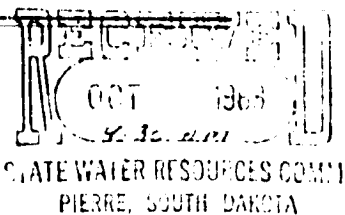


1. Considered 12-4, 1968
2. Name of Applicant W. C. SCHUMACHER
3. Post Office Address PIERRE
4. Amount of water claimed 3.55
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
- Acres to be irrigated 24.9
7. Water to be diverted and used in LOGAN county
about 10N 3W miles of PIERRE
8. Proof of Publication Received ✓
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:

No. 1621-3Water Division No. 3 Missouri River District
(Blank 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 William Schumacher
Part A. Pierre
 Postoffice address _____, County Hughes, State So. Dak.

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 and direct labor(b) Cash on hand, \$ adequate (c) Treasury st _____, \$ _____

(d) Bonds to be issued \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Schumacher #13. Amount of water claimed 3.55 cubic feet per second4. Source of water supply ground water5. Location of point of diversion see attachment_____ on _____ bank Hughes County.6. Annual period or periods during which water is to be used April thru October

7. To be used for:

I. Irrigation or domestic use. Gravity, overhead sprinkling or combination system? combination(a) Number of acres to be irrigated 249 acres.(b) Legal subdivisions to be irrigated see attachment

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

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

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 _____

(g) Distance to nearest existing wells

On same owner's property 50 rods. On property owned by others 150 rods

MAP No 11623-3

8. Estimated cost of work:

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

9. Description of diversion works:

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

Wells, pump, mainline and Sprinkler or Gravity System

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom feet; length at topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face material used in construction

(b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

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

(c)* Head gate: Width.....feet, heightfeet; Material

(d) Canal: Total lengthmiles.

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 five.....years.

11. Time required for complete application of water to the proposed beneficial use four..... years.

12. Choice of newspaper for publication of notice of intention to appropriate Capital Journal, Pierre, S.D.

STATE OF SOUTH DAKOTA }
County of Hughes } ss.

I, William Schumacher, 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 William Schumacher

Subscribed and sworn to before me this 7th day of October 1958

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device

AREAS BY LEGAL SUBDIVISION

AREAS BY LEGAL SUBDIVISION	AREA
NW ¹ SW ⁹ SEC. 2 TWP. 112 R. 80	40 AC
NE ¹ SW ⁹ SEC. 2 TWP. 112 R. 80	40
NW ¹ SE ⁹ SEC. 2 TWP. 112 R. 80	40
NE ¹ SE ⁹ SEC. 2 TWP. 112 R. 80	40
SW ¹ SW ⁹ SEC. 2 TWP. 112 R. 80	16
SE ¹ SW ⁹ SEC. 2 TWP. 112 R. 80	23
SW ¹ SE ⁹ SEC. 2 TWP. 112 R. 80	25
SE ¹ SE ⁹ SEC. 2 TWP. 112 R. 80	25
TOTAL	249 AC

SURVEYORS CERTIFICATE

STATE OF SOUTH DAKOTA SS
COUNTY OF HUGHES

I MAYNARD C. SOMMER, REGISTERED LAND SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF WILLIAM SCHUMACHER, SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDRIES ON SEPTEMBER 1968 FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP IS A TRUE REPRESENTATION THEREOF.
WITNESS MY HAND AND SEAL THIS 20th DAY OF SEPTEMBER 1968.

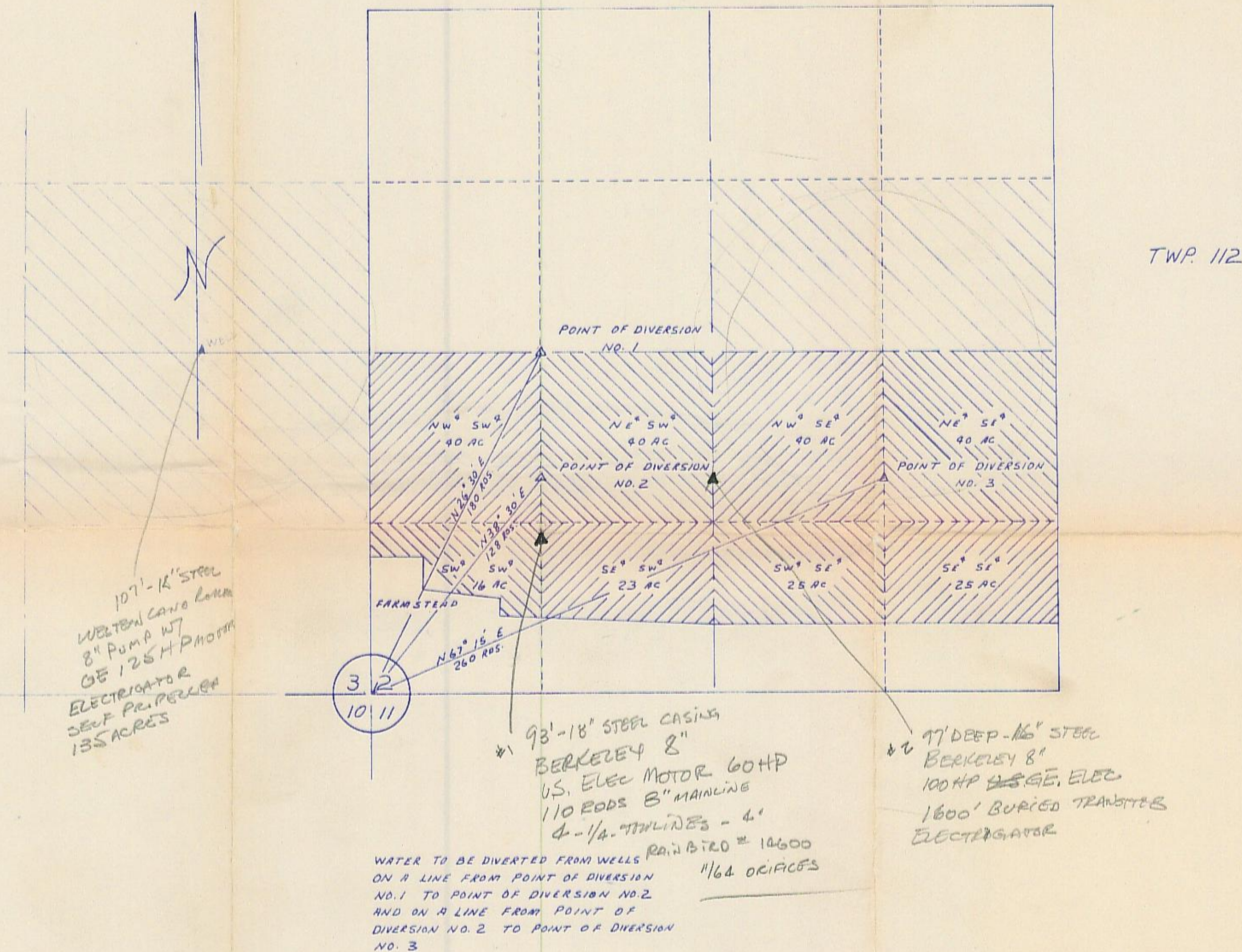
Maynard C. Sommer
REG. LAND SURVEYOR

STATE OF SOUTH DAKOTA SS
COUNTY OF HUGHES

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MAYNARD C. SOMMER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYORS CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.
WITNESS MY HAND AND SEAL THIS DAY OF SEPTEMBER 1968.

MY COMMISSION EXPIRES: January 19, 1975

W. B. Schell
NOTARY PUBLIC



WATER TO BE DIVERTED FROM WELLS
ON A LINE FROM POINT OF DIVERSION
NO. 1 TO POINT OF DIVERSION
NO. 2 AND ON A LINE FROM POINT OF
DIVERSION NO. 2 TO POINT OF DIVERSION
NO. 3

SCALE: 8 inches = 1 mile

SHOWING AREA & DIVERSION POINTS WHERE WATERS
WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

WILLIAM SCHUMACHER OWNER
MAYNARD C. SOMMER SURVEYOR

AREAS BY LEGAL SUBDIVISION

AREAS BY LEGAL SUBDIVISION	AREA
NW ¹ SW ⁹ SEC. 2 TWP. 112 R. 80	40 AC
NE ¹ SW ⁹ SEC. 2 TWP. 112 R. 80	40
NW ¹ SE ⁹ SEC. 2 TWP. 112 R. 80	40
NE ¹ SE ⁹ SEC. 2 TWP. 112 R. 80	40
SW ¹ SW ⁹ SEC. 2 TWP. 112 R. 80	16
SE ¹ SW ⁹ SEC. 2 TWP. 112 R. 80	23
SW ¹ SE ⁹ SEC. 2 TWP. 112 R. 80	25
SE ¹ SE ⁹ SEC. 2 TWP. 112 R. 80	25
TOTAL	249 AC

SURVEYORS CERTIFICATE

STATE OF SOUTH DAKOTA SS
COUNTY OF HUGHES

I MAYNARD C. SOMMER, REGISTERED LAND SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF WILLIAM SCHUMACHER, SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDRIES ON SEPTEMBER 1968 FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP IS A TRUE REPRESENTATION THEREOF.
WITNESS MY HAND AND SEAL THIS 26th DAY OF SEPTEMBER 1968.

