

756A.3

1. Considered 3-17, 19 76
2. Name of Applicant EIDE BROS.
3. Post Office Address CLEAR LAKE
4. Amount of water claimed 2.2
5. Source of water supply GROUND WATER (47' WELL)
6. Water to be used for IRRIGATION

Acres to be irrigated 153

7. Water to be diverted and used in DEUEL county
about 2 E miles of CLEAR LAKE

8. Proof of Publication Received 3-15-76

Not received _____

9. Application Approved _____

Subject to _____

Not Approved _____

Action deferred _____

10. Remarks:

No. 2564-3
 Map No. 1935-3 Water Division No. 3 BIG SIOUX RIVER District 1
 (Blanks to be Filled by the Engineer for the W. R. C.)


APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable)

1. Name of Applicant Eide Brothers - Gary Eide
 Postoffice address Clear Lake, State South Dakota 57226
 If a corporation show date and place of incorporation NH
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
3. Name of diversion work Eide Brothers Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 2.2
5. Source of water supply Well
6. Location of point of diversion 1860' N135°E of NW corner sec 18-115-48

- County Deuel
7. Annual period or periods during which water is to be used April through October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 153

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4 of NW 1/4 Sec 18-115-	35		
NE 1/4 " " " "	39		
SW 1/4 " " " "	39		
SE 1/4 " " " "	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use four years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Brackings Register
12. Principal Features of the Proposed Water Supply System.

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

Well with electrically driven deep well turbine

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

closed conduit

C. Works proposed to apply water to beneficial use.

center pivot irrigation machineEstimated 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 BrackingsI, GARY EIDE 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 Eide Bros by Gary EideSubscribed and sworn to before me this 14 day of Feb, 1976John L. Willeson
Notary Public (or other qualified officer)P.E.H. 1976

WATER RIGHT APPLICATION APPROVAL

WATER RIGHTS COMMISSION hereby approves Water Right Application No. 2564-3

EIDE Bros. (Applicant)

CLEAR LAKE (Post Office Address)

SOUTH DAKOTA 57226 With the following modifications:

The irrigation well approved under this Permit is located near domestic 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 existing domestic wells.

Date of first receipt of application FEBRUARY 23, 1976

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

Date of receipt of corrected application — 19 —

Approved MARCH 17, 1976, Recorded in Book 14 Page 342

WATER RIGHT PERMIT NO. 2564-3

WATER RIGHTS COMMISSION

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2564-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 23, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 17, 1978
3. The whole of said work is to be completed on or before MARCH 17, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 17, 1984
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 2.2 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 17, 1984; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 23RD day of MARCH 19 76

WATER RIGHTS COMMISSION

By:

John Halk
Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 26, 1979

Water License Issued MARCH 26, 1979

2564

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: 1/4 1/4 Section 18 Township 115 Range 419
 Well owner Eide Waterworks Clear Lake, C.A.
 Date well drilling completed July 24 Purpose of well Irrigation
 (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer
0-2	top soil	110 ft.
2-17	gravel	Depth to static water level
17-40	yellow clay - sand	Name of producing aquifer (if known) <u>Sand & gravel</u>
40-110	gray fine	Total depth of drill hole <u>158</u> ft.
110-156	sand & gravel	Depth to bottom of casing <u>158</u> ft.
		Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.
		<u>C-118' 1 1/2" 110</u>
		<u>fiberglass</u>
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
		<u>118-158 1 1/2" 110</u>
		<u>fiberglass</u>
		<u>screen</u>
		If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

Empire Irrigation Drilling Co. Inc.
 Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump Fairbanks-Morse 1/8" HP
 Type of pump horizontal Capacity of installed pump 800 G.P.M.
 Depth of pump placement 1000 ft., Date of pump installation July 1970

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Empire Irrigation Drilling Co. Inc.
 Name of Pump Installation Contractor

SOUTH DAKOTA GEOLOGICAL SURVEY

Location bbdh Section 13 T. 115 S. R. 48 E. (11)

Well: _____ Test Hole: BHD-2521 Land Owner: _____

County: Devel Date: 7/21/75 Elevation: 1795 (A, I, T)

E Log: _____ Samples: yes Drilling Company: SOGS-int.

