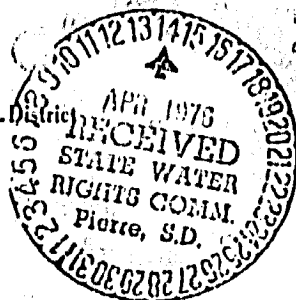


1. Considered MAY 20, 1976 2696-3
2. Name of Applicant DONALD E SCHMIDT
3. Post Office Address WILLOW LAKE
4. Amount of water claimed 2.2
5. Source of water supply 44' WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 154
7. Water to be diverted and used in CLARK county
about 3S, 1W miles of WILLOW LAKE
8. Proof of Publication Received 5-14-76
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2696-3Map No. 2058-3 Water Division No. 3 JAMES RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of Applicant Donald E. Schmidt
 Postoffice address Willow Lake, State South Dakota 57276
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
3. Name of diversion work Donald E. Schmidt Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 2.2
5. Source of water supply well
6. Location of point of diversion 1980' N 118° E of NW corner section 15-113-57

County Clark

7. Annual period or periods during which water is to be used April through 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 154

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 1/4 Sec 15-113-57	36		
NE 1/4 " " " "	39		
SW 1/4 " " " "	39		
SE 1/4 " " " "	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use three years.
11. Choice of newspaper for Notice of Intent to appropriate Water publication Clark County Currier
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source. Electrically drive deep well turbine
- B. Works proposed to transport water to place of use. closed conduit
- C. Works proposed to apply water to beneficial use. center pivot irrigation machine

Estimated Total Cost, \$ 46,000

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 BrookingsI, Donald E. 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 Donald E. SchmidtSubscribed and sworn to before me this 3day of April 1976John A. Weisbro
Notary Public or other qualified officer

P. E. 1976

WATER RIGHT APPLICATION APPROVAL

WATER RIGHTS COMMISSION

by approves Water Right Application No. 2696-3

DONALD E. SCHMIDT

WILLOW LAKE

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57278

(State)

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.

see also 2696-3A

Date of first receipt of application APRIL 14, 19 76

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

Date of receipt of corrected application APRIL 27, 19 76

Approved MAY 20, 19 76, Recorded in Book 15 Page 142

WATER RIGHT PERMIT NO. 2696-3

WATER RIGHTS COMMISSION

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2696-3 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 APRIL 14, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 20, 19 78
3. The whole of said work is to be completed on or before MAY 20, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 20, 19 84
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 2.2 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 20, 19 84; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 8TH day of JUNE, 19 76

WATER RIGHTS COMMISSION

By:

John Harkness
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 44'
(2) Casing Type 3 Lee ls Diameter 14" Thickness 3/16"
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type Continuous Slot, Diameter 14", Length 10'
(4) Gravel Pack, Thickness 7", 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 0' to 10' top material;
17' to 44' coarse sand; there is
clay beyond 44'

Depth to top of water bearing material 17'

Depth to bottom of water bearing material 44'

Thickness of water bearing material 27'

Depth to water (ground surface to water level) 17'

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

On same owner's property No Sample rds. On property owned by others 80 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.

Donald E. Schmitt
Signature of Applicant

April 21, 1976



Mr. Donald E. Schmidt
Willow Lake, SD 57278

Dear Mr. Schmidt:

Enclosed herewith please find the original report of analysis of water sample #76-273 submitted by you about 3 weeks ago. You will also find enclosed a copy of AES publication #13 with the quality of this water for irrigation purposes plotted approximately by the red cross on the chart on the outside back cover.

You will see that it is quite good water for irrigation and should cause no chemical difficulty, either with accumulation of salts or by dispersion of clays as a result of its use.

Nevertheless, you are no doubt aware that the Parnell silty clay loam in the northeast part of the quarter is not irrigable land and should not be included in your plans. This is so because of the lack of both internal and external drainage in this soil.

