

Water Right Number 3926-3

1. Considered 5-25, 17
2. Name of Applicant DON SCHROEDERMEIER
3. Post Office Address DAVIS
4. Amount of water claimed 2.28
5. Source of water supply 227' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in TURNER County
about 2N, 1/2W Miles of DAVIS
8. Proof of Publication
Received 5-20-77
Not received
Approved
Subject to
Not approved
Action deferred
9. Application

10. Remarks:

Map No. 580-3 Water Division No. 3 VERMILLION RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Donald Schroedermeier
 Postoffice address Davis State South Dakota 57021
 If a corporation show date and place of incorporation _____
 2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
 3. Name of diversion work Schroedermeier #1
 4. Amount of water claimed (cubic feet per second) 2.28
 5. Source of water supply ground water
 6. Location of point of diversion South 45°, 1827 feet from the NE¼ Corner, Section 29, T98N, R52W
 _____ County Turner
 7. Annual period or periods during which water is to be used May thru November
 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.
<u>NE¼, Sec. 29, T98N, R52W</u>	<u>160</u>		

Attach sheet if more space is needed

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

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

Well, pump and motor

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

mainline

C. Works proposed to apply water to beneficial use.

Sprinkler System

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA

County of HughesI, Donald Schroedermeier the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Donald SchroedermeierSubscribed and sworn to before me this 12th day of April 19 77

Notary Public (or other qualified officer)

BETTY WESILUND, Land/Water Clerk 77

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 3926-3

DON SCHROEDERMEIER
(Applicant)

DAVIS
(Post Office Address)

SOUTH DAKOTA 57021 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.

Date of first receipt of application APRIL 12 19 77
Date of return to applicant for correction, amendments or changes required — 19 —
Date of receipt of corrected application — 19 —
Approved MAY 25 19 77 Recorded in Book 18 Page 321

WATER RIGHT PERMIT NO. 3926-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 3926-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 12 19 77
2. The equivalent of at least one fifth of the work above specified is to be completed on or before NOVEMBER 25 19 77
3. The whole of said work is to be completed on or before MAY 25 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 25 19 79
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 25 19 79; said water to be used during the following described annual period: MAY THRU NOVEMBER

Waters by hand this 2.20 day of AUGUST 19 77

WATER RESOURCES COMMISSION

By: John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 19 19 81

Water License Issued MARCH 19 19 81

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 24", Depth 227'
 (2) Casing, Type steel Diameter 16" Thickness STD
 (wood, concrete, steel, etc)
 (3) Perforated Screen.
 Type Johnson SS, Diameter 16", Length 30'
 (4) Gravel Pack, Thickness 4", Length of gravel pack 227'

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 _____
fine to medium gravels

Depth to top of water bearing material 160'
227'

Depth to bottom of water bearing material _____

Thickness of water bearing material 67'

Depth to water (ground surface to water level) 30'

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

On same owner's property 80 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.

De-ni-hro-les-near
 Signature of Applicant

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-8-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION)



NAME Don Schroedermuir
ADDRESS Davis S.D. 57021
COUNTY Turner

LEGAL DESCRIPTION

1. WELL LOCATION Center of the quarter
2. LOCATION OF AREA TO BE IRRIGATED NE 29-98-52 all

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 76-845
6. SALINITY (EC X 10⁶) 1603 (high)
7. SODIUM (SAR) 0.76 (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.

