

Water Right Number 3832-3

1. Considered 5-25, 19 77
2. Name of Applicant ALBERT G. SMIT
3. Post Office Address HURLEY
4. Amount of Water claimed 3.0
5. Source of Water supply 195' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated ~~220~~ 220
7. Water to be diverted and used in TURNER County
- about 1N, 1/2W miles 1 of DAVIS
8. Proof of Publication Received 5-4-77
- Not Received _____
9. Application Approved _____
- Subject to _____
- Not Approved _____
- Action Deferred _____

10. Remarks:

No. 3832-3
 Map No. 3094-3 Water Division No. 3 VERMILLION RIVER District
 (Blanks to be Filled by the Engineer for the W. H. 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 Albert E. Smith
 Postoffice address Hurley, State South Dakota 57031
 If a corporation show date and place of incorporation N/A
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
 3. Name of diversion work Albert E. Smith Irrigation System No. 2
 4. Amount of water claimed (cubic feet per second) 3.0
 5. Source of water supply Well
 6. Location of point of diversion Approximate center of the SE 1/4 29-78-52

- County Turner
 7. Annual period or periods during which water is to be used April 1 to Nov. 31
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 9. For irrigation use, Total number of acres to be irrigated 220

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4 SE 1/4 29-78-52	40.0	NW 1/4 SW 1/4 28-78-52	40.0
NE 1/4 SE 1/4 29-78-52	40.0	N 1/4 SW 1/4 SW 1/4 28-78-52	20.0
SE 1/4 SE 1/4 29-78-52	40.0		
SW 1/4 SE 1/4 29-78-52	40.0		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 1/2 years. Additional time required to complete application of water to the proposed beneficial use 1 1/2 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Turner News
 12. Principal Features of the Proposed Water Supply System.

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

Electric Pump.

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

Portable Aluminum Pipe and Flexible Hose.
Center Pivot

C. Works proposed to apply water to beneficial use.

Sprinkler SystemsEstimated Total Cost \$4400.00

Attachment: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Turner) ss.

I, Albert E. Smith, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction

Signed Albert E. SmithSubscribed and sworn to before me this 2 day of March 1952James W. Hays
Notary Public (or other qualified officer)My Commission Expires April 16-1952

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3832-3

ALBERT G. SMIT
(Applicant)

HURLEY

(Post Office Address)

SOUTH DAKOTA 57036
(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 adequate domestic wells or in irrigation wells having prior water rights.

THIS IS A REPLACEMENT WELL FOR LANDS COVERED UNDER PERMIT NO 2228-5.

Date of first receipt of application MARCH 10 19 77

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

Date of receipt of corrected application APRIL 1 19 77

Approved MAY 25 19 77 Recorded in Book 18 Page 241

WATER RIGHT PERMIT NO. 3832-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3832-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is MARCH 10 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before FEBRUARY 25 19 78
3. The whole of said work is to be completed on or before NOVEMBER 25 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 25 19 80
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 3.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial use, 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 25 19 80; said water to be used during the following described annual period: APRIL - NOVEMBER 30

Witness my hand this 13TH day of JUNE 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

