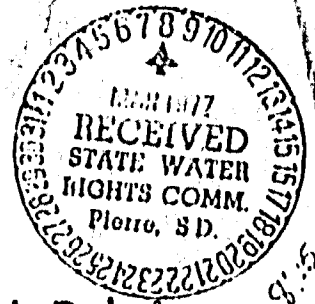


Water Right Number 3785-3

1. Considered 5-25-77
2. Name of Applicant JACK HOARTY
3. Post Office Address WESSINGTON SPRINGS
4. Amount of water claimed 2.2
5. Source of water supply 85' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in JERARD County
about 7W, 4N Miles of WESS SPRINGS
8. Proof of Publication
Received 4-18-77
Not received _____
Approved _____
Subject to _____
Not approved _____
Action deferred _____
9. Application
10. Remarks

No. 37B3-3
 Map No. 3051-3 Water Division No. 3 MISSOURI 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 Jack
 Post-office address Wessington Springs, State South Dakota 57382
 If a corporation show date and place of incorporation XXXXXX
 2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
 3. Name of diversion work well
 4. Amount of water claimed (cubic feet per second) 2.2
 5. Source of water supply well
 6. Location of point of diversion 500' east and 1540' south of NW corner of Sec 25 - 108-66
 County Jerauld
 7. Annual period or periods during which water is to be used April - Sept.
 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 160

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SW 25 - 108-66	160		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Huron Daily Plainsman
 12. Principal Features of the Proposed Water Supply System.

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

Irrigation well and pump

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

Pipeline

C. Works proposed to apply water to beneficial use.

Center pivot sprinkler system

Estimated Total Cost \$

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

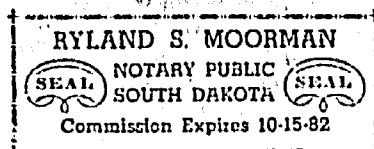
County of Jerauld

I, Jack 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

Subscribed and sworn to before me this 7th day of March, 1927

Notary Public (or other qualified officer)



WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3783-3
JACK HOARTY WESSINGTON SPRINGS
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57382 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.

See also
436A-3

Date of first receipt of application MARCH 8, 19 77
 Date of return to applicant for correction, amendments or changes required MARCH 8, 19 77
 Date of receipt of corrected application MARCH 16, 19 77
 Approved MAY 25, 19 77, Recorded in Book 18 Page 197
 WATER RIGHT PERMIT NO. 3783-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3783-3 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 8, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 25, 19 77
3. The whole of said work is to be completed on or before MAY 25, 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 25, 19 79
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.2 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 25, 19 79; said water to be used during the following described annual period: APRIL - SEPTEMBER

Witness my hand this 9TH day of JUNE, 19 77

WATER RIGHTS COMMISSION

By: John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

REPRODUCTION - REDUCTION 25%
 ROLL NO. 41
 4-22-82
 UNRECORDED

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 1 1/2 in., Depth 8.5 ft
(2) Casing, Type steel Diameter 1 1/2 in Thickness 1/4 in.
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type Corrugated, Diameter 1 1/2 in., Length 20 ft
(4) Gravel Pack, Thickness 12, Length of gravel pack 18

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

Fill out for Either a Well or a Dugout.

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

Character of water bearing materials Don't have it.

Depth to top of water bearing material 24 ft

Depth to bottom of water bearing material 75 ft

Thickness of water bearing material 51 ft

Depth to water (ground surface to water level) 24 ft

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

On same owner's property 60 rds. On property owned by others 210 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.

Jack H. Harty
Signature of Applicant

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)

NAME Jack Hoarty
ADDRESS Wessington Springs, South Dakota 57382
COUNTY Jerault

LEGAL DESCRIPTION

1. WELL LOCATION 500' east and 1540' south of NW corner of Sec 25-103-66
2. LOCATION OF AREA TO BE IRRIGATED SW 1/4 25-108-66

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT x GUN _____
4. CROPS TO BE IRRIGATED Corn and alfalfa

WATER QUALITY

5. SAMPLE NUMBER 77-182
6. SALINITY (EC X 10⁶) 628 (medium)
7. SODIUM (SAR) 0.26 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from Jerault County Conservation District, County Extension office or Soil Conservation Service.

and: that the legal description for the location of the well and land to be irrigated is true and correct.

