

Water Right Number 1545-2

1. Considered 3-24, 19 77
2. Name of Applicant G. C. SCHEMM
3. Post Office Address VALENTINE, NR.
4. Amount of Water claimed 1.28
5. Source of Water supply 210' WELL
6. Water to be used for IRR.
Acres to be irrigated 90.0
7. Water to be diverted and used in TODD County
about 9.5 miles of MISSION
8. Proof of Publication
Received 3-14-77
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 1545-2
 Map No. 1316-2 Water Division No. 2 Kewanee River District _____
 (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 G. C. Scheinin
 Postoffice address 222 N. Bay, Valentine, State Nebr. 69201
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work none
 If claimed (cubic feet per second) 1.28
 Supply Irrigation Well
 Point of diversion none

- County Todd
7. Annual period or periods during which water is to be used May 15th thru Sept 15th
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 90

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.
NW 1/4 17-37-28	30		
NE 1/4 17-37-28	20		
SW 1/4 17-37-28	20		
SE 1/4 17-37-28	20		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Todd Co Tribune
12. Principal Features of the Proposed Water Supply System.

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

Irrigation Well

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

Center Pivot

C. Works proposed to apply water to beneficial use.

Sprinkling SystemEstimated Total Cost \$55,000
 Attachments—Attach Form 2A if diversion from a well or lagout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Cherry
 I, G. C. Scheinin, 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 Frances Bloom
 A. GENERAL NOTARY - State of Nebraska
 FRANCES BLOOM
 My Comm. Exp. Sept. 30, 1977
Subscribed and sworn to before me this 11 day of Jul, 1977

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1545-2
G. C. SCHEMM 233 NORTH KAY, VALENTINE
 (Applicant) (Post Office Address)
NEBRASKA 69201 With the following modifications:
 (State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application FEBRUARY 14, 19 77
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application _____, 19 ____
 Approved NOVEMBER 30, 19 77, Recorded in Book 19 Page 164

WATER RIGHT PERMIT NO. 1545-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1545-2 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 FEBRUARY 14, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 30, 19 80
3. The whole of said work is to be completed on or before NOVEMBER 30, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 30, 19 82
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.28 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 NOVEMBER 30, 19 82; said water to be used during the following described annual period: MAY 15 THRU SEPTEMBER 15

Witness my hand this 6TH day of DECEMBER, 19 77

WATER RIGHTS COMMISSION

By:

John M. [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

GROSCH IRRIGATION COMPANY, INC

ALBION, NEBR. — SILVER CREEK, NEBR. — O'NEILL, NEBR.

Test wells at 50¢ a foot are due and payable in 90 days unless arrangements have been made for the completion of the irrigation well.

Date _____

Name _____ Address _____

Location SE 1/4 Sec. 17 T. 37 N. R. 23

TEST LOG

Footage	Description	Footage	Description
0-2	top soil	0-2	top soil
2-5	clay	2-5	clay
5-7	sandstone	5-7	sandstone
7-22	sandstone	7-22	sandstone
		22-24	clay
		24-38	sandstone
		38-42	clay
		42-57	clay & sandstone
		57-63	sand
		63-69	sand with clay
		69-83	sandstone & clay
		83-104	clay & sandstone
		104-124	sand
		124-139	sand
		139-145	sandstone
		145-159	sand
		159-161	clay
		161-165	sand
		165-186	sand
		186-188	sand
		188-206	sandstone & clay
		206-227	red rock
		227-243	red rock

Driller

Customer's Signatures

Wesland Schenck

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

D Well Information or Estimates

(1) Drill Hole, Diameter 30", Depth 210'

(2) Casing, Type Steel Diameter 16" Thickness $\frac{1}{4}"$
(wood, concrete, steel, etc)

(3) Perforated Screen

Type Punched, Diameter $\frac{1}{8}$ in, Length 2 inches long

(4) Gravel Pack, Thickness 7 inches on all sides, Length of gravel pack 120 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 Pkwy sand

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 _____ rds. On property owned by others _____ 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.

Geo E Schuman
Signature of Applicant

01A
February 1, 1977

Mr. G. C. Schemm
223 North Ray
Valentina, NB 69201

Dear Mr. Schemm;

Your water sample (Lab. No. 77-073) 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

L. O. Fine
Water Quality Lab

LCF:ckb

Enclosures

cc: State Conservation Commission

P.S. Soil area 1a in the southeast part of the quarter is subject to high water table (sometimes salts also) and should not be irrigated.

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 G. C. Schemm

ADDRESS 223 North Ray, Valentine, Nebraska 69201

COUNTY Todd County, So. Dak.

LEGAL DESCRIPTION

1. WELL LOCATION Center of SE $\frac{1}{4}$ 17-37-28
2. LOCATION OF AREA TO BE IRRIGATED Approximately 132 acres located in the SE $\frac{1}{4}$ 17-37-28

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn

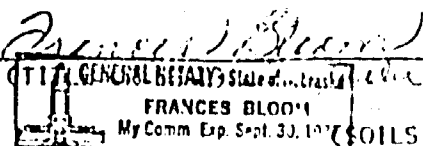
WATER QUALITY

5. SAMPLE NUMBER 77-073
6. SALINITY (EC X 10⁶) 34.8 (medium)
7. SODIUM (SAR) 0.13
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0.35

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 Todd 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.

G. C. Schemm
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
14 DAY OF January 1977.



Albert J. [Signature]
APPROVED

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: George C. Schemm Date Rec'd January 17, 1977
 Address: 223 North Ray Sample No. 77-073
Valentine, Nebraska 69201 Identification: Well-
SE¹, Sec. 17, T 37N, R 28W

WATER ANALYSIS

Calcium (Ca)	47	ppm*	2.35	me/l**
Magnesium (Mg)	11	ppm	0.90	me/l
Sodium (Na)	4	ppm	0.17	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	14	ppm	0.29	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	1	ppm	0.03	me/l
Bicarbonate (HCO ₃)	220	ppm	3.60	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)	180	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	348	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.13			
Sodium	4.68	% of cations		
Residual sodium carbonate	0.35	me/l		
pH	7.66			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 3.63 me/l
 Total anions 3.92 me/l

By: Shirley Kitten

Service Performed:

Amount Due

Irrigation analysis

\$15.00

- 8.00 paid

\$ 7.00 DUE

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-073

Amount Encl 15

Signed

Form 6 - Notice of Intent to Appropriate Water

No. ~~798873~~ 1545-2

Publish first publication, on or before March 10, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 4, 1977

Notice is hereby given that G. C. Schemm
whose post office address is Valentine, Neb., ~~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
1.28 cubic feet of water per second of time from the ground water through the
G. C. Schemm # 1, the point of diversion of which is to be located in the

center of SE 1/4
of Section 17, Twp. 37N, Range 28E. Said water to be used for the purpose
of providing irrigation on the following described land:

SE 1/4, Section 17, T37N, R28W
" " " " " "
" " " " " "
" " " " " "

This application No. 1545-2 will be considered by the Water Rights Commission at their office at
Pierre upon the 24th day of March, 1977, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

~~BURTON JONES~~ JAMES WINTERTON
Water Rights Specialist

BFJ/bw

cc:

G. C. Schemm, 233 North Ray, Valentine, NB 69201

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Todd) ss.

I, Kenneth Brown 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

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

March 10, 1977
March 17, 1977

Kenneth Brown
(Signature)

Bookkeeper
(Title)

March 10, 1977
(Date Signed)

Notice of Intent to Appropriate Water

Notice is hereby given that G. C. Schemm, whose post office address is Valentine, Neb., has made application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.28 cubic feet of water per second of time from ground water through the G. C. Schemm No. 1, the point of diversion of which is to be located in the center of SE 1/4 of Section 17, Twp. 37N, Range 28W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SE 1/4, Section 17, T37N, R28W. This application No. 1545-2 will be considered by the Water Rights Commission at their office at Pierre upon the 24th day of March, 1977, at 10:00 a.m. All interested persons may appear and be heard.

WATER RIGHTS
COMMISSION

By: James Winterton
Water Rights
Specialist

Publ.: March 10 and 17.



Water Rights Division
605 773-3352

March 23, 1982

1545-2

G. C. Scherm
233 North Ray
Valentine NE 69201

Dear Mr. Scherm:

This letter is in regard to your 1981 Irrigation Questionnaire return in which you indicated you would be finishing up development of your irrigation system in the fall. You questioned whether or not this would be satisfactory to our office.

As stated on Permit No. 1545-2, you have until November 30, 1982 to complete the project and the water to beneficial use. If, as you stated on your questionnaire, you have the system developed by next fall, you will be in compliance with the provisions of your permit.

If you have any further questions, please contact this office.

Sincerely,

Genny Young
Water Rights Specialist

GY:ks

1551-2 & 1545-2

April 21, 1977

G.C. Schemm
223 North Ray Street
Valentine, Nebraska 69201

Dear Mr. Schemm:

This acknowledges the receipt of your letter dated April 19, 1977 pertaining to Application Nos. 1551-2 and 1545-2. These permits are in a deferred status. You will not be required to re-apply. The date of the receipt of the application will be retained as the priority of the application.

The Water Rights Commission felt there was a need to determine what another season of pumping would do to the water levels before the issuance of additional permits in the Todd County area. If everything looks good next year, then additional permits will be issued.

Your permit will probably not be reconsidered until January of 1978. The next Commission hearing is scheduled for the 25th and 26th of May in Pierre.

Please advise this office of any additional questions.

Sincerely,

JAMES WINTERTON
Water Rights Specialist

JW/bw

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

January 25, 1983

G. C. Schemm
%Harlan Schemm
Mission Rt
Valentine NB 69201

Dear Mr. Schemm:

Enclosed please find our Form 18, "Application for Extension of Time".

Please sign and return the form to this office with a fee of \$2.50. This

extension of time will come up at the February 24, 1983,

meeting of the Board of Water Management at 9:00 am, Joe Foss Bldg.,

Room 216, 23 E Capitol, Pierre SD.

Sincerely,

KAREN SCHLAACK
Administrative Aide

enclosure

Equal Opportunity Employer

APPLICATION FOR EXTENSION OF TIME

TO: Water Rights
Foss Building
Pierre, South Dakota 57501

Date 1-30-83

Dear Sirs:

In Water Right Permit No. 1545-2 it is specified that the water diversion system is to be completed by November 30, 1982 and that the water is to be put to the limit of beneficial use by November 30, 1982.

I hereby request that the date for completing the diversion system be extended to November 30, 1985 and that the date for putting the water to the limit of beneficial use be extended to November 30, 1985.

The extension of time for the completion of these works is requested for the

following reasons: I appreciate your consideration of my request for an extension of time for completion of my drugstore project. I guess the main reason is the over surplus of corn and depressed prices. By completing this drugstore system at this time I couldn't become eligible for any of the government corn reduction acreage programs, and without some participation in these

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time. on back
note

Harland Schuman
(Signed)

1545-2
Permit Number

Denied 2-21-83
APPROVED:

Board of Water Management

BY:



programme a corn farmer couldn't survive with these depressed prices.

thank you

Harland Schenck

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9134

Harland Schenck, Mission Route, Valer, PIERRE, February 1, 1983
 Valer, SD 58201

RECEIVED OF

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
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 WR 452 (any other work as provided by law)	2	50
TOTAL	2	50

WATER RIGHTS COMMISSION

By John Hatch
 Chief Engineer, Executive Officer
 JOHN HATCH/ES

Water Rights Division
605 773-3352

March 9, 1983

1545-2

Harland Schemm
Mission Route
Valentine NE 69201

Dear Mr. Schemm:

This is to inform you that your request for extension of time dated January 30, 1983 for Water Right No. 1545-2 has been denied by the Water Management Board at their February 24, 1983 Board Meeting.

If you have any questions concerning the action that was taken by the Board, please advise.

Enclosed is Receipt No. 4 9134 in the amount of \$2.50 which you paid for filing of the extension of time request.

Sincerely,

KEVIN LARSON
Water Resources Engineer

KL:GY:ks

enclosure

No. 1545-2

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

June 21, 1983

NOTICE

G. C. Schemm
c/o Harland Schemm
Valentine, Nebraska 69201

Dear Mr. Schemm:

The inspection of your water use system and inspection of the extent application of water to beneficial use, as developed under your Water Right No. 1545-2 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.

Section 58 of House Bill 1001 as passed by the 1983 Legislature effective March 8, 1983 states that a permit holder may not divert water until this \$50.00 license fee has been paid.

Sincerely,

Genny McMath
Water Rights Specialist

GM:ms

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

WNR-814 3/83
Request for W/L fee(\$50)

Permit No. 1545-2Water Division 2 Keya Pala River Water District
10150006REPORT 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 Harland G. C.Schemm of Valentine, Nebraska holderof Permit No. 1545-2, bearing date of priority of February 14, 1977authorizing the diversion of 1.28 cu. ft. per second of the waters of Ground Water (Ogallala)
for Irrigation 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:

ONE 193 FT. deep Well.
Sargent Pump, 8 in., 4 stage Turbine
60 HP NRR 3 phase electric motor

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

30 FT. 8 in. PVC pipe.

C. Works used to apply water to beneficial use.

6 Towe Valley Center Pivot, 170 ft. spans, 1020 ft. overall length
Nelson end gun.
73 psi operating pressure.The system is in the following condition: excellentThe point of diversion is located 2059 FT. N. 39° 49' W. of S.E. Corner.
S. 17 T. 37 N. R. 28 W.The works are capable of diverting and conveying to the place of use 650 gpm. 1.45 cfs
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 irrigation ofThe following Land: S. 17 T 37 N R. 28 W. - NE⁴ SE⁴ = 25.3 ac
NW⁴ SE⁴ = 25.3 ac
SE⁴ SE⁴ = 15.0 ac
SW⁴ SE⁴ = 15.0 ac80.6comprising a total of 80.6 acres of land.1.15 cfs. Max. allowable

Well information:

Total depth = 193 FT.Casing: 110 FT. 16 in. SteelScreen: 83 FT. Stainless SteelStatic Level = 24 FT.Date April 27, 1983Archie Smith
(Signature)Sent to G.C. Schemm
40 Harland Schemm

WATER LICENSE NO. 1545-2

(1) WHEREAS, On the 14th day of February A. D. 19 77
G. C. Schann

made Water Right Application No. 1545-2 for a permit to use 1.28 cubic feet per second of the waters of groundwater (one well)

County of Todd, State of South Dakota, for Irrigation purposes; and

(2) WHEREAS, On the 30th day of November A. D. 19 77

Permit No. 1545-2, with a date of priority of February 14, 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 30th day of November A. D. 19 82 and for the application to beneficial use of said water on or before the 30th day of November A. D. 19 82

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 1.15 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

to irrigate the following land in Section 17, T37N, R28W

NE $\frac{1}{4}$ SE $\frac{1}{4}$	25.30 Acres	(DA)
NW $\frac{1}{4}$ SE $\frac{1}{4}$	25.30 Acres	(DB)
SE $\frac{1}{4}$ SE $\frac{1}{4}$	15.00 Acres	(DD)
SW $\frac{1}{4}$ SE $\frac{1}{4}$	15.00 Acres	(DC)
TOTAL	80.60 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 G. C. Schemm

of Valerius, Nebraska 68201
the holder and owner of said permit No. 1545-2 a water right, dating from February 14, 1977
to use of 1.15 cubic feet per second of the water
of groundwater (one well)

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 2059'N 39°49'W of the SE Corner, Section 17,
T37N, R28W (DA)

and conducted to and upon portions of Section 17, T37N, R28W more fully described on the
face of this License.

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 1545-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 7th day of July A. D.
Nineteen Hundred and Eighty-Three

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9232

PIERRE, July 6

19 83

RECEIVED OF Harland Schemm (for G.C. Schemm) Mission Route, Valentine, NE 69201
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No. 1445-2	50	00
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 *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH/ms

No. 1545-2

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

July 7, 1983

Harland Schemm
Mission Route
Valentine, Nebraska 69201

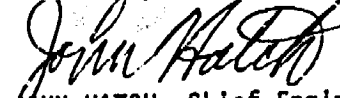
RE: G.C. Schemm License

Dear Mr. Schemm:

Enclosed herewith is, Water License No. 1545-2. This is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

WNR-817 3/83
Transmittal of Water License



Department of Water & Natural Resources

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

January 29, 1988

HARLAND SCHEMM, OP
HC 14 BOX 119
VALENTINE, NE 69201

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1545-2. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 1545-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352
cc: G C Schemm, 233 N Ray, Valentine, NE 69201

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

1545-2

Water Rights Division - DWNR
Conversation or File Documentation

File No. _____

NAME OF PERSON OR FILE: Harlan Schemm

ADDRESS: HC 14 Box 119, Valentine, NE COUNTY _____

DATE: January 29, 1988 TELEPHONE _____

RE: irrigation questionnaire

COMMENTS:

The NOTICE dated January 29, 1988 scheduling No. 1545-2 for a hearing to
amend the permit due to nonreturn of the irrigation questionnaire was
mailed about the same time the questionnaire was received from Mr. Schemm.

The questionnaire is now on file and no hearing will be necessary.

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.

NAME: Garry McMath



October 18, 2001

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

1115-2
1545-2

Chris Robinson
Farmers National Company
105 W 2nd St
Valentine, NE 69201

Dear Ms. Robinson:

Thank you for inquiry into Water Right Nos. 1115-2 and 1545-2. Enclosed as we discussed, are copies of both water rights. Water Right No. 1115-2 is listed in the name of Harland Schemm and Water Right No. 1545-2 is listed in the name of G C Schemm.

I have also included transfer forms for both water rights. If Harland will still own both, then only No. 1545-2 will need to be transferred. If the land will be sold, then both water rights will end up being transferred to the new owner(s). A \$2.50 filing fee is required for filing a transfer of ownership (for each water right). The check or money order for the fee can be made payable to the Water Rights Program.

During our conversation, you inquired about domestic use versus irrigation rights and the priority given to each. In South Dakota, domestic use is the highest priority and takes precedence over all other appropriative rights. I have enclosed a summary of our water laws and rules. You had also mentioned jurisdiction issues within the boundaries of the reservation. I have contacted our legal counsel and she will be getting in touch with you to answer any questions you may have.

If after reviewing the enclosed materials you have any further questions I can help answer, please let me know.

Sincerely,

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

enclosures

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

1545-2

417148

Pierre, April 22, 2002

RECEIVED OF Scott R O Samantha A Flannery, HC 14 Box 221B, Mission, SD 57555
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven year.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form _____ 1545-2

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Darland White
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1545-2

RECEIVED

APR 22 2002

WATER RIGHTS
PROGRAM

Date:

April 12, 2002

I/We request that Water Right No. 1545-2

formerly owned by: G C Schemm

be transferred to: (name & address)

Scott R. Flannery

H.C. 14, Box 221B, Bismarck, SD 57555 Telephone No. 605-856-4158

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

80.6 acres in the SE 1/4 Section 17, T37N, R28W

I/We understand that the validity of Water Right No. 1545-2 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 Tripp)

I/We Scott R. Flannery 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.

Scott R. Flannery
(Signature of new owner)

Subscribed and sworn to before me this 12 day of April, 2002

Yvon Burty
(Notary Public)

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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

April 22, 2002

1115-2

1545-2

Scott R & Samantha Flannery
HC 14 Box 221B
Mission, SD 57555

Dear Mr. & Mrs. Flannery:

Thank you for following up on the ownership change for Water Right Nos. 1115-2 and 1545-2. The transfers have been completed. The water rights formerly listed in the name of G. C. Schemm or Harland Schemm are now listed in your names.

Enclosed are your Receipt Nos. 417148 and 417149 in the amounts of \$2.50 each.

Also enclosed is a sample irrigation questionnaire. This will give you an idea of what type of information to keep track of during the irrigation season. The actual forms that need to be completed and returned to us will be mailed to you in October, 2002.

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

Sincerely,

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

enclosures

NOT TO SCALE

Map 1545-2
Permit #1545-2

37-28

102 L

84.6

26.5

100 feet 9/10

47.2

47.2

17

16.3

18.7

well

16.9 16.9

1545-2

12.5

Schemm

13.3

37-28

37-18
(1-76)

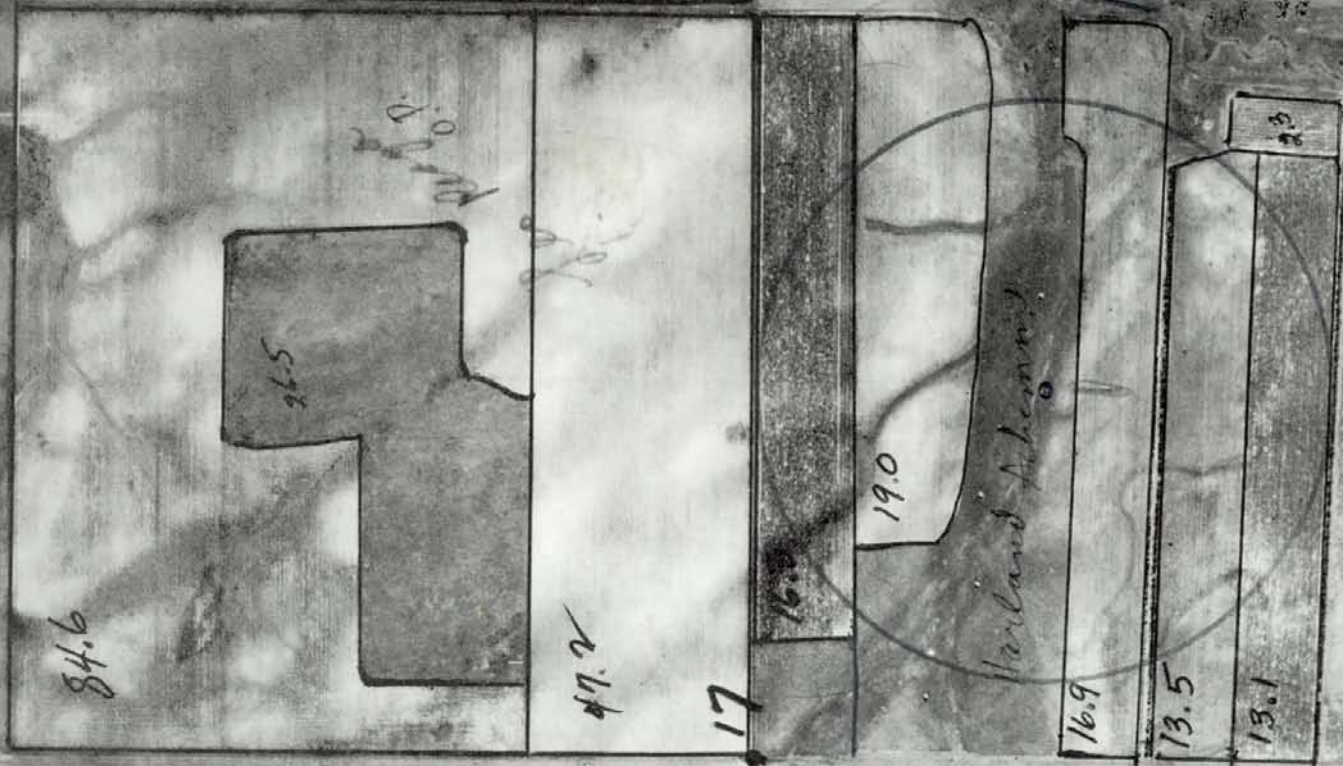
PRELIMINARY PLAN MAP
Todd County Extension Service
Todd Co., So. Dak.

Carroll D. Harding
County Extension Agent

Date: 2-8-77

Prepared for Richard Schemm

Map Scale 8" equals 1 mile



37-18

~~MAP 15-16-2~~ APPENDIX 1545-2



1545-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: SCOTT R & SAMANTHA FLANNERY, 27251 288TH ST, MISSION, SD 57555

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire has not been submitted for Permit No(s) 1115-2 & 1545-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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 **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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) 1115-2 & 1545-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: UQLHDT**

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.

1545-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 2020

1115-2
1545-2

Scott & Samantha Flannery
27251 288th St
Mission SD 57555

Dear Mr. & Mrs. Flannery:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right Nos. 1115-2 and 1545-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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