

Water Right Number 1638-2

1. Considered ☒ MAY 25, 19 78
2. Name of Applicant DANIEL O'NEILL
3. Post Office Address VETAL, S.D.
4. Amount of water claimed 1.9
5. Source of water supply 350' DEEP WELL
6. Water to be used for IRRIGATION

Acres to be irrigated 132.00

7. Water to be diverted and used in BENNETT County
about 7 EAST 3 Miles SOUTH of VETAL

8. Proof of Publication

Received 5-26-78

Not received _____

9. Application

Approved _____

Subject to _____

Not approved _____

Action deferred _____

10. Remarks:

Map No. 1402-2
1638-2 Water Division No. 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 Daniel D. O'Neill
 Postoffice address Vet. 1 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
 3. Name of diversion work Daniel O'Neill Well #1
 4. Amount of water claimed (cubic feet per second) 2 cfs. 1.7 cfs MAX ALLOWABLE
 5. Source of water supply Deep well
 6. Location of point of diversion Center of SW 1/4 of Section 17, 37-33
 _____ County Bennett
 7. Annual period or periods during which water is to be used April thru October
 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 132A

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 of SW 1/4, Sec 17, 37-33	33A
NE 1/4 of SW 1/4, Sec 17, 37-33	33A
SE 1/4 of SW 1/4, Sec 17, 37-33	33A
SW 1/4 of SW 1/4, Sec 17, 37-33	33A

10. Time required to complete construction of water supply system Three years Additional time required to complete application of water to the proposed beneficial use Two years
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Bennett County Booster II
 12. Principal Features of the Proposed Water Supply System:

A. Works proposed to divert water from its natural source. High volume pump

B. Works proposed to transport water to place of use. 8" aluminum pipe

C. Works proposed to apply water to beneficial use. Circular sprinkler

Estimated Total Cost \$ 57,800.00

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 Bennett

I, Daniel D. O'Neill 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 Daniel D. O'NeillSubscribed and sworn to before me this 16 day of March, 1978

Notary Public (or other qualified officer)

Reg. of Deeds

WATER RIGHT APPLICATION APP. OVAL.

The Water Rights Commission hereby approves Water Right Application No. 1638-2DANIEL D. O'NEILL

(Applicant)

VETAL

(Post Office Address)

SOUTH DAKOTA 57575

(State)

With the following modifications.

The irrigation well approved under this Permit will be located near domestic wells and other irrigation 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 adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application MARCH 17 19 78

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

Date of receipt of corrected application MAY 4 19 78Approved MAY 26 19 78 Recorded in Book 19 Page 349WATER RIGHT PERMIT NO. 1638-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1638-2 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 MARCH 17 19 78
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 26 19 79
3. The whole of said work is to be completed on or before MAY 26 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 26 19 83
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 1.9 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 3 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 MAY 26 19 83; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 30th day of MAY 19 78

WATER RIGHTS COMMISSION

By

John Halish

Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

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

D Well Information or Estimates

- (1) Drill Hole, Diameter 28", Depth 300 feet
- (2) Casing, Type Steel Diameter 16" Thickness 1/4"
(wood, concrete, steel, etc)
- (3) Perforated Screen, Type Steel, Diameter 16", Length 160 feet
- (4) Gravel Pack, Thickness 6", Length of gravel pack 235 feet

E Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F Soil 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 Sand to sandstone

Depth to top of water bearing material 60 feet

Depth to bottom of water bearing material 300 feet

Thickness of water bearing material 230 feet

Depth to water (ground surface to water level) 70 feet

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

On same owner's property 80 rds. On property owned by others 240 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.

Amel D. McNeil
Signature of Applicant

PHONE: 462-3303

OWNER

15512

14 Sec.

TWP

RCE. 33

DATE _____

TEST NO.

