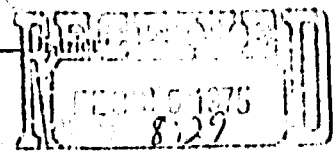


2220.8

3-19, 1975

1. Considered _____
2. Name of Applicant RUSSELL ERICKSON
3. Post Office Address SIoux FALLS
4. Amount of water claimed 1.14
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
Acres to be irrigated 830
7. Water to be diverted and used in TURNER county
about 15 2E miles of DAVIS
8. Proof of Publication
Received 3-18-75
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action deferred _____
9. Application
10. Remarks: 11

No. 2220-3
 Map No. 1616-3 Water Division No. 3 VERMILLION RIVER
 (Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

STATE WATER RIGHTS COMM.
 PIERRE, SOUTH DAKOTA

To Appropriately Water within the State of South Dakota

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

1. Name of Applicant Russell S. Erickson Rosemary J.E. Crow
 Post-office address RR #1, Box 33A, Davis
1512 Crestview Dr., Sioux Falls, State South Dakota 57021
 If a corporation show date and place of incorporation: N/A
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
 3. Name of diversion work Erickson Irrigation Project #1
 4. Amount of water claimed (cubic feet per second) 1.142 C.F.T. sec.
 5. Source of water supply Well
 6. Location of point of diversion Center E $\frac{1}{2}$ N/W $\frac{1}{2}$ Sec. 11-97-52
 County Turner

7. Annual period or periods during which water is to be used April - October
 8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
 9. For irrigation use, Total number of acres to be irrigated 80

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.
<u>N/E$\frac{1}{2}$ N/W$\frac{1}{2}$ Sec. 11-97-52</u>	<u>40</u>		
<u>S/E$\frac{1}{2}$ N/W$\frac{1}{2}$ Sec. 11-97-52</u>	<u>40</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 3 years.
 11. Choice of newspaper for Notice of Intent to Appropriately Water publication Parker, New Era, S. Dakota
 12. Principal Features of the Proposed Water Supply System.

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

Well & Pump

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

Pipe

C. Works proposed to apply water to beneficial use.

Big Gun

Estimated Total Cost \$18,000

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)
 County of Minnehaha)

I, Russell S. Erickson 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 Russell S. Erickson

Subscribed and sworn to before me this 24th day of February 1975

Arland C. O. Campbell
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

Rosemary J.E. Crow

The Water Resources Commission hereby approves Water Right Application No. 2220-3

RUSSELL ERICKSON
(Applicant) 57021

1512 GEESTVIEW DR., SIOUX FALLS,
(Post Office Address)

SOUTH DAKOTA 57103
(State)

RR #1, Box 33A, Davis

With the following modifications:

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

Date of first receipt of application FEBRUARY 25 19 75

Date of return to applicant for correction, amendments or changes required — 19 —

Date of receipt of corrected application MARCH 5 19 75

Approved MARCH 20 19 75 Recorded in Book 13 Page 235

WATER RIGHT PERMIT NO. 2220-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2220-3 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 FEBRUARY 25 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 20 19 77
3. The whole of said work is to be completed on or before MARCH 20 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 20 19 83
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 1.14 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 MARCH 20 19 83; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 24TH day of MARCH 19 75

WATER RESOURCES COMMISSION

By:

Donald P. Russell
Chief Engineer, Executive Officer

Certificate of Construction Issued September 3 19 80

Water License Issued September 3 19 80

Conservation
Commission
Form 111

STATE CONSERVATION COMMISSION

FOR AN IRRIGATION PROJECT TO BE IN ACCORDANCE
WITH SECT. 45-6-2 AS AMENDED

(This Form Limited to Proposed New Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System:

Water Quality:

Soils Capability:

Approved:

3/5/55

Disapproved:

NAME: Russell Erickson & Dewey Erickson
ADDRESS: Davis, S. Oak
COUNTY: Turner

LEGAL DESCRIPTION

1. WELL LOCATION: Center NW 1/4 Sec 11-97-52

2. AREA TO BE IRRIGATED: E 1/2 NW 1/4 Sec 11-97-52

TYPE OF IRRIGATION

3. GRAVITY: SPRINKLER (Indicate Type): Big Gun

4. CROPS TO BE IRRIGATED: alfalfa, corn

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: one percent on average

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Mostly all Capability Unit IIIw2, 1-0

Deep, slowly permeable, clay soils on nearly level (0-2%) bottom lands that are sometimes poorly drained and occasionally flooded.