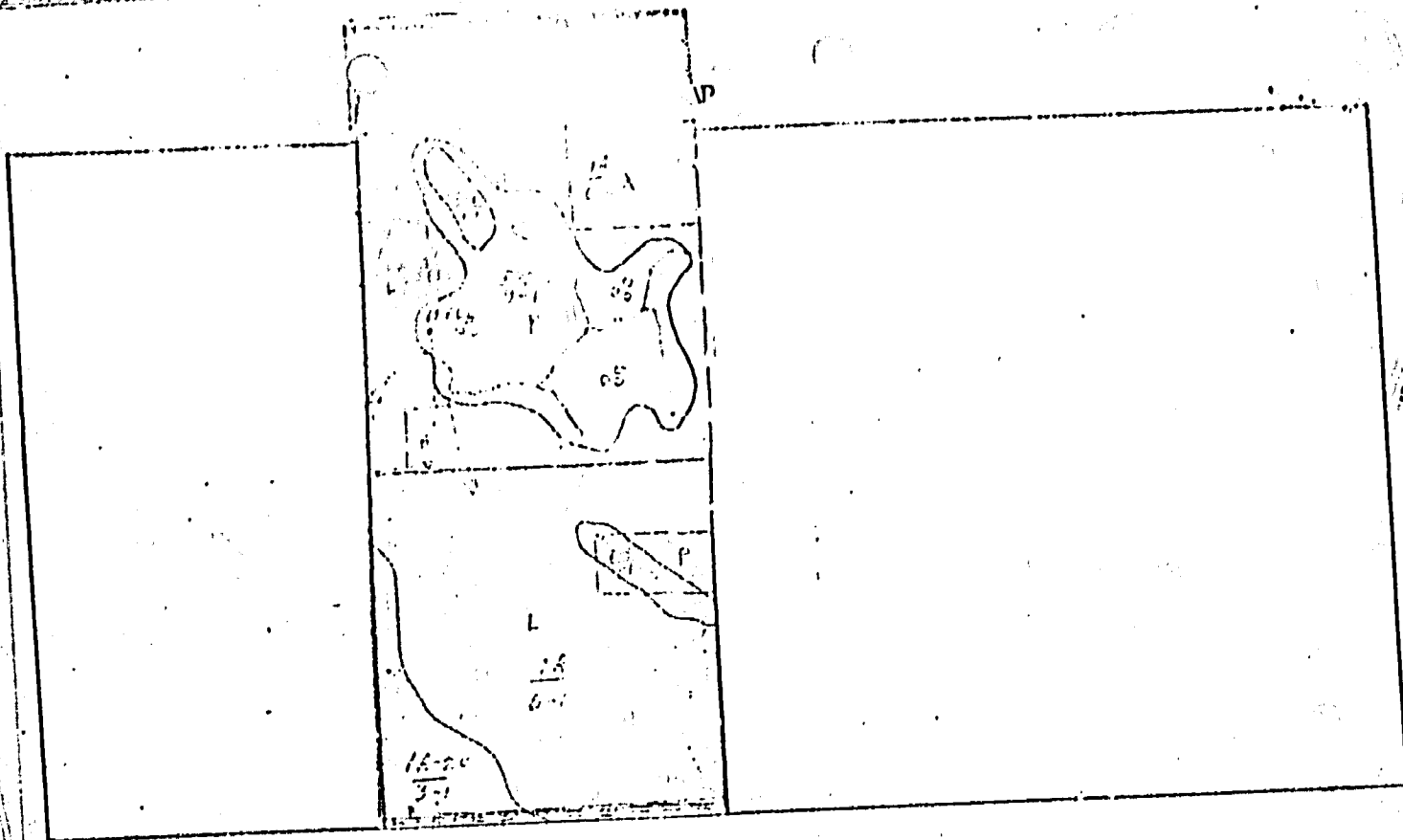
Jack Hoarty
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
2 DAY OF February 19 77.

Bernice Burg Notary Public
(TITLE OR SEAL)

Albert J. Haffelt
APPROVED/~~DISAPPROVED~~

(SOILS INFORMATION ON REVERSE SIDE)



SW $\frac{1}{4}$ 25- 108-66

SYMBOL

1A-2C
3-1

NARRATIVE

NAME

Highmore-Eakin silty clay loam
3% slope
Highmore part

INTAKE FAMILY

0.5

DESCRIPTION:

Deep, well drained soils with loamy surfaces, silty clay loam or clay loam subsols, and silt loam substrata underlain by calcareous loamy material below 2 $\frac{1}{2}$ to 8 feet or more. Moderately permeable.

