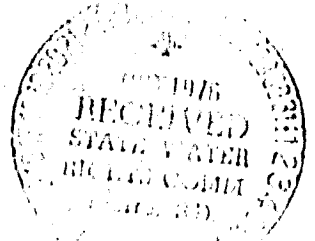


Water right Number 3187-3

1. Considered 11-17, 19 76
2. Name of Applicant BOEKELHEIDE FARMS, INC
3. Post Office Address NORTHVILLE
4. Amount of water claimed 4.00
5. Source of water supply 160' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 290
7. Water to be diverted and used in _____ County
about 4S, 5W Miles _____ of MANSFIELD
8. Proof of Publication Received 78 11-16-76
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

Map No. 2450-3 Water Division No. 3 JAMES 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

10-27-76

(NOTE - Draw a line through items not applicable)

SEC 10-29

1. Name of Applicant Bookelhead Farms Inc
 Postoffice address Northwell, State South Dakota
 If a corporation show date and place of incorporation Jan 1, 1969 - Spearhead
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
3. Name of diversion work Bookelhead Farms Inc Irrigation Project #13
4. Amount of water claimed (cubic feet per second) 9.0
5. Source of water supply well
6. Location of point of diversion 1860' N 135° E of NW corner
Sec 21-120-65
- County Spearhead
7. Annual period or periods during which water is to be used Apr 1 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 296

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>NW 1/4 Sec 21-120-65</u>	<u>132</u>	<u>SW 1/4 Sec 21-120-65</u>	<u>158</u>

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 year years. Additional time required to complete application of water to the proposed beneficial use 1 year years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Spearhead American News
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source. well with 8" cap well detectably driven deep well to hole
- B. Works proposed to transport water to place of use. closed conduit
- C. Works proposed to apply water to beneficial use. center pivot irrigation machine

Estimated Total Cost \$ 2000

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 Brookings

I, Jim Bookelhead 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 Jim BookelheadSubscribed and sworn to before me this 15 day of Oct 1976

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3187-3

ROEKELHEIDE FARMS, INC.
(Applicant)

NORTHVILLE
(Post Office Address)

SOUTH DAKOTA 57465
(State)

With the following modifications:

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 existing domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application OCTOBER 25, 1976

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

Date of receipt of corrected application OCTOBER 29, 1976

Approved NOVEMBER 18, 1976, Recorded in Book 16 Page 189

WATER RIGHT PERMIT NO. 3187-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3187-3 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 OCTOBER 25, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 18, 1979
3. The whole of said work is to be completed on or before NOVEMBER 18, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 18, 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 4.0 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 NOVEMBER 18, 1984; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 21ST day of DECEMBER, 1976

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 28", Depth 160'
- (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 14" Thickness 1/4"
- (3) Perforated Screen.
Type Cent Slot, Diameter 14", Length 20'
- (4) Gravel Pack, Thickness 5", Length of gravel pack 30'

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 2' top soil, 2' to 23' yellow clay, 23' to 35' gravel, 35' to 60' clay and fine sand mixed, 60' to 100' fine gravel, 100' to 120' fine sand, 120' to 160' coarse gravel

Depth to top of water bearing material 60'

Depth to bottom of water bearing material 160'

Thickness of water bearing material 100'

Depth to water (ground surface to water level) 60'

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

On same owner's property No Supply rds. On property owned by others 300 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.

Jim Baehille
Signature of Applicant

October 26, 1976

Hockelhaide Farm, Inc.
Northville, SD 57465

Dear Sir:

Your water sample (Lab. No. 76-1584) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

This water is marginal for use on the soils you intend to irrigate and should be considered for use only under the following conditions:

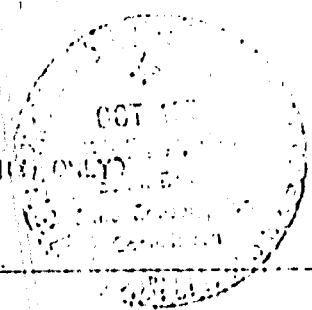
- (1) It will be used no more than 3 times (preferably less) in any growing season.
- (2) The soil will be completely filled with water so natural leaching can occur, by irrigating in the late fall just before freeze-up, at least one year out of 3.
- (3) Water application will be made each irrigation to completely re-wet the entire depleted soil within the rooting zone of the crop being grown. This may require 3-5 inches of water each irrigation with fine soils.
- (4) If a salt problem or soil dispersion occurs, contact extension personnel or this office for management recommendations.

