

Water Right No. 4504-3

1. Considered May 22 19 80 4504-3
2. Name of Applicant CARL P. BOEKE
3. Post Office Address CLEAR LAKE, S.D.
4. Amount of Water Claimed NO ADD'L (4.4)
5. Source of Water Supply 2-72' EXISTING & ONE NEW 142' WELL
6. Water to be used for IRR.
7. Acres to be irrigated NO ADD'L (312) maximum acre feet
8. Water to be diverted and used in DEUEL County
about 15.4 miles EAST of CLEAR LAKE
9. PROOF OF PUBLICATION Received (initials) 5-16-80

Not Received _____
APPLICATION Approved 5-22-80
Subject to WI/IR
Not Approved _____
Action deferred _____

Priority Date Received 2-20-80 Application Complete yes no FEE 150.00

Remarks two existing from Permit #2803-3 - 1/2 well are
not in same location as approved. Advertised in NE⁴SW⁴
and are now in NW⁴SE⁴.

WATER QUALITY Date information and/or fee or corrected Application received _____
Period of Annual use 7/21 - September 15th
Received (yes) 4/16/80 no (APPROVED) CONDITIONAL (Circle one)

WI-1 Description same as application (yes) no _____ Remarks _____
5 1/2 WQ approval in Permit #2803-3

Disapproved _____

Returned _____

Diversion Point S
Two wells in NW⁴SE⁴
and one in SE⁴SE⁴ Section
20-T115N-R46W
Lands to be irrigated _____
5 1/2 Section 20-T115N-
R46W

WELL
LOG

Remarks Drilling 20' new well from 3A lot.

Driller Frank's Well Works Licensed (yes) _____ no _____

Depth 142' new direction

Map No. 3728-3 Map located in Water Right X Map file _____
Type of Map Final

Type of Map Original - Diagram Prepared by Wesley C. Whitcomb

[illegible]

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 5-22-80.

Westlund
(Signed

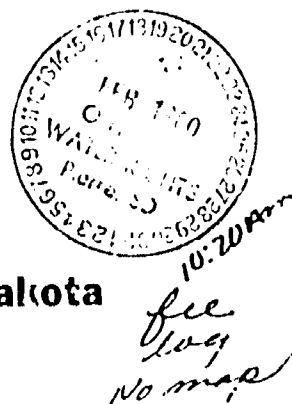
+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS	Date
F.F. & C	Final Decision, including F.F. & C of Law were adopted
OF LAW,	Date
FINAL	Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS	
ETC.	was adopted

Remarks _____

No. 4504-3
 Map No. 3738-3 Water Division No. 3 MINNESOTA RIVER District
 Above for Office Use 07020003



APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New X Vested Right _____ Future Use _____Change in Diversion _____ Additional Diversion X ON 2803-3

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Carl P. Boeke Phone No. 874-2581Post Office Address _____ Clear Lake State South Dakota 57226
(Street, RR, or Box) (Town) (Zip Code)If a corporation show date and place of incorporation none2. Method of accomplishing work (contract, employment of others, or by direct labor) contract3. Name of diversion work Boeke #34. Amount of water claimed (cubic feet per second) 1.2 No ADD'L (4.4)5. Source of water supply well6. Location of point of diversion 1200 feet N & 320 East of SE corner of Section
20-115-48 Deuel CountyTWO WELLS IN NW¹SE⁴-20-115-48 County DEUEL7. Annual period or periods during which water is to be used May-September 15th8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, _____ Total number of acres to be irrigated No ADD'L (512)

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.
SW ¹ of SE ⁴ 20-115-48	40
SE ¹ of SE ⁴ 20-115-48	15

Land Description	No. Acres Irr.
5 ¹ / ₂ -20-115-48	
COVERED UNDER #2803-3	

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use none years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Clear Lake Courier

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
Central Pivot Irrigation SystemB. Works proposed to transport water to place of use.
Central Pivot Irrigation SystemC. Works proposed to apply water to beneficial use.
Central Pivot Irrigation SystemEstimated Total Cost \$ 30,000

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 Deuel) ss.I, Carl P. Boeke 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 Carl P. BoekeSubscribed and sworn to before me this 12th day of February, 1980

DATE W. W. WILSON
 Notary Public for South Dakota
 My Comm. Expires April 23, 1981

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 4504-3

CARL P. BOEKE

(Applicant)

CLEAR LAKE

(Post Office Address)

SOUTH DAKOTA 57226

With the following qualifications.