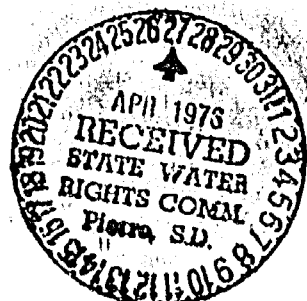
A copy of this letter, and the water analysis, and the WI-1 form are being sent to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission
J. Pahl
George Schanck, County Extension Agent



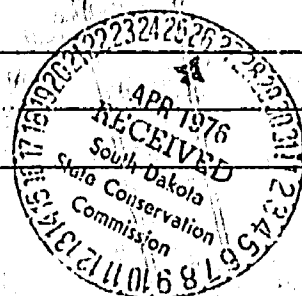
CONSERVATION
COMMISSION
FORM W1 #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)

NAME Donald E. Schmidt

ADDRESS Willow Lake, South Dakota 57278

COUNTY Clark



LEGAL DESCRIPTION

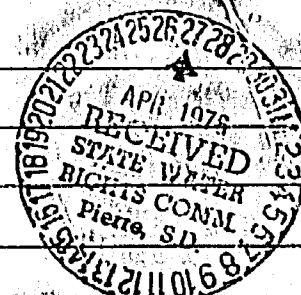
1. WELL LOCATION _____
2. LOCATION OF AREA TO BE IRRIGATED 1/4 Sec. 15 - T.113N - R.57W

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn, Potato, Alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-273
6. SALINITY (EC X 10⁶) 469 (medium)
7. SODIUM (SAR) 0.34 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0



I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from Clark County Conservation District, County Extension office or Soil Conservation Service.

and:

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

Donald E. Schmidt
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS

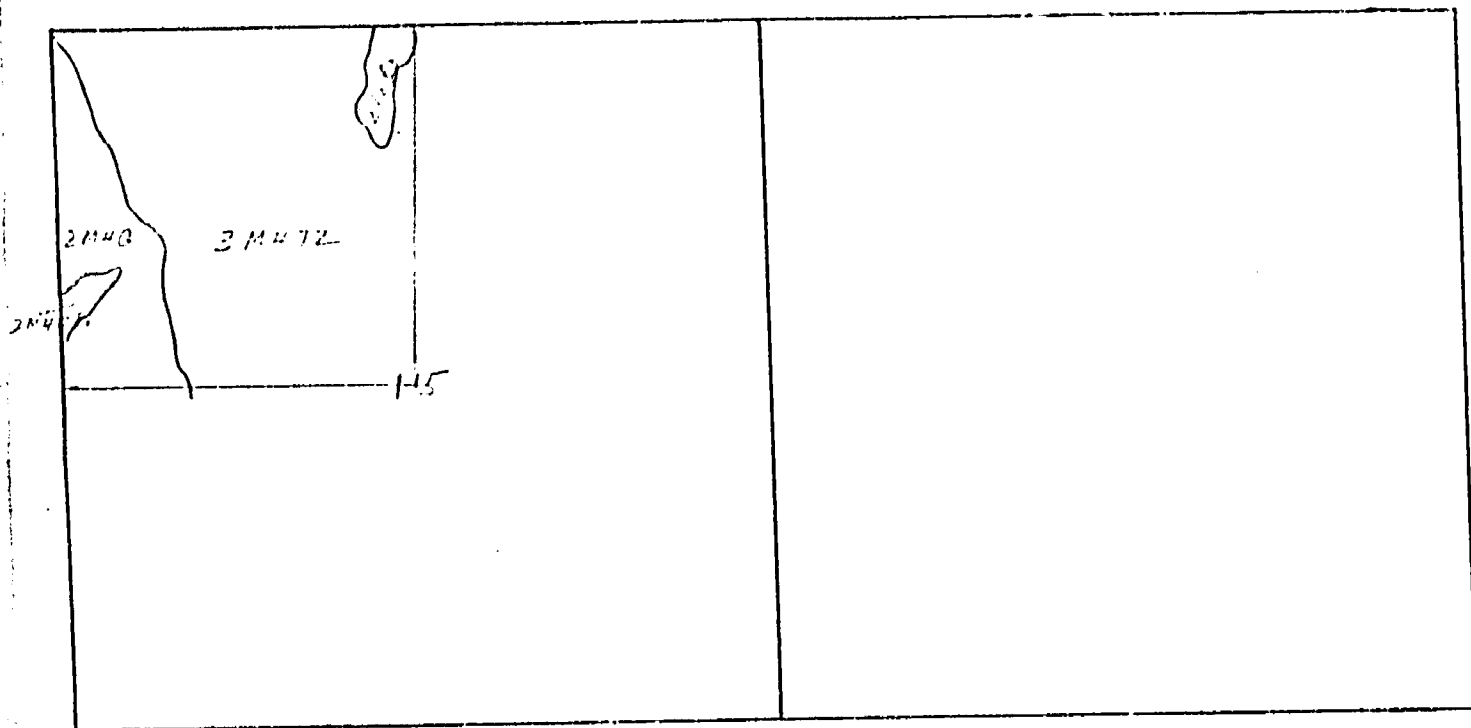
14 DAY OF April 1976.

