

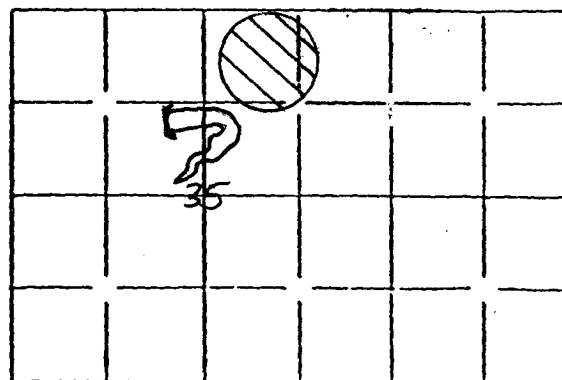
Considered: _____

WATER PERMIT NO. 1482-1MAP No. same 347-3717Name of Applicant Ronny J. CasteelPost Office Address RR 1, Box 54, Vale SD 57788Amount of Water Claimed 1.14 cfs Total Acres 40Source of Water Supply dam - runoff & waste water from ProjectWater to be used for irrigation County ButteAbout 10 miles SE of Newell

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received 12/12/89 Fee 150⁰⁰ Remarks _____Corrected Application Received _____ Period of Annual Use May 1 - Oct 31WATER QUALITY APPROVAL RECEIVED 1/24/90 APPROVED/CONDITIONAL (Circle one)WI-1 Description same as Application YES NO REMARKS one extra acre inSW 1/4 NE 1/4 35-8-6EDiversion Point dam: SE 1/4 NW 1/4 section 35-T8N-R6ELand to be Irrigated N 1/2 NE 1/4, SW 1/4 NE 1/4section 35-T8N-R6EWell Log: Driller NA Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map aerial photo PREPARED BY Thomas Verhelst Reviewed and the Numberassigned on Mar 9, 1990 By Ron Darvall

**SOUTH DAKOTA
WATER PERMIT No. 1482-1 FOR IRRIGATION**

Date of first receipt of application December 12, 1989.

Date Soil/Water Compatibility Permit received January 24, 1990.

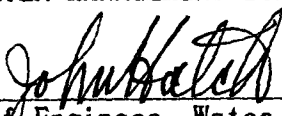
The Water Management Board approved Water Permit Application No. 1482-1 on May 23, 1990 for Ronny J. Casteel, RR#1 Box 54, Vale, SD 57788 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1482-1 authorizes appropriation of 0.59 cubic feet of water per second from a storage dam (30.6 acre feet storage capacity) to irrigate 41 acres. Surface runoff and return flows from the Belle Fourche Irrigation Project will be impounded by the dam located in the SE1/4 NW1/4, SW1/4 NE1/4 Section 35 T8N-R6E. The acreage to be irrigated is located in the N1/2 NE1/4, SW1/4 NE1/4 Section 35 T8N-R6E.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - October 31.
3. The date from which applicant may claim right is December 12, 1989.
4. One-fifth of the construction is to be completed on or before November 23, 1992.
5. All construction is to be completed on or before May 23, 1995.
6. Water is to be put to beneficial use on or before May 23, 1999.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Approval of Permit No. 1482-1 limits the diversion rate from the dam to 0.59 cfs (263 gpm).
4. Approval of Permit No. 1482-1 authorizes storage of up to 30.6 acre feet annually.

WATER MANAGEMENT BOARD

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

JUL 10 1990

(date)

(See instructions)

No. 1482-1 Hydrologic Unit 10120202
Basin Belle Fourche River
Newspaper Butte Co. Valley Irrigator, Box 67
(City) Butte (State) SD (Zip) 57768

