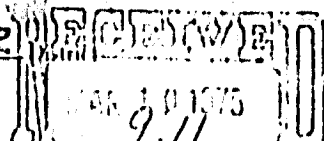


Water Right Number 2228-3

1. Considered MAY 21, 1975
2. Name of Applicant ALBERT G. SMIT
3. Post Office Address HURLEY
4. Amount of Water claimed 3.0
5. Source of Water supply GROUND WATER (100' WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 220
7. Water to be diverted and used in TURNER County
about _____ miles _____ of _____
8. Proof of Publication
Received 5-13-75
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
9. Application
IRR. WCCC 1/2 mi N - 30' DEEP
10. Remarks:

No. 2228-3Map No. 1622-3 Water Division No. 3VERMILLION RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT TO APPROPRIATE WATER RIGHTS

STATE OF SOUTH DAKOTA
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Albert G. Smit
 Postoffice address Hurley, S. Dak. 57036 State _____
 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 Albert G. Smit Irrigation System No. 1
4. Amount of water claimed (cubic feet per second) ~~9.3~~ ~~10.35~~ 3.0
5. Source of water supply well
6. Location of point of diversion approximate center of the SE $\frac{1}{4}$ 29-98-52

County Turner

7. Annual period or periods during which water is to be used April 1 to Nov. 31
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 220

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 29-98-52	40.0	NW $\frac{1}{2}$ SW $\frac{1}{2}$ 28-98-52	40.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 29-98-52	40.0	N $\frac{1}{2}$ SW $\frac{1}{2}$ SW $\frac{1}{2}$ 28-98-52	20.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 29-98-52	40.0		
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 29-98-52	40.0		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 $\frac{1}{2}$ years. Additional time required to complete application of water to the proposed beneficial use 1 $\frac{1}{2}$ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Hurley Leader, Hurley, S. Dak. 57036
12. Principal Features of the Proposed Water Supply System.

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

Elec. Pump

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

Portable Alum Pipe and Flexible Hose

C. Works proposed to apply water to beneficial use.

Sprinkler systemsEstimated 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

County of Turner

I, Albert G. Smit 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 Albert G. SmitSubscribed and sworn to before me this 28th day of February 19 75
Marcia Nielson Dep.
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 2228-3
ALBERT G. SMIT HURLEY
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modifications:
 (State)

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

*Cancelled 7/10/80
 Incorporated into 3832-3*

Date of first receipt of application MARCH 10 19 75
 Date of return to applicant for correction, amendments or changes required MARCH 10 19 75
 Date of receipt of corrected application MARCH 25 19 75
 Approved MAY 22 19 75 Recorded in Book 13 Page 277

WATER RIGHT PERMIT NO. 2228-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2228-3 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 MARCH 10 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before FEBRUARY 22 19 76
3. The whole of said work is to be completed on or before NOVEMBER 22 19 76
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22 19 78
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 3.0 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 MAY 22 19 78; said water to be used during the following described annual period: APRIL 1 TO NOVEMBER 30

Witness my hand this 27TH day of MAY 19 75

WATER RESOURCES COMMISSION

By:

Vern W. Butler
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 30", Depth 100
(2) Casing, Type Concrete Diameter 20" Thickness 2"
(wood, concrete, steel, etc)
(3) Perforated Screen,
Type Concrete, Diameter 20", Length 20'
(4) Gravel Pack, Thickness 6", Length of gravel pack 80'

E. Dugout Information or Estimates.

(1) Surface dimensions N/A, Depth N/A

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 No log available. Water bearing sands and gravels at 5 to 10 feet.

Depth to top of water bearing material From 5 to 10 ft.

Depth to bottom of water bearing material 100 to 150 ft.

Thickness of water bearing material 100 to 150 ft.

Depth to water (ground surface to water level) Approx. 5 ft.

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

On same owner's property 100 rds. On property owned by others - rds.

G. Water Storage Dams.

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

N/A

Albert Smit
Signature of Applicant

MAR 20 1975



March 17, 1975

Mr. Albert G. Smit
Hurley, S.D. 57036

Dear Mr. Smit:

We have received your WZ-1 form and the analysis of the sample you submitted here on March 6 has been completed. The original copy of this analysis is enclosed for your use and keeping along with a copy of Extension Circular 654 and the approximate quality of this water for irrigation purposes is designated by an encircled red cross on the outside back cover.

This water is only moderately high in total salts and low in sodium so there should be no difficulty whatever in irrigating the soils which you have with this quality water.

Sincerely yours,

L. O. Fino

L. O. Fino
Water Quality Lab

LOF:MRD

Enclosures

cc: State Conservation Commission
Merlin Pietz, Turner County Agent
Darrel Pahl

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SECL 46-6-3 AS AMENDED

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature]
3/24/75

WATER RIGHT APPLICATION NO. 1

NAME: Albert G. Smit

ADDRESS: Hurlay, S. Dak. 57036

COUNTY: Turner

LEGAL DESCRIPTION

WELL LOCATION: Approximate center of the SE $\frac{1}{4}$ 29-98-52

SITE TO BE IRRIGATED: SE $\frac{1}{4}$ 29 and W $\frac{1}{2}$ SW 28-98-52

WATER QUALITY

TEST WELL SAMPLE: 75-153

SALINITY: EC = 851 micromhos/cm (meq - li)

SODIUM: SAR: 0.35 (low)

LAND CAPABILITY FOR IRRIGATION

PERCENTAGE OF SLOPE: One-Percent or less

PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Consists mostly of 17 soils. Deep, loamy, well and moderately well drained soils on bottom lands that 1-0 sometimes receive beneficial overflow. Cap. Unit II. Also some 46 soils-Moderately deep, well drained soils with 20-40" or loamy material over sand 1-0 and gravel on nearly level uplands. Cap. Unit IIs3. Also a small amount of 12 soils. Deep, clayey, limy, poorly drained soils 1-0 on bottom lands that are sometimes flooded. Cap. Unit IIw3.