Eakin part

0.3

DESCRIPTION:

Deep, well drained soils having silty mantles underlain by clay loam below 20 inches. The surface layers are silt loams underlain by silty clay loam and clay loam. Permeability is moderately slow. Underlain by loam or clay till.

1A
6-1

Clarno loam
6% slope

0.5

DESCRIPTION:

Deep, well drained loamy soils having loam surface layers and loam or light clay loam subsols; moderately permeable in solum to moderate or moderately slow permeability in substrata.

Tetonka Silt loam
1% slope

Not suited

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57006

Submitted by: Jack Harty Date Rec'd February 3, 1977
 Address Wessington Springs, SD 57382 Sample No. 77-132
 Identification 312
Feb, 25, T 1031, R 66

WATER ANALYSIS

Calcium (Ca)	105	ppm*	5.25	me/l**
Magnesium (Mg)	21	ppm	1.72	me/l
Sodium (Na)	11	ppm	0.46	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	114	ppm	2.37	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	13	ppm	0.36	me/l
Bicarbonate (HCO ₃)	208	ppm	4.72	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)	236	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	628	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.26			
Sodium	6.27	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.75			
Others:				

*ppm=parts per million
 **me/l=millequivalents per liter
 ***g.p.g.=grains per gallon

COMMENTS: Total cations 7.66 me/l
 Total anions 7.45 me/l

By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	\$15.00 PAID

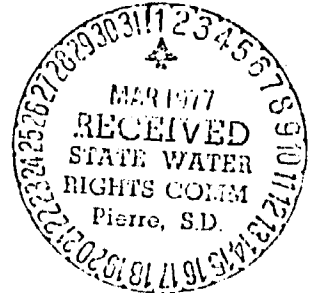
Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-132

Amount Enclosed \$ _____

Signed _____



February 22, 1977

Mr. Jack Hearby
Weaington Springs, SD 57392

Dear Mr. Hearby:

Your water sample (Lab. No. 77-162) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

Your water, as indicated by this analysis, is satisfactory for use on the soils you indicate will be irrigated. If a salt problem or a water table problem should develop, contact extension personnel for assistance.

The WI-1, soils information, and a copy of the water analysis are being forwarded to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine
Water Quality Lab

LOP:ckb
Enclosures
cc: State Conservation Commission
D. Pahl, Extension Service

P.S. The area of Tatonka soil in the NE part should be maintained in grass or grass-alfalfa. Take whatever steps you can to avoid water draining into the area.

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

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County _____)

I, Brenda Haskett hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Huron Daily Plainsman