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
- ☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
- ☐ Add Acreage ☐ Increase diversion rate ☐ Other _____
1. Applicant Ronny T. Castek Phone No. (605) 347-3717
- Post Office Address RR #1 Box 54 (Street, RR or Box) Vale (City) State S. Dak. Zip Code 57788
2. Amount of water claimed (c.f.s) 2.29 1.14 Total acres irrigated -40 Acres 41
3. Source of Water supply Water Storage Dam
4. Location of point of diversion 1584' South & 2442' West of the NE Corner of
Section 35, T8N-R6E dam location: SE 1/4 NW 1/4 Sec 35-T8N-R6E
County BUTTE CO.
5. Counties where water will be used Butte
6. Annual period during which water is to be used May 1 thru October 31
7. 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.
NW 1/4, NE 1/4 Sec 35, T8N-R6E	30
NE 1/4, NE 1/4 Sec 35, T8N-R6E	10
SW 1/4 NE 1/4 Sec 35-T8N-R6E	1

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: Alfalfa & Corn
10. Give a description of proposed project. (Attach sheet if more space is needed)
Plan to pump out of existing dam that catches runoff water and
Irrigation waste water. Pump will serve a center pivot system
located approximately 1120' to the northwest.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Butte)^{ss}

I, Ronny T. Castek, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Ronny T. Castek

