

Water Right Number 1911-3

1. Considered JANUARY 19, 1972
2. Name of Applicant MELVIN J. SCHMIDT
3. Post Office Address WILLOW LAKE
4. Amount of Water claimed 1.9
5. Source of Water supply GROUND WATER
6. Water to be used for IRRIGATION
Acres to be irrigated 130.00
7. Water to be diverted and used in CLARK County
about 5 S miles of WILLOW LAKE
8. Proof of Publication Received ~~6/14/72~~ 1-14-72
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 1911-3

Map No. 1354.3 Water Division No. 3 JAMES RIVER District _____

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

DEC 15 1971

SEAL OF THE ENGINEER

CLARK COUNTY, S.D.

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

- Name of Applicant Melvin J. Schmidt
 Postoffice address Willow Lake State South Dakota
 If a corporation show date and place of incorporation _____
- Method of accomplishing work (contract, employment of others, or by direct labor) ALL THREE
- Name of diversion work Melvin J. Schmidt Irrigation Project #1
- Amount of water claimed (cubic feet per second) 1.9
- Source of water supply Well
- Location of point of diversion Well located on east edge of North West 1/4, section 26, 113-57 Clark County (2600' E and 2560' S of NW Corner of Sect 26.)
 County Clark
- Annual period or periods during which water is to be used Growing season
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
- For irrigation use, Total number of acres to be irrigated, 160

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SE 1/4 of NW 1/4 26 113-57	32.5		
SE 1/4 of NW 1/4 26 113-57	32.5		
SW 1/4 of NW 1/4 26 113-57	32.5		
NW 1/4 of NW 1/4 26 113-57	32.5		

Attach sheet if more space is needed

- Time required to complete construction of water supply system 1 year years. Additional time required to complete application of water to the proposed beneficial use 5 years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Clark County Courier, Clark, SD
- Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.
Automatic Sprinkler system for irrigation

Estimated Total Cost \$10,000.00

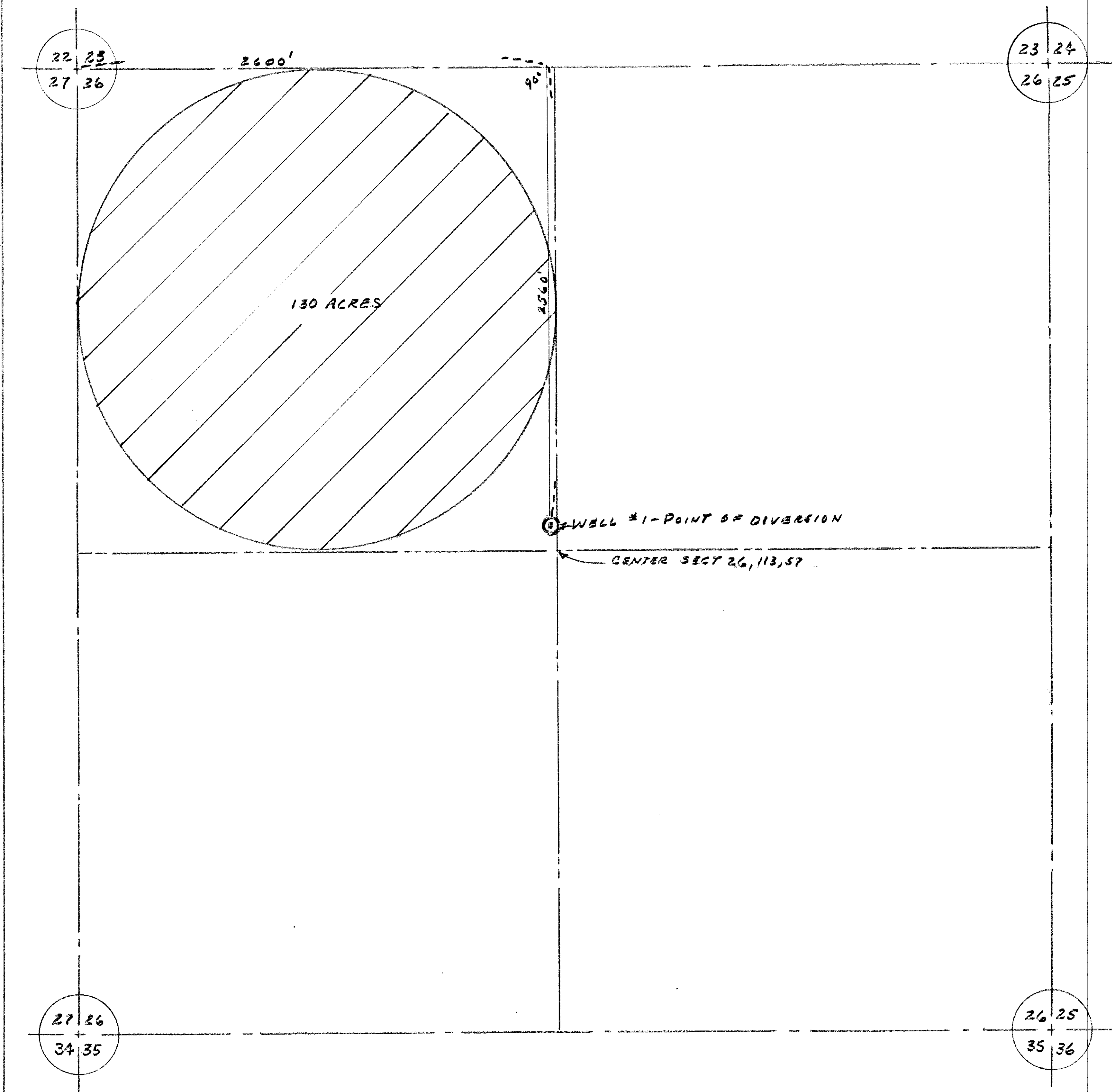
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
) ss.
 County of Clark)

