

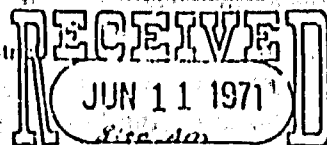
Water Right Number 1085-2

1. Considered July 14, 19 71
2. Name of Applicant Schmitz Well Group
3. Post Office Address Donald Schmitz, Bonesteel, S.D.
4. Amount of water claimed .856
5. Source of water supply ground water
6. Water to be used for domestic and livestock water at seven service stations
Acres to be irrigated _____
7. Water to be diverted and used in Gregory County
about E. EDGE Miles of Bonesteel
8. Proof of Publication Received 7-12-71
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 1085-2Map No. 925-2 Water Division No. 2 PANCA CREEK

(Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant SCHMITZ WELL GROUP. A Joint and Co-operative association consisting of Tony Schmitz, Donald Schmitz, Clarence Schmitz, Druey Pistulka, Robert J. Pistulka, George Pistulka, Jr., and Jerome Kennig.Postoffice address Bonesteel, State South Dakota

If a corporation show date and place of incorporation _____

Consent for digging well and

2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor on balance.3. Name of diversion work Schmitz Well No. 1.4. Amount of water claimed (cubic feet per second) 25 gallons per minute.5. Source of water supply Shallow ground water6. Location of point of diversion 1070 feet west and 1140 feet north of the Southeast Corner of Section 6, Township 95 North, Range 68 West of the 5th P. M., Gregory County, South Dakota.County Gregory7. Annual period or periods during which water is to be used To be used the year around.8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Joint & co-operative domestic and livestock watering use.9. Per irrigation use None

Total number of acres to be irrigated _____

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.
Not applicable			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use Four years.11. Choice of newspaper for Notice of Intent to appropriate Water publication Bonesteel Enterprise, Bonesteel, S. Dak.

12. Principal Features of the Proposed Water Supply System:

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

Well- approximate depth of 150 feet and submersible pump.

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

Buried underground plastic pipes- Two inch pipe down to one inch pipe.

C. Works proposed to apply water to beneficial use.

Approximately seven service connections with hydrants and faucet outlets.

Estimated Total Cost \$5,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map.
(See instructions concerning preparation.)