Source of Data: Ralph Danz

[illegible]

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 2 d', Depth 47'
- (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 14" Thickness 3/16"
- (3) Perforated Screen.
Type Continuous slot, Diameter 14", Length 10'
- (4) Gravel Pack, Thickness 5", Length of gravel pack 10'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials 0' to 25' top material;
25' to 47' gravel & sand; 47' + clay

Depth to top of water bearing material 25'

Depth to bottom of water bearing material 47'

Thickness of water bearing material 22'

Depth to water (ground surface to water level) 25'

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

On same owner's property 90 rds. On property owned by others 240 rds.

G. Water Storage Dams.

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

Eide Bros by Mary Eide
Signature of Applicant

February 19, 1976



Eide Brothers
Clear Lake, SD 57226

Dear Sirs:

Enclosed you will find the original copy of the report of analysis for water sample #76-093. This is your copy; please keep it in a safe place. I am also enclosing a copy of extension circular 654 with the approximate quality of this water for irrigation purposes indicated by the red cross on the outside back cover. It is very good water indeed.

Thus, there is no possibility of a chemically-induced difficulty of soil tilth, dispersion, or salt accumulation as a result of use of this water. However, the land in the northeast corner of the quarter (approximately 25 acres) is definitely not irrigable land. The 10% slope and the thin soils rule it out as something which should be irrigated. The rest of the land, although of fairly high slope percentage (up to 8%), is irrigable if you take care not to apply water at rates above the infiltration rate of the soil and cause erosion.

A copy of this letter, and of the water analysis, and the WI-1 form are being sent to the Conservation Commission.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures

cc: State Conservation Commission

D. Lahl

Dale Wifala, County Extension Agent

Conservation
Commission
Form WI #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ON:

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature]

Disapproved: _____

NAME: Eide Bros

ADDRESS: Clear Lake South Dakota - 57226

COUNTY: Dakota (Land is in Grant Co.)

LEGAL DESCRIPTION

1. WELL LOCATION: Center of NW⁴ Sec 18 - 115 - 48

2. AREA TO BE IRRIGATED: NW⁴ Sec 18 - 115 - 48

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Center Pivot

4. CROPS TO BE IRRIGATED: Corn & Alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 4 - 10

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Egeland - 124 Ac.

(Soil Information on the other 20 Ac. is unknown)

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 76-093

8. SALINITY: EC = 520 μ mhos/cm (medium)

9. SODIUM: SAR = 0.28 (low)

I do hereby certify that a chemical analysis of the ground water to be acquired for irrigation from South Dakota State University and: the land capability for irrigation information has been acquired from

and:

that the legal description for the location of the well and land to be irrigated is true and correct.

Eide Bros by Harry Eide

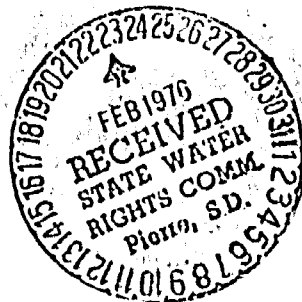
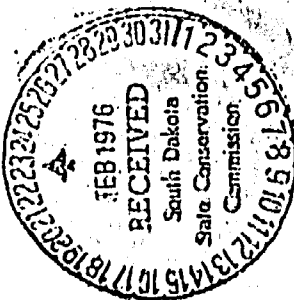
Subscribed and sworn before me this

14 day of Feb 1976.

John L. W. W. W.

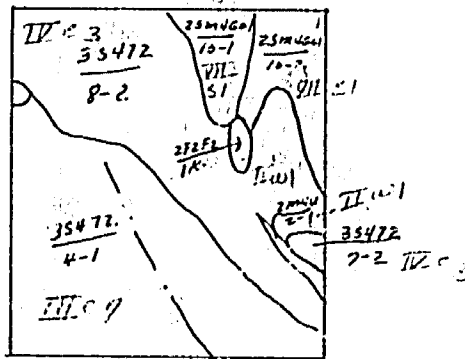
P. E. # 1916

(Title)

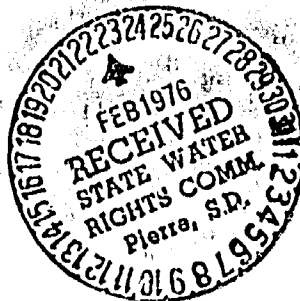


Mary Eide

35472 - Florida 7/1/6



IV c 3 = Inlets Family 1.5



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

Submitted by: Eide Brothers
Address: Clear Lake, SD 57226

Date Rec'd February 13, 1976
Sample No. 76-093
Identification Well #40
Feb. 18, 115N, R 48W

