Ogren, 12302 425th Ave, Langford SD 57454 made Application No. 7139-3, May 28, 2009 for a water permit to impound 67 acre feet of water from runoff in a dam located in Marshall County, South Dakota and used for fish & wildlife propagation and domestic livestock water purposes. Permit No. 7139-3, with a priority date of May 28, 2009 was approved July 6, 2009 and issued to the applicant for impoundment of water with construction of the storage dam to be completed on or before July 6, 2014 and the application to beneficial use of water on or before July 6, 2018.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the storage dam and is entitled to impound 67 acre feet of water for beneficial use with sufficient water annually to maintain the water level to the outlet elevation.

The location of the storage dam (spillway) is 2,250 feet south and 1,800 feet west of the NE corner of Section 31, T125N, R57W (SW ¼ NE ¼). Water is impounded in the SW ¼ NE ¼ and N ½ SE ¼ Section 31, T125N, R57W.

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 D & R Ogren, 12302 425th Ave, Langford SD 57454 the holder and/or owner of Water Right No. 7139-3 is issued a license to impound 67 acre feet water from runoff in a storage dam with a priority date of May 28, 2009 from the location specified in (2) of this license. The water is used for fish and wildlife propagation and domestic livestock watering.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7139-3 and subject to the following qualifications:

- Water Right No. 7139-3 authorizes a dam with storage capacity of 67 acre feet of water and sufficient water annually to maintain the water level to the outlet elevation.
- Low flows as needed for downstream domestic use, including livestock water and prior water rights must be bypassed.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 20 2014

date

