

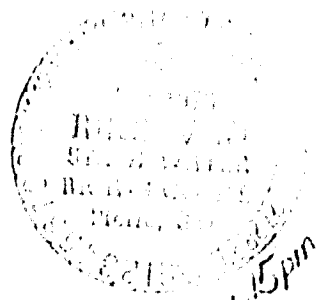
Water Right Number 37,13-3

1. Considered 1-26, 1977
2. Name of Applicant MICHAEL L. SCHMIDT
3. Post Office Address WELL RAPIDS
4. Amount of water claimed 2.0
5. Source of water supply 3-32' WELLS
6. Water to be used for IRRIGATION
- Acres to be irrigated 146
7. Water to be diverted and used in MOODY County
about 1/4 Miles of TRENT
8. Proof of Publication Received 1-7-77
Not received _____
9. Application Approved - TML Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 3293-3

Map No. 7580-3 Water Division No. 3 BIG SIOUX 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)

- Name of Applicant Michael L. Schmidt
Postoffice address Dell Rapids, State South Dakota - 57032
If a corporation show date and place of incorporation _____
- Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
- Name of diversion work Michael L. Schmidt Irrigation Project #1
- Amount of water claimed (cubic feet per second) 2.6
- Source of water supply 3 wells
- Location of point of diversion Well A - 2300' N 137° E; Well B - 2600' N 130° E; Well C - 2800' N 127° E all at Northwest corner of Sec 14-105-49 County Moody
- Annual period or periods during which water is to be used April through October
- Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
- For irrigation use, Total number of acres to be irrigated 146

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>NE 1/4 Sec 14-105-49</u>	<u>28</u>		
<u>NE 1/4 " " " "</u>	<u>40</u>		
<u>SW 1/4 " " " "</u>	<u>37</u>		
<u>SE 1/4 " " " "</u>	<u>39</u>		

Attach sheet if more space is needed

- 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.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Flandreau Paper
- Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. 3 wells on a manifold

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 Brookings

I, Michael L. 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 Michael L. Schmidt
day of Nov 1976
John L. Wiersma
Notary Public (or other qualified officer)

Subscribed and sworn to before me this

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3293-3
MICHAEL L. SCHMIDT RED RIVER RAPIDS
 (Applicant) (Post Office Address)

SOUTH DAKOTA 57022 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 adequate domestic wells or in irrigation wells having prior water rights.

WELLS APPROVED UNDER THIS PERMIT SHALL BE SPACED SO THAT THERE IS AT LEAST 660' BETWEEN WELLS.

Date of first receipt of application NOVEMBER 17, 19 76
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application _____, 19 ____
 Approved JANUARY 27, 19 77, Recorded in Book 16 Page 291

WATER RIGHT PERMIT NO. 3293-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3293-3 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 NOVEMBER 17, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 27, 19 79
3. The whole of said work is to be completed on or before JANUARY 27, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 27, 19 85
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 2.0 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 JANUARY 27, 19 85; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 8TH day of MARCH, 19 77

WATER RIGHTS COMMISSION

By: John H. [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY, 19 78

Water License Issued FEBRUARY 6, 19 78

Three nearly identical wells

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 2 8", Depth 32'
(2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 14" Thickness 1/4"
(3) Perforated Screen.
Type Cont. Slot Diameter 14" Length 10'
(4) Gravel Pack, Thickness 5", 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 2' Layer Sand, 3' to 7'
yellow clay and sand; 7' to 35' is gravel
and sand mixed, over 35' is blue clay

Depth to top of water bearing material 7'

Depth to bottom of water bearing material 32'

Thickness of water bearing material 25'

Depth to water (ground surface to water level) 7'

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

On same owner's property 96 rds. On property owned by others 90 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.