NICHOLS WELL & PUMP COMPANY

4104 Floyd Blvd.
SIOUX CITY, IOWA 51108

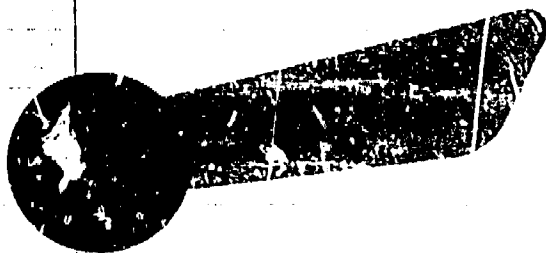
No 4204

Phone 712 239-1212

TO Albert Smith
Davis, South Dakota

INVOICE DATE Aug. 11, 1975	SALESMAN
SHIP TO	

YOUR ORDER NO	DATE SHIPPED	SHIPPED VIA	FOB. POINT	TERMS Due and payable on receipt of this invoice	
QUANTITY	8-6-75			UNIT PRICE	TOTAL
160'	test drilling as per quotation			3 00	480 00
TEST LOG:	0-5' top soil to brown clay 5-25' coarse gravel. 25-40' blue clay with gravel streaks 45-80' blue clay 80-115' gray clay with streaks of gravel 115-125' good coarse gravel 125-145' gravel with clay streaks 145-160' good clean gravel as drilled deeper. If a permanent well were to be drilled at this location we would recomend screening the gravel from 115' to 125' and from 140' to 160' or the bottem of the gravel formation.				



Thank You

ORIGINAL

Character of Water bearing materials

0-2'	top soil
2-27'	gravel
27-97	Blue clay
97-110	Gravel with blue clay streaks
110-120	Gravel clean and round water bearing
120-155	Soft blue clay
155-160	blue clay
160-200	Gravel clean and round water bearing

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 18", Depth 195 ft.
- (2) Casing, Type Steel Diameter 14" Thickness 1/4"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Stainless Steel, Diameter 14", Length 30 ft.
- (4) Gravel Pack, Thickness 2", Length of gravel pack 195 ft.

E. Dugout Information or Estimates.

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

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) Approx 18 ft.

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

On same owner's property 100 rds. On property owned by others 230 rds.

G. Water Storage Dams.

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

N/A

Signature of Applicant

Albert G. Smil
System #2.

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)

Point of Discussion

same as System

#1 however

well depth

7100 190'

NAME Albert G. Smil

ADDRESS Hanley, South Dakota 57036 (Well #12)

COUNTY Butte

LEGAL DESCRIPTION

1. WELL LOCATION Center of SE 1/4 Section 22 - Twp 98N Range 52W

2. LOCATION OF AREA TO BE IRRIGATED NW 1/4 SE 1/4 29-78-52 NW 1/4 SW 1/4 29-78-52

NE 1/4 SE 1/4 29-78-52 SE 1/4 SW 1/4 29-78-52

SE 1/4 SE 1/4 29-78-52

SW 1/4 SE 1/4 29-78-52

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN X

4. CROPS TO BE IRRIGATED Corn & Alfalfa

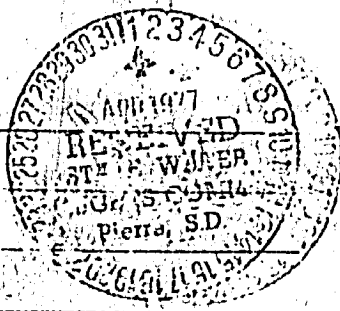
WATER QUALITY

5. SAMPLE NUMBER 72-432

6. SALINITY (EC X 10³) 8.57 (mod-hi)

7. SODIUM (SAR) 0.36 (low)

8. RESIDUAL SODIUM CARBONATE (CRA/1.) 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.

Albert G. Smil
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
16 DAY OF March 19 77.

Benjamin Wray
(TITLE OR SEAL)

Albert G. Smil
APPROVED/SEAL/PROV

(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: Albert G. Smith
 Address: Jarvey, SD 57036

Date Rec'd: March 14, 1977
 Sample No.: 77-432
 Identification: Coll. 1967
SSS, Sec. 29, T. 98N, R. 52E

WATER ANALYSIS

Calcium (Ca)	108	ppm*	5.40	me/l**
Magnesium (Mg)	36	ppm	2.95	me/l
Sodium (Na)	17	ppm	0.74	me/l
Potassium (K)	3	ppm	0.08	me/l
Sulfate (SO ₄)	198	ppm	4.11	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.07	me/l
Bicarbonate (HCO ₃)	368	ppm	6.04	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)	302	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	857	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.36			
Sodium	8.06	% of cations		
Residual sodium carbonate	2.00	me/l		
pH	7.54			

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

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

COMMENTS: Total cations 19.17 me/l
 Total anions 10.22 me/l

By: Shirley Fittan

Service Performed

Amount Due

Irrigation analysis

\$15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-432

Amount Enclosed \$

Signed



March 24, 1977

Mr. Albert G. Smit
Hurley, SD 57036

Dear Mr. Smit:

Your water sample (Lab. No. 77-432) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

Your water, as indicated by this analysis, is satisfactory for use on the soils you indicate will be irrigated. If a salt problem or a water table problem should develop, contact extension personnel for assistance.