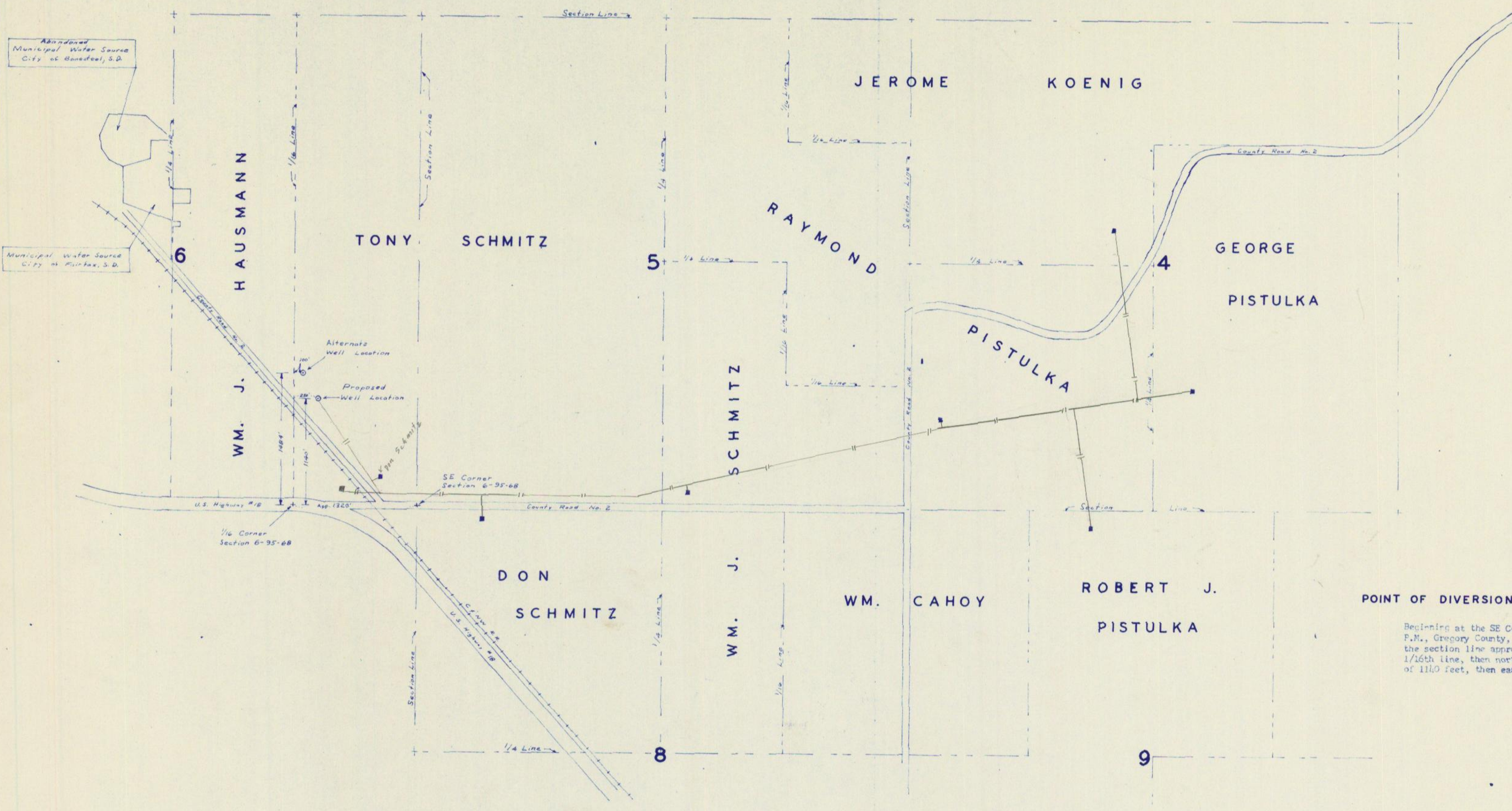
STATE OF SOUTH DAKOTA

County of GregoryI, Donald Schmitz

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 Donald SchmitzSubscribed and sworn to before me this 9th day of June 19 71

Notary Public (or other qualified officer)



N

SCALE: 1" = 660'

POINT OF DIVERSION:

Beginning at the SE Corner of Section 6, T95N, R68W of the 5th P.M., Gregory County, South Dakota, and proceeding west along the section line approximately 1320 feet to the north-south 1/16th line, then north along said 1/16th line a distance of 1140 feet, then east 250 feet to the point of diversion.

SURVEYORS CERTIFICATE

I, E. Lyle Kimport, a duly registered Professional Engineer and Land Surveyor in the State of South Dakota, do hereby certify that the accompanying map shows the location of the proposed water well site in the Southeast Quarter of Section 6, Township 95 North, Range 68 West of the 5th P.M., Gregory County, South Dakota.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 15th day of March, 1971.

E. Lyle Kimport
Registered Professional Engineer and
Land Surveyor

State of South Dakota
County of Davison

On this 15th day of March, 1971, Before me the undersigned officer, personally appeared E. Lyle Kimport known to me to be the person whose name is subscribed to the within Surveyors Certificate and he acknowledged to me that he executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I set my hand and seal.

Richard H. Hufman
Notary Public

My Commission Expires: February 28, 1975.

**FARMERS COOPERATIVE DOMESTIC AND
LIVESTOCK WATER WELL LOCATION MAP**

SE 1/4 SECTION 6, T95N R68W of 5TH P.M.