Subscribed and sworn to before me this 8 day of Dec 19 89

James A. Anderson
Notary Public
Comm Exp. 9-18-93

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411983

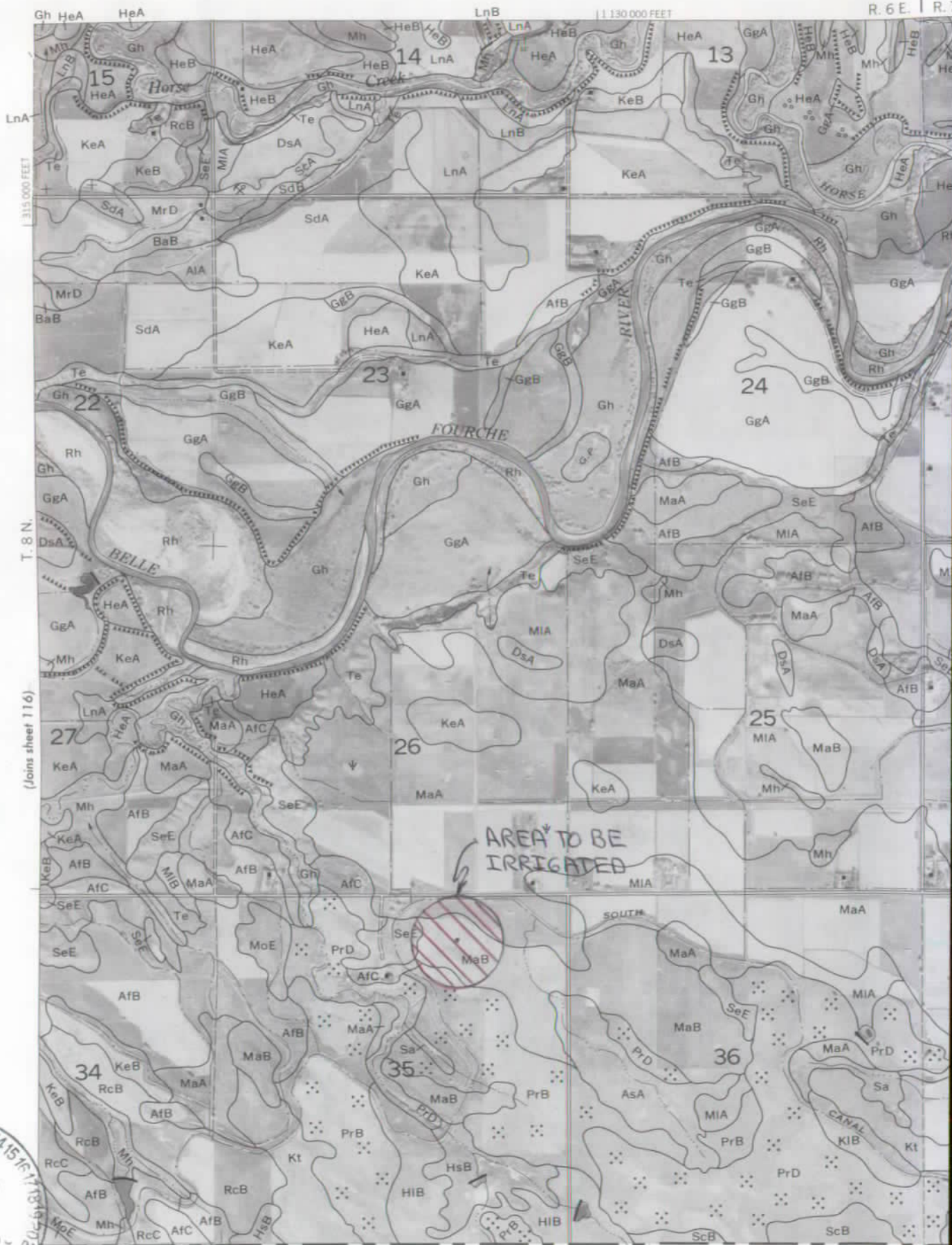
Pierre, _____, December 12, 19__99

RECEIVED OF Ronny Casteel RR #1 Box 54, Vale SD 57783

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

Fee for Application for Permit No. <u>1472-1</u> to Appropriate Water, to construct works 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. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	150 00

By John Hatch
Chief Engineer [Signature]



BUTTE COUNTY, SOUTH DAKOTA NO. 117

This map is one of a set compiled in 1974 as part of a soil survey by the United States Department of Agriculture, Soil Conservation Service and the South Dakota Agricultural Experiment Station. Photobase from 1971 aerial photography. Positions of 10,000-foot grid ticks are approximate and based on the South Dakota coordinate system, north zone. Land division corners are approximately positioned on this map.

T. 8 N.

(Joins sheet 116)



Ron Casteel

1365



NOT TO SCALE

T1283



MAP PREPARER: Thomas D. Ver Helst
Ag. Engineer-SCS
Thomas D. Ver Helst

Appl. No. 1482-1

Supplemental Information

(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 Thickness _____ 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. Dugout Information Estimates

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

3. Water Storage Dams

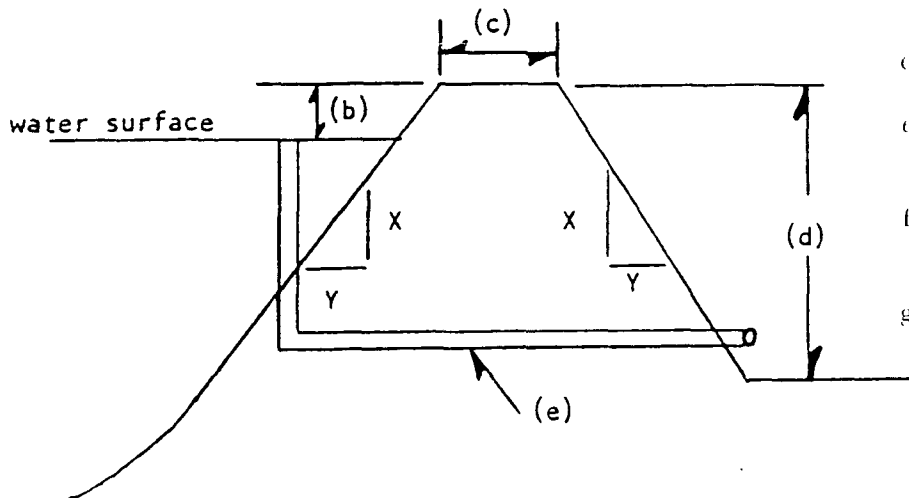
If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

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

Soil Conservation Service

HCR 30 Box 36

Belle Fourche, SD 57783



- b) Freeboard 1.0'
- c) Crest Width 15'
Crest Length 200'
- d) Height 20'
- e) Primary Outlet Capacity 21" CMP 25 CFS
If Pipe, diameter 21" CMP
- f) Secondary Spillway Capacity 230 CFS
Spillway width 40'
- g) X & Y Slope
Upstream 3:1
Downstream 2:1
- Surface Area of Impoundment 5.1
- Storage 30.6 acre feet
- Drainage area above dam 320 Ac.