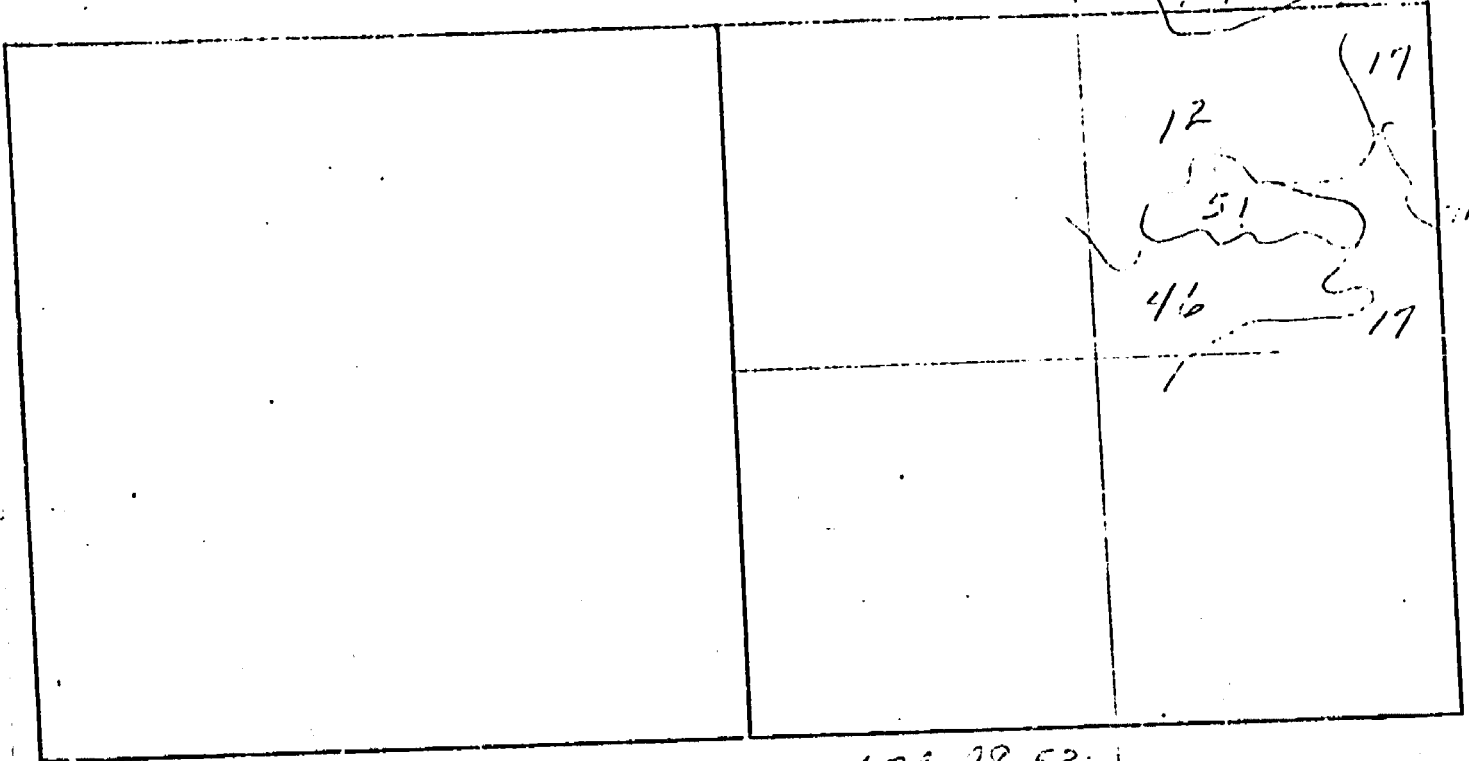
Don Schroedermuir
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
24 DAY OF May 1977.

Ed Miller
(TITLE OR SEAL)

Albert J. Duff
APPROVED ~~DISAPPROVED~~

MAP



NE-29-78-52

NARRATIVE

- 12 - Class IIw Deep, clayey, limy, poorly drained soils on bottom lands that are sometimes flooded. Time of tillage is often delayed by wetness and yields are affected.
- 17 = class I₂ Deep, loamy, well and moderately well drained soils on bottom lands that sometimes receive beneficial overflow. They have few or no limitations in use.
- 41 Class IIIw Deep, nearly level, (0-2%) sandy soils that have a high water table. Planting is sometimes delayed and the choice of crops is then limited. These soils have a severe wind erosion hazard.
- 46 Class IIb Moderately deep, well drained soils with 20-40 inches of loamy material over sand and gravel on nearly level (0-2%) upland slopes. Sandy and gravelly subsoils and substrata limit water storage capacity and rooting depths.
- 51 Class IIIb Shallow soils with 10-20 inches of dark, loamy material over sand and gravel on nearly level (0-2%) slopes. They have low water storage capacity and rooting zone.