Sincerely yours,

L. O. Fine
L. O. Fine
Water Quality Lab.

LOF:ckb
Enclosures
cc: State Conservation Commission

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME Rockledge Farms Inc.
ADDRESS Northville S. Dak.
COUNTY Spink

LEGAL DESCRIPTION

1. WELL LOCATION Center of NW 1/4 Sec 21-120-65
2. LOCATION OF AREA TO BE IRRIGATED W 1/2 Sec. 21-120-65

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED _____

WATER QUALITY

5. SAMPLE NUMBER 76-1584
6. SALINITY (EC X 10⁶) 1174 High
7. SODIUM (SAR) 2.71 (Low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) _____

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from _____ Conservation District, _____ County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true and correct.

SUBSCRIBED AND SWORN BEFORE ME THIS
____ DAY OF _____ 19 76

John S. [Signature]
(TITLE OR SEAL)

Barthelme [Signature]
APPLICANT'S SIGNATURE
I hereby certify that the project can be carried
out in accordance with all circumstances. Individual man-
agement to a large degree, determine the relative
success of this project.

[Signature]
APPROVED BY STATE ENGINEER

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: Rockelhaide Farms, Inc. Date Rec'd October 13, 1976
 Address Northville, SD 57465 Sample No. 76-1534
 Identification Well 120
Field, Dec. 21, 1976, 120H, 1557

WATER ANALYSIS

Calcium (Ca)	147	ppm*	7.35	me/l**
Magnesium (Mg)	25	ppm	2.05	me/l
Sodium (Na)	110	ppm	4.79	me/l
Potassium (K)	11	ppm	0.39	me/l
Sulfate (SO ₄)	153	ppm	3.18	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	94	ppm	2.63	me/l
Bicarbonate (HCO ₃)	391	ppm	5.76	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)	283	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1124	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	2.21			
Sodium	35.03	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.92			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 14.48 me/l
 Total anions 11.57 me/l

By: Shirley Mitten

Service Performed

Amount Due

Irrigation analysis

\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1534

Amount Enclosed \$

Signed

No. 3187-3

Publish first publication, on or before

November 2, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 2, 1976

Notice is hereby given that Boekelheide Farms, Inc.

whose post office address is Northville, 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 4.0 cubic feet of water per second of time from ~~the~~ ground water through the Boekelheide #3, the point of diversion of which is to be located in the _____

Center of the NW 1/4

of Section 21, Twp. 120N, Range 65W. Said water to be used for the purpose of providing irrigation on the following described land:

W 1/4, Section 21, T120N, R65W

This application No. 3187-3 will be considered by the Water Rights Commission at the Marvin Hughitt Hotel in Huron, S.D. upon the 17th day of November, 1976 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:

Boekelheide Farms, Inc., Northville, S.D. 57465

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 3187-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brown) ss.

I, Dianne Brenden hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Aberdeen American News

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 Aberdeen

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

November 5, 1976

November 12, 1976

Dianne Brenden
(Signature)

Principal Clerk
(Title)

November 12, 1976
(Date Signed)

(No. 871—Nov. 5, 1976—21)
NOTICE OF INTENT TO
APPROPRIATE WATER
Notice is hereby given that
Boekelheide Farms, Inc., whose post
office address is Northville, 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 40
cubic feet of water per second of time
from ground water through the
Boekelheide No. 3, the point of diversion
of which is to be located in the center of
the NW 1/4 of Section 21, Twp. 120N,
Range 3W. Said water to be used for the
purpose of providing irrigation on the
following described land: W 1/2, Section
21, T120N, R3W.
This application No. 3187-3 will be
considered by the Water Rights Com-
mission at the Marvin Hughitt Hotel in
Huron, S.D. upon the 12th day of
November, 1976 at 10:00 A.M. All in-
terested persons may appear and be
heard.
WATER RIGHTS COMMISSION
By: Burton F. Jones, Water Rights
Specialist.



REPORT ON
WATER RIGHTS APPLICATIONS INTO MIDDLE JAMES AQUIFER, SOUTHWEST
BROWN COUNTY AND NORTHWEST SPINK COUNTY
NOVEMBER 8, 1976

The Water Rights Commission has considered five Water Rights Applications for the Middle James Aquifer in southwest Brown County and northwest Spink County. The applications were considered at either the September 29-30, 1976 or October 21-22, 1976 Commission Meetings. Three additional applications are advertised for the November 17-18, 1976 meeting. An investigation was conducted in the area October 26, 1976.