GREGORY COUNTY, SOUTH DAKOTA

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1085-2
SCHMITZ WELL GROUP BONESTEEL
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57317 With the following modifications.
 (State)

Date of first receipt of application JUNE 11, 1971
 Date of return to applicant for correction, amendments or changes required ---, 19---
 Date of receipt of corrected application ---, 19---
 Approved JULY 14, 1971, Recorded in Book 12 Page 19

WATER RIGHT PERMIT NO. 1085-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1085-2 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 JUNE 11, 1971
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 14, 1974
3. The whole of said work is to be completed on or before JULY 14, 1976
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 14, 1980
5. The water appropriated shall be used for the purpose of DOMESTIC AND LIVESTOCK WATERING TO SEVEN CONNECTIONS
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 0.56 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 purpose, 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 JULY 14, 1980; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 19TH day of JULY, 1971

WATER RESOURCES COMMISSION

By:

[Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 22, 1976
 Water License Issued APRIL 20, 1976

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 36 in., Depth Approx. 150'
- (2) Casing, Type Steel Diameter 18 in. Thickness 12 gauge
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Steel, Diameter 18 in., Length 18 feet
- (4) Gravel Pack, Thickness 9 in., Length of gravel pack Approx 120'

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 material: Will not know until test well is drilled.

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property No wells rds. On property owned by others 127 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.

Donald L. Smith
Signature of Applicant

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1085-2

(1) WHEREAS, On the 11th day of June A. D. 1971

Schmitz Well Group

made Water Right Application No. 1035-2 for a permit to use .056 cubic feet per second of the waters of ground water

County of Gregory, State of South Dakota, for rural water system

_____ purposes; and

(2) WHEREAS, On the 10th day of July A. D. 1971

Permit No. 1035-2, with a date of priority of June 11, 1971

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 14th day of July A. D. 1978 and for the application to beneficial use of said water on or before the 14th day of July A. D. 1980

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 .056 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.

water is used for rural water system purposes to provide

domestic and livestock water

(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 Schlunitz Well Group

_____ of Bonesteel, S.D.
the holder _____ and owner _____ of said permit No. 1085-2 a water right, dating from June 11, 1971
_____ to use of .056 cubic feet per second of the waters
of ground water

in the County of Gregory and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at _____
a point 1070 ft. West and 1140 ft. North of the SE Corner
Section 6, T95N. R68W

and conduct to and from ~~XXXXXX~~ conducted through the group water distribution
system

for the purpose of rural water system use

Subject to any limitations listed on Water Right Permit No. 1085-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 20th day of April A. D.
Nineteen Hundred and Seventy Six

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Form 15.

Permit No. 1085-2

Water Diversion No. 2 Ponca Creek Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Schmitz Well Group

_____ the holder _____ of
Permit No. 1085-2, issued upon Application No. 1085-2, bearing date of priority of June 11,
1971 authorizing the diversion of .056 cu. ft. per second of the waters of _____
ground water County of Gregory, State of South Dakota at _____
a point 1070 ft. West and 1140 ft. North of the SE Corner,
Section 6, T95N, R38W

_____, for rural water system

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, .06 cu. ft. per second of water.

Date April 20, 1976

By: WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

Publish first publication, on or before June 17, 1971NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 11, 1971Notice is hereby given that Schmitz Well Groupwhose post office address is Donesteel, 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.056cubic feet of water per second of time from ~~the~~ ground water through theSchmitz Well #1

the point of diversion of which is to be located in the _____

SE 1/4 SE 1/4of Section 6, Twp. 95N, Range 68W. Said water to be used for the purpose of providing ~~water for the following described land:~~
domestic and livestock water at seven service connections.

1085-2

This application No. _____ will be considered by the Water Resources Commission at their office at Pierre upon the 14th day of July, 1971, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Donald Schmitz, Donestee, S.D.

No. 685-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Gregory) ss.

I, Dean R. Sahalpa hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Bonesteel Enterprise

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 Bonesteel

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

June 17

June 24

July 1

July 8

Dean R. Sahalpa
(Signature)

Publisher
(Title)

6-18-71
(Date Signed)

Public Notice

NOTICE INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501

June 11, 1971
Notice is hereby given that
Schmitz Well Group whose post
office address is Bonesteel, South
Dakota, has made an application
in accordance with the provi-
sions of the water laws of South
Dakota for a permit to appropri-
ate for beneficial use .056 cubic
feet of water per second of time
from ground water through the
Schmitz Well No. 1, the point of
diversion of which is to be locat-
ed in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8,
Twp. 95N, Range 68W. Said wat-
er to be used for the purpose of
providing domestic and livestock
water at seven service connec-
tions.

This application No. 685-2 will
be considered by the Water Re-
sources Commission at their of-
fice at Pierre upon the 14th, day
of July, 1971, at 2:00 P.M. All
interested persons may appear
and be heard.

WATER RESOURCES
COMMISSION

By: BURTON F. JONES,
Water Rights Specialist
JUL 12 1971

RECEIVED
JUL 12 1971

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Form 10.

No. _____

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Post Office Bonesteel, South Dakota

Date September 25, 1971

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

Dear Sirs:

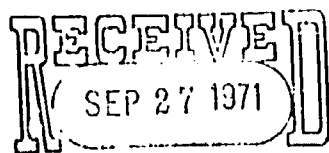
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1085-2.

Water Right Permit No. 1085-2 states that the diversion system is to be constructed by July 14, 1976 and that the water is to be put to beneficial use by July 14, 1980, 19 .

The diversion system was completed on September 18, 1971. Applying the water to beneficial use was completed on September 18, 1971.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Donald E. Sakowitz
(Signature)



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

1085-2 Schmitz Well Group. 87 merrill
2/26/76 Well 116' deep. 15' of
spongy gravel pack. Water is
33 feet below ground surface.

Discharge - 17 GPM
Well - 1771 ft

Pump - 3 HP submersible
behind 2 to 3' of gravel.
3450 RPM - 20 cfm
PT 179 - 133

17 GPM Well capacity - 11' dia
Pump put out 27 GPM - because of
narrow size of 18' casing
Pump - 12 feet above well bottom

Storage Tank 4 - 85 gal. Tank to
one 85 gallon tank at each house.

Water - not good for stock

1,100,000 gallons used 1974 calendar year

Permit No.

1085-2

Water Division

2Ponca Creek

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 SchmitzWell Group of Bonesteel, S. Dak holderof Permit No. 1085-2, bearing date of priority of June 11, 1971.authorizing the diversion of .051 cu. ft. per second of the waters of Ground waterfor Domestic and Livestock purposes, in Gregory 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:

Pump: 3 hp Submersible; Red Jacket.

Well capacity - 17 GPM, Pump capacity 27 GPM in 1 1/2" dia casing which acts as reservoir. 4 each - 35 gallon pressure Tanks at well. Pump set 12 ft above bottom.

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

Plastic pipe to each of 8 farmsteads

C. Works used to apply water to beneficial use.

One 35 gallon pressure tank and a meter at each farmstead.

The system is in the following condition: GoodThe point of diversion is located 1970 feet west and 1140 feet north of the Southeast corner of Section 6, Township 95 North, Range 68 west of the 5th P.M., Gregory County, South Dakota.The works are capable of diverting and conveying to the place of use .06cu. ft. per second of water which is to be used for Domestic and Livestock PurposesWater has been put to beneficial use to the maximum extent as follows: 8 farmsteads are connected to system to be used year around.

comprising a total of _____ acres of land.

Well - depth 116 ft; 1 1/2 inch dia casing - steel.
Gravel packed. Water 83 ft below ground surface.Date March 8, 1971Leroy J. McNaught
(Signature)