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

Submitted by: L. L. Anderson
 Address: Brookings, SD 57001

Date Rec'd: July 22, 1976
 Sample No.: 76-245
 Identification: 11-227
11-227, Dec. 29, 1975, R 524

WATER ANALYSIS

Calcium (Ca)	240	ppm*	12.00	me/l**
Magnesium (Mg)	64	ppm	5.25	me/l
Sodium (Na)	51	ppm	2.22	me/l
Potassium (K)	11	ppm	0.29	me/l
Sulfate (SO ₄)	650	ppm	13.52	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	43	ppm	0.88	me/l
Bicarbonate (HCO ₃)	420	ppm	6.88	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)	344	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1603	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.76			
Sodium	11.43	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.20			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 19.76 me/l
 Total anions 21.23 me/l

By: Shirley Litten

Service Performed

Amount Due

Irrigation analysis

18.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-245

Amount Enclosed \$

Signed

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3926-3

(1) WHEREAS, On the 12th day of April A. D. 19 77

Don Schroeder

made Water Right Application No. 3962-3 for a permit to use 2.28 cubic feet per second of the waters of groundwater (one well)

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. 3926-3, with a date of priority of April 12, 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 May A. D. 19 78 and for the application to beneficial use of said water on or before the 25th day of May A. D. 19 70

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 NE 1/4, Section 29, T98N, R52W

(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, Don Schrod-former

_____ of Davis SD

the holder _____ and owner _____ of said permit No. 3926-3 a water right, dating from April 12, 1977

_____ to use of 1.30 cubic feet per second, of the waters

of groundwater (one well)

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point in the approximate center of the NE 1/4, Section

29, T98N, R52W

and conducted to and upon a 132 acre circle in the NE 1/4, Section 29, T98N, R52W

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3926-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 19th day of March A. D.

Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 3926-3

Water Diversion No. 3 Vermillion River Water District

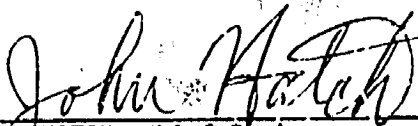
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Don Schroedermeler

_____ the holder _____ of
Permit No. 3926-3, issued upon Application No. 3926-3, bearing date of priority of April 12,
1977 authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
groundwater (one well) County of Turner, State of South Dakota at _____
a point in the approximate center of the NE 1/4, Section 25, T98N, R52W,
_____, 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 1.38 cu. ft. per second of water.

Date March 19, 1981


JOHN HATCH, Chief Engineer
Water Rights Division

No. 3926-3

Publish first publication, on or before May 12, 1977

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

May 4, 1977

Notice is hereby given that Don Schroedermeyer

whose post office address is Davis, 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 (replacement well) through the

Schroedermeyer # 1, the point of diversion of which is to be located in the _____

_____ center of the NE $\frac{1}{4}$

of Section 29, Twp. 58N, Range 52W. Said water to be used for the purpose of providing irrigation on the following described land:

NE $\frac{1}{4}$, Section 29, T58N, R52W

This application No. 3926-3 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

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc: Don Schroedermeyer, Davis, SD 57021

No. 3926-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Turner) ss

James E. Wipf hereby

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

Water was taken from the Hurley Leader

A newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the

city of Hurley

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

Thursday, May 12, 1977

Thursday, May 19, 1977

James E. Wipf
(Signature)

Publisher
(Title)

5-19-77
(Date Signed)

— THE HURLEY LEADER —

Thursday, May 19, 1977

No. 3926-3

NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501

May 4, 1977

Notice is hereby given that Don Schroedermeler whose post

office address is Davis, 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 (replacement well) through the Schroedermeler #1, the point of diversion of which is to be located on the corner of the NE 1/4 of Section 29, T88N, Range 52W. The water to be used for the purpose of providing irrigation on portions of the following described land:

NE 1/4, Section 29, T88N, R-52W.

This application No. 3926-3 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,

By: Burton F. Jones

Water Rights Specialist

Publish: May 12 & 19, 1977

My Commission Expires 2-4-83

James E. Wipf
5-19-77



3924-3

Don del Valenciano

APR 29 1985

5-5-77 277 ft. Deep Well Pumping 8.50

137 Ac C.P.

C. P. Farnham

Model 410-307

Per F. 106434

Comp. Western Land Bldg

Plat # C 65472

Head E.M. 4" 10 CH

Pilot

Q 3H Diesel 4 cyl.

