

1. Considered 1-28-80 1980
2. Name of Applicant WILLIAM S. SCHUMACHER
3. Post Office Address PART A., PIERRE, S.D.
4. Amount of Water Claimed 2.1
5. Source of Water Supply MISSOURI RIVER
6. Water to be used for IRR.
7. Acres to be irrigated 147 maximum  
acre feet
8. Water to be diverted and used in HUGHES County  
about 11N. 5 miles WEST of PIERRE
9. PROOF OF PUBLICATION Received 12-22-80  
Not Received \_\_\_\_\_  
APPLICATION Approved 1/28/81  
Subject to OK ID  
Not Approved \_\_\_\_\_  
Action Deferred \_\_\_\_\_

Priority \_\_\_\_\_ Date received 10-29-80 Application Complete yes ☒ no \_\_\_\_\_ FEE 150.00

Remarks change of diversion - Land covered under 2488-3A

from a well. Called Schumacher (have found that they can  
not locate it) from River. It is supposed to be here to raise sugarcane  
about Section 10 about 1/2 mile from Camp of Hughes.

Date information and/or  
fee or corrected Application received  
Period of Annual use APRIL THRU OCTOBER

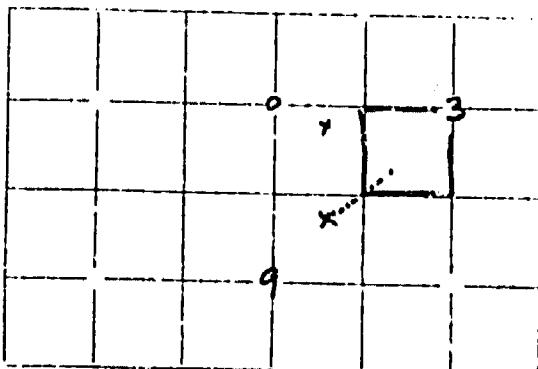
WATER  
QUALITY

Received yes 11/24/80 no ☒ **APPROVED** CONDITIONAL (Circle one)

WI-1 Description same as application ☒ yes no \_\_\_\_\_ Remarks \_\_\_\_\_

Disapproved \_\_\_\_\_

Returned \_\_\_\_\_



Diversion Point \_\_\_\_\_

NE<sup>4</sup> NE<sup>4</sup>, SEC. 9-T112N-  
R80W

Lands to be irrigated \_\_\_\_\_

SW<sup>4</sup>, SEC. 9-T112N-R80W

Remarks \_\_\_\_\_

Driller \_\_\_\_\_ Licensed yes \_\_\_\_\_ no \_\_\_\_\_

Depth \_\_\_\_\_

~~WELL  
LOG~~

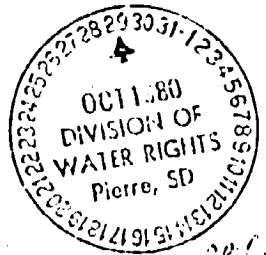
in appl # 2488-3 & 3A

Barry Westman  
(Signed)

PROTESTS Letters/Petitions in File - yes \_\_\_\_\_ no \_\_\_\_\_ Remarks \_\_\_\_\_

REMARKS Date  
F.F. & C Final Decision, including F.F. & C of Law were adopted \_\_\_\_\_  
OF LAW, Date  
FINAL Final Decision mailed to parties and/or parties notified that Final Decision  
DECISIONS  
ETC. was adopted \_\_\_\_\_

Remarks: \_\_\_\_\_



SEE  
Map No. 1084-3 Water Division No. 3 No. 4573-3 MISSOURI RIVER District  
Above for Office Use 10130105

## APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following.

New \_\_\_\_\_ Vested Right \_\_\_\_\_ Future Use \_\_\_\_\_

Change in Diversion X Additional Diversion \_\_\_\_\_

Change in Acreage \_\_\_\_\_ Additional Acreage \_\_\_\_\_

1. Name of Applicant William S Schumacher ~~Schumacher~~ SCHUMACHER Phone No. 224-5651  
Post Office Address Part A Pierre State SD 57501  
(Street, RR, or Box) (Town) (Zip Code)  
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 Schumaker #14. Amount of water claimed (cubic feet per second) 2.15. Source of water supply Missouri River6. Location of point of diversion NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 9, T112N, R80WCounty Hughes7. Annual period or periods during which water is to be used April thru October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 147

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>SW<math>\frac{1}{4}</math>, Section 3, T112N, R80W</u> | <u>147</u>     |                  |                |
|                                                           |                |                  |                |
|                                                           |                |                  |                |
|                                                           |                |                  |                |

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Capitol Journal

12. Principal Features of the Proposed Water Supply System

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

pumps and motor

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

mainline

C. Works proposed to apply water to beneficial use.

gated pipe

This land is covered under Permit No. 2488-3A to be irrigated from a well. The applicant now proposes to irrigate from the Missouri River on the land shown above

Estimated Total Cost \$ \_\_\_\_\_

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 Hughes ) ss.

I, William S Schumacher 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 William S SchumacherSubscribed and sworn to before me this 25<sup>th</sup> day of November, 1980Barbara L. Schumacher

Notary Public (or other qualified officer)

# WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4573-3

William S. Schumacher Part A. Pierre  
(Applicant) (Post Office Address)  
South Dakota 57501 With the following qualifications  
(State)

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application October 29, 19 80  
Date of return to applicant for correction, amendments or changes required                     , 19         
Date of receipt of corrected application WQ November 24, 19 80  
Approved January 28, 19 81, Recorded in Book 21 Page 342

WATER RIGHT PERMIT NO. 4573-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4573-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is October 29, 19 80
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before July 28, 19 83
3. The whole of said work is to be completed on or before January 28, 19 86
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is January 28, 19 90
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 2.1 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 irrigation purposes said appropriation must be limited to not more than 2 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 28, 19 90; said water to be used during the following described annual period: April thru October

Witness my hand this 19th day of February, 19 81

THE WATER MANAGEMENT BOARD

By John Hatch  
Chief Engineer, Water Rights  
JOHN HATCH

Certificate of Construction Issued                     , 19       

Water License Issued                     , 19

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM  
STATE CONSERVATION COMMISSION  
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: WILLIAM SCHUMACHER OWNERS ADDRESS: PART A  
PIERRE SD

COUNTY LAND LOCATED IN: HUGHES PHONE: \_\_\_\_\_

TENANT'S NAME AND ADDRESS: (If Other Than Owner) 2612-HLL

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: NE 1/4 Sec 9, T112 - R80  
2. SURFACE WATER SOURCE: Missouri River  
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See Instruction sheet)

| Legal Description               | Acres      | Legal Description | Acres |
|---------------------------------|------------|-------------------|-------|
| <u>SW 1/4 Sec 3, T112 - R80</u> | <u>147</u> |                   |       |
|                                 |            |                   |       |
|                                 |            |                   |       |
|                                 |            |                   |       |

4. TYPE OF IRRIGATION: GRAVITY: ☒ TOWLINE: \_\_\_\_\_ CENTER PIVOT: ☒ GUN: \_\_\_\_\_ OTHER: \_\_\_\_\_ (Specify) GUN  
5. CROPS TO BE IRRIGATED: \_\_\_\_\_  
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 72  
LEGAL DESCRIPTION: EVAN ELMAN WELL (Same Legal)  
IN WHAT NAME: \_\_\_\_\_

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: Missouri River  
8. SALINITY (EC X 10<sup>6</sup>): 529  
9. SODIUM (SAR): 1.4  
10. ADJUSTED (SAR): 2.6

RECEIVED

OCT 29 1980

South Dakota  
Division of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at \_\_\_\_\_ a.m./p.m., on \_\_\_\_\_, 19\_\_\_\_, at the following location: N/A by \_\_\_\_\_ (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-5.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

9th DAY OF October, 1980

[Signature]  
(NOTARY PUBLIC)

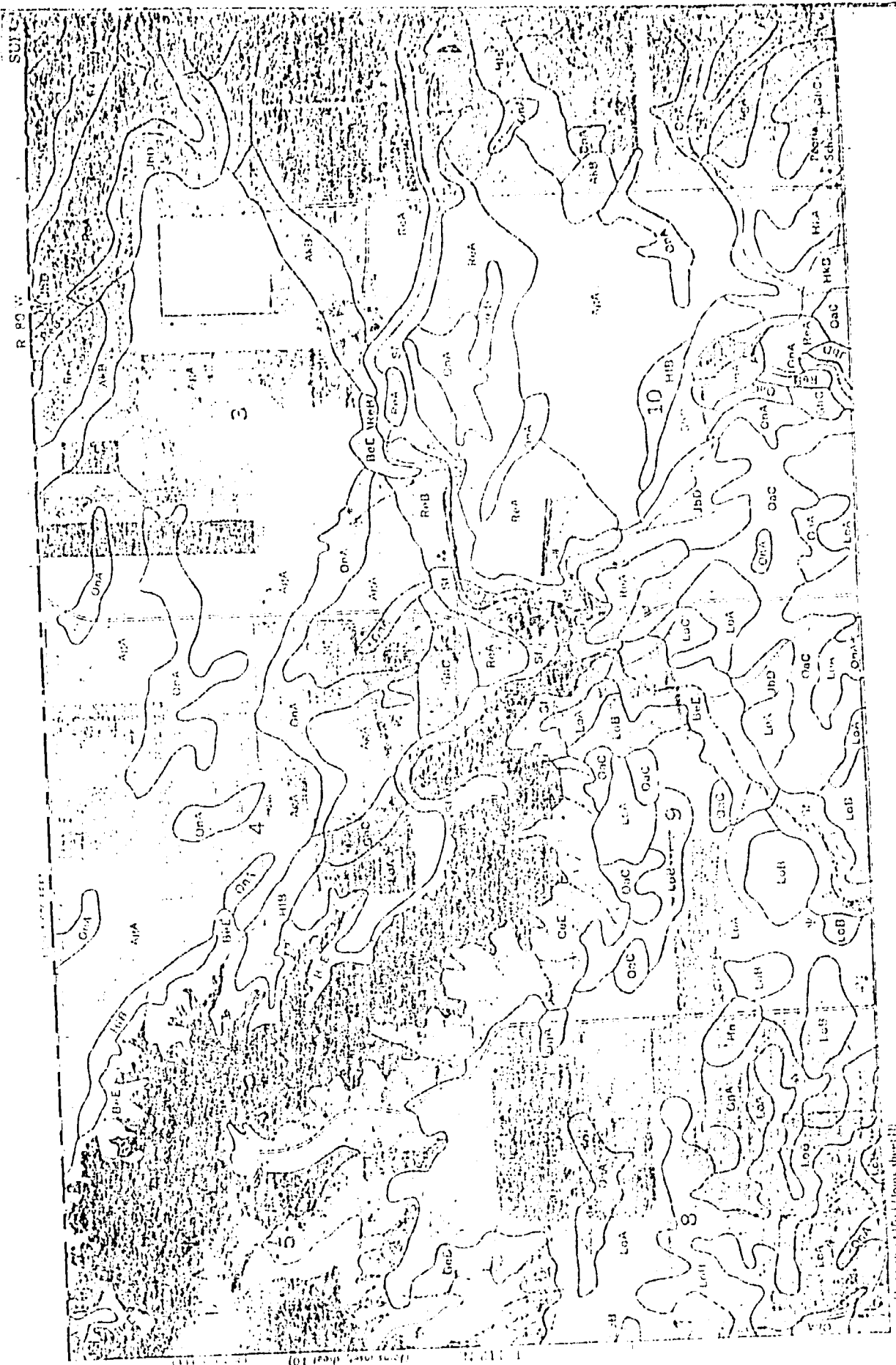
IMPORTANT

William Schumacher  
APPLICANT'S SIGNATURE

[Signature]  
Director, Division of Conservation

- ☒ APPROVED  
☐ DISAPPROVED  
☐ CONDITIONALLY APPROVED

Action by the Department of Agriculture or the State Conservation Commission is not the final action on application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.



How many of you have heard of the "100th Monkey"?

Approved

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE  
DIVISION OF CONSERVATION

NAME OF APPLICANT William Schumacher

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

None



RECOMMENDED MANAGEMENT:

Surface drainage leveling suggested on any area that tends to pond water.

Handwritten lines for additional recommendations.

No. 4573-3

Publish first publication, on or before December 19, 1980

NOTICE OF HEARING ON  
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 2, 1980

Notice is hereby given William Schumacher whose post office

address is Pierre, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-3, 46-5-10 thru 46-5-22, 46-5-41, and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.1 cubic feet of

water per second of time from the Missouri River through the Schumacher #1, the point ~~(S)~~ of diversion of which is ~~(xxx)~~ to be located in the NE 1/4 NE 1/4

of Section 9, Twp. 112N, Range 80W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW 1/4, Section 3, T112N, R80W

This Application No. 4573-3 will be considered by the Water Management Board at Meeting Room #1, Knapp Building Church & Illinois, Pierre, SD upon the 28th day of January, 1981

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 4-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

BETTY WESTLUND

Water Rights Specialist

cc: William Schumacher  
Post A, Pierre, SD 57501

WNR-866B-7/79 Notice of Intent to Appropriate Water  
SURFACE WATER

No. 4573-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Hughes ) ss.

I, John H. Hipple hereby  
certify that the annexed printed copy of Notice of Intent to Appropriate  
Water was taken from the Daily Capital Journal

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

December 12, 1980 and

December 19, 1980.

John H. Hipple  
(Signature)

Business Manager  
(Title)

December 19, 1980  
(Date Signed)



No. 5610-2 t dly Dec. 12-19

No. 4573-3  
NOTICE OF HEARING ON  
APPLICATION TO  
APPROPRIATE WATER

Notice is hereby given William Schunacher whose post office address is Pierre, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.1 cubic feet of water per second of time from the Missouri River through Schunacher No. 1, the point of diversion of which is to be located in the NE 1/4 NE 1/4 of Section 9, Twp. 112N, Range 80W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SW 1/4, Section 3, T112N, R80W.

This Application No. 4573-3 will be considered by the Water Management Board at Meeting Room No. 1, Kneip Building Church & Illinois, Pierre, SD upon the 28th day of January, 1981 at 10 a.m. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT  
BOARD  
BETTY WESTLUND  
Water Rights Specialist

Schumacher file



United States Department of the Interior

FISH AND WILDLIFE SERVICE  
AREA OFFICE: SOUTH DAKOTA-NEBRASKA-KANSAS  
POST OFFICE BOX 250  
PIERRE, SOUTH DAKOTA 57501

IN REPLY REFER TO

March 25, 1981

RECEIVED  
MAR 27 1981  
DEPT. OF WATER &  
NATURAL RESOURCES

Colonel Vito D. Stipo  
District Engineer  
Corps of Engineers, Omaha District  
6014 U.S. Post Office & Courthouse  
Omaha, Nebraska 68102

Dear Colonel Stipo:

This responds to the Section 10 Letter of Permission application of William Schumacher (SD 2SB OXT 1 003417) dated March 3, 1981. The applicant requests permission to place an intake structure in Spring Creek Bay, Lake Oahe, Missouri River mile 1088.0L, located in Section 4, Township 112 North, Range 80 West, Hughes County, South Dakota. The following comments are submitted in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et. seq.).

We have no objection to the proposed project provided:

1. The intake be placed at least 20 vertical feet below the reservoir elevation existing on June 1st of each year's irrigation season.
2. The intake screen has a maximum mesh opening not exceeding 1/4 inch; and,
3. The intake is of sufficient dimension so that the intake velocity does not exceed 0.5 feet per second immediately in front of the screen.

Spring Creek is an important fishery area, and these recommendations should decrease the impacts of the project.

Thank you for the opportunity to review and comment on this permit application.

These comments represent the views of the Department of the Interior. We would appreciate a copy of the Letter of Permission, if issued.

Sincerely yours,

Sharon L. Dougal  
Acting Field Supervisor  
Environment

cc: ENV; Denver, CO  
EPA; Denver, CO  
SDDGFP; Pierre, SD  
SDDWNR; Pierre, SD -

# RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7759

October 29 1980

PIERRE,

RECEIVED OF William Schumacher, Part A, Pierre, SD 57501  
the following amount in fees for services rendered as provided for by law:

|                                                                                                                |            |           |
|----------------------------------------------------------------------------------------------------------------|------------|-----------|
| Fee for Application for Permit to Appropriate Water No. 4573-3 (examination, processing, recording and filing) | 150        | 00        |
| Fee for Inspecting Construction, and issuing Cert. of Construction No.                                         |            |           |
| Fee for Inspecting Beneficial Use, and issuing Water License No.                                               |            |           |
| 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)                                                                    |            |           |
| <b>TOTAL</b>                                                                                                   | <b>150</b> | <b>00</b> |

WATER RIGHTS COMMISSION

By *(Signature)*  
Chief Engineer, Executive Officer  
JOHN HATCH 97

**Permit No. 4573-3**  
**Missouri River - Water District**

**Report Of Examination Of Works And/Or Application of Water To Beneficial Use**

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, June 22, 1999 made a thorough examination of the water use system constructed by William Schumacher of S. 19684 285<sup>th</sup> Ave., Piorre, SD 57501 holder of Permit No. 4573-3, bearing the priority of October 29, 1980 authorizing the diversion of 2.1 cu. ft. per second of the waters of Missouri River for irrigation purposes, in Hughes County.

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

A. Works used to divert the water:

Submersible pump and motor with a 1000 gpm capacity and 50 hp.

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

2350' of 10" pvc pipe.

C. Works used to apply water to beneficial use:

4599' of 10" aluminum gated pipe with gates spaced 30 to 40 inches.

The system is in the following condition good. The point of diversion is located 1250' S and 950' W of the NE corner Section 9, T112N, R80W. The works are capable of diverting and conveying to the place of use 2.22 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 3, T112N, R80W:

NE SW 40 acres

SW SW 27 acres

NW SW 40 acres

SE SW 13 acres

comprising a total of 120 acres of land and the license should be issued for 1.71 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none

Comments:

This water right is for a change in diversion point and water source to irrigate lands covered under water right no. 2488-3A. License 2488-3A and 4573-3 separately.

Lynn Beck  
 Lynn Beck

Nov. 16, 1999  
 Date

Natural Resources Engineer  
 DENR, Water Rights Program

# REPORT ON INSPECTION OF PERMIT NO. 4573-3

DATE OF INSPECTION: 6-22-99

Other permit(s) associated with the project: 2488-3A

NAME & ADDRESS OF INSPECTION CONTACT: William Schumacher, S. 19684 235<sup>th</sup> Ave., Pierre,  
SD 57501

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: same as above

DIVERSION POINT LEGAL LOCATION: 1250' S and 950' W of the NE corner of Section 9, T112N,  
R80W.

## MISSOURI RIVER DIVERSION POINT:

### Pump:

- 1) Make submersible
- 2) Model #
- 3) Size #
- 4) Capacity 1000 GPM

### Motor:

- 1) Make submersible
- 2) Model No. #
- 3) Horsepower rating 50 hp

## DISTRIBUTION LINES OR CANALS:

- 1) Type pvc
- 2) Size 10"
- 3) Length 2350 feet

## SYSTEM TYPE:

### Gated pipe:

- 1) Length 4599 feet
- 2) Diameter of pipe 10 inches
- 3) Spacing of sprinklers 30 - 40 inches

## CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

## PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation questionnaires checked to determine if permit owner started irrigation by the end of construction period yes



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

December 16, 1999

2488-3A  
4573-3  
4580-3

William Schumacher  
S 19684 295<sup>th</sup> Ave.  
Pierre, SD 57501

Dear Mr. Schumacher:

The investigation of your water use systems was conducted on June 22, 1999, by Lynn Beck, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit Nos. 2488-3A, 4573-3 and 4580-3. Your final water right documents, the Water Licenses, can now be issued.

Statutes require that we charge a \$50.00 fee per license (\$150.00 total) for the investigation and issuance of the Water Licenses. Upon receipt of the \$50.00 fee per license (\$150.00 total) from you, we will begin processing your Water Licenses.

Please remit fee to:  
Department of Environment & Natural Resources  
Water Rights Program  
523 E. Capitol  
Pierre, SD 57501-3181

Sincerely,

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

NOTE: On check or money order, please specify your permit numbers. This will insure proper handling of the fee.

# RECEIPT

## Water Rights Program

South Dakota Department of Environment and Natural Resources  
Pierre, \_\_\_\_\_

№ 416313

December 27, 1999

RECEIVED OF William Shumacher, 19884 285th Ave., Pierre, SD 57501  
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. 4573-3

Fee for Filing Transfer Form \_\_\_\_\_

Fee for Filing Extension Request \_\_\_\_\_

Fee for \_\_\_\_\_

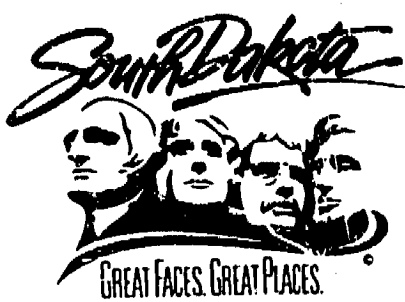
Total

50 00

(Any Other Work Provided by Law)

By

John Hatch  
Civil Engineer



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

DEC 30 1999

2488-3A  
4573-3  
4580-3

William Schumacher  
19684 295<sup>th</sup> Ave.  
Pierre, SD 57501

Dear Mr. Schumacher:

Enclosed are Water License Nos. 2488-3A, 4573-3 and 4580-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 416312, 416313 and 416314 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 2488-3A, 4573-3 and 4580-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water Licenses, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Program  
(605) 773-3352

ks  
enclosures

# STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 4573-3

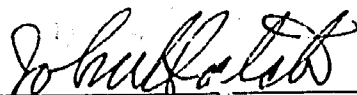
(1) William Schumacher, 19684 285<sup>th</sup> Ave, Pierre SD 57501 made Application No. 4573-3, October 29, 1980 for a water permit to divert 2.1 cubic feet of water per second from the Missouri River, Hughes County, South Dakota for irrigation purposes. Permit No. 4573-3, with a priority date of October 29, 1980 was approved January 28, 1981 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 28, 1986 and for the application to beneficial use of said water on or before January 28, 1990.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.71 cubic feet of water per second for beneficial use. The location of the diversion point is 1,250 feet south and 950 feet west of the northeast corner of Section 9-T112N-R80W (NE ¼ NE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

|                      |           |          |
|----------------------|-----------|----------|
| Section 3-T112N-R80W | NE ¼ SW ¼ | 40 acres |
|                      | NW ¼ SW ¼ | 40 acres |
|                      | SW ¼ SW ¼ | 27 acres |
|                      | SE ¼ SW ¼ | 13 acres |
| Total 120 acres      |           |          |

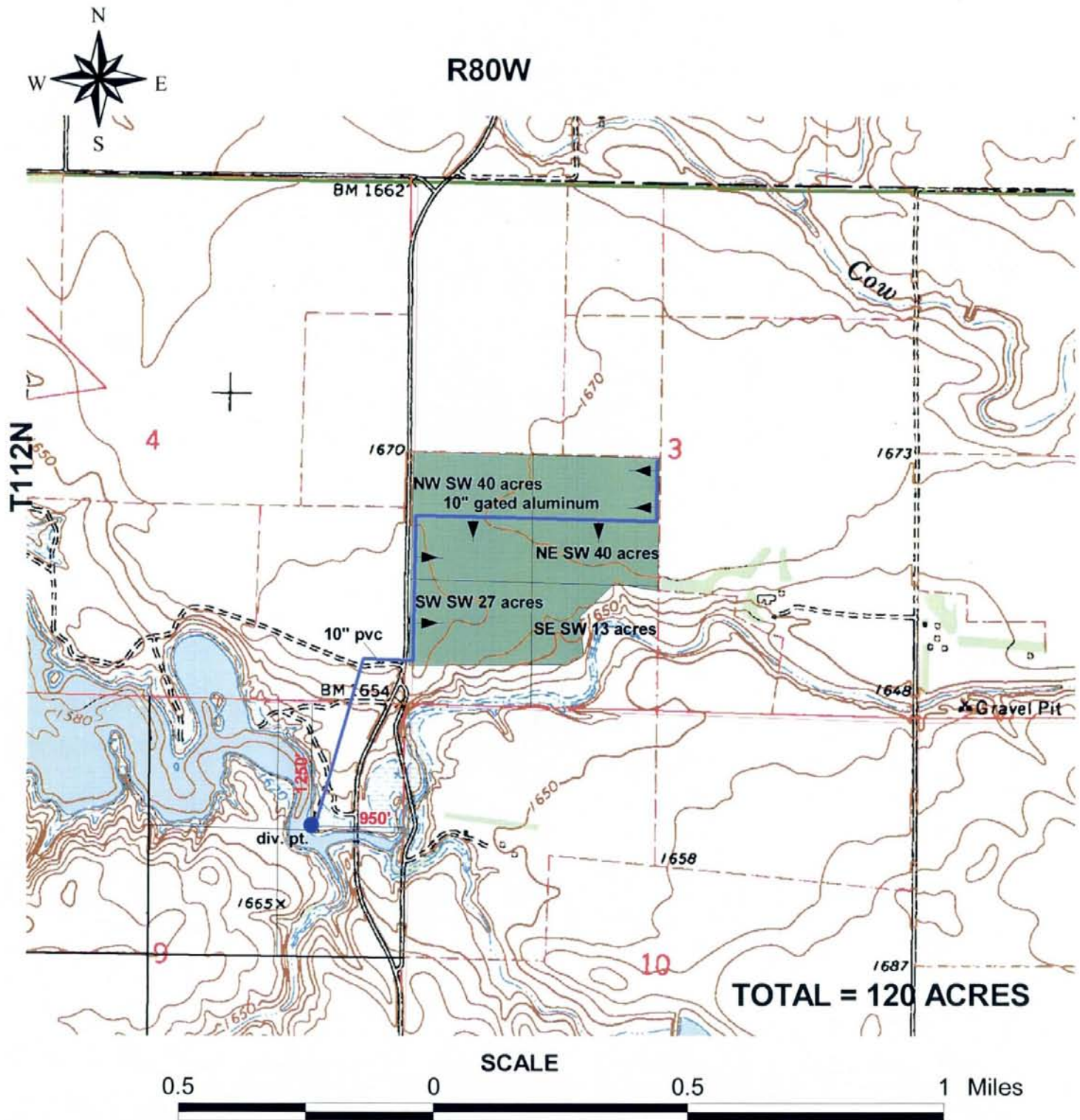
(4) Pursuant to South Dakota Water Law 46-5-30.1 William Schumacher, 19684 285<sup>th</sup> Ave, Pierre SD 57501 the holder and/or owner of Water Right No. 4573-3 is issued a license to appropriate water, the right to use 1.71 cubic feet of water per second from the Missouri River with a priority date of October 29, 1980 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Right No. 4573-3 and subject to South Dakota State Law.

  
JOHN HATCH, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

DEC 30 1999  
date



# WATER RIGHT NO. 4573-3



*Lynn Beck*

Lynn Beck  
Natural Resources Engineer  
DENR, Water Rights Program  
November 15, 1999



South Dakota Department of  
Environment and Natural Resources





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

November 12, 2008

No. 1987-3

2488-3A

4573-3

Jim Schumacher  
19734 285<sup>th</sup> Ave  
Pierre SD 57501

Dear Mr. Schumacher:

The return of the 2008 Irrigation Questionnaires indicated an ownership change has taken place on Water Right Nos. 19987-3, 2488-3A and 4573-3. Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on these water rights. The water rights are currently listed in the name of William S Schumacher. I have also enclosed copies of the water rights for your files.

The transfer forms should be checked over for accuracy and **signed by the new owner**. Upon completion, return the form to our office with a required filing fee of \$2.50 each (total \$7.50).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak  
Water Rights Program  
605 773-3352  
email: [karen.schlaak@state.sd.us](mailto:karen.schlaak@state.sd.us)

enclosures

## NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4573-3

Date: Nov 12 2008

I/We request that Water Right/Permit No. 4573-3

formerly owned by: William S Schumacher

be transferred to: (name & address) Jim Schumacher

19734 285th Ave

Pierre SD 57501

Telephone No. 605 224 1420

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

120 acres located in the SW ¼ Section 3-T112N-R80W

I/We understand that the validity of Water Right/Permit No. 4573-3 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 required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.**

I/We Jim Schumacher, the new owner, certify that the above information is true and correct.

Jim Schumacher  
(Signed by new owner)

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

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

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/25, 2008

RECEIVED OF James Schumacher 19734 285th Ave Pierre SD 57501

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>4573-3</u>                                                                     | 2     | 50   |
| Fee for _____                                                                                                  |       |      |
| Fee for Issuing New Well Driller's License No. _____ for C.Y. _____                                            |       |      |
| Fee for Renewal of Well Driller's License No. _____ for C.Y. _____                                             |       |      |
| Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____                                         |       |      |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |      |
| (Any Other Work Provided by Law)                                                                               | TOTAL | 2 50 |

No.

03805

By

Garland Erbe  
Chief Engineer

4573-3



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

November 26, 2008

1987-3  
2488-3A  
4573-3

Jim Schumacher  
19734 285<sup>th</sup> Ave  
Pierre SD 57501

Dear Mr. Schumacher:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms and filing fees you submitted for transferring Water Right Nos. 1987-3, 2488-3A and 4573-3.

The ownership changes have been completed. The water rights formerly held by William S Schumacher are now listed in your name.

Enclosed are Receipt Nos. 03803, 03804 and 03805 in the amounts of \$2.50 each which you paid to cover the cost of the filing fees. You may keep these for your records.

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](mailto:genny.mcmath@state.sd.us)

enclosures



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

May 7, 2024

4573-3

Jim Schumacher  
19685 285<sup>th</sup> Ave  
Pierre SD 57501

Dear Mr. Schumacher:

I am writing in regard to Water Right No. 4573-3. The water right authorizes diversion 1.7 cfs (approx. 760 gpm) of water from the Missouri River, for the irrigation of 120 acres in the SW ¼ Section 3, T112N-R80W, Hughes County.

In reviewing your 2023 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

Water Right No. 4573-3 allows you to use up to 2 acre-feet (ac-ft) (24 inches) of water, per acre, per year. On the questionnaire you reported substantially more water use. The following information is what was reported and what is authorized:

- 98 acres irrigated
- Reported water use – 288.5 ac-ft of water (approximately 35 inches)
- Authorized water use – 196 acre-feet (98 acres x 2 ac-ft per year)

We realize that water use depends greatly on climactic conditions and may vary year to year. However, it is very rare that irrigators come close to the 24 inches per acre that is authorized. Typical water use is between 8 and 12 inches per acre. The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

If you do in fact apply as much water as claimed on your questionnaire, you are exceeding the limits of your water right and will have to reduce your discharge to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me.

Sincerely,

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

**NOTE:** Water Right No. 4573-3 authorizes a diversion rate of 1.7 cubic feet or water per second (approx. 760 gallons per minute). The 2023 irrigation questionnaire you submitted lists a pump rate of 1000 gpm. A new permit would be required to increase the rate of diversion from 1.7 cfs to 2.23 cfs.

enclosure