

1. Considered: 12-2, 1981 Water Right No. 4527-3
2. Name of Applicant GEORGE W. SMITH
3. Post Office Address RR 1 - Box 16 MISSION HILL 57046
4. Amount of Water Claimed 2.28 maximum acre feet
5. Source of Water Supply 130 foot well
6. Water to be used for irr. acres to be irrigated 160
7. County Jefferson about 2 1/2 miles NORTH of MISSION HILL
8. PROOF OF PUBLICATION: Received 12/3/81 Not Received
- APPLICATION: Approved 12/3/81 Subject to WI - IR
- Not Approved Action Deferred

PRIORITY

Dated Received 10-26-81 Application complete-yes / no FEE 250⁰⁰

Remarks

Corrected Application received Period of Annual Use Mar. 1 to Nov. 1

Received (yes 4/4/81) no APPROVED (CONDITIONAL) (Circle one)

WI-1 Description same as application-yes (yes) no remarks

Disapproved Returned

Diversion Point

Approx Center, W 1/2 Sec. 18-T94N

R 54W

Land to be irrigated

5 1/2 NW⁴ and N 1/2 SW⁴, Section

18-9⁰-54

WELL LOG

Driller Christensen Well Co. Licensed (yes) 144 no

Depth 120' deep

Remarks

MAP Map No. 4035-3 Map located in Water Right X Map file _____
Type of Map Aerial Prepared by Co Extension Agent
Vane Miller

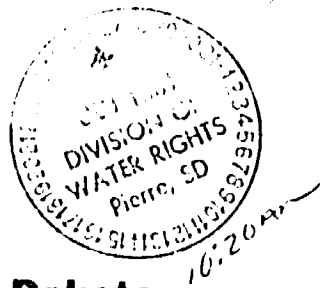
+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:
11-9-81
D. Westlund
(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 was
DECISIONS adopted _____
ETC. Remarks _____

No. 4827-3Map No. 4035-3 Water Division No. 3 VERMILLION RIVER District
Above or Office Use 10170102

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 ☐ Additional Diversion ☐Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant George W. Smith Phone No. 665-5479
 Post Office Address RR1 Box 16 Mission Hill State S.D. 57096
 (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) CONTRACT3. Name of diversion work George W. Smith4. Amount of water claimed (cubic feet per second) 2.2865. Source of water supply WELL6. Location of point of diversion LOCATED IN CENTER OF THE TWO LEGAL DESCRIPTIONS GIVENAPPROX. CENTER W 1/2 18-94-54 County YANKTON7. Annual period or periods during which water is to be used MARCH 1 TO NOV. 18. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION9. 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.
<u>S 1/2 NW 1/4 18 94-54</u>	<u>80</u>
<u>N 1/2 SW 1/4 18 94-54</u>	<u>80</u>

Land Description	No. Acres Irr.

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 2 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water YANKTON CO. OBSERVER
GAYVILLE, S.D. 57031

12. Principal Features of the Proposed Water Supply System.

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

Well

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

Pipe

C. Works proposed to apply water to beneficial use.

Pivot Type SystemEstimated Total Cost \$45,000

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

STATE OF SOUTH DAKOTA)

County of YANKTON) ss.

I, George W. 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 George W. SmithSubscribed and sworn to before me this 21 day of October, 1981

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No 4827-3

GEORGE W. SMITH

(Applicant)

RR #1 - Box 16, Mission Hill

(Post Office Address)

SOUTH DAKOTA

(State)

57046

With the following qualifications

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

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 OCTOBER 26, 1981

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

Date of receipt of corrected application NOVEMBER 6, 1981

Approved DECEMBER 3, 1981, Recorded in Book 22 Page 322

WATER RIGHT PERMIT NO. 4827-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4827-3 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 26, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JUNE 3, 1984
3. The whole of said work is to be completed on or before DECEMBER 3, 1986
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is DECEMBER 3, 1988
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 2.38 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 DECEMBER 3, 1988; said water to be used during the following described annual period: MARCH 1ST to NOVEMBER 1ST

Witness my hand this 8th day of DECEMBER, 1981

THE WATER MANAGEMENT BOARD

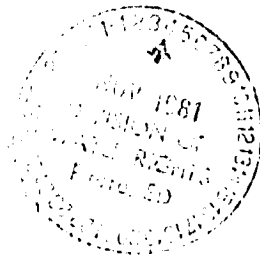
By

John Hatch
Chf. Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

November 2, 1981



George Smith
R.R. #1, Box 16
Mission Hill, SD 57046

Dear Mr. Smith:

As I stated in my letter dated October 26, 1981, sample No. P1-1241 is classed as a high saline, low sodium water. It is suitable for irrigation.

Irrigation application rates should slightly exceed crop requirements. This will allow the moderate salt load dissolved in your water to pass through the soil rooting zone (top two feet).

The Trent, Egan-Whitewood silty clay loams, and the Zthaa-Bonilla, Clarno-Bonilla, Bon loams found in the W 1/2 of Section 18-94-54 are compatible with the quality of your water.

If a salt problem or a rising water table should develop, please contact your county agent or this office for assistance.

The WT-1, soils information, and a copy of the water analysis are being forwarded to the Division of Conservation for their action.

Sincerely yours,

Michael N. Sanders
Water Quality Lab
Division of Conservation

MNS:ckb

Enclosures

cc: Division of Conservation
D. Pehl, Extension Service
Division of Water rights

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Name:
Address

GARY SMITH
MISSION HILL SD
57046

Date Rec'd
Sample No.
Identification

Oct 14 1981
81-1241

WATER ANALYSIS

Calcium (Ca)	184	ppm*	9.18	me/l**
Magnesium (Mg)	41	ppm	3.37	me/l
Sodium (Na)	15	ppm	0.65	me/l
Potassium (K)	3	ppm	0.08	me/l
Sulfate (SO ₄)	335	ppm	5.97	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	11	ppm	0.31	me/l
Bicarbonate (HCO ₃)	327	ppm	5.36	me/l
Carbonate (CO ₃)	0	ppm	0.00	me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Manganese (Mn)		ppm		
Boron (B)		ppm		
Hardness (EPA as CaCO ₃)		ppm		g.p.g.***
Total solids		ppm		
Total Cations			13.28	me/l
Total Anions			12.65	me/l
Alkalinity (Methyl Orange)	258	ppm(as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm(as CaCO ₃)		
Electrical Conductivity	1200	microhos per cm at 25 C		
Sodium Adsorption Ratio	0.26	Adjusted SAR	0.58	
Sodium	4.91	% of Cations		
Residual sodium carbonate	0.00	me/l		
Oil	7.11			