WATER QUALITY (C.B. COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-111

8. SALINITY: EC = 813 micromhos/cm (med-high)

9. SODIUM: Sodium Adsorption Ratio = 0.58 (low)

do hereby certify that a certain subject of the ground water to be
used for irrigation from South Dakota State University and;
the land capability for irrigation information has been acquired from

J. W. Rezek, DC, Soil Conservation Service, Parker, S. Dak.

and:
that the legal description for the location of the well and land to be
irrigated is true and correct.

Russell C. Erickson

subscribed and sworn before me this

24th day *February* 19 *75*.

Arline P. O'Connell

Notary Public

(Title)

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

Submitted by: Eusnell Erickson
 Address: Davis, SD 57021

Date Rec'd February 24, 1975
 Sample No. 75-111
 Identification Well-
NW 1, Sec. 11, T 97N, R 52W

WATER ANALYSIS

Calcium (Ca)	110	ppm*	5.50	me/l**
Magnesium (Mg)	39	ppm	3.20	me/l
Sodium (Na)	42	ppm	1.83	me/l
Potassium (K)	6	ppm	0.16	me/l
Sulfate (SO ₄)	227	ppm	4.72	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	1	ppm	0.01	me/l
Bicarbonate (HCO ₃)	346	ppm	5.68	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)	284	ppm (as CaCO ₃)		
Alkalinity (Methyl Orange)	0	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	813	micromhos per cm at 25° C.		
Electrical Conductivity	0.88	% of cations		
Sodium Adsorption Ratio	17.11	me/l		
Sodium	0.00			
Residual sodium carbonate	7.73			
pH				
Others:				

*ppm==parts per million
 **me/l==milliequivalents per liter

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

COMMENTS: Total cations 10.69 me/l
 Total anions 10.41 me/l

By: Shirley Witten

Service Performed	Amount Due
Irrigation analysis	\$6.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-111

Amount Enclosed \$

Signed

D. Well Information or Estimates

- 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 Gravel & Sand

Depth to top of water bearing material 10 feet

Depth to bottom of water bearing material 70 feet

Thickness of water bearing material 60 feet

Depth to water (ground surface to water level) 10 feet

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

On same owner's property 80 rds. On property owned by others 240 rds.