ADDRESS

DEPTH

STATIC LEVEL

FROM	TO	Clay	Fine Sand	M. Gravel	Gravel	Sandy Clay	Rock	Sand Stone	Cchre	Shale	REMARKS
100	110		L					STRONG			30' loose
110	120		L								 55'
130	154	1	L								" "
154	160	L									" "
160	184	STRONG	L								20' loose
194	234		L					L			
234	240	L						L			
240	295							STRONG			
295	310	TR	L								
310	340		L					STRONG			20' loose
340	360	L	T					L			THE ...

TOTAL FOOTAGE

LB T PER FOOT

TOTAL COSTS

CONSERVATION COMMISSION
FORM WI #1
6/77

SOIL/WATER COMPATIBILITY APPLICATION FORM

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE



IMPORTANT: Read Instructions Before Proceeding!!!

NAME Daniel O'Neill

ADDRESS Vetal, SD

COUNTY Bennett

In accordance with State law (Section 1, SB-58), if a water right is granted with a conditional permit (Soil/Water compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION:

1. WELL LOCATION OR DIVERSION POINT Center of SW $\frac{1}{4}$, Section 17, 37-33
2. LOCATION OF AREA TO BE IRRIGATED SW $\frac{1}{4}$, Section 17, 37-33

TYPE OF IRRIGATION:

3. GRAVITY TOWLINE CENTER PIVOT X GUN
(OTHER (SPECIFY))
4. CROPS TO BE IRRIGATED Corn, alfalfa and forage crops

WATER QUALITY: (To be completed by SDSU Water Quality Lab)

5. SAMPLE NUMBER 78-2.8.5
6. SALINITY (EC X 10⁶) 23.5 (1.25)
7. SODIUM (SAR) 0.13 (0.25 - 0.20)
8. RESIDUAL SODIUM CARBONATE (meq/l.) ✓

I do hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from Bennett County Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

SUBSCRIBED AND SWORN BEFORE ME THIS
16 DAY OF March, 1978.

Anna B. Engelbert
(TITLE OR SEAL)
Reg. of Deeds

Daniel O'Neill
APPLICANT'S SIGNATURE
Albert L. Hoff
Approved
Disapproved
Conditionally Approved X

(SOILS INFORMATION ON REVERSE SIDE)

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57007

Submitted by: Daniel O'Neill Date Rec'd April 18, 1978
 Address: Vetal, SD 57575 Sample No. 78-285
 Identification Well-300
SW 1/4, Sec. 17, T 37N, R 33W

WATER ANALYSIS

Calcium (Ca)	35	ppm*	1.76	me/l**
Magnesium (Mg)	4	ppm	0.31	me/l
Sodium (Na)	3	ppm	0.13	me/l
Potassium (K)	4	ppm	0.10	me/l
Sulfate (SO ₄)	2	ppm	0.05	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.00	me/l
Bicarbonate (HCO ₃)	124	ppm	2.04	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	102	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	235	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.13	Adjusted	0.20	
Sodium	5.65	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.36			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 2.30 me/l
 Total anions 2.09 me/l

