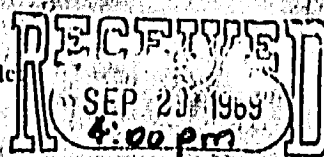


No. 1001-2

Water Division to 2 Little White 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 Jimmie H. O'Neill
Postoffice address Harrington, County Bennett, State South Dakota

I. If a corporation ---

(a) Name of same ---

(b) Date and place of incorporation ---

(c) Amount of capital stock ---

(d) Amount paid in ---

(e) Names and addresses of directors ---

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Direct Labor

(b) Cash on hand, \$ ---

(c) Treasury stock, \$ ---

(d) Bonds to be issued, \$ ---

(e) Other resources, \$ ---

2. Name of diversion work Jimmie H. O'Neill Irrigation Project3. Amount of water claimed 2.28 cubic feet per second 1000 gpm4. Source of water supply well5. Location of point of diversion S 33° 30' W, 1581 FEET FROM N 1/4 COR. SECTION 20, T37N, R33W on --- bank Bennett County.6. Annual period or periods during which water is to be used APRIL THRU OCTOBER

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? SPRINKLER(a) Number of acres to be irrigated 160.0 acres. Sod. 20, T37N, R33W 6th PM(b) Legal subdivisions to be irrigated Pt. NW 1/4 & SW 1/4 - 52 ac.
Pt. NW 1/4 & SW 1/4 - 28 ac. All E 1/4 - 80 ac.

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) ---

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use ---
Name any of the above uses claimed

(b) Amount of power to be generated --- horse power.

Amount claimed for engine cooling ---

(c) Location of plant ---

(d) Method of developing power ---

(e) Point where water will be returned to stream 1/4 mile 75'100' well

MAP NO 868-2

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36", Depth 190'Type of casing CONCRETE
(wood, concrete, steel, etc.)Size of casing 18", Thickness of casing 2"Length of casing 190'. If collection gallery, length, size and depth of gallery _____

(b) Screens

Type of perforated screen Porous CONCRETESize of perforated screen 18"
(diameter) (length)Thickness of gravel pack 6", length of gravel pack 190'

(c) Water Bearing Materials

Distance to water 100' Character of water bearing materials _____SAND - FINE TO MEDIUMThickness of water bearing material 130'

(d) Pump and Motor

Type of pump _____
(centrifugal, propeller, mixed flow, etc.)

Name of pump _____, size _____

Kind of motor _____
(gasoline, electric, diesel, etc.)

Horsepower _____, Name of Motor _____

(e) Complete well

Capacity 850-900? at drawdown of _____ Estimated cost _____(f) Owner of land upon which well is located Minnie H. O'Neill
NameHarrington, South Dakota

Address

(g) Distance to nearest existing wells

On same owner's property NONE rods. On property owned by others 1 MILE rods
1/4 mile 75' 100' well

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal earth, \$..... Rock, \$.....
 (e) Other structures \$..... Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....material used in construction.....

(b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE-Feet CAPACITY

(c)* Head gate: Width.....feet; height.....feet;
 Material

(d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work5.....years.

11. Time required for complete application of water to the proposed beneficial use4.....years.

12. Choice of newspaper for publication of notice of intention to appropriateBENNETT COUNTY BOOSTER, MARTIN, S. DAKA.....

