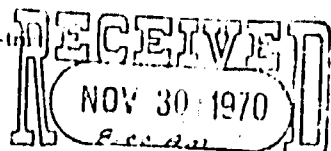


Water Right Number 1044-2

1. Considered March 10, 19 71
2. Name of Applicant Conrad Schelhaas
3. Post Office Address Crookston, Nebraska
4. Amount of Water claimed 2.0
5. Source of water supply Well - ground water
6. Water to be used for irrigation
Acres to be irrigated 143.4
7. Water to be diverted and used in Todd County
about 13S 6W miles of MISSION
8. Proof of Publication
Received 3-2-71
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks _____

No. 1044-2Map No. 906-2 Water Division No. 2 KEYAPAPA RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Conrad Schelhaas
Post-office address Crookston, Nebraska, State Todd County South Dakota

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) employment of others3. Name of diversion work SHELHAAS #14. Amount of water claimed (cubic feet per second) 2 cubic foot per second5. Source of water supply well6. Location of point of diversion S 69° W 1399.2' FROM THE E 1/4 CORNER, SECTION 12, T 36 N, R 23 WCounty Todd7. Annual period or periods during which water is to be used April to October8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation

9. For irrigation use,

Total number of acres to be irrigated 143.4

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.
SENE	14.7	SESE	8.1
SWNE	14.7	SWSE	32.2
NESE	36.1		
NWSF	37.6		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use _____ years.11. Choice of newspaper for Notice of Intent to Appropriate Water publication Todd County Tribune

12. Principal Features of the Proposed Water Supply System.

MISSION, So. Dak.

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

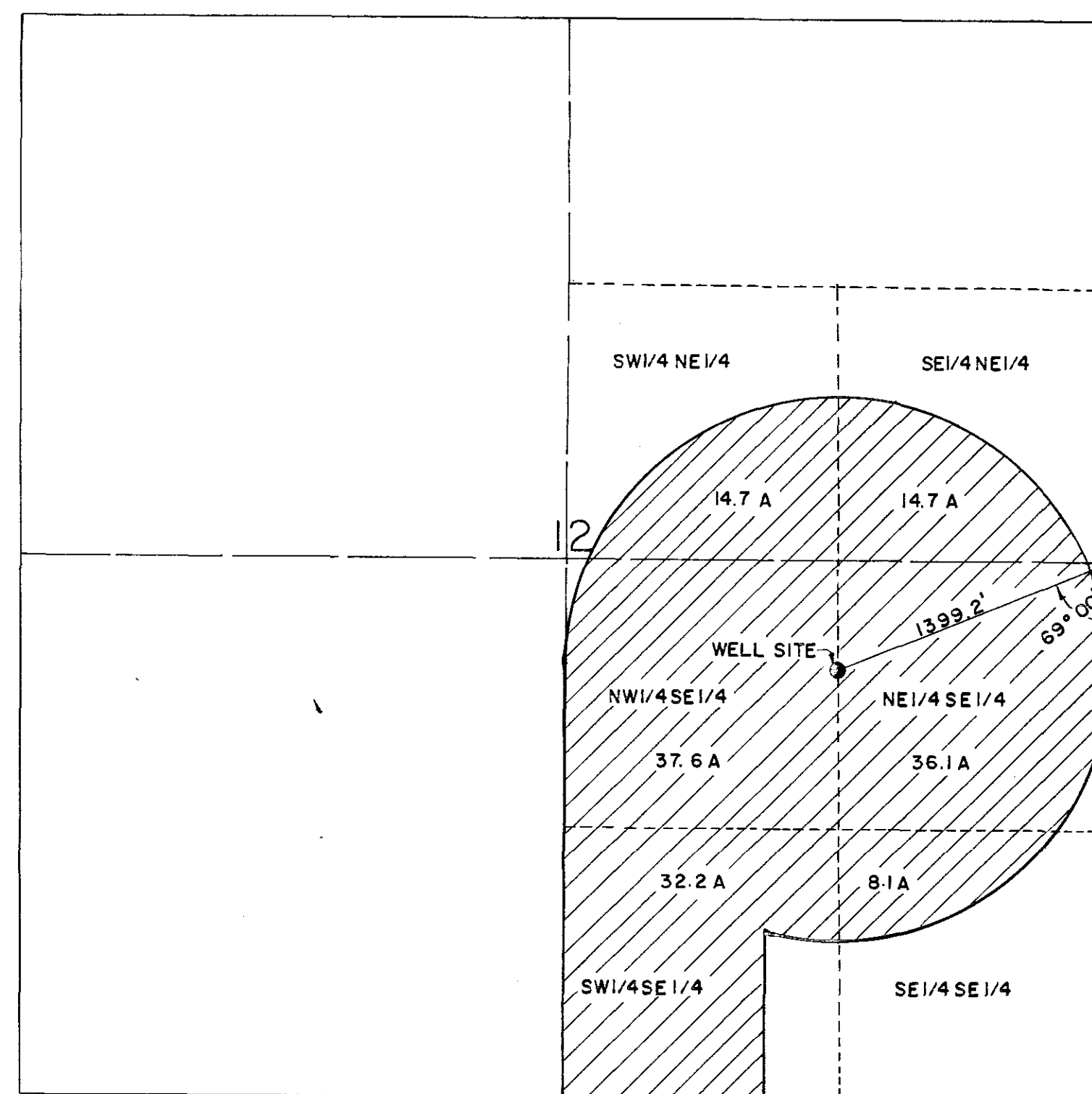
B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