John W. Wilson
(TITLE OR SEAL)

Albert J. Dittell
APPROVED/DTS APPROVED

(SOILS INFORMATION ON REVERSE SIDE)

MAP



NARRATIVE

2M472 - Fordville Loam - Cap. Unit IIs3: Moderately deep, well drained soils with 20 to 40 inches of loamy material over sand & gravel on nearly level (0 to 2%) upland slopes. Sandy & gravelly subsoils & substrata limit water storage capacity & rooting depths.

2M40 - Forman Loam - Cap. Unit I-2

2M461 - Forman-Syen Loam - Cap. Unit I-2: } Deep, loamy, well drained soils on nearly level (0 to 2%) upland slopes. They have few or no limitations for use.

2F2f3 - Parnell Silty Clay Loam-Cap. Unit IIIf1: Deep, black clayey soils that are poorly drained. They occupy floors of enclosed depressions and are ponded from runoff waters from adjacent slopes.

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

Submitted by: Donald E. Schmidt Date Rec'd March 30, 1976
 Address Willow Lake, SD 57278 Sample No. 76-273
 Identification Well-
Sec. 15, T. 113N, R. 57W

WATER ANALYSIS

Calcium (Ca)	70	ppm*	3.50	me/l**
Magnesium (Mg)	22	ppm	1.80	me/l
Sodium (Na)	13	ppm	0.55	me/l
Potassium (K)	6	ppm	0.14	me/l
Sulfate (SO ₄)	61	ppm	2.67	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	249	ppm	4.08	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)	204	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	469	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.34			
Sodium	9.18	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.62			

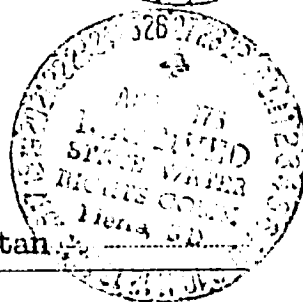
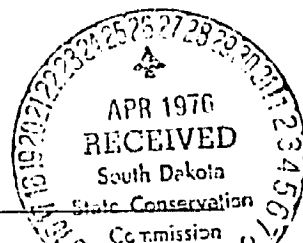
Others:

*ppm==parts per million

**me/l==millequivalents per liter

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

COMMENTS: Total cations 5.99 me/l
 Total anions 6.83 me/l



By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-273

Amount Enclosed \$ _____

Signed _____

No. 2594-3

Publish first publication, on or before May 6, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 22, 1976

Notice is hereby given that Donald E. 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

2.2 cubic feet of water per second of time from the FOUNTAIN WATER through the Schmidt #2, the point of diversion of which is to be located in the _____

NE 1/4 NW 1/4

of Section 15, Twp. 113N, Range 57W. Said water to be used for the purpose

of providing irrigation on ^{portions of} the following described land:

NW 1/4, Section 15, T113N, R57W

This application No. 2594-3 will be considered by the Water Rights Commission at their office at Pierre upon the 20th day of May, 1976, at 1:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

James
BFJ/bw
cc:

Donald E. Schmidt, Willow Lake, South Dakota 57276

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 2696-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clark) ss.