G. Water Storage Dams.

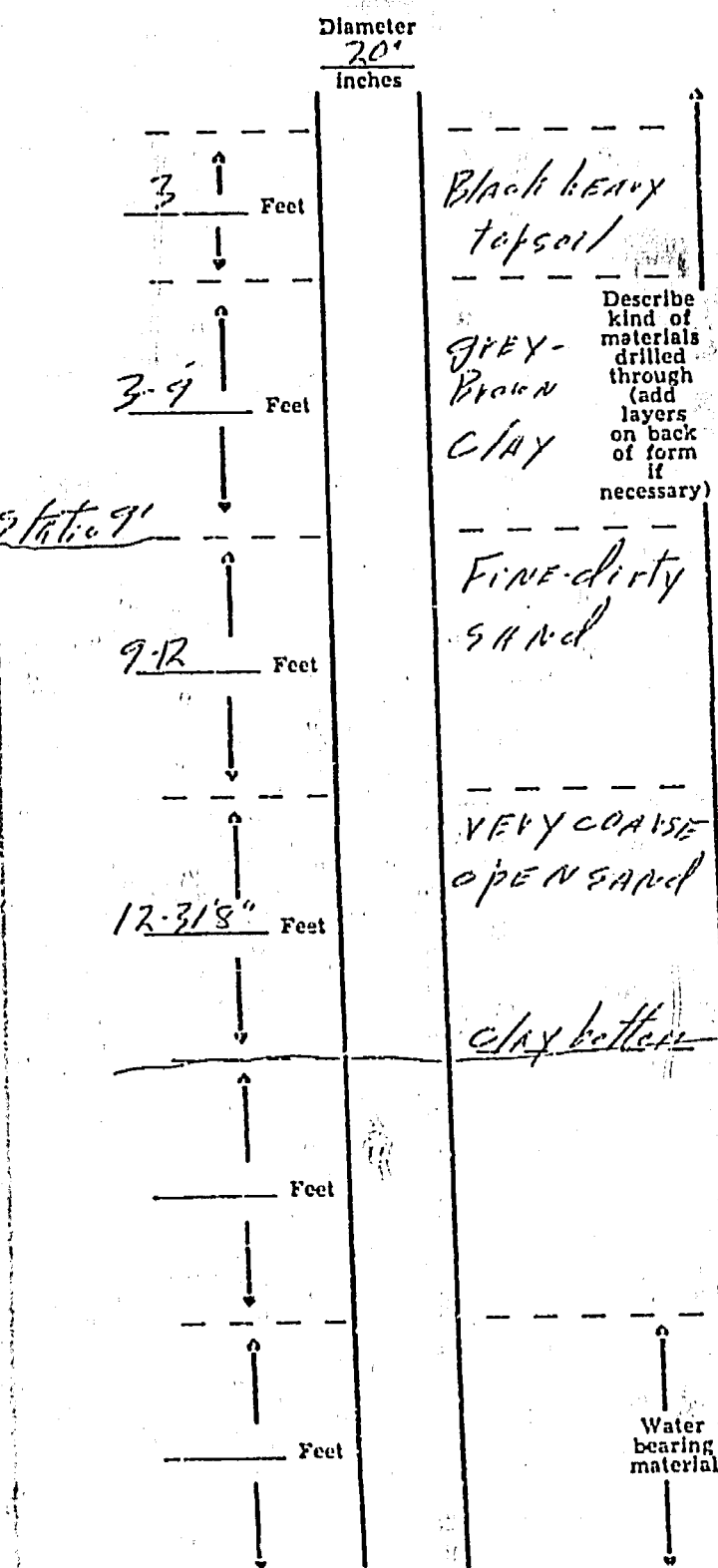
If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.


Signature of Applicant

DRILLER'S LOG OF WELL

2220-3

Location of Well: SE 1/4, NW 1/4, Section 11, Township 97N, Range 52W
Well to be drilled for: Russ Erickson, Sioux Falls, SD
(Name) (Address)
Owner of land (if other than above) (Name) (Address)
Date well drilling started 5-13-75 finished 5-14-75
Purpose of well Irrigation
(domestic, irrigation, municipal, industrial, other)



Ground Surface Elevation: (If Available)

Kind and thickness of casing to be installed:
14" x 3/16" STEEL

Size of casing to be installed:
22'6" feet of 14 inches diameter
feet of inches diameter
feet of inches diameter

Type of seal between casing sizes:
WELDED JOINTS

Kind of perforated screen to be installed:
Material STEEL (steel, wood, concrete, etc.)

Size of screen:
Diameter 14 inches
Length 10 feet
Size openings 100 inches

Depth below ground surface to which water rises
In well 9 feet.

Well pumps @ 550 GPM w 10' drawdown

Joe Long Miller

WATER LICENSE NO. 2220-3

(1) WHEREAS, On the 25th day of February A. D. 19 75
Russell Erickson

made Water Right Application No. 2220-3 for a permit to use 1.14 cubic feet per second of the waters
 of ground water (one well)

County of Turner, State of South Dakota, for Irrigation

_____ purposes; and

(2) WHEREAS, On the 20th day of March A. D. 19 75
 Permit No. 2220-3, with a date of priority of February 25, 1975

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 20th day of March A. D. 19 80 and for the

application to beneficial use of said water on or before the 20th day of March A. D. 19 83

WHEREAS, On the 3rd day of September, 1980, Permit No. 2220-3 was transferred to Rosemary
 J.E. Crow, of Davis, SD

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 1.11 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,
all in Section 11, T97N, R52W

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres

TOTAL 80 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Rosemary J.E. Crow

_____ of Davis, SD
the holder _____ and owner _____ of said permit No. 2220-3 a water right, dating from February 25, 1975
_____ to use of 1.11 cubic feet per second of the waters
of ground water (one well)

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at 1320 ft. south and 1370 ft. east of the NW corner,
Section 11, T97N, R52W

and conducted to and upon portions of land in Section 11, T97N, R52W more fully described
on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2220-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 3rd day of September A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD
By: John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 2220-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

