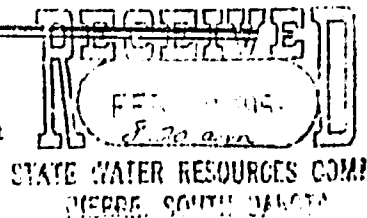


- 1019-3
1. Considered 5-1, 1963
 2. Name of Applicant DAILEY BROTHERS
 3. Post Office Address JEFFERSON
 4. Amount of water claimed 3.27
 5. Source of water supply GROUND WATER
 6. Water to be used for IRRIGATION
Acres to be irrigate 230
 7. Water to be diverted and used in Union County
about 5 miles of JEFFERSON
 8. Proof of Publication Received ☒
Not Received ☐
 9. Application Approved ☐
Subject to ☐
Not Approved ☐
Action deferred ☐
 10. Remarks:

No. 1019-3
 Water Division No. 3 BIG SIOUX 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 Leonard E., Richard E., and James E. Dailey
 Postoffice address Jefferson, County Union, State South Dakota

- I. If a corporation _____
- (a) Name of same _____
- (b) Date and place of incorporation _____
- (c) Amount of capital stock _____
- (d) Amount paid in _____
- (e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
Contract
- (b) Cash on hand, \$ adequate (c) Treasury stock, \$ _____
- (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Dailey Diversion #1
3. Amount of water claimed 3.27 cubic feet per second
4. Source of water supply well
5. Location of point of diversion 660' W. of NE corner Sec. 2, T 29^N, R 7^W (Original Nebraska Survey) on _____ bank Union County.
6. Annual period or periods during which water is to be used April 1 to December 1
7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? sprinkler

(a) Number of acres to be irrigated 230 acres.

(b) Legal subdivisions to be irrigated

40 A SW 1/4 Sec 36, T 30 R 7; 47A in SE 1/4 Sec 35 T 30 R 7; 30 A in NW 1/4 Sec 1 T 29 R 7; 113 A in NE 1/4 Sec 2 T 29 R 7

(c) Statement as to domestic use (giving location, etc.)

None

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use _____
 Name any of the above uses claimed
- (b) Amount of power to be generated _____ horse power.
 Amount claimed for engine cooling _____
- (c) Location of plant _____
- (d) Method of developing power _____
- (e) Point where water will be returned to stream _____

MAP NO 663-3

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
(c) Fluming, \$..... (d) Canal-earth, \$..... Lock, \$.....
(e) Other structures \$..... Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....
material used in construction:.....
(b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET FEET	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET	ACRE-FOOT CAPACITY

(c)* Head gate: Width.....feet, height.....feet;
Material.....
(d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....years.
11. Time required for complete application of water to the proposed beneficial use.....years.
12. Choice of newspaper for publication of notice of intention to appropriate.....

STATE OF SOUTH DAKOTA

County of Hamlin ss.

