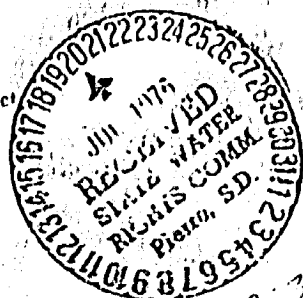


Water Right Number 2946

1. Considered 9-29, 1976
2. Name of Applicant GLEN BOESE
3. Post Office Address SPRINGFIELD
4. Amount of water claimed .70
5. Source of water supply EMANUEL CREEK
6. Water to be used for IRRIGATION
- Acres to be irrigated 49
7. Water to be diverted and used in BONHOMME County
about 4 W 4 N - Miles 1st of SPRINGFIELD
8. Proof of Publication Received 1st 9-27-76
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 2946-3Map No. 2278-3 Water Division No. 3. MISSOURI RIVER District
(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 Glen Boese
 Postoffice address Springfield, State S. D.
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor
3. Name of diversion work Boese # 1
4. Amount of water claimed (cubic feet per second) 0.17
5. Source of water supply Emanuel Creek
6. Location of point of diversion along Emanuel Creek somewhere
in West 1/2 NE 1/4 Sec. 7 and East 1/2 of NW 1/4 Sec. 7
T. 93 N R. 60 W County Bon Homme
7. Annual period or periods during which water is to be used June, July, August, September
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 49

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.
SW 1/4 SE 1/4 Sec. 6 93-60	9	SW 1/4 NE 1/4 Sec. 7 93-60	9
SE 1/4 SW 1/4 Sec. 6 93-60	9		
NE 1/4 NW 1/4 Sec. 7 93-60	10		
NW 1/4 NE 1/4 Sec. 7 93-60	15		

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 0.5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Springfield Times
12. Principal Features of the Proposed Water Supply System.

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

portable pump

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

Aluminum Pipe

C. Works proposed to apply water to beneficial use.

SprinklerEstimated Total Cost \$ 20,000

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 Bon Homme

I, Glen J. Boese, 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

Subscribed and sworn to before me this 13th day of July, 1976

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2946-3
GLEN BOESE SPRINGFIELD
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57062 With the following modifications:
 (State)

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING LIVESTOCK WATERING, SHALL BE BY-PASSED.

See Also
4787-3

Date of first receipt of application JULY 20 19 76
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application JULY 27 19 76
 Approved SEPTEMBER 29 19 76 Recorded in Book 16 Page 65

WATER RIGHT PERMIT NO. 2946-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2946-3 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 JULY 20 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 29 19 79
3. The whole of said work is to be completed on or before SEPTEMBER 29 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 29 19 81
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 .50 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 or, or before SEPTEMBER 29 19 81 said water to be used during the following described annual period: JUNE 17 TO SEPTEMBER

Witness my hand this 29TH day of NOVEMBER 19 76

WATER RIGHTS COMMISSION

By:

John K. Kitch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 ____

Water License Issued _____ 19 ____

Form 6 - Notice of Intent to Appropriate Water

No. 2946-3

Publish first publication, on or before September 16, 19 76

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 9, 19 76

Notice is hereby given that Glen Boese
whose post office address is Springfield, 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
.70 cubic feet of water per second of time from the Emmanuel Creek through the
Boese # 1, the point of diversion of which is to be located in the
Between points in the NW 1/4 NW 1/4 and SW 1/4 SE 1/4

of Section 7, Twp. 22N, Range 60W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

SW 1/4 SE 1/4, SE 1/4 SW 1/4, Section 6; NW 1/4 NW 1/4, NW 1/4 NW 1/4,
Section 6, T22N, R50W

This application No. 2946-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 29th day of September, 19 76, at 10:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc:

Glen Boese, Springfield, S. D. 57062

No. 2946-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Ben Homme) ss.

I, Wayne L. Beithard hereby

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

Water was taken from the Springfield Times

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

Town of Springfield

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

Sept. 16, 1976

" 23, 1976

Wayne L. Beithard
(Signature)

Publisher
(Title)

9-23-76
(Date Signed)

NOTICE
INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
September 9, 1976

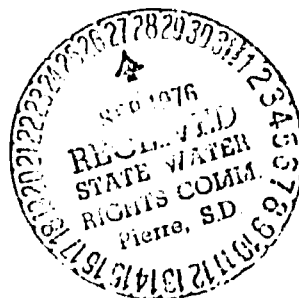
Notice is hereby given that
Glen Boese whose post office
address is Springfield, South
Dakota, has made an application
in accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use .70 cubic feet of
water per second of time from
Emanuel Creek through the
Boese No. 1, the point of diversion
of which is to be located between
points in the NW $\frac{1}{4}$, NE $\frac{1}{4}$, and
SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 7, Twp.
93N, Range 60W. Said water to be
used for the purpose of providing
irrigation on portions of the
following described land:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section
6; NE $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 6, T93N, R60W.

This application No. 2946-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 23th day of
September, 1976, at 10:00 a.m. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION

By: Burton F. Jones
Water Rights Specialist
(Sept. 16 and 23)



WATER RIGHTS DIVISION - DWNR
FILE DOCUMENTATION
WATER PERMIT NOS. 2946-3, 4787-3, & 5286-3

Name of Person/File: Glen L Boese
Address: RR #1 Box 21, Springfield, SD 57062
County: Bon Homme
Date: January 3, 1990

RE: Status of Permit inspection and licensing

DISCUSSION

Water Permit No. 2946-3 authorizes irrigation of land from Emanuel Creek. Permit No. 4787-3 authorizes irrigation from groundwater. An inspection of the water use system (September 1987) constructed under these two permits found the water from the well constructed under No. 4787-3 flowed into Emanuel Creek. Mr. Boese then pumps the water from Emanuel Creek onto the land.