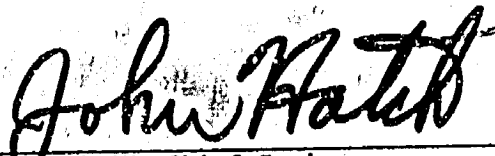
This is to Certify, That Russell Erickson

_____ the holder _____ of
Permit No. 2220-3, issued upon Application No. 2220-3, bearing date of priority of _____
February 25, 1975 authorizing the diversion of 1.14 cu. ft. per second of the waters of _____
ground water (one well) _____ County of Turner, State of South Dakota at _____
1320 ft. south and 1370 ft. east of the NW corner, Section 11, T97N, R52W

_____ 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 1.11 cu. ft. per second of water.

Date September 3, 1980


JOHN HATCH, Chief Engineer
Water Rights Division

Form 6 - Notice of Intent to Appropriate Water

No. 2220-3

Publish first publication, on or before March 11, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierro, South Dakota 57501

March 5, 1975

Notice is hereby given that Russell Erickson

whose post office address is Sioux Falls, 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

1.14 cubic feet of water per second of time from the ground water through the Erickson Irrigation Project #1, the point of diversion of which is to be located in the

SE 1/4 NW 1/4

of Section 11, Twp. 97N, Range 52W. Said water to be used for the purpose of providing irrigation on the following described land:

E 1/2 NW 1/4, Section 11, T97N, R52W

This application No. 2220-3 will be considered by the Water Rights Commission at its office at Pierre upon the 19th day of March, 1975, at 2:30 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bv

cc: Russell Erickson, 1512 Crestview Drive, Sioux Falls, S.D. 57103

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Minnehaha) ss.

I, JOHN K. KOLL hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Sioux Falls Argus-Leader

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 Sioux Falls of

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

March 8th

March 15th

John K. Koll
(Signature)

JOHN K. KOLL
Controller

(Title)

March 17th, 1975

(Date Signed)

NOTICE OF INTENT TO APPROPRIATE WATER
Pier 2, South Dakota 57201
March 5, 1975
Notice is hereby given that Russell
Erickson whose post office address is
Sioux Falls, 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 1.12 cubic feet of water per
second of time from ground water through
the Erickson Irrigation Project (the
point of diversion of which is to be located
in the SE 1/4 NW 1/4 of Section 11, Twp. 97N,
Range 52W; said water to be used for the
purpose of providing irrigation on the
following described land: E 1/4 NW 1/4,
Section 11, T97N, R52W.
This application No. 2220-3 will be
considered by the Water Rights Com-
mission at its office at Pierre upon the 19th
day of May, 1975, at 2:00 P.M. All in-
terested persons may appear and be
heard.
WATER RIGHTS COMMISSION
By: BURTON F. JONES
Water Rights Specialist
March 8, 1975

MAR 18 1975

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7628

Aug. 5, 1980

PIERRE,

RECEIVED OF Rosemary J.E. Crow, P.O. Box 1197, Rancho Santa Fe, Calif. 92067

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

Fee for Application for Permit to Appropriate Water No. ----- (examination, processing, recording and filing) -----		
Fee for Inspecting Construction, and issuing Cert. of Construction No. 2220-3 -----	50	00
Fee for Inspecting Beneficial Use, and issuing Water License No. 2220-3 -----		
Fee for issuing Location Certificate-Dry Draw, No. -----		
Fee for filling -----		
Fee for certified copy of -----		
Fee for Print copy of map -----		
Fee for Certifying -----		
Fee for ----- (any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH /bt

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7675

September 3, 1980

RECEIVED OF Rosemary J.E. Crow, RR 1, Box 33A, D. SD 57021

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

Fee for Application for Permit to Appropriately Water No. (examination, processing, recording and filing)

Fee for Inspecting Construction, and issuing Cert. of Construction No.

Fee for Inspecting Beneficial Use, and issuing Water License No.

Fee for Issuing Location Certificate-Dry Draw, No.