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 Huron

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

4-8-77 4-15-77

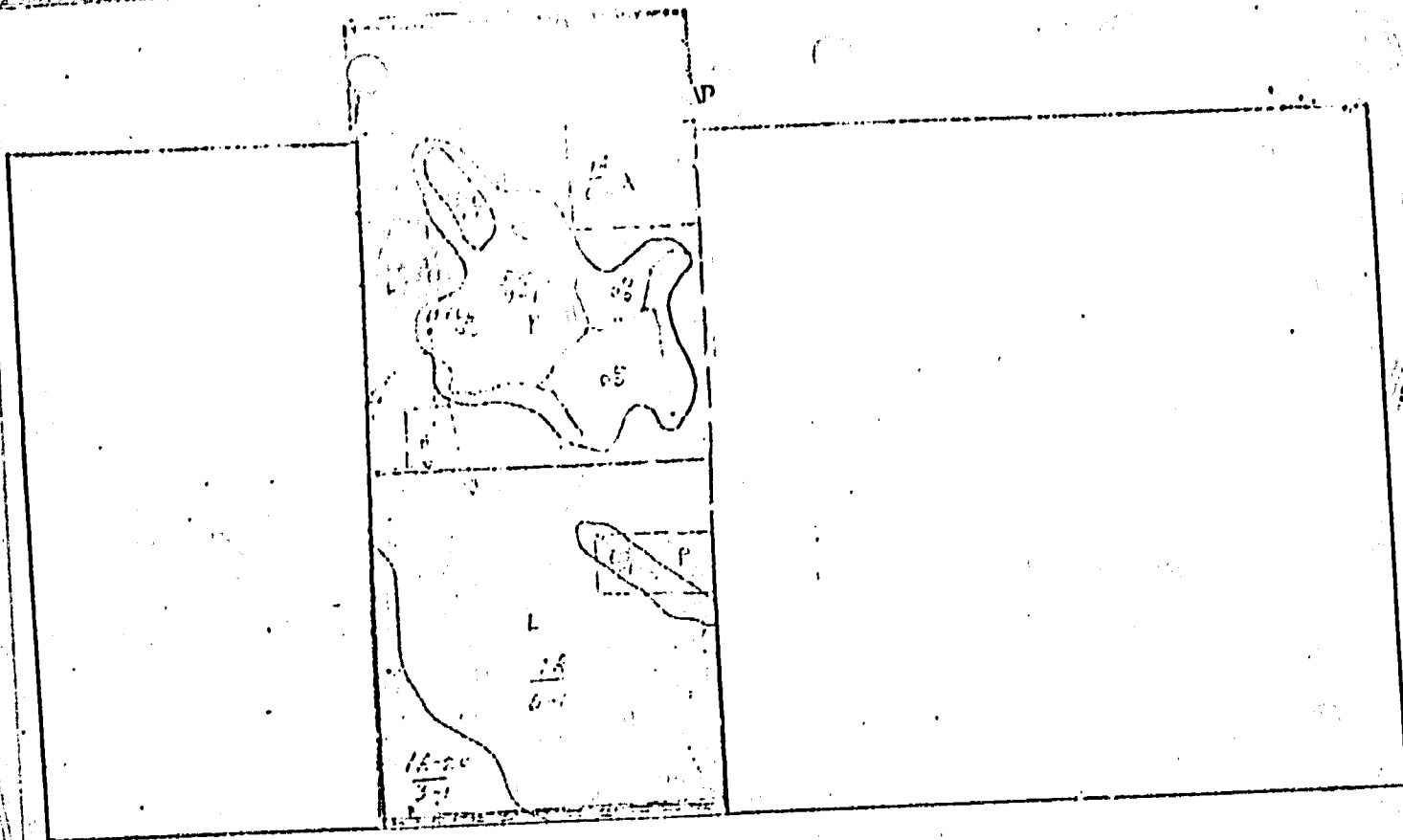
Brenda Haskett
(Signature)

Bookkeeper
(Title)

4-15-77
(Date Signed)

PUBLIC NOTICE
F.P. 4-8-77 L.P. 4-15-77
**NOTICE INTENT TO
APPROPRIATE WATER**
Pierre, South Dakota 57501
April 1, 1977
Notice is hereby given that Jack
Hoarty whose post office address
is Wessington Springs, 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 2.2 cubic feet of
water per second of time from
ground water through the Hoarty
No. 1, the point of diversion of
which is to be located in the SW¼
NW¼ of Section 25, Twp. 10N,
Range 66W. Said water to be used
for the purpose of providing
irrigation on portions of the
following described land: SW¼,
Section 25, T108N, R66W.
This application No. 3783-3 will
be considered by the Water Rights
Commission at their office, at
Pierre upon the 25th day of May,
1977, at 10:00 A.M. All interested
persons may appear and be heard.
WATER RIGHTS COMMISSION
By: JAMES WINTERTON
Water Rights Specialist
No. 267 (adv.)





SW $\frac{1}{4}$ 25- 108-66

SYMBOL

1A-2C
3-1

NARRATIVE

NAME

Highmore-Eakin silty clay loam
3% slope
Highmore part

INTAKE FAMILY

0.5

DESCRIPTION:

Deep, well drained soils with loamy surfaces, silty clay loam or clay loam subsols, and silt loam substrata underlain by calcareous loamy material below 2 $\frac{1}{2}$ to 8 feet or more. Moderately permeable.

Eakin part

0.3

DESCRIPTION:

Deep, well drained soils having silty mantles underlain by clay loam below 20 inches. The surface layers are silt loams underlain by silty clay loam and clay loam. Permeability is moderately slow. Underlain by loam or clay till.

1A
6-1

Clarno loam
6% slope

0.5

DESCRIPTION:

Deep, well drained loamy soils having loam surface layers and loam or light clay loam subsols; moderately permeable in solum to moderate or moderately slow permeability in substrata.