44-38861-6

Hand FFA-66534

6-30-77

Note for Jones

3926-3 Don Schroedermeier permit

I have given the final inspection on this application. It has been licensed for the area but a shallower well.

I don't know whether we should license this for 132 acres or the 160 acres it has from the license on permit 776-3 which used ^{farmers} ~~used~~ etc for their method of applying water.

I filled this form 12 out but need to fill in some blanks yet when I know which way to go.

W. M. Mearns

Permit No. 3726-3Water Division 3 Vermillion 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 Don
Schroedermeier of Davis, South Dakota. holder
 of Permit No. 37263, bearing date of priority of _____, 19____
 authorizing the diversion of _____ cu. ft. per second of the waters of Ground
 for Irrigation purposes, in Turner 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:

General Motors Diesel. 4 Cylinder, Model 4031-G
Unit # 4A-66554.
Pump - Western Land Roller, Serial # C65472,
Head 8 M-4 10 ch pumping 850 gpm.

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

8" dia. Aluminum Pipe.

C. Works used to apply water to beneficial use.

Zimatic Center Pivot. Model 410-307, Serial # 606434

The system is in the following condition: Excellent.

The point of diversion is located 1320 ft West and 1320 ft South of the
NE Corner of section 29, T98N R52W

The works are capable of diverting and conveying to the place of use 1.89
 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 section 29, T98N R52W

comprising a total of _____ acres of land.

Well data

Depth 227 ft.Pumping 850 gpm.

Date _____

(Signature) _____

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7800

PIERRE, December 3, 1920

RECEIVED OF Lon Schroedermeier, Davis, SD 57021
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. <u>3926-3</u>	50.	0
Fee for inspecting Beneficial Use, and issuing Water License No. <u>3926-3</u>		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filling _____		
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 / CC

Permit No. 3926-3Water Division 3 VERMILION 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 DONSCHROEDERMEIER of DAVIS holderof Permit No. 3926-3, bearing date of priority of April 12, 1977authorizing the diversion of 2.28 cu. ft. per second of the waters of GROUNDWATERfor IRRIGATION purposes, in TURNER 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:

227' DEEP WELL - 16" STEEL CASING - 30' SS SCREEN
WESTERN LAND ROLLER 8" PUMP #66472 - 4 STAGE 10 CH BONLS
POWERED BY GM MODEL 4031G DIESEL MOTOR - 125 HP

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

45' OR 8" MAINLINE TO CENTER OF PLOT

C. Works used to apply water to beneficial use.

1 TOWER ZIMMATIC MODEL 410 307 - SERIAL # 606430,
CENTER PLOT SYSTEM WITH #100 END GUNThe system is in the following condition: GOODThe point of diversion is located IN THE CENTER OF THE NE¹ SECTION 29,
T98N, R52WThe 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
NE¹ SECTION 29, T98N, R52Wcomprising a total of 132 acres of land.Date JUNE 18, 1980

(Signature)

SEE PERMIT NO 3156-3 FOR AERIAL
PLAN OF THIS AREA.



3926-3

Department of Water & Natural Resources

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

January 29, 1988

DON SCHROEDERMEIER
RR #1 BOX 82
DAVIS, SD 57021

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 3926-3, 776-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 3926-3, 776-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

March 1, 1988

3926-3
776-3

Donald Schroedermeier
RR 1, Box 82
Davis SD 57021

Dear Mr. Schroedermeier:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 3926-3, 776-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352



Department of Water & Natural Resources

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

January 24, 1989

776-3
3926-3

Don Schroedermeier
RR #1, Box 82
Davis SD 57021

Dear Mr. Schroedermeier:

I am contacting you in regard to our telephone conversation of January 20th. You indicated you had discontinued the use of one of your wells.