I, Bert Moritz hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Clark County Courier

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 Clark

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

May 6, 1976

May 13, 1976

Bert Moritz
(Signature)

Publisher
(Title)

May 14, 1976
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, South Dakota 57501

April 29, 1976

Notice is hereby given that
Donald E. Schmidt whose post
office 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 2.2 cubic feet of
water per second of time from
ground water through the
Schmidt No. 2, the point of
diversion of which is to be located
in the NE 1/4 NW 1/4 of Section 15,
Twp. 113N, Range 57W. Said
water to be used for the purpose
of providing irrigation on por-
tions of the following described
land:

NW 1/4, Section 15, T113N,
R57W.

This application No. 2696-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 20th day of
May, 1976, at 1:05 p.m. All
interested persons may appear
and be heard.

Water Rights Commission
By: Burton M. Jones
Water Rights Specialist
5-6-21



**South Dakota Department of
Water & Natural Resources**

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

April 15, 1985

Donald Schmidt
SR Box 16
Willow Lake SD 57278

NOTICE

Re: Violation of Water Permit No(s). 4658-3, 2696-3A and 1984 Irrigation Questionnaire Requirements.

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 4658-3, 2696-3A. The request for the questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4658-3, 2696-3A qualification:

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

The hearing will also be to determine if Permit No(s). 4414-3, 2696-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 10:30 a.m., May 15, 1985, in the Civil Defense Room, Basement, State Capitol Building, Pierre, South Dakota.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 4658-3, 2696-3A until either the 1984 Questionnaire is submitted or for the period of up to one year;
2. Amend Permits No(s). 4414-3, 2696-3 also held by Donald Schmidt to require the Irrigation Water Use Questionnaire to be submitted each year;

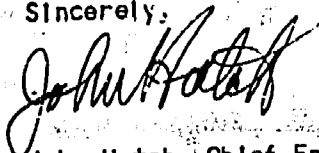
Donald Schmidt
April 15, 1985
Page 2

3. Postpone any action;

4. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. Those 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.

Sincerely,



John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) are received in this office before the May 15th hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

A40408KS.wr



Department of Water & Natural Resources

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Donald Schmidt
SR, Box 16
Willow Lake, SD 57278

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352

SUBJECT: Amendment to Water Permit No(s). 2696-3, & 4414-3.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2696-3, & 4414-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

Attachment to Water Permit No(s). 2696-3, & 4414-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2696-3, & 4414-3 to add the following qualification:

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



No. 2696-3A

Department of Water & Natural Resources

Joe Foss Building
523 East Capitol

Pierre, South Dakota 57501

WATER RIGHTS DIVISION

Phone (605) 773-3352

December 1, 1986

Donald E Schmidt
SR Box 16
Willow Lake SD 57278

Dear Mr. Schmidt:

Enclosed herewith is, Water License No. 2696-3A. This 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,

