

- Water Right Number 1183-1
1. Considered MARCH 28, 19 79
 2. Name of Applicant ROBERT RYTER
 3. Post Office Address ST ONGE, S.D. 7/8-7N-3E
 4. Amount of water claimed 2.1
 5. Source of water supply 1600' EXISTING WELL - PUMP INTO STORAGE DAM
 6. Water to be used for IRRIGATION
Acres to be irrigated 148
 7. Water to be diverted and used in LAWRENCE County
about 4E, 6 Miles NORTH of SPEARFISH
 8. Proof of Publication
Received 3-9-79
Not received _____
 9. Application
Approved 3-29-79
Subject to Ordinance
Not approved _____
Action deferred _____

10. Remarks:

*add diversion of Storage dam
Permit # F15-1*

No. 1183-1
 Map No. 993-1 Water Division No. 1 BELLE FOURCHE RIVER District
 (Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant: Robert Rytzer
 Post-office address: Rt 1 Box 34 St. Onge State South Dakota
 If a corporation, show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor): Contract and direct labor
 3. Name of diversion work: Rytzer Irrigation Project #2, Storage, Dam
 4. Amount of water claimed (cubic feet per second): 2.1 To Pump From Storage, Dam.
 5. Source of water supply: Artesian ground water, Permit # 545-1 Storage Dam
 6. Location of point of diversion: South 83° 30' West 800 Feet From NE Corner, Sec. 7, T10N, R3E, Well, Storage Dam location SW 1/4 NW 1/4 of Sec. 8, T10N R3E, Lawrence County S. Dak.
 7. Annual period or periods during which water is to be used: April Thru November
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.): Irrigation
 9. For irrigation use, Total number of acres to be irrigated: 148.0 Acres

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
Sec. 6 SE 1/4 SE 1/4	36.0	SW 1/4 NE 1/4	14.0
Sec. 7 NE 1/4 NW 1/4	18.0	SE 1/4 NE 1/4	9.0
T10N R3E NW 1/4 NE 1/4	17.5	Sec. 8 NW 1/4 NW 1/4	32.0
NE 1/4 NE 1/4	21.5		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system: 3 years. Additional time required to complete application of water to the proposed beneficial use: 5 years.
 11. Choice of newspaper for Notice of Intent to Appropriately Use Water, publication: Queen City Mail
 12. Principal Features of the Proposed Water Supply System.

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

Storage Dam, To be filled with water from well
Permit No 545-1

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

Pipe Line, under ground

C. Works proposed to apply water to beneficial use.

Under ground pipe line
SPRINKLERS

Estimated Total Cost \$12,600.00

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

STATE OF SOUTH DAKOTA

County of Lawrence

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

Signed, Robert RytzerSubscribed and sworn to before me this 16th day of January 19 78

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1183-1

ROBERT RYHER
(Applicant)

RR # 1 - Box 38, ST. ONGE
(Post Office Address)

SOUTH DAKOTA 57779
(State)

With the following modifications:

Lands covered under this Permit are also covered under Permit No. 545-1. Combinations of diversions under the two permits shall not exceed the Statutory limit of 1 c.f.s. for each 70 acres of land to be irrigated.

Approval of this Permit approves storage of 37 acre feet annually.

Also the Well, on Permit No. 545-1, must be valved and closed when water is not being stored or used for irrigation purposes.

The well appears to be in an artesian basin having limited supplies, and restrictions as to flow and time of flow may be made by the Commission to protect prior water rights.

Date of first receipt of application JANUARY 19 19 79

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

Date of receipt of corrected application _____ 19 _____

Approved MARCH 29 19 79, Recorded in Book 20 Page 186

WATER RIGHT PERMIT NO. 1183-1

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1183-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JANUARY 19 19 79
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 29 19 80
3. The whole of said work is to be completed on or before MARCH 29 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 29 19 84
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.1 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 29 19 84; said water to be used during the following described annual period: APRIL THRU NOVEMBER

Witness my hand this 2ND day of APRIL 19 79

WATER RIGHTS COMMISSION

By

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc.)
- (3) Perforated Screen
Type _____, Diameter _____, Length _____
- (4) Gravel Pack Thickness _____, Length of gravel pack _____

F. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials. _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property _____ rds. On property owned by others _____ rds.