Others:

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS

By: Shirley Hittan

Service Performed:

Amount Due:

Irrigation Analysis

\$23.00

(Make checks payable to: Water Quality Laboratory)

Cut along dotted line and return the lower portion with payment

Sample No. 81-1241

Amount Enclosed \$
Signed

D. Well Information

- (1) Drill Hole, Diameter 18", Depth ~~140'~~ 140' (20')
- (2) Casing, Type PLASTIC (wood, concrete, steel, etc), Diameter 14", Thickness $\frac{5}{8}$ "
- (3) Screen, Type PLASTIC, Diameter 14", Length 90'
- (4) Gravel Pack, Thickness 6", Length of gravel pack 95'

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

(1) Water Bearing Materials. (Attach a copy of test well log)

- Depth to top of water bearing material _____
- Depth to bottom of water bearing material _____
- Depth to water (ground surface to water level) _____

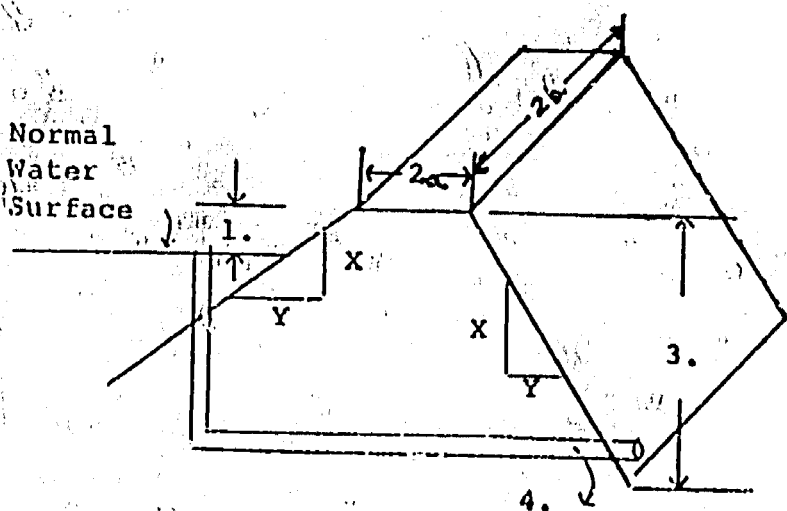
(2) Distance to nearest existing household or livestock watering well.

- On same owner's property 110 rds.
- On property owned by others 120 rds.

You already have the water log. Check with Betty Weatherford Water Rights Specialist

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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
- 2a. Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
 Pipe diameter _____
 Spillway width _____
- X & Y slope:
 Upstream _____
 Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

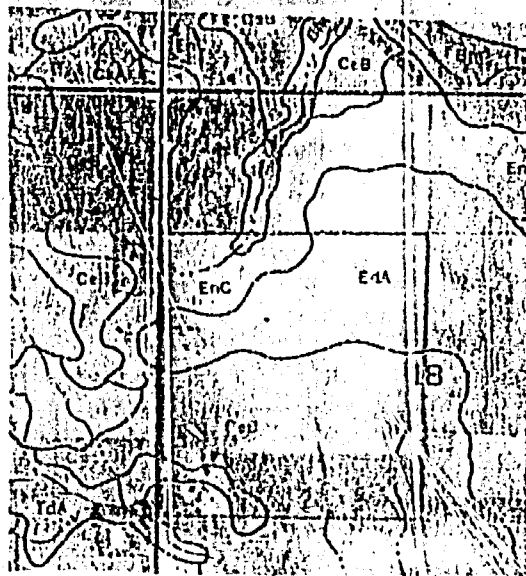
George W. Smith
 Signature of Applicant

SOIL MAP

County Yankton State South Dakota

N

Service cooperating with Yankton County Conservation District



S¹/₂ NW¹/₄
18-94-54
N¹/₂ SW¹/₄
18-94-54

SOIL MAP LEGEND



UNITED STATES DEPARTMENT OF AGRICULTURE
Soil Conservation Service

SOIL MAPPIING UNITS	LAND USE and SOIL GROUP	SOIL CHARACTERISTICS
EdA	CROPLAND - Irrigated GROUP - 2	Egan-Whitewood silty clay loams 0-3% slope Intake Family 0.3 These are deep, well drained soils that have silt loam or silty clay loam surface layers and silty clay loam subsoils. The underlying material is loam or clay loam glacial till. It is clay in the Droma soil. Available water capacity is high. Permeability is moderate in the upper part of the soil and moderately slow or slow in the lower part. Irrigation water of high quality should be used to avoid a salt build-up above the glacial till or clay. Enough water needs to be applied to leach the salts derived from the underlying glacial till or clay, below the rooting depth of the crops. These soils react similar to those in the .5 Intake Family until the silty mantle above the glacial till or clay is saturated when irrigated with a continuous move system. The more sloping soils are subject to erosion if water is applied too fast with any sprinkler system. Gullies can form in the wheel tracks of continuous move systems. Generally, these soils are suitable for irrigation with low salinity and low sodium water. Water of medium salinity may be used when additional quantities are applied for leaching purposes. With center pivot irrigation, the additional water would be very difficult to apply. If the soil profile is full of irrigation water before periods of expected rainfall, natural leaching can be expected. These soils are not suited to sprinkler irrigation on slopes greater than 2 percent.
EnC	Group - 3	Ethna-Bonilla loams 3-9% slope Intake Family 0.3
CoB	Group - 3	Clarno-Bonilla loams 1-6% slope Intake Family These are deep, well drained soils that have loam or silt loam surface layers and loam or light clay loam subsoils. The underlying material is loam or clay loam glacial till. Available water capacity is high.

Soil Conservation Service

SOLL. INTERPRETATIONS

SOIL MAPPING UNITS	LAND USE and SOIL GROUP	SOIL DESCRIPTIONS
TdA	Group - 10	Trent silty clay loam 0-2% slope Intake Family .5 These are deep, well drained and moderately well drained soils that have thick dark colored surface layers of loam, silt loam, or silty clay loam. The subsoil is silt loam, loam, clay loam, or silty clay loam. The underlying material is silt loam, loam, or light clay loam. Available water capacity is high. Permeability is moderate or moderately slow. These soils are in swales or on long plane slopes. Water could collect in some of the swales and cause drainage problems. These soils occur as inclusions in many map units. Leaching operations will be difficult to carry out with center pivot systems. Generally, these soils are suitable for irrigation with medium salinity and low sodium water. If water of high salinity or medium sodium is used, extra water should be applied for leaching purposes and salt tolerant crops may be required.

Conditional Approval

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT George Smith

S $\frac{1}{2}$ NW $\frac{1}{4}$ 18-94-54

SOIL RESTRICTIONS: N $\frac{1}{2}$ SW $\frac{1}{4}$ 18-94-54

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

THE SOIL(S) LISTED BELOW CAN BE IRRIGATED WITH THE FOLLOWING RESTRICTIONS:

RECOMMENDED MANAGEMENT

All drainage ways should be maintained in permanent vegetation.

SD-CONS-31A
5/75

SOIL MAP

Owner George Smith Operator George Smith

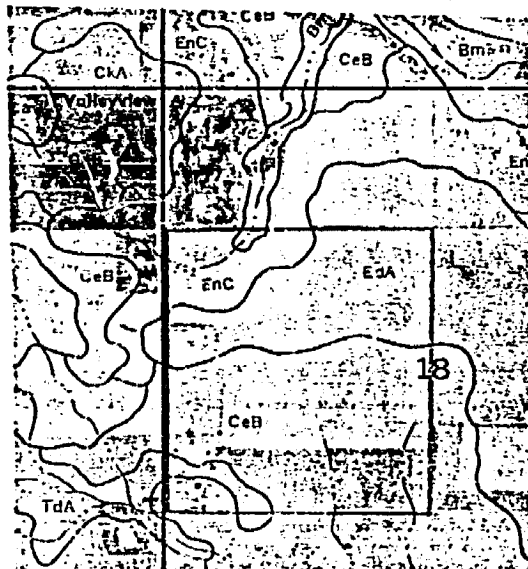
County Yankton State South Dakota

Soil survey sheet(s) or code No. (s) sheet 27 Approximate scale 3.2

N

Prepared by U.S. Department of Agriculture, Soil Conservation

Service cooperating with Yankton County Conservation District



S $\frac{1}{2}$ NW $\frac{1}{4}$
13-94-54
N $\frac{1}{2}$ SW $\frac{1}{4}$
18-94-54

SOIL MAP LEGEND



CONSERVATION COMMISSION

WM#1
9/81

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

Office Use Only

2975

OWNERS NAME: George Smith

OWNERS ADDRESS: MISSION Hill 30
ZIP 57046 RPI Box 16

COUNTY LAND LOCATED IN: Yankton

PHONE: 665-5479

TENANT'S NAME AND ADDRESS:

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 is located in the center of the two descriptions below
(app. corner of W2 - 18-94-51) check map
2. SURFACE WATER SOURCE AND DIVERSION LOCATION:

Legal Description	Acres	Legal Description	Acres
S1/4 Sec 18-94-51	80		
N1/4 Sec 18-94-51	80		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED NONE

LEGAL DESCRIPTION:

IN WHAT NAME:

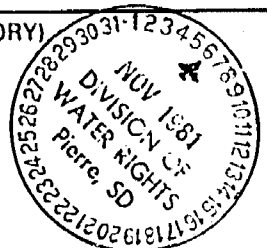
4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify)

6. CROPS TO BE IRRIGATED: CORN - ALFALFA - SOY BEANS

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

7. WATER SAMPLE NUMBER: 81-1741
8. SALINITY (EC X 10⁶): 1200
9. SODIUM (SAR): 0.26
10. ADJUSTED (SAR): 0.68



I hereby certify that I personally obtained or that I personally observed that 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 10:00 a.m./p.m., on Oct 19, 1981, at the following location: located in the center of the two above descriptions. 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 46-5-6.1).

SUBSCRIBED AND SWORN BEFORE ME THIS

21st DAY OF October, 1981.

George W. Smith
(NOTARY PUBLIC)

George W. Smith
APPLICANT'S SIGNATURE

Paul M. Hild
Director, Division of Conservation

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

____ APPROVED
____ DISAPPROVED
X CONDITIONALLY APPROVED

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County _____) ss.

I, Madeline Jackson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the _____

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

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

November 13th, and November 20th

Madeline Jackson
(Signature)

(Title)

Dec 2, 1981
(Date Signed)

Cost of Printing: \$39.60

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE
WATER

Pierre, South Dakota, 57501
November 3, 1981

Notice is hereby given that George W. Smith whose post office address is RR1, Box 18, Mission Hill, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 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, 46-5-25, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.28 cubic feet of water per second of time from groundwater (1 well) through the George W. Smith project, the point of diversion of which is to be located L. the approximate center of the W 1/4 of Section 18, Twp. 94 N, Range 54 W. Said Water to be used for the purpose of providing irrigation on portions of the following described land: S 1/4 NW 1/4 and N 1/4 SW 1/4, Section 18 T94N, R54W.

This Application No. 4, 7-3 will be considered by the Water Management Board at Howard Johnson Motel, 400 W Russell, Sioux Falls upon the 2nd day of December,

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 witness 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 Circuit Court and the State Supreme Court 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.

For the Water Management Board
a Betty Westlund
Water Rights Specialist.

Received 12/3/81
In Person Betty Westlund

No. 4827-3

Publish first publication on or before November 20, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota, 57501

November 9, 1981

Notice is hereby given that George W. Smith whose post office address is RR 1, Box 16, Mission Hill, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 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, 46-5-25, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.20 cubic

feet of water per second of time from groundwater (1 well) through the George W. Smith

project, the point(s) of diversion of which is(are) to be located in the XXXX

approximate center of the 10.

of Section 10, Twp. 04 N, Range 54W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW 1/4 NW 1/4 and NW 1/4 SW 1/4, Section 18, T94N, R54W

This Application No. 4827-3 will be considered by the Water Management Board at Howard Johnson Hotel, 3300 W. Duggan, Sioux Falls upon the 2nd day of December, 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.

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For the Water Management Board

BETTY WESTLUND, Water Rights Specialist

cc: applicant.

WNP-806A-10/81 Notice of Intent to Appropriate Water
GROUNDWATER

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8521

PIERRE, October 13, 1981

RECEIVED OF George W. Smith, Mission Hill, SD 57046

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

Fee for Application for Permit to Appropriate Water No. 4827-3 (examination, processing, recording and filing)	250	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 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	250	00

WATER RIGHTS COMMISSION

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

South Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501
March 22, 1983

Water Rights Division
605 773-3352

4827-3
George W Smith
Rt 1 Box 16
Mission Hills SD 57045

Dear Sir:

Water Permit No. 4827-3 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks
enclosure

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

August 1, 1983

NOTICE

4827-3

George W Smith
Rt 1 Box 16
Mission Hills SD 57045

Dear Sir:

July 19, 1983, the Water Management Board passed a motion directing that those persons with water permits that have the qualification:

"This Permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

be notified of this requirement.

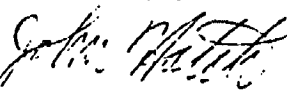
Our records do not show we have received the 1982 Irrigation Questionnaire for Permit No. 4827-3. The questionnaire was requested on the following dates:

1. September 1982 initial request
2. December 1982 followup request
3. March 22, 1983 Notice that submittal of questionnaire is a qualification to water permit

The Board has directed that owners of permits not in compliance with the Irrigation Questionnaire qualification be given until August 30, 1983 to submit the 1982 questionnaire. Any person not submitting the Questionnaire is to be noticed for hearing before the Board to consider disciplinary action including suspension of the permit.

Another questionnaire is enclosed. Please advise if there are any questions or if you believe our records are not correct.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

**South Dakota Department of
Water & Natural Resources**

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

NOTICE

September 13, 1983

TO: George W. Smith
RR 1, Box 16
Mission Hill, South Dakota 57046

FROM: John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

John Hatch

Re: Violation of Permit No. 4827-3
by Failure to Submit Required 1982 Irrigation Questionnaire

The Water Management Board has directed that hearings be held to determine what action the Board should take for violation of the Water Permit No. 4827-3 qualification that requires the Irrigation Water Use Questionnaire to be submitted each year.

The hearing will be at 2:30 p.m., October 5, 1983, Civil Defense Room, Basement, State Capitol Building, Pierre, South Dakota. Water Rights Division records do not show that the 1982 Irrigation Questionnaire for Permit No. 4827-3 has been received. The questionnaire was requested on the following dates:

1. September 1982 Initial request
2. December 1982 follow-up request
3. March 22, 1983 Notice that submittal of questionnaire is a qualification to water permit.
4. August 1983 Notice that Board had directed owners of permits not in compliance with the Irrigation Questionnaire qualification be given until August 30, 1983 to submit the 1982 questionnaire with any permit owner in violation after August 30 to be given notice for hearing before the Board.

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.

Equal Opportunity Employer

Following the hearing, the Water Management Board can:

1. Suspend Permit No. 4827-3 until either the 1982 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

These hearings are 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.
5512.WR

C91303jh.wr

NOTICE OF ONE YEAR SUSPENSION OF PERMIT

October 11, 1983

TO: George W. Smith
RR #1, Box 16
Mission Hill, South Dakota 57046

FROM: John Hatch, Chief Engineer
Water Rights Division

SUBJECT: One Year Suspension of Water Permit No. 4827-3, 11/1/1982
Irrigation Questionnaire is not submitted within 30 days.

Pursuant to the provisions of the notice dated September 13, 1983, and following the hearing October 5, 1983, the Water Management Board ordered:
That Water Permit No. 4827-3 is SUSPENDED until October 5, 1984, unless the required 1982 Irrigation Water Use Questionnaire is submitted by November 11, 1983.

Suspension of a permit means water cannot be pumped during the 1984 Irrigation season. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

A01104JH.wr

48275

Form 3811, Oct. 1982

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered \$
☐ Show to whom, date, and address of delivery \$

2. ☐ **RESTRICTED DELIVERY** \$
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. **ARTICLE ADDRESSED TO:**
George W Smith
R.R. # 1, Box 14
Mission Hill SD 57046

4. **TYPE OF SERVICE:**
☐ REGISTERED ☐ INSURED
☐ CERTIFIED ☐ COV
☐ EXPRESS MAIL

ARTICLE NUMBER
P321937434

(Always obtain signature of addressee or agent)
I have received the article described above.

SIGNATURE ☒ Addressee ☐ Authorized agent
G.W. Smith

5. **DATE OF DELIVERY**
10-12-83

6. **ADDRESSEE'S ADDRESS (Only if requested)**

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**
LZ

MISSION HILL
OCT 12 1983
USPO

Water Rights Division
605 773-3352

October 26, 1983

4827-3

George W Smith
Rt 1, Box 16
Mission Hill SD 57046

Dear Mr. Smith:

This letter will acknowledge receipt of your 1982 Irrigation Questionnaire. You were notified by letter dated October 11, 1983 of the action taken by the Water Management Board to suspend your permit for a period of one year if the required 1982 Irrigation Questionnaire was not submitted by November 11, 1983.

Our records now show that you have returned the 1982 Irrigation Questionnaire and are no longer in violation of your permit. Receipt of the Questionnaire rescinds action taken by the Board to suspend your Permit No. 4827-3.

If you have any questions, please contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks



Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 4827-3

January 4, 1984

Gary Smith
Box 18
Mission Hill SD 57046

Dear Mr. Smith:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. 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.

Please advise if you have any questions.

Sincerely,

KAREN SCHLAACK
Administrative Aide

enclosure

DWNR-820A-8/83

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 2-2-84

This is to notify you that the title to the lands described as follows:

160 acres S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 18, T94N, R54W

formerly owned by George Smith

has been transferred to Gary Smith, Bcx 18, Mission Hill SD 57046
(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 4827-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

STATE OF ~~SOUTH DAKOTA~~)
ARIZONA) ss.
County of MARICOPA)

I, George Smith 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 I know of my own personal knowledge that the information herein stated is true.

George Smith
(Signed)

Subscribed and sworn to before me this 2nd Day of February, 1984.

Lisa L. Cook
(Notary Public)

My Commission Expires Aug. 31, 1987

RECEIPT

Division of Water Rights

No 4 9533

South Dakota Department of Water and Natural Resources

Pierre, February 6, 1984, 19

RECEIVED OF George W. Smith, Mission Hill, SD 57046

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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 for WR# 4827-3 (Gary Smith)

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By John Hatch
Chief Engineer JOHN HATCH/ms



Department of Water & Natural Resources

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

February 9, 1984

Gary Smith
Box 18
Mission Hill, South Dakota 57046

Dear Mr. Smith:

Enclosed is receipt No. 4 9533 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 4827-3.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.



Department of Water & Natural Resources

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

March 23, 1987

GARY SMITH
RR #1 BOX 18
MISSION HILL, SD 57046

NOTICE

Re: Violation of Water Permit(s), 4827-3 and 1986 Irrigation
Questionnaire Requirements.

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4827-3. The request for the questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4827-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will also be to determine if Permit No(s). 359-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

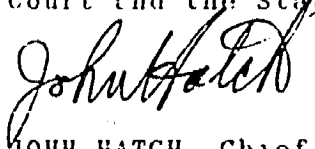
The hearing(s) will be at 2:00 pm, May 6, 1987, in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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 hearings(s), the Water Management Board can:

1. Suspend Permit No(s). 4827-3 until either the 1986 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s). 359-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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) are received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 29, 1987

4827-3
359-3

Gary Smith
RR #1 Box 18
Mission Hill, SD 57046

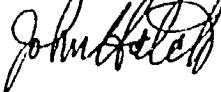
Dear Mr. Smith:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 4827-3 and 359-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

4827-3

**SOUTH DAKOTA Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
January 29, 1988

GARY SMITH
RR #1 BOX 18
MISSION HILL, SD 57046

NOTICE

Re: Violation of Water Permit No(s). 4827-3 and 1987 Irrigation
Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4827-3. 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 permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4827-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will also be to determine if Permit No(s) 359-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 9:00 am, March 2, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, South Dakota.

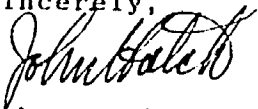
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 4827-3 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 359-3 also held by GARY SMITH to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Hatch".

John Hatch, Chief Engineer
Water Rights Division

Note: If the questionnaire(s) are received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

South Dakota Department of
Water & Natural Resources

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

March 14, 1988

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: GARY SMITH
RR #1 BOX 18
MISSION HILL, SD 57046

FROM: John Hatch, Chief Engineer
Water Rights Division
605-773-3352



SUBJECT: One Year Suspension Of Water Permit No(s). 4827-3

Pursuant to the provisions of the notice dated January 29, 1988, and following the hearing of March 2, 1988, the Water Management Board has ordered:

That Water Permit No(s). 4827-3 be **SUSPENDED** until December 31, 1988.

Suspension of a permit means water may not be pumped during the 1988 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

PS Form 3811, Dec. 1980

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered —c
☐ Show to whom, date, and address of delivery.. —c

GARY SMITH
RR 1 BOX 18
MISSION HILL, SD 57046

☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

P404 786 164

(Always obtain signature of addressee or agent)

☒ I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

5. DATE OF DELIVERY

POSTMARK

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S
INITIALS

3-15-88

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



Department of Water & Natural Resources

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

March 31, 1988

4827-3

Gary Smith
RR 1, Box 18
Mission Hill SD 57046

Dear Mr. Smith:

I am writing to acknowledge receipt of your 1987 irrigation questionnaire. The Water Management Board took action to suspend your water permit at their March 2, 1988 meeting. This action was taken since the questionnaire data was not in our office prior to the hearing.

The questionnaire has been received, however, it does not change the Board's action to suspend your permit. If you want to petition the Water Management Board to rescind the suspension, you will need to submit a letter to our office requesting time on the agenda for the Water Management Board Meeting to be held May 11, 1988 in Pierre. The letter should include your reasons for not returning your irrigation questionnaire prior to the March Board Meeting.

If you have any questions, please contact us.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch". The signature is written in dark ink and is positioned above the typed name and title.

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



Dept of Water & Nat. Res.

Dear Water Management Board

I would like to petition the suspension of my water permit. The reason being the questionnaire data was not sent in on time was a mistake. I thought my father sent it in before he went South for the winter, but he didn't. I should not have ignored your warning letter after that. I

Thank You for your time

Gary Smith
RR 1 Box 18
Mission Hill SD
57046

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

May 3, 1988

NOTICE

TO: Gary Smith
RR 1, Box 18
Mission Hill SD 57046

FROM: JOHN HATCH, Chief Engineer *John Hatch*
Water Rights Division
605 773-3352

SUBJECT: Notice of Hearing to Consider request for
Reconsideration of Suspended Water Permit No. 4827-3

The hearing on your request to the Water Management Board to reconsider suspension of Water Permit No. 4827-3 has been scheduled for 9:15 am, May 11, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, SD.

As stated in the notice to you dated January 29, 1988, 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.

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of your permits, defer action or taken no action. The hearing is an adversary proceeding and any party 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. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

cc: Harold Deering, Assistant Attorney General



CERTIFICATION

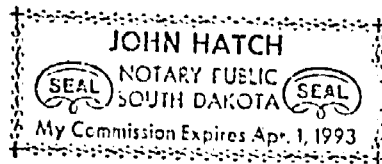
I hereby certify that on May 3, 1988 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing Notice of Hearing to Consider Request for Reconsideration of Suspended Water Permit No. 4827-3 addressed as follows:

Gary Smith
RR 1, Box 18
Mission Hill SD 57046

KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 4th day of May, 1988.



John H. H. H.
Notary Public

Gary Smith
Water Permit No. 4827-3

GENERAL

Application submitted by: George W Smith
RR #1 Box 16
Mission Hill, SD 57046

Permit Approved: December 3, 1981

Permit was approved with the "irrigation questionnaire" qualification.

Permit Transferred February 6, 1984 to: Gary Smith
RR #1 Box 18
Mission Hill, SD

Water Right No. 359-3 is also listed in the above name.
(The water right was amended March 2, 1988 to include the
Irrigation Questionnaire Qualification for non-return of the
1987 questionnaire)

SIX YEAR HISTORY OF IRRIGATION QUESTIONNAIRE RETURNS

Year	Date <u>Request Mailed</u>	Date Irrigation Questionnaire <u>Returned</u>	Date of Any <u>Board Action</u>
1982	September, 1982	October 25, 1983	October 5, 1983
1983	November, 1983	January 3, 1984	None
1984	October, 1984	February 26, 1985	None
1985	November, 1985	April 21, 1986	None
1986	November, 1986	April 27, 1987	None
1987	October, 1987	March 17, 1988	March 2, 1988

PAST VIOLATIONS

1. 1982 Irrigation Questionnaire Violation:

December, 1982, a follow-up request was sent to George Smith indicating his 1982 questionnaire had not been received.

March 22, 1983, George Smith was notified that we still had not received his questionnaire and that submission of the questionnaire was a qualification of his permit and failure to return the form was a violation of the conditions under which the permit was approved.

July 19, 1983, the Board directed owners of permits not in compliance with the irrigation questionnaire qualification be given until August 30, 1983 to submit the 1982 questionnaire. (Another blank questionnaire was sent along with this notice.)

September 13, 1983, George Smith was given notice of permit violation for non-return of his 1982 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held October 5, 1983.

October 5, 1983, the Water Management Board suspended Water Permit No. 4827-3 until October 5, 1984, unless the required 1982 irrigation water use questionnaire was submitted by November 11, 1983.

October 26, 1983, the 1982 irrigation questionnaire was submitted. Mr. Smith was notified that receipt of the questionnaire rescinded action taken by the Board to suspend Water Permit No. 4827-3.

2. 1986 Irrigation Questionnaire Violation

March 23, 1987, Gary Smith was given notice of permit violation for non-return of his 1986 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held May 6, 1987.

April 27, 1987, Gary Smith returned the 1986 irrigation questionnaire.

3. 1987 Irrigation Questionnaire Violation

January 29, 1988, Gary Smith was given notice of permit violation for non-return of his 1987 irrigation questionnaire and of the hearing scheduled before the Water Management Board to be held March 2, 1988.

March 2, 1988, The Water Management Board suspended Water Permit No. 4827-3 until December 31, 1988.

March 14, 1988, Mr. Smith was notified of the Board action to suspend his water right.

March 17, 1988, the 1987 irrigation questionnaire was received.

March 31, 1988, Mr. Smith was notified his 1987 irrigation questionnaire had been received, however, this did not change the Board's decision to suspend his permit. He was advised that if he wished to irrigate, he would need to petition the Water Management Board to rescind the suspension.

May 3, 1988, A letter was received from Mr. Smith requesting time on the Board's May 11, 1988 agenda to explain his position concerning the suspension of his water permit.

May 3, 1988, Mr. Smith was sent Notice of Hearing to Consider Request for Reconsideration of Suspended Water Permit No. 4827-3.



Department of Water & Natural Resources

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

May 13, 1988

NOTICE

TO: Gary Smith
RR 1, Box 18
Mission Hill SD 57046

FROM: John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

SUBJECT: Reinstatement of Suspended Water Permits and Notice of
One Year Suspension Without Reinstatement for Future
Irrigation Questionnaire Violations

The Water Management Board, following the May 11, 1988, hearing
passed the following motion:

"That the owners of Water Permits No. 1372-2 (Earl Sonnenschein & Sons); 1731-2 (Buckles Ranch); 235-3 (Russell Doolittle); 2171-3, 2497-3, 3229-3 (Harlan Stadheim); 2174-3, 2175-3, 2413-3, 3223-3, 4353-3, 5026-3, 5038-3 (Poinsett Hutterian Brethern); 3264-3 (John Heber); 3479-3, 4237-3 (Bob Kohnen) 3825-3 (Rod Page, operator); 4017-3 (Martin Ronning); 4257-3 (Patricia Ronning & Jeanette Hurrell); 4521-3 (Tom/William Maher & Harvey Buhl); 4564-3, 4611-3 (Wendell Bishop); 4660-3 (Dihl Grohs); 4732-3 (Gerald Benjamin); 4741-3 (Lois J Elsing); 4827-3 (Gary Smith); 4844-3 (Gerald Goetsch); 4966-3 (Delano Hofer); 4985-3, 4992-3, 5043-3, 5044-3 (Ray & David Hanson); 4754-3 (Richard Deare); and 375-2 (Rhea Brill), have now submitted the 1987 irrigation questionnaires for these permits, that a 60 day suspension period has been completed and that these permits are reinstated effective immediately. The owners of the permits are also NOTIFIED that failure to submit future required irrigation questionnaires will result in a one year suspension without reinstatement."

If you have any questions, please contact us.

cc: Water Management Board



CERTIFICATION

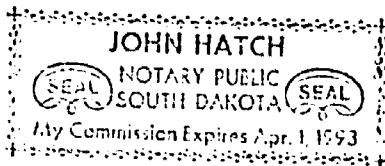
I hereby certify that on May 13, 1988 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing Notice of Reinstatement of Suspended Water Permits addressed as follows:

Gary Smith
RR 1, Box 18
Mission Hills SD 57046

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 16th day of May, 1988.



John Hatch
Notary Public

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4827-3

(1) George W Smith of Mission Hill, SD 57046 made Application No. 4827-3, October 26, 1981 for a water permit to appropriate 2.28 cubic feet of water per second from ground water (one well), Yankton County, South Dakota for irrigation purposes. Permit No. 4827-3, with a priority date of October 26, 1981 was approved December 3, 1981 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 3, 1986 and for the application to beneficial use of said water on or before December 3, 1988.

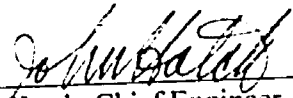
Water Permit No. 4827-3 was transferred February 6, 1984, from George W Smith to Gary Smith.

(2) It is certified that the applicant 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 1.83 cubic feet of water per second for beneficial use. The location of the diversion point is 2940' S26°E from the NW corner of Section 18, T94N, R54W (SW 1/4 NW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following 128 acres - all in Section 18, T94N, R54W

SW 1/4 NW 1/4	32 acres	NE 1/4 SW 1/4	32 acres
SE 1/4 NW 1/4	32 acres	NW 1/4 SW 1/4	32 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Gary Smith, 30572 446th Ave., Mission Hill, SD 57046-6002 the holder and/or owner of Water Permit No. 4827-3 is issued a license to appropriate water, the right to use 1.83 cubic feet of water per second from ground water (one well) with a priority date of October 26, 1981 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 Permit No. 4827-3 and subject to South Dakota State Law.



John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 2 1996

date



Permit No. 4827-3
Vermillion 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, August 1, 1995, made a thorough examination of the water use system constructed by George Smith (now operated by Gary Smith) of RR 1, Box 16, Mission Hill, SD 57046 holder of Permit No. 4827-3, bearing the priority of October 26, 1981 authorizing the diversion of 2.28 cu. ft. per second of the waters of groundwater for irrigation purposes, in Yankton County.

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

A. Works used to divert the water:

Water is diverted from a 15" diameter well 140 feet deep located 2940' S26°E from the NW corner of Sec. 18, T94N-R54W, (SE¼ SE¼ SW¼ NW¼ Sec. 18, T94N-R54W). The well uses a 8-inch diameter 3 stage Western Land Roller Pump powered by a 40HP U.S. Electric motor.

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

Water is transported through 20' of 8" Jameer aluminum pipe from the well to a pivot point located in the SE¼ SE¼ SW¼ NW¼ Sec. 18, T94N-R54W.

C. Works used to apply water to beneficial use:

Water is applied to beneficial use through an 8 tower Valley, low pressure center pivot system. The system is 1250' long and uses a Nelson 100 end gun.

The system is in the following condition good. The point of diversion is located 2940' S26°E from the NW corner of Sec. 18, T94N-R54W, (SE¼ SE¼ SW¼ NW¼ Sec. 18, T94N-R54W). 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:

<u>SW¼ NW¼ Sec. 18, T94N-R54W</u>	<u>32 acres</u>
<u>SE¼ NW¼ Sec. 18, T94N-R54W</u>	<u>32 acres</u>
<u>NE¼ SW¼ Sec. 18, T94N-R54W</u>	<u>32 acres</u>
<u>NW¼ SW¼ Sec. 18, T94N-R54W</u>	<u>32 acres</u>

comprising a total of 128 acres of land and the license should be issued for 1.83 cfs. Applicable permit qualifications have been complied with: YES

Exceptions to compliance are: NA


 Ken Buhler
 Natural Resources Engineer
 DENR, Water Rights Program

3/5/96
 Date

REPORT ON INSPECTION OF PERMIT NO. 4827-3

DATE OF INSPECTION: August 1, 1995

Other permit(s) associated with the project: na

DIVERSION POINT LEGAL LOCATION: 2940' S26°E from the NW corner of Sec.18, T94N-R54W
(SE¼ SE¼ SW¼ NW¼ Sec. 18, T94N-R54W)

WELL INFORMATION:

- 1) Well Drilling Firm: Christensen Well Co.
- 2) No. of Wells one
- 3) Depth(s) 140 feet
- 4) Well log is available Called Bill Christensen for log March 5, 1996

Casing:

- 1) Diameter 15 inches O.D.
- 2) Length 110 feet
- 3) Type PVC

Screen:

- 1) Type Slotted PVC
- 2) Length 30 feet
- 3) Static water level 61 feet

Pump:

- 1) Make Western Land Roller
- 2) Model 8" Water lube, 16x8 head
- 3) Size 3 stage, 12CM impeller
- 4) Capacity 850 GPM

Motor:

- 1) Make U.S. Electric High Thrust
- 2) Frame 324TP WP
- 3) ID No. R-6229-04-167R2148537
- 3) Horsepower rating 40 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type Aluminum
- 2) Size 8 inches
- 3) Length 20 feet

SYSTEM TYPE:

Center pivot:

- 1) Make Valley (Serial No. 38526, Model No. 8665)
- 2) Overall length 1250 feet
- 3) Number of towers 8 (3-160' spacing, 5-147' spacing, 26' overhang)
- 4) End gun Nelson 100 (should spray 90')
- 5) High or low pressure low (27 psi with end gun, 30 psi without end gun)
- 6) Capacity 850 GPM

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

April 9, 1996

4827-3

Gary Smith
30572 446th Avenue
Mission Hill, SD 57046-6002

Dear Mr. Smith:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 4827-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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 number. This will insure proper handling of the fee.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

4827-3

Gary Smith
30572 446th Ave.
Mission Hill, SD 57046-6002

Dear Mr. Smith:

Enclosed is Water License No. 4827-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414919 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4827-3, 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 License, 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

gm
enclosures

RECEIPT

414919

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ April 22, 19 96

RECEIVED OF Gary Smith, RR 1, Box 18, Mission Hill, SD 57046

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. 4827-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

50 00

(Any Other Work Provided by Law)

Total

50 00

By John A. H. [Signature]

PLEASE COMPLETE
ENTIRE FORM

WELL DRILLERS REPORT
Division of Water Rights
Department of Water & Natural Resources

6/60

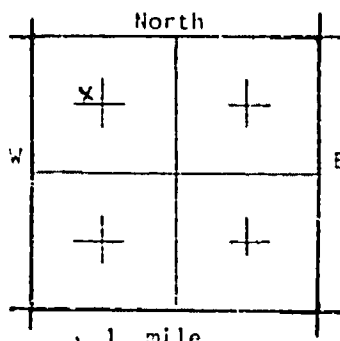
Well Owner:

Name GEORGE SMITH

Address MISSION HILL SD

Well Location:

Mark location
with an "X"



County YANKTON

W. 1/2 Sec. 18 Twp. 94N Rg. 54W

Proposed Use:

☐ Domestic ☐ Municipal ☐ Test
Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

☐ Forward Rotary ☐ Bored ☐ Jetted
☒ Reverse Rotary ☐ Cable ☐ Other

Well Construction:

Diameter of Hole 28"

Depth 140'

Casing ☐ Steel ☐ Concrete

☒ Plastic ☐ Other

If other, specify _____

Was casing end left open NO

Was a well screen installed YES

Describe Well Screen

Diameter 15" SLOTTED Material FWL

Slot size 1/4"

Was well gravel packed YES

Was well grouted NO

Was water sample taken YES

Remarks:

Water Level Information:

Static water level 61 below land surface

If flowing: closed in pressure _____ PSI
rate of flow _____ GPM

Controlled by:

☒ Valve ☐ Reducers ☐ Other

If other; specify _____

Well Test Data:

☒ Pumped

8" TURBIN TEST

☐ Bailed

Describes: FWL

☐ Other

Pumping Level Below Land Surface

67 ft. After 1/2 Hrs. pumped 660 GPM

68 " " 1 " " 800 "

71 " " 1/2 " " 1500 "

Well Log:

Formation	Depth	
	From	To
TOP SOIL	0	2
BRY CLAY + STONES	2	44
BLUE CLAY	44	48
FINE SAND STRIERS	48	57
CLAY CLAY		
COURSE SAND	57	109
CLAY COARSE GRAVEL	109	120
ROCKS		
COURSE SAND +	120	140
FINE GRAVEL		

(Use Back if Necessary)

Date Completed:

7/14/82

Driller:

CHRISTENSEN WELL CO. 444

Driller's or Firm's Name License NO.

RT 1 HARTINGTON, NE

Address

William J. Christensen

Signed By

4/15/82

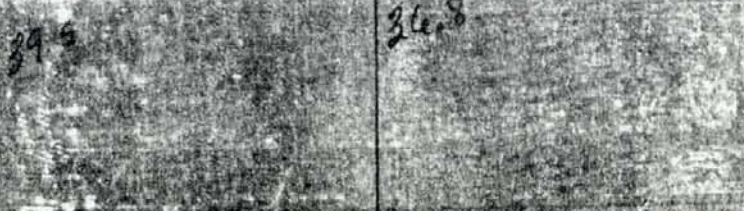
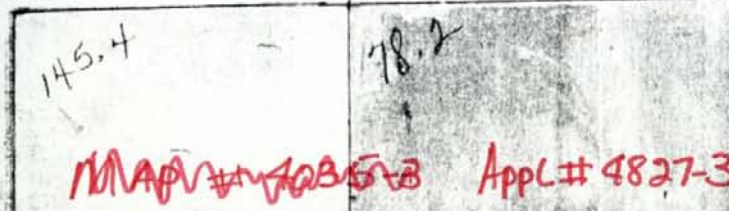
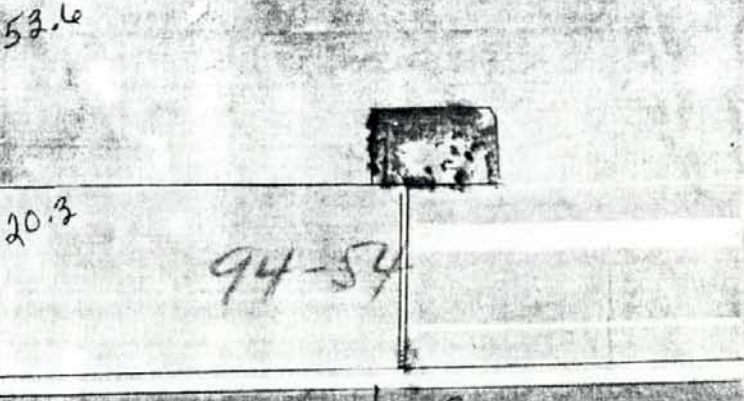
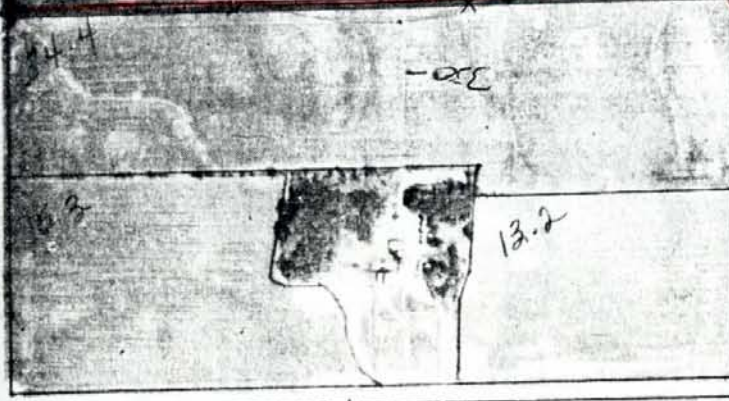
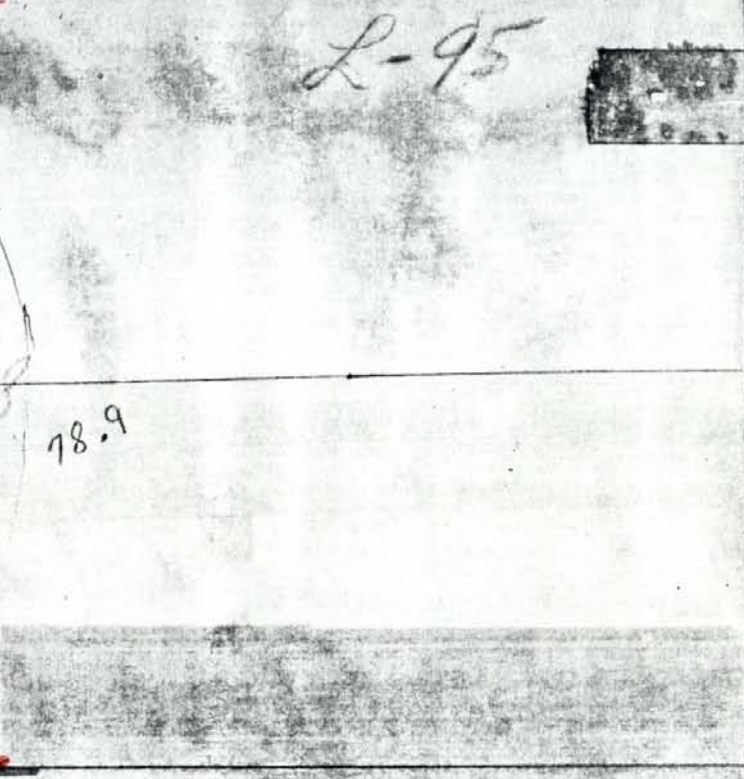
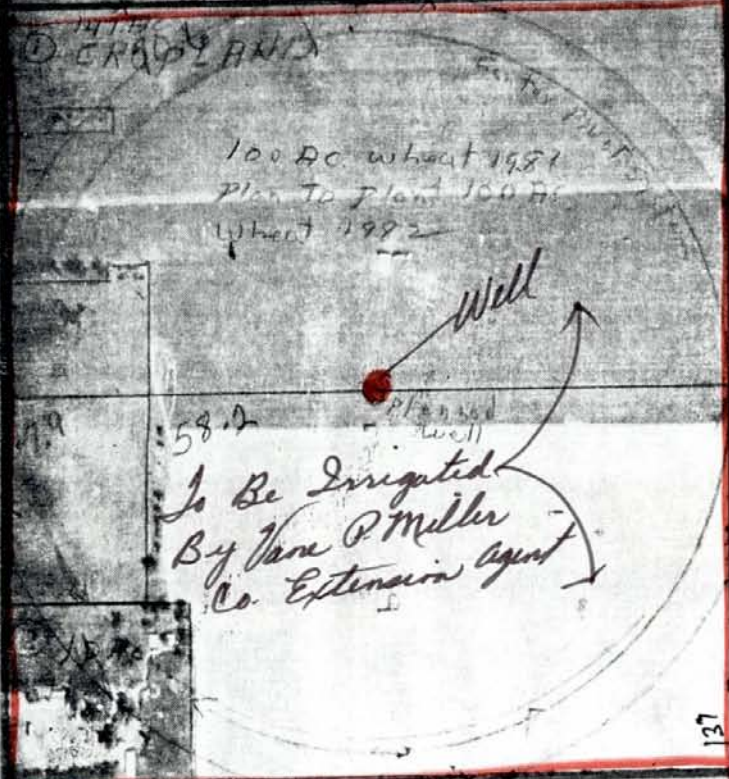
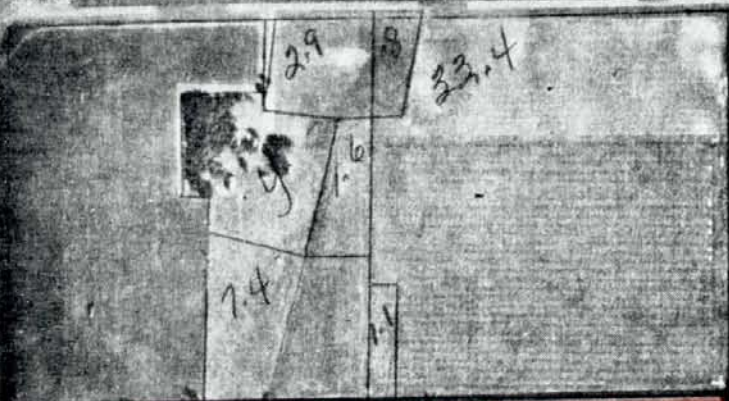
Date

DATE MICROFILMED

CAMERA OPERATOR

NOT TO SCALE

20841
21382



L-95

94-54

36.8

MAP # 103523 Appl # 4827-3