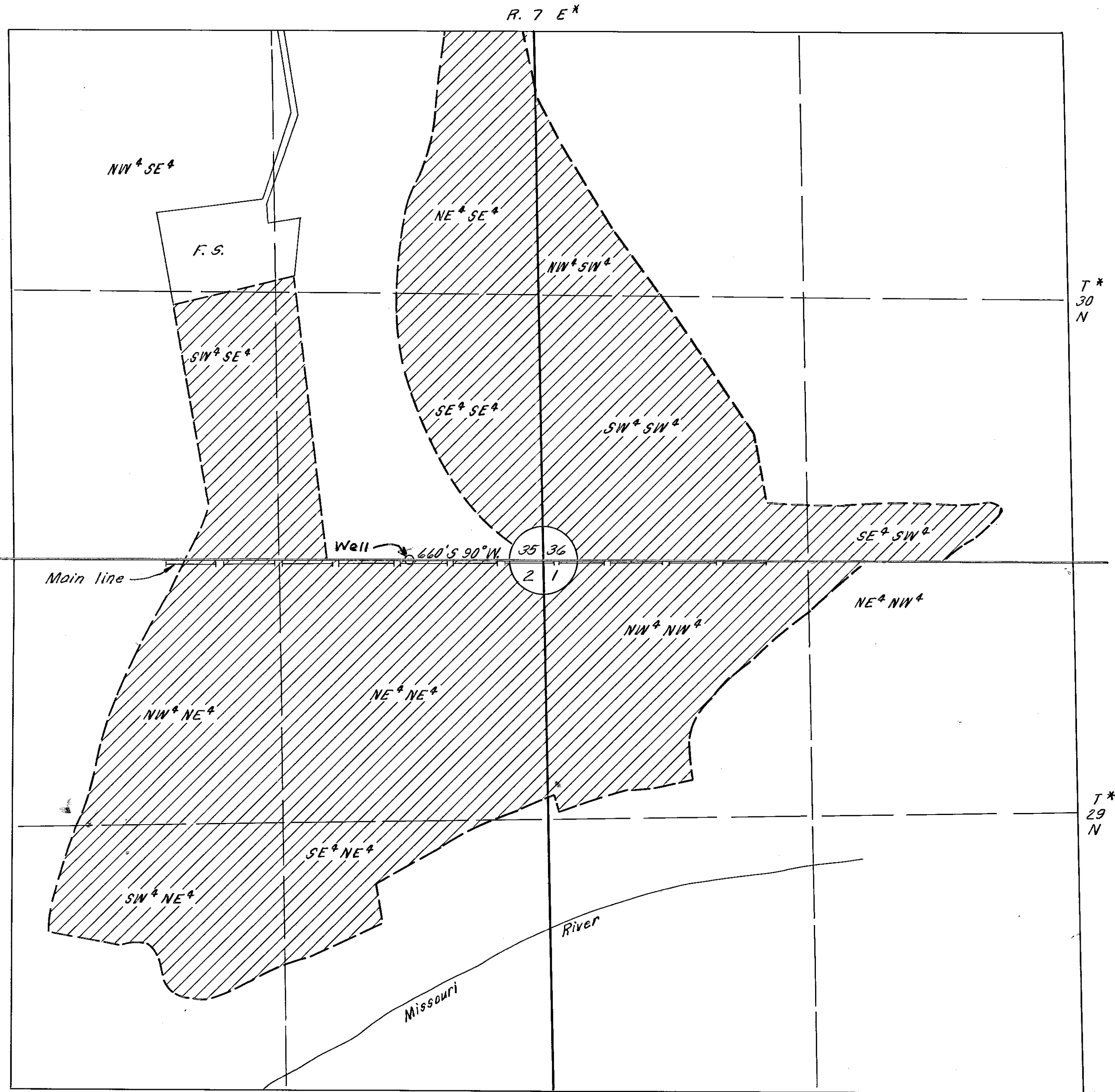
I, Howard E. Bailey, Notary Public, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Howard E. Bailey

Subscribed and sworn to before me this 1 day of August 1913

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



Notes:
- Land owned by Leonard, Richard and James Dailey.
*Original Nebraska survey.
Sprinkler system.

All lands described are owned by Leonard E.,
Richard E. and James E. Dailey.
Location of land to be irrigated

LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NE 1/4 SE 1/4	35	30N	7E	18.1
SW 1/4 SE 1/4	35	30N	7E	18.0
SE 1/4 SE 1/4	35	30N	7E	20.5
NW 1/4 SW 1/4	36	30N	7E	7.3
SW 1/4 SW 1/4	36	30N	7E	30.7
SE 1/4 SW 1/4	36	30N	7E	5.5
NW 1/4 NE 1/4	2	29N	7E	23.2
NE 1/4 NE 1/4	2	29N	7E	39.7
SW 1/4 NE 1/4	2	29N	7E	18.5
SE 1/4 NE 1/4	2	29N	7E	8.7
NW 1/4 NW 1/4	1	29N	7E	26.7
NE 1/4 NW 1/4	1	29N	7E	1.0
TOTAL				212.9

I, CARL C. WEISZ DO HEREBY CERTIFY THAT THIS
MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE
LEONARD E., RICHARD E. AND JAMES E. DAILEY IRRIGATION PROJECT
NUMBER 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE
FOR THE UNION COUNTY SOIL AND WATER CONSERVATION DISTRICT.