G. Water Storage Dams.

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

Storage - 317 acre feet.

max water depth 11 feet.

surface area - 4.5 acres

Dam height - 17 feet

Robert Ryeater
Signature of Applicant

No. 1183-1

Publish first publication, on or before March 7, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 23, 1979

Notice is hereby given that Robert Ryther whose post office

address is St. Onge, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.1 cubic feet of water per second of time from an existing well to

a storage dam through the Ryther Irrigation Project #2, the point(s) of diversion of which is (are) to be located in the NE 1/4 NE 1/4 (existing well) Section 7 T7N-R3E and a storage dam in SW 1/4 NW 1/4

of Section 8, Twp. 7N, Range 3E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4 SE 1/4, Section 6, NW 1/4 NW 1/4, NE 1/4, Section 7, NW 1/4 NW 1/4, Section 8, all in T7N-R3E

This Application No. 1183-1 will be considered by the Water Rights Commission at the Community Room in the City Hall, 222 East Dakota, Pierre, SD upon the 28th day of March, 1979

at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION

Betty Westlund
Water Rights Specialist

BW:plh

cc: Robert Ryther, RR #1, Box 88, St. Onge, SD 57779

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

No. 1183-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lawrence) ss.

I, Allen H. Hermann hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Spencer Post-Tribune

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the Spencer

City March of Spencer

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

Feb 28-1979

March 7-1979

Allen H. Hermann
(Signature)

Rankings
(Title)

March 7, 1979
(Date Signed)

NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501
February 23, 1979

Notice is hereby given that Robert Ryther, whose post office address is St. Onge, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.1 cubic feet of water per second of time from an existing well to a storage dam through the Ryther Irrigation Project #2, the points of diversion of which are to be located in the NE 1/4 NE 1/4 (existing well) Section 7-T7N-R3E and a storage dam in SW 1/4 NW 1/4 of Section 8, Twp. 7N, Range 3E. Said water to be used for the purpose of providing irrigation on portions of the following described land: SE 1/4 SE 1/4, Section 6, NE 1/4 NW 1/4; NE 1/4, Section 7, NW 1/4 NW 1/4, Section 8, all in T7N-R3E.

This Application No. 1183-1 will be considered by the Water Rights Commission at the Community Room in the City Hall, 222 East Dakota, Pierre, SD, upon the 28th day of March, 1979, at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-23 may notify the Commission in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has a right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION

Betty Westlund
Water Rights Specialist
(9-2tc, 51 lines)



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6719

PIERRE, January 19, 1979

RECEIVED OF Robert Pyther, RR 1, Box 38, St. Onge SD 57770

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

Fee for Application for Permit to Appropriate Water No. 1121-1 (examination, processing, recording and filing)	150	00
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By *John Hatch*
 Chief Engineer, Executive Officer
 JOHN HATCH kjw

Form 10.

No. _____

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



Post Office St. Onge, S. D. 57779

Date May 22, 1981

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

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1183-1.

Water Right Permit No. 1183-1 states that the diversion system is to be constructed by March 29, 1982 and that the water is to be put to beneficial use by March 29, 1984.

The diversion system was completed on Sept 1, 1979.
Applying the water to beneficial use was completed on Oct. 10, 1979.

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

Robert Ryther
(Signature)

ROBT RYTHEN
RT. 1 BOX 34
SAINT ONGE, SD
57779

1183-1 "R. 500" "R. 500"

1842-9

12-10-1945-1

Sept 27th 1890

1874

1954, GE 604.90 1750 012

11/21/38 1.55714-10-11 1.10 21370

Range Vol 100 No 2801728

Address: 1120 New O. Highway

862 2 PM 10:40

1947

Br. 100 200 100 100

Dec 21 15 " Bank & Co.

Wash. D.C. 177 - 175-175-1

1891

10

[Faint handwritten notes at the bottom of the page]

1000

17. 11. 1942

the 1990s, the number of people in the world who are under 15 years of age is expected to increase from 1.1 billion to 1.5 billion. The number of people aged 65 and over is expected to increase from 250 million to 450 million. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion.

Journal of Management Studies, 36(7), 809-824.

5" down 2453'

60 412

Well down floor 330 yds

Well down

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8707

PIERRE, February 9, 1982

RECEIVED OF Robert Ryther, RR#1, Box 38, St. Onge, SD 5779

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 1183-1		
Fee for Inspecting Beneficial Use, and Issuing Water License No. 1183-1	50	00
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL ..	50	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 1153-1Water Division 1 Belle Fourche River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPL. DIV. OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Robert Ryther of RR #1, Box 38, Sec. 09, S. Dak. 57719 holder of Permit No. 1183-1, bearing date of priority of 2.1 cfs January 19, 1978, authorizing the diversion of 2.1 cu. ft. per second of the waters of Artesian Ground Water Permit #545-1 and our storage dam for Irrigation purposes, in Lawrence County.