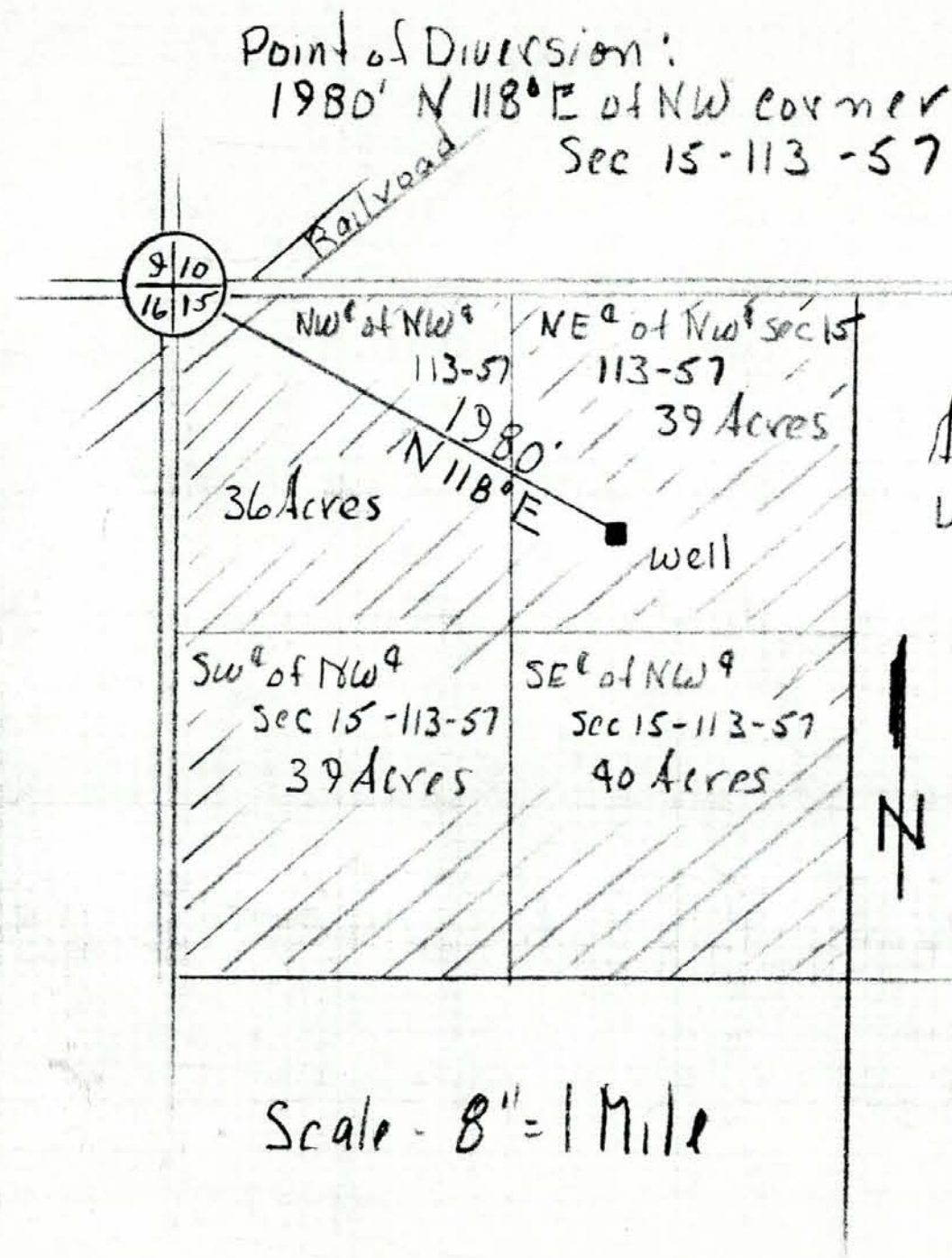
JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

Enclosures

NOTE: The applicable portions of Water Permit No. 2696-3 have been incorporated into this Water License No. 2696-3A. An April 14, 1976 priority date is retained.