Michael L. Schmidt
Signature of Applicant

WATER LICENSE NO. 3293-3

(1) WHEREAS, On the 17th day of November A. D. 19 76
Michael L. Schwaldt

made Water Right Application No. 3293-3 for a permit to use 2.0 cubic feet per second of the waters
of groundwater

County of Moody, State of South Dakota, for Irrigation
purposes; and

(2) WHEREAS, On the 3th day of March A. D. 19 77

Permit No. 3293-3, with a date of priority of November 17, 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 27th day of January A. D. 19 82 and for the
application to beneficial use of said water on or before the 27th day of January A. D. 19 85

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 1.69 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,

for irrigating a 136 acre circle in the NW1/4, Section 14, T105N, R49W

(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 Michael L. Schmidt

_____ of Dell Rapids
the holder _____ and owner _____ of said permit No. 3293-3 a water right, dating from groundwater, 1976
_____ to use of 1.69 cubic feet per second of the waters
of groundwater

in the County of Hoddy and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at points 2200'S and 1100'E and 2200'S and 1750'E
both from the NW corner, Section 14, T105N, R49W

and conduct to and upon a 136 acre circle in the NW, Section 14, T105N, R49W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3293-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 6th day of February A. D.
Nineteen Hundred and seventy-eight

WATER RIGHTS COMMISSION

By:

John H. Hark
Chief Engineer, Executive Officer

Form 15

Permit No. 3293-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Michael J. Schmidt

_____ the holder _____ of
Permit No. 3293-3, issued upon Application No. 3293-3, bearing date of priority of November 17, 1976

_____ authorizing the diversion of 2.0 cu. ft. per second of the waters of _____
groundwater County of Hoody State of South Dakota at _____
points 2200'S and 1100'E and 2200'S and 1750'E both from the NW corner,
Section 14, T105N, R49W
_____, 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 1.69 cu. ft. per second of water.

Date February 6, 1978

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

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 Michael L. Schmidt
ADDRESS RFD Box 115, Box 115, Box 115
COUNTY Moore

LEGAL DESCRIPTION

1. WELL LOCATION North corner of Sec 11, T15S, R10E
2. LOCATION OF AREA TO BE IRRIGATED North of Sec 11, T15S, R10E

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED Corn and alfalfa

WATER QUALITY

5. SAMPLE NUMBER 76-1687
6. SALINITY (EC X 10⁶) 1.59 (high)
7. SODIUM (SAR) 0.61 (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 _____ 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.

SUBSCRIBED AND SWORN BEFORE ME THIS
1 DAY OF April 19 76.

John L. Williams
(TITLE OR SEAL)

Michael L. Schmidt
APPLICANT'S SIGNATURE

Approval does not imply that this project can be carried out successfully in all circumstances. Individual man-
agement will, to a large degree, determine the relative
success of the venture.

John L. Williams
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: Mike L. Schmidt
 Address: Dell Rapids, SD 57022

Date Rec'd October 25, 1976
 Sample No. 76-1689
 Identification Well-32
Lot, Sec. 14, T 105N, R 49E

WATER ANALYSIS

Calcium (Ca)	151	ppm*	7.55	me/l**
Magnesium (Mg)	50	ppm	4.10	me/l
Sodium (Na)	34	ppm	1.48	me/l
Potassium (K)	6	ppm	0.16	me/l
Sulfate (SO ₄)	235	ppm	4.89	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	32	ppm	0.90	me/l
Bicarbonate (HCO ₃)	376	ppm	6.16	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)	308	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1159	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.61			
Sodium	11.13	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.32			

Others:

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 13.29 me/l
 Total anions 11.95 me/l

By: Shirley Mitten

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. 76-1689

Amount Enclosed \$

Signed

November 2, 1976

Mr. Michael L. Schmidt
RFD
Dall Rapids, SD 57022

Dear Mr. Schmidt:

Enclosed you will find the original copy of the report of analysis on your water sample submitted about a week ago. Also enclosed is AES pamphlet #13 with the quality of this water approximately designated by means of the cross in the chart on the outside back cover. It is in the high salinity, low sodium category.