SIGNATURE: Carl C. Weisz
TITLE: Aggr. Engineer
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 28 DAY OF
March, 1953 A.D.

NOTARY PUBLIC
MY COMMISSION EXPIRES 9-30, 1955

Scale: 1"=400'

**LEONARD E., RICHARD E. AND JAMES E.
DAILEY IRRIGATION PROJECT
NUMBER 1**

Union County, South Dakota

**U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE**

Designed	Date	Approved by
Drawn		Title
Traced		Title
Checked		Sheet No / of
		Drawing No.

MAP NO 663-3 (APPL NO 1019-3)

Remarks by State Water Resources Commission:
This well is located near domestic wells which may obtain water from the same aquifer. If the well covered by this permit to appropriate water depletes the domestic water supply, restrictions, to the extent necessary, of the capacity of this well or periods of operation or other arrangements may be required to protect the domestic water supply.

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, MAY 10, 1963

This is to certify that the foregoing application was received by the Commission at 8:20 o'clock
a.m. upon the 12TH day of FEBRUARY, 1963

State Water Resources Commission

By:

Austin Jones
Chief Engineer, Executive Officer

Number of permit 1019-3

Date of first receipt of application FEBRUARY 12, 1963

Date of return to applicant for correction, amendments or changes required as follows: FEBRUARY 14, 1963

Date of receipt of corrected application MARCH 29, 1963

Date from which applicant may claim right FEBRUARY 12, 1963

Approved MAY 1, 1963, Recorded in Book 8 Page 72

This is to certify that we have granted the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereunto grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 1, 1965

2nd. The whole of said work is to be completed on or before MAY 1, 1968

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

MAY 1, 1968

4th. The water appropriated shall be used for the purpose of IRRIGATION

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 3.27 cubic feet per second; neither shall it exceed the capacity of the above described system diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before MAY 1, 1968; said water to be used during the following described annual period:

APRIL 1 TO DECEMBER 1

Witness my hand this 10TH day of MAY, 1963

State Water Resources Commission

By:

George Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued June 5, 1964

Water License Issued June 5, 1964

Remarks by the Applicant:

Test well is to be put down as soon as weather will permit. We feel sure that the well described here will yield sufficient water to accomplish the irrigation requested here, based on the capacity of other wells in the North Sioux City Yankton aquifer.

A supplement to this application will be forwarded to you as soon as a test well is put down and the system is designed. In the supplement we agree to furnish such information as is not furnished herewith, firm up figures classed as "estimates" on this form and furnish such other data as you may request.

In the meantime we respectfully request that this application be acted upon by your Commission.

Howard E. Bailey

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30", Depth 100' (est.)

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

Size of casing 18", Thickness of casing standard

Length of casing 100' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Standard slot

Size of perforated screen 18" 70' (est.)
(diameter) (length)

Thickness of gravel pack 6", length of gravel pack 70' (est.)

(c) Water Bearing Materials

Distance to water 8 (est.) Character of water bearing materials

Course sand and gravel in all neighboring wells

Thickness of water bearing material 80' in neighboring wells

(d) Pump and Motor

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

Name of pump Western Land Roller, size 6"

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

Horsepower To be determined Name of Motor To be determined

(e) Complete well

Capacity To be determined at drawdown of Estimated cost \$1700.00

(1) Owner of land upon which well is located Leonard E., Richard E., also
Name

James E. Dailey Jefferson South Dakota
Address

(g) Distance to nearest existing wells

On same owner's property 1750' X X X On property owned by others 1 1/2 miles
road X

STATE OF SOUTH DAKOTA

WATER LICENSE No. 1019-3

WHEREAS, On the 12th day of February A. D. 1964
Leonard E., James E. and Richard E. Dailley
 of Jefferson County of Union and State of
South Dakota duly made application (No. 1019-3) for a permit to use 3.27
 cubic feet per second of the waters of ground water
 County of Union, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 10th day of May A. D. 1963
 Permit No. 1019-3 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 1st day of
May A. D. 1963 and for the application to beneficial use of said
 water on or before the 1st day of May A. D. 1968
 and,

WHEREAS, On the 27th day of May A. D. 1964
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.27
 cubic feet per second of said waters, as evidenced by our Certificate No. 1019-3
 dated June 5, 1964 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 3.27 cubic feet per second of water, with date of
 priority of February 12, 1963 and.