The irrigation well(s) approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

~~that permit is approved subject to the following conditions:~~
~~that the permit is being submitted with the following conditions:~~

Lands covered under this Permit are also covered under Permit No. 2803-3. Combinations of diversions under the two permits shall not exceed the Statutory limit of 1 c.f.s. for each 70 acres of land to be irrigated.

Date of first receipt of application FEBRUARY 20, 1980
Date of return to applicant for correction, amendments or changes required _____, 19____
Date of receipt of corrected application NO APRIL 16, 1980
Approved MAY 22, 1980, Recorded in Book 21 Page 188

WATER RIGHT PERMIT NO. 4504-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4504-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 20, 1980
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 22, 1981
3. The whole of said work is to be completed on or before MAY 22, 1983
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22, 1983
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 NO ADD'L cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation on or before MAY 22, 1983; said water to be used during the following described annual period: MAY - SEPTEMBER 15TH

Witness my hand this 2ND day of JUNE, 1980

THE BOARD OF WATER MANAGEMENT

By:

John H. Haleb
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: 1/4 1/4 Section 10 Township 11 Range 10

Well owner Bob L. Drake, 11200 N. 11th St., Omaha, NE 68114
(Name) (Address)

Date well drilling completed 7-12-77 Purpose of well Domestic
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	ft.
0' - 1'	Top soil	77'	
1' - 4'	colluvium	Depth to static water level	105'
4' - 9'	gravel	Name of producing aquifer (if known)	
9' - 29'	to sub-surface	Total depth of drill hole	142'
29' - 78'	Blaze's layer	Depth to bottom of casing	120'
78' - 142'	gravel & sand	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.	
142' -	Blaze's layer		
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.	
		If a flowing well, flow of completed well	

Attach sheet if more space is needed

Name of Drilling Contractor Frank D. White

(2) PUMP INSTALLATION

Company name and size of pump _____ HP _____

Type of pump _____ Capacity of installed pump _____ G.P.M.

Depth of pump placement _____ ft., Date of pump installation _____

(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 _____.

Name of Pump Installation Contractor _____

Kaiser's Well Works
De Smet, South Dakota 57231

Name _____

Location _____

Township _____

Section _____

IRRIGATION-TESTING-DRILLED-STOCK AND DOMESTIC BORED WELLS

Ph. 354.3744

Test hole No. 1

Data

[illegible]

Test hole No. 2

Data

[illegible]

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 2 1/2, Depth 72
- (2) Casing, Type Steel Diameter 1 1/2 Thickness 3/16
(wood, concrete, steel, etc)
- (3) Perforated Screen
Type 2 1/2, Diameter 1 1/2, Length 20
- (4) Gravel Pack, Thickness 6, Length of gravel pack 20

Dugout Information or Estimates

- (1) Surface dimensions 10' x 10', Depth 12'

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 4' to 3' top sand, 3' to 12' sand, 1' to 2' gravel, 1' to 2' sand and gravel

Depth to top of water bearing material 12'

Depth to bottom of water bearing material 72' to 75'

Thickness of water bearing material 60'

Depth to water (ground surface to water level) 14'

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

On same owner's property 50 yds. On property owned by others 280 yds.

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.

(Signature)
Signature of Applicant

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

D. Well Information

- (1) Drill Hole, Diameter 14", Depth 142
- (2) Casing, Type steel, Diameter 14", Thickness 20 gauge
(wood, concrete, steel, etc)
- (3) Screen, Type Johnson stainless steel, Diameter 14", Length 15 feet
- (4) Gravel Pack, Thickness 2" pack, Length of gravel pack 127 feet

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

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

Depth to top of water bearing material 78 feet

Depth to bottom of water bearing material 142 feet

Depth to water (ground surface to water level) 105

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

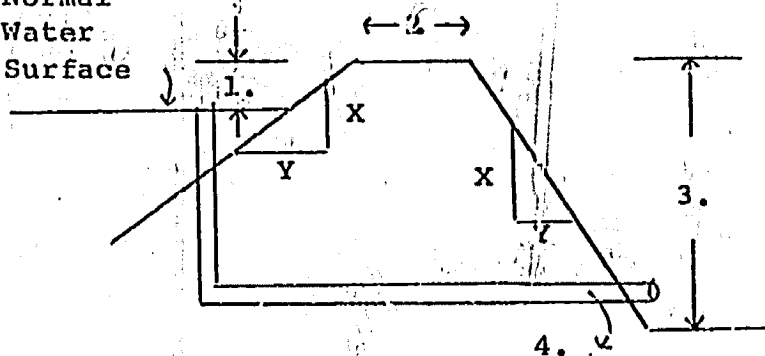
On same owner's property 100 rds.

On property owned by others 320 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.

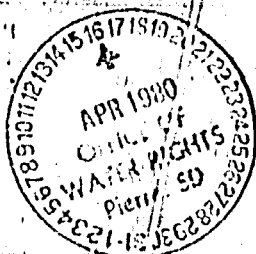
Normal
Water
Surface



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

Carl D. Becker
Signature Applicant

WATER RIGHT
2/7/80



SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Carl Buckle OWNERS ADDRESS: Clear Lake
COUNTY LAND LOCATED IN: Deuel PHONE: 872-2581 57226
TENANT'S NAME AND ADDRESS: (If Other Than Owner)

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

1. WELL LOCATION OR DIVERSION POINT: NE 1/4 SW 1/4 SECTION 20 T14R15

2. SURFACE WATER SOURCE

3. LOCATION OF AREA TO BE IRRIGATED: SE 1/4 SE 1/4 20 1542

4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)

TYPE OF IRRIGATION: (Show approximate acres under each type of system):

5. GRAVITY ☐ TOWLINE ☐ CENTER PIVOT ☒ GUN ☐ OTHER (Specify)

6. CROPS TO BE IRRIGATED: Corn & Oats & Alfalfa

7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 76

LAND: SE 1/4 20-115-48
IN WHAT NAME: Carl Buckle #1 & #2

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

8. SAMPLE NUMBER: 79-353

9. SALINITY (EC x 10⁶) 531

10. SODIUM (SAR) 0.8 ADJUSTED (SAR) 1.85 (7) = 1.3

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at 2:30 A.M./P.M., on June 14, 1979, at the following location: SE 1/4 20-115-48

Y. Gene Hansen (Name of individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I also hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information as been acquired from Deuel Co. Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 5-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
26 DAY OF February, 1980.

(NOTARY PUBLIC)

Carl D. Buckle
APPLICANT'S SIGNATURE

Keith L. Hansen
Director, Division of Conservation

☒ APPROVED

☐ DISAPPROVED

☐ CONDITIONALLY APPROVED

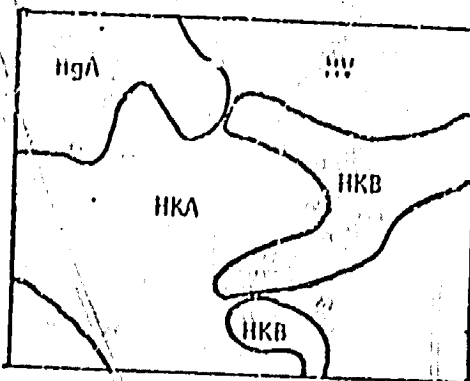
IMPORTANT

Attention by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

In all cases a WATER RIGHT must be obtained from the State Water Rights Commission.

SOILS INFORMATION

EXAMPLE



- HgA - Highmore - DeGrey silt loams - 0-2% slopes
DeGrey soils have a shallow clay-pan and have slow to very slow permeability generally not suitable for irrigation.
- HKA - Highmore - Eakin silt loams - 0-2% slopes
Soils have a high available water capacity and moderate permeability.
- HKB - Highmore - Eakin silt loams - 2-5% slopes
Same physical composition as HKA - moderate erosion problems.
- Mv - Minor fine sandy loam - 0-2% slopes
Moderately rapid permeability, moderate or high available water capacity.

Residents of counties with published or up-to-date soil surveys shall contact their local Conservation District for a copy of the soils map for the area to be irrigated and the location of the map.

R
C $\frac{15M}{R-7} = IVe3$

Deep

Information shall contact the Soil
best information

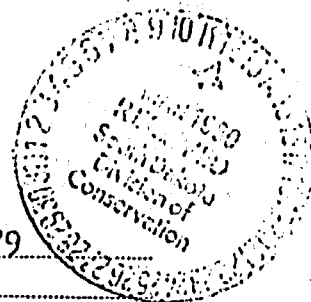
J
L $\frac{ID}{2-1} = I$
Brock
under 15.0
under 15.0

Deep, loamy, moderately well and well drained soils on nearly level (0 to 2%) upland slopes and in swales that receive beneficial moisture from adjacent slopes. They have few or no limitations for use.

SECTION 20-115-48

PLEASE USE BACK OF THIS SHEET FOR NARRATIVE
OR ATTACH SEPARATE SHEET

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



Submitted by: Carl Poeke
 Address: Clear Lake, SD 57226

Date Rec'd. June 14, 1979

Sample No. 79-353

Identification _____

WATER ANALYSIS

Calcium (Ca)	102	ppm*	5.12	me/l**
Magnesium (Mg)	5	ppm	0.39	me/l
Sodium (Na)	30	ppm	1.31	me/l
Potassium (K)	2	ppm	0.04	me/l
Sulfate (SO ₄)	30	ppm	0.63	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.07	me/l
Bicarbonate (HCO ₃)	317	ppm	5.20	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)	260	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	531	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.80	Adjusted SAR	1.85	1.3
Sodium	19.10	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.45			

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 6.86 me/l
 Total anions 5.90 me/l

By: Shirley Kitten

Service Performed

Amount Due

Irrigation analysis

\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 79-353

Amount Enclosed \$

Signed

REC-MCMT/FORM
12/78

d

Approved _____

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Carl Boeke, Clear Lake

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED: on stony areas and excessive slope of 10-40% on SE $\frac{1}{4}$ SE $\frac{1}{4}$ -20

25A
10-1 Stony loam complex

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 11A times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 11A inches of water.
3. ☒ Yes ☐ No Surface drainage suggested on depressional areas.
4. ☐ Yes ☐ No Subsurface drainage suggested on _____.
5. ☒ Deep tillage (for the purpose of aiding movement of water through dense subsoils.
COMMENTS: Occasional use on the heavy textured soils in drainageway
6. ☐ Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application 1.) gun, towline, or side-roll
2.) center pivot.

GENERAL COMMENTS:

A gun, towline, or side-roll seems to fit 15 acres in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ section 20.

The drainage way area, which is also your heavier soils, should have a drainable slope so that water does not pond and cause water logging.

Copy to applicant
Copy to Water Rights
Copy on file

June 13, 1999
Carl Boeke & Ashwade called to the office. They
said thought 3 wells were on, told him no. That stated
3rd well was only 250' from others and in same aquifer
said didn't need WQ if that was correct, if not they
needed WQ approval. -

May 16-31

Can have H. No. and orig. priority June 29/1976
no effs & no new a/czgs

Dear Mr. Boeke:

It will be necessary to submit an application for the additional diversions in order to comply with the South Dakota Water Rights Statutes.

A signed drillers log for the additional wells must also accompany the application. An additional map or water quality approval will not be required.

If you have any questions, feel free to contact this office.

