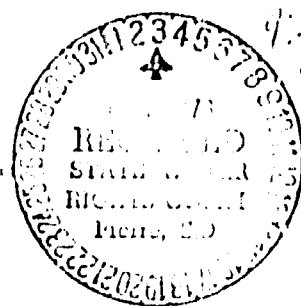


1. Considered MAY 20, 19 76 2731-3
2. Name of Applicant MELVIN J. E. SMIDT
3. Post Office Address WILLOW LAKE
4. Amount of water claimed 2.28
5. Source of water supply 44' WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in CLARK county
about 5 S miles of WILLOW LAKE
8. Proof of Publication Received 5-24-76
 Not Received _____
9. Application Approved _____
 Subject to _____
 Not Approved _____
 Action deferred _____

10. Remarks:

No. 2731-3
 Map No. 2090-3 Water Division No. 3 JAMES RIVER District
 (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 Melvin J. Schmidt
 Postoffice address Willow Lake, State South Dakota, 57278
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
 3. Name of diversion work Melvin Schmidt Irrigation Well No. 2
 4. Amount of water claimed (cubic feet per second) 2.28-4 Cu. Ft per Second MAXIMUM ALLOWABLE
 5. Source of water supply Irrigation well drilled into an underground aquifer
 6. Location of point of diversion 80 rods due south of the center of Sec 26, T 113, R 57,
right on the quarter line.
 _____ County Clark
 7. Annual period or periods during which water is to be used Summer growing season
 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 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.
NW SE, 26 - 113 - 57	40		
SW SE, 26 - 113 - 57	40		
SE SW, 26 - 113 - 57	40		
NE SW, 26 - 113 - 57	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system One years. Additional time required to complete application of water to the proposed beneficial use Two years.
 11. Name of newspaper for Notice of Intent to Appropriate Water publication Huron Daily Plainsman, Huron, SD., 57350
 12. Principal Features of the Proposed Water Supply System.
 A. Works proposed to divert water from its natural source.
Irrigation Well.

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

Irrigation Well will be at the center of a "Center Pivot" Irrigation System Unit.
The Well will be right at the mid-point of the 160 acres which is to be irrigated.

C. Works proposed to apply water to beneficial use.

"Center Pivot Irrigation System".Estimated Total Cost \$ 35,000

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 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. SchmidtSubscribed and sworn to before me this 30 day of April, 1974

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2731-3MELVIN J. SCHMIDT
(Applicant)WILLOW LAKE
(Post Office Address)SOUTH DAKOTA 57278 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.

Date of first receipt of application MAY 3, 1976Date of return to applicant for correction, amendments or changes required —, 19—Date of receipt of corrected application —, 19—Approved MAY 20, 1976, Recorded in Book 15 Page 191WATER RIGHT PERMIT NO. 2731-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2731-3 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 MAY 3, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 20, 1976
3. The whole of said work is to be completed on or before MAY 20, 1977
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 20, 1979
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 2.28 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, 1979; said water to be used during the following described annual period: SUMMER GROWING SEASON

Witness my hand this 10TH day of JUNE, 1976

WATER RIGHTS COMMISSION

By:

John H. H. H.
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 32 inches, Depth 44 feet
- (2) Casing, Type Mild steel Diameter 16 inches Thickness 1/4 inch
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type SS Steel, Diameter 16 inches, Length 20 feet
- (4) Gravel Pack. Thickness 8 inches, Length of gravel pack 24 feet

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 coarse gravel and rock

Depth to top of water bearing material 12 feet

Depth to bottom of water bearing material 44 feet

Thickness of water bearing material 32 feet

Depth to water (ground surface to water level) 12 feet

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

On same owner's property None rds. On property owned by others 160 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

2731-3

April 29, 1976

Mr. Melvin Schmidt
Willow Lake, SD 57278

Dear Mr. Schmidt:

The VI-1 form which you submitted in support of an application for a water permit in section 26-113-57 and a copy of the water analysis report on water sample #76-363, and a copy of this letter are being sent to Pierre for action by the Conservation Commission.

I am enclosing here for your use and keeping a copy of AES publication #13 with the quality of this water plotted approximately for irrigation use by means of a red cross in the chart on the outside back cover. Also enclosed is the original copy of the report of analysis. This is yours to keep.