The pH, soil information, and a copy of the water analysis are being forwarded 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

D. Pahl, Extension Service

P.S. Soil areas 12 and 41 should not be irrigated--you may lose the productive potential they have as dryland.

Permit No. 3832-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Albert G. Smit

_____ the holder _____ of
Permit No. 3832-3, issued upon Application No. 3832-3, hearing date of priority of March 10, 1975
& March 10, 1977 authorizing the diversion of 3.0 cu. ft. per second of the waters of _____
groundwater (two wells) County of Turner, State of South Dakota at _____
Well #1 - N 45⁰W, 115 rods; Well #2 - N 43⁰W, 110 rods, from the SE
corner, Section 29, T98N, 152W
_____, for irrigation

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to _____ 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 3.0 cu. ft. per second of water.

Date July 9, 1980

John Hatch
JOHN HATCH, Chief Engineer
Water Rights, WMD

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3832-3

(1) WHEREAS, On the 10th day of March A. D. 19 77
Albert G. Spitz
 made Water Right Application No. 3832-3 for a permit to use 3.0 cubic feet per second of the waters
 of groundwater (two wells)
 County of Turner State of South Dakota, for irrigation
purposes; and
 (2) WHEREAS, On the 25th day of May A. D. 19 77
 Permit No. 3832-3, with a date of priority of * 90 cfs from March 10, 1975 & 1.88 cfs from
March 10, 1977
 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 25th day of November A. D. 19 78 and for the
 application & beneficial use of said water on or before the 25th day of May A. D. 19 80

(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 2.28 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 the following lands all in T98N, R52W

Section 29	Acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	33
NE $\frac{1}{4}$ SE $\frac{1}{4}$	33
SW $\frac{1}{4}$ SE $\frac{1}{4}$	33
SE $\frac{1}{4}$ SE $\frac{1}{4}$	33
Section 29	
NW $\frac{1}{4}$ SW $\frac{1}{4}$	39
SW $\frac{1}{4}$ SW $\frac{1}{4}$	30
TOTAL ACRES	191

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

(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 Albert G. Smit

_____ of Huxley, South Dakota
the holder _____ and owner _____ of said permit No. 3832-3 a water right, dating from March 10, 1975 and March 10, 1977 to use of 2.78 cubic feet per second of the waters of groundwater (two wells)

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the purposes hereinafter mentioned, to be diverted at Well #1 - N 1/4, Sec. 29, T93N, R52W Well #2 - N 1/4, Sec. 29, T93N, R52W 110 rods both from the SE corner, Section 29, T93N, R52W

and conducted to and upon portions of Section 29 and 29, T93N, R52W more fully described on the face of this license.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3832-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 9th day of July A. D.
Nineteen Hundred and 77th

WATER MANAGEMENT BOARD

By: John P. Tate
Chief Engineer, Executive Officer
JOHN TATE

Publish first publication, on or before 11-2-77, 1977

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

11-1-77 6 1977

Notice is hereby given that Alber C. Smith
whose post office address is Box 100, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
1.0 cubic feet of water per second of time from the South Dakota River through the
Alber C. Smith, the point of diversion of which is to be located in the
near the center of SE 1/4

of Section 20, Twp. 4N, Range 24. Said water to be used for the purpose
of providing irrigation on the following described land:

1/4, Section 20, T4N, R24E, SD 57501

This application No. 2000-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 20th day of May, 1977, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

James W. Bennett
Water Rights Specialist

BEJ/lw

cc: Albert C. Smith, Bailey, SD 57006

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

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County, Lincoln) ss.