WATER ANALYSIS

Calcium (Ca)	75	ppm*	3.75	me/l**
Magnesium (Mg)	13	ppm	1.07	me/l
Sodium (Na)	10	ppm	0.44	me/l
Potassium (K)	42	ppm	1.08	me/l
Sulfate (SO ₄)	22	ppm	0.46	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	6	ppm	0.18	me/l
Bicarbonate (HCO ₃)	293	ppm	4.80	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	240	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	520	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.28			
Sodium	6.94	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.12			

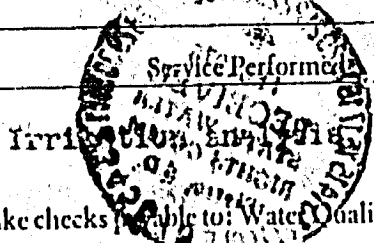
*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 6.34 mg/l
Total anions 5.44 mg/l

By: Shirley Kitten



Amount Due

\$8.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-093

Amount Enclosed \$

Signed

WATER LICENSE NO. 2564-3

(1) WHEREAS, On the 23rd day of February A. D. 19 76
Eide Bros.

made Water Right Application No. 2564-3 for a permit to use 2.2 cubic feet per second of the waters of _____

County of Deuel, State of South Dakota, for irrigation

_____ purposes; and

(2) WHEREAS, On the 17th day of March A. D. 19 76

Permit No. 2564-3 with a date of priority of February 23, 1976

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 17th day of March A. D. 19 81 and for the application to beneficial use of said water on or before the 17th day of March A. D. 19 84

and WHEREAS, on the 22nd day of February, 1979 the Permit No. 2564-3 was transferred to Gary Eide, Clear Lake, South Dakota

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.57 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

to irrigate portions of the following land in Section 18-T115N-R48W

	acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$	25
NE $\frac{1}{4}$ NW $\frac{1}{4}$	22
SW $\frac{1}{4}$ NW $\frac{1}{4}$	35
SE $\frac{1}{4}$ NW $\frac{1}{4}$	28
Total	110 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Gary Eide

_____ of Clear Lake, South Dakota

the holder _____ and owner _____ of said permit No. 2564-3 a water right, dating from _____

February 23, 1976 to use of 1.57 cubic feet per second of the waters

of groundwater (one well)

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

purpose hereinbelow mentioned, to be diverted at a point 1450 ft. South and 1170 ft. East of the

NW 1/4 Corner of Section 18-T115N-R48W

and conduct to and upon portions of land in Section 18-T115N-R48W more fully
described on the face of the License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2564-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 26th day of March A. D.

Nineteen Hundred and Seventy-nine

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer JOHN HATCH

Form 15.

Permit No. 2564-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Gary Elde

_____ the holder _____ of
Permit No. 2564-3, issued upon Application No. 2564-3, bearing date of priority of _____
February 23, 1976 authorizing the diversion of 2.2 cu. ft. per second of the waters of _____
ground water (one well) County of Deuel, State of South Dakota at _____
a point 1450 feet South and 1170 feet East of the NW corner of Section 18,
T115N, R48W

_____ for Irrigation

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit, that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.89 cu. ft. per second of water.

Date March 26, 1979

JOHN HATCH, Chief Engineer
Water Rights Commission

Form 6 - Notice of Intent to Appropriate Water

No. 2564-3

Publish first publication on or before March 4, 1976

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

February 24, 1976

Notice is hereby given that Eide Brothers
whose post office address is Clear Lake, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
2.2 cubic feet of water per second of time from the ground water through the
Eide Brothers Irrigation Project #1 the point of diversion of which is to be located in the _____

_____ Center of the NW 1/4 _____
of Section 18, Twp. 115N, Range 48W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

NW 1/4, Section 18, T115N, R48W

This application No. 2564-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 17th day of March, 19 76, at 1:00 P.M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Eide Brothers
Clear Lake, SD 57226

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Brookings)

I, James M. McLeellan Jr. hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Brookings Daily Register

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

City of Brookings

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

March 4, 1976

March 11, 1976

James M. McLeellan Jr.
(Signature)

Sen. Man.
(Title)

11 March 1976
(Date Signed)

Legal No. 107 - March 4 & 11, 1976
NOTICE OF INTENT TO APPROPRIATE WATER
Notice is hereby given that Elde Brothers whose post office address is Clear Lake, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from the ground water through the Elde Brothers Irrigation Project No. 1 the point of diversion of which is to be located in the Center of the NW 1/4 of Section 18, Twp. 115N, Range 48W. Said water to be used for the purpose of providing irrigation on the portions of the following described land: NW 1/4, Section 18, T115N, R48W.
This application No. 2564-3 will be considered by the Water Rights Commission at their office at Pierre upon the 17th day of March, 1976, at 1:00 P.M. All interested persons may appear and be heard.
WATER RESOURCES
COMMISSION
BURTON F. JONES
Water Rights Specialist



2564-3 Elde Bros.