I, Melvin J. Schmidt the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction

Signed Melvin J. Schmidt
 Subscribed and sworn to before me this 1st day of December, 19 71
Charles H. H.
 Notary Public (or other qualified officer)

My Commission Expires 5-15-1976



AREA BY LEGAL SUBDIVISION
130 ACRES: NW 1/4, SECT 26, T. 113 N., R. 25 W., 5TH P.M.

SURVEYORS CERTIFICATE

STATE OF SOUTH DAKOTA } SS
COUNTY OF MINNEHAHA }

I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF MELVIN J. SCHMIDT,
SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON DEC. 7, 1971 FOR WHICH
APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
WITNESS MY HAND AND SEAL THIS 7TH DAY OF DEC. 1971

Harlan W. Meyer
REGISTERED LAND SURVEYOR #495



SCALE 1" = 400'

MELVIN J SCHMIDT IRRIGATION PROJECT #1
SHOWS AREA TO BE IRRIGATED & WELL LOCATION WHERE
WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE
WATER

OWNER
SURVEYOR

MELVIN J. SCHMIDT
HARLAN W. MEYER

DEC 1971
MAP # 1354-3 (APPL # 1911-3)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1911-3
MELVIN J. SCHMIDT WILLOW LAKE
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modifications
 (State)

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application DECEMBER 10 19 71
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application — 19 —
 Approved JANUARY 19 19 72 Recorded in Book 12 Page 53

WATER RIGHT PERMIT NO. 1911-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1911-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is DECEMBER 10 19 71
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 19 19 72
3. The whole of said work is to be completed on or before JANUARY 19 19 73
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 19 19 77
5. The water appropriated shall be used for the purpose of IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed 1.9 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JANUARY 19 19 77; said water to be used during the following described annual period: DURING GROWING SEASON

Witness my hand this 20TH day of JANUARY 19 72.

WATER RESOURCES COMMISSION

By:

REC. [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 24 19 75

Water License Issued FEBRUARY 24 19 75

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 18", Depth 32'
- (2) Casing, Type steel Diameter 18" Thickness 3/8" 219 wall
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type cross bar, Diameter 16", Length 16'
(Johnson irrigator well screen)
- (4) Gravel Pack. Thickness 10", Length of gravel pack 20'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material 8'

Depth to bottom of water bearing material 32'

Thickness of water bearing material _____

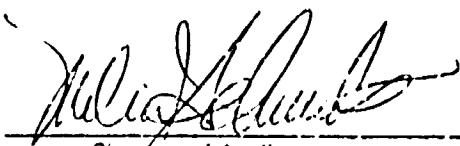
Depth to water (ground surface to water level) 6'

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

On same owner's property _____ rds. On property owned by others 150 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.



Signature of Applicant

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: _____ 1/4 _____ 1/4 50 Section 26 Township 11.3 Range 5
 Well owner William G. Smith (Name) William G. Smith, S.D. (Address)
 Date well drilling completed Summer '76 Purpose of well Domestic
 (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer _____ ft.
<u>0-2</u>	<u>Top Soil</u>	Depth to static water level _____ ft.
<u>2-44</u>	<u>Sand & Gravel</u>	Name of producing aquifer (if known) <u>Sand & Gravel</u>
<u>44-</u>	<u>Clay</u>	Total depth of drill hole _____ ft.
		Depth to bottom of casing _____ ft.
		Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.
		<u>0-25' 16" O.D. Steel casing</u>
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
		<u>25-40' 16" Diameter Drivator Well Screen</u>
		If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

Empire Drilling & Well Co., Inc.
 Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump 8" Turbopumps - 4000 HP 60
 Type of pump Turbine Capacity of installed pump 100 G.P.M.
 Depth of pump placement 34 ft., Date of pump installation Summer 1976

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____



Empire Drilling & Well Co., Inc.
 Name of Pump Installation Contractor

WATER LICENSE NO. . . 1911-3

(1) WHEREAS, On the 10th day of December A. D. 19 71
Melvin J. Schmidt

made Water Right Application No. 1911-3 for a permit to use 1.9 cubic feet per second of the waters
of ground water
County of Clark, State of South Dakota, for irrigation
purposes; and

(2) WHEREAS, On the 20th day of January A. D. 19 72
Permit No. 1911-3, with a date of priority of December 10, 1971
was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 19th day of January A. D. 19 73 and for the
application to beneficial use of said water on or before the 19th day of January 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 1.9 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 A 130 ACRE CIRCLE IN THE NW¼, SECTION 26, T113N, R57W

(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 Helvin J. Schmidt

_____ of Willow Lake, S.D.

the holder _____ and owner _____ of said permit No. 1911-3 a water right, dating from December 10, 1975

_____ to use of 1.9 cubic feet per second of the waters

of ground water

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

purposes hereinbelow mentioned, to be diverted at _____

a point 2560 feet South of the NE Corner, Sec. 26, T113N, R57W

and conduct to and upon 1.32 acres in the NW 1/4, Sec. 26, T113N, R57W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1911-3 subject to the laws of the State of South Dakota.

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

this 24th day of February A.D.

Nineteen Hundred and Seventy-five

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer

DONALD DRISCOLL

Permit No. 1911-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Melvin J. Schmidt

_____ the holder _____ of
Permit No. 1911-3, issued upon Application No. 1911-3, bearing date of priority of December 10,
1971 authorizing the diversion of 1.9 cu. ft. per second of the waters of _____
ground water County of Clark, State of South Dakota at _____
a point 2560 feet South of the NE Corner, Section 26,
T113N, R57W
_____, 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 1.9 cu. ft. per second of water.

Date February 24, 1975

By: WATER RIGHTS COMMISSION

DONALD DRISCOLL
Chief Engineer

Form 3 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1911-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Glenn) ss.

I, Burton F. Jones hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Glenn County Commission

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the Glenn County

County of Glenn, South Dakota

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

December 22, 1971

December 30, 1971

January 6, 1972

January 13, 1972

Burton F. Jones
(Signature)

Water Rights Specialist
(Title)

1/8/72
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, South Dakota 57501
December 10, 1971

Notice is hereby given that
Melvin J. Schmidt whose post
office address is Willow Lake,
South Dakota, has made an ap-
plication in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
1.9 cubic feet of water per second
of time from ground water
through the Schmidt Irrri-
gation Project #1, the point of
diversion of which is to be loc-
ated in the SE1/4 NW1/4 of
Section 26, Twp. 113N, Range
57W. Said water to be used for
the purpose of providing irri-
gation on a portion of the fol-
lowing described land: NW1/4,
Section 26, T113N, R57W

This application No. 1911-3
will be considered by the Water
Resources Commission at their
office at Pierre upon the 19th
day of January, 1972, at 2 p. m.
All interested persons may
appear and be heard.

Water Resources Commission
By: Burton F. Jones
Water Rights Specialist

12-23-4T

N 1911-3

Publish first publication, on or before December 23, 1971

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 10, 1971

Notice is hereby given that Melvin J. Schmidt
whose post office address is Willow Lake, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
1.9 cubic feet of water per second of time from the ground water through the
Schmidt Irrigation Project #1, the point of diversion of which is to be located in the _____

SE 1/4 NW 1/4
of Section 26, Twp. 113N, Range 57W. Said water to be used for the purpose
of providing irrigation of a portion of the following described land:
NW 1/4, Section 26, T113N, R57W

This application No. 1911-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 19th day of January, 1972, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JOHNS
Water Rights Specialist

cc: Melvin J. Schmidt, Willow Lake, S.D. 57228

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

Post Office Willow Lake SD
Date 12-3-74TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Dear Sirs:

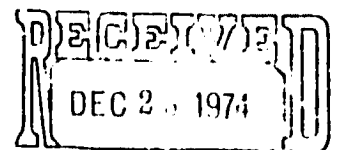
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1911-3.

Water Right Permit No. 1911-3 states that the diversion system is to be constructed by 12-10, 1976 and that the water is to be put to beneficial use by 12-10, 1976.

The diversion system was completed on 8-1, 1974. Applying the water to beneficial use was completed on 8-2, 1974.

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


(Signature)

STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA

Permit No. 1911-3Water Division 3 JAMES RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

WATER RIGHTS COMMISSION

TO: Water ~~Resource~~ 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 MELVIN J. SCHMIOT of WILLOW LAKE holder of Permit No. 1911-3, bearing date of priority of DECEMBER 10, 1971 authorizing the diversion of 1.9 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes, in CLARK 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:

32' DEEP WELL WITH 16" STAINLESS STEEL CASING
WESTERN LAND ROLLER 8" PUMP, POWERED BY
60 H.P. U.S. ELECTRIC MOTOR

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

1600' OF 8" ALUMINUM MAIN LINE TO PLOT

C. Works used to apply water to beneficial use.

13 TOWER ELECTROGATOR SELF PROPELLED
SPRINKLER SYSTEM

The system is in the following condition: EXCELLENTThe point of diversion is located A POINT 2560'S OF THE N¹/4 CORNER,
SECTION 26, T11.3N, R57WThe works are capable of diverting and conveying to the place of use 1.9
cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

A 130 ACRE CIRCLE IN THE NW⁴, SECTION 26,
T11.3N, R57W

comprising a total of 130 acres of landDate FEBRUARY 13, 1975

Dwight J. [Signature]
(Signature)
WATER RIGHT SPECIALIST
WATER RIGHTS COMMISSION

August 26, 1976

Re: 1911-3

Melvin Schmidt
RR 2
Willow Lake SD

Dear Mr. Schmidt:

Investigation in your area August 25, 1976 by Mr. James Goodman of this office indicates that pumping of your irrigation well authorized by Water Right No. 1911-3 affects a nearby domestic well. You are hereby ordered not to pump your irrigation well beginning 6:00 p.m. August 26, 1976 until further notice from this office.

I was unable to contact you or your family, but I did discuss this matter with your neuter Harland Haug, August 26, 1976 and latter advised his son Ted of the 6:00 p.m. time.

You may wish to make some arrangements with Mr. Borg concerning his domestic water supply.

Very truly yours,

John Hatch, Chief Engineer
WATER RIGHTS COMMISSION

kjw

cc: Harland Haug



1911-3

January 9, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: MELVIN J SCHMIDT, HCR 3 BOX 5, WILLOW LAKE, SD 57278

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 1911-3 & 2731-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 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 9:45 am, February 25, 1998, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 1911-3 & 2731-3 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 20, 1998, 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.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MELVIN J SCHMIDT
HCR 3 BOX 5
WILLOW LAKE SD 57278

1911-3

4a. Article Number

2119141149

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

1-12-98

5. Received By: (Print Name)

Melvin J Schmidt

6. Signature: (Addressee or Agent)

X *Melvin J Schmidt*

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

PS Form 3811, December 1994

102595-97-9-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.

1911-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 1998

1911-3
2731-3

Melvin J Schmidt
HCR 3 Box 5
Willow Lake, SD 57278

Dear Mr. Schmidt:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit Nos. 1911-3 and 2731-3.