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

I, Orlando H. C. Hill, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

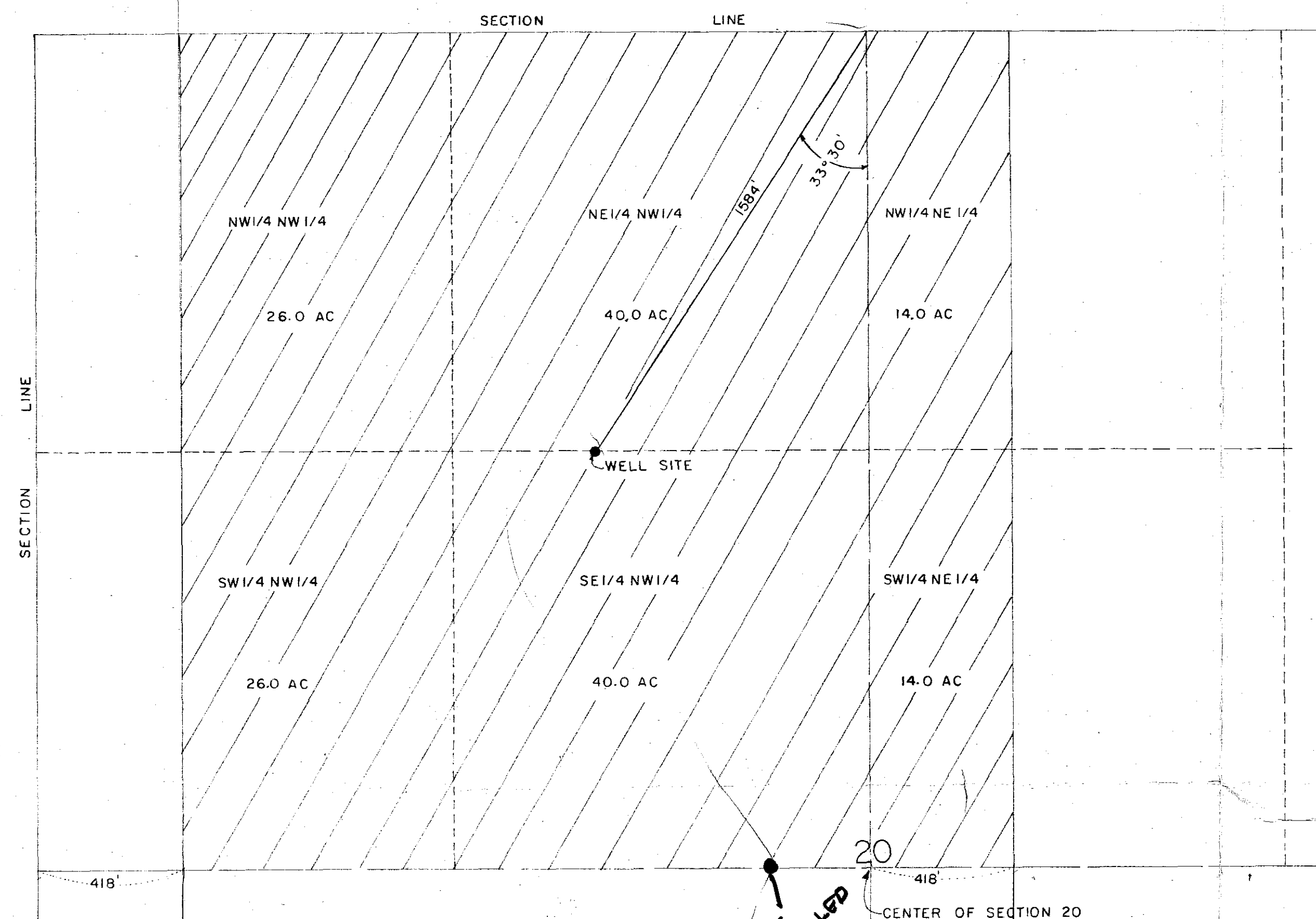
Signed

Orlando H. C. Hill

Subscribed and sworn to before me this29th..... day ofSeptember..... 1969.

Notary Public (or other qualified officer.)

2000.000.000.000



SCALE 3" = 2640'

= LAND TO BE IRRIGATED

LOCATION	SECTION	TWP.	RANGE	ACRES
NW 1/4 NE 1/4	20	37 N	33 W	14.0
NE 1/4 NW 1/4	20	37 N	33 W	40.0
NW 1/4 NW 1/4	20	37 N	33 W	26.0
SW 1/4 NW 1/4	20	37 N	33 W	26.0
SE 1/4 NW 1/4	20	37 N	33 W	40.0
SW 1/4 NE 1/4	20	37 N	33 W	14.0
TOTAL				160.0

ENGINEER'S CERTIFICATE

I, GEORGE FULLERTON, A SOUTH DAKOTA REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR 1121, CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT DELINEATION OF AN IRRIGATION WELL SITE LOCATED IN THE NW 1/4 SEC 20 T 37 N R 33 W OF THE 6TH P.M. BENNETT COUNTY, SOUTH DAKOTA. THE ABOVE DESCRIBED LAND BEING OWNED BY JIMMIE O'NEILL.

DATED 4-9, 1968.

GEORGE FULLERTON PE - LS - 1121

ACKNOWLEDGEMENT

STATE OF NEBRASKA) SS
 COUNTY OF CHERRY)

ON THIS 9th DAY OF April, 1968, BEFORE ME, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AND FOR SAID COUNTY, APPEARED GEORGE FULLERTON WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME AND HE ACKNOWLEDGED THE SIGNING OF SAID ENGINEER'S CERTIFICATE TO BE HIS VOLUNTARY ACT AND DEED. WITNESS MY HAND AND OFFICIAL SEAL THE AFORESAID DATE.