Accordingly, this water is moderately well suited to irrigation use. It has a salt load of about 0.95 tons of salt per acre foot of water so this has to be considered when one is irrigating, especially soils that have some kind of impeded drainage. Unfortunately, imperfect drainage is a prime characteristic of many of the soil delineations in the NW quarter of 14-104-49. All the areas marked either 2F2W3 or 3M4Z M47ZW2, or 2F3XF2 are imperfectly drained and you should be aware that you will probably have both salt problems and a water table problem if you irrigate these lands the same as the LaPrairie and Fordville soils adjacent on both sides of these strips of low wetlands.

Therefore, I recommend that you proceed only with the development of such an area that you can irrigate without irrigating the two diagonal strips of lowlands. This would probably be only the center portion of the tract unless you have means of towing the equipment across the draws and irrigating the two sides. I think you will be bitterly disappointed by the results of irrigating the lowland areas for the reasons given above. The water table rise which almost inevitably will follow irrigating the uplands here would require either tile drainage in the lowland or some kind of diversion work to keep water from getting in to the lowland. I doubt very much if earth and dykes, or anything like this, would prevent wetness problems from developing in these two strips of lowland. Therefore, if you proceed to develop this proposal, I suggest again that you restrict your irrigation to soil areas 3M4Z. These are the only ones that will respond favorably and give you satisfactory crop performance when there are such difference soil side by side, and which cannot be differentially irrigated with a center pivot system.

Sincerely yours,

L. O. Fino
L. O. Fino
Water Quality Lab

LOP:ckb

Enclosures

cc: State Conservation Commission

Form 6 - Notice of Intent to Appropriate Water

No. 3293-3

Publish first publication, on or before January 13, 19 77

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

~~December 16~~, 19 76

Notice is hereby given that Michael L. Schmidt
whose post office address is Dell Rapids, 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
2.0 cubic feet of water per second of time from the ground water through the
Schmidt # 1, the point of diversion of which ~~is~~ ^{are} to be located in the

S&L, Inc.
of Section 14, Twp. 105N, Range 49W. Said water to be used for the purpose
of providing irrigation on the following described land:

SW 1/4, Section 14, T105N, R49W

This application No. 3293-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 26th day of January, 19 77, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw,
cc:

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

No. 3293-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Moody) ss.

I, Dorothy M. Lyford hereby

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

Water was taken from the Moody County Enterprise

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 Siandreau

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

December 22, 1976

December 29, 1976

Dorothy M. Lyford
(Signature)

Bookkeeper
(Title)

December 29, 1976
(Date Signed)

NOTICE

INTENT TO APPROPRIATE WATER

Notice is hereby given that Michael L. Schmidt, whose post office address is Dell Rapids, 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 2.0 cubic feet of water per second of time from ground water through the Schmidt No. 1, the points of diversion of which are to be located in the SE 1/4 NW 1/4 of Section 14, Twp. 105 N., Range 49 W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NW 1/4, Section 14, T 105 N., R 49 W.
This application No. 3293-3 will be considered by the Water Rights Commission at their office at Pierre upon the 26th day of January, 1977, at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By: Burton F. Jones
Water Rights Specialist
(Dec. 22-29)



3293-3 Mike Schmidt

11-3-77 Test well 29 ft deep, 7 ft to hole
425 gpm

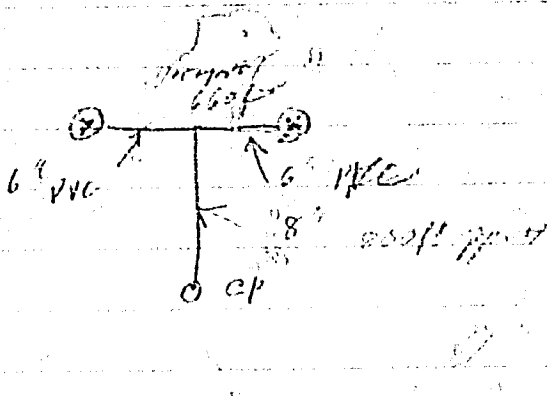
Cost well 30 ft deep 7 ft to hole.