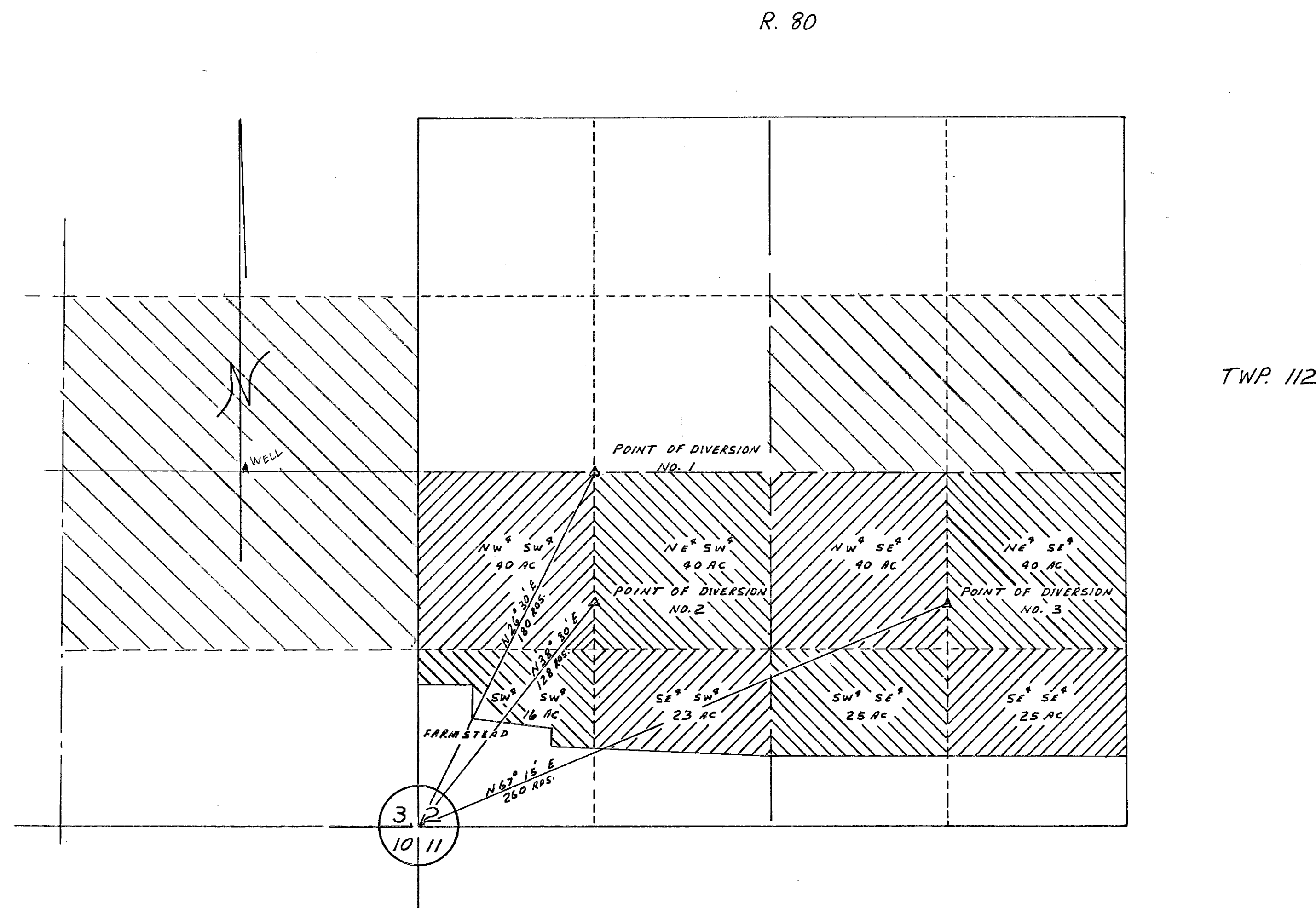
Maynard C. Sommer
REG. LAND SURVEYOR

STATE OF SOUTH DAKOTA SS
COUNTY OF HUGHES

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MAYNARD C. SOMMER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYORS CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.
WITNESS MY HAND AND SEAL THIS DAY OF SEPTEMBER 1968.

MY COMMISSION EXPIRES: January 19, 1975

R. B. Schull
NOTARY PUBLIC



WATER TO BE DIVERTED FROM WELLS
ON A LINE FROM POINT OF DIVERSION
NO. 1 TO POINT OF DIVERSION NO. 2
AND ON A LINE FROM POINT OF
DIVERSION NO. 2 TO POINT OF DIVERSION
NO. 3

SCALE: 8 inches = 1 mile

SHOWING AREA & DIVERSION POINTS WHERE WATERS
WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

WILLIAM SCHUMACHER OWNER
MAYNARD C. SOMMER SURVEYOR

MAP NO 1168-3 (APPL NO 1621-3)
APPL NO 1987-3

Remarks by State Water Resources Commission:

LANDS COVERED UNDER THIS PERMIT ARE
ALSO COVERED UNDER PERMIT 1573-3.
THE COMBINED DIVERSION RATE UNDER THE
TWO PERMITS SHALL NOT EXCEED THE
STATUTORY LIMIT OF 1 CUBIC FOOT PER
SECOND FOR EACH 70 ACRES.

The irrigation well approved under this Permit is located near
domestic wells which may obtain water from the same aquifer.
County of 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.

This is to certify that the foregoing application was received by the Commission at 9:30 o'clock
on the 1TH day of OCTOBER, 1968

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Number of permit 1621-3

Date of first receipt of application OCTOBER 7, 1968

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right OCTOBER 7, 1968

Approved DECEMBER 4, 1968 Recorded in Book 10 Page 285

This is to certify that we have examined the foregoing application for a permit to appropriate water of the
State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limita-
tions and conditions:

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

JUNE 4, 1971

2nd. The whole of said work is to be completed on or before DECEMBER 4, 1973

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

DECEMBER 4, 1977

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 3.55
cubic feet per second; neither shall it exceed the capacity of the above described system of 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 DECEMBER 4, 1977, said water to be used
during the following described annual period:

APRIL THRU OCTOBER

6TH day of DECEMBER, 1968

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 6, 1974

Water License Issued SEPTEMBER 6, 1974

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30", Depth 100'

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

Size of casing 16", Thickness of casing standard

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

(b) Screens

Type of perforated screen slotted

Size of perforated screen 16" 20'
(diameter) (length)

Thickness of gravel pack 7 in., length of gravel pack 100'

(c) Water Bearing Materials

Distance to water 80' Character of water bearing materials coarse sands and gravel

Thickness of water bearing material 20'

(d) Pump and Motor

Type of pump not known at this time
(centrifugal, propeller, mixed flow, etc.)

Name of pump _____, size _____

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

Horsepower _____, Name of Motor _____

(e) Complete well

Capacity ? at drawdown of _____ Estimated cost _____

(f) Owner of land upon which well is located William Schumacher, Part A.,
Name

Pierre, S.D.
Address

(g) Distance to nearest existing wells

On same owner's property 50 rods On property owned by others 150 rods

Points of Diversion:

#1 N 26° 30' E, 180 Rods	) All from SW Corner Sec. 2, T112N, R80W
#2 N 38° 30' E, 128 Rods	
#3 N 67° 15' E, 260 Rods	

Lands to be irrigated:

All in Section 2, T112N, R80W

NW $\frac{1}{4}$ SW $\frac{1}{4}$	40 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	40 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	40 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$	16 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$	23 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$	25 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$	25 acres
Total	249 Acres

Driller's Notice Of Intent To Construct Well

Water Resources Commission of South Dakota
State Office Building
Pierre, South Dakota

Gentlemen:

In accordance with Section 61.0406 of the 1960 Supplement to the South Dakota Code of 1939, Notice of Intent is hereby given to drill the following well.

Person for whom the well is to be drilled: William Schumacher
(Name)

Post A Pierre S.Dak
(Address)

Owner of land if other than above: _____
(Name)

(Address)

Location of well N.W. 1/4, S.W. 1/4, Section 7, Township 11.2,

Range 80

Proposed use of water Irrigation
(Domestic, irrigation, industrial, etc.)