Tetonka Silt loam
1% slope

Not suited

Permit No. 3783-3Water Division 3 MISSOURI RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by JACK HOARTY
 of WESSINGTON SPRINGS holder
 of Permit No. 3783-3, bearing date of priority of MARCH 8, 1977
 authorizing the diversion of 2.2 cu. ft. per second of the waters of GROUNDWATER
 for IRRIGATION purposes, in JERARD 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:

65' DEEP WELL WITH 16" STEEL CASING - 20' SS SCREEN
BERKELEY 10" TURBINE PUMP (110 TAG). HOLLOW SHAFT GEAR
HEAD @ 1760 RPM - POWERED BY JOHN DEERE DIESEL
ENGINE #6404 TR-14 125HP

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

2200' OF 10" BURIED PVC PIPE FROM WELL TO CENTER OF PILOT

C. Works used to apply water to beneficial use.

9 TOWER ZIMMATIC CENTER PILOT WITH NELSON #100 END GUN

The system is in the following condition: GOOD

The point of diversion is located 1850'S & 660'E OF THE NW CORNER,
SECTION 25, T108N, R66W

The works are capable of diverting and conveying to the place of use 1.55 (700 GPM)
 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:

FOR IRRIGATING A 122 ACRE CIRCLE IN THE SW¹ SECTION 25,
T108N, R66W

comprising a total of 122 acres of land.

Date: JUNE 16, 1982

(Signature)

No. 5783-3

 **Department of
Water & Natural Resources**
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 (605) 773-3352

July 15, 1982

Jack Hoarty
Wessington Springs
South Dakota 57382

Dear Mr. Hoarty:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 3783-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

You will also receive the Certificate of Construction as required by statute.

Sincerely,

KAREN SCHLAACK
Administrative Secretary

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

WNR-814-7/79
Notification of Water License Ready for Issuing (\$50.00)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3783-3

(1) WHEREAS, On the 9th day of March A. D. 19 77
Jack Boarty

made Water Right Application No. 3783-3 for a permit to use 2.2 cubic feet per second of the waters of groundwater (one well)

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

(2) WHEREAS, On the 25th day of May A. D. 19 77
 Permit No. 3783-3, with a date of priority of March 8, 1977

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 25th day of May A. D. 19 78 and for the application to beneficial use of said water on or before the 25th day of May A. D. 19 79

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 1.55 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 a 122 acre circle in the SW 1/4, Section 25, T108, R66M

(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 Jack Hoarty

_____ of Vessington Springs
the holder _____ and owner _____ of said permit No. 3783-3 a water right, dating from March 8, 1977
_____ to use of 1.55 cubic feet per second of the waters
of groundwater (one well)

in the County of Jerault _____ and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at a point 1850'S and 660'E of the NW corner,
Section 25, T108N, R66W

and conducted to and upon a 122 acre circle in the SW 1/4 of Section 25, T108N, R66W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3783-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 22nd day of July _____ A. D.
Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

3783-3
Permit No. _____

Water Diversion No. 3 Missouri River Water District
10140105

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Jack Hoarty

_____ the holder _____ of
Permit No. 3783-3, issued upon Application No. 4783-3, bearing date of priority of March 8, 1977
_____ authorizing the diversion of 2.2 cu. ft. per second of the waters of _____
groundwater (one well) County of Corral, State of South Dakota at _____
a point 1850' S and 660' E of the NW corner, Section 35, T10N, R66W
_____, 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 1.55 cu. ft. per second of water.

Date July 22, 1982

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8901

PIERRE, July 20, 1982

RECEIVED OF Jack Harty, Box 332, Wessington Springs, SD 57382

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)	50	00
Fee for inspecting Construction, and issuing Cert. of Construction No. 2783-3		
Fee for inspecting Beneficial Use, and issuing Water License No. 2783-3		
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 *[Signature]*
Chief Engineer, Executive Officer
JOHN BATCHELOR

3783-3



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: JACK HOARTY, RR 2 BOX 365, WESS SPRINGS, SD 57382

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) 3783-3. 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) 3783-3 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.

3783-3

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):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

JACK HOARTY
RR 2 BOX 365
WESS SPRING SD 57382

4a. Article Number
2119141676

4b. Service Type

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

7. Date of Delivery
JAN 25 1998

5. Received By: (Print Name)
Darleen Higgins

6. Signature: (Addressee or Agent)
Darleen Higgins

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

PS Form 3811, December 1994 102595-97-7-0170 Domestic Return Receipt

Is your RETURN ADDRESS completed on the reverse side?