425 gpm

Depth 850 gpm.

136 acres.

cp. 30' east of of hole.



over 11-8-112 to 113

stronger touch - Epithel

3293-3 Michael & Schmitt & Williams

9-9-11 (A) 5W400 Motor GE

Model 5K6235 x M 501B

ser # BNJ 223456, 30 HP

Pump Hydro. Cent. Sol.

ser # 077675 Hec 6M

6-100-MC

(B) SE Well P. 1. 11. 11. 11.

Model 5K6235 x M 501B

ser # CNJ 323456

35 HP - 1150 RPM

Pump Hydro. Cent. Sol.

ser # C 77674 Hec 6M

6-100-MC

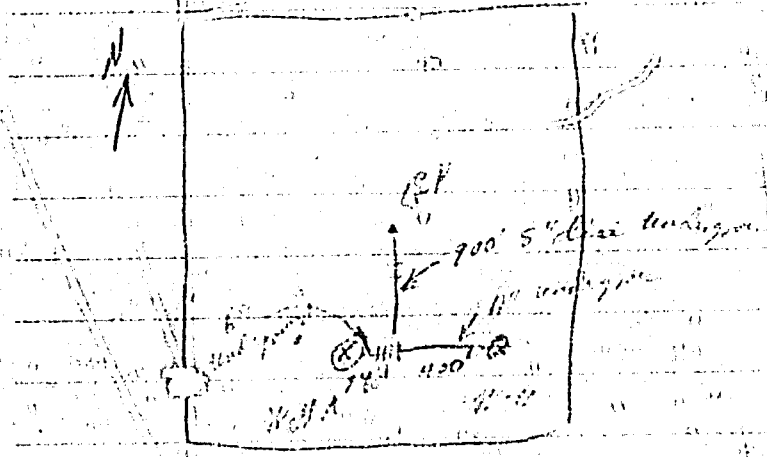
C.P. Hygrometric Motor 77674

ser # 77674

7th Floor

150 31. 11. 11.

511



5" line underground 110' 5" line underground
 110' 5" line underground

Permit No. 3293-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system, constructed by Michael L. Schmidt of RFD, Dell Rapids, South Dakota, holder of Permit No. 3293-3 bearing date of priority of November 17, 1976, authorizing the diversion of 2.0 cu. ft. per second of the waters of Ground for Irrigation purposes, in Moody 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: Well "A" - Motor - General Electric, Model 5K6235XM501B, Ser# BN5223456, 30 HP. Pump - Western Land Roller, Ser# C77615, Head 6M, 6-100-MC.
Well "B" - Motor - General Electric, Model 5K6235XM501B Ser# C-NJ323471, 30 HP, 1750 RPM. Pump - Western Land Roller, Ser# C-77674, Head #6M 6-100-MC.
- B. Works used to transport water to place of use,
800 ft 8" dia PVC Underground Pipe
660 ft 6" dia PVC Underground Pipe
- C. Works used to apply water to beneficial use.
Hydraulic Center Pivot. Model 770 CSE, Ser# 7123621

The system is in the following condition: Excellent

The point of diversion is located Well "A" 2200 ft South and 1100 ft East of the NW Corner of Sec. 14, T105N R49W Well "B" 2200 ft South and 1100 ft East of the NW Corner of Sec. 14, T105N R49W

The works are capable of diverting and conveying to the place of use 1.69cu. 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: All in the NW 1/4 Sec. 14, T105N R49W
NW 1/4 NW 1/4 - 33 Ac., NE 1/4 NW 1/4 - 34 Ac., SW 1/4 NW 1/4 - 33 Ac., SE 1/4 NW 1/4 - 34 Ac.

comprising a total of 136 acres of land.