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

The Water Use System consists of,

- A. Works used to divert the water:
Artesian Well flowing 330 gpm via 6" PVC Pipe to Storage Dam
Booster Pump at Dam = Motor 60 H.P. 177 RPM.
Pump = Well Lin No. AXN1348, 2 stage pumps 800 gpm with 100 ft head
- B. Works used to transport water to place of use,
6" PVC Pipe from Well to Storage Dam
400 ft 6" Aluminum Pipe
2400 ft 5" Aluminum Pipe
- C. Works used to apply water to beneficial use.
Ried Tow Lines 600 ft long - 40 ft spacing
16 sprinklers / line

The system is in the following condition: Good

The point of diversion is located Well - S 83°30'W 800 ft from NE Cor Sec. 7.
Dam - S 10°E 1500 ft from NW Cor Sec. 8, T7N R3E

The works are capable of diverting and conveying to the place of use 2.1cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in T7N R3ESec. 6 = SE 1/4 SE 1/4 - 36 Ac. Sec. 7 NE 1/4 NW 1/4 - 15 Ac.Sec. 8 = NW 1/4 NW 1/4 - 30 Ac. NW 1/4 NE 1/4 - 7 Ac.SW 1/4 NE 1/4 - 23 Ac.NE 1/4 NE 1/4 - 19 Ac.SE 1/4 NE 1/4 - 20 Ac.compr. total of 148 acres of land.

Dam Data:

Height 24 ft
Top Width 10 ft
Riser 21"
Barric 15"
Water Depth 17 ft
Side slopes 3:1 Front 2:1 Back
Length 750 ft.
Spillway width 160 ft
Storage 41 A.-Ft.

Note: Applicable Portions of
Water Permit # 545-1 are
incorporated into this Permit.

License for 2.1 cfs

Date June 24, 1981

Larry J. Heston
(Signature)

Run-off + Artesian flow will permit 2.1 cfs diversion



Department of Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

May 31, 1983

Robert Ryther
RR#1, Box 38
St. Onge, South Dakota 57779

Dear Mr. Ryther:

Enclosed herewith are, Water License No. 1183-1 and Certificate of Construction.

Water License No. 1183-1 is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:

enclosures

* The applicable portions of Water Right No. 545-1 are incorporated into this Water License No. 1183-1.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1183-1

(1) WHEREAS, On the 19th day of January A. D. 1979
Robert Kyrher

made Water Right Application No. 1183-1 for a permit to use 2.1 cubic feet per second of the waters of groundwater (one well-flowing and a storage dam
 County of Lawrence, State of South Dakota, for Irrigation purposes; and

(2) WHEREAS, On the 29th day of March A. D. 1979
 Permit No. 1183-1, with a date of priority of January 19, 1979
 was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 29th day of March A. D. 1982 and for the application to beneficial use of said water on or before the 29th day of March A. D. 1984

WHEREAS on the 24th day of June, 1981 the applicable portions of Water Right #545-1 have been incorporated into this Water License No. 1183-1 with the priority dates of .74 cfs from March 13, 1961 and 2.1 cfs from January 19, 1979.

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 2.1 cubic feet per second of water for beneficial use and,

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

to irrigate the following land all in T7N, R3E:

Section 6	SE $\frac{1}{4}$ SE $\frac{1}{4}$	36 acres
Section 7	NE $\frac{1}{4}$ NW $\frac{1}{4}$	15 acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	7 acres
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	23 acres
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	17 acres
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	20 acres
Section 8	NE $\frac{1}{4}$ NW $\frac{1}{4}$	30 acres
	TOTAL	148 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Robert Ryther

of St. Oge, South Dakota

the holder _____ and owner _____ of said permit No. 1183-1 a water right, dating from March 13, 1961
and January 19, 1979 to use of 2.1 cubic feet per second of the waters
of ground water (one well-flowing) and a storage dam

in the County of Lawrence and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at Well - S83°30'W 800 feet from NE Corner, Section 7
(AA) and dam - S10°E 1500 feet from NW Corner Section 8 (AC), T7N, R3E

and conducted to and upon portions of Sections 6, 7 and 8, T7N, R3E more fully
described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 1183-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 31st day of May A. D.

Nineteen Hundred and EIGHTY TWO

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 1183-1

Water Diversion No. J Bella Fourche River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Robert Ryther

_____ the holder _____ of
Permit No. 1183-1, issued upon Application No. 1183-1, bearing date of priority of March 13, 1961
and January 19, 1979 authorizing the diversion of 2.84* cu. ft. per second of the waters of _____
~~groundwater (one well flowing)~~ & storage dam _____, State of South Dakota at _____
well S83°-30'W 800 feet from NE Corner, Section 7 (AA) and dam - S10°E 1500 feet
from NW Corner Section 8 (BC), T7N, R3E
_____, for Irrigation

_____ purposes, has _____ complying with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.1 cu. ft. per second of water.

Date May 31, 1982

*The applicable portions of Water
Right No. 545-1 are incorporated
into this Water License No. 1183-1

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

2000 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
Please fill out and return before December 1, 2000

1183-1

Robert Ryther *Mitch + Susan O'Connell*
1902 11th Ave *11257 194th Street*
Belle Fourche SD 57717-2020

St Onge, SD 57779

CHANGES TO ADDRESS LABEL, IF ANY:

Telephone No. *605-642-7755*

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57501-3181 (605) 773-3352

1. Is the system constructed? *yes ☒ no ☐

*Type of system used (check all that apply):

center pivots ☐ towlines ☒ big gun ☐

flood ☐ sprinklers ☐ other ☐

2. Did you irrigate in 2000? *yes ☐ **no ☒

*If yes, number of acres irrigated _____

**If no, list reason(s) in comment section:

3. Source of water: *Artisan Well/Conn*

4. Is land enrolled in CRP? *yes ☐ no ☒

*If yes, through what year? _____

5. Did you apply chemicals or fertilizer through the system in 2000? *yes ☐ no ☒

*If yes, a separate chemigation form is NOT needed.

Comment Section:

We purchased the property in June, 2000 and towlines were sold separately. In addition there were some repairs required prior to utilizing.

Office use only



The portion of the form for reporting acres irrigated is on the back of this page. Listed below are two examples of how to complete the form:

EXAMPLE 1: In June & July, 130 acres were irrigated using a pivot system (70 acres of corn & 60 acres of alfalfa). The pump rate of the pivot is 800 gallons per minute and you pumped 8 days (@ 24 hours per day) on the corn and 22 days on the alfalfa:

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	8	24
	ALFALFA	60	800 GPM	10	24
JULY					
	ALFALFA	60	800 GPM	12	24

EXAMPLE 2: In June, 40 acres of alfalfa were irrigated (using gated pipe @ 3000 gpm) for 5 days - 24 hours per day; 60 acres of beans were irrigated (using big gun @ 380 gpm) for 10 days at 24 hours per day:

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

For ease in calculating water use, please specify if actual irrigation hours or kilowatt hours are being reported. For kilowatt hours, include depth to water & system pressure in comment section.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 8, 2000

No. 1183-1

Mitch & Susan O'Connell
11257 194th St
St. Onge SD 57779

Dear Mr. & Mrs. O'Connell:

The Irrigation Questionnaire which you recently returned to our office indicated you are now the owners of Water Right No. 1183-1. We have not received anything from the Title Co. in Rapid City. Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1183-1. The water right is currently listed in the name of Robert Ryther.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1183-1

Date: 1/16/2001

I/We request that Water Right No. 1183-1

formerly owned by: Robert Ryther

be transferred to: (name & address) Mitch O'Connell

RR 1 Box 39, St Onge, SD 57779

Telephone No. 642-7755

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

148 acres - SE 1/4 SE 1/4 Sec 6; NE 1/4 NW 1/4, NE 1/4 Sec 7 and NW 1/4 NW 1/4 Sec 8; all in T7N-R3E

I/We understand that the validity of Water Right No. 1183-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Lawrence)

I/We Mitch & Susan O'Connell being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Mitch O'Connell
(Signed)

Subscribed and sworn to before me this 16th day of January, 19 2001.

John William Smoot
(Notary Public)

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

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



1183-1

I am returning the
enclosed form sent to
me in December 2002.
Enclosed you will find the
required filing fee.

Thank You,

Kevin O'Connell

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

No 416751

Pierre, February 6, 2001

RECEIVED OF Mitch O'Connell, RR 1 Box 38, St Onge, SD 57779

(Robert Ryther)

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

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

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

2 50

Total

2 50

(Any Other Work Provided by Law)

By _____
Chief Engineer

Douglas Erickson
gm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2001

1183-1

Mitch O'Connell
RR 1 Box 38
St Onge, SD 57779

Dear Mr. O'Connell:

Thank you for following up on the transfer of ownership for Water Right No. 1183-1. The transfer has been completed and the water right formerly held by Robert Ryther is now listed in your name.

Enclosed is your Receipt No. 416751 in the amount of \$2.50. You may keep this for your records.

If I can answer any questions for you, please get in touch with me.

Sincerely,

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

enclosure

1183-1
ROBERT RYHER
RR #1, BOX 38
ST. ONGE
SD 57779

LA/BF

This is the Water Management Board data
sheet for recording 1980 GROUNDWATER
source irrigation estimates.

November 1980
For Dept. use only

2

Please fill out and return at once.

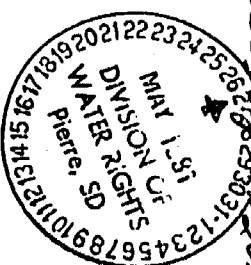
No. Acres irrigated with Groundwater 91
If you did not irrigate during 1980-check this box ☐ No system ☐

Type of Power	No. acres irrigated	Total Energy used-1980
1. Electric	<u>91</u>	<u>95200</u> kWh
2. Gravity		
3. Gasoline		gal
4. Nat. Gas pipeline		cf
5. Diesel		gal
6. Propane		gal
7. Other		
Type of System:		
1. Hand Moved Sprinklers		
2. Portable b cms		
3. Center pivots (# of)		
4. Gated pipes		
5. Sidewheel		
6. Towlines <u>X</u>		
7. Gun type		
8. Hydromatic		
9. Siphons		
10. Flood		
11. Other		

Month	# days pumped	Average # hours per day	Average pump rate (gpm)	Acres of Crop	Irrigated and Estimated Water Use
April	15	22	650	414 37	190000 3950
May	24	22	650	414 40	190000 6300
June	12	22	650	414 40	190000 3100
July	13	22	650	414 72	190000 6056
August	6	22	650	414 40	190000 1580
Sept.	20	22	650	414 76	190000 5266
Oct.	9	22	650	414 15	190000 2376
Other Month					

Season Static Water Level: beginning well flowing well flowing

Comments: I sent one of these to the water rights division in Pierre, in the year
Complete and return to: WATER MANAGEMENT BOARD
Water Rights Division
Joe Foss Building
Pierre, SD 57501



Please complete front and back.

The South Dakota Office of Energy has requested your cooperation in completing the following:

1979

Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric	<u>40</u>	<u>10,000</u> kwh
2. Gravity	_____	_____
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____

1978

Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric	<u>91</u>	<u>50,000</u> kwh
2. Gravity	_____	_____
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____ gal

- What is your on-farm storage capacity for gasoline 600 gallons
diesel 500 gallons
- What are your present plans for acres under irrigation for 1981?
☒ an increase in acres
☐ irrigate same acres
☐ a decrease in acres
- A. Has your regular fuel supplier been able to meet your fuel needs for irrigation this past year?
☒ yes
☐ no
B. If no, were you able to buy from other sources?
☐ yes
☐ no
- Would you continue irrigating the same number of acres in 1981 if the price of fuel increased-
10% yes ☒ no ☐
15% yes ☒ no ☐
20% yes ☒ no ☐
over 20% yes ☒ no ☐
- At what price for fuel would you cut back on irrigation activities? when there isn't a dime left for a profit
- What is your best estimate of your fuel needs for irrigation in 1981, if we experience a
Dry summer: _____ gallons. 150,000 Kw
Wet summer: _____ gallons. 75,000 Kw

1183-1

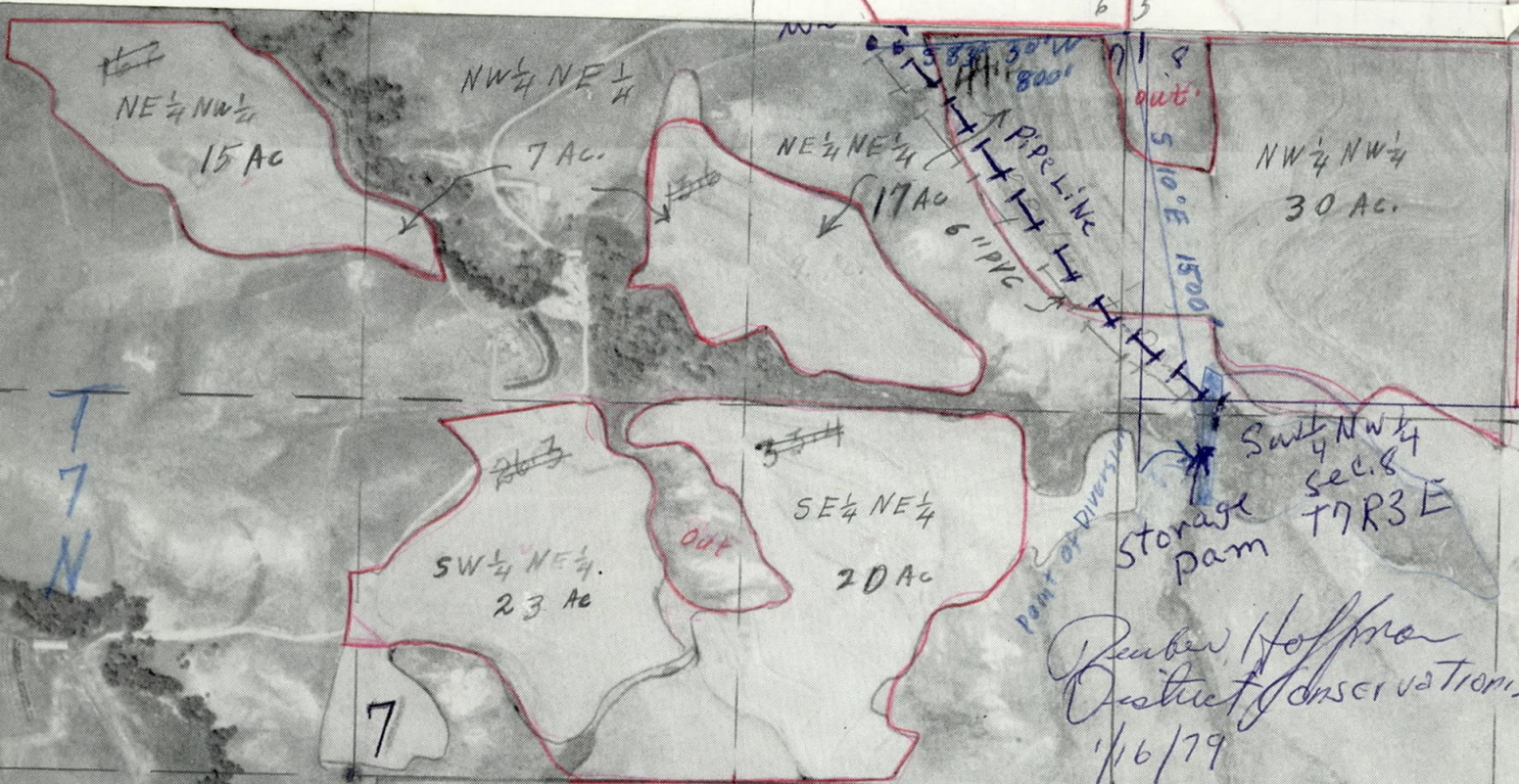
6

South Dakota
Cottonwood Creek
1/4 Sec. 8
1/4 Sec. 9
1/4 Sec. 10
1/4 Sec. 11

SE 1/4 SE 1/4
36 Ac

SE 1/4 SE 1/4
36 Ac

6 5



T
7
N

7

Reuben Hoffman
District Conservationist
1/16/79

R 3 E

Robert Ryther

7-3

56.3

MAP No. 993-1 (APPL. 1183-1)

SEE MAP 462-1
APP 545-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: MITCH O'CONNELL, 11257 194TH ST, ST ONGE, SD 57779 9709

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire has not been submitted for Permit No(s) 1183-1. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2009**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1183-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pd>

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

11834

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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 5794
Status: **Delivered**

Your item was delivered at 10:20 AM on January 24, 2009 in
SPEARFISH, SD 57783. The item was signed for by M O'CONNELL.

Track & Confirm

Enter Label/Receipt Number.

Notification Options

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Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

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No FEAR Act EEO Data

FOIA

Ask a Question
Contact UsAsk a Question
Contact Us

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 5794

MITCH O'CONNELL
11257 194TH ST
ST ONGE SD 57779 9709

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com[®]
or call 1-800-222-1811

☐ Priority Mail[™] Service
☐ First-Class Mail[®] parcel
☐ Package Services parcel



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2009

1183-1

Mitch O'Connell
11257 194th St
St Onge SD 57779 9709

Dear Mr. O'Connell:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 1183-1.

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

If you have any questions, please contact me.