6-15-78 Well 157 ft deep, 49 ft to water

Pumping 850 capacity 1500 gal

Well 30 ft N of E

Volley, C.P. Model 4071

Serial 19957

Motor DE 75 HP 1775 RPM

Model 5 K6256 YH1A

Serial KHJ1022372

Pump J. J. Myers.

Size 11 M inch, Leg 7000

54 legs 500 gpm. 700 FPM

Imp dia 8 07. Serial K3A2080841X

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6812

PIERRE, February 23, 1979

RECEIVED OF Gary Elde, Clear Lake, SD 57226

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing transfer of water right No. 2564-3	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH gy

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6790

PIERRE, February 14, 1979

RECEIVED OF Gary Elde, Clear Lake, SD 57226

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 2564-3	12	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 2564-3		
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	12	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH gy

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, SD 57501

Date: Feb 21, 1979

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

110 acres of land in the NW $\frac{1}{4}$ of Section 18, T115N, R48W

formerly owned by Eide Brothers, Clear Lake

has been transferred to Gary Eide, Clear Lake, SD 57226

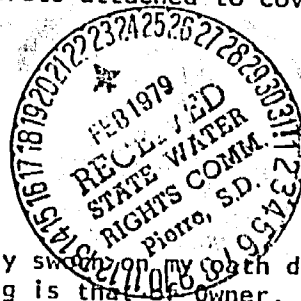
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 2564-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights Commission 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)
County of Charles ss.

I, Gary Eide, being first duly sworn, 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.



Gary Eide
(Signed)

Subscribed and sworn to before me this 21 Day of Feb, 19 79.

Wesley A. Skunberg
(Notary Public)
WESLEY A. SKUNBERG
NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 11-1-81

Permit No. 2584-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by GARY EIDE
Eide Brothers of Clear Lake, South Dakota 57226 holderTRANS
2-22-79of Permit No. 2584-3, bearing date of priority of February 23, 1976authorizing the diversion of 2.2 cu. ft. per second of the waters of one Wellfor Irrigation purposes, in Deuel County.

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

The Water Use System consists of,

A. Works used to divert the water:

Motor, GE, Model 5K6258 XH1A, Ser# KLJ1022372
75 HP, 1775 RPMPump - Fairbanks Morse, Ser# K3A2080841X, 5 stage
Size 11 M, 300 ft TDH, Imp Dia 8.07, Pumping 850 gpm

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

8" Aluminum Pipe - 30 ft.

C. Works used to apply water to beneficial use.

Valley Center Pivot, Model 4071, Ser# 19957

The system is in the following condition: GoodThe point of diversion is located 1450 ft South and 1170 ft East of the
NW corner of Section 18, T115N R48WThe works are capable of diverting and conveying to the place of use 1.89cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Section 18, T115N R48WNW 1/4 NW 1/4 - 25 Ac, NE 1/4 NW 1/4 - 22 Ac, SW 1/4 NW 1/4 - 35 Ac.
SE 1/4 NW 1/4 - 28 Ac.comprising a total of 110 acres of land.Well: depth - 157 ft
Static 40 ft
Pumping 850 gpm.
Capacity 1500 gpm est.Date January 10, 1979Leroy J. Mernagh
(Signature)



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

March 27, 1979

Gary Elde
Clear Lake,
South Dakota 57226

Dear Mr. Elde:

Enclosed herewith are, Water License No. 2564-3 and Certificate of Construction.

Water License No. 2564-3 is the final water right document completing your process of obtaining water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH: gy

Enclosures

NOTE: Your pump capacity is 1.89 cfs (850 gpm) and based upon the acreage actually irrigated you are entitled to only divert 1.57 cfs (706 gpm). Any diversion in excess of 1.57 cfs would be a violation of your Water Right.

2564-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 2, 1993

No. 2564-3

Wayne & Neal Boeke
RR 2, Box 172
Clear Lake, SD 57226

Dear Sirs:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 2564-3. The water right is currently listed in the name of Gary Eide.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

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

If you have any questions, please contact me.