NOTARY PUBLIC

MY COMMISSION EXPIRES: June 2, 1973

Remarks by State Water Resources Commission:

----- The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. -----
----- The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells. -----

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, NOVEMBER 21, 1969

This is to certify that the foregoing application was received by the Commission at 4:00 o'clock

P.m. upon the 29TH day of SEPTEMBER, 1969

State Water Resources Commission

By:

Durton Jones
for Chief Engineer, Executive Officer

Number of permit 1001-2

Date of first receipt of application SEPTEMBER 29, 1969

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right SEPTEMBER 29, 1969

Approved NOVEMBER 12, 1969 Recorded in Book 11 Page 56

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

MAY 12, 1972

2nd. The whole of said work is to be completed on or before NOVEMBER 12, 1974

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

NOVEMBER 12, 1978

4th. The water appropriated shall be used for the purpose of IRRIGATION

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 2.28 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 NOVEMBER 12, 1978; said water to be used during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this 21ST day of NOVEMBER, 1969.

State Water Resources Commission

By:

W. C. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 3, 1974

Water License Issued SEPTEMBER 3, 1974

WATER LICENSE NO. 1001-2

(1) WHEREAS, On the 29th day of September A. D. 19 69
Jimmie O'Neill

made Water Right Application No. 1001-2 for a permit to use 2.3 cubic feet per second of the waters
of ground water

County of Bennett, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 21st day of November A. D. 19 69

Permit No. 1001-2, with a date of priority of September 29, 1969

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 10th day of November A. D. 19 74 and for the

application to beneficial use of said water on or before the 12th day of November A. D. 19 78

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 1.66 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.

for irrigating a 135 acre circle in portions of the NW $\frac{1}{4}$ and W $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 20, T37N, R33W

(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 Jimmie O'Neill

of Harrington, S.D.

the holder _____ and owner _____ of said permit No. 1001-2 a water right, dating from September 29, 1969

to use of 1.66 cubic feet per second of the waters of ground water

in the County of Bennett and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at _____

a point approximately 330 ft. West of the Center, Section 20, T37N, R33W

and conduct to and upon a 135 acre circle in portions of the NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$,
Section 20, T37N, R33W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1001-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this erd day of September A. D.
Nineteen Hundred and Seventy-four

WATER RESOURCES COMMISSION

by:

Chief Engineer, Executive Officer DONALD DRISCOLL

Form 15.

Permit No. 1001-2

Water Diversion No. 2 LITTLE WHITE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Jimmie O'Neill

_____ the holder _____ of
Permit No. 1001-2, issued upon Application No. 1001-2, bearing date of priority of September 29,
1969 authorizing the diversion of 2.3 cu. ft. per second of the waters of _____
ground water County of Bennett, State of South Dakota at _____
a point approximately 330 ft. West of the Center, Section 20, T37N, R33W
_____, for irrigation

_____ purposes, has _____ complied 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. 1.66 cu. ft. per second of water.

Date September 3, 1974

By: WATER RIGHTS COMMISSION

DONALD DRISCOLL, Chief Engineer

Form 66 - Notice of Intent to Appropriate Water

o. 1001-2

Publish first publication, on or before October 16, 19 69

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 30, 19 69

Notice is hereby given that Jimmaie H. O'Neill
whose post office address is Harrington, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
2.28 cubic feet of water per second of time from the ground water through the
Jimmaie O'Neill Irrigation Project, the point of diversion of which is to be located in the _____

NE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 20, Twp. 37N, Range 33W. Said water to be used for the purpose
of providing irrigation all or portions of the following described land:

NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 20, T37N R33W

This application No. 1001-2 will be considered by the Water Resources Commission at their office at
Pierre upon the 12th day of November, 19 69, at 2:00 P.M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

cc: Jimmaie H. O'Neill, Harrington, S.D.

By:

BURTON F. JONES
Water Rights Specialist

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

No. 1001-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bennett) ss.

I, Mary E. Long hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Bennett county Booster II

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

City of Martin

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

October 9, 1969

October 16, 1969

October 23, 1969

October 30, 1969

Mary E. Long
(Signature)

owner

(Title)

November 20, 1969

(Date Signed)

RECEIVED
NOV 21 1969

STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

Permit No. 1001-2Water Division 2 LITTLE WHITE RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Jimmie
O'NEILL of HARRINGTON holder
of Permit No. 1001-2, bearing date of priority of SEPTEMBER 29, 1969
authorizing the diversion of 2.3 cu. ft. per second of the waters of GROUND WATER
for IRRIGATION purpose, in BENNETT 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:

185' DEEP WELL WITH 18" CONCRETE CASING
WESTERN LAND ROLLER 8" PUMP, POWERED BY
ALLIS CHALMERS #3500 DIESEL MOTOR.