Penny J. Castel
Signature of Applicant

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

WR#

OWNERS NAME: _____ OWNERS ADDRESS: _____

COUNTY LAND LOCATED IN: _____ PHONE: _____

LEGAL DESCRIPTION:

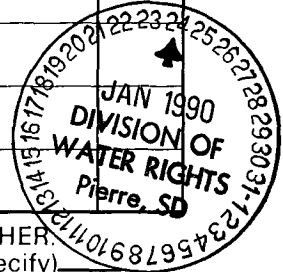
☐ Well

☐ Surface

1. LOCATION _____

Depth _____

Legal Description	Acres	Legal Description	Acres



2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: _____ (Specify)

3. CROPS TO BE IRRIGATED: _____

WATER QUALITY:

4. WATER SAMPLE NUMBER: _____ 7. ADJUSTED (SAR): _____

5. SALINITY (EC X 10⁶): _____ 8. PERCENT SODIUM: _____

6. SODIUM (SAR): _____

Requirements:

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

WAIVER

REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

NAME OF PERSON OR FILE: RON CASTEEL

ADDRESS: RR1, BOX 54 VALE, SD COUNTY BUTTE

DATE: 3-23-90 TELEPHONE _____

RE: IRRIGATION APPLICATION USING STORAGE DAM

COMMENTS:

TALKED TO TOM VER HELST WITH SCS OFFICE
IN BELLE FOURCHE ABOUT THE DAM FOR
APP. #1482-1. HE GAVE THE FOLLOWING
ADDITIONAL INFORMATION ON THE DAM:

1) STORAGE CAPACITY (30.6 A-F) WAS TAKEN
TO THE EMERGENCY SPILLWAY ELEVATION

2) THE STORAGE CAPACITY AT THE CREST
OF THE DAM (W/SURFACE AREA = 5.1 A)
IS APPROXIMATELY 40.8 A-F BASED
ON $(\text{AREA}) \times (\text{DEPTH}) \times (0.4)$

— 0.4 FACTOR IS FOR U-SHAPED CHANNEL —

THE PURPOSE OF THE CALL WAS TO DETERMINE
WHETHER OR NOT THE SAFETY OF DAMS
RULES APPLY TO THIS STRUCTURE.

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

NAME: Bo Jensen

REPORT ON APPLICATION NO. 1482-1
Ronny J. Casteel
March 19, 1990

Application No. 1482-1 proposes to appropriate 1.14 cubic feet of water per second (cfs) from a storage dam (30.6 acre-feet storage capacity) to irrigate 41 acres. Surface runoff and return flows from the Belle Fourche Irrigation Project will be impounded by the existing dam located in the SE1/4 NW1/4, SW1/4 NE1/4, section 35, T8N, R6E, Butte County, SD. The acreage to be irrigated is located in the N1/2 NE1/4, SW1/4 NE1/4, section 35, T8N, R6E.

DISCUSSION

The dam that is proposed for use in this application was constructed approximately 15 years ago. The embankment height is 20 feet and its storage capacity is 40.8 acre-feet with a pool elevation at the top of the dam. The primary spillway is a 21 inch diameter corrugated metal pipe with a capacity of 25 cfs. The grassed secondary spillway is 40 foot wide and has a capacity of 230 cfs. The structure does not fit the Safety of Dams definition of a dam in ARSD 74:02:08 (7). This defines a dam as "..... 25 feet or more in height or has an impounding capacity at maximum water storage elevation of 50 acre-feet or more.....". It is therefore exempt from spillway capacity requirements.

The structure will impound precipitation runoff from a 320 acre drainage basin. In addition, it will collect runoff that originates from irrigation waste water of the Belle Fourche Irrigation Project. These return flows, however, are not a dependable source of water. The impounded water will be applied by a center pivot irrigation system at a diversion rate of 1.14 cfs (510 GPM) to irrigate 41 acres. This exceeds the statutory diversion limitation of 1 cfs per 70 acres of irrigated land.

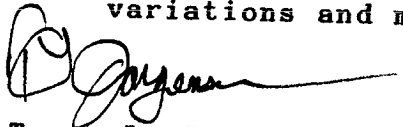
REVIEW OF AREA WATER RIGHTS

Some of the adjoining land uses water from the Belle Fourche Irrigation Project. The irrigated acreage in this application, however, lies outside the Project's boundaries and does not receive water from the Project for irrigation. The structure has impounded water for 15 years with no complaints and should not affect any area water rights.

CONCLUSIONS

1. Application No. 1482-1 should not adversely affect area water rights.

2. The diversion rate should be limited to 0.59 cfs (263 GPM) as provided for in statute.
3. The amount of water available for diversion from surface runoff and irrigation return flow is subject to seasonal variations and may not be dependable sources of water.



Terry L. Jorgensen
Natural Resources Engineer
Division of Water Rights

Approved by:



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

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1482-1, Ronny J Casteel

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1482-1, Ronny J Casteel, RR 1, Box 54, Vale SD.

The Chief Engineer is recommending APPROVAL of Application No. 1482-1 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) in the public interest with the following qualifications:

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Approval of Permit No. 1482-1 limits the diversion rate from the dam to 0.59 cfs (263 gpm).
4. Approval of Permit No. 1482-1 authorizes storage of up to 30.6 acre feet annually.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
March 20, 1990



Department of Water & Natural Resources

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

April 9, 1990

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

Ronny J. Casteel
RR #1 Box 54
Vale, SD 57788

Dear Mr. Casteel:

Water Permit Application No. 1482-1 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Butte Co. Valley Irrigator printed at Newell. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

A handwritten signature in cursive script that reads "Eric S. Gronlund".

Eric S. Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

April 9, 1990

Butte Co. Valley Irrigator
Box 67
Newell, SD 57760

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 1482-1 to be published twice. Please publish the first notice on or before April 19, 1990 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Ronny J. Casteel, RR #1 Box 54, Vale, SD 57788.

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

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric S. Gronlund

Eric S. Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on or before April 19, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1482-1 to Appropriate Water

Notice is given that Ronny J. Casteel, RR #1 Box 54, Vale, SD 57788 has filed an application for a water permit to appropriate 1.14 cubic feet of water per second from a storage dam (30.6 acre-feet storage capacity) to irrigate 41 acres. Surface runoff and return flows from the Belle Fourche Irrigation Project will be impounded by the existing dam located in the SE1/4 NW1/4, SW1/4 NE1/4 Section 35-T8N-R6E. The acreage to be irrigated is located in the N1/2 NE1/4, SW1/4 NE1/4 Section 35-T8N-R6E.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1482-1 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. This application will be considered by the Water Management Board in the Pelican Room, Ramkota Inn, Hwy 212, Watertown, SD on May 23, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by May 11, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by May 11, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Butte) ss.

I, Sharon Allison

certify that the attached printed Notice was taken
 from the Butte County Valley Irrigator

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

City Newell of Newell

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

April 18, 1990

April 25, 1990

Sharon Allison
 (Signature)

Billing Clerk
 (Title)

April 18, 1990
 (Date Signed)

Cost of Printing: 18.65

least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by May 11, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Published Wed., April 18, 1990
 and Wed., April 25, 1990
 Butte Co. Valley Irrigator
 Newell, South Dakota 57760