By Shirley Kitten

Service Performed

Amount Due

Irrigation analysis

\$15.00

Make checks payable to: Water Quality Laboratory

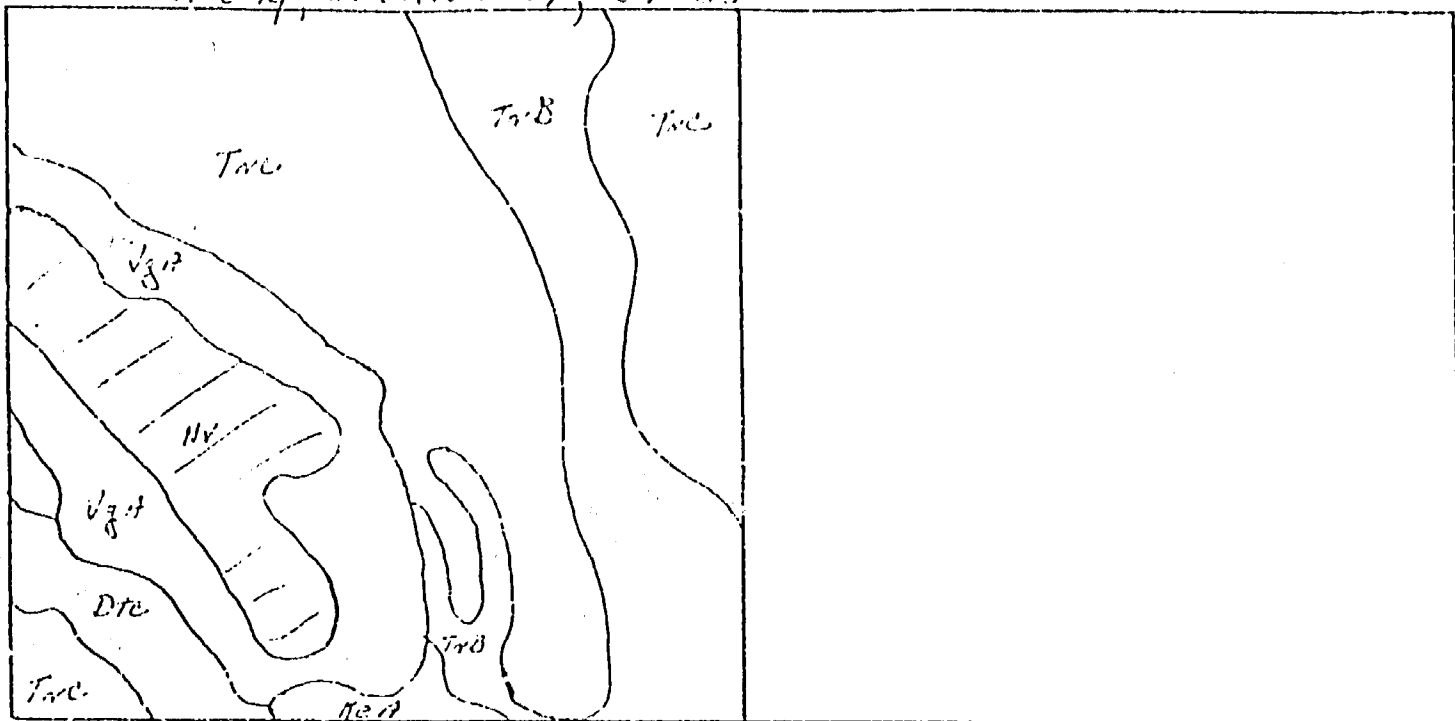
Cut along dotted line and return the lower portion with payment

Sample No. 78-285

Amount Enclosed

Signed

SW 1/4, Section 17, 37-33



NARRATIVE:

TnC - Tuthill and Anselmo fine sandy loam. 5-9% slope; Soils are well drained, runoff is slow to medium, and permeability is moderate. Water holding capacity is moderate to high and soils are susceptible to erosion.

TnB - Tuthill and Anselmo fine sandy loam; 0-5% slope; Soils are very similar to above, with less slope.

VgA - Vetal and Goshen soils, 0-3% slope; Soils are well drained; surface runoff is slow to medium, and permeability is moderately rapid. Soils have low to moderate water holding capacity.

~~5-10 ft~~
Hv - Hoven silt loam; Soils have very slow permeability, as they are ponded by runoff from adjacent slopes and fertility is moderate.

Non-irrigable

DnC - Dundee - Anselmo - 3-9% slope

See Sheet 50 of Bennett Co

Aurora

KeA .5
Keith s.l.