I, Harlan Hoyer hereby

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

Water was taken from the Lincoln Independent

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 Lincoln

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

April 14, 1977

April 21, 1977

Harlan Hoyer
(Signature)

Co-owner
(Title)

4-29-77
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

Notice is hereby given that
Albert G. Smit, whose post office
address is Hurley, South Dakota,
has made an application in accor-
dance with the provisions of the
water laws of South Dakota for a
permit to appropriate for beneficial
use 3.0 cubic feet of water per
second of time from ground water
through the Albert G. Smit # 2, the
point of diversion of which is to be
located near the center of SE 1/4 of
Section 29, Township 98N, Range

52W. Said water to be used for the
purpose of providing irrigation on
portions of the following described
land:

SE 1/4, Section 29; W 1/4 SW 1/4 Sec-
tion 28; T98N, R52W.

This application No. 3832-3 will be
considered by the Water Rights
Commission at their office at Pierre
upon the 25th day of May, 1977, at
10:00 A.M. All interested persons
may appear and be heard.

WATER RIGHTS COMMISSION
JAMES WINTERTON
15-2tc Water Rights Specialist

226



3832-3

Acet. Unit

7-1 77

21-24 95-50

C.P. Meters Model 307

Lot # L06542 132-10

Motor Allis Chalmers

Lot # 1-5103-06794

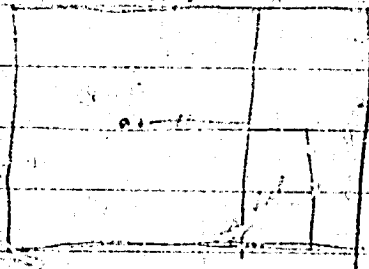
HP-100 RPM 1770

Type HSRG

Well - 195' Pump 1000 GPM

Pump & Motor Line Pump 8350 K

4 Pipe - 12 1/2" Bore



24" 20' L.C.P.

1420 ft. 1 1/2" 10' 1"

034

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7570

PIERRE, July 2 1927

RECEIVED OF Albert G. Smit, Hurley, SD 57036

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

Fee for Application for Permit to Appropriate Water No. (examination, procersing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 3832-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 3832-3		
Fee for issuing Location Certificate-Dry Dray, 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 Patch) Chief Engineer, Executive Officer

JOHN PATCH / 100

Permit No. 3832-3Water Division 3 VERMILLION RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by ALBERT G. SMIT of HURLEY holder 1975 *
 of Permit No. 3832-3, bearing date of priority of 1.88 CFS MARCH 10, 1977
 authorizing the diversion of 300 c.f. ft. per second of the waters of G. GROUNDWATER
 for IRRIGATION purposes, in TURNER County.

I have to report on the condition of the same as follows:

SHALLOW WELL APPROVED UNDER PERMIT NO 2228-3 IS USED
 ON THE GUN SYSTEM. THE DEEP WELL APPROVED
 UNDER PERMIT NO 3832-3 IS USED ON THE PILOT.

A. Works used to divert the water:

- #1 WELL - ~~30'~~ 30' DEEP WITH 20" CONCRETE CASING
 WESTERN LAND ROLLER PUMP - 6" - 3 STAGE - 10 CH BOWLS
 POWERED BY 60 HP ALLIS CHALMERS ELECTRIC MOTOR
 #2 WELL - 148' DEEP WITH 12" STEEL CASING - 30' SS SCREEN
 LAYNE BOWLER WELLINE 2" PUMP #81378K - 4 STAGE 12" BOWLS
 100 HP ALLIS CHALMERS ELECTRIC MOTOR