Self-propelled pivot system with supplementary drag systemEstimated Total Cost \$ 32,000Attachments: 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 ToddI, Conrad Schelhaas, 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 Conrad SchelhaasSubscribed and sworn to before me this 27th day of November, 1972[Signature]
Notary Public (or other qualified officer)



▨ = LAND TO BE IRRIGATED

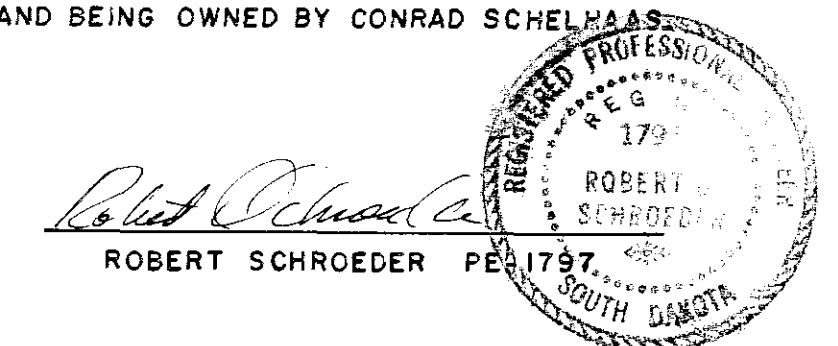
SCALE 1" = 660'

LOCATION	SECTION	TWP.	RANGE	ACRES
SE 1/4 NE 1/4	12	36 N	30 W	14.7
SW 1/4 NE 1/4	12	36 N	30 W	14.7
NE 1/4 SE 1/4	12	36 N	30 W	36.1
NW 1/4 SE 1/4	12	36 N	30 W	37.6
SE 1/4 SE 1/4	12	36 N	30 W	8.1
SW 1/4 SE 1/4	12	36 N	30 W	32.2
TOTAL				143.4

ENGINEER'S CERTIFICATE

I, ROBERT SCHROEDER, A SOUTH DAKOTA REGISTERED PROFESSIONAL ENGINEER NUMBER 1797, CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT DELINEATION OF AN IRRIGATION WELL SITE LOCATED IN THE SW 1/4 OF SEC. 12 T 36 N R 30 W 6th P.M. TODD COUNTY, SOUTH DAKOTA. THE ABOVE DESCRIBED LAND BEING OWNED BY CONRAD SCHELHAAS.

DATED: OCTOBER 5, 1970



ACKNOWLEDGEMENT

STATE OF NEBRASKA)
COUNTY OF CHERRY) SS

ON THIS 5 DAY OF OCTOBER, 1970, BEFORE ME, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AND FOR SAID COUNTY, APPEARED ROBERT SCHROEDER 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.

MY COMMISSION EXPIRES: NOVEMBER 24, 1973

Janet E. Lawler
NOTARY PUBLIC

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1044-2CONRAD SCHELHAAS
(Applicant)CROOKSTON
(Post Office Address)NEBRASKA
(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 existing domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application NOVEMBER 30 19 70
 Date of return to applicant for correction, amendments or changes required DECEMBER 9 19 70
 Date of receipt of corrected application DECEMBER 22 19 70
 Approved MARCH 10 19 71 Recorded in Book 11 Page 245

WATER RIGHT PERMIT NO. 1044-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1044-2 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 NOVEMBER 30 19 70
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 10 19 72
3. The whole of said work is to be completed on or before MARCH 10 19 74
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 10 19 74
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 2.0 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 MARCH 10 19 74; said water to be used during the following described annual period: APRIL TO OCTOBER

Witness my hand this 12TH day of MARCH 19 71

WATER RESOURCES COMMISSION

By:

J. C. G. [Signature]

Chief Engineer, Executive Officer

Certificate of Construction Issued JULY 2 19 74Water License Issued JULY 2 19 74

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 3 1/2 in, Depth 280 ft
- (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 1 1/2 Thickness 3/8
- (3) Perforated Screen,
Type 40 ft, Diameter 1 1/2, Length 40 ft
- (4) Gravel Pack, Thickness 16 in, Length of gravel pack 280 ft

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. 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 Coarse water sand and gravel all the way down from water level

Depth to top of water bearing material 106

Depth to bottom of water bearing material 174 280

Thickness of water bearing material 174

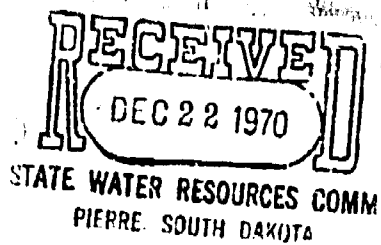
Depth to water (ground surface to water level) 106

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

On same owner's property 160 rds. On property owned by others 160 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.



Conrad Schelhaas
Signature of Applicant

WATER LICENSE NO. 1044-2

(1) WHEREAS, On the 30th day of November, A. D. 19 70
Conrad Schelhaas

made Water Right Application No. 1044-2 for a permit to use 2.00 cubic feet per second of the waters
of ground water

County of Todd, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 12th day of March, A. D. 19 71
Permit No. 1044-2, with a date of priority of November 30, 1970

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 March, A. D. 19 74 and for the
application to beneficial use of said water on or before the 10th day of March, A. D. 19 74

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 1.93 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 the following land in Section 12, T36N, R30W

SW $\frac{1}{4}$ NE $\frac{1}{4}$	14.7 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	14.7 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	36.1 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	37.0 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$	8.1 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$	24.4 acres
Total	135.0 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 Conrad Schelhaas

_____ of Crookston, Nebraska

the holder _____ and owner _____ of said permit No. 1044-2 a water right, dating from November 30, 1970

_____ to use of 1.93 cubic feet per second of the waters of ground water

in the County of Todd and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point North 69° West, 1399.2 feet from the E~~4~~ Corner, Section 12, T36N, R30W

and conduct to and upon portions of Section 12, T36N, R30W, more fully described on the face of this license

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 1044-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 2nd day of July A. D.
Nineteen Hundred and Seventy-four

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

Form 15.

Permit No. 1044-2

Water Diversion No. 2 KEYAPAH River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Conrad Schelhaas

_____ the holder _____ of
Permit No. 1044-2, issued upon Application No. 1044-2, bearing date of priority of November 30
1970 authorizing the diversion of 2.0 cu. ft. per second of the waters of _____
ground water County of Todd, State of South Dakota at _____
a point North 69° West, 1399.2 feet from the E½ Corner, Section 12,
T36N, R30W
_____, 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 2.01 cu. ft. per second of water.

Date July 2, 1974

By: WATER RIGHTS COMMISSION

DONALD DRISCOLL, Chief Engineer

Form 6 - Notice of Intent to Appropriate Water

1044-2

Publish first publication, on or before February 11, 19 71

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

January 27, 19 71

Notice is hereby given that Conrad Schelhaas

whose post office address is Crookston, Nebraska, 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

2.0 cubic feet of water per second of time from the ground water through the

Schelhaas #1, the point of diversion of which is to be located in the _____

NE 1/4 SE 1/4

of Section 12, Twp. 36N, Range 30W. Said water to be used for the purpose of providing irrigation of the following described land:

S 1/2 NE 1/4 and SE 1/4, Section 12, T36N, R30W

This application No. 1044-2 will be considered by the Water Resources Commission at their office at Pierre upon the 10th day of March, 19 71, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Conrad Schelhaas, Crookston, Nebraska 69212

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

No. 1044-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Todd) ss.

I, Judy Parker hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Todd County Tribune

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 Wichita

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

Thursday, February 4, 1971

Thursday, February 11, 1971

Thursday, February 18, 1971

Thursday, February 25, 1971

Judy Parker
(Signature)

employee
(Title)

Feb. 25, 1971
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

Notice is hereby given that
Coprad Schmitt, whose post office address is Crookston, Nebraska, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from ground water through the Schmitt No. 1, the point of diversion of which is to be located in the NE 1/4, SE 1/4 of Section 12, Twp. 36N, Range 30W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

S 1/2 NE 1/4 and SE 1/4, Section 12, T36N, R30W. This application No. 1044-2 will be considered by the Water Resources Commission at their office at Pierre upon the 10th day of March, 1971, at 2:00 P.M. All interested persons may appear and be heard.

Water Resources Commission
Burton F. Jones
Water Rights Specialist
Publ.: Feb. 4, 11, 18 & 25.