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

(RECOMMENDED MANAGEMENT)

NAME OF APPLICANT Daniel O'Neill, Votol, SD

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 1, 2, 3, 4, 5, times during the irrigation season. N/A
2. Each uninterrupted application (one rotation of center pivot) should be of at least 1, 2, 3, 4, inches of water. N/A
3. ☒ Yes ☐ No Surface drainage suggested - Howen depression so water logging does not occur.
4. ☐ Yes ☐ No Subsurface drainage suggested
5. ☒ Yes ☐ No Specific land areas that should be avoided or remedied

Howen depression

6. ☐ Deep tillage (for the purpose of aiding movement of water through dense subsoils)
7. ☐ Heavy fall application of irrigation water

Except for your Howen soil, all your soils have a moderately rapid or rapid intake. The same scheduling can be employed for all your soil except the Howen.

Your Howen soil could be skipped completely by shut off nozzles. The topography map indicates the possibility of draining the depression. Another option is to fill part of it with adjacent sandy soil on some of the wheel track areas thereby, concentrating the depressional area to less acres.

Possible drainage should be the first requisite to the problem.

Copy to Applicant - 1
Copies to Water Rights - 2
Copy to File - 1

Permit No. 1538-2

Water Diversion No. 2 White River Water District

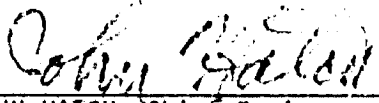
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Daniel D. O'Neill

_____ the holder _____ of
Permit No. 1638-2, issued upon Application No. 1638-2, bearing date of priority of March 17, 1978
_____ authorizing the diversion of 1.9 cu. ft. per second of the waters of _____
ground water (one well) County of Bennett, State of South Dakota at a
point 1350 feet north and 1310 feet east of the SW Corner of Section 17-T37N-R33W
_____, for Irrigation

purposes, has 5 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 2.0 cu. ft. per second of water.

Date November 18, 1980



JOHN HATCH, Chief Engineer
Water Rights Division

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1638-2

(1) WHEREAS, On the 17th day of March A. D. 1978
Daniel D. O'Neill

made Water Right Application No. 1638-2 for a permit to use 1.2 cubic feet per second of the waters
 of groundwater (one well)

County of Bonnet, State of South Dakota, for irrigation
 purposes; and

(2) WHEREAS, On the 26th day of May A. D. 1978
 Permit No. 1638-2, with a date of priority of March 17, 1980

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 26th day of May A. D. 1981 and for the
 application to beneficial use of said water on or before the 26th day of May A. D. 1983

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 1.80 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 lands all in Section 17 - T17N - R33W

	Acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	33
NE $\frac{1}{4}$ SW $\frac{1}{4}$	33
SW $\frac{1}{4}$ SW $\frac{1}{4}$	33
SE $\frac{1}{4}$ SW $\frac{1}{4}$	33
Total	132 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 Daniel D. O'Neill

_____ of Verde, SD
the holder _____ and owner _____ of said permit No. 1638-2 a water right, dating from March 17, 1978
_____ to use of 1.89 cubic feet per second of the waters
of groundwater (one well)
in the County of Fennett and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned to be diverted at a point 1350 feet north and 1310 feet east of the
SW Corner of Section 17 - T37N - R33W

and conducted to and upon: _____
portions of land all in Section 17 - T37N - R33W, more fully
described on the face of this license

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 1638-2 and subject to the laws of the State of South Dakota

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 18th day of November A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Publish first publication, on or before May 12, 1978

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 4, 1978

Notice is hereby given that Daniel O'Neill whose post office

address is Vetal, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 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, 46-6-5, 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 1.9 cubic feet of water per second of time from groundwater (1 well)

through the O'Neill Well #1, the point of diversion of which is to be located in the center of SW4

of Section 17, Twp. 37N Range 33W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW4, Section 17-T37N-R33W

This Application No. 1638-2 will be considered by the Water Rights Commission at

Pierre, South Dakota upon the 25th day of May, 1978 at 10A .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.

NOTE: The final proof of publication must be received before the hearing date for the Commission to take action.