Sincerely,

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

WATER RIGHTS PROGRAM – FILE DOCUMENTATION

NAME & ADDRESS: Susan O'Connell, 11257 194th St, St Onge SD

DATE: July 12, 2007

TELEPHONE: 605 642-7755

RE: Use of water under Water Right No. 1183-1

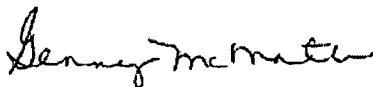
COMMENTS:

The 2006 irrigation questionnaire submitted by Mitch O'Connell indicated they had abandoned irrigation and used water for domestic purposes.

The water right authorizes a flowing well and storage dam (37 acre feet) for irrigation purposes. Mrs. O'Connell indicated they still water the shelter belt from the well but do not pump from the dam.

The dam is not currently receiving water from the well. She indicated the dam needs cleaning out to return it back to its original state. It still stores water but not like it used too. She said the neighbors have a cattle yard with runoff of manure that travels down the drainage and into their dam. She indicated the dam has gradually filled up with silt and manure to the point it no longer is capable of sustaining fish in it.

She said they would like to keep the water right. I told her that for now, we would leave the water right as it is until someone could come out and take a look at how much the well supplied for the shelter belt and how big the storage dam was. They may or may not need the water right depending on the storage capability of the dam and how much water is being used from the well. She said the well is capable of being valved down and they really only use it a few times during the summer for the trees. She said they would like to get the dam cleaned out and be able to at least use it for fishing.



Genny McMath
Water Rights Program



1183-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 21, 2011

NOTICE

TO: MITCH O'CONNELL, 11257 194TH ST, ST ONGE, SD 57779 9709

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire has not been submitted for Permit No(s) 1183-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 9, 2011**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1183-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2011**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

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Label/Receipt Number: 2303 2160 0000 0802 1123

Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 10:22 am on January 22, 2011 in SAINT ONGE, SD 57779. The item was signed for by M O'CONNELL.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 22, 2011, 10:22 am, SAINT ONGE, SD 57779
- Out for Delivery, January 22, 2011, 8:10 am, SPEARFISH, SD 57783
- Sorting Complete, January 22, 2011, 8:00 am, SPEARFISH, SD 57783
- Arrival at Post Office, January 22, 2011, 7:59 am, SPEARFISH, SD 57783

Notification Options

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No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 1123MITCH O'CONNELL
11257 194TH ST
ST ONGE SD 57779 9709

mailing.

Waiver of Signature ☐ YES ☐ NOPostmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 153, May 2002

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 4, 2011

1183-1

Mitch O'Connell
11257 194th St
St Onge SD 57779 9709

Dear Mr. O'Connell:

I am writing to acknowledge receipt of the information for your 2010 irrigation questionnaire. I completed a questionnaire for you that says you did not irrigate in 2010 due to enough natural moisture in the area.

You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right No. 1183-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



1183-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2012

NOTICE

TO: MITCH O'CONNELL, 11257 194TH ST, ST ONGE, SD 57779 9709

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire has not been submitted for Permit No(s) 1183-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 7, 2012**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1183-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 1, 2012

1183-1

Mitch O'Connell
11257 194th St
St Onge SD 57779 9709

Dear Mr. O'Connell:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 1183-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



1183-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2013

NOTICE

TO: MITCH O'CONNELL, 11257 194TH ST, ST ONGE, SD 57779 9709

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

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire has not been submitted for Permit No(s) 1183-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **8:30 am, March 7, 2013**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1183-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 20, 2013

1183-1

Mitch O'Connell
11257 194th St
St Onge SD 57779 9709

Dear Mr. O'Connell:

I am writing to acknowledge receipt of your 2012 irrigation questionnaire.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right No. 1183-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



1183-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

TO: MITCH O'CONNELL, 11257 194TH ST, ST ONGE, SD 57779 9709

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire has not been submitted for Permit No(s) 1183-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **9:00 am, March 6, 2014**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1183-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 3, 2014**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 3, 2014

1183-1

Mitch O'Connell
11257 194th St
St Onge SD 57779 9709

Dear Mr. O'Connell:

I am writing to acknowledge receipt of your 2013 irrigation questionnaire.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 1183-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

1183-1



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 28, 2021

1183-1

Mitch O'Connell
1040 N 10th St Apt M11
Spearfish SD 57783

Dear Mr. O'Connell:

Enclosed is a "Notice" dated October 22, 2021 concerning the 2021 irrigation questionnaire.

The notice was originally mailed to 11257 194th St, St Onge SD. The post office notified us that your address has changed, and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures

FILE DOCUMENTATION FOR WATER RIGHT NO. 1183-1

On December 13, 2021, an ownership change was filed for portions of the land described in the water right.