RECEIVED
MAR 2 1971

STATE WATER RESOURCES COMMISSION

Permit No. 1044-2

Water Division 2 KEYAPAHIA RIVER Water District

**REPORT 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 C. Arad Schellhaas
_____ of Crookston, Nebraska _____ border.
of Permit No. 1044-2, bearing date of priority of November 26, 1970
authorizing the diversion of 2.0 cu. ft. per second of the waters of ground water
irrigation
for _____ purposes, in Todd 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:

Well 285 ft. deep, cased with 18 in. dia. steel casing.
"Western Land Roller" Turbine 8" pump
"U.S. Motors" 100 H.P. electric motor

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

Short section of pipe between well and pivot of circular sprinkler system

C. Works used to apply water to beneficial use.

"Valley" electric drive circular sprinkler system (10 towers)

The system is in the following condition: Excellent

The point of diversion is located N. 69° West, 1399.2 ft. from E½ Corner of Sec. 12, T36N, R30W

The works are capable of diverting and conveying to the place of use 2.01

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. 12, T36N, R30W

SW $\frac{1}{4}$ NE $\frac{1}{4}$	14.7 acres	SE $\frac{1}{4}$ SE $\frac{1}{4}$	8.1 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	14.7 acres	SW $\frac{1}{4}$ SE $\frac{1}{4}$	24.4 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	36.1 acres		
NW $\frac{1}{4}$ SE $\frac{1}{4}$	37.0 acres		

comprising a total of 135 acres of land.

Date July 25, 1972
Ronald Prisco
(Signature)

DONALD DRISCOLL, Deputy Chief Engineer, W.R.C.

Water Rights Division - DWR
Conversation or File Documentation

File No. 1044-2

NAME OF PERSON ~~XXXXXX~~ Donald Schelhaas

ADDRESS: IIC 78 Box 34, Crookston, NE 69212 COUNTY

DATE: April 23, 1985 TELEPHONE 605-429-3374

RE: status of 1044-2, Conrad Schelhaas

COMMENTS:

Mr. Schelhaas indicated the Conrad is deceased and the permit
should be left as is until the Estate is settled. He stated
the irrigation questionnaire could be sent directly to him
as the operator (Donald Schelhaas)

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

4/82

NAME:

Henry McMath

Dear Sir

1044-2

In regard to your letter of April 15th 1984
Violation of Requirement To submit 1984
irrigation Questionnaire

due to the sickness and death
of my husband Conrad Schellhaus
the Questionnaire has been misplaced or
lost. Would you kindly send me
another and we will fill it out



Conrad Schellhaus

H C 78 Box 36

Crookston Neb 69212

Water Rights Division
605 773-3352

May 6, 1985

Elnora Schelhaas
HC 78 Box 36
Crookston NB 69212

Dear Mrs. Schelhaas:

In reference to your note about submittal of the 1984 Irrigation Questionnaire for Permit No. 1044-2, in checking our records we found that Donald Schelhaas submitted the Irrigation Questionnaire for that permit. You may disregard the April 15, 1985 notice. Your name has been deleted from the May 15, 1985 agenda.

If you have any questions, please contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:KS



1044-2

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

February 7, 1995

DONALD SCHELHAAS
11C78 BOX 36A
CROOKSTON NE 69212

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 1044-2. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 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 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 S 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 1044-2 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 is received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

3. Article Addressed to: 10442

DONALD SCHELHAAS
HC78 BOX 36A
CROOKSTON, NE 69212

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

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

5. Signature (Addressee)
Donald Schelhaas

6. Signature (Agent)

4a. Article Number
P 694 059 408

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery
2-8-95

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

PS Form 3811, December 1991 ☆ U.S.G.P.O.: 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



1044-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 1995

1044-2

Donald Schelhaas
HC 78 Box 36A
Crookston, NE 69212

Dear Mr. Schelhaas:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. You may disregard the February 7, 1995, Notice of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire.

The questionnaire 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 Division
(605) 773-3352



1044-2

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

November 7, 2022

2728-2
1036-2
1039-2
1044-2
1220-2

Gary Garvin
39389 Cedar Ln
Valentine NE 69201

Dear Mr. Garvin:

Enclosed is a "Notice" dated October 21, 2022 concerning the 2022 irrigation questionnaires.

The notice was originally mailed to Crookston NE. The post office notified us that your address has changed, and I will update our records accordingly.

On the forms pertaining to land you operated, I wrote the owner of record we have on file in the upper left hand corner. Ownership may have changed and if that's the case, please make notations on who I should reach out to for transfers. If you have any questions, please contact me.

Sincerely,

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

enclosures