WATER RIGHTS COMMISSION

Betty Westlund
Water Rights Specialist

cc: Daniel O'Neill, Vetal, SD 57575

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

No. 1638-2

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
two dates:

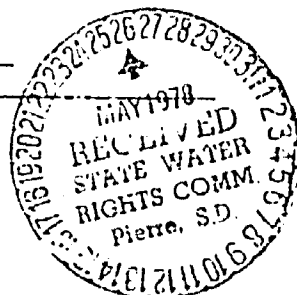
May 11, 1978

May 18, 1978

Mary E. Long
(Signature)

Resident
(Title)

5-23-78
(Date Signed)



NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER
No. 1638-2
Pierre, South Dakota 57501

May 4, 1978
Notice is hereby given that Daniel O'Neill whose post office address is Vetat, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-6, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 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 1.9 cubic feet of water per second of time from groundwater (1 well) through the O'Neill Well No. 1, the point of diversion of which is to be located in the center of SW1/4 of Section 17, Twp. 37N Range 33W. Said water to be used for the purpose of providing Irrigation on portions of the following described land: SW1/4, Section 17-T37N-R33W.

This Application No. 1638-2 will be considered by the Water Rights Commission at Pierre, South Dakota upon the 25th day of May, 1978 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 1-25 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS COMMISSION
Dotty Westlund,
Water Rights Specialist

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

NO 4 7768

PIERRE,

November 4, 1980

RECEIVED OF Daniel O'Neill, Vatal, SD 57575

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. 1638-2	50	00
Fee for inspect' g Beneficial Use, and issuing Water License No. 1638-2		
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 (J. H. HATHA)
Chief Engineer, Executive Officer
JOHN HATHA / C.E.

Permit No. 1635-2Water Division 2 Little White River Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

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

I have this day made a thorough examination of the water use system constructed by Daniel D. O'Neill
 of Vetal, South Dakota 57575 holder
 of Permit No. 1635-2, bearing date or priority of March 17, 1978
 authorizing the diversion of 1.7 cu. ft. per second of the waters of one well
 for Irrigation purposes, 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:

Motor: US Elec. I D# R-4981-01-210 R 2113107
100 HP, 1770 RPM.
 Pump: Sargent, Ser# 08975, Bowl Size 1254,
Imp Dia 8.358-37, 4 stage, Setting 130

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

8" dia Alum Pipe 35' long.

C. Works used to apply water to beneficial use.

Valley Center Pivot, Model 1260, Ser# 22062

The system is in the following condition: Good

The point of diversion is located 1352 ft N and 1310 ft E of the SW Cor
of Sec. 17, T37N R33W.

The works are capable of diverting and conveying to the place of use 2.0
 cu. 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: All in Sec. 17, T37N R33W
NW 1/4 SW 1/4 - 33 Ac, NE 1/4 SW 1/4 - 33 Ac, SE 1/4 SW 1/4 - 33 Ac.
SE 1/4 SW 1/4 - 33 Ac

comprising a total of 132 acres of land.

Well data:

Depth 270 ftStatic 45 ftPumping 900 gpmCapacity est 2000 gpmDate May 3, 1979

Leroy J. McLaughlin
 (Signature)

South Dakota
Department of
Water & Natural Resources

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

March 23, 1987

DANIEL O'NEILL
HC 77 BOX 40
TUTHILL, SD 57574

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

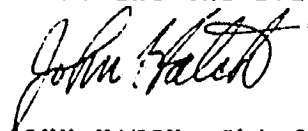
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 1638-2. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Jos Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-13, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-2S. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 1638-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.



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

NOTE: If the questionnaire(s) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

April 3, 1987

1638-2

Daniel O'Neill
HC 77 Box 40
Tuthill, SD 57574

Dear Mr. O'Neill:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 1638-2 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

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

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

December 4, 1991

1638-2

Daniel O'Neill
HC 77 Box 40
Vestal, SD 57575

Dear Mr. O'Neill:

Enclosed is your 1991 irrigation questionnaire. You indicated on the form that you did irrigate in 1991. However, in order for the questionnaire to be of any use to us, the remainder of the form needs to be completed.