Very truly yours,

Vergil H. Voss

Permit No. 1621-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That William Schumacher

the holder of

Permit No. 1621-3, issued upon Application No. 1621-3, bearing date of priority of October 7,

1968 authorizing the diversion of 3.55 cu. ft. per second of the waters of

ground water County of Hughes, State of South Dakota at

Well #1, 1320 ft. East and 1260 ft. North; Well #2, 2640 ft. East and

1650 ft. North, both from the SW Corner, Section 2, T112N, R80W

, 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 4.0 cu. ft. per second of water.

Date September 6, 1974

By: **WATER RIGHTS COMMISSION**

BOREID DRISCOLL, Chief Engineer

WATER LICENSE NO. 1621-3

(1) WHEREAS, On the 7th day of October A. D. 19 68
William Schumacher

made Water Right Application No. 1621-3 for a permit to use 3.55 cubic feet per second of the water of ground water

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

(2) WHEREAS, On the 6th day of December A. D. 19 68

Permit No. 1621-3, with a date of priority of October 7, 1968 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 4th day of December A. D. 19 73 and for the application to beneficial use of said water on or before the 4th day of December A. D. 19 77

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 3.55 cubic feet per second of water for beneficial use and.

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

for irrigating the following land in Section 2, T112N, R27E,

	<u>Acres</u>
<u>NW 1/4 SW 1/4</u>	<u>40</u>
<u>NE 1/4 SW 1/4</u>	<u>40</u>
<u>SW 1/4 SW 1/4</u>	<u>16</u>
<u>SE 1/4 SW 1/4</u>	<u>25</u>
<u>NE 1/4 SE 1/4</u>	<u>40</u>
<u>SW 1/4 SE 1/4</u>	<u>25</u>
<u>SE 1/4 SE 1/4</u>	<u>25</u>
<u>Total</u>	<u>249 acres</u>

(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 William Schumacher

_____ of Pierre, S.D.

the holder _____ and owner _____ of said permit No. 1621-3 a water right, dating from October 7, 1968

_____ to use of 3.55 cubic feet per second of the waters

of ground water

in the County of Hughes and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at Well #1, 1320 ft. East and 1260 ft. North;

Well #2, 2640 ft. East and 1650 ft. North, both from the SW Corner,

Section 2, T112N, R80W

and conduct to and upon portions of the S $\frac{1}{2}$, Section 2, T112N, R80W, more fully described

on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1621-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 6th day of September A. D.

Nineteen Hundred and Seventy-four

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer **DONALD DRISCOLL**

(First Publication on or before November 7, 1968.)

APPROPRIATION OF WATER

Office of State Water Resources Commission

Pierre, S. Dak., October 7, 1968.

Notice is hereby given that William Schumacher whose postoffice address is Pierre 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 3.55 cubic feet of water per second of time from the xxx ground water through the Schumacher #1 the point of diversion of which is to be located at points in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and xxxxxx in the NW $\frac{1}{4}$ $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 2 Twp. 112N Range E0W Said water to be used for the purpose of providing portions of irrigation on the following described land:

SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 2, T112N, R20W.

xxxx xxxxxx

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 4th day of December, 1968 at 2:00 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.

cc: William Schumacher, Part A.
Pierre, S.D.

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Burton F. Jones

Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA
County HUGHES ss.

J. H. HIPPLE being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

DAILY CAPITAL JOURNAL 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 PIERRE County of HUGHES and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

Oct. 11-18-25 and Nov. 1, 1968

in each and every issue of the full number thereof, the first publication being made on the 11 day of Oct. 19 68 and the last publication on the 1 day of Nov. 19 68, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Business Mgr. the printer and publisher of the said newspaper.

John H. Hippel

Subscribed and sworn to before me this 1 day of November A. D. 19 68

RECEIVED
NOV 6 1968

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Notarial Commission of
Sarah Gordon
Expires March 25, 1974

Notary Public HUGHES County, S. D.

No. 662-41 dly. O. 111-18-25
Nov. 1, 1968

APPROPRIATION OF WATER

Office of State Water
Resources Commission

Pierre, South Dakota

October 7, 1968

Notice is hereby given that

William Schumacher, whose post-

office address is Pierre, 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 3.55

cubic feet of water per second

of time from ground water

through the Schumacher No. 1

the point of diversion of which

is to be located at points in the

NW 1/4 SW 1/4 NE 1/4 and in

the NW 1/4 of the SE 1/4 Section 2

Twp. 112N Range 60E

Said water to be used for the

purpose of providing irrigation

on portions of the following de-

scribed land: SW 1/4 and SE 1/4 Section 2

T112N R60W

This application will be taken

up by the State Water Resources

Commission at their office at

Pierre for consideration upon the

4th day of December, 1968, at

2:00 P.M. All interested persons

may appear and be heard.

Appropriate action will be taken

by the Water Resources Com-

mission after suitable time has

elapsed for the consideration of

any or all information presented.

State Water Resources Com-

mission

BY: Burton F. Jones

Water Rights Specialist

Permit No. 1621-3Water Division 3 MISSOURI RIVER Water DistrictREPORT 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 WILLIAM SCHUMACHER of PIERRE holder of Permit No. 1621-3, bearing date of priority of OCTOBER 7, 1968 authorizing the diversion of 3.55 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes, in HUGHES 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 #1 - 93' DEEP WITH 18" STEEL CASING. BERKELEY 8" PUMP WITH U. S. 60 H.P. ELECTRIC MOTOR
WELL #2 97' DEEP WITH 16" STEEL CASING. BERKELEY 8" PUMP WITH 100 H.P. G.E. ELECTRIC MOTOR

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

FROM WELL #1 - 1800' OF 8" MAINLINE (ALUMINUM)
FROM WELL #2 - 1600' OF 8" BURIED TRANSITE MAINLINE TO PIVOT

C. Works used to apply water to beneficial use.

FROM WELL #1 - 4 - 1/4 MILE 4" TOWNLINES WITH RAINBIRD #14600 SPRINKLER HEADS WITH 1/4" ORIFICE
FROM WELL #2 - ELECTRIGATOR CENTER PIVOT SPRINKLER SYSTEM

The system is in the following condition: VERY GOOD

The point of diversion is located WELL #1 - 1320' E & 1260' N; WELL #2 - 2640' E & 1650' N, BOTH FROM THE SW CORNER, SECTION 2, T112N, R80W

The works are capable of diverting and conveying to the place of use 4.0cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows ALL IN SECTION 2, T112N, R80W

NW ¹ SW ⁴	40 AC.	NW ¹ SE ⁴	40 AC.
NE ¹ SW ⁴	40 AC.	NE ¹ SE ⁴	40 AC.
SW ² SW ⁴	16 AC.	SW ² SE ⁴	25 AC.
SE ² SW ⁴	23 AC.	SE ² SE ⁴	25 AC.

comprising a total of 2.19 acres of land.

NOTE: 68 ACRES IN THE S²NE¹, SECTION 2 & 12 ACRES IN THE N²SE¹, SECTION 3, T112N, R80W COVERED UNDER PERMIT NO 1987-3, ARE WATERED FROM THESE WELLS.

Date SEPTEMBER 5, 1974

Burton Jones
(Signature)
WATER RIGHT SPECIALIST
WATER RIGHTS COMMISSION



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 12, 2008

No. 1621-3
4580-3

Marvin Schumacher
19683 SD Hwy 1804
Pierre SD 57501

Dear Mr. Schumacher:

The return of the 2008 Irrigation Questionnaire indicated an ownership change has taken place on Water Right Nos. 1621-3 and 4580-3. Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on these water rights. The water rights are currently listed in the name of William S Schumacher. I have also enclosed copies of the water rights for your files.

The transfer forms should be checked over for accuracy and **signed by the new owner.** Upon completion, return the form to our office with a required filing fee of \$2.50 each (total \$5.00).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED
NOV 25 2008
WATER RIGHTS
PROGRAM

No. 1621-3

Date: 11-24-08

I/We request that Water Right/Permit No. 1621-3

formerly owned by: William S Schumacher

be transferred to: (name & address) Marvin Schumacher 19683 Hwy 1804
Pierre, SD 57501

Telephone No. 605-224-2817

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

249 acres located in the S 1/2 Section 2-T112N-R80W

I/We understand that the validity of Water Right/Permit No. 1621-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We Marvin Schumacher 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 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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/25, 20 08

RECEIVED OF Marvin Schumacher 19683 Hwy 1804 Pierre SD 57501

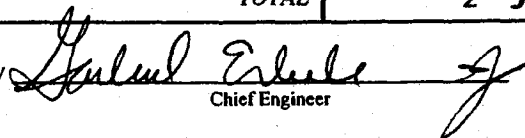
The following amount in fees for services rendered as provided for by law:

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>1621-3</u>	2	50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

03807

By


Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 26, 2008

1621-3
4580-3

Marvin Schumacher
19683 Hwy 1804
Pierre SD 57501

Dear Mr. Schumacher:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms and filing fees you submitted for transferring Water Right Nos. 1621-3 and 4580-3.