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

January 28, 1999

3783-3

Pat Hoarty
22509 376th Ave
Wessington Springs, SD 57382

Dear Mr. Hoarty:

I am writing to acknowledge receipt of the information needed for the 1998 irrigation questionnaire for Water Right No. 3783-3. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 3783-3.

I completed a questionnaire for you based on our January 28th telephone conversation. The information was received in our office prior to the Water Management Board meeting and the matter has been deleted from the agenda.

Enclosed, as we discussed, is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review the form and complete as needed. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

Thank you for taking the time to call me about the water right and the questionnaire. If I can answer any questions for you, please let me know.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 3783-3

Date: 2-2-99

I/We request that Water Right No. 3783-3

formerly owned by: Jack Hoarty

be transferred to: (name & address) Pat Hoarty 22503 - 376th AV.
Wessington Springs, S.D. 57382 Telephone No. 605-539-1614

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

122 acres - SW 1/4 Section 25, T108N, R66W

I/We understand that the validity of Water Right No. 3783-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

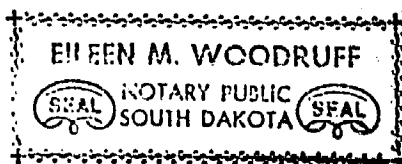
STATE OF SOUTH DAKOTA)

County of DeWitt)

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

Pat Hoarty
(Signed)

Subscribed and sworn to before me this 2nd day of Feb., 19 99.



Eileen M. Woodruff
(Notary Public)

My commission expires 7-22-2000

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

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

February 9, 1999

February 9 19 99

By _____
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 1999

3783-3

Pat Hoarty
22509 376th Ave
Wessington Springs, SD 57382-5221

Dear Mr. Hoarty:

Thank you for sending in the ownership change for Water Right No. 3783-3. The transfer has been completed and the water right is now listed in your name.

Enclosed is your Receipt No. 416037 in the amount of \$2.50. I am also enclosing a copy of the transfer form you filed. You may keep both of these for your records.

If I can answer any questions for you, please let me know.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

3783-3
JACK HOARTY
WESS SPRINGS
SD 57382

JE/MI

G

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

Please fill out and return at once.

No. Acres irrigated with Groundwater _____

If you did not irrigate during 1980-check this box ☒ No system ☒

November 1980

For Dept. use only

--	--

Type of Power	No. acres irrigated	Total Energy used-1980 kwh
1. Electric	_____	_____ kwh
2. Gravity	_____	_____ gal
3. Gasoline	_____	_____ cf
4. Nat. Gas pipeline	_____	_____ gal
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____ gal

Month	# days pumped	Average # hours per day	Average pump rate (gpm)	Acres of Crop Irrigated and Estimated Water Use	
				Crop	Acres
April					
May					
June					
July					
August					
Sept.					
Oct.					
Other Month					

Season Static Water Level: beginning _____ and _____ Complete and return to: WATER MANAGEMENT BOARD

Comments: _____
Joe Foss Building
Pierre, SD 57501

Owner or address change, if any:
Please complete front and back.



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

1979

1978

Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric	_____	_____ kwh
2. Gravity	_____	
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____

Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric	_____	_____ kwh
2. Gravity	_____	
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____ gal

- What is your on-farm storage capacity for gasoline _____ gallons
diesel _____ gallons
- What are your present plans for acres under irrigation for 1981?
 _____ an increase in acres
 _____ irrigate same acres
 _____ a decrease in acres
- A. Has your regular fuel supplier been able to meet your fuel needs for irrigation this past year?
 _____ yes
 _____ no
 B. If no, were you able to buy from other sources?
 _____ yes
 _____ no
- Would you continue irrigating the same number of acres in 1981 if the price of fuel increased-
 10% yes _____ no _____
 15% yes _____ no _____
 20% yes _____ no _____
 over 20% yes _____ no _____
- At what price for fuel would you cut back on irrigation activities? _____
- What is your best estimate of your fuel needs for irrigation in 1981, if we experience a
 Dry summer: _____ gallons.
 Wet summer: _____ gallons.

3783-3

NW 1/4 25-108-66

1-214

23.4

1.7

124.