Applications

The following table lists the area Water Right Applications in the Middle James Aquifer. The actual project locations are shown on the Attachment.

<u>Number</u>	<u>Name</u>	<u>Priority Date</u>	<u>CFS</u>	<u>Acres</u>	<u>Well Depth</u>	<u>Status</u>
2894-3	Myron Jeschke	7-21-76	2.20	160	140'	App. 9-29-76
2867-3	Larry Krause	7-27-76	9.07	635	151' & 165	App. 4.0 cfs Deferred 9-29-76 5.07 cfs
2870-3	Robert Borchard	8-10-76	2.28	240	108'	Deferred 9-29-76
2964-3	Lyle Bierman	8-26-76	2.30	280	138'	Deferred 9-29-76
3031-3	Aaron Bade	9-8-76	4.00	290	140'	Deferred 10-21-76
3130-3	Otto Krause	10-27-76	6.6	464	2-170'	Advertised for November meeting
3171-3	Jerald J. & Dennis L. Kamen	10-21-76	2	295	200'	Advertised for November meeting
3187-3	Boekelheide Farms	10-21-76	4.0	290	160'	Advertised for November meeting

Geology of the Area

Bulletin 25, "Geology and Water Resources of Brown County, South Dakota Part II, Water Resources", dated 1976 describes three major aquifers in

Brown County -the Elm, the Middle James and Deep James Aquifers.

The Elm Aquifer, a shallow aquifer, underlies about 390 square miles in Brown County and is under water table conditions in some areas and artesian conditions in others. In the western part of the Elm, it is under artesian conditions. There are about 1,200,000 acre feet of water in the Elm Aquifer. Water movement is from the northwest to the southeast. The natural discharge from the aquifer is into the Elm River, Foot Creek, into the atmosphere by evapotranspiration, through recharge to the Middle James Aquifer and by eastward flow into the Lacustrine deposits underlying the Lake Dakota Plain.

The Middle James Aquifer underlies about 530 square mile in Brown County. Water in the aquifer is under artesian conditions and moves in general from the west to the east. The Middle James in Brown County contains about 1,400,000 acre feet of water in storage.

Recharge is from percolation of snowmelt and precipitation through overlying lake silt, outwash and till. The largest recharge is from the Elm Aquifer where it is in contact with the Middle James. Water levels in the Middle James Aquifer rise in the spring and early summer when recharge from precipitation and snowmelt is greater than discharge. Natural discharge is by percolation into the Deep James Aquifer and by eastward flow into the Lake Dakota sediments and into till.

The Middle James Aquifer extends south into Spink County; however, since the County study has not been started in Spink County, only limited information is available beyond the County line. In Marshall County, the Middle James Aquifer and the Deep James Aquifer merge to become a single aquifer, the James Aquifer. In Marshall County, the James Aquifer underlies about 220 square miles of area and contains about 1,500,000 acre feet of water. The James Aquifer also extends into North Dakota and Day County.

Persons Contacted

Mr. and Mrs. Arnold Ristau, Lyle Bierman and Robert Borchard were contacted the day of the investigation.

Discussion

Mr. and Mrs. Ristau had indicated concern at the September 29 meeting that shallow domestic wells in the Elm Aquifer and dugouts would be affected by pumping from the deeper Middle James Aquifer.

There are only three known existing domestic wells into the Middle James Aquifer in this area. One owned by Mr. Borchard, the other by Mr. Bierman and the third by Mr. Howard Nelson. Three additional domestic wells were reported as planned for the Middle James Aquifer. Water development from the Middle James Aquifer in this area is unique in that the three

existing domestic wells have all been drilled since 1972 following the discovery of the Middle James Aquifer by the Geological Survey. Consequently, all wells are adequate wells or required to be. An adequate well in the Middle James artesian aquifer is defined as a well in which the pump intake is placed or is capable of being placed, at least 20 feet below the top of the Middle James artesian aquifer formation, aquifer depth permitting. Other domestic wells in the area are into the shallow Elm Aquifer or else were drilled down to the deeper Dakota formation.

Since development of the Middle James Aquifer is relatively new, we do not have the situation experienced in many other artesian aquifers in the State with inadequate wells. The Commission staff has not located any older inadequate domestic wells in the Middle James Aquifer.