Well data
Well "A" (West)
Depth 29 ft.
Static Water 7 ft.
Pumping 525 gpm

Well "B" (East)
Depth 30 ft.
Static Water 7 ft.
Pumping 525 gpm

Date November 30 1977
LeRoy J. Menning
(Signature)



Department of Water & Natural Resources

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

February 17, 1989

Michael L. Schmidt
RR 1, Box 18
Dell Rapids, SD 57022

Dear Mr. Schmidt:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

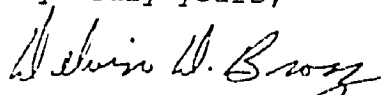


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,


for JOHN HATCH, Chief Engineer
Water Rights Division



3293-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: MICHAEL L SCHMIDT, 47640 242ND ST, DELL RAPIDS, SD 57022

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 3293-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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 8:30 am, March 5, 2003, 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) 3293-3 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 28, 2003, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



Track & Confirm

Delivery Status

You entered 2301 0370 0000 7540 6338

Your item was delivered at 11:04 am on January 18, 2003 in DELL RAPIDS, SD 57022. The item was signed for by M SCHMIDT.

[Request Delivery Record >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)



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Preserving the Trust

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:

2301 0370 0000 7540 6338

MICHAEL L SCHMIDT
47640 242ND ST
DELL RAPIDS SD 57022

Postmark
Here

POSTAL CUSTOMER:

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

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail
☐ Package Services

PS Form 153, February 2001

(See Reverse)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
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January 21, 2003

3293-3

Michael L Schmidt
47640 242nd St
Dell Rapids SD 57022

Dear Mr. Schmidt:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 3293-3.

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



3293-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
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January 20, 2005

NOTICE

TO: MICHAEL L SCHMIDT, 47640 242ND ST, DELL RAPIDS, SD 57022

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 3293-3. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 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 8:30 am, March 2, 2005, 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. 3293-3 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 is received in this office on/or before February 25, 2005, 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.



3293-3

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Current Status

You entered 2301 3460 0000 8516 1817

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SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 1817

MICHAEL L SCHMIDT
47640 242ND ST
DELL RAPIDS SD 57022

ailing.

Waiver of Signature ☐ YES ☐ NO

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January 27, 2005

3293-3

Michael L Schmidt
47640 242nd St
Dell Rapids SD 57022

Dear Mr. Schmidt:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 3293-3.

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.