WELL



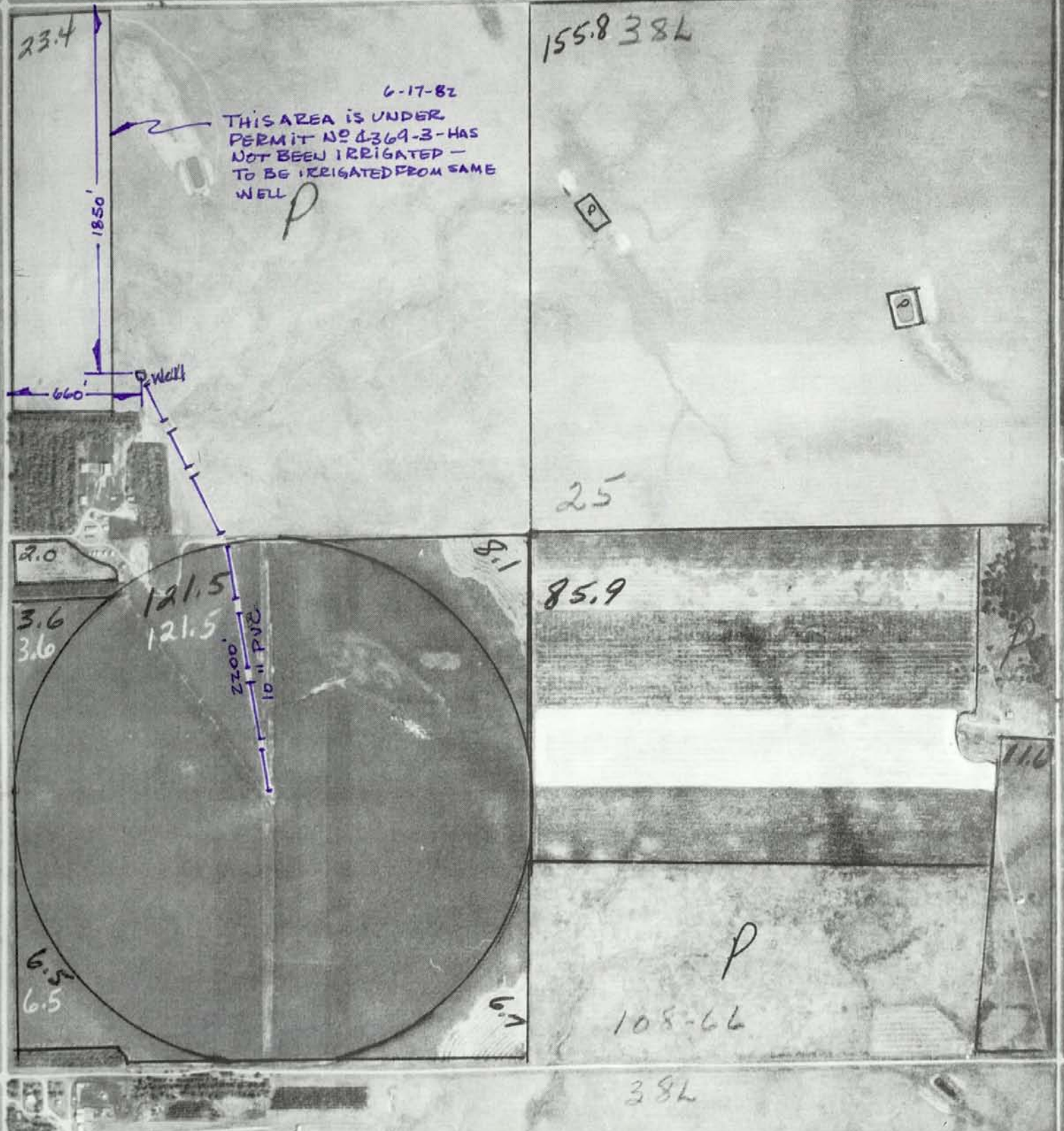
~~APPL N° 37833~~

1.7

124.8

April E. Ryan
District Conservationist
Soil Conservation Service

NOT TO SCALE





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 17, 2012

3783-3

Pat Hoarty
22509 376th Ave
Wess Springs SD 57382 5221

Dear Mr. Hoarty:

Thank you for the prompt return of your 2012 irrigation questionnaire.

I note from the form that you marked the box "use abandoned". Typically when an irrigator indicates the use has been abandoned, the water right is then scheduled for cancellation. Prior to doing anything with the water right I wanted to touch base with you to find out if that was truly your intent.