Enclosed are copies of Water License Nos. 776-3 and 3926-3. Both water rights cover the NE 1/4 of Section 29, T98N, R52W, however, one license was issued for 160 acres and the other for 132 acres. After reviewing the licenses, please contact us as to which well you no longer use (legal description of wells - page 2 of each license), and also how many acres you irrigate.

Your response in this matter will be appreciated. If you have any questions, please contact me.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosures





3926-3

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 1, 1991

DON SCHROEDERMEIER
RR #1 BOX 82
DAVIS SD 57021

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 776-3, 3926-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 43-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 776-3, 3926-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. 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 received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

DOM SCHROEDERMEIER
RR #1 BOX 82
DAVIS SD 57021

4. Article Number

P 694 057 305

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COU
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (ONLY if requested and fee paid)

Don Schroedermeier
RR #1 BOX 82
Davis, S. D. 57021

5. Signature Addressee
Don Schroedermeier

6. Signature - Agent

X

7. Date of Delivery

2/2/91

PS Form 3811, Apr. 1989

U.S. G.P.O. 1989-238-12

DOMESTIC RETURN RECEIPT



DEPARTMENT OF WATER & NATURAL RESOURCES

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

3926-3

February 13, 1991

776-3
(3926-3)

Don Schroedermeier
RR #1 Box 82
Davis, SD 57021

Dear Mr. Schroedermeier:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Right Nos. 776-3 and 3926-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



3726-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 3, 1999

776-3 & 3926-3

Brian Smit
28386 460th Ave
Davis SD 57021

Dear Mr. Smit:

The 1998 Irrigation Questionnaire stated you are now the owner of Water Right Nos. 776-3 and 3926-3 and requested they be transferred to your name. A review of the water rights indicates both permits are for irrigation of the NE 1/4 Section 29-T98N-R52W. No. 776-3 is for irrigation from a shallow 27 foot deep well. No. 4926-3 is for irrigation from a deeper well 227 foot deep well. Which well is utilized for this irrigation system? If only one well is utilized, then that is the water right that needs to be transferred. The other water right can be scheduled for cancellation.

Enclosed are partially completed *Notice of Transfer of Ownership* forms. Please determine which well is utilized. The corresponding form needs to be completed, signed by the owner, notarized and returned with a \$2.50 filing fee (each). If both wells are utilized, complete both forms.

Mr. Smit, I realize this may be confusing. If you have any questions, please contact Genny McMath or me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 3926-3

Date: 2/22/99

I/We request that Water Right No. 3926-3

formerly owned Don Schroedermeier

be transferred to: (name & address) Brian D. Smit 28386 460th Ave
Davis, SD 57021-6122 Telephone No. 605-238-5450

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

132 acres - NE 1/4 Section 29-T98N-R52W (well depth-227 feet)

I/We understand that the validity of Water Right No. 3926-3 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 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 Brian D. 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.

Brian Smit
(Signed)

Subscribed and sworn to before me this 22nd day of February, 19 99.

[Signature]
(Notary Public)
My commission expires 6/8/2001

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

Water Rights Program

South Dakota Department of Environment and Natural Resources

No 416069

Pierre, March 12, 19 99

RECEIVED OF Brian Smit, 28386 460th Ave, Davis, SD 57021-6122
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. 3926-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By _____
Chief Engineer

John Hatter



3926-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 1999

776-3

3926-3

Brian D Smit
28386 460th Ave
Davis, SD 57021-6122

Dear Mr. Smit:

Thank you for sending in the transfer forms and filing fees for transferring Water Right Nos. 776-3 and 3926-3. The transfers have been completed and the water rights are now listed in your name.

Enclosed are your Receipt Nos. 416068 and 416069 in the amounts of \$2.50 each. I am enclosing a copy of the transfer forms you filed. You may keep them for your records.

Thank you again and if I can answer any questions for you, please let me know.

Sincerely,

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

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



3926-3

**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

No. 3926-3

IAN 03 2024
Ck# 1302
Rec't# 113124

Date: 12/18/2023

I/We request that Water Right No. 3926-3

formerly owned by: Brian 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:

132 ac - NE 1/4 Sec 29, T98N, R52W

I/We understand that the validity of Water Right No. 3926-3 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 non-construction 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

IAN 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>3926-3</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
EM