WNR-817 3/83
Transmittal of Water License



DONALD E. SCHMIDT

Irrigation Project #1
Willow Lake 57276 S. Dakota
Clark County

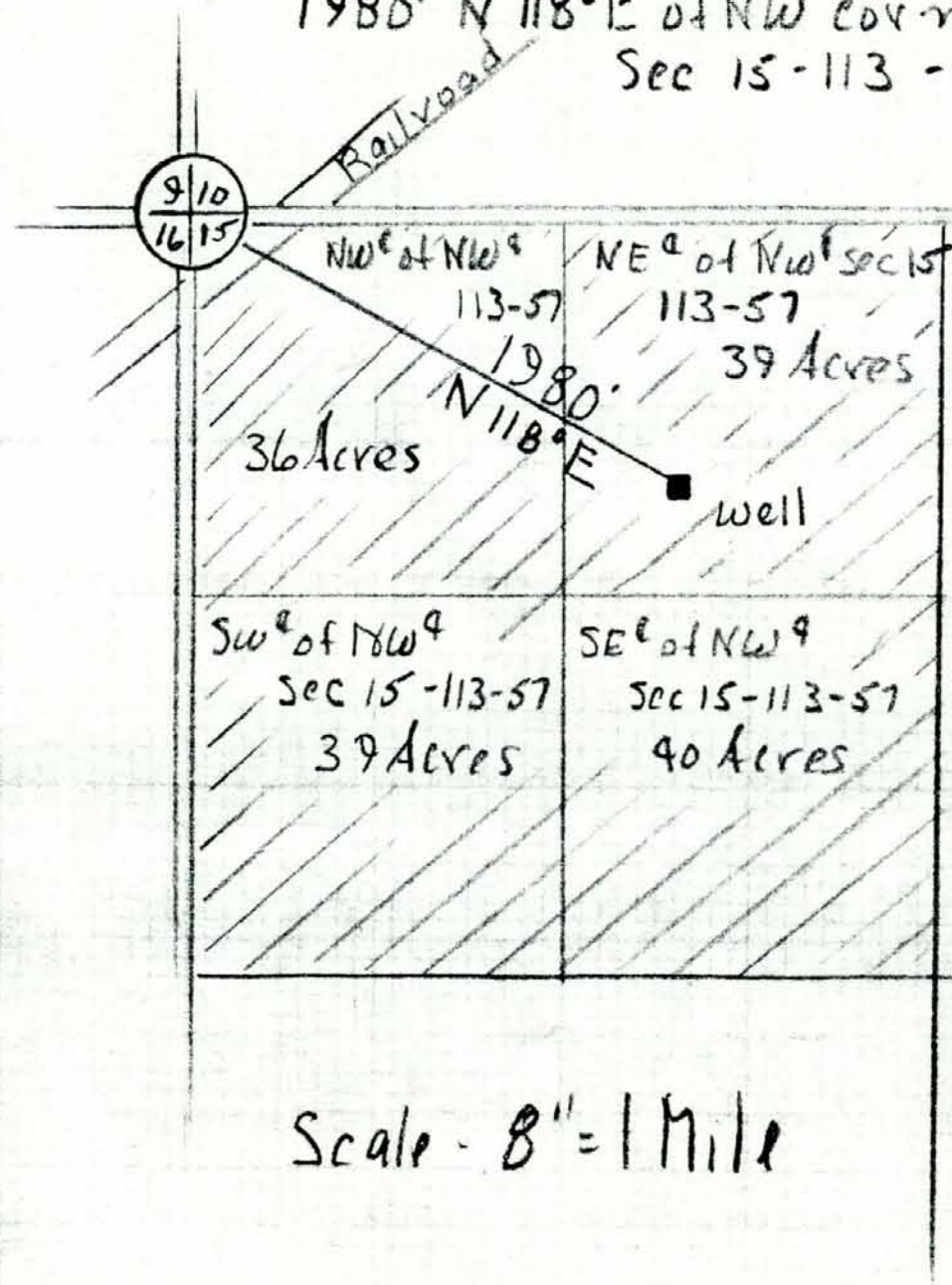
Acres Irrigated - 154
Water Claimed - 2.2 cfs

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

Donald E. Schmidt
Willow Lake 57276 S. Dakota
4-3-76

Drawn by SLW
P.E.H. 1916
John L. Wiersma
Map No. 2058-3 APPENDIX 2096-3

Point of Diversion:
1980' N 118° E of NW corner
Sec 15-113-57



DONALD E. SCHMIDT

Irrigation Project #1
Willow Lake 57276 S. Dakota
Clark County

Acres Irrigated - 154
Water Claimed - 2.2 cfs

Surveyor's Certificate
I, John L. Wiersma, do hereby certify that
this map identifies a reasonably accurate
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Donald E. Schmidt
Willow Lake 57276 S. Dakota
4-3-76

Drawn by J. W.
P.E.H. 1916
John L. Wiersma
Brookings SD
MAP NO. 26463 APPL NO. 26463