A review of past irrigation questionnaire shows the land has not been irrigated since 1991. Each year, you have reported for the most part that irrigation was not necessary either due to sufficient moisture or cropping patterns with the acreage being in spring wheat.

Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit. This three year period may be waived if legal excuse exists for the years of nonuse. Enclosed are excerpts of the water right laws and Water Management Board Rules dealing with these issues.

Please give me a call or send a quick note in the envelope provided to confirm your intent towards the water right.

Sincerely,

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

Genny McMath
Water Rights Program
(605) 773-5455
email: genny.mcmath@state.sd.us

enclosure

Reported Water Use

10/17/2012

Permit No	Year	Name	Not Irrig	Not Constr
3783-3	1977	See PDF for water use	-	-
3783-3	1978	See PDF for water use	-	-
3783-3	1979	See PDF for water use	-	-
3783-3	1980	See PDF for water use	-	-
3783-3	1981	See PDF for water use	-	-
3783-3	1983	JACKHOARTY		
3783-3	1984	JACKHOARTY		
3783-3	1985	JACKHOARTY		
3783-3	1986	JACKHOARTY		
3783-3	1987	JACKHOARTY		
3783-3	1988	JACKHOARTY	X	
3783-3	1989	JACKHOARTY		
3783-3	1990	JACKHOARTY		
3783-3	1991	JACKHOARTY		
3783-3	1992	JACKHOARTY	X	
3783-3	1993	JACKHOARTY cool wet summer - planted wheat	X	
3783-3	1994	JACKHOARTY no comment	X	
3783-3	1995	JACKHOARTY no comment	X	
3783-3	1996	JACKHOARTY no comment	X	
3783-3	1997	JACKHOARTY no comment	X	
3783-3	1998	PATHOARTY no comment	X	
3783-3	1999	PATHOARTY had it in spring wheat	X	
3783-3	2000	PATHOARTY I need to put in another center pivot	X	
3783-3	2001	PATHOARTY had it in spring wheat	X	
3783-3	2002	PATHOARTY pivot worn out	X	
3783-3	2003	PATHOARTY had field in wheat - no need to water	X	
3783-3	2004	PATHOARTY it rained enough & system needs work	X	
3783-3	2005	PATHOARTY did not need it	X	
3783-3	2006	PATHOARTY no water available	X	
3783-3	2007	PATHOARTY sufficient moisture	X	
3783-3	2008	PATHOARTY sufficient moisture	X	

Permit No	Year	Name		Not Irrig	Not Constr
3783-3	2009	PATHOARTY	<i>Sufficient moisture</i>	X	
3783-3	2010	PATHOARTY	<i>Sufficient moisture</i>	X	
3783-3	2011	PATHOARTY	<i>Sufficient moisture</i>	X	

RECEIVED

0182-3

FEB 25 2013

WATER RIGHTS
PROGRAM

2/22/13

Dear Genny McMath,

I'm sorry I did not get back to you until now. I did not intend to mark the box abandoned. I do intend to irrigate in the future. I am planning on putting a new system in this year. Please renew my permit.

In the past I did not irrigate because I did not need to. Also the system I had was ~~a~~ high pressure system that took too much water. I am going to put in a low pressure system that does not take so much water.

Thankyou for
your time.

Sincerely

Pat Hoarty

Pat Hoarty



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 28, 2013

3783-3

Pat Hoarty
22509 376th Ave
Wess Springs SD 57382 5221

Dear Mr. Hoarty:

Thank you for your letter of February 22nd which outlined your intent towards Water Right No. 3783-3.

It is my understanding from your letter that you checked the wrong box on the irrigation questionnaire and have not abandoned irrigation. Your letter will serve as documentation in your water right the reasons no irrigation has taken place and your intent to maintain the water right.

Your water right authorizes diversion of 1.55 cubic feet of water per second (approximately 700 gallons per minute) for irrigation of 122 acres in the SW ¼ Section 25, T108N, R60W. If you change to a low pressure system and do not increase your diversion rate or acreage authorized for irrigation, no changes are needed to your water right.

Please keep in mind that water must be applied to beneficial use for the purpose it was appropriated at least once every three years in order to maintain your water right. In my last correspondence I included excerpts of SD Water Laws and Water Management Board rules dealing with these issues.

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) 773-5455
email: genny.mcmath@state.sd.us