Sincerely,

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

enclosure



2564-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 6, 1994

SECOND NOTICE
Permit No. 2564-3

Wayne and Neal Boeke
RR 2, Box 172
Clear Lake, SD 57226

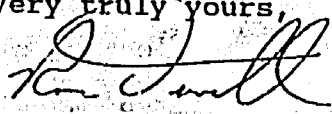
Dear Sirs:

On November 2, 1993, notice was sent to you concerning the transfer of Water Right No. 2564-3 in the name of Gary Eide. To date, we have not heard from you on this matter.

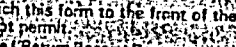
A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this water right, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

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

Very truly yours,


RON DUVALL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

SENDER: • Complete Items 1 and 2 for additional services. • Complete Items 3, 4, and 5. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☒ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: Wayne and Neal Boeke RR 2, Box 172 Clear Lake, SD 57226		4. Article Number: 2564-3 P-318 52-616	
5. Signature (Addressee) 		4b. Service Type: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Registered Mail ☐ Express Mail ☐ Return Receipt for Merchandise	
6. Signature (Agent) 		7. Date of Delivery: 01-08-84	
PS Form 3811, December 1991 U.S. GPO: 1992-323-402		8. Addressee's Address (Only if requested and fee is paid) 	



2564-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 21, 1994

THIRD NOTICE
Water Right No. 2564-3

Wayne and Neal Boeke
RR 2, Box 172
Clear Lake, SD 57226

Dear Sirs:

On November 2, 1993, and January 6, 1994, notices were sent to you concerning the transfer of Water Right No. 2564-3 in the name of Gary Eide. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this water right, please notify this office. It is very important that ownership records be kept current. 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 be filed with this office within ninety days.

Failure to keep records current can mean a delay in receiving a notice or even no receipt of a notice that pertains to the water right. In some cases, a notice from this office includes an order which could result in up to one year suspension of a permit or other penalty if not complied with.

The Statutes provide that a permit for irrigation remains appurtenant to the land. If there is an ownership change; however, no such assignment (transfer) shall be binding except upon the parties thereto, unless filed for record in this office.

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

Very truly yours,

RON DUVALL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

Wayne and Neal Boeke
RR 2, Box 172
Clear Lake, SD 57226

2564-3

4a. Article Number

P 318 052 611

4b. Service Type

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

7. Date of Delivery

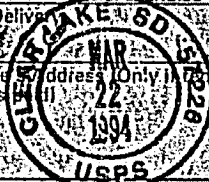
22 MAR 1994

5. Signature (Addressee)

Wayne Boeke

6. Signature (Agent)

8. Addressee's address (Only if requested and fee is paid)



I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

Thank you for using Return Receipt Service.

PS Form 3811, December 1991

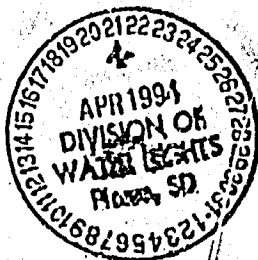
U.S. GPO: 1992-323-402

DOMESTIC RETURN RECEIPT

2564-3

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2564-3Date: 4-14-94I/We request that Water Right No. 2564-3formerly owned by: Gary Elde, RR #2 Box 173, Clear Lake, SD 57226be transferred to: (name & address) Wayne and Pearl BoekeRR 2 Box 170 Clear Lake, SD 57226 (Telephone No) 874-2208

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

110 acres - NW 1/4 Section 18, T115N, R48W

I/We understand that the validity of Water Right No. 2564-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Deuel)

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

Pearl Boeke or Wayne Boeke
(Signed)

Subscribed and sworn to before me this 14 day of April, 1994.

Wesley A. Skunberg
(Notary Public)

WESLEY A. SKUNBERG

My Commission Expires November 1, 1997

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

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

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

414141

Pierre, April 21, 19 94

RECEIVED OF Neal Boeke, RR 2 Box 171, Clear Lake, SD 57226

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 2564-3		2 50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch/gmk
Chief Engineer



2564-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 10, 1994

No. 2564-3

Wayne and Neal Boeke
RR 2, Box 170
Clear Lake, SD 57226

Dear Sirs:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 2564-3.

Our records now show you as the owner of Water Right No. 2564-3.