This water is in the high salinity bracket, but fairly low in sodium. It is near the low end of the high salinity range, so that the hazard for increasing the salinity in soils on which it is used is rather modest. However, frequent, light applications of this kind of water without opportunity for drainage or leaching would eventually build up salinity in the surface soil so that it would inhibit the growth and yield of crops, so you want to avoid this kind of irrigation as much as possible. I would suggest that you use the water no more than 4 times in any one growing season and that you apply enough water each time to completely rewet the rooting zone of the crop to the depth that water has been reduced in the soil. This may take 3 or 4, or maybe 5 inches in some irrigations. If you follow this kind of management, I anticipate no problem with salt development in this soil.

Sincerely yours,

L. O. Fina

L. O. Fina
Water Quality Lab

LOF:ekb
Enclosures
cc: State Conservation Commission
D. Fahl
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 Melvin Schmidt
ADDRESS Willow Lake, South Dakota
COUNTY Clark



LEGAL DESCRIPTION

1. WELL LOCATION Center of quarter section
2. LOCATION OF AREA TO BE IRRIGATED SE 1/4 of Sec 26 T-115 R-57

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Potatoes - grain - corn

WATER QUALITY

5. SAMPLE NUMBER 76-363
6. SALINITY (EC x 10⁶) 976 (moderately high)
7. SODIUM (SAR) 0.24 (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 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.

Melvin Schmidt
APPLICANT'S SIGNATURE

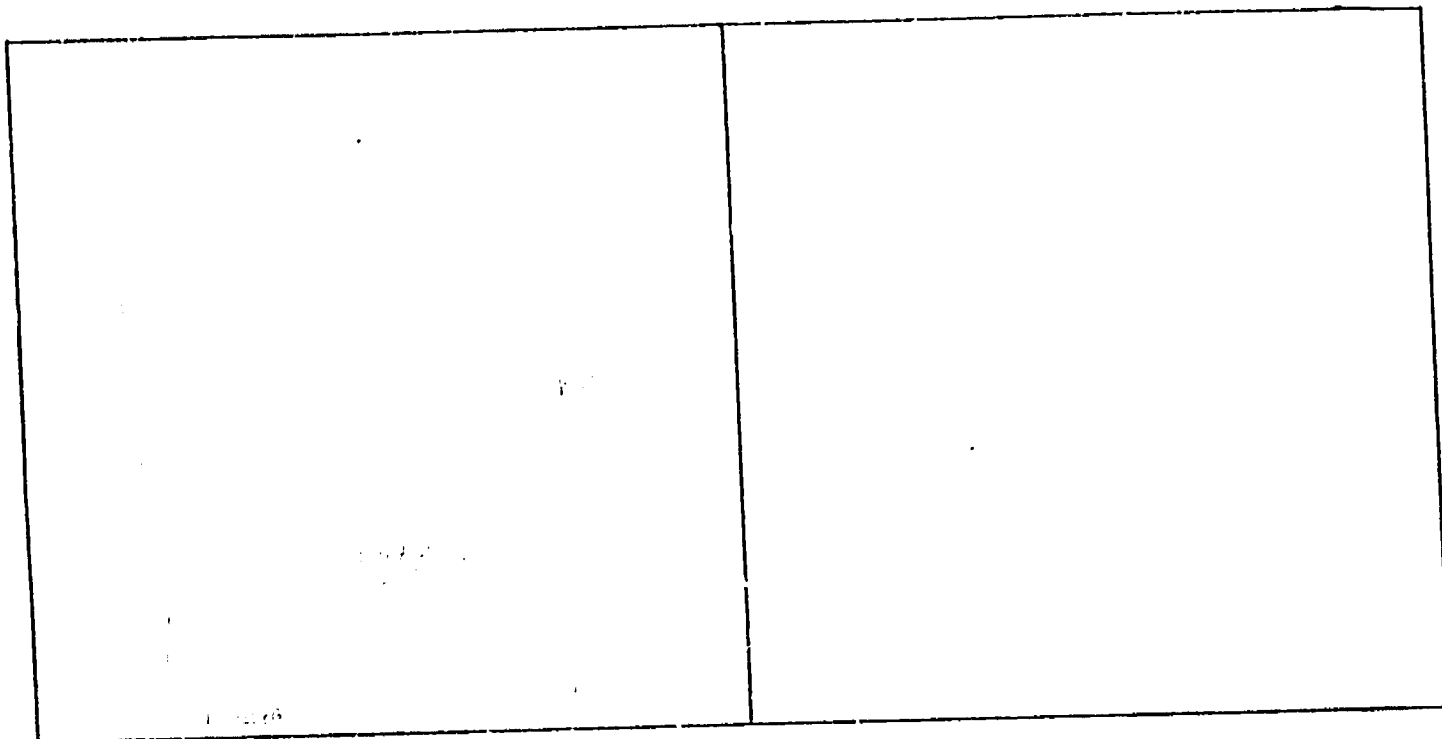
SUBSCRIBED AND SWORN BEFORE ME THIS
_____ DAY OF _____ 19 ____.