WHEREAS, On the 27th day of May A. D. 1964
 proof was duly made of the application to beneficial use of 3.27 cubic feet per second of said water;
for irrigating 730 acres in portions of Sections 1 and 2, T29N, R7W and Sections 35
and 36, T30N, R7W, all in Original Nebraska Survey

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 Leonard E., James E. and Richard E. Dalloy
 of Jefferson the holder and owner of said permit No. 1019-3
 a water right, dating from February 12, 1963 to the use of 3.27
 cubic feet per second of the waters of ground water
 in the County of Union and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted at A point 1320'W and 750'S of the
NE corner, Section 2, T29N, R7W (Original Nebraska Survey)
 and conducted to and upon portions of Sections 1 and 2, T29N, R7W and Sections 35 and 36,
T30N, R7W, Original Nebraska Survey, more specifically described in the Certificate
of Completion of Work
 for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
 State, and subject, also to the local or community customs, rules and regulations which have been or may be
 adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
 which such water may be taken, when such rules and regulations have for their object the economical use of such
 water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
 this 5th day of June A. D. Nineteen
 Hundred and Sixty Four

State Water Resources Commission

By:

J. W. GRIMES
 Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 1019-3Water Division No. 3 Big Sioux River
Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Leonard E., Richard E. and James E. Dailey

of Jefferson, County of Union, and State of South Dakota, the holder of Permit No. 1019-3, issued upon Application No. 1019-3, bearing date of priority of February 12, 1963, authorizing the diversion of 3.27 cu. ft. per second of the waters of ground water County of Union, State of South Dakota, at a point 1320' W and 750' S of the NE corner, Section 2, T29N, R7W, Original Nebraska Survey for irrigation

purposes, has fully 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 3.27 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: all under Original Nebraska SurveySW $\frac{1}{4}$ Section 36, T30N, R7E 40 acresSE $\frac{1}{4}$ Section 35, T30N, R7E 47 "NW $\frac{1}{4}$ Section 1, T29N, R7E 30 "NE $\frac{1}{4}$ Section 2, T29N, R7E 113 "Total - 230 "

* The issuance of this Certificate and the Water License recognizes the alternate location of the well from that proposed in the application.

Witness my hand this 5th day of June A. D. 1964

State Water Resources Commission

By: J. W. CRIMES
Chief Engineer, Executive Officer

On or before
(First Publication April 4, 1963)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 1, 1963

Notice is hereby given that Leonard E., Richard E. and James E. Dailey whose postoffice address is Jefferson S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.27 cubic feet of water per second of time from ~~the~~ ground water through the Dailey Diversion #1, the point of diversion of which is to be located on the

~~bank of said stream~~ in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2 (Original Nebraska Survey)
Twp. 20 N Range 7 W Said water to be used for the purpose of providing irrigation on the following described land:

Portions of SW $\frac{1}{4}$, Sec. 36, SE $\frac{1}{4}$ Sec. 35, T30N R7W and NW $\frac{1}{4}$ Sec. 1, NE $\frac{1}{4}$ Sec. 2, T29N R7W (original Nebraska Survey)

~~XXXXX~~ XXXXX purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 1st day of May, 1963, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:
BURTON F. JONES
Water Right Specialist

CC: Publisher
The Leader Courier
Elk Point, S. Dak.

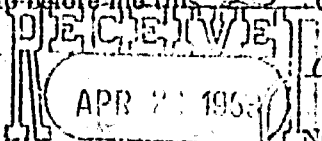
PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County _____ } ss.

Byron Helgeson being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____
The Leadville Herald 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 Leadville County of _____
Union and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 4, 1963April 11, 1963April 18, 1963April 25, 1963

In each and every issue of the full number thereof, the first publication being made on the 4th day of April 1963 and the last publication on the 25th day of April 1963, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was editor the printer and publisher of the said newspaper.