Sincerely,

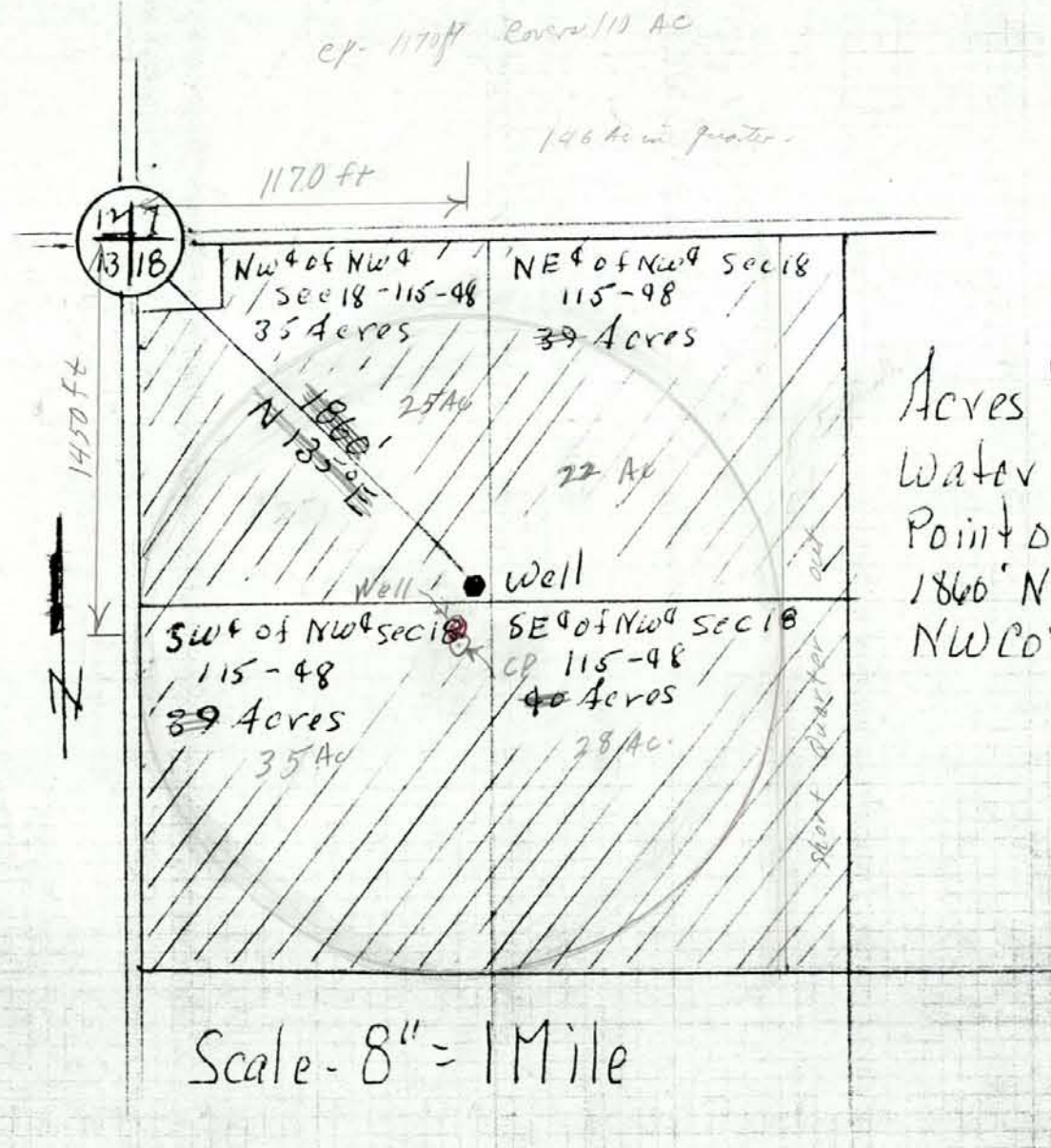
A handwritten signature in cursive script that reads "Cheryl F. Frost".

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

enclosure

EIDE BROTHERS

Gary Eide
Clear Lake 57226 South Dakota
Irrigation Project #1
Deuel County



Acres Irrigated - 153
Water claimed - 2.2 cfs
Point of Diversion:
1866' N135° E
NW Corner Sec 18
115-48

Surveyor's Certificate

I, John L. Wiersma, do hereby certify that
this map identifies a reasonably accurate
record of the land of:

Eide Brothers

Clear Lake
2-10-76

57226

South Dakota
Drawn by JLC
D.E #1916
Brookings S.D.

John L. Wiersma

APPL N° 2564.3