NOTICE OF HEARING
 on Application No. 1482-1 to
 Appropriate Water

Notice is given that Ronny J. Casteel, RR No. 1 Box 54, Vale, SD 57788 has filed an application for a water permit to appropriate 1.14 cubic feet of water per second from a storage dam (30.6 acre-feet storage capacity) to irrigate 41 acres. Surface runoff and return flows from the Belle Fourche Irrigation Project will be impounded by the existing dam located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35-T8N-R6E. The acreage to be irrigated is located in the N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35-T8N-R6E.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1482-1 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. This application will be considered by the Water Management Board in the Pelican Room, Ramkota, Inn, Hwy 212, Watertown, SD on May 23, 1990 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by May 11, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre, SD 57501 (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at



Department of Water & Natural Resources

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

JUL 10 1990

Ronny J Casteel
RR 1, Box 54
Vale SD 57788

Dear Mr. Casteel:

Enclosed is Water Permit No. 1482-1 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

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

enclosures

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 1993

NOTICE

TO: RONNY J CASTEEL
RR 1 BOX 4A
VALE SD 57788

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 1482-1

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 1482-1. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1482-1 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1482-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

RONNY J CASTEEL
RR 1 BOX 4A
VALE SD 57788

4a. Article Number

P906 560 196

4b. Service Type

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

7. Date of Delivery

2-1-93

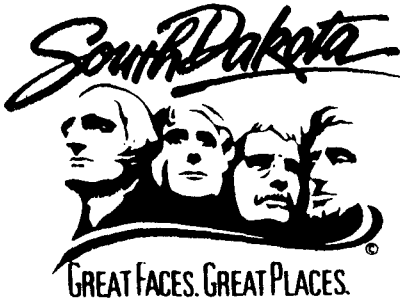
5. Signature (Addressee)

Rhonda Casteel

6. Signature (Agent)

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

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 26, 1993

1482-1

Ronny J Casteel
RR #1 Box 4A
Vale, SD 57788

Dear Mr. Casteel:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire for Water Permit No. 1482-1. You may disregard the January 29, 1993, **Notice of Violation of Water Permit.**

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

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352



1482-1

January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: RONNY J CASTEEL, RR 1 BOX 4A, VALE, SD 57788

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Water Permit No(s) 1482-1

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 1482-1. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1482-1 qualification:

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

The hearing will be held at 9:45 am, March 6, 1996 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1482-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
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- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

RONNY J CASTEEL
RR 1 BOX 4A
VALE SD 57788

4a. Article Number

2161984023

4b. Service Type

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

7. Date of Delivery

5. Received By: (Print Name)

R. J. Casteel

6. Signature: (Addressee or Agent)

X

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

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 14, 1996

1482-1

Ronny J Casteel
RR 1 Box 4A
Vale, SD 57788

Dear Mr. Casteel:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, **Notice of Violation of Water Permit No. 1482-1.**

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 1998

1482-1

Ronny J. Casteel
RR 1, Box 4A
Vale, SD 57788

Dear Mr. Casteel:

The investigation of your water use system was conducted on August 12, 1997, by Ron Duvall, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1482-1. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 20, 1998

Permit No. 1482-1

REMINDER NOTICE

TO: Ronny J. Casteel
RR 1, Box 4A
Vale, SD 57788

FROM: John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Water License/Investigation Fee Requirement

On January 16, 1998, we advised you that a \$50.00 fee is due for the completed investigation of Water Permit No. 1482-1. The fee also covers issuance of your water license which is the final document in obtaining and perfecting a water right.

To date, we have not received the \$50.00 fee; therefore, we can not issue the water license. Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by any permit requirements.

Please remit the fee as soon as possible to obtain your water license. In addition, South Dakota water law does not allow water to be diverted until the license fee is paid. To avoid jeopardizing your ability to use water, please send the fee to the following address:

Department of Environment and Natural Resources
Water Rights Program
523 E Capitol
Pierre SD 57501-3181

Thank you for your prompt response. If you have any questions or believe our records are in error, please contact Genny McMath at (605) 773-3352.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Ronny J. Casteel
RR 1, Box 4A
Vale, SD 57788