Based on the ownership change, Water License No. 1183-1 was divided and reissued as follows:

- **No. 1183A-1, Reggie and Sebrina Keil, 11257 194th St, St. Onge SD 57779** authorizing diversion of 0.74 cfs (shared diversion rate authority with License No. 1183B-1) from ground water (one well) located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7 to be diverted to a storage dam located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8 and diverted at a rate of 1.59 cfs to irrigate 112 acres within Sections 7 and 8, all in T7N, R3E.
- **No. 1183B-1, Mitch O'Connell, Spearfish SD 57783** authorizing diversion of 0.74 cfs (shared diversion rate authority with License No. 1183A-1) from ground water (one well) located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7 to be diverted to a storage dam located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8 and diverted at a rate of 0.51 cfs to irrigate 36 acres located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6, T7N, R3E.

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 1183B-1
(DIVISION OF NO. 1183-1 INTO 1183A-1 AND 1183B-1)

(1) Robert Ryther, St Onge SD was issued Water License No. 1183-1, May 31, 1982, for a water right to divert 2.10 cubic feet of water per second from ground water (one well – Minnelusa Formation) and a storage dam, Lawrence County, South Dakota for irrigation purposes. Water License No. 1183-1, carries priority dates of March 13, 1961 (well) and January 19, 1979 (storage dam), authorizing irrigation of 148 acres within Sections 6, 7 & 8, T7N, R3E.

On February 6, 2001, Water Right No. 1183-1 was transferred from Robert Ryther to Mitch O'Connell.

On December 13, 2021, an ownership change was filed for portions of the land described in the water right. Based on the ownership change, Water License No. 1183-1 is being divided and reissued as follows:

- **No. 1183A-1, Reggie and Sebrina Keil, 11257 194th St, St. Onge SD 57779** authorizing diversion of 0.74 cfs (shared diversion rate authority with License No. 1183B-1) from ground water (one well) located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7 to be diverted to a storage dam located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8 and diverted at a rate of 1.59 cfs to irrigate 112 acres within Sections 7 and 8, all in T7N, R3E.
- **No. 1183B-1, Mitch O'Connell, Spearfish SD 57783** authorizing diversion of 0.74 cfs (shared diversion rate authority with License No. 1183A-1) from ground water (one well) located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7 to be diverted to a storage dam located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8 and diverted at a rate of 0.51 cfs to irrigate 36 acres located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6, T7N, R3E.

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law and is entitled to divert 0.74 cfs (shared diversion rate authority with License No. 1183A-1) and an application rate of 0.51 cubic feet of water per second from a storage dam for the beneficial use of irrigation.

The diversion points are located as follows:

- Well – S 83°30' W 800 feet from the NE corner of Section 7, T7N, R3E (NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 7)
- Storage dam - S 10°E 1,500 feet from the NW corner of Section 8, T7N, R3E (SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 8)

The acreage irrigated is located as follows:

- Section 6, T7N, R3E SE $\frac{1}{4}$ SE $\frac{1}{4}$ 36 acres

continued

Water License No. 1183B-1

Page 2

(3) Pursuant to South Dakota Water Law 46-5-30.1 Mitch O'Connell, Spearfish SD 57783 the holder and/or owner of Reissued Water Right No. 1183B-1 is issued a license to appropriate water, the right to use 0.74 cubic feet of water per second (shared diversion rate authority with License No. 1183B-1) from ground water (one well) with a priority date of March 13, 1961 and 0.51 cfs from a storage dam with a priority of January 19, 1979 from the locations specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1183-1. Qualifications placed on No. 1183-1 at the time of permitting are as follows:

- Land covered under this Permit are also covered under Permit No. 545-1. Combinations of diversions under the two permits shall not exceed the statutory limit of 1 cfs for each 70 acres of land to be irrigated. *At the time of licensing, the applicable portions of Water Permit No. 545-1 were incorporated into Water License No. 1183-1.*
- Approval of No. 1183-1 authorizes storage of 37 acre feet of water annually.
- The well permitted under Permit No. 545-1 must be valved and closed when water is not being stored or used for irrigation purposes. *(The qualification originally pertaining to No. 545-1 carried over to No. Incorporated Water License No. 1183-1.)*
- The well appears to be in an artesian basin having limited supplies. Restrictions as to flow and time of flow may be made by the Commission (*now the Water Management Board*) to protect prior water rights.

Eric Gronlund

Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

AUG 03 2022

date