Fee for filing

Fee for certified copy of

Fee for Print copy of map

Fee for Certifying

Fee for transfer of WR#2220-3

2. 50

(any other work as provided by law)

TOTAL

2. 50

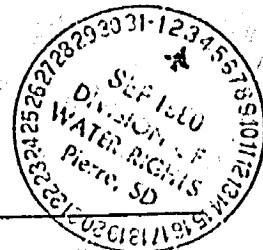
WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH / (bt)

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____



This is to notify you that the title to the lands described as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11, T97N, R52W

formerly owned by Russell Erickson, Sioux Falls, SD

has been transferred to Rosemary J.E. Crow, RR #1, Box 33A, Davis, SD 57021

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 2220-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of the Board of Water Management as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Turner) ss.

I, Rosemary J.E. Crow being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Rosemary J.E. Crow
Signed

Subscribed and sworn to before me this 29th Day of August, 1980.

Don. Gordon
(Notary Public)
Expires 6/14/81

Permit No. 2220-3Water Division 3 VERMILLION RIVER Water District

REPORT OF EXAMINATION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by RUSSELL ERICKSON of SIoux FALLS holder of Permit No. 2220-3, bearing date of priority of FEBRUARY 25, 1975 authorizing the diversion of 1.14 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes, in TURNER 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:

47' DEEP WELL - WITH 14" STEEL CASING - 15' SS SCREEN
WESTERN LAND ROLLER 6" PUMP MODEL 6-10C H 68D - SER# C7563
POWERED BY 60HP US ELECTRIC MOTOR

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

4500' OF 6" MAINLINE

C. Works used to apply water to beneficial use.

E-Z RAIN TRAVELLING SPRINKLER WITH NELSON BIGGON,
MODEL P-200 - 1 1/2" ORICE - 500 GPM. 660' OF 5"
RUBBER HOSE

The system is in the following condition: GOOD

The point of diversion is located 1320' S & 1370' E OF THE NW CORNER,
SECTION 11, T97N, R52W

The works are capable of diverting and conveying to the place of use 1.11 (500 GPM)cu. 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 11, T97N, R52W

<u>NE^{1/4} NW^{1/4}</u>	<u>40 ACRES</u>
<u>SE^{1/4} NW^{1/4}</u>	<u>40 ACRES</u>

comprising a total of 80 acres of land.

Date

JUNE 17, 1980

James Jones
(Signature)

 **Department of
Water & Natural Resources**

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

May 26, 1988

Rosemary Crow
% Dean Erickson
RR 1, Box 33A
Davis, SD 57021

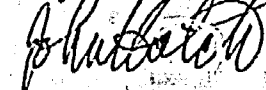
Dear Mrs. Crow:

I am writing in regard of our review of irrigation questionnaire records. No irrigation has been reported for the last five irrigation seasons under Permit No(s). 2220-3.

South Dakota Codified Laws state that when any person fails to use water for the purpose for which it was appropriated for a period of three years, or abandons the use of the water, such unused water shall revert to the public. An exception to the law is when there is legal excuse for nonuse of water. Examples of legal excuse for nonuse of water are when water is not available or legal proceedings which prevent the use of water.

Since your permit(s) has (have) not been used for five years, the permit(s) may be subject to cancellation by the Water Management Board unless there is a legal reason for not using water. Please advise by June 17, 1988 if you still want to keep your water right and if there is a reason why water has not been used. Let us know, if you have any questions.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352



May 27, 1988

Dept. of Water & Natural
Resources
Pierre, S.D.



RE: Permit No. 2220-3

This is in answer to your letter concerning the use of irrigation under permit n. 2220-3 on our farmland. Since the southeastern end of South Dakota was under flood conditions for four of the past five years, and since this land concerning this water permit is located just along the river banks of the Vermillion River, it was not necessary to irrigate any of that farmland. Last year, we used the lowland as idle acres and had only a portion of soybeans planted on the upland.

Conditions on this land this farm year tend to lean to the necessity of irrigation all cropland as we are on the dry side for this spring. Therefore, please do not cancel this permit as we will be irrigating this land for 1988.

Sincerely,

Dean Erickson

Dean Erickson, Renter
of cropland owned by
Mrs. Rosemary Crow

Permit #2220-3

Rt 1, Box 33

Darius 57021



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 14, 1991

2220-3

Eldon Smit
RR #2 Box 104
Centerville, SD 57014

Dear Mr. Smit:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 2220-3. The water right is currently listed in the name of Rosemary Crow (%Dean Erickson).