1482-1

4a. Article Number

Z 119 141537

4b. Service Type

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

5. Received By: (Print Name)

L

7. Date of Delivery

5-22-98

6. Signature: (Addressee or Agent)

Ronny Casteel

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

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 17, 1998

THIRD NOTICE
Permit No. 1482-1

**NOTICE OF ORDER TO STOP DIVERTING WATER
UNDER PERMIT NO. 1482-1 FOR
FAILURE TO SUBMIT WATER LICENSE INSPECTION FEE**

Ronny J. Casteel
RR 1, Box 4A
Vale, SD 57788

Dear Mr. Casteel:

On January 16, 1998, and May 20, 1998, you were notified the final inspection fee of \$50.00 is due before Water License No. 1482-1 can be issued. To date, the fee has not been received.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Pursuant to SDCL 46-2-17 and 46-2-18, you are ordered to stop diverting any water authorized by Permit No. 1482-1 until the \$50.00 fee is paid. Please remit the License fee to the Department of Environment and Natural Resources, Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

1482-1

Ronny J. Casteel
RR 1, Box 4A
Vale, SD 57788

4a. Article Number

P 422 707 490

4b. Service Type

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

7. Date of Delivery

11-18-98

5. Received By: (Print Name)

L

6. Signature: (Addressee or Agent)

X 

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

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 415934

Pierre, _____ December 4, 19 98

RECEIVED OF Ronny or Rhonda Casteel, Rt 1, Box 4A, VAle, SD 57788
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. 1482-1

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Chief Engineer

John Hatcher

Permit No. 1482-1
Belle Fourche 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, **August 12, 1997**, made a thorough examination of the water use system constructed by **Ronny J Casteel** of **RR 1 Box 54, Vale SD 57788** holder of Permit No. **1482-1**, bearing the priority of **December 12, 1989** authorizing the diversion of **0.59** cu. ft. per second and storage of **30.6** acre-feet of the waters of **dry draw runoff and return flows from the Belle Fourche Irrigation Project** for **irrigation** purposes, in **Butte** County.

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

A. Works used to divert/store water:

Dam Information:

- | | |
|--|--------------------------------------|
| 1) Height to crest 20 feet | 4) Crest length 200 feet |
| 2) Height to primary spillway 16 feet | 5) Spillway size 21" CMP |
| 3) Crest width 15 feet | 6) Approx. storage 30.6 ac-ft |

The dam has a severe erosion problem around the drop inlet. Water is flowing along the outside of the pipe and exiting on the downstream side of the dam. Failure of the dam may eventually occur if repairs are not made to the drop inlet. A county road is located approximately 0.4 miles downstream with no dwellings noted in the channel.

The system is in the following condition **poor**. The point of diversion is located **Dam: 1,500 feet S and 2,300 feet E from the NW corner section 35-T8N-R6E (SE¼NW¼)**. The works are capable of storing **30.6** acre-feet of water which is to be used for **livestock watering**. Water has been put to beneficial use to the maximum extent and the license should be issued for **30.6** acre-feet of storage.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: **none** Date report completed: **December 22, 1997**



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

*Permit No. 1482-1 was issued for irrigation. According to Mrs. Casteel, the acreage is no longer irrigated but the dam is maintained for stock watering (see attached file documentation dated Dec 22, 1997). Therefore the irrigation questionnaire qualification is no longer applicable.

FIELD INVESTIGATION REPORT FOR PERMIT NO. 1482-1

DATE OF INVESTIGATION	August 12, 1997
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Spouse of Ronny Casteel
NAME & ADDRESS OF PERMIT HOLDER	Ronny J Casteel RR 1 Box 54 Vale SD 57788
DIVERSION POINT LEGAL LOCATION	Dam: 1,500 feet S and 2,300 feet E from the NW corner section 35-T8N-R6E (SE$\frac{1}{4}$NW$\frac{1}{4}$)

Other permit(s) associated with the project: none

DAM INFORMATION:

- 1) Height to crest 20 feet
- 2) Height to primary spillway 16 feet
- 3) Crest width 15 feet
- 4) Crest length 200 feet
- 5) Spillway size 21" CMP
- 6) Approx. storage 30.6 ac-ft

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y

Licensing of Irrigation Water Permit for Stock Watering

NAME: Ronny J. Casteel

ADDRESS: RR 1 Box 54, Vale SD 57788

DATE: December 22, 1997 **COUNTY:** Butte

AUTHORITY

Pursuant to SDCL 46-5-31.1, if permitted irrigation use from a storage dam is abandoned or forfeited but the storage dam is used for stock watering, stock watering may be added to the license or permit upon the request of the permit or license holder.

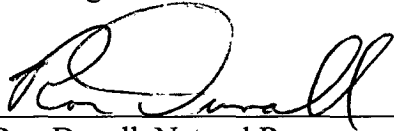
REQUEST

On August 11, 1997, Mrs. Casteel confirmed that the irrigation portion of the permit was not developed but that the dam is being used for stock watering. Mrs. Casteel indicated that the permit should be retained for stock watering.

The existence of the dam predates approval of the original permit. There is no record in the file of water use complaints concerning this dam.

RECOMMENDED ACTION

Based on the above request, it is recommended that the water license be issued for stock watering.



Ron Duvall, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-31.1 that:

This addition of stock watering does not impair existing water rights and no diversion of water will be made from the stock dam. Licensing of the water permit for stock watering may occur without application or publication pursuant to SDCL 46-2A-4.



John Hatch, Chief Engineer
Water Rights Program

12-21-98

[illegible]

35

1500'

2300'

41.9

35

N

1"=660'

D. J. Small
Natural Resources Engineer
12/22/97

No. 1482-1

[illegible]

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1482-1

(1) Ronny J Casteel, Rt 1 Box 4A, Vale SD 57788 made Application No. 1482-1, December 12, 1989 for a water permit to divert 0.59 cubic feet of water per second from runoff and return flows from the Belle Fourche Irrigation Project into a dam (30.6 acre-feet storage capacity), Butte County, South Dakota for irrigation purposes. Permit No. 1482-1, with a priority date of December 12, 1989 was approved March 23, 1990 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 23, 1995 and for the application to beneficial use of said water on or before May 23, 1999.

An investigation of Water Permit No. 1482-1 found the irrigation use to be abandoned and/or forfeited. Pursuant to SDCL 46-5-31.1, the Chief Engineer makes a finding that the existing water rights will not be impaired provided no diversions are made from the storage dam.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the storage dam and is entitled to impound 30.6 acre-feet of water for beneficial use. The location of the storage dam (spillway) is 1,500 feet south and 2,300 feet east from the northwest corner of Section 35-T8N-R6E (SE 1/4 NW 1/4).

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

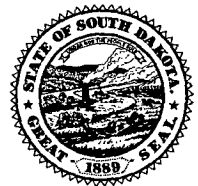
(4) Pursuant to South Dakota Water Law 46-5-30.1 Ronny J Casteel, RR 1 Box 4A, Vale SD 57788 the holder and/or owner of Water Right No. 1482-1 is issued a license to appropriate water, the right to impound 30.6 acre-feet of water in a storage dam from runoff and return flows from the Belle Fourche Irrigation Project with a priority date of December 12, 1989 from the location specified in (2) of this license for livestock watering. This license is subject to any limitations or qualifications listed in Water Right No. 1482-1 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 19 1999

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 19 1999

Ronny J Casteel
Rt 1 Box 4A
Vale SD 57788

Dear Mr. Casteel:

Enclosed is Water License No. 1482-1 and receipt for \$50.00 which was assessed for the investigation and issuance of the license. Water License No. 1482-1 is the final document which completes the process of obtaining a water right.

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.

Please note at the time of investigation, Ron Duvall, engineer with this office found the dam had a severe erosion problem around the drop inlet. Water was flowing along the outside of the pipe and exiting on the downstream side of the dam. Failure of the dam may eventually occur if repairs are not made to the drop inlet.

Very truly yours,

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

ks

enclosures