(TITLE OR SEAL)

Alfred A. H. H. H.
APPROVED/

(SOILS INFORMATION ON REVERSE SIDE)

MAP



NARRATIVE

- 2M46 - IIe2 - Forman Loam - Deep, loamy, well drained soils on gently undulating (2 to 6%) slopes. They have a moderate water erosion hazard.
4-1
- 2M47 - IIe3 - Poinsett Silt Loam - Deep, loamy, well drained soils on gently undulating & gently sloping (2 to 6%) upland. They have moderate water erosion and slight to moderate wind erosion hazards.
5-1
- 3M47Z - IIs3 - Fordville Loam - Moderately deep, well drained soils with 20 to 40 inches of loamy material over sand and gravel on nearly level (0 to 2%) upland slopes. Sandy and gravelly subsoils and substrata limit water storage capacity and rooting depths.
2-1
- 2M48 - IIId1 - Parnell Silty Clay Loam - Deep, black, clayey soils that are poorly drained. They occupy floors of enclosed depressions and are ponded from runoff waters from adjacent slopes.
1-1

C. 2731-3

Publish first publication, on or before May 10, 1976

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

May 3, 1976

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

2.28 cubic feet of water per second of time from the ground water through the Melvin Schmidt Well #2, the point of diversion of which is to be located in the _____

Center of the S $\frac{1}{2}$

of Section 26, Twp. 113N, Range 57W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:

E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 26, T113N, R57W

This application No. 2731-3 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 RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Melvin J. Schmidt, Willow Lake, S.D. 57278

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

No. 2731-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Beadle)

I, Dorothy Murphy hereby

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

Water was taken from the Huron Daily Plainsman

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 Huron

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

May 7, 1976

May 14, 1976

Dorothy Murphy
(Signature)

Bookkeeper
(Title)

May 14, 1976

(Date Signed)

F.F. 5776 I.P. 3 14 76

NOTICE INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501

May 3, 1976.
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 2.28 cubic feet of water per second of time from ground water through the Melvin Schmidt Well No. 2, the point of diversion of which is to be located in the Center of the S $\frac{1}{2}$ of Section 26, Twp. 113N, Range 57W. Said water to be used for the purpose of providing irrigation on portions of the following described land: E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 26, T113N, R57W.

This application No. 2731-3 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 RIGHTS COMMISSION

By: BURTON F. JONES

Water Rights Specialist

Form 11-1 No. 720 (adv.)



South Dakota
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

October 13, 1982

Helvin Schmidt
Willow Lake
South Dakota 57278

Dear Mr. Schmidt:

The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right No. 2731-3 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

You will also receive the Certificate of Construction as required by statute.

Sincerely,

KAREN SCHLAAK
Administrative Secretary

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

SECOND NOTICE
PERMIT NO. 2731-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

January 4, 1983

Malvin Schmidt
Willow Lake, South Dakota 57278

Dear Mr. Schmidt:

October 13, 1982 you were notified the required final inspection fee of \$50.00 is due before Water License No. 2731-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. You will also receive the Certificate of Construction as required by Statute. These are the final papers for the perfection of your Water Right.

A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used. Failure to pay the fee means that the legal requirement to establish a water right have not been completed and a property right has not been established.

Please submit the required fee immediately to avoid jeopardizing your water permit or advise if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

C10401ks.wr

PS Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.		
1. The following service is requested (check one.) ☒ Show to whom and date delivered..... ☐ Show to whom, date and address of delivery..... ☐ RESTRICTED DELIVERY Show to whom and date delivered..... ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery..... (CONSULT POSTMASTER FOR FEES)		
2. ARTICLE ADDRESSED TO: Mubert Schmidt Widow Lake St 51218		
3. ARTICLE DESCRIPTION:		
REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	0005480206	
(Always obtain signature of addressee or agent)		
I have received the article described above.		
SIGNATURE	☐ Addressee	☐ Authorized agent
4. DATE OF DELIVERY 1-05-83		POSTMARK JAN 15 AM 1983
5. ADDRESS (Complete only if requested)		
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS B.L.P.

Permit No. 2731-3
 Water Division 3 VERMILLION RIVER Water District
10170103

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

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

I have this day made a thorough examination of the water use system constructed by MELVIN
SCHMIOT of WILLOW LAKE holder
 of Permit No. 2731-3, bearing date of priority of MAY 3 ⁽¹⁴⁾, 1976
 authorizing the diversion of 2.28 cu. ft. per second of the waters of GROUNDWATER
 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:

44' DEEP WELL WITH 16" STEEL CASING - 15' SS SCREEN
FAIRBANKS MORSE 8" PUMP - SIZE 11M, POWERED BY
60HP REULAND ELECTRIC MOTOR @ 1760 RPM

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

20' OF 8" ALUMINUM PIPE TO CENTER OF PIVOT

C. Works used to apply water to beneficial use.

10 TOWER OLSON CENTER PIVOT SYSTEM WITH
NELSON #100 END GUN

The system is in the following condition: GOOD

The point of diversion is located 20' S OF THE CENTER OF THE S²,
SECTION 26, T.113N, R.57

The works are capable of diverting and conveying to the place of use 1.88 (850 GPM)
 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:

FOR IRRIGATING A 132 ACRE CIRCLE IN THE
E²SW⁴ & W²SE⁴, SECTION 26, T.113N, R.57W

comprising a total of 132 acres of land.

See 22712-3 for Aerial Photo

Date SEPTEMBER 23, 1982

[Signature]
 (Signature)

WATER LICENSE NO. ²⁷³¹⁻³.....

(1) WHEREAS, On the 3rd day of May A. D. 19 76
Malvin Schmidt

made Water Right Application No. 2731-3 for a permit to use 2.28 cubic feet per second of the waters
of groundwater (one well)
County of Clark, State of South Dakota, for Irrigation
purposes; and

(2) WHEREAS, On the 20th day of May A. D. 19 76
Permit 2731-3 with a date of priority of May 3, 1976
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 May A. D. 19 77 and for the
application to beneficial use of said water on or before the 20th day of May A. D. 19 79

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 1.88 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,
to irrigate a 132 acre circle in the E½ SW¼, and W½ SE¼, 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 Melvin Schmidt

_____ of Star Route, Box 5, Willow Lake SD 57278
the holder _____ and owner _____ of said permit No. 2731-3 a water right, dating from May 3, 1976
_____ to use of 1.88 cubic feet per second of the waters
of groundwater (one well)
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 20'S of the center of the S½,
 Section 26, T113N, R57W

and conducted to and upon a 132 acre circle in the E½ SW¼ and W½ SE¼ Section 26,
 T113N, R57W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2731-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 21st day of January A. D.
Nineteen Hundred and Eighty-three

WATER MANAGEMENT BOARD

By:

 John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 2731-3

Water Diversion No. 3 Vermillion River Water District
10170103

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Delvin Schmidt

_____ the holder _____ of
Permit No. 2731-3, issued upon Application No. 2731-3, bearing date of priority of
May 3, 1976 authorizing the diversion of 2.28 cu. ft. per second of the waters of
groundwater (one well) County of Clark, State of South Dakota at
a point 2015 of the center of the St. Section 25, T113N. R57W

_____, for Irrigation

purposes, he s 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 1.88 (850 gpm) cu. ft. per second of water.

Date January 21, 1983

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 9101

PIERRE, January 11, 1983

RECEIVED OF Helvin Schmidt, Star Route, Box 5, Willow Lake, SD 57278
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. 2731-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 2731-3		
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		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH/ms

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

January 21, 1983

Melvin Schmidt
Star Route, Box 5
Willow Lake SD 57278

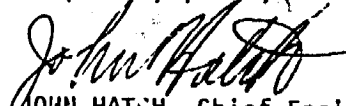
Dear Mr. Schmidt:

Enclosed herewith are, Water License No. 2731-3 and Certificate of Construction.

Water License No. 2731-3 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 Division

JH:ks

enclosures



2731-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

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.

2731-3



**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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

October 23, 1998

2731-3

Melvin Schmidt
HCR 3 Box 5
Willow Lake, SD 57278

Dear Mr. Schmidt:

Thank you for the prompt submission of your 1998 irrigation questionnaires.