TYPE OF IRRIGATION

GRAVITY: _____

SPRINKLER TYPE: Center Pivot and/or Big Gun or Boom

CROPS TO BE IRRIGATED

Corn, Soybeans, Alfalfa

I do hereby certify that a chemical analysis of the ground water to be acquired 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. 57053

J. W. Rezek

and:

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

Albert L. Smit

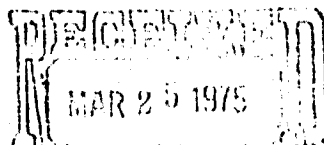
Subscribed and sworn before me this

28 day of February 1975

Marcia Nielsen

Register of Deeds, Dep.

(Title)



STATE WATER RIGHTS COMMISSION
SOUTH DAKOTA

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

Submitted by: Albert G. Smit
 Address: Hurley, SD 57036

Date Rec'd March 6, 1975
 Sample No. 75-153
 Identification Well-
12, Sec. 29, T 98N, R 52W

WATER ANALYSIS

Calcium (Ca)	110	ppm*	5.50	me/l**
Magnesium (Mg)	40	ppm	3.28	me/l
Sodium (Na)	17	ppm	0.74	me/l
Potassium (K)	6	ppm	0.14	me/l
Sulfate (SO ₄)	169	ppm	3.51	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	0.5	ppm	0.01	me/l
Bicarbonate (HCO ₃)	351	ppm	5.76	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	288	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	851	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.35			
Sodium	7.66	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	8.02			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 9.66 me/l
 Total anions 9.28 me/l

By: Shirley Kitten

Service Performed	Amount Due
Irrigation analysis	\$6.00
Make checks payable to: Water Quality Laboratory	
Cut along dotted line and return the lower portion with payment	

Sample No. 75-153

Amount Enclosed \$

Signed

Form 6 - Notice of Intent to Appropriate Water

No. 2228-3

Publish first publication, on or before May 11, 19 75

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

April 1, 19 75

Notice is hereby given that Albert G. Smit

whose post office address is Hurley, 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

3.0 cubic feet of water per second of time from the ground water through the Smit Irrigation System #1, the point of diversion of which is to be located in the _____

Center SE $\frac{1}{4}$

of Section 29, Twp. 98N, Range 52E. Said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{4}$, Section 29, a portion of W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 28, T98N, R52E

This application No. 2228-3 will be considered by the Water Rights Commission at its office at Pierre upon the 21st day of May, 19 75, at 2:30 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

**BURTON F. JONES
Water Rights Specialist**

BFJ/bw

cc: Albert G. Smit, Hurley, S.D. 57036

No. 2228-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Turner) ss.

I, James E. Wipf hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Hurley 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 of Hurley

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

April 24, 1975

May 1, 1975

(Signature)

Editor & Publisher
(Title)

(Date Signed)

No. 2228-3
NOTICE INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
Notice is hereby given that Albert G. Smit whose post office
address is Hurley, South Dakota,

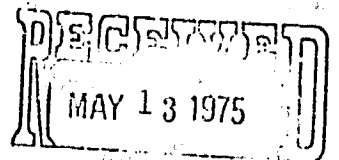
has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.0 cubic feet of water per second of time from ground water through the Smit Irrigation System #1, the point of diversion which is to be located in the Center SE 1/4 of Section 29, Twp. 98N, Range 52W. Said water to be used for the purpose of providing irrigation on the following described land.

SE 1/4, Section 29, a portion of NW 1/4 SW 1/4, Section 28, T88N, R52W. This application No. 2228-3 will be considered by the Water Rights Commission at its office at Pierre upon the 21st day of May, 1975, at 2:30 P.M. All interested persons may appear and be heard.

By: Burton F. Jones
WATER RIGHTS COMM.,
Burton F. Jones,
Water Rights Specialist.
Publ. - April 24 & May 1, 1975.

No. 2230-3
NOTICE INTENT TO
APPROPRIATE WATER

*Albert G. Smit
Notary Public
Cotton, CO*



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

SOUTH DAKOTA
**Department of
Water & Natural Resources**

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501
(605) 773-3352

No. 3832-3

July 10, 1980

Albert G. Smit
Hurley,
South Dakota 57036

Dear Mr. Smit:

Enclosed herewith are, Water License No. 3832-3 and Certificate of Construction.

Water License No. 3832-3 is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH:kw

enclosures

NOTE: The applicable portions of Permit No. 2228-3 have been incorporated into this Water License and Permit No. 2228-3 have been cancelled.

WNR-817-7/79
Transmittal of Water License

Pg. 1
R. 52W.

153.5

3-144

80.4

LOCATION OF LAND TO BE IRRIGATED				
ALBERT G. SMIT IRRIGATION SYSTEM No. 1				
LOCATION	SEC.	TWP.	RGE.	AC.
NW 1/4 SEC 4	29	98	52	40.0
NE 1/4 SEC 4	29	98	52	40.0
SE 1/4 SEC 4	29	98	52	40.0
SW 1/4 SEC 4	29	98	52	40.0
W 1/2 SW 1/4	28	98	52	60.0
TOTAL				220.0

80.0

T. 98 N.

151.5

29

79.1

76.3

PROPOSED
IRRIGATION
WELL NO. 1
N. 45° W.
115 RODS

Parker, South Dakota

88.52

35.9

114.9

124.7

3-144

38.3

ALBERT G. SMIT
HURLEY, S. DAK. 57036

MAP NO. 2228-3 APP. NO. 2228-3