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

- #1 1/4 MILE OF 8" ALUMINUM MAINLINE
 1/2 MILE OF 6" ALUMINUM MAINLINE
 #2 12' OF 10" MAINLINE TO CENTER OF PILOT

C. Works used to apply water to beneficial use.

- #1 BIG BOSS TRAVELLING SPRINKLER WITH NELSON BIG GUN - N-200
 WITH 1 7/8 ORIFICE - PUMPS 630 GPM - 660' OF 5" RUBBER HOSE
 #2 7 TOWER ZIMMATIC CENTER PILOT SYSTEM WITH #100 END GUN

The system is in the following condition: GOOD

The point of diversion is located #1 N 45° W, 115 RODS; #2 N 43° W, 110 RODS, BOTH
FROM THE SE CORNER, SECTION 29, T98N, R52W

The works are capable of diverting and conveying to the place of use #1 - 1.4 CFS (430 GPM) *
#2 - 1.88 CFS (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: ALL IN T98N, R52W
SECTION 29 SECTION 28

NW ⁴ SE ⁴	33 ACRES	NW ⁴ SW ⁴	39 ACRES
NE ⁴ SE ⁴	33 "	SW ⁴ SW ⁴	20 ACRES
SW ⁴ SE ⁴	33 "		
SE ⁴ SE ⁴	33 "		

comprising a total of 191 acres of land.

THE APPLICABLE PORTIONS OF PERMIT NO 2228-3 HAVE
 BEEN INCORPORATED INTO THIS WATER LICENSE, AND
 PERMIT NO 2228-3 HAS BEEN CANCELLED

Date

JUNE 8, 1980

(Signature)

SEE PERMIT NO 3156-3 FOR AERIAL
 PHOTO OF PILOT SYSTEM

No. 3832-3

SOUTH Dakota Department of
Water & Natural Resources

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

July 10, 1980

Albert G. Smit
Hurley,
South Dakota 57036

Dear Mr. Smit:

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

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

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH:kw

enclosures

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

WNR-817-7/79
Transmittal of Water License

3832-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 6, 1994

3832-3

David Smit
28286 460th Avenue
Davis, SD 57021

Dear Mr. Smit:

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change on Water Right No. 3832-3. The water right is currently listed in the name of Albert Smit.

Please review the form for accuracy and then complete it where necessary. The form must be signed in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

You stated on your irrigation questionnaires that you would like to see the legal description added to them. Unfortunately, we do not yet have the capability to add the description to the form. Other irrigators have requested this type of information to be included and it is definitely something we are considering. In the meantime, I have enclosed copies of your water rights to assist you in completing the questionnaires in the future.

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

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Division
(605) 773-3332

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 14, 1994

3832-3

David Smit
28386 460th Avenue
Davis, SD 57021

Dear Mr. Smit:

This letter will acknowledge receipt of the "Notice of Transfer of Ownership" form you submitted for filing an ownership change on Water Right No. 3832-3. The form was completed properly, however it can not be recorded without a required \$2.50 filing fee.

Please remit the filing fee as soon as possible. Water Right No. 3832-3 will be transferred to your name upon receipt of the fee.

If you have any questions, please contact me.

Sincerely,

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

enclosures

Genny,
Sorry for the
inconvenience.

Dave Smit

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 3832-3

Date: 12/9/94

I/We request that Water Right No. 3832-3

formerly owned by: Albert Smit

be transferred to: (name & address) David Smit 28386 460th Ave
Davis Co Dak 57021 (Telephone No) 605-238-5450

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

SE 1/4 Section 29, W 1/2 SW 1/4 Section 28, T98N, R52W

I/We understand that the validity of Water Right No. 3832-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of Turner)

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

David Smit
(Signed)

Subscribed and sworn to before me this 9th day of December, 19 94.

Jan Stevens
(Notary Public)
my commission expires 8-24-01

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

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

RECEIPT

414353

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, December 19, 19 94

RECEIVED OF DAVID Smit, 28386 460th Avenue, Davis, SD 57021

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 _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ Water Right No. 3832-3 _____	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law) _____	Total	2 50

By Jake Hetch
Chief Engineer

3832-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 4, 1995

No. 3832-3

David Smit
28386 460th Ave.
Davis, SD 57021

Dear Mr. Smit:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 3832-3.