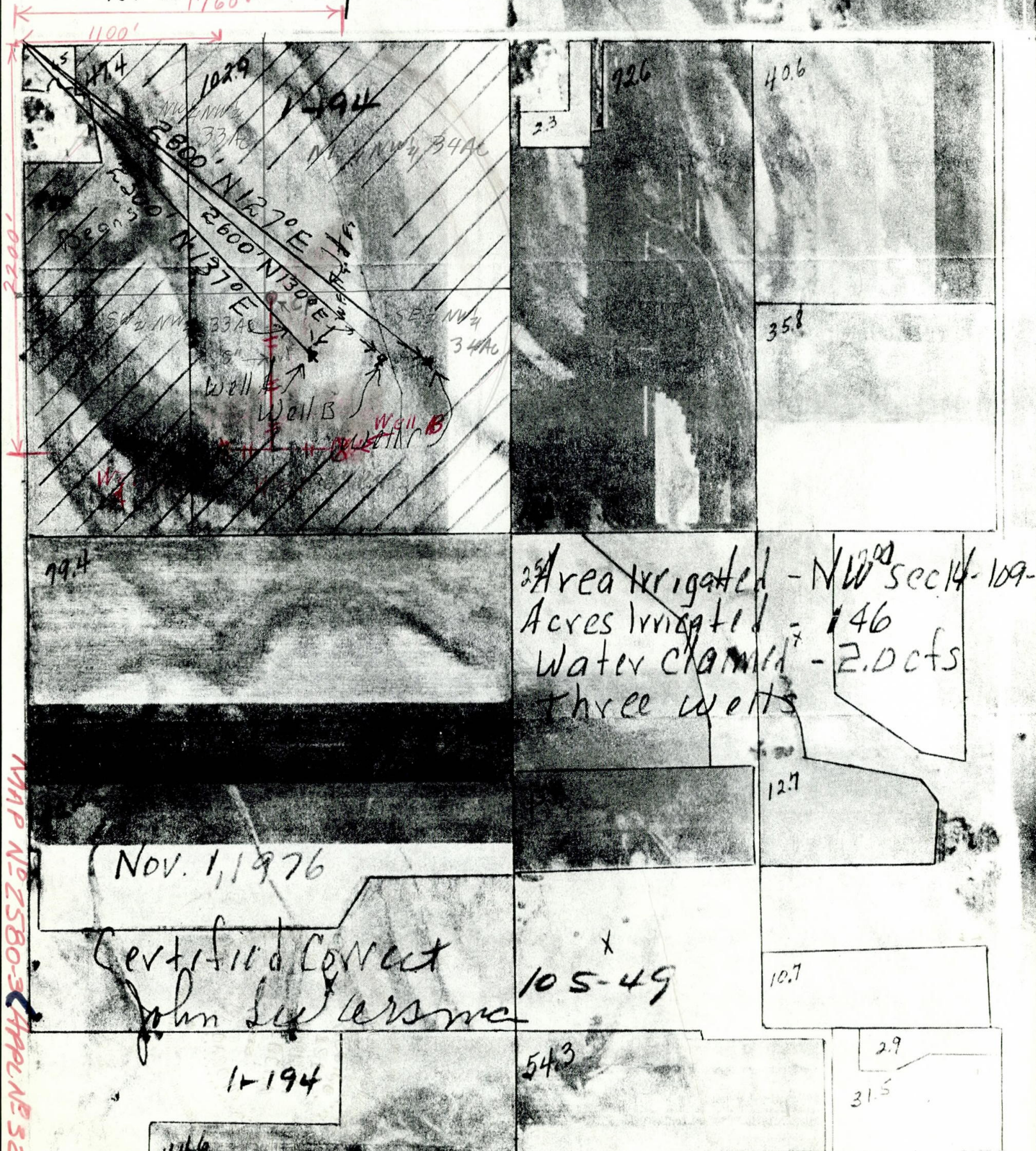
Sincerely,

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

NOT TO SCALE

Michael C. Schmidt

RFD Dell Rapids S. Dak - 57022





3293-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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January 24, 2006

NOTICE

TO: MICHAEL L SCHMIDT, 47640 242ND ST, DELL RAPIDS, SD 57022

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) 3293-3. 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) 3293-3 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.



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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 4459

MICHAEL L SCHMIDT
47640 242ND ST
DELL RAPIDS SD 57022

Waiver of Signature ☐ YES ☐ NO

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February 2, 2006

3293-3

Michael L Schmidt
47640 242nd St
Dell Rapids SD 57022

Dear Mr. Schmidt:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 3293-3.

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



3293-3

**DEPARTMENT of ENVIRONMENT
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January 26, 2007

NOTICE

TO: MICHAEL L SCHMIDT, 47640 242ND ST, DELL RAPIDS, SD 57022

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 3293-3. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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 7, 2007, 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) 3293-3 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, 2007, 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/E0455V5-IQ.pdf>

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.

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SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0799 6910	MICHAEL L SCHMIDT 47640 242ND ST DELL RAPIDS SD 57022
	Waiver of Signature ☐ YES ☐ NO
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www.state.sd.us/denr

February 20, 2007

3293-3

Michael L Schmidt
47640 242nd St
Dell Rapids SD 57022

Dear Mr. Schmidt:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 3293-3.

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
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denr.sd.gov

March 11, 2010

NOTICE OF AMENDMENT OF WATER RIGHT

TO: Michael L Schmidt, 47640 242nd St, Dell Rapids SD 57022

FROM: Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Amendment to Water Right No. 3293-3

On March 10, 2010, the Water Management Board amended Water Right No. 3293-3 to add the following qualification:

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

This action was taken for failure to return the 2009 irrigation questionnaire. The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

Please contact Genny McMath (605) 773-3352, if you have any questions.

I hereby certify that on March 11, 2010, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 11, 2010 regarding failure to submit irrigation questionnaires addressed as stated below:

One Year Suspension:

1828-1	Danny Adams, 2010 Avalon Pkwy Ste 400, McDonough GA 30253-3011
1769-1	Lee Ahrlin, 531 Fox Run Dr, Rapid City SD 57701
3224-3	Steven Ching, 46577 188 th St, Castlewood SD 57223-5705
5524-3	Wade & Todd Druin, 30906 Bluff Rd, Volin SD 57072
1055-1	Emily P Stadheim Revocable Trust, 504 11 th Ave N, Hettinger ND 58639
1350-3 6042-3	Raymond D Jensen, 24348 478 th Ave, Dell Rapids SD 57022
5339-3	Douglas Swenson, 23358 396 th Ave, Woonsocket SD 57385

Three Year Suspension:

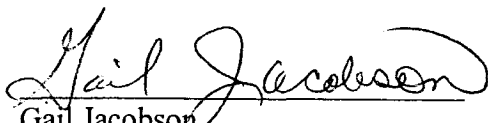
1755-1	John Bachman, Mayor, City of Eagle Butte, PO Box 150, Eagle Butte SD 57645-0150
2696-3A 4414-3	Donald Schmidt, 19053 427 th Ave, Willow Lake SD 57278-6205

Cancellation:

1275-2	Donald, Herbert & Rebecca Kaiser, 15745 SD Hwy 40, Hermosa SD 57744
2480A-3	Dennis H & Jackie McDowell, 227 W Lakeshore Dr, Carrollton GA 30117-1937

Amendment:

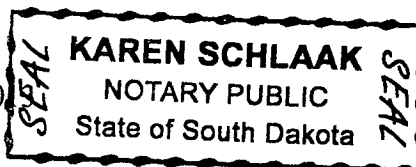
3805-3	Richard Horton, 45446 285 th St, Hurley SD 57036
3293-3	Michael L Schmidt, 47640 242 nd St, Dell Rapids SD 57022


Gail Jacobson
Secretary
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 11th day of March, 20 10.


Karen Schlaak
Notary Public
My Commission expires April 1, 20





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 22, 2010

NOTICE

TO: MICHAEL L SCHMIDT, 47640 242ND ST, DELL RAPIDS, SD 57022

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire has not been submitted for Permit No(s) 3293-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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 10, 2010**, 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) 3293-3 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 5, 2010**, 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 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq.aspx>

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.

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- Notice Left, January 23, 2010, 12:56 pm, DELL RAPIDS, SD 57022
- Out for Delivery or Available at PO Box, January 23, 2010, 8:02 am, DELL RAPIDS, SD 57022
- Sorting Complete, January 23, 2010, 7:32 am, DELL RAPIDS, SD 57022
- Arrival at Post Office, January 23, 2010, 7:02 am, DELL RAPIDS, SD 57022

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MICHAEL L SCHMIDT
47640 242ND ST
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www.state.sd.us/denr

April 5, 2010

3293-3

Michael L Schmidt
47640 242nd St
Dell Rapids SD 57022

Dear Mr. Schmidt:

Thank you for calling concerning your 2009 irrigation questionnaire. Based on our phone conversation, I completed a form for you.

You indicated that about every third year the questionnaire seems to get lost and we do not have it. Typically, the forms are mailed from our office in October each year and are due back by December 1st. In cases where we have not received the form, a notice is sent to the irrigator in January effectively scheduling the issue for hearing.

The January notice offers the irrigator a chance to get the form in prior to the upcoming board meeting and avoid any action that could be taken by the Board. In the future, if you get a letter in January saying we do not have your questionnaire, please call me right away and we take care of it before it ever gets to a hearing.

Sincerely,

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