At the October Meeting, the possibility of conducting a pump test using Mr. Borchard's irrigation well was discussed. However, upon investigation, it was determined that such a pump test with available domestic wells used as observation wells would be of little value. Since the existing or planned domestic wells are required to be adequate, the domestic wells would continue to supply water even though the artesian head may fluctuate due to the irrigation pumping. ~~The U. S. Geological Survey has observation wells in the area which can be used to monitor water levels. One observation well on the Brown and Spink County line, in the southwest corner of Section 34 T121N R65W can be checked for draw down. The water level at the time of the investigation was 26.5 feet. This observation well will be used to monitor irrigation pumping effects.~~ Mr. Marvin Ristau, who also protested the granting of the Krause application at the September meeting, indicated he was concerned that since the Middle James receives part of its recharge from the Elm Aquifer that pumping from the Middle James would tend to lower the water levels of the Elm Aquifer. The Elm Aquifer will ~~also~~ be monitored for any effects of irrigation pumping from the Middle James. The total amount of water that would be withdrawn by all applications in a 90 day continuous pumping season each year would be 6184 acre feet. Although the extent of the Middle James in Spink County is not known, there is a large amount of water stored in the Middle James Aquifer just in Brown County.

Since the known domestic wells into the James Aquifer are new since 1972 and required to be adequate wells, the staff believes there should be no reason that all pending applications should not be granted, including the deferred portion of the Krause application.

The staff believes that additional permits can be granted in the future; however, until there is more irrigation pumping experience from the aquifer, the staff is recommending for at least one year that future irrigation wells be spaced at least one mile from existing irrigation wells. The Middle James Aquifer is an untapped and rather extensive water resource.

Recommendations

Based upon the Brown County study, there is unappropriated water available and the commission staff recommends that all pending applications No. 2867-3, 2870-3, 2964-3, 3031-3, 3130-3, 3171-3 and 3187-3 be approved with the following qualification:

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 existing domestic wells or in irrigation wells having prior water rights.

John Hatch
Chief Engineer

Attachment							
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	14	15	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
R66W	Brown County Spink County				R65W	R64W	
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	14	15	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30

T 123 N

T 121 N

T 120 N

3171-3
Jesold
&
Cass
1900

Howard
Nelson
12' diameter
20' deep well

Arnold
Ristea

0 2130-3
Otto Krause

16' diameter
10' deep well

Robert Bernhardt

2870-3

Larry
Krause

0 26
0 267-3

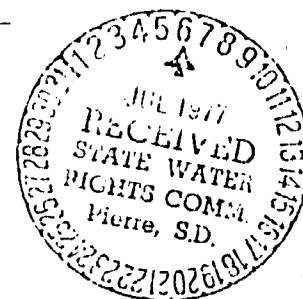
2871-3
Hyene Jeschke

2964-3
Lyle
Bickman

12' diameter
20' deep well

Arren
17 Bude
0 207-3

3187-3
0
Coe Kuehde
Farm

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office Northville S.D.Date 7-2-77

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3187-3

Water Right Permit No. 3187-3 states that the diversion system is to be constructed by 11-18, 1981 and that the water is to be put to beneficial use by 11-18, 1984.

The diversion system was completed on 4-1, 1977.
Applying the water to beneficial use was completed on 5-1, 1977.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Boebelheids Farm Inc.
Jim Boebelheid
(Signature)

Permit No. 3187-3Water Division 3 JAMES RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by BOEYELHEIDE FARMS, INC of NORTHVILLE holder of Permit No. 3187-3, bearing date of priority of OCTOBER 25, 1976 authorizing the diversion of 4.0 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in SPIRK 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:
130' DEEP WELL WITH 16" PLASTIC-30'SS & 30' SLOTTED SCREEN
BYRON JACKSON 8" PUMP (NO TAG) POWERED BY
100HP GE ELECTRIC MOTOR @ 1765 RPM

B. Works used to transport water to place of use,
230' 8" BURIED PVC FROM WELL TO PIVOT PAD IN NW⁴
2640' 8" BURIED PVC BETWEEN PIVOT PADS IN NW⁴ & SW⁴

C. Works used to apply water to beneficial use.

N. PIVOT LOCKWOOD 10 TOWER CENTER PIVOT WITH NELSON¹⁰⁰ END GUN
S. PIVOT LOCKWOOD 8 TOWER (LONG SPAN) CENTER PIVOT WITH NELSON¹⁰⁰ END GUN -
PIVOTS PUMPED ALTERNATELY

The system is in the following condition: GOOD

The point of diversion is located 1520' S & 1030' W FROM THE N¹/₄ CORNER,
SECTION 21, T130N, R65W

The works are capable of diverting and conveying to the place use 2.0 (900 GPM)
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: SECTION 21, T130N, R65W

NW⁴ 132 ACRES
SW⁴ 132 "

comprising a total of 264 acres of land.Date SEPTEMBER 20, 1982

Ruston Z. [Signature]
(Signature)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3187-3

(1) WHEREAS, On the 25th day of October A. D. 19 76
Bookalhelda Farms, Inc.

made Water Right Application No. 3187-3 for a permit to use 4.5 cubic feet per second of the waters of groundwater (one well)

County of Spink, State of South Dakota, for Irrigation purposes; and

(2) WHEREAS, On the 18th day of November A. D. 19 76
 Permit No. 3187-3, with a date of priority of October 25, 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 18th day of November A. D. 19 81 and for the application to beneficial use of said water on or before the 18th day of November A. D. 19 84

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 2.0 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 the following land in Section 21, T120N, R65W

NW 1/4 132 acres (B)

SW 1/4 132 acres (C)

TOTAL 264 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 Boekelheide Farms, Inc.

_____ of Northville, South Dakota

the holder _____ and owner _____ of said permit No. 3187-3 a water right, dating from _____ October 25, 1976

_____ to use of 2.0 cubic feet per second of the waters of groundwater (one well)

in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at _____ a point 1520'S and 1030'W from the NE corner, Section 21, T120N, R65W (BD)

and conducted to and upon _____ portions of Section 21, T120N, R65W more fully described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 3187-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 12th day of November A. D.
Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8982

PIERRE, October 13, 1982

RECEIVED OF Zockelheide Farms, Inc., Box 107, Northville, SD 57465
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. 3187-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 3187-3		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of 2008		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By [Signature]
Chief Engineer, Executive Officer
John H. H. H.

Permit No. 3187-3

Water Diversion No. 3 James River Water District
10160008

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Boekelhelde Farms, Inc.

_____ the holder _____ of
Permit No. 3187-3, issued upon Application No. 3187-3, bearing date of priority of October 25,
1976 authorizing the diversion of 4.0 cu. ft. per second of the waters of _____
groundwater (one well) County of Spink, State of South Dakota at _____
a point 1520'S and 1030'W from the NE corner, Section 21, T120N, R65W (BD)
_____, 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 2.0 cu. ft. per second of water.

Date October 18, 1982



JOHN HATCH, Chief Engineer
Water Rights Division

SOUTH DAKOTA
Department of
Water & Natural Resources

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

March 23, 1987

BOEKFELHEIDE FARMS, Jim Boekelheide
BOX 107
NORTHVILLE, SD 57465

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

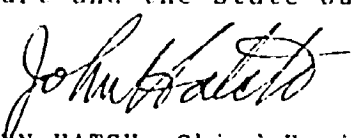
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 3187-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

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

1. Amend Permit No(s). 3187-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. 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) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

April 13, 1987

3187-3

Jim Boekelheide
Boekelheide Farms
Box 107
Northville, SD 57465

Dear Mr. Boekelheide:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 3187-3 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,

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

 **Department of
Water & Natural Resources**

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

February 17, 1989

Boekelheide Farms
Box 107
Northville, SD 57465

Dear Sirs:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;



Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:03:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

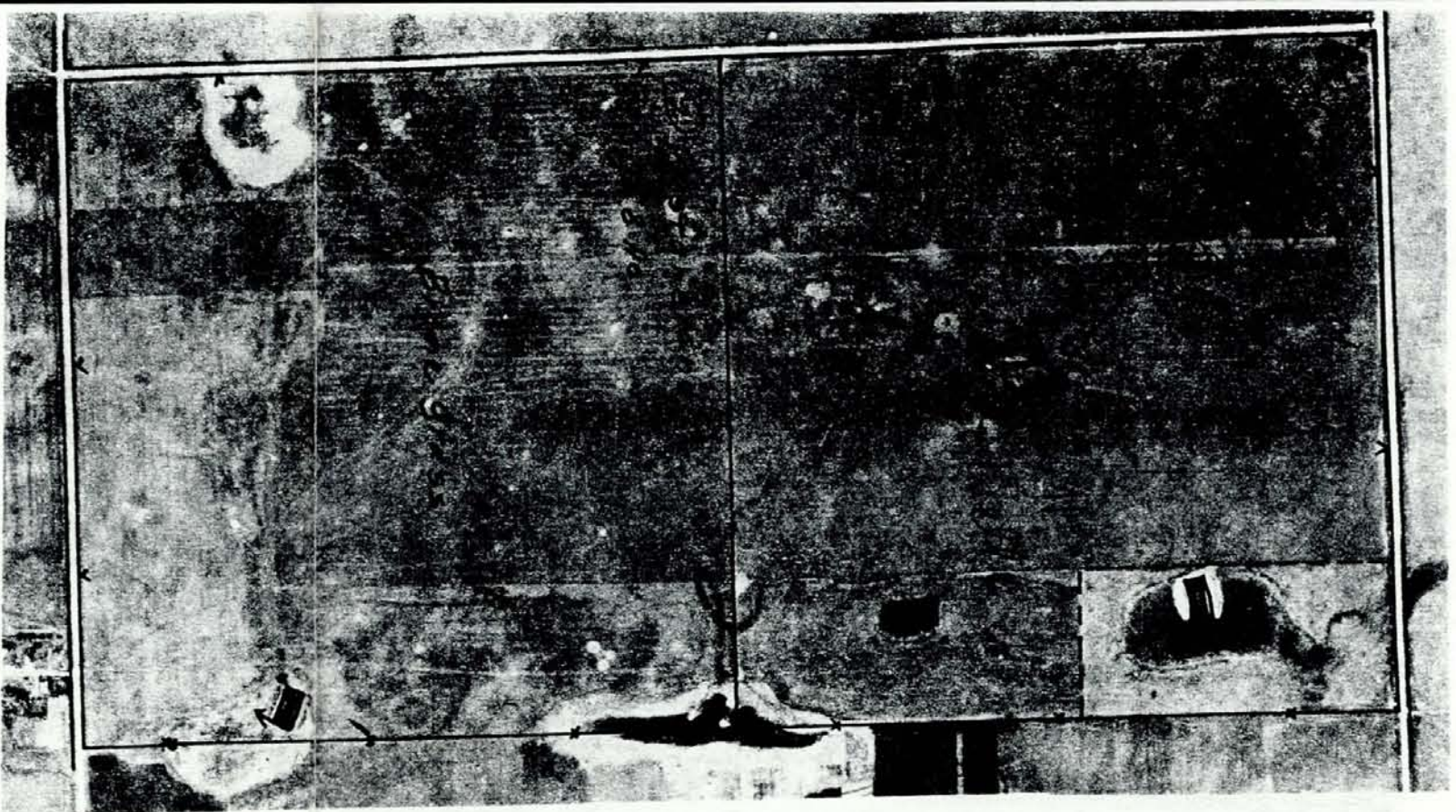
Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

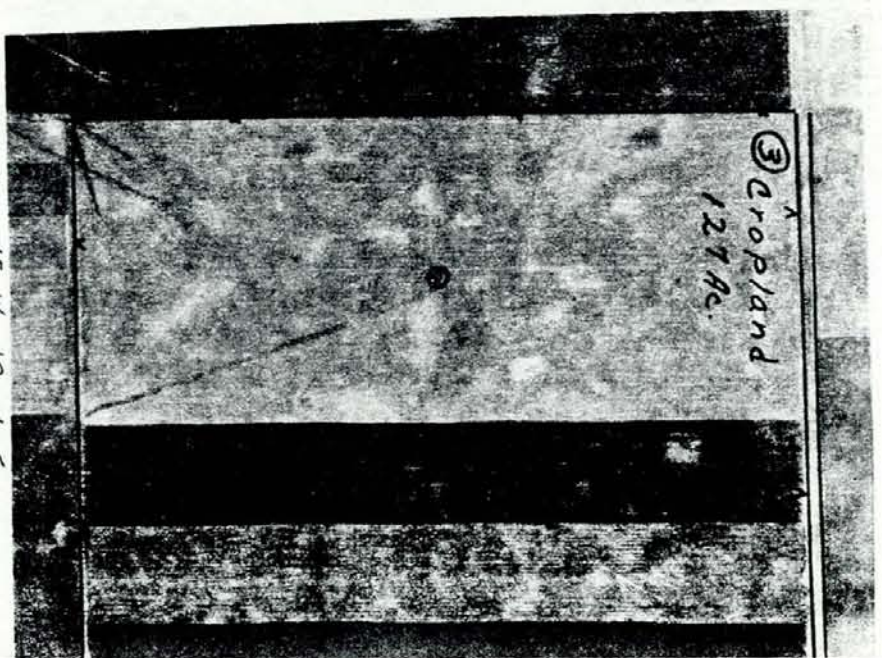
NOT TO SCALE

3187

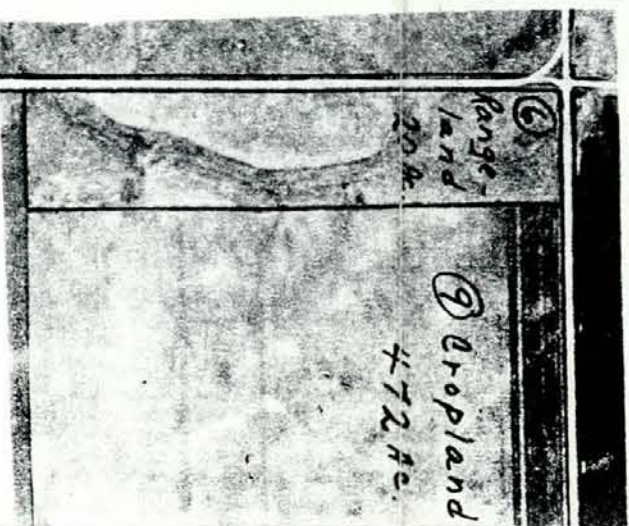




W 1/2 21-120-65



NE 14-120-65



Range
land
200A

⑨ Cropland
472Ac.

Boekelheide Farms Inc.