Our records now show you as the owner of Water Right No. 3832-3.

Sincerely,

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

enclosure

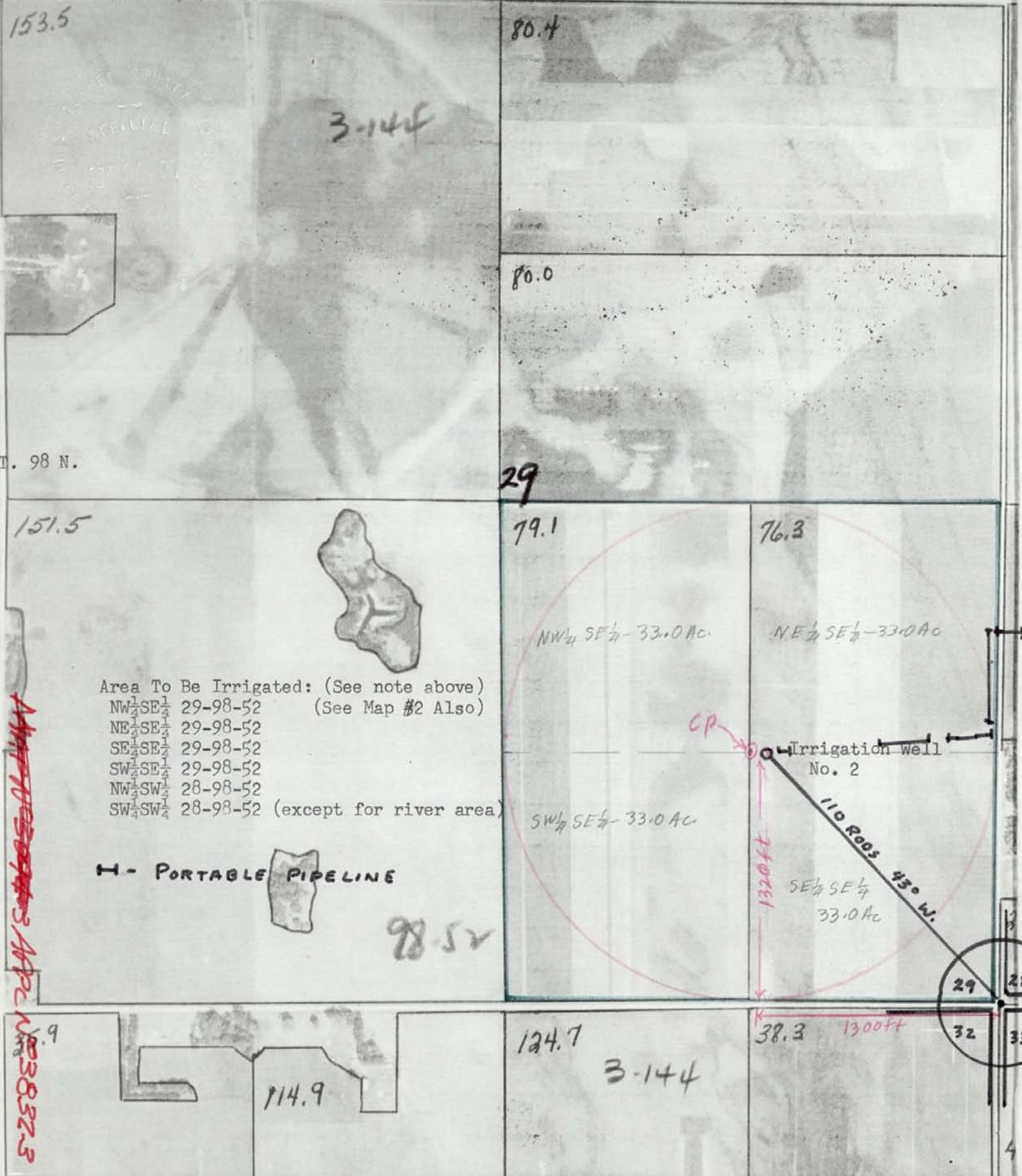
ALBERT G. SMIT IRRIGATION SYSTEM #2
Albert G. Smit
Hurley, S. Dak. 57036

Note: Area to be irrigated is the same
as for Albert G. Smit System #1,
however a second, deeper well was
drilled to serve this area.

Water Rights Map #1
(See Map #2 Also)

R. 52 W.

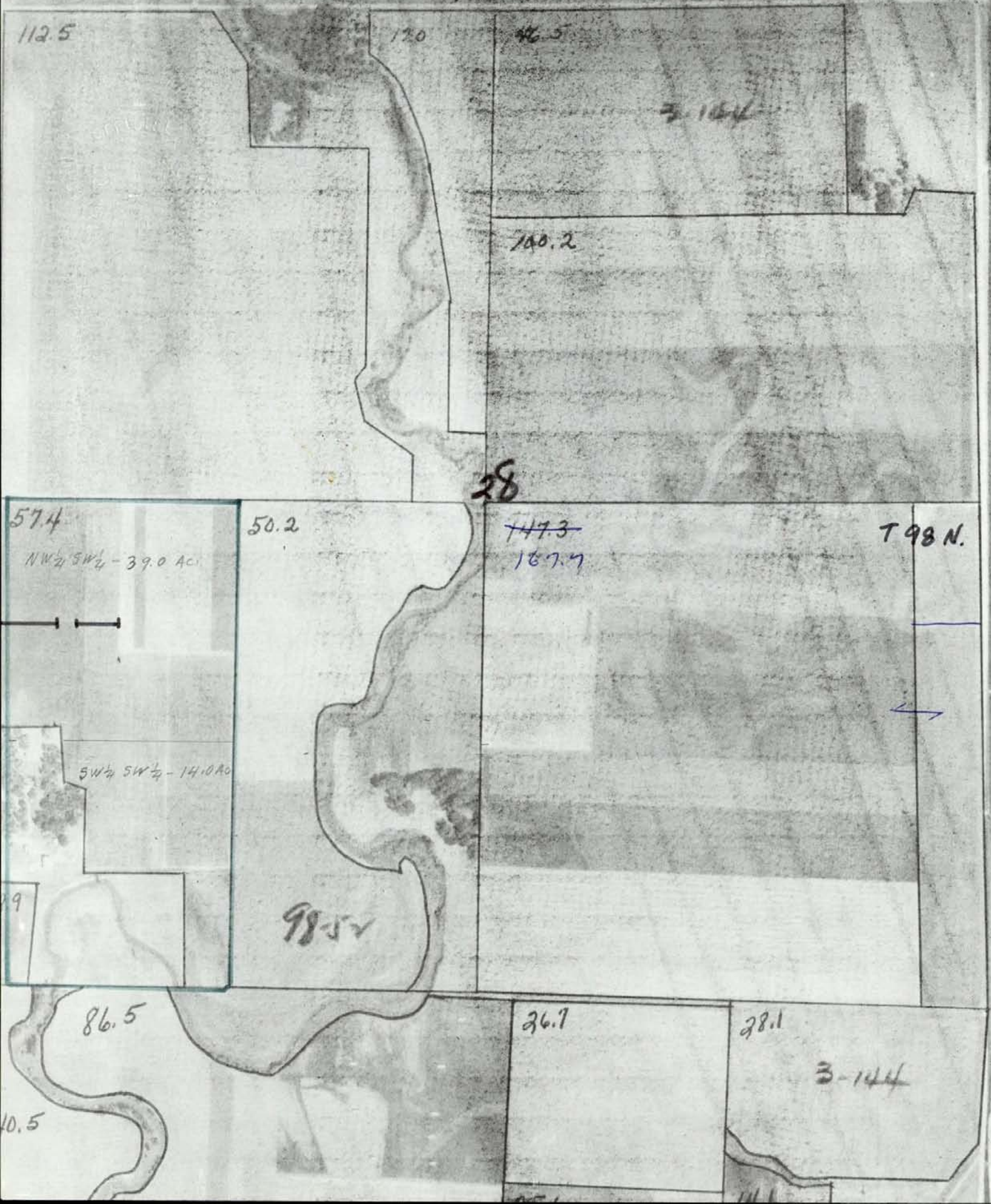
N



Water Rights Map #2
(See Map #1 Also)

ALBERT G. SMIT IRRIGATION SYSTEM #2
Albert G. Smit, Hurley, S. Dak. 57036

R. 52 W.





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 22, 2010

David Smit
45536 283rd St
Hurley SD 57036

RE: Water Permit or Right Nos. 3832-3, 6301-3, 6561-3, 6562-3

Dear Mr. Smit:

Enclosed is a "Notice" dated October 15, 2010 concerning the 2010 irrigation questionnaire.

The notice was originally mailed to 28386 460th Ave, Davis SD. The post office notified us that your address has changed and I will update our records accordingly.

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



3832-3 3926-3 6301-3
6561-3 8126-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 5, 2023

3832-3
3926-3
6301-3
6561-3
8126-3

David Smit
45536 283rd St
Hurley SD 57036

Dear Mr. Smit:

Our office is in receipt of the 2023 Irrigation Water Use Questionnaire for multiple Water Rights/Permits. There were notations on the Questionnaires asking that the Water Rights/Permits, held David, Cathy, Brian, and Krista Smit, be transferred to Smit Family Farms.

For your convenience I have enclosed partially completed "Notice of Transfer of Ownership" forms and a postage-paid envelope. Please fill out the highlighted portions of the transfer forms and return them to our office with a check in the amount of \$250.00 (\$50.00/transfer), made payable to the SD Water Rights Program.

If you prefer to pay the \$250.00 transfer fee with a card, you may contact Megan Stephenson in our Fiscal Office at 605.773.4216.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

3832-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 4, 2024

3832-3
3926-3
6301-3
6561-3
8126-3

Smit Family Farms