The ownership changes have been completed. The water rights formerly held by William S Schumacher are now listed in your name.

Enclosed are Receipt Nos. 03806 and 03807 in the amounts of \$2.50 each which you paid to cover the cost of the filing fees. You may keep these for your records.

If you have any questions, please contact me.

Sincerely,

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

FORM 2: Application for irrigation in South Dakota

(type or print)

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>1621-3</u> (office use only) Hydrologic Unit _____
	Basin _____
	Newspaper _____

Application For Permit To Appropriate Water For Irrigation

 Type of Application: ☐ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

Request for an additional diversion point for Water Right No. 1621-3 pursuant to SDCL 46-5-13.1

1. Name of Applicant Marvin Schumacher Phone _____(check one) ☒ Owner ☐ Tenant/lessee
 Mailing Address 19683 Hwy 1804 Pierre SD 57501
 (Address) (City) (State) (Zip Code)

 2. Amount of water claimed no addl *CFS or **GPM ***AF Total Acreage no addl
 (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Grey Goose Aquifer
 4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Hughes
Section 2, T112N, R80W either the NE 1/4 SW 1/4 or SW 1/4 SE 1/4
5. County or counties where water will be used Hughes6. Annual period during which water is to be used April 1 - October 31

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

(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
same as on Water Right			

8. Give a description of the project. (Attach sheet if more space is needed)

Production from existing well has fallen off. Intent is to drill replacement well for purpose of irrigation of the SE 1/4 Section 2, T112N, R80W. However, intend to maintain existing well in the event it is necessary as a helper well.

 STATE OF SOUTH DAKOTA)
 County of _____) SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Also, attach map and any other technical information. (see instructions)

I, _____, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction

Applicant's signature

Subscribed and sworn to before me this _____ day of _____ 20 _____

Notary Public signature

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth approx. 100
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicant's property _____ On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

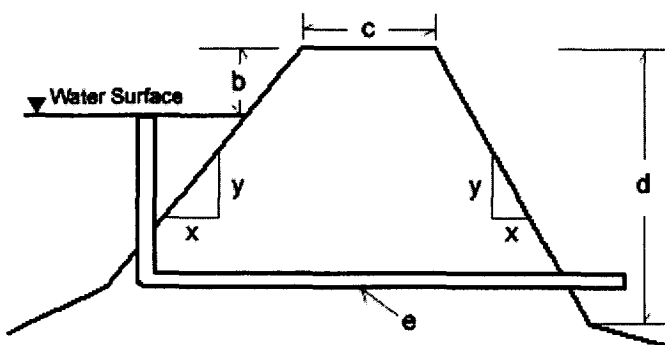
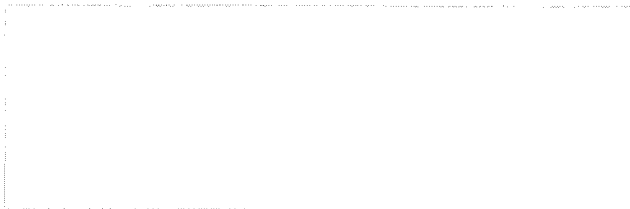
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 26, 2011

Marvin Schumacher
19683 Hwy 1804
Pierre SD 57501

Dear Mr. Schumacher:

I am writing in regard to a request for an additional diversion point for irrigation authorized by Water Right No. 1621-3.

Water Right No. 1621-3 appropriates 3.55 cubic feet of water per second from two wells completed in the Grey Goose Aquifer located in the S $\frac{1}{2}$ SW $\frac{1}{4}$ and along the north south quarter section line 1,650 feet north of S $\frac{1}{4}$ line for Section 2 to irrigate 249 acres located in the SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 2, T112N, R80W.

Upon review of the request and pursuant to SDCL 46-5-13.1, the additional well is authorized without application or publication of a notice of hearing. The additional well will be located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2.

No additional appropriation of water or acres irrigated above the amounts listed in the E $\frac{1}{2}$ of Section 2 on Water Right No. 1621-3 are authorized.

During your office visit, you indicated that the acreage in the SW $\frac{1}{4}$ of Section 2 had not been irrigated for a number of years. This portion of the water right may be subject to cancellation. To be able to resume irrigation in the SW $\frac{1}{4}$ you filed a new permit application to insure you have the legal right again develop this area for irrigation. As part of this application currently being processed, you filed to correct the acreage since the existing pivot includes a portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 2. Further review of water rights found that Water Right No. 1987-3 includes this acreage. However, this water right also includes irrigation in Section 3 and is in the name of your brother. If you own the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 2, it may be necessary for you to transfer this portion of the water right to your name.

If you have any questions, please contact Eric Gronlund at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

Request for Additional Diversion Point

NAME: Marvin Schumacher**ADDRESS:** 19683 Hwy 1804, Pierre SD 57501**DATE:** May 20, 2011 **COUNTY:** Hughes **TELEPHONE:**

Water Right No. 1621-3 appropriates 3.55 cubic feet of water per second from two wells completed into the Grey Goose Aquifer located in the S $\frac{1}{2}$ SW $\frac{1}{4}$ and 1,650 feet north of S $\frac{1}{4}$ line in Section 2 to irrigate 249 acres located in the SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 2, T112N, R80W.

During your office visit, Mr. Schumacher indicated that the well and acreage in the SW $\frac{1}{4}$ of Section 2 have not been irrigated for a number of years. This portion of the water right may be subject to cancellation. To be able to resume irrigation in the SW $\frac{1}{4}$, a new permit application was filed to insure a legal right to develop this area for irrigation. This application includes correcting the acreage for the portion of the eastern pivot that applies water in the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 2. Further review of water rights found that Water Right No. 1987-3 includes this acreage from the same well. However, this water right which also includes irrigation in Section 3 is in the name of Jim Schumacher. If Marvin Schumacher owns the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 2, it may be necessary to transfer this portion of the water right to his name.

Mr. Schumacher filed a request for an additional well for the irrigation of E $\frac{1}{2}$ portion of Section 2 authorized by Water Right No. 1621-3. The additional well is to be located about 600 feet to the south of the existing well. See attached map. The initial purpose of the new well is to be the primary well for irrigation. However, the existing well will be maintained in the event it is needed as a helper well. No additional water is to be appropriated and no new land will be irrigated.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The water source remains the Grey Goose Aquifer. The existing well is 97 feet deep. No additional water is to be appropriated by this request. The wells authorized by Water Right No. 1621-3 appropriates 3.55 cfs (1600 gpm). The request reflects that no additional diversion rate authority is requested. The additional well is intended to replace the existing well due to a decrease in production. The existing well is to be maintained as a helper well in the event it is needed.

- **Review of Existing Diversions (see map)**

The Water Rights Program's database of well completion reports was also reviewed for wells completed into the Grey Goose Aquifer. Based on the completion reports on file, the nearest domestic

well is approximately 9,100 feet to the southeast. There are three domestic wells on file located between 9,300 to 13,500 feet west along the banks of Lake Oahe. The next closest domestic well on file is about 15,000 feet south.

The nearest water right using the Grey Goose Aquifer is held by Jim Schumacher and located approximately 4,000 feet south of the wells authorized by Water Right No. 1621-3. Marvin Schumacher holds the next closest water right located approximately 4,800 feet to the east. And Jim Schumacher holds another irrigation right about a mile to the northwest. All total there are 13 water rights that use the Grey Goose Aquifer as their water supply totaling 21.55 cfs diversion rate authority. However, Permit No. 6281-3 appropriating 2.22 cfs for Dakota Value Capture Cooperative has not been developed and is likely subject to cancellation. Nine of the water rights are for irrigation and four are commercial uses. All but one of the nine irrigation rights are developed and report irrigating. The one that does not report irrigation taking place is for 0.10 cfs to irrigate 16 acres.

The Water Rights Program does maintain observation wells completed in the Grey Goose Aquifer. There is Well No. HU-82B located in the NW ¼ NW ¼ Section 3 about 1.7 miles northwest. This well had been in existence since 1982 but was destroyed in 2007. This well when in place showed fluctuation primarily due to climatic conditions. There is also Well No. HU-80A located 1.2 miles south in the NW ¼ NW ¼ Section 14. This well shows variation due to climate but also seasonal fluctuation due to irrigation withdrawals. The seasonal variation is approximately six feet.

The staff report for the most recent permit application from the Grey Goose Aquifer was prepared in 2006. It concluded that interference is not a concern. However, this proposed new well does put another well in a location of close proximity to the existing well. The wells are held by the same owner under the same water right. The permit holder indicates the new well is intended to be the primary well but wants to keep the old well in the event it is needed as a helper well. It will be the water right holder's decision on how to operate the wells serving the center pivot in the event there is interference between the wells.

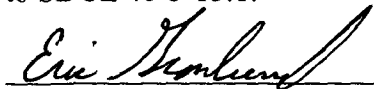
This is not an area where DENR has received complaint about interference regarding groundwater. In addition to groundwater diversions there is a significant amount of irrigation in the area primarily supplied by the Missouri River.

CONCLUSION

- The additional well does not appropriate additional water.
- The additional well is completed into the Grey Goose Aquifer.
- Interference is not expected to be a concern.
- Existing domestic wells will not be adversely impacted by authorizing this additional well.

RECOMMENDED ACTION

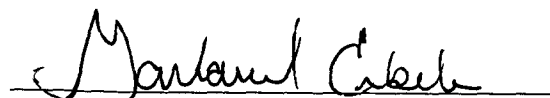
Based on the above criteria, it is recommended that the additional diversion point be authorized pursuant to SDCL 46-5-13.1.



Eric Gronlund, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This additional diversion point does not increase the potential for adverse effects to existing diversions.

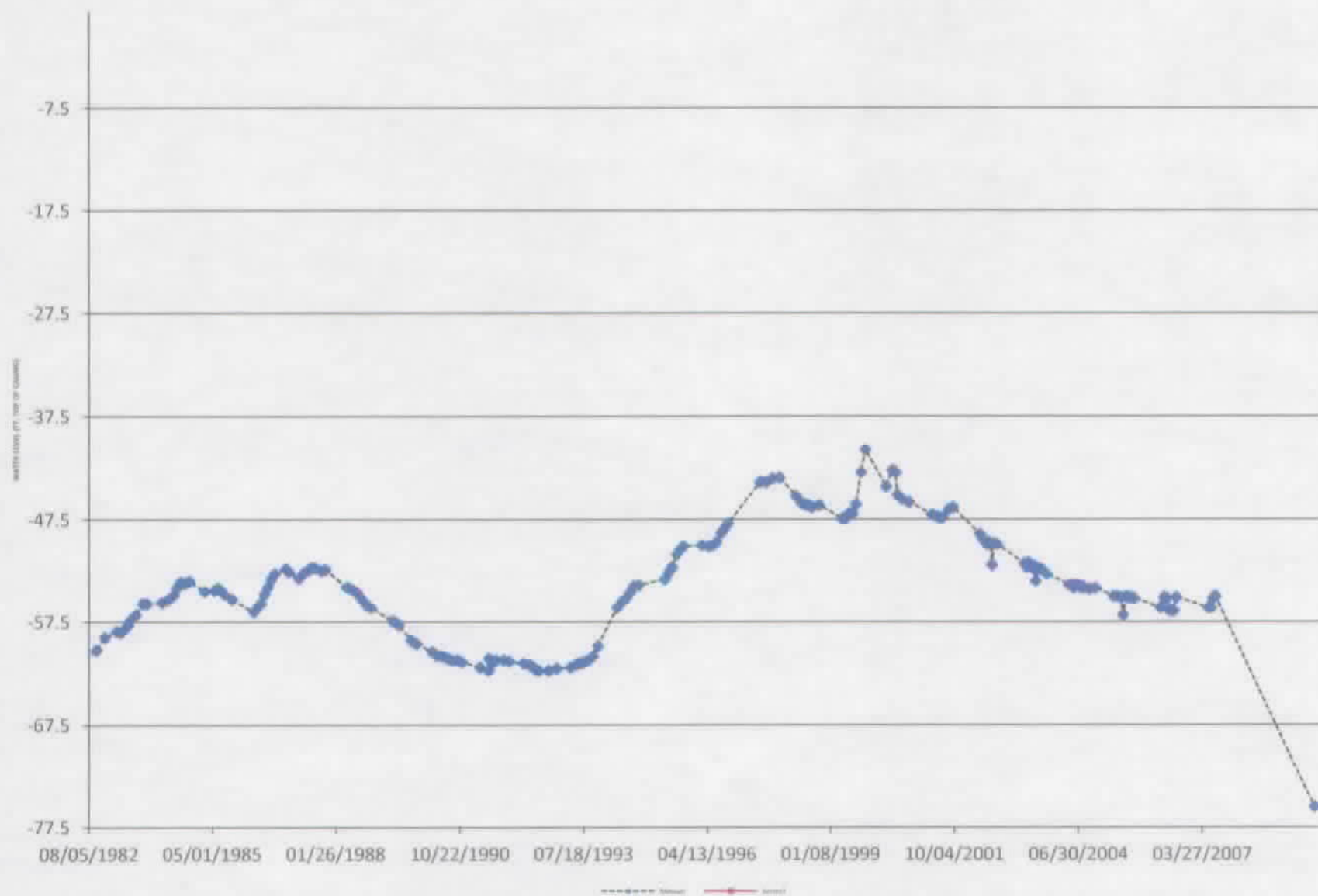
A handwritten signature in black ink, appearing to read "Garland Erbele", is written over a horizontal line.

Garland Erbele, Chief Engineer
Water Rights Program

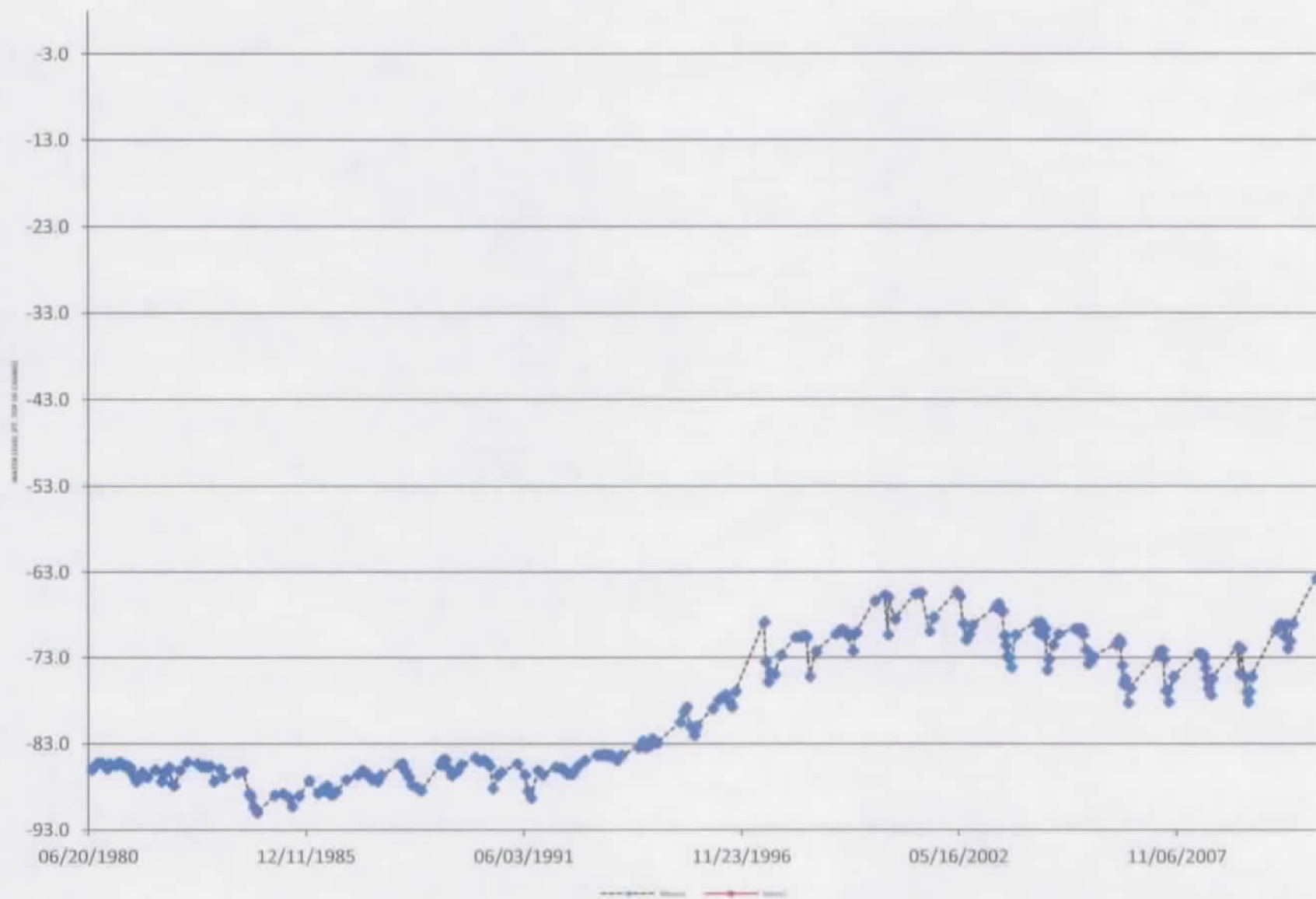
Water Rights from the Grey Goose Aquifer

PERMIT_N	LAST_NAME	FIRST_NAME	USE_TYPE1	PRIORDATE	STATUS	DIV RATE	ACRES
1621-3	SCHUMACHER	MARVIN	IRR	10/07/1968	LC	3.55	249
1987-3	SCHUMACHER	JIM	IRR	04/26/1973	LC	3.08	240
2488-3A	SCHUMACHER	JIM	IRR	11/10/1975	LC	1.56	307
3354-3	SCHUMACHER	JAMES F	IRR	12/06/1976	LC	1.78	150
4500-3	SCHUMACHER	JIM	IRR	01/24/1980	LC	1.78	132
4521-3	TVEIT	THOMAS/MARY	IRR	04/17/1980	LC	3.56	320
4580A-3	THE MASCHHOFFS LLC		COM	07/29/1986	LC	0.17	0
4580-3	SCHUMACHER	MARVIN	IRR	11/11/1980	LC	3.56	320
4917-3	OLSON	TOM	COM	08/10/1982	LC	0.07	0
5943-3	COW CREEK ESTATES		COM	06/11/1996	PE	0.055	0
6281-3	DAKOTA VALUE CAPTURE CO		COM	11/02/2001	PE	2.22	0
6726-3	YOUNG	RON L	IRR	05/24/2006	PE	0.1	16
6732-3	OAHE SPEEDWAY LLC		IRR	05/23/2006	PE	0.067	30
						Total Diversion Rate	21.552
						Irrigated acreage	1764

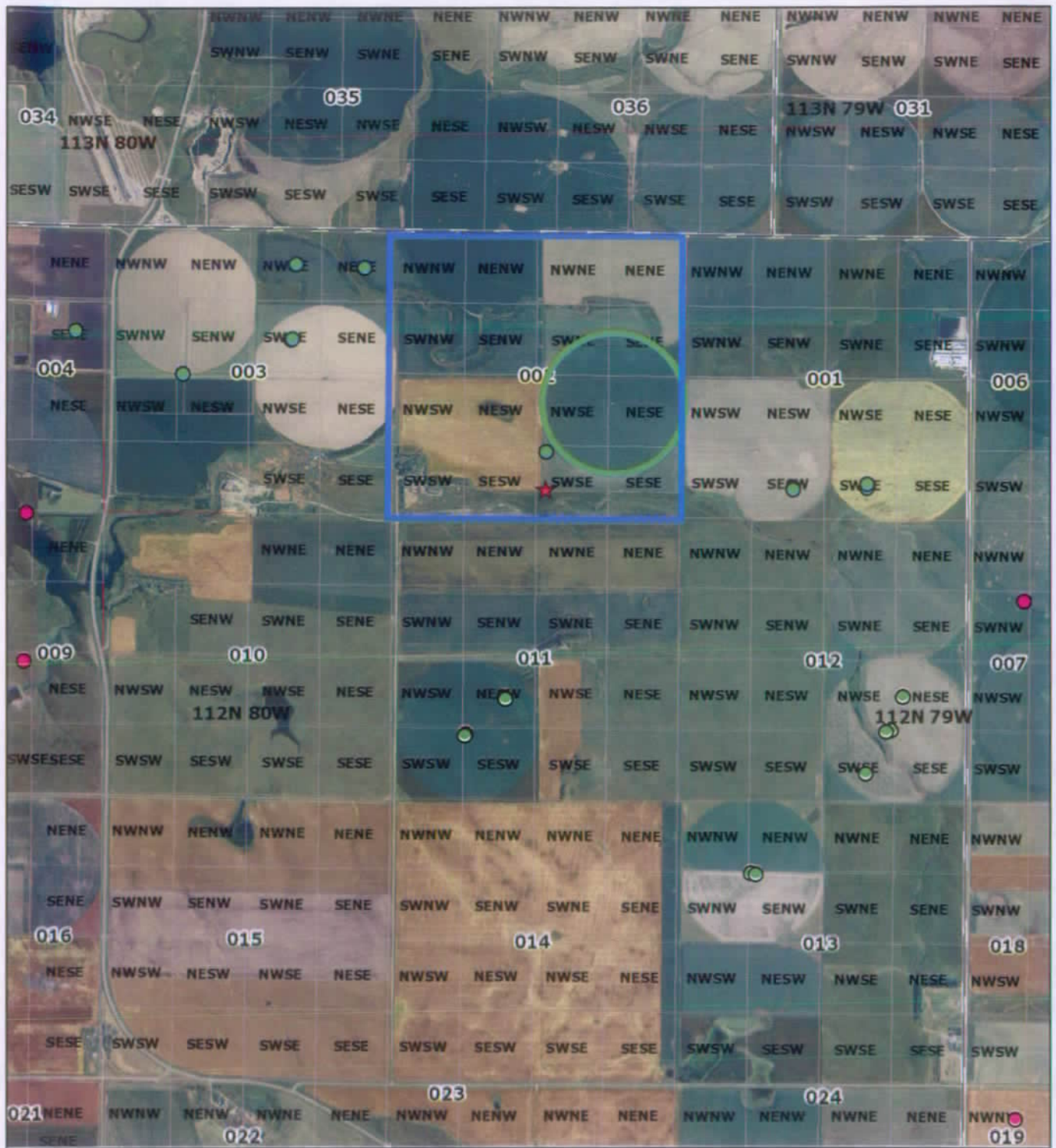
WATER RIGHTS' OBSERVATION WELL HU-82B



WATER RIGHTS' OBSERVATION WELL HU-80A



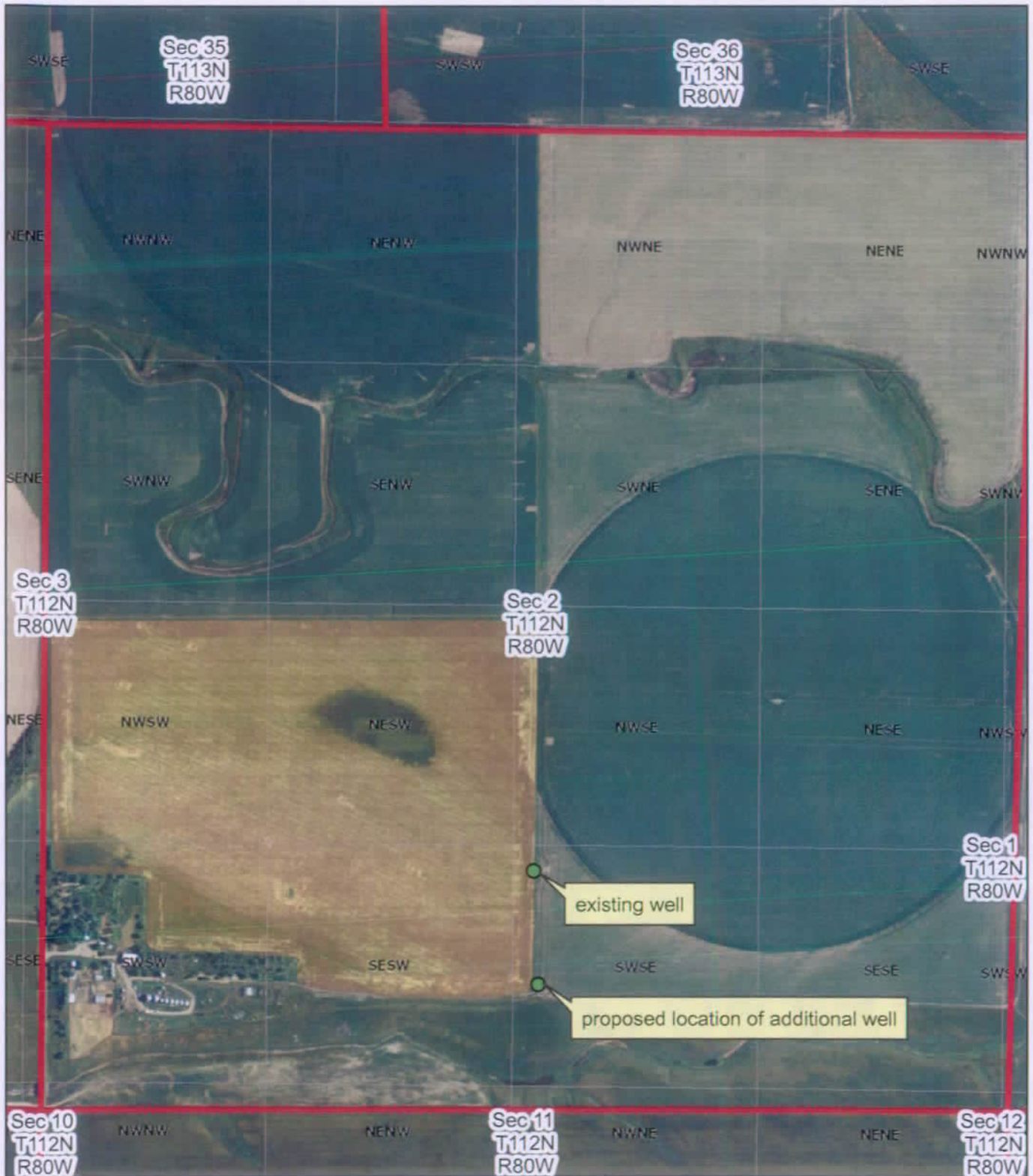
Request for Additional Well to Water Right No. 1621-3



- ★ Proposed additional well
- Domestic wells completed at a depth > 100 ft and < 140 ft
- Existing wells authorized by Water Right No. 4521-3
- Wells for other water rights using Grey Goose Aquifer



Marvin Schumacher request for additional well to Water Permit No. 1621-3





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 23, 2011

NOTICE OF CANCELLATION

TO: Marvin Schumacher, 19683 Hwy 1804, Pierre SD 57501

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

SUBJECT: Cancellation of portions of Water Right No. 1621-3

Water Right No. 1621-3 authorizes diversion of ground water from the Gray Goose Aquifer to irrigate 249 acres in the S ½ Section 2, T112N, R80W in Hughes county. The Chief Engineer of the Water Rights Program is recommending cancellation of the SW ¼ Section 2, T112N, R80W described in Water Right No. 1621-3 for abandonment and/or forfeiture. The recommendation is based on information received from you indicating the acreage in the SW ¼ of Section 2 has not been irrigated for a number of years.

The Water Management Board will consider cancellation of portions of Water Right No. 1621-3 at 10:00 a.m., October 5, 2011 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD (*the agenda time is an estimate and the actual time of hearing may be later than 10:00 a.m.*)

The recommendation of the Chief Engineer is not final or binding upon the Board. The Board is authorized to 1) cancel, 2) cancel portions of, 3) delay action on, or 4) take no action on Water Right No. 1621-3 based upon facts presented at the public hearing. Our records show you to be the owner of property covered by this water right. If you wish to oppose the cancellation and if you intend to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, you must file a written petition with the Chief Engineer by September 23, 2011. The petition may be informal, but it must include a statement describing the reasons for your opposition to the cancellation, and your signature and mailing address or your legal counsel if legal counsel is obtained.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-1 thru 46-1-10, 46-1-14 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-5-36, 46-5-37, 46-5-37.1; 46-2A-1 thru 46-2A-7; and Board Rules ARSD 74:02:01:36 thru 74:02:01:41. These are contested cases pursuant to procedures contained in SDCL 1-26.

This hearing may be an adversarial proceeding. Any party 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 State Supreme Court as provided by law.

The time of the hearing will be automatically extended for at least twenty days upon your written request to the Chief Engineer after a petition has been filed to oppose the cancellation. If an extension is requested, the hearing on the cancellation will be continued until the next regular Board Meeting. Any request for extension must be filed with the Chief Engineer by September 23, 2011.

Prior to September 23, 2011, contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) if assistance is needed with the following: 1) further information on the proposed cancellation; 2) to assure access to the meeting room for the handicapped; or 3) to obtain an interpreter for the hearing impaired.

Please note:

According to SDCL 1-26-18.3, parties to a contested case may use the Office of Hearing Examiners to conduct a hearing if either a property right is being terminated or the dollar amount in controversy exceeds \$2,500.00. If you choose to use the Office of Hearing Examiners rather than the hearing procedure described above, then you need to notify the Chief Engineer (Water Rights Program, 523 E. Capitol Avenue, Pierre SD) by September 23, 2011.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

RECOMMENDATION OF CHIEF ENGINEER

FOR PORTIONS OF WATER RIGHT NO. 1621-3, MARVIN SCHUMACHER

Pursuant to SDCL 46-2A-2 and 46-5-37.1, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Right No. 1621-3.

The Chief Engineer is recommending cancellation of the SW $\frac{1}{4}$ Section 2, T112N, R80W authorized under Water Right No. 1621-3 due to abandonment and/or forfeiture. In May, 2011, the water right holder confirmed the land had not been irrigated for a number of years and made Application No. 7251-3 to obtain authorization to irrigate the same land.

RON DUVALL, Natural Resources Engineer
for Garland Erbele, Chief Engineer
August 23, 2011

Note:

Once action is taken to cancel the SW $\frac{1}{4}$ of Section 2, T112N, R80W from Water Right No. 1621-3, the water right will be reissued to remove the cancelled portion while retaining the remaining 130 acres in the SE $\frac{1}{4}$ Section 2.

Cancellation of portions of Water Right No. 1621-3 does not pertain to other water permits or rights held by Marvin Schumacher.

CERTIFICATION

I hereby certify that on August 23, 2011, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated August 23, 2011 regarding cancellations addressed as stated below:

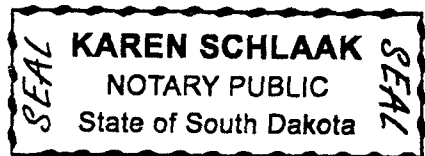
Dick Seaman Nemo Comm. Church, 3600 Sheridan Lake Rd. # 217, Rapid City SD 57702	1536-1
Pete Reinert, Cabbage Patch River Ranch, 19153 Vista Place, Howes SD 57748	1053-1 & 1060-1
Mark Morse & Ike Rainey, 1020 Lake Sumter Landing, The Villages FL 32162	1053-1 & 1060-1
Marvin Shumacher, 19683 Hwy 1804, Pierre SD 57501	1621-3


Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 23rd day of August, 20 11.


Karen Schlaak
Notary Public
My Commission expires April 1, 2013





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 6, 2011

1621-3

NOTICE

Marvin Schumacher
19683 Hwy 1804
Pierre SD 57501

Dear Mr. Schumacher:

This will notify you that the Water Management Board cancelled portions of your Water 1621-3 on October 5, 2011.

Water Right No. 1621-3 authorizes diversion of ground water from the Gray Goose Aquifer to irrigate 249 acres in the S $\frac{1}{2}$ Section 2, T112N, R80W in Hughes county. The Board cancelled the SW $\frac{1}{4}$ of Section 2 which had not been irrigated for a number of years. The action to cancel portions of the water right was taken under the conditions outlined in our notice to you dated August 23, 2011.

With the cancellation of a portion of the water right having been done, the water license will be reissued for the remaining 130 aces in the SE $\frac{1}{4}$ Section 2, T112N, R80W. The updated water license will be sent to you under separate cover as soon as it is issued.

If you have any questions concerning the Board action, please contact Genny McMath, with our program, at (605) 773-3352.

Sincerely,

A handwritten signature in black ink that reads "Garland Erbele".

Garland Erbele, Chief Engineer
Water Rights Program

CERTIFICATION

I hereby certify that on October 6, 2011, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated October 6, 2011 regarding cancellations addressed as stated below:

Water Right No. 1053-1 & Water Permit No. 1060-1

- Pete Reinert, Cabbage Patch River Ranch LLP, 19153 Vista Place, Howes SD 57748
- Mark Morse & Ike Rainey, 1020 Lake Sumter Landing, The Villages FL 32162

Water Permit No. 1536-1

Dick Seaman, Nemo Community Church, 3600 Sheridan Lake Rd #217, Rapid City SD 57702

Water Right No. 1581-2

Pat Taggart, 33198 281st St, Dallas SD 57529

Water Right No. 2528-2

- Glen Kane, SD Ellsworth Development Authority, PO Box 477, Rapid City SD 57709 0477
- Joan Beard, 2023 Pendar Lane, Rapid City SD 57701

Water Right No. 1090-3

Bob Yackley, Yackley Partnership, 616 S 6th St, Onida SD 57564

Water Right No. 1621-3

Marvin Schumacher, 19683 Hwy 1804, Pierre SD 57501

Water Right No. 3761-3

Randy Anderson, 2921 Oxford Ct, Pierre SD 57501

Water Permit No. 4503-3

Kathleen Chicoine, 32873 479th Ave, Elk Point SD 57025

Water Right No. 4622-3

Bennett Waldner, Riverside Hutterian Brethren, 40361 200th St, Huron SD 57350

Water Permit No. 5552-3

Robert Kellen, Kellen & Streit Inc., 30662 SW Jim River Rd, Yankton SD 57078

Water Permit No. 6140-3

Ester Burman, Dakota Earth Works Inc., 27024 S Minnesota Ave., Sioux Falls, SD 57108

Water Permit No. 6467-3

Arlyn & Rose Spindler, 14509 320th Ave., Hoven SD 57450

Water Right No. 6667-3

Marc Sikkink, 23058 Partridge Dr., Fergus Falls MN 56537

Water Permit No. 6719-3

Alvin Punt, SD Air National Guard, 1201 Algonquin St, Sioux Falls SD 57104

Gail Jacobson

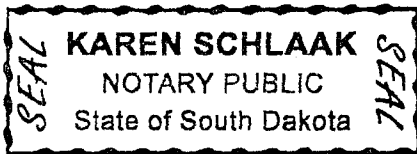
Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 11th day of October, 2011.

Karen Schlaak

Karen Schlaak
Notary Public
My Commission expires April 1, 2013





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

NOV 07 2011

1621-3

Marvin Schumacher
19683 Hwy 1804
Pierre SD 57501

Dear Mr. Schumacher:

Enclosed is Reissued Water License No. 1621-3.

On October 5, 2011, the Water Management Board cancelled a portion of the water right for acreage in the SW ¼ Section 2, T112N, R80W for abandonment and/or forfeiture. Water License No. 1621-3 has been reissued to remove the cancelled portion and allow continued authorization to irrigate the SE ¼ Section 2, T112N, R80W.

The reissued license includes the May 20, 2011, authorization for an additional well to irrigate land in the E ½ Section 2, T112N, R80W provided no additional water was appropriated. Pursuant to SDCL 46-5-13.1, a finding was made that the additional well did not increase the potential for interference with or impair existing diversions.

For your information SDCL 46-6-27 requires that if the owner of existing wells, such as the wells authorized by Water Right No. 1621-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Garland Erbele". The signature is written in a cursive, flowing style.

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 1621-3

(1) William Schumacher was issued Water License No. 1621-3, September 6, 1974 for a water right to divert 3.55 cubic feet of water per second from ground water (two wells), Hughes County, South Dakota for irrigation purposes. Water License No. 1621-3, with a priority date of October 7, 1968 was issued to the permit holder for diversion of water with construction of the water supply system and application to beneficial use of water completed. On November 25, 2008, Water Right No. 1621-3 was transferred to Marvin Schumacher.

Water Right No. 1621-3 authorized irrigation of 249 acres in the S $\frac{1}{2}$ Section 2, T112N, R80W. On October 5, 2011, the Water Management Board cancelled the SW $\frac{1}{4}$ Section 2, T112N, R80W from Water Right No. 1621-3 due to abandonment and/or forfeiture. The water license is now being reissued for the remaining land in the SE $\frac{1}{4}$ Section 2. *The water right holder has since obtained Water Permit No. 7251-3 to authorize irrigation of the SW $\frac{1}{4}$ Section 2, T112N, R80W formerly authorized under No. 1621-3.*

Based on a request from the water right holder, authorization for an additional well to irrigate land in the E $\frac{1}{2}$ Section 2, T112N, R80W was granted on May 20, 2011. The additional well, located approximately 600 feet south of the existing well is considered a helper well and authorization does not appropriate additional water. Pursuant to SDCL 46-5-13.1, the Chief Engineer made a finding that the additional diversion point did not increase the potential for interference with or impair existing diversions.

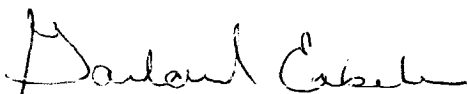
(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.85 cubic feet of water per second for beneficial use. The location of the two diversion points are both along the west quarter line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, T112N, R80W.

(3) The water right holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 2, T112N, R80W	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 acres
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40 acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	25 acres
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	<u>25 acres</u>
	Total	130 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Marvin Schumacher, 19683 Hwy 1804, Pierre SD 57501 the holder and owner of Water Right No. 1621-3 is issued a license to appropriate water, the right to use 1.85 cubic feet of water per second from ground water (two wells – Gray Goose Aquifer) with a priority date of October 7, 1968 from the locations specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1621-3.



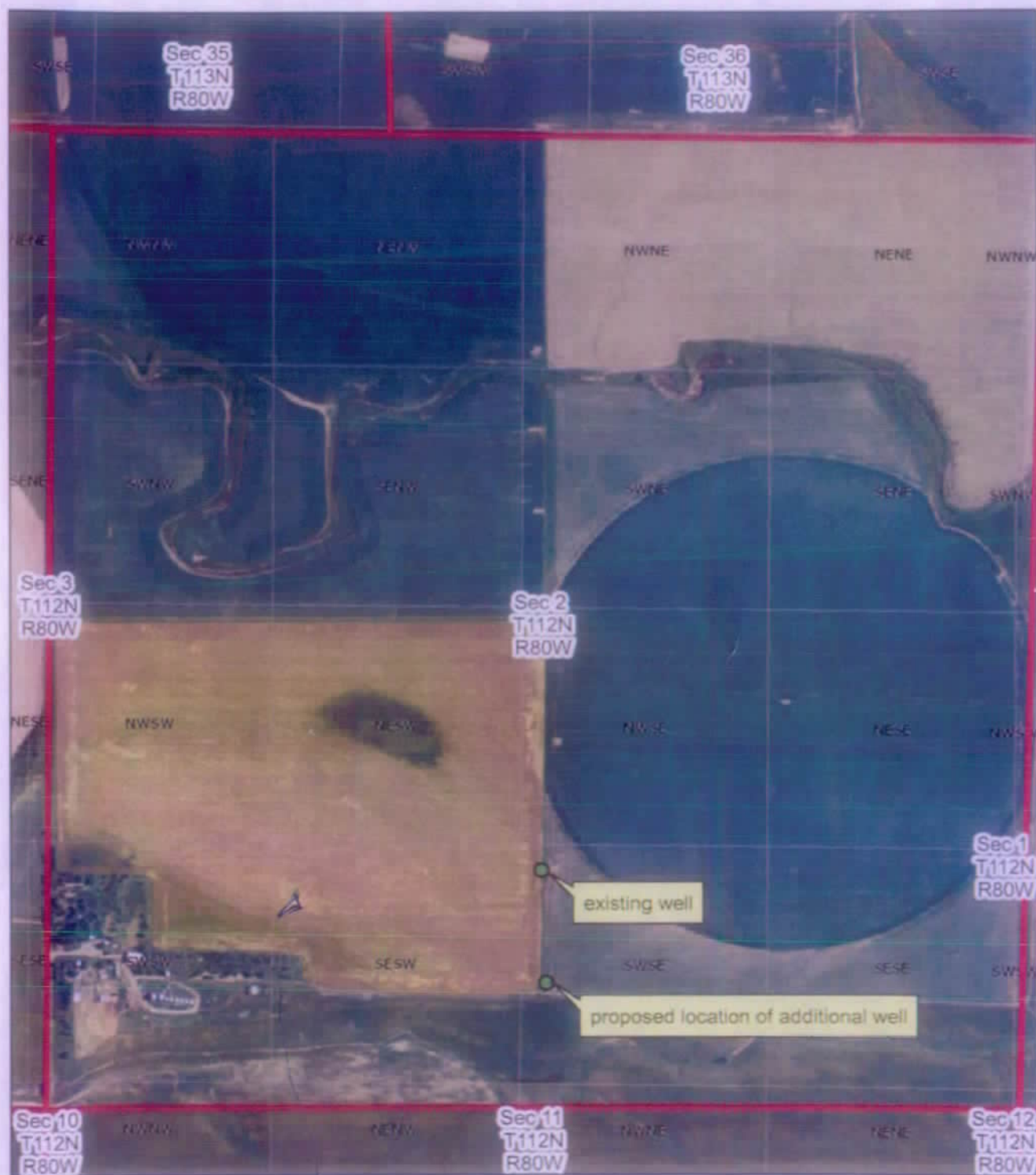
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 07 2011

date



Marvin Schumacher request for additional well to Water Permit No. 1621-3



Well #1

1621-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

MAY 03 2016

1621-3
1987A-3
7251-3

Marvin Schumacher
19683 Hwy 1804
Pierre SD 57501

Dear Mr. Schumacher:

Enclosed is Water License No. 7251-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 7251-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

Upon licensing, the applicable portions of Water Right Nos. 1621-3 and 1987A-3 were incorporated into No. 7251-3. 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. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures