

WATER PERMIT NO. 6555-3

Name of Applicant: Steve Schmidt

Address: 44847 307th St, Mission Hill SD 57046

Phone: 605 267-2408

Amount of Water Claimed: ^{2.24}129 cfs

Total Acres: 157 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Yankton

Type of Waste Disposal System:

Location: 5 miles northeast of Yankton

PRIORITY

Date Received: 12-15-04

Application/License Fee: \$300

Corrected Application Received:

Period of Annual Use: July 1 – Sept 30

Remarks:

Diversion Point: center SE ¼ Sec 21-T94N-R54W

Land to be Irrigated: SE ¼ Sec 21-T94N-R54W

Depth of Well: 100

Well Driller: : Christensen Well & Irrigation

Remarks:

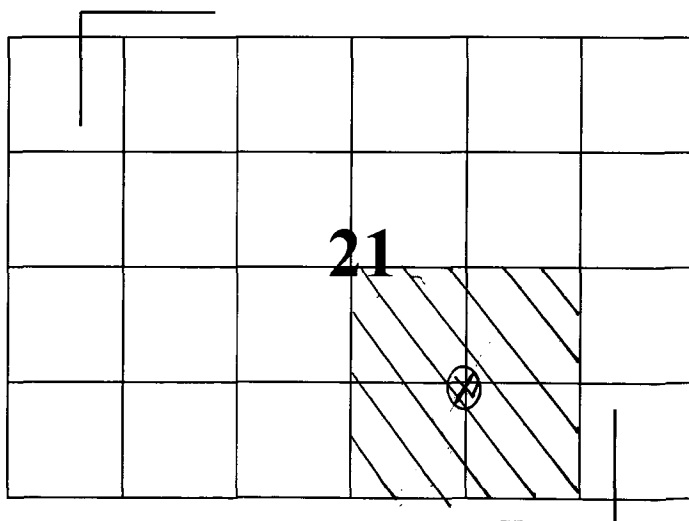
Type of Map: aerial

Prepared by: Steve Meyer, NRCS

Reviewed and the Number Assigned on: 12-15-04

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6555-3</u>	(office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>	
	Newspaper <u>Daily Press + Dakotan, Yankton</u>	

RECEIVED
DEC 15 2004
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

- Name of Applicant Steve Schmidt Phone 605-267-2408
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 44847-307 + 1/2 St. Mission Hill SD State 57046
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 2.24 *CFS or 1007 **GPM 580 ***AF Total Acreage 157
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 21-94-54 SE4
Volin township Parcel 02, 021, 200, 200 02631
(approximate center SE4) County Yankton
- County or counties where water will be used Yankton
- Annual period during which water is to be used July 1 Aug. Sep. 30
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>21-94-54-SE4</u>	<u>157</u>	<u>SE4 - NW4-SE4</u>	<u>40</u>
		<u>SE4 - NE4-SE4</u>	<u>40</u>
		<u>SE4 - SW4-SE4</u>	<u>40</u>
		<u>SE4 - SE4-SE4</u>	<u>4037</u>

8. Give a description of the project. (Attach sheet if more space is needed)

dig a well + put center pivot on this quarter of
Land

STATE OF SOUTH DAKOTA) SS

County of Yankton

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Steve Schmidt, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Steve Schmidt

Subscribed and sworn to before me this 6th day of December 20 04

My Commission expires:
6-26-2010

Cheryl A. Oster
Notary Public signature
CHERYL A. OSTER

**SOUTH DAKOTA
WATER PERMIT NO. 6555-3**

Date of first receipt of application December 15, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6555-3 to Steve Schmidt, 44847 307th St, Mission Hill SD 57046 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6555-3 appropriates 2.24 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 100 feet deep) located in the approximate center of the SE ¼ Section 21 to irrigate 157 acres located in the SE ¼ Section 21; all in T94N-R54W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: July 1 – October 31.
3. The date from which applicant may claim right is December 15, 2004.
4. The date of approval of Permit No. 6555-3 is January 31, 2005.
5. One-fifth of the construction is to be completed on or before July 31, 2007.
6. All construction is to be completed on or before January 31, 2010.
7. Water is to be put to beneficial use on or before January 31, 2014.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6555-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAR 30 2005

date



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 15, 20 04

RECEIVED OF Willard Schmidt, 43970 306th St., Yankton SD 57078

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

Fee for Application for Permit No. <u>6555-3</u> to Appropriate Water, to construct and to put water to beneficial use	250	00
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. <u>6555-3</u>	50	00
Fee for Filing Transfer Form _____		
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	300.00

No.

006-225

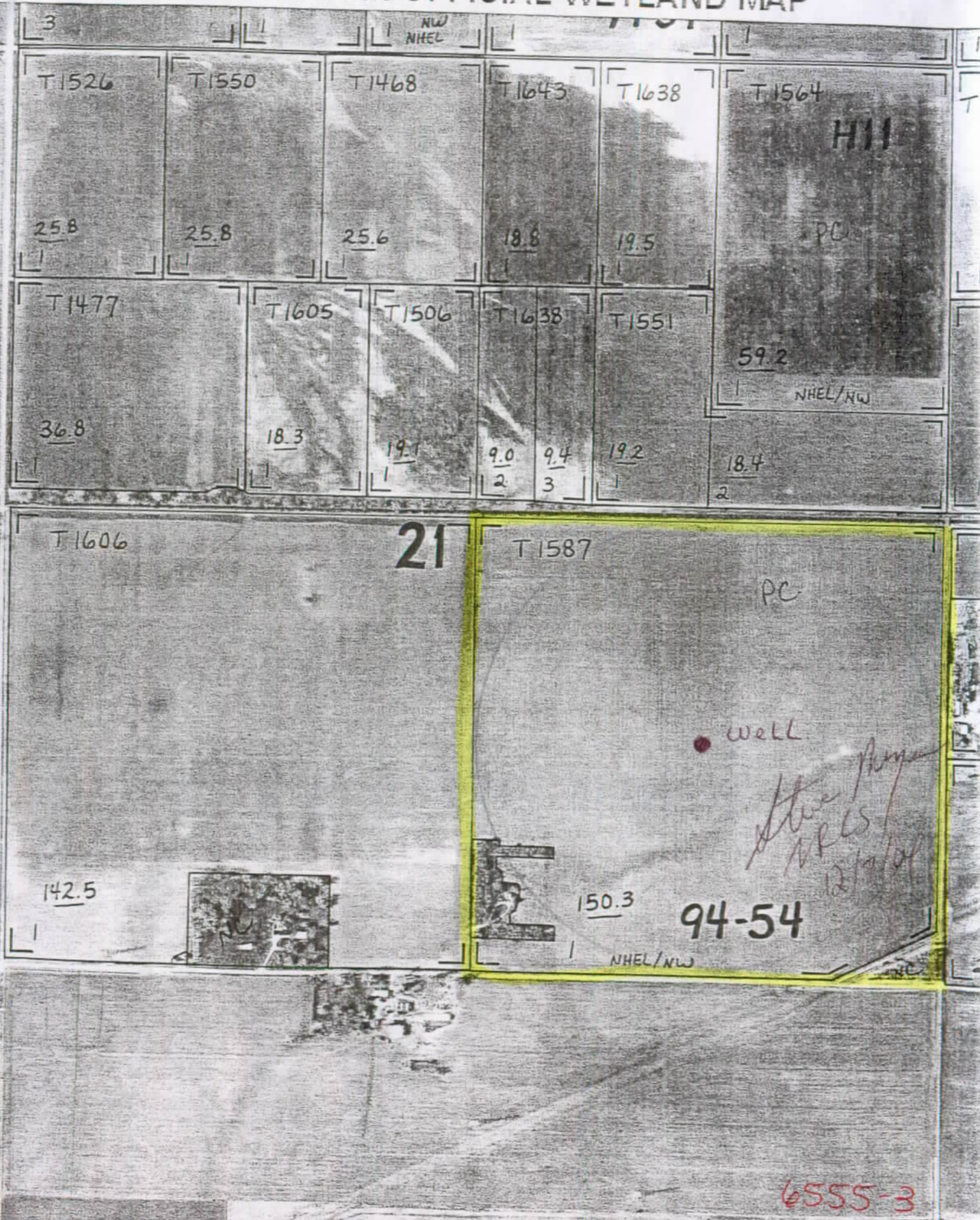
By

Darlene Erbe
Chief Engineer
gme

2002

4201

MAP NOT TO SCALE Steven Schmidt
THIS IS NOT AN OFFICIAL WETLAND MAP





CHRISTENSEN WELL & IRRIGATION, INC.

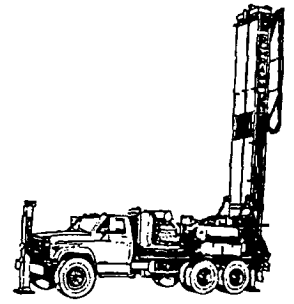
Well, Pump & Water Systems

T-L Pivot Dealer

88005 Hwy. 57

HARTINGTON, NEBRASKA 68739

Office 402-254-6809



Both of these wells are in the river bottom + this is the best estimate of formations that will be encountered - testholes have not been done yet.

0-25 top soil + silty clay
25-100 sand, gravel + ROCKS

water level
10'-20'

pumping level

20 to 30' @ 580 GPM

* proposed well is
drilling 28" hole
+ setting 16" PVC casing

Cody W. Christensen - Driller
License # 444

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application Nos 6554-3 and 6555-3, Willard and Steve Schmidt

ADDRESS: COUNTY: Yankton

DATE: December 22, 2004 TELEPHONE: 402 357-3360

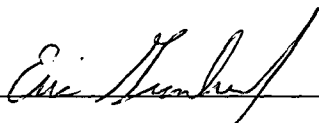
RE: Diversion rate for there two applications.

I contacted Mr. Schmidt regarding why they only requested 580 gallons per minute on each of their applications. He stated that he thought that was the maximum amount that they could request.

I informed him that the statutory limit for the 157 and 160 acres listed in the application is around 1000 gallons per minute. He asked that I amend the applications (both Willard and his) to appropriate the maximum amount for the acres to be irrigated.

I explained that the permit authorized them to construct and begin using the water. At some time in the future, the permit will be licensed for what is actually developed.

COMMENTS:

NAME: 

REPORT ON WATER PERMIT APPLICATION NO. 6555-3
For Steve Schmidt
December 22, 2004

Application No. 6555-3 proposes to appropriate 2.24 cfs from one well approximately 100 feet deep located in the center of the SE ¼ of section 21 to irrigate 157 acres located in the SE ¼ of section 21; all in T94N R54W in Yankton County.

AQUIFER – MISSOURI ELK POINT (M-EP)

The Missouri Elk Point is an alluvium mantled outwash (sand and gravel) that is under water table conditions in this area. Christensen described the aquifer as follows “On the floodplains of the Missouri and Vermillion Rivers the outwash is overlain by alluvium—gravel, sand, silt, and clay that was transported by the rivers and deposited at places where the velocity of the water was insufficient to maintain the materials in motion. Much of the floodplain alluvium is permeable and forms a single aquifer with the underlying outwash” (Christensen, 1967). The aquifer underlies 45,000 acres and contains an estimated 675,000 acre-feet of recoverable water in storage in Yankton County (Hedges, 1982). The aquifer extends into Clay County to the east, blends into the Lower James Missouri aquifer to the north and is hydraulically connected to the James, Missouri, and Vermillion Rivers. In the subsurface, the aquifer appears to be hydraulically connected to the Niobrara aquifer just to the north of this application (Bugliosi, 1986). The Missouri Elk Point aquifer is roughly equivalent to the southern one-half of the Lower James Missouri aquifer as described by Bugliosi. Ground water movement is probably from north to south and toward the Missouri River in this area.

No test well logs were filed with this application. However, there is sufficient information available from the county study, area drilling records and observation wells to evaluate this application. The aquifer is present under the site, the well depth should be about 100 to 110 feet and it is likely that one well would be sufficient to produce the amount of water requested by this application.

The Water Rights Program monitors eight observation wells located within four miles of this site. Observation well YA-57E is located immediately adjacent to this application and is completed into the Missouri Elk Point aquifer. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of producing additional withdrawals (Water Rights, 2004). A hydrograph for this observation well is included with this report.

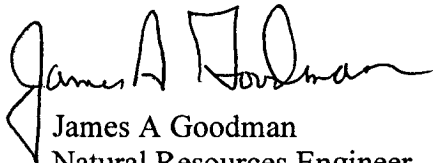
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing irrigation wells are located about two miles southeast of this application (Water Right No. 4613-3) and two miles northwest of this application (Water Right No. 4782A-3) and about ¾ mile south (Water Permit No. 6498-3). Interference is

not a concern. At this distance between wells drawdown should not be significant. The only other water users in the area would be for domestic use. Historically, there have never been any disputes or complaints concerning water use and availability in this area. There is very little irrigation development in this area.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.
2. At this site the aquifer could be under water table or confined conditions however, this would not be significant since the aquifer would behave like it is under water table conditions anyway. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.

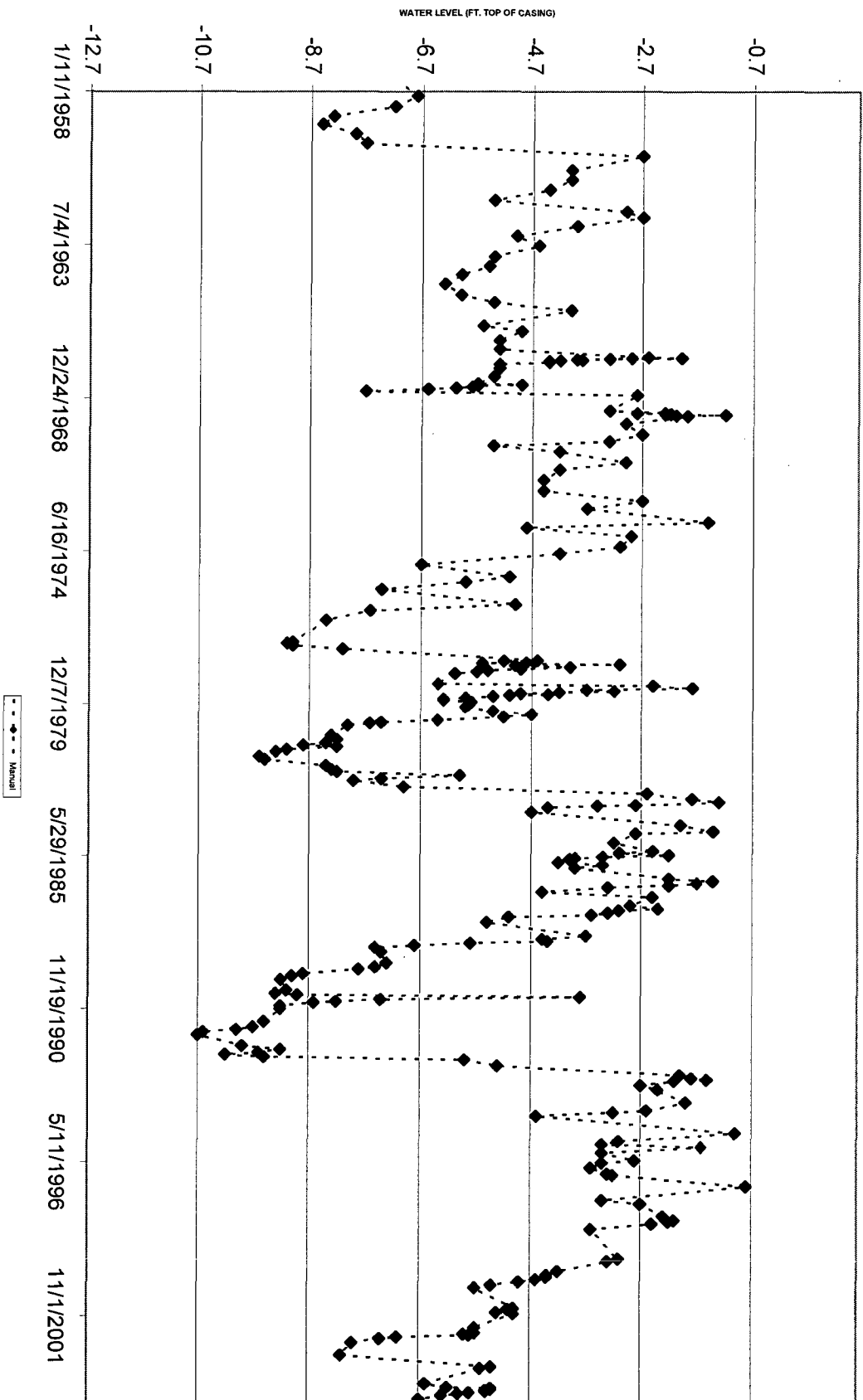


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Bugliosi, E.F., 1986, Water Resources of Yankton County, South Dakota, Water-Resources Investigations Report 84-4241, USGS, Huron, SD, 57350.
- Christensen, C.M., J.C. Stephens, 1967, Geology and Hydrology of Clay County South Dakota, Part II Water Resources, Bulletin 19, SD DENR, SDGS, Vermillion, SD, 57069.
- Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 2004, Unpublished Observation Well Data for Missouri Elk Point Aquifer, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
YA-57E





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6555-3 Steve Schmidt**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6555-3, Steve Schmidt, 44847 307th Street, Mission Hill SD 57046.

The Chief Engineer is recommending APPROVAL of Application No. 6555-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6555-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
January 6, 2005

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

1+12+19

**NOTICE OF APPLICATION
NO. 6555-3
to Appropriate Water**

WATER RIGHTS PROGRAM
ATTN: KAREN
523 E. CAPITOL
PIERRE, SD 57501

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT HE IS THE MANAGING EDITOR OF THE YANKTON
PRINTING COMPANY, A CORPORATION, THE PRINTER AND THE
PUBLISHER OF THE YANKTON DAILY PRESS AND DAKOTAN, A LEGAL
DAILY NEWSPAPER PRINTED AND PUBLISHED IN THE CITY OF YANKTON,
SAID COUNTY AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF
THE SAID COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE
ANNEXED NOTICE OF APPLICATION NO. 6555-3 TO APPROPRIATE WATER
TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE
NEWSPAPER ON THE 19TH DAY OF JANUARY, 2005.
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$44.00 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 1/12/05; 1/19/05

FILED ON: 1/21/05

Notice is given that Steve Schmidt, 44847 307th St, Mission Hill SD 57046 has filed an application for a water permit to appropriate 2.24 cubic feet of water per second from one well to be completed into the Missouri: Elk Point Aquifer (approximately 100 feet deep) located in the approximate center of the SE 1/4 Section 21 to irrigate 157 acres located in the SE 1/4 Section 21; all in T94N-R54W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6555-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the

SUBSCRIBED AND SWORN TO BEFORE ME THIS 21ST DAY OF JANUARY, 2005.

[Signature]
NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 8/19/2009

**RECEIVED
FEB - 2 2005
WATER RIGHTS
PROGRAM**

applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 31, 2005.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

Steven M. Pirner, Secretary,
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

January 6, 2005

Daily Press & Dakotan
PO Box 56
Yankton SD 57078-0056

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6555-3 to Appropriate Water to be published twice. Please publish the first notice on January 12, 2005 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Steve Schmidt, 44847 307th, Mission Hill SD (Ph # 605-267-2408).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 6555-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of January 6, 2005 enclosing Notice to Appropriate Water by Application No. 6555-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper - Publish first Notice on January 12, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6555-3 to Appropriate Water

Notice is given that Steve Schmidt, 44847 307th St, Mission Hill SD 57046 has filed an application for a water permit to appropriate 2.24 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 100 feet deep) located in the approximate center of the SE ¼ Section 21 to irrigate 157 acres located in the SE ¼ Section 21; all in T94N-R54W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6555-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 31, 2005.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

January 6, 2005

Steve Schmidt
44847 307th St
Mission Hill SD 57046

Dear Mr. Schmidt:

Water Permit Application No. 6555-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Daily Press & Dakotan printed at Yankton, SD (Ph # 605-665-7811). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



MAR 3 0 2005

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Steve Schmidt
44847 307th St
Mission Hill SD 57046

Dear Mr. Schmidt:

Enclosed is Water Permit No. 6555-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date July 20 - 06

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Steve Schmidt
(name)

44847 307 St.
(address)

MISSION HILL SD 57046 605-267-2408
(city, state, zip) (phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

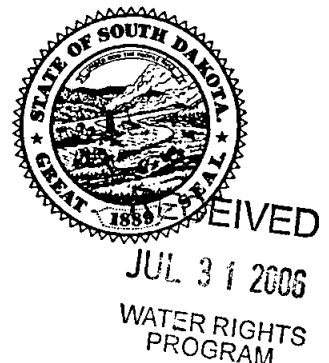
Water Permit No. 6555-3 states that the water use system is to be constructed by
Jan. 31 - 2010 , and water is to be put to beneficial use by Jan 31 2014 .
(date) (date)

The water use system was completed on July 20 - 2006 .
(date)

Applying the water to beneficial use was completed on July 20 - 2006 .
(date)

You may schedule an investigation so that the water license may be issued.

Steve Schmidt
(signature)



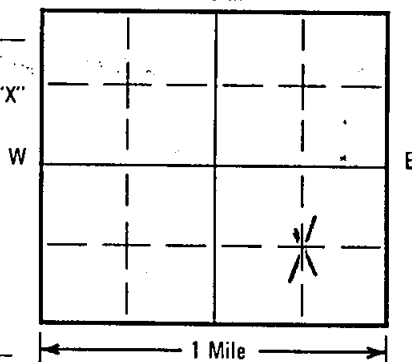
SOUTH DAKOTA WATER WELL COMPLETION REPORT

6555-5
07-92

Location SE 1/4 SE 1/4 Sec 21 Twp 94 Rg 54W

County Yankton

Please mark well location with an "X"



Well Completion Date

5-15-06

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 2500 ft. from septic on place (identify source).

PROPOSED USE:

- ☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>1100</u> LB/FT	<u>16</u> IN	<u>0</u> FT	<u>20</u> FT	<u>28</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Barocal</u>	_____	_____ lb./gal	<u>0</u> ft	<u>20</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure pressure grouted w/ pump

SCREEN: ☒ Perforated pipe ☐ Manufactured

Diameter 16 IN Length 40 FEET

Material PVC

Slot Size 1085 Set From 20 Feet to 60 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: chlorine

☐ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: David & Elaine Schmidt

Business Name: _____

Address: 87419

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>top soil</u>	<u>0</u>	<u>19</u>
<u>gravel</u>	<u>19</u>	<u>32</u>
<u>clay</u>	<u>32</u>	<u>41</u>
<u>gravel & rocks</u>	<u>41</u>	<u>65</u>

STATIC WATER LEVEL 7 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

- ☒ Pumped Describe: test pump
☐ Bailed _____
☐ Other _____

Pumping Level Below Land Surface

14 ft. After 1 Hrs. pumped 850 GPM

18 ft. After 2 Hrs. pumped 1100 GPM

If pump installed, pump rate 800 GPM

REMARKS

This well was drilled under license # 444

And this report is true and accurate.

Drilling firm Christensen Well & Pumping

Signature of License Representative: Lois W. Christensen RECEIVED

Signature of Well Owner or Equitable Property Holder: David Schmidt JUL 31 2006

Date: July 27 2006

WATER RIGHTS PROGRAM

Permit No. 6555-3
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, **July 13, 2006**, made a thorough examination of the water use system constructed by **Steve Schmidt** of **44847 307th Street, Mission Hill SD 57046** holder of Permit No. **6555-3**, bearing the priority of **December 15, 2004** authorizing the diversion of **2.24** cu. ft. per second of the waters of **ground water (Missouri Elk Point aquifer)** for **irrigation** purposes, in **Yankton** County.

Inspection contact & relationship to permit holder, if applicable: **Steve Schmidt**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Christensen**
- 2) No. of Wells **1**
- 3) Depth(s) **60** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **16** inches
- 2) Length **20** feet
- 3) Type **Plastic**

Screen:

- 1) Type **PVC**
- 2) Length **40** feet
- 3) Static water level **7** feet

Pump:

- 1) Make **American Pump & Supply**

Motor:

- 1) Make **John Deere, diesel**
- 2) Model No. **4 cylinder**

B. Works used to apply water to beneficial use:

Center pivot:

- 1) Make **T & L**
- 2) Number of towers **7**
- 3) End gun **Y**
- 4) Low pressure **50 psi**
- 5) Capacity **800** GPM

Chemigation Equipment:

- 1) Does chemigate **N**

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by **Y**
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **Y**
- 3) Exceptions to compliance are: **none**

Report of Examination of Works

Permit No. 6555-3

The system is in good condition with the point of diversion located as follows: Well: 1,320 feet N and 1,320 feet W from the SE corner section 21-T94N-R54W (Latitude 42.94197, Longitude -97.22497 – center of SE¼). The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: **all in section 21-T94N-R54W**

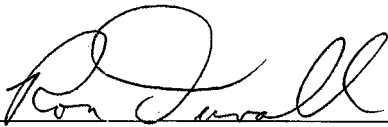
NE¼SE¼ 34 ac
NW¼SE¼ 34 ac

SW¼SE¼ 27 ac
SE¼SE¼ 34 ac

comprising a total of 129 acres of land and the license should be issued for 1.78 cfs.

All structures, wells and lands on map Y

| Comments or other permit(s) associated with the project: **none**



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: December 18, 2006

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: Steve Schmidt

ADDRESS: 44847 307th Street, Mission Hill SD 57046

DATE: November 6, 2006

RE: Response to October 26, 2006 correspondence

COMMENTS:

On November 6, 2006, Mr. Schmidt called concerning a letter sent to Mr. Schmidt on October 26, 2006 concerning Water Permit No. 6555-3. Mr. Schmidt indicated that the pivot does not swing a full circle due to a shelterbelt and a building.

RECOMMENDED ACTION:

A water license can be issued for the project as constructed. A notice of completion of works received on July 31, 2006 indicates that the project is completed and ready for licensing.

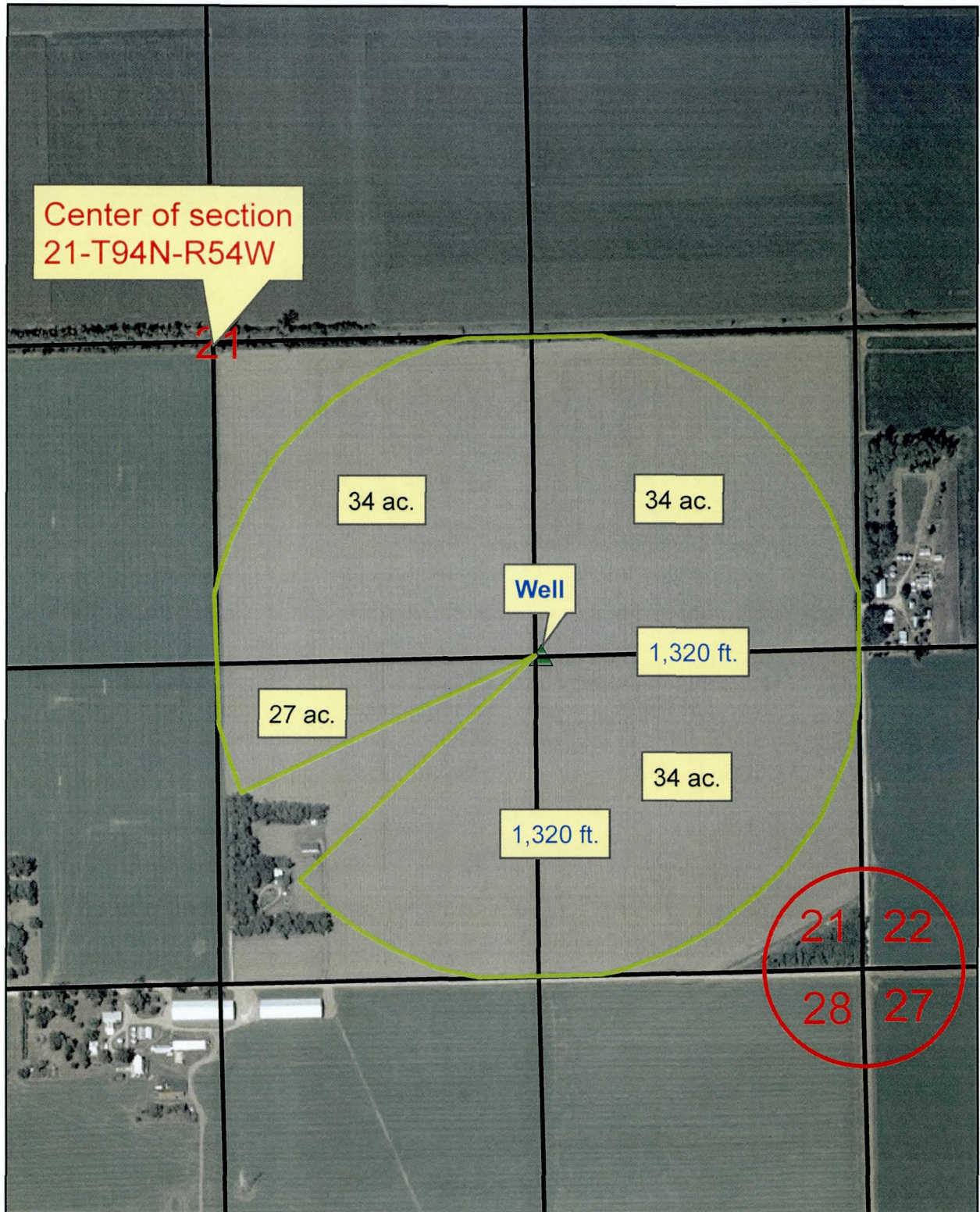


Ron Duvall
Natural Resources Engineer
Water Rights Program

Scale: 1 inch equals 617 feet

870

Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:

Ron Duvall

Ron Duvall, Natural Resources Engineer
Water Rights Program

Diversion point(s) located using GeoExplorer II GPS

Date: Nov 7, 2006

Water Right No. 6555-3



October 26, 2006

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Permit Nos. 6482-3, 6498-3 & 6555-3

Steve Schmidt
44847 307th Street
Mission Hill SD 57046

Dear Mr. Schmidt:

On July 13, 2006, I visited with you and inspected your water permits for purposes of issuing the water licenses which is the final step in getting a water right. I also inspected Willard Schmidt's permits and am enclosing a copy of the correspondence/maps that I sent to him concerning his two permits.

I would like you to review the following information to make sure it is accurate before any action is taken to license your permits.

Permit No. 6482-3 (see enclosed map)

The outline of this pivot did not show up on my aerial photography so I walked to the center of the pivot to GPS the location and did the same at the end of the pivot. The interior green circle represents the physical size of the pivot and the outer blue line is my estimated coverage accounting for the end gun spray – approximately 136 acres. This acreage total is based on the assumption that you provided a means for the pivot to make a full circle by crossing the drainage ditch. If this is true, then the number of acres irrigated exceeds the permitted number of acres. The permitted acreage is 90 and the total area is approximately 136 acres. If this is the case, then a new permit is needed for the additional acres. Please let me know if you agree with the acreage assessment.

Permit No. 6498-3 (see enclosed map)

This permit as developed is ready for licensing. If you see anything of concern on the map, please let me know. Otherwise the permit will be licensed for 136 acres using 700 gallons per minute.

Permit No. 6555-3 (see enclosed map)

This is your newest permit that you informed me had been completed. I did not have any information with me at the time of the inspection so I would like you to confirm that the enclosed map accurately represents the irrigated area. I used GPS coordinates to get the pivot center and the outer perimeter. However, I did not notice at the time of inspection whether the trees in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ had been removed to allow the pivot to make a full rotation. Please let me know if a full circle is being made.

If you have any questions, please let me know. I can be reached at (605) 773-3352.

Sincerely,

Ron Duvall
Natural Resources Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 23 2007

6555-3

Steve Schmidt
44847 307th St
Mission Hill SD 57046

Dear Mr. Schmidt:

Enclosed is Water License No. 6555-3. This is the final water right document completing your process of obtaining a Water Right.

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. 6555-3, 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.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6555-3

(1) Steve Schmidt, 44847 307th St, Mission Hill SD 57046 made Application No. 6555-3, December 15, 2004 for a water permit to divert 2.24 cubic feet of water per second from groundwater (one well), Yankton County, South Dakota for irrigation purposes. Permit No. 6555-3, with a priority date of December 15, 2004 was approved January 31, 2005 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 31, 2010 and for the application to beneficial use of water on or before January 31, 2014.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on July 31, 2006. The *Notice* stated the diversion system was completed on July 20, 2006 and the water placed to beneficial use on July 20, 2006.

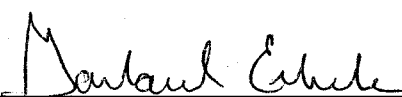
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 6555-3 is issued a license, bearing a priority date of December 15, 2004 to appropriate 1.78 cubic feet of water per second from groundwater (one well) to irrigate 129 acres.

The diversion point is located: 1,320 feet north and 1,320 feet west from the southeast corner of Section 21-T94N-R54W (center of SE ¼). The acres authorized for irrigation are as follows:

Section 21-T94N-R54W			
NE ¼ SE ¼	34 acres	SW ¼ SE ¼	27 acres
NW ¼ SE ¼	34 acres	SE ¼ SE ¼	34 acres
Total 129 acres			

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6555-3 including the following now applicable qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6555-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Garland Erbele, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

JAN 23 2007

date