Please complete the questionnaire by entering in information regarding type of power, type of system, # days pumped, average # hours per day pumped, average pump rate (gpm), crop and acres. The water used column can be left blank and calculated here in the office.

Please return the completed questionnaire to our office before December 20, 1991. If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

DANIEL O'NEILL
HC 77 BOX 40
VETAL SD 57575

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 1638-2. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1638-2 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 before the March 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
505 773-3352

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 Fee will provide you the signature of the person delivered to and the date of delivery.

3. Article Addressed to:

DANIEL O'NEILL
HC 77 BOX 40
VETAL, SD 57575

5. Signature (Addressee)

6. Signature (Agent)

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

1. ☐ Addressee's Address2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P406 557633

4b. Service Type

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

7. Date of Delivery

Feb 5-92

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 12, 1992

1638-2

Daniel O'Neill
HC 77 Box 40
Vestal, SD 57575

Dear Mr. O'Neill:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Right No. 1638-2. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

If you have any questions, please contact me at (605) 773-3352.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Genny McMath', is written over a horizontal line.

Genny McMath
Natural Resources Analyst
Water Rights Division



1638-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: DANIEL O'NEILL
HC 77 BOX 40
VETAL SD 57575

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

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 1638-2. 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 hearing to determine if any Board action is to be taken concerning the violation.

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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1638-2 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. 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, your name will be deleted from the Board agenda.



1638-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 22, 1993

1638-2

Daniel O'Neill
HC 77 Box 40
Vestal, SD 57575

Dear Mr. O'Neill:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire for Water Right No. 1638-2. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Irrigation Questionnaire.

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,

A handwritten signature in cursive script that reads 'Genny McMath'.

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



1638-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 1999

NOTICE

TO: DANIEL O'NEILL, HC 77 BOX 40, VETAL, SD 57575

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 1638-2. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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 9:45 am, March 3, 1999, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1638-2 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 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with 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.

1638-2

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 this 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:

DANIEL O'NEILL
HC 77 BOX 40
VETAL SD 57575

4a. Article Number:

P 378 080 684

4b. Service Type

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

7. Date of Delivery

1-26-99

5. Received By: (Print Name)

LENN MITCHELL

6. Signature: (Addressee or Agent)

(X) Lenn Mitchell

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

PS Form 3811, December 1994

102595-93-B-9229

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

February 2, 1999

1638-2

Daniel O'Neill
HC 77 Box 40
Vetal, SD 57575

Dear Mr. O'Neill:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 1638-2.

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
Environmental Scientist
Water Rights Program
(605) 773-3352