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

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,

Genny McMath
Natural Resources Analyst
(605) 773-3352

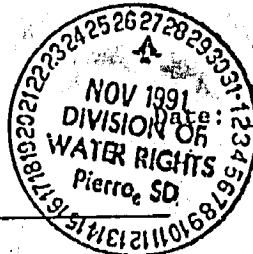
enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2220-3

Nov. 19, 1991



I\We request that Water Right No. 2220-3

formerly owned by: Rosemary Crow

be transferred to: (name & address) Eldon Smit, RR #2 Box 104, Centerville, SD 57014

(Telephone No.)

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

80 acres - E 1/2 NW 1/4 Section 11, T97N, R52W

I/We understand that the validity of Water Right No. 2220-3 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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA

County of Turner

I, Eldon Smit being first duly sworn on my oath depose and say that my relation to the above described undertaking, is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Eldon Smith
(Signed)

Subscribed and sworn to before me this 19th day of Nov., 19 91.

(Signature) C.C. OLINGER
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412935

Pierre, November 27, 1991

RECEIVED OF Eldon or Charlotte Smit, RR 2, Box 104, Centerville, SD 57014

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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 _____ Water Right No. 2220-3		250
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	250

By John W. Hotal (CE)
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 4, 1991

No. 2220-3

Eldon Smit
RR 2, Box 104
Centerville, SD 57014

Dear Mr. Smit:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 2220-3.

Our records now show you as the owner of Water Right No. 2220-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

May 7, 1992

2220-3
2552-3

Kirk Manker
Farm Credit Services
PO Box 84110
Sioux Falls, SD 57118

Dear Mr. Manker:

Enclosed is the information you requested on Water Right Nos. 2220-3 and 2552-3. No. 2220-3 is currently listed in the name of Eldon Smit and No. 2552-3 is listed in the name of Charles Eide.

I was not able to find actual well logs for the wells, however the inspection report does give some information which may be useful to you.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

encl



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

January 30, 1996

NOTICE

TO: ELDON SMIT, 28664 463RD AVE, CENTERVILLE, SD 57014

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

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 2220-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:45 am, March 6, 1996, 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) 2220-3 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 1, 1996 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.

3. Article Addressed to:

ELDON SMIT
28664 463RD AVE
CENTERVILLE SD 57014

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *[Signature]*

PS Form 3811, December 1994 M. B. 8/94

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

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

Consult postmaster for fee.

4a. Article Number

3348318897

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise

- ☒ Certified
- ☐ Insured
- ☐ COD

7. Date of Delivery

1-31-96

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

Domestic Return Receipt

Thank you for using Return Receipt Service.



2220-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 5, 1996

2220-3

Eldon Smit
28664 463rd Ave
Centerville, SD 57014

Dear Mr. Smit:

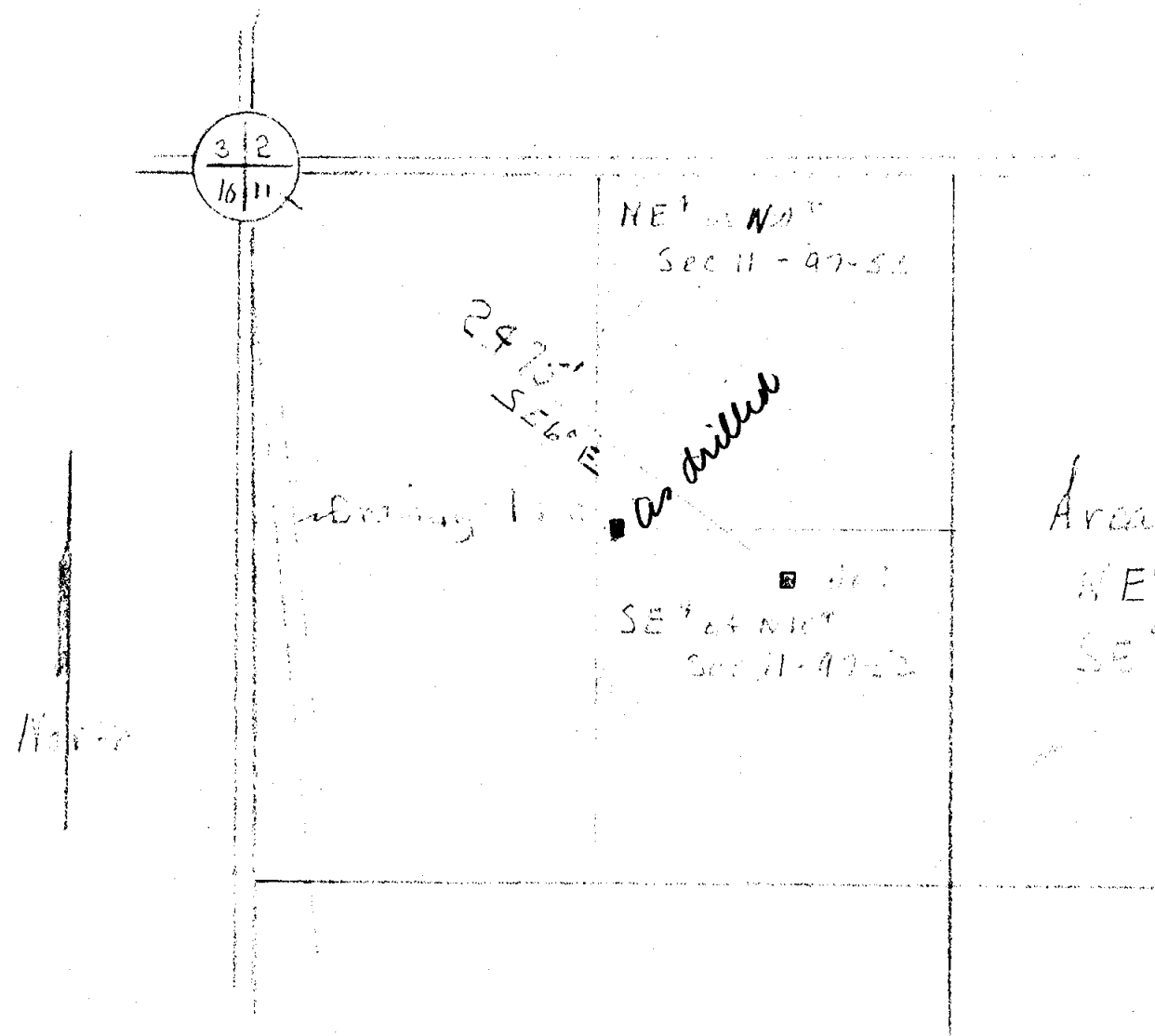
I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 Irrigation Questionnaire.

I completed a questionnaire for you based on our February 2, 1996, telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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



Point of Direction - 2425' S 85° E of
NW corner of Sec 11-47-52

Cross holes in the irrigation ditch

Water Class 3 - 1.42 cfs

Scale - 8" = 1 Mile

RUSSELL C. ERIKSON

IRRIGATION PROJECT NO. 1

1512 Crestview Dr. Sioux Falls S.D.

57103

Land in

Tupper Co.

Area to be irrigated - Acres

NE 1/4 of NW 1/4 Sec 11-47-52 to

SE 1/4 of NW 1/4 Sec 11-47-52 to

Total Acres 80

Surveyor's Certificate

I, John L. Wiersma, do hereby certify that this map identifies a reasonably accurate record of the land of:

Russel C. Erickson

Sioux Falls, South Dakota Land in Tupper County

Drawn by John L. Wiersma

2-24-25

John L. Wiersma

P.E. & 1916

Sioux Falls, South Dakota

Map No. 1010-B1 APPL No. 2220-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 1, 2022

2220-3

Phil Smit
28648 463rd Ave
Centerville SD 57014

Dear Mr. Smit:

In response to your phone conversation with Genny McMath and your inquiry to irrigate the W 1/2 Section 11-T97N-R52W, enclosed are application forms and instructions. You have two options.

Option 1. The name to appear on the water permit will be the owner of the property. I understand there are two different owners, which will require two separate applications.

Option 2. Submit one application in your name as renter or operator. A statement signed by the landowner(s) that they agree with you submitting the application on their behalf is required.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes irrigation of land not authorized by the water right. Please take the necessary steps to ensure the system is functioning properly and irrigation is only occurring in the E 1/2 NW 1/4 Section 1-T97N-R52W as authorized by Water Right No. 2220-3

If you have any questions, please contact this office.

Sincerely,

Ron Duvall
Water Rights Program
605 773-3352
ron.duvall@state.sd.us

enclosures