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



1911-3
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 24, 2006

NOTICE

TO: MELVIN J SCHMIDT, HCR 3 BOX 5, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire has not been submitted for Permit No(s) 1911-3 & 2731-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 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 10:30 am, March 2, 2006, 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) 1911-3 & 2731-3 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 24, 2006**, 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.



Track & Confirm

Current Status

You entered 2303 2160 0000 0799 4442

Your item was delivered at 9:34 am on January 25, 2006 in WILLOW LAKE, SD 57278. The item was signed for by M SCHMIDT.

[Shipment Details >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

Notification Options

▶ Track & Confirm by email

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0799 4442

MELVIN J SCHMIDT
HCR 3 BOX 5
WILLOW LAKE SD 57278

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

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

☐ Priority Mail[™] Service
☐ First-Class Mail[®] parcel
☐ Package Services parcel



**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 30, 2006

1911-3
2731-3

Melvin J Schmidt
HCR 3 Box 5
Willow Lake SD 57278

Dear Mr. Schmidt:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right Nos. 1911-3 and 2731-3.

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 ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: MELVIN J SCHMIDT, 42636 SD HWY 28, WILLOW LAKE, SD 57278

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire has not been submitted for Permit No(s) 1911-3 & 2731-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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 **10:00 am, March 11, 2009**, 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) 1911-3 & 2731-3 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 **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pd>

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.

191-3

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42636 SD HWY 28
WILLOW LAKE SD 57278

Waiver of Signature ☐ YES ☐ NOPostmark
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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 9, 2009

1911-3
2731-3

Melvin J Schmidt
42636 SD Hwy 28
Willow Lake SD 57278

Dear Mr. Schmidt:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right Nos. 1911-3 and 2731-3.

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,

A handwritten signature in cursive script that reads "Genny McMath".

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

1911-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 19, 2011

1911-3
2731-3

Jack Schmidt
42641 SD Hwy 28
Willow Lake SD 57278

Dear Mr. Schmidt:

Thank you for the prompt return of the 2011 irrigation questionnaires for your water right and also those listed in the name of Melvin J Schmidt.

Based on the notation you made on the questionnaires, enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please review and make any necessary corrections. Upon completion, please sign and return the forms to our office with a required filing fee of \$50.00 each (total \$100.00). The check or money order for the fee can be made payable to the Water Rights Program.

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

enclosures

RECEIVED

NOV 14 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1911-3

Date: 11/10/11

I/We request that Water Right No. 1911-3

formerly owned by: Melvin J Schmidt

be transferred to: (name & address) Jack Schmidt, 42641 SD Hwy 28, Willow Lake SD 57278

Telephone No. 605 881-0314

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

130 acres - NW ¼ Section 26, T113N, R57W

I/We understand that the validity of Water Right No. 1911-3 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 Fifty Dollars (\$50.00) 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 Jack Schmidt, 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 11/14, 20 11

RECEIVED OF Jack Schmidt Schmidt Farms 42641 SD Hwy 28 Willow Lake SD 57278

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	50 00	
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>1911-3</u>		
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	50 00

No. **05069**

By *Shirley Erbe*
Chief Engineer



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and NATURAL RESOURCES**

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

November 16, 2011

1911-3
2731-3

Jack Schmidt
42641 SD Hwy 28
Willow Lake SD 57278

Dear Mr. Schmidt:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right Nos. 1911-3 and 2731-3.

The ownership changes have been completed. The water rights formerly held by Melvin J Schmidt are now listed in your name.

Enclosed for your records are Receipt Nos. 05069 and 05070 in the amount of \$50.00 each.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 14, 2025

NOTICE

TO: JACK SCHMIDT, 42633 SD HWY 28, WILLOW LAKE, SD 57278

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1911-3 & 2731-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4658-3, 7345-3, 7346-3 & 7406-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4658-3, 7345-3, 7346-3 & 7406-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1911-3 & 2731-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: **PAJKUP****

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 17, 2025

1911-3, 2731-3, 4658-3,
7345-3, 7346-3 & 7406-3

Jack Schmidt
42633 SD HWY 28
Willow Lake SD 57278

Dear Mr. Schmidt:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 1911-3, 2731-3, 4658-3, 7345-3, 7346-3 & 7406-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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