Byron HelgesonSubscribed and sworn to before me this 25th day of April A. D. 1963Notary Public Union County, S. D.

STATE WATER RESOURCES COM.

PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., April 11, 1963.

Notice is hereby given that Leonard E. Richard, E., and James E. Dalley whose post office address is Jefferson, S. Dak., have made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.27 cubic feet of water per second of time from ground water through the Dalley Diversion No. 1, the point of diversion of which is to be located in the NE 1/4 of the NE 1/4 of Section 2, T29N, R7W, (Original Nebraska Survey). Said water to be used for the purpose of providing irrigation on the following described land: Portions of SW 1/4, Sec. 36, NE 1/4, Sec. 35N, T30W, R7 and NW 1/4, Sec. 1, NE 1/4, Sec. 2, T29N, R7W, (Original Nebraska Survey).

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 1st day of May, 1963, at 2 P.M. All interested persons may appear and be heard. Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By: BURTON F. JONES

Water Right Specialist

(Pub. Apr. 4, 11, 18, 25)

Permit No.

1019-3

Water Division No.

3

Big Sioux

River Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____

10_____, I have this day made a thorough examination of the diversion works constructed by Leonard E.James E. & Richard E. Dailey

of

JeffersonUnion

County, South Dakota, holder of Permit No.

1019-3

issued upon Application No. 1019-3, bearing date of priority of February 12, 1963, authorizing thediversion of 3.27 cu. ft. per second of the waters of ground water for irrigation

purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 100' well mounted with Holler shaft & pump assembly - Powered by German made Deutz air-cooled Diesel rated @ 100 H.P. Tino Vermeer L-180 booms rated @ 500 GPM @ 90# pressure - 3750' of 7" aluminum pipe (Pump capable of 1500 GPM)

and the system is in the following condition: Excellent

The point of diversion is located 1325' N & 750' S of the NE corner, Section 2, T29N, R7W (Original Nebraska Survey)

The works are capable of diverting and conveying to the place of use 3.27 cu. ft. per second of water, which is to be used for irrigation

The legal sub-divisions to be irrigated are: 40 acres in SW⁴ Section 36; 47 acres in SE⁴ Section 35, T30N, R7W; 30 acres in NW⁴ Section 1; 113 acres in Section 2, T29N, R7W - all original Nebraska Survey

comprising a total of 230 acres of land

The domestic use intended comprises _____

The utilization for power, mining, or other beneficial uses comprises: _____

Witness my hand, this 27th day ofMayA.D. 1964

-SEAL-

Quinton L. Jones
Examining Engineer
Officer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2004

NOTICE

TO: RICHARD DAILEY, 1006 WYNSTONE DR, JEFFERSON, SD 57038

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 1019-3 & 3486-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 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 8:30 am, March 3, 2004, 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) 1019-3 & 3486-3 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 **February 27, 2004**, 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.



1019-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 8220

Your item was delivered at 12:57 pm on January 15, 2004 in JEFFERSON, SD 57038. The item was signed for by R DAILEY.

[Shipment Details >](#)

Notification Options

- ▶ Track & Confirm by email [What is this?](#) [Go >](#)
▶ Request Proof of Delivery [What is this?](#) [Go >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)
Copyright © 1999-2002 USPS. All Rights Reserved. Terms of Use Privacy Policy

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 8220

RICHARD DAILEY
1006 WYNSTONE DR
JEFFERSON SD 57038

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

fore mailing.

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

- ☐ Priority Mail®
☐ Package Services

I wish to apologise for not
having returned my questionnaires
on time. It was not intended
as I believe that I have always
been timely in the past. I
will strive to better in the
future.

Sincerely
Richard Dailey



1019-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 2004

1019-3
3486-3

Richard Dailey
1006 Wynstone Dr
Jefferson SD 57038

Dear Mr. Dailey:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 1019-3 and 3486-3.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 12, 2024

1019-3
3486-3

Richard Dailey
1006 Wynstone Dr
Jefferson SD 57038

Dear Mr. Dailey:

I write to you today in response to the 2024 Irrigation Questionnaire information submitted for Water Right Nos. 3486-3 & 1019-3.

On this year's questionnaire for Water Right No. 3486-3, you reported the irrigation of 90 acres of soybeans and 90 acres of corn, for 905 hours each in the month of August (copy enclosed).

On the questionnaire for Water Right No. 1019-3, you reported the irrigation of 115 acres of soybeans and 115 acres of corn, for 805 hours each in the month of August (copy enclosed).

August only has 744 hours.

Please contact me to revise your 2024 Irrigation Questionnaire.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
Amanda.Dewell@state.sd.us
(605) 773-3352

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 13th, 2026

8630-3, 1019-3, 3486-3

Matt Schmitz
48020 County Rd 1B
Jefferson, SD 57038

Dear Mr. Schmitz:

We understand that the properties authorized under Water Right Nos. 1019-3 & 3486-3, and Water Permit no. 8630-3, have been sold to you. For your convenience, I have emailed these to partially completed "Transfer of Ownership" forms to Cari, for you to complete.

You may return the forms with a check for \$150.00 (\$50.00 each), made payable to "SD Water Rights Program" to cover the transfer fees, or you can pay by card, you may call our Fiscal Office at 605.773.5559.

These forms will still need to be returned even if you are submitting payment over the phone. You can email them back to me or mail, either way is fine.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
523 E Capitol Ave
Pierre, SD 57501
605 773-3352
Shannon.konst@state.sd.us

enclosures

Sent by Email to: Cariann McDermott@yahoo.com

PAID

MAR 30 2026

Ck# 30166

Rec't#

RECEIVED

MAR 30 2026

OFFICE OF
WATER

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 1019-3

Date: 3-24-26

I/We request that Water Right/Permit No. 1019-3 formerly owned by:
Leonard/Richard Dailey be transferred to:

New Owner Name:

Address:

City, State, Zip

Matt + Brian Schmitz
48000 County Rd 1/B Jefferson mobile: 712 281 0234
Jefferson, SD 57038 email: Matt.Schmitz74@hotmail.com

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

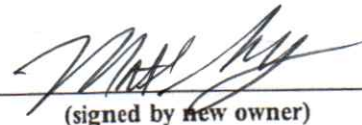
all under Original Nebraska Survey		
SW 1/4 Section 36, T30N, R7E	40	acres
SE 1/4 Section 35, T30N, R7E	47	"
NW 1/4 Section 1, T29N, R7E	20	"
NE 1/4 Section 2, T29N, R7E	113	"
Total	230	"

☒ I understand that the validity of Water Right/Permit No. 1019-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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 Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Matt Schmitz, the new owner, certify that the above information is true and correct.


(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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.

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

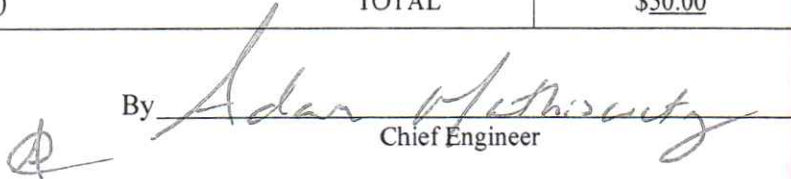
Date March 30, 2026

RECEIVED OF Matt & Brian Schmitz 48020 County Rd 1B Jefferson, SD 57038

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 years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>#1019-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By


Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 31, 2026

1019-3, 3486-3, 8630-3

Matt & Brian Schmitz
48020 County RD 1B
Jefferson, SD 57038

Dear Matt & Brian:

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" forms and the required fees you submitted for Water Right Nos. 1019-3, 3486-3 and Water Permit No. 8630-3. Enclosed are the receipts of payment for your records.

Water Right Nos. 1019-3, 3486-3 and Water Permit No. 8630-3, previously held by Margaret Dailey, Richard Dailey and Leonard & Richard Dailey, are now all listed under Matt & Brian Schmitz. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Permit/License (copy enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Permit/License will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Right Nos. 1019-3, 3486-3 & Water Permit No. 8630-3, has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures