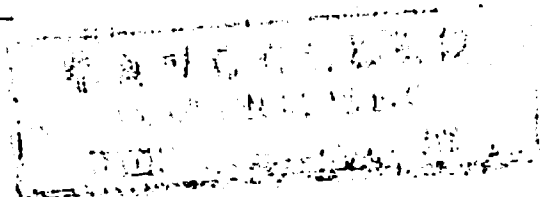


1. Considered January 17, 1959
2. Name of Applicant Leo Donnelly
3. Post Office Address 518 Fifth, ...
4. Amount of water claimed 2,835 a.s.
5. Source of water supply ground water
6. Water to be used for irrigation
- Acres to be irrigated 165.19
7. Water to be diverted and used in Union County about
8 miles southwest of Warminster.
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved ✓
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:



April 29, 1959

Mr. Carl C. Weisz
U. S. Soil Conservation Service
Vermillion, South Dakota

Dear Mr. Weisz:

The best way to handle the situation described in your letter of April 28, 1959 concerning Mr. Lee Donnelly and his son Mr. Robert Donnelly is as follows:

Amend the water right held by Mr. Lee Donnelly to include irrigation of the additional land acquired by his son. Procedures to accomplish this are the same as for acquiring a new water right. Application forms and instructions are enclosed. The forms should be signed by both Mr. Lee Donnelly and Mr. Robert Donnelly.

Enclosed also is a print of Mr. Lee Donnelly's water right map. Complete the map to show the additional land to be irrigated which is owned by Mr. Robert Donnelly and return it to me. We will amend the tracing to conform.

Upon receipt of the application forms and the map, a notice will be sent for publication in the local newspaper.

It was noted that the work relative to Mr. Lee Donnelly's Permit No. 313-3 was to be completed on or before January 17, 1959. It is necessary that a request for inspection of the irrigation system be submitted before completion of the water right record can be made.

Sincerely,

J. W. GRIMES
Chief Engineer

JWG:ls

UNITED STATES
DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Vermillion, S. Dak.
April 28, 1959

Mr. Joe Grimes, Chief Engineer
State Water Resources Commission
State Capitol Bldg.
Pierre, S. Dak.

Dear Sir;

We have several problems in regards to water rights on irrigation wells on which we desire some clarification.

A irrigation well was developed on the Lee Donnelly land in the south $\frac{1}{2}$ of the northwest $\frac{1}{4}$ Sec. 31, T.92N, R.50W, Union Co. about two years ago. As I understand the situation, the proper maps etc. were made and properly recorded. This land is being farmed by a son, Robert Donnelly. Within the past year, he purchased the north $\frac{1}{4}$ of this NW $\frac{1}{4}$. It is planned that the well which is located on the south $\frac{1}{2}$ will be used to irrigate the north $\frac{1}{2}$ of the NW $\frac{1}{4}$. This would actually mean that the well belongs to a Mr. Lee Donnelly, but will also be used for irrigation of land belonging to Mr. Robert Donnelly.

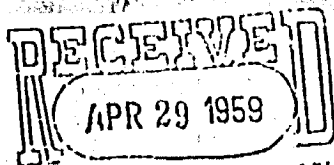
Will a new map, a new water right or any amendment be necessary? This is a father and son arrangement and indications are that the son will probably inherit the adjoining land.

Please advise as several similar situations could develop in the near future.

Very truly yours

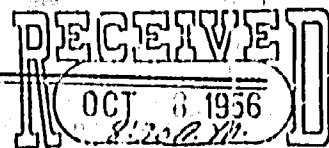
Carl C. Weisz

Carl C. Weisz, Agric. Engineer
Soil Conservation Service



STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

No. 313-3

Water Division No. 3 Big Sioux River District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Tom Donnelly
Postoffice address Elkhart, County Marion, State S. Dak.

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)

Contract(b) Cash on hand, \$ 4000.00

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work _____
3. Amount of water claimed 2.95 cubic feet per second 2.95
4. Source of water supply Dug well
5. Location of point of diversion 2100 ft. E 890 22' E
NW 1/4 Sec 31 T4N R50W on _____ bank _____ County.

6. Annual period or periods during which water is to be used spring, summer, fall

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? gravity(a) Number of acres to be irrigated 163.17 acres.(b) Legal subdivisions to be irrigated 5 1/2 L. 14 2 N. 1/4 + S. 1/4 + S. 1/4 + S. 1/4 + S. 1/4(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.) Sec. 31, T4N R50W

(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 _____

Map No. 231-3

8. Estimated cost of work:

(a) Head Gates, \$-----

(c) Fluming, \$-----

(e) Other structures -----

(d) Canal earth, \$-----

(b) Pumping plant, \$-----

Rock, \$-----

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	FEET	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 work ----- years.

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

12. Choice of newspaper for publication of notice of intention to appropriate

Leader Courier Chas. Point S. Dakota

STATE OF SOUTH DAKOTA

County of Wichita

ss.

I, Leo Donnelly,

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

Leo Donnelly

Subscribed and sworn to before me this

6th

day of

October

1926

Notary Public (or other qualified officer)

By: *Carl C. Weisz*
Carl C. Weisz
Agric. Engineer
Soil Cons. Service

PUMP SITE AND LANDS TO BE IRRIGATED IN THE S² OF
GOVERNMENT LOTS 1 AND 2, THE SW⁴NE⁴ AND THE
NW⁴SE⁴ ALL IN SECTION 31, T92N-R50W OF THE 5TH P.M.

SCALE 1" = 200'

~~ROBERT DONNELLY
N 1/2 GOVT LOT 2, SEC. 31
45.19 ACRES MORE OR LESS~~

ROBERT DONNELLY
N 1/2 GOV'T LOT 1, SEC. 31
40.0 ACRES MORE OR LESS

GOVERNMENT LOT 2
1997.5

GOVERNMENT LOT 1
1320.0

LEO DONNELLY
S½ GOV'T. LOT 2, SEC.31
45.19 ACRES MORE OR LESS

LEO DONNELLY
S $\frac{1}{2}$ GOV'T. LOT 1, SEC. 31
40.00 ACRES MORE OR LESS

LEO DONNELLY
SW⁴ NE⁴ SEC. 31
40.00 ACRES MORE OR LESS

PUMP SITE

CENTER OF SECTION 31

LEO DONNELLY
NW⁴SE⁴ SEC.31
40.00 ACRES MORE OR LESS

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA } S. S.
COUNTY OF UNION }

ROBERT M. WHYTE, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT, AT THE REQUEST OF THE LAND OWNER'S I HAVE SURVEYED THE LANDS SHOWN HEREON AND THAT SAID SURVEY IS IN ALL RESPECTS TRUE AND CORRECT.

Robert M White
REGISTERED LAND SURVEYOR

ON THIS THE 18TH DAY OF OCTOBER 1956, BEFORE ME, PETER A. ANDERSON, THE UNDERSIGNED OFFICER PERSONALLY APPEARED, ROBERT M. WHYTE, KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Peter A. Anderson
NOTARY PUBLIC

Map No. 231-3 & 231-3A
(Appl. No. 313-3 & 313-3A)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, October 8, 1956

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
9 m. upon the 8 day of October, 1956

State Water Resources Commission

By:

J. O. Brinner
Chief Engineer, Executive Officer

Number of permit 313-3

Date of first receipt of application October 8, 1956

Date of return to applicant for correction, amendments or changes required as follows: October 8, 1956

Date of receipt of corrected application November 2, 1956

Date from which applicant may claim right October 8, 1956

Approved January 17, 1957, Recorded in Book 1 Page 157

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

January 17, 1958

2nd. The whole of said work is to be completed on or before January 17, 1959

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

January 17, 1961

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 2.35 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 January 17, 1961; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 8 day of October, 1957

State Water Resources Commission

By:

J. O. Brinner
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36" Depth 100 ft

Type of casing Concrete
(wood, concrete, steel, etc.)

Size of casing 18" Thickness of casing 4 1/2"

Length of casing 4 feet If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen fine

Size of perforated screen 18" (diameter) 14 ft (length)

Thickness of gravel pack 9" length of gravel pack 90 feet

(c) Water Bearing Materials

Distance to water 13 feet Character of water bearing materials

sand, coarse sand, gravel, coarse gravel
loose rock + gravel
information from Test of log of test well

Thickness of water bearing material 55 feet

(d) Pump and Motor

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

Name of pump Western Land Pumps, size 8 inch

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

Horsepower 140 B. H. P. Name of Motor John Deere

(e) Complete well

Capacity 1000 + at drawdown of 12 ft Estimated cost \$1430.00

(f) Owner of land upon which well is located Leo D. Donnelly
Name

Old Point L. Park
Address

(g) Distance to nearest existing wells

On same owner's property none rods. On property owned by others 8 miles rods