Irrigation Project # 3
Northville South Dakota

James Boekelheide Mgr

Land Impaled to Sec 21 120 65

Sec 21 120 65

Acres Impaled - 290

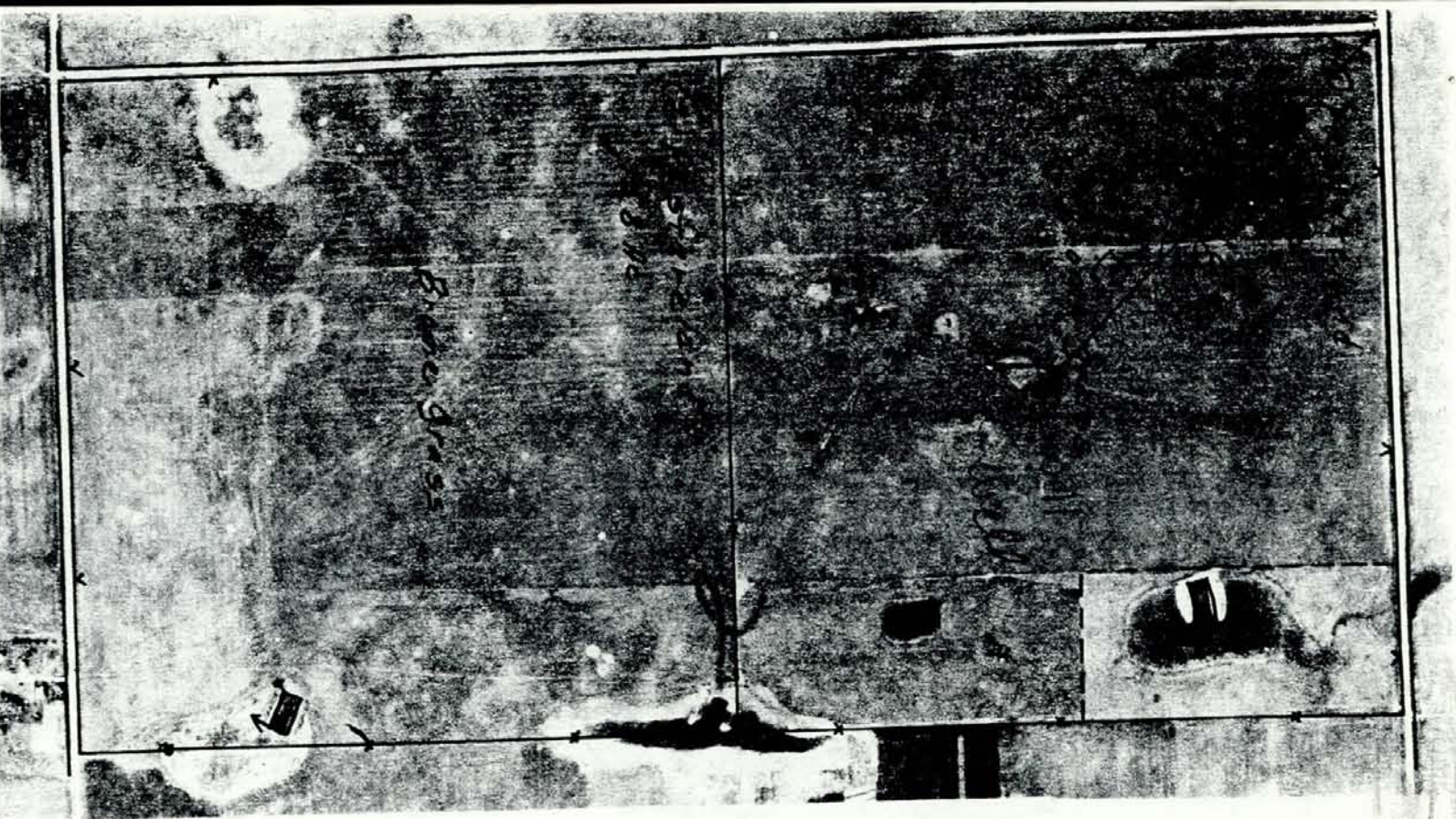
Water claimed - 90000

Feb 16, 1976

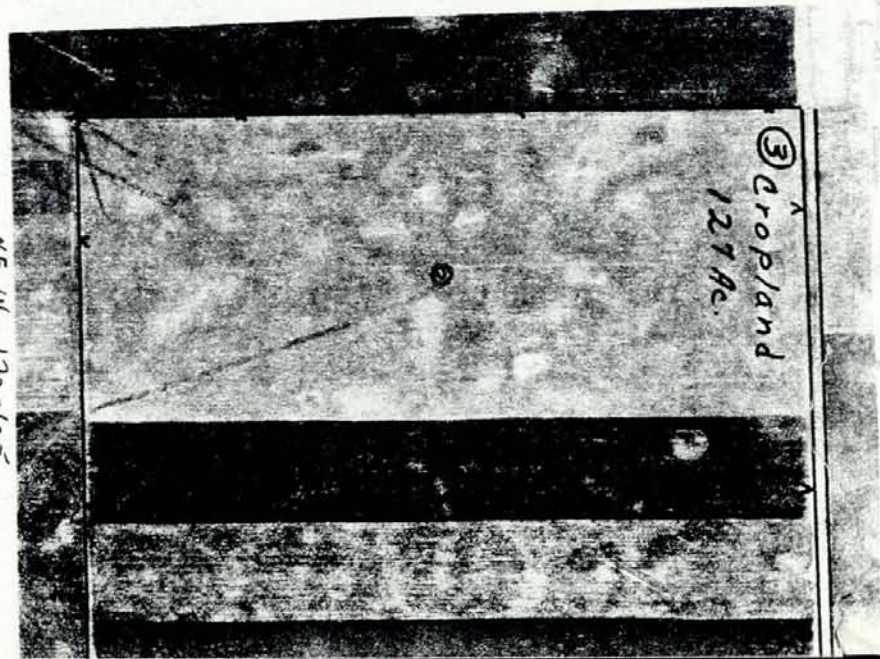
For F. S. Boyd

John Sedgewick

MAP NO 2450-3 APPL NO 3187-3

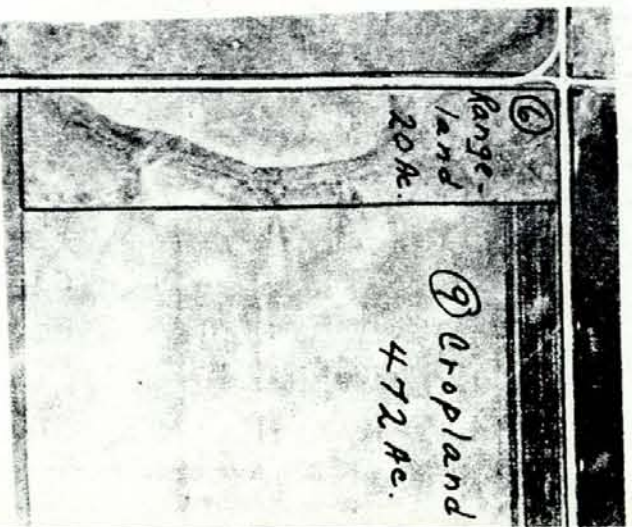


W 1/2 21-120-65



③ Cropland
127 Ac.

NE 1/4 - 120-65



② Range-
land
20 Ac.

⑨ Cropland
472 Ac.

Boekelmeide Farm, Inc. April #3/87-3

1/2-gate for livestock
Northwest Study Data
Boekelmeide, Inc.

Large impoundment
and a 1/2-gate for livestock
and a 1/2-gate for livestock

Area impounded 244

Area impounded 421

Oct 16, 1976

1/2-gate for livestock

Area impounded 421

Map #2450-3 April #3/87-3