c/o David Smit
45536 283rd St
Hurley SD 57036

Dear Mr. Smit:

I have received your "Notice of Transfer of Ownership" forms and the required fees. Enclosed are receipts of payment for your records.

Water Right/Permit Nos. 3832-3, 3926-3, 6301-3, 6561-3, and 8126-3 previously owned by David Smit are now listed under Smit Family Farms.

As a reminder, so long as you use the water beneficially, as stated in the Water Rights/Permits, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Rights/Permits will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

PAID

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

JAN 03 2024
Ck# 1306
Rec't# 1/3/24

No. 3832-3

Date: 12/18/2023

I/We request that Water Right No. 3832-3

formerly owned by: DAVID SMIT

be transferred to: (name & address) Smit Family Farms

45536 283rd St. Hurley, So. Dak. 57036

Telephone No 605-310-0640

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

33ac NE 1/4 SE 1/4, 33ac NW 1/4 SE 1/4, 33ac SW 1/4 SE 1/4, 33ac SE 1/4 SE 1/4 all in Sec 29, T98N, R52W

39ac NW 1/4 SW 1/4, 20ac SW 1/4 SW 1/4 all in Sec 28, T98N, R52W

TOTAL 191ac

I/We understand that the validity of Water Right No. 3832-3 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 Smit Family Farms, the new owner, certify that the above information is true and correct.

David Smit (manager)
(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.

RECEIVED

JAN 03 2024

OFFICE OF
WATER

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date January 3, 2024

RECEIVED OF Smit Family Farms, LLC 45536 283rd St., Hurley SD 57036

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	\$ _____
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>3832-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	TOTAL
	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
um