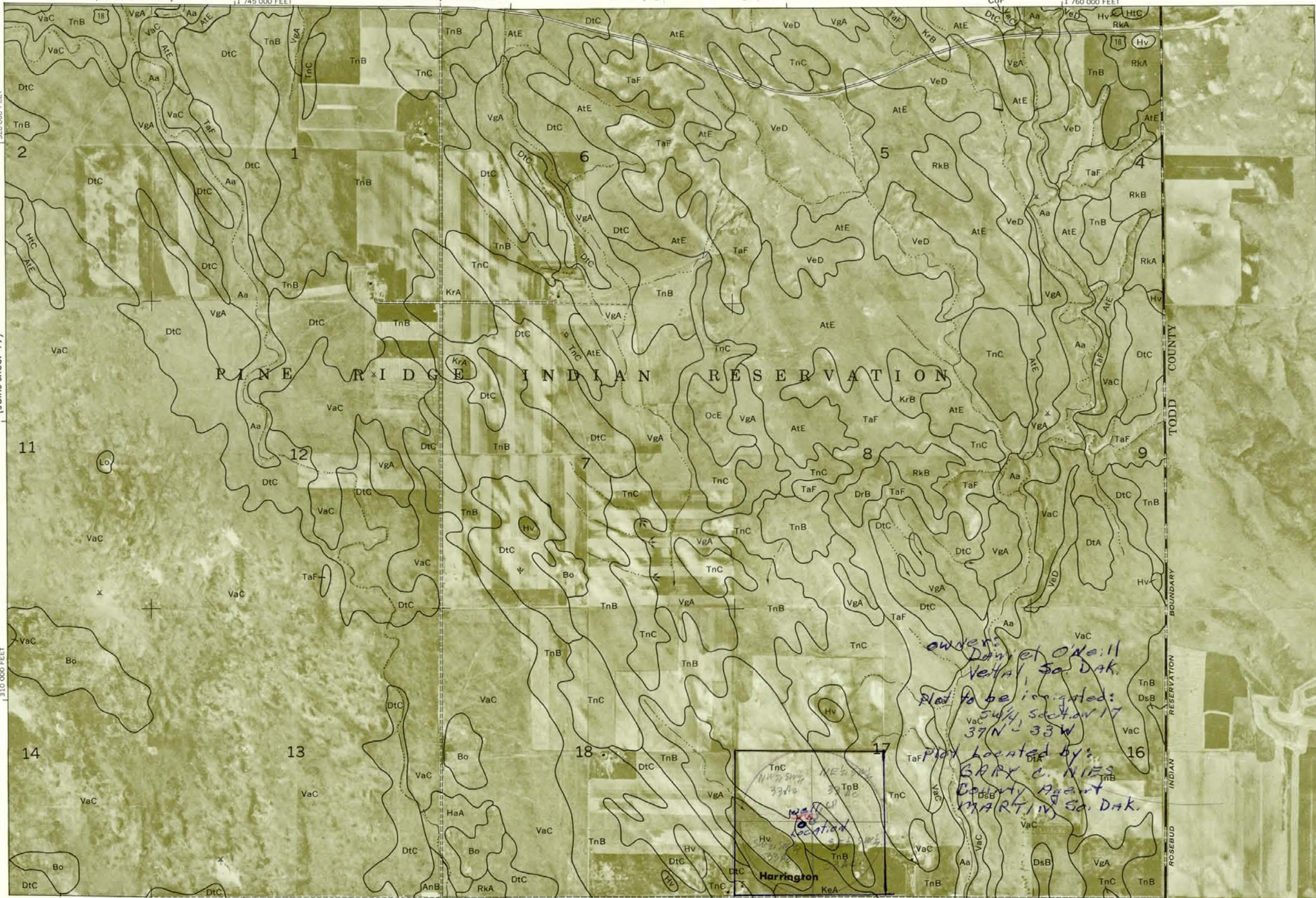
(Joins sheet 40)

R. 34 W. | R. 33 W.



Scale 1:20 000

(Joins sheet 49)



(Joins sheet 60)

Point of Diversion: 1350ft N and 1310ft E
of SW cor. of sec. 17, T 37N R 33W

NE 1/4 Sec 17, 37N-33W

Plane coordinate projection. 1927 North American datum.
5,000-foot grid ticks based on South Dakota coordinate system,
south zone. Mosaic compiled from 1961 aerial photographs.

MAP No. ~~1402-2~~ 2 APPL. No. 1638-2

BENNETT COUNTY, SOUTH DAKOTA NO. 50

This map is one of a set compiled in 1969 as part of a soil survey by the United States Department of Agriculture, Soil Conservation Service, the United States Department of the Interior, Bureau of Indian Affairs, and the South Dakota Agricultural Experiment Station.

1638-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

JAN 12 2012

1638-2
2627-2

Daniel O'Neill
29252 243rd Ave
Tuthill SD 57574

Dear Mr. O'Neill:

Enclosed is Water License No. 2627-2. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2627-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

The applicable portions of Water Right No. 1638-2 were incorporated into Water License No. 2627-2. 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. If you have any questions, please contact our office.

Sincerely,

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

enclosures