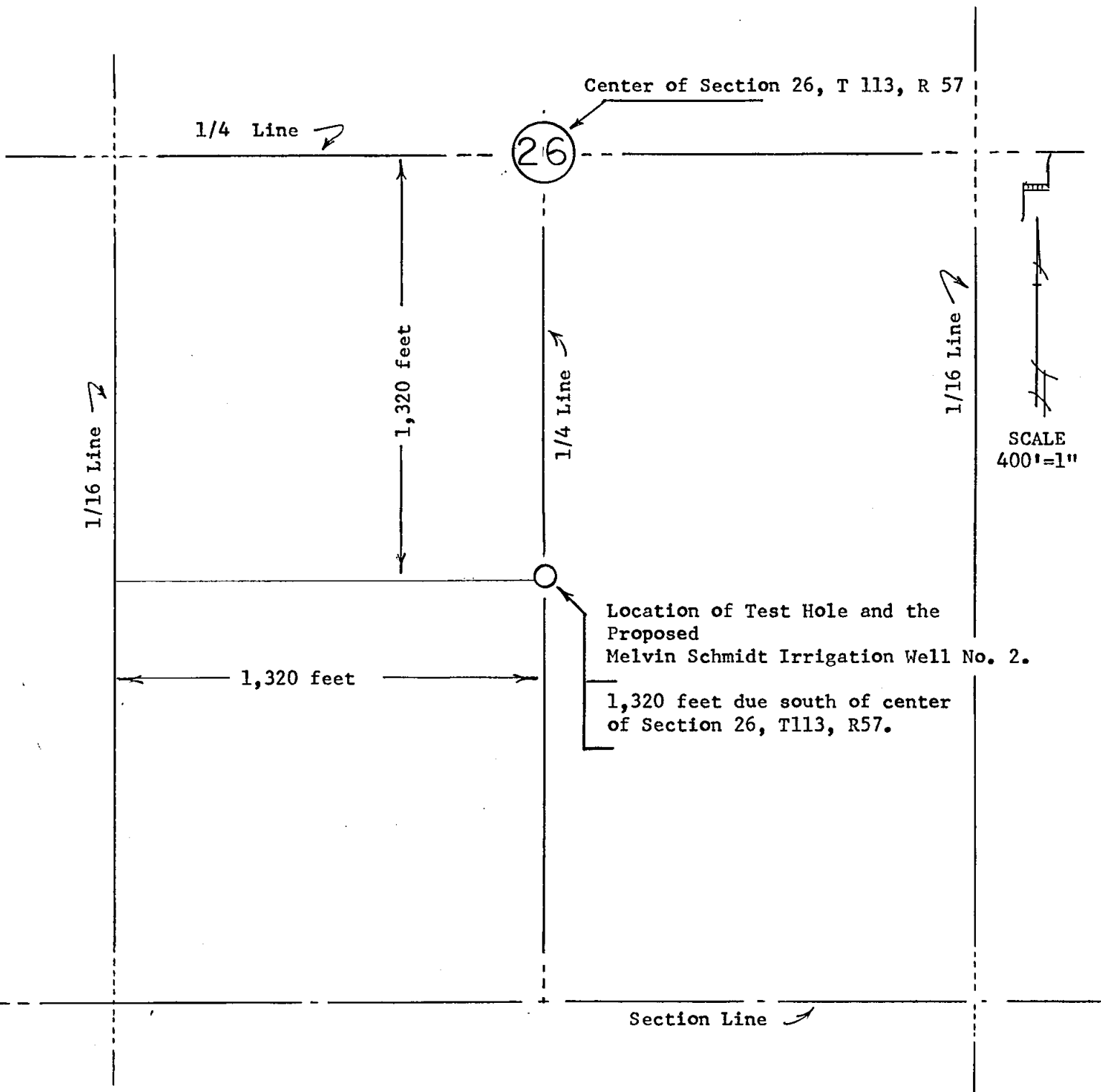
I noticed on the questionnaire for the south quarter you indicated you did apply chemicals through your irrigation system. Please review and complete the enclosed form by including the amount and type of chemical(s) you applied.

If you have any questions or need assistance with the form, please give me a call. Thank you again for your help.

Sincerely,

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

encl



I, Emiel E. Belzer, P. E., a Registered Engineer of the State of South Dakota, hereby states that I have prepared the above map in full compliance with all facts and data as have been furnished to me by the Owner of the Land, who is Mr. Melvin J. Schmidt, Willow Lake, South Dakota, 57278.

My hand and seal affixed this date

30

April

1976.

Emiel E. Belzer, P. E.,
De Smet, SD., 57231.

S E A L.

MAP N° 2090-3 (APPC N° 2731-5)



2731-3

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.



**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



4731-3
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/efrms/secure/efrms/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.



**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,


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



**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,

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

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. 2731-3

Date: 11/10/11

I/We request that Water Right No. 2731-3

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:

132 acres - W 1/2 SE 1/4 and E 1/2 SW 1/4 Section 26, T113N, R57W

I/We understand that the validity of Water Right No. 2731-3 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>2731-3</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. **05070**

By

David Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
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