Mr. Boese's system may have been upgraded since the 1987 inspection as is reflected by Water Permit No. 5286-3. Water Permit No. 5286-3, with a priority date of February 3, 1989, authorizes irrigation of 111 acres. Acreage authorized under Permit Nos. 2946-3 and 4787-3 is also covered under Permit No. 5286-3. The source of water for the new permit is a combination of groundwater and Emanuel Creek. The time limit for completion of the project, as specified in Water Permit No. 5286-3, is May 10, 1994.

CONCLUSION

Since the system constructed under Water Permit Nos. 2946-3 and 4787-3 may have changed and/or is in the process of being changed, a water license should not be issued at this time.

After the completion date for Permit No. 5286-3, the project should be reinspected and a water license issued which incorporates the applicable portions of Water Permit Nos. 2946-3 and 4787-3 into No. 5286-3.

*Seneca, Minnesota
Natural Resources Dept.*



2946-3

JUN 23 1997

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Glen L. Boese
RR 1, Box 21
Springfield, SD 57062

5286-3

Dear Mr. Boese:

Enclosed is Water License No. 5286-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414299 in the amount of \$50.00 which you paid for the investigation 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. 5286-3, 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.

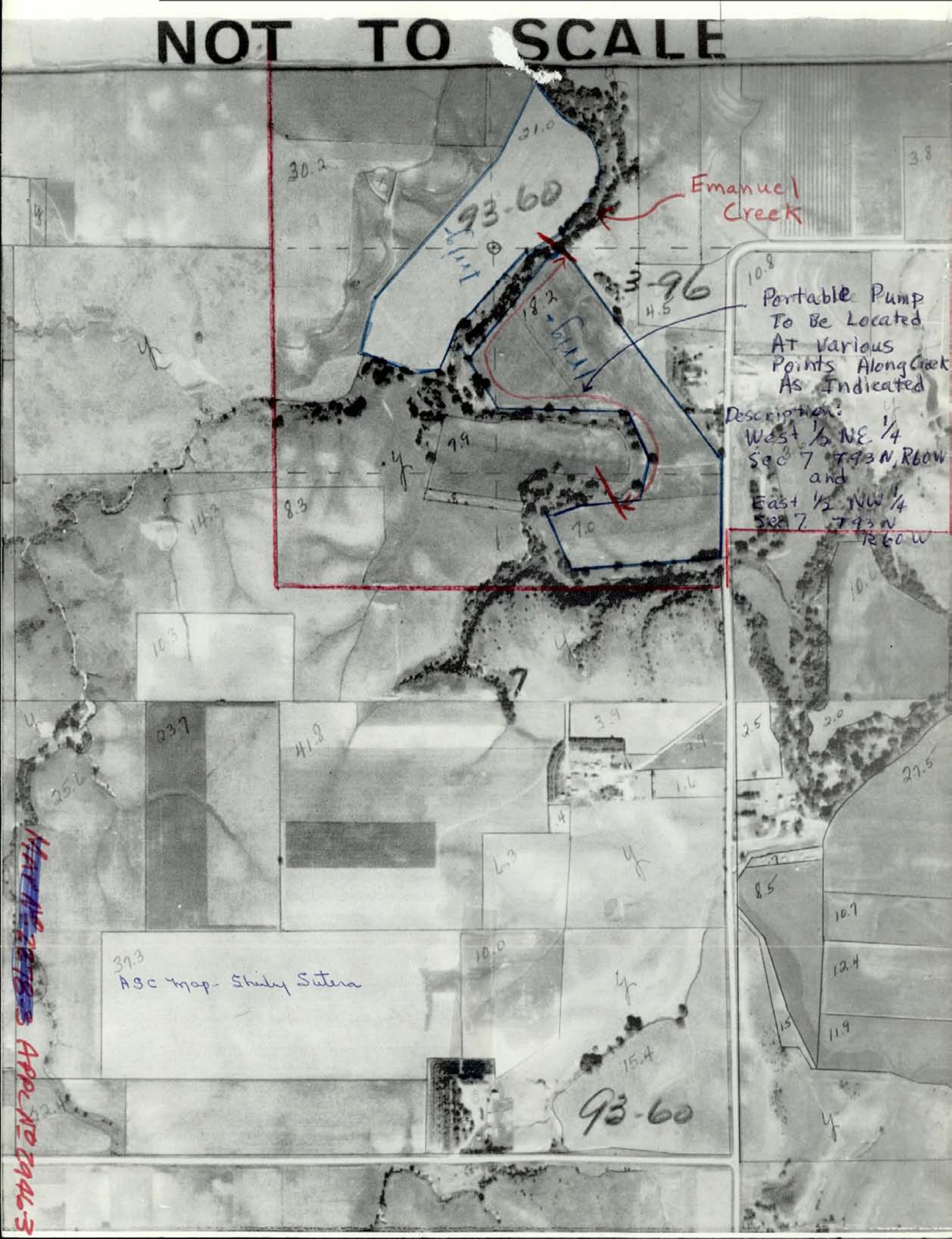
Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Water Permit Nos. (2946-3) and 4787-3 have been incorporated into this Water License No. 5286-3.

NOT TO SCALE



Emanuel Creek

Portable Pump
To Be Located
At Various
Points Along Creek
As Indicated

Description:
West $\frac{1}{2}$ NE $\frac{1}{4}$
Sec 7 T93N, R60W
and
East $\frac{1}{2}$ NW $\frac{1}{4}$
Sec 7 T93N
R60W

37.3
ASC Map- Shirley Suter

Map No. 2218-3 App. No. 2946-3