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

1400' OF 8" BURIED PLASTIC PIPE TO PIVOT

C. Works used to apply water to beneficial use.

13 TOWER VALLEY SELF PROPELLED SPRINKLER
SYSTEM

The system is in the following condition: VERY GOODThe point of diversion is located APPROXIMATELY 330' W OF THE
CENTER, SECTION 20, T37N, R33WThe works are capable of diverting and conveying to the place of use 1.66cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

135 ACRE CIRCLE IN NW⁴ & W²NE⁴
SECTION 20, T37N, R33E

compris: a total of 135 acres of land.

Date

AUGUST 19, 1974

(Signature)

WATER RIGHT SPECIALIST
WATER RIGHTS COMMISSION



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 15, 2007

1001-2
1002A-2
1208-2

Jimmie H O'Neill
PO Box 413
Martin SD 57551-0413

Dear Mr. O'Neill:

Enclosed is a "Notice" dated October 19, 2007 concerning the 2007 irrigation questionnaire. The notice was originally mailed to 29250 243rd Ave, Vetal SD. The post office notified us on November 14th that your address has changed and I will update our records accordingly.

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 28, 2008

1001-2
1002A-2
1208-2

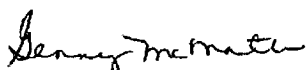
Jimmie H O'Neill
PO Box 398
Martin SD 57551-0398

Dear Mr. O'Neill:

Enclosed is a "Notice" dated October 24, 2008 concerning the 2008 irrigation questionnaires. The notice was originally mailed to PO Box 413, Martin 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
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures



1001-2
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 15, 2016

NOTICE

TO: JIMMIE H O'NEILL, 29250 243rd AVE, TUTHILL, SD 57574
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaires

Our records indicate your 2015 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1001-1 & 1208-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1002A-2 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1002A-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1001-2 & 1208-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact 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
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 9, 2016

1002A-2
1001-2
1208-2

Jimmie H O'Neill
29250 243rd Ave
Tuthill SD 57574

Dear Mr. O'Neill:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right Nos. 1002A-2, 1001-2 and 1208-2. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



1001-2
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 26, 2018

NOTICE

TO: JIMMIE H O'NEILL, 29250 243rd AVE, TUTHILL, SD 57574

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaires

Our records indicate your 2017 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1001-2 & 1208-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1002A-2 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1002A-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1001-2 & 1208-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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.

1001-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 7, 2018

1001-2
1002A-2
1208-2
2725-2

James & Abby O'Neill
29250 243rd Ave
Tuthill SD 57574

Dear Mr. & Mrs. O'Neill:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 1001-2, 1002A-2, 1208-2 and 2725-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

During our recent phone conversation you indicated the water rights listed in Jimmie H O'Neill need to be changed. I am enclosing a set of partially completed "Transfer of Ownership" forms for filing an ownership change. I am not sure if you now own the land or if other family members do. The forms will need to be completed and signed by the new owner(s) and returned to our office with a required filing fee of \$50 each (total of \$150).

If you have any questions, please contact me.

Sincerely,

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

RECEIVED
JUL 24 2018
WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1001-2

Date:

May 15th

I/We request that Water Right No. 1001-2

formerly owned by: Jimmie H O'Neill

be transferred to: (name & address) James O'Neill, 29250 243rd Ave, Tuthill SD 57574

Telephone No. _____

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

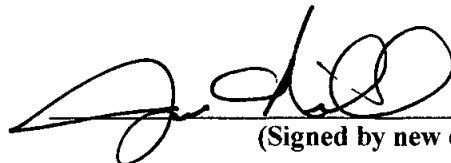
135 acres - W 1/2 NE 1/4 and NW 1/4 Section 20, T37N, R33W

I/We understand that the validity of Water Right No. 1001-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We James O'Neill, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date **July 25**

, 20 **18**

RECEIVED OF **James O'Neil 29250 243rd Ave Tuthill, SD 57574**

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 1001-2		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **08730**

By *Jeanne Goodman*
Chief Engineer
2411

1001-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 27, 2018

James O'Neill
29250 243rd Ave
Tuthill SD 57574

Dan O'Neill
29252 243rd Ave
Tuthill SD 57574

Dear James & Dan:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on Water Right Nos. 1001-2, 1002A-2 and 1208-2.

The ownership changes have been completed. Water Rights formerly held by Jimmie H O'Neill are now listed as follows:

- No. 1001-2 James O'Neill (135 acres - N ½ Section 20, T37N, R33W)
- No. 1002A-2: Dan O'Neill (176 acres - E ½ Section 20 and W ½ Section 21, T37N, R33W)
- No. 1208-2: Dan O'Neill (135 acres - S ½ Section 20, T37N, R33W)

The Receipts for the filing fees are being included with the letter to James O'Neill. Thank you for following up on the ownership changes. 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

enclosure