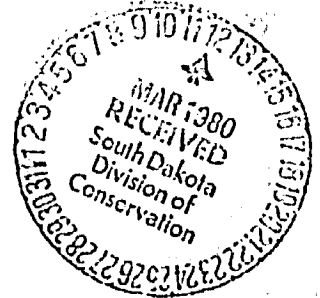
Sincerely,

BW/gy

encl as stated

[Faint, illegible handwritten notes]

**South Dakota Department of
Water & Natural Resources**
Joe Foss Building
Pierre, South Dakota 57501
Water Rights, Water Management Division
(605) 773-3352



February 20, 1980

Carl P. Boeke
Clear Lake,
South Dakota 57226

Dear Mr. Boeke:

We have received your application to irrigate 55 acres from a well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, T115N, R48W.

Is this application for an additional diversion on your Permit No. 2803-3? Enclosed is a map showing four wells on the acreage you are irrigating under Permit No. 2803-3. Please show the exact wells you are using so we may correct the new application.

Soil/Water Compatability approval will also be needed. For procedures and required forms contact the State Conservation Commission, Anderson Building, Pierre SD (phone 773-3259).

To maintain your priority date on your application for permit to appropriate water, in accordance with SDCL 46-5-16, you will now have sixty days from the date of this letter to have the above information submitted to this office.

Further processing of your completed application will proceed upon the receipt of the above. Your receipt No. 4 7328 in the amount of \$150.00 is on file with your application.

Sincerely,

Betty Westlund

BETTY WESTLUND
Water Rights Specialist

BW:kw

enclosure

*Letter
Using 3 wells, none of which were on the
original appl. Had 2 for other 2 wells.*

Equal Opportunity Employer

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

NE 4 7328

PIERRE, February 20, 1980

RECEIVED OF Carl P. Roeka, 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. 4504-3 (examination, processing, recording and filing)	150	00
Fee for inspecting Construction, and Issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

No. 4504-3

Publish first publication, on or before May 1, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 17, 1980

Notice is hereby given that Carl P Boeke whose post office

address is Clear Lake, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-41; 46-6-3; 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use no add'l cubic feet of water per second of time from groundwater (two existing and one/ ^{new}) through the Boeke #3, to add an additional point of diversion on an existing Permit of which is to be located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and two existing wells located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$

all in Section 20, Twp. 115N, Range 48W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

S $\frac{1}{4}$, Section 20; T115N, R48W

This Application No. 4504-3 will be considered by the Water Management Board at Civil Defense Room Capitol Building, Pierre, South Dakota upon the 22nd day of May, 1980

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

BETTY WESTLUND
Water Rights Specialist

cc: Carl P Boeke, Clear Lake, SD 57226

FORM 6 - Notice of Intent to Appropriate Water
GROUNDWATER

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Deuel) ss.

I, Harry DeLong hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Clear Lake Courier

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

Clear Lake Courier of Clear Lake

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

May 1 and May 8

Harry DeLong
(Signature)

Publisher
(Title)

May 8, 1980
(Date Signed)

NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501
April 17, 1980
Notice is hereby given that Carl
P. Boeke whose post office address
is Clear Lake, South Dakota, has
made an application in accordance
with the provisions of SDCL 46-1-1
thru 46-1-9, 46-1-14, 46-2-9 thru 46-
2-11, 46-2-13, 46-5-1 thru 46-5-8,
46-5-10 thru 46-5-22, 46-6-1,
46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1,
46-6-10, 46-6-14 and Board Rules
ARSD 52:01:01:01 thru 52:01:01:
13, for a permit to appropriate for
beneficial use no add'l cubic feet of
water per second of time from
groundwater (two existing and one
new) through the Boeke #3, to add
an additional point of diversion on
an existing Permit of which is to be
located in the SE 1/4 SE 1/4 and
existing wells located in the NW 1/4
SE 1/4, all in Section 20, Twp. 115N,
Range 48W. Said water to be used
for the purpose of providing irri-
gation on portions of the following
described land: S 1/4 Section 20,
T115N, R48W.
This Application No. 4504-3 will
be considered by the Water Man-
agement Board at Civil Defense
Room, Capitol Building, Pierre,
South Dakota, upon the 22nd day of
May, 1980 at 10 a.m. The Board is
authorized to make a determination
on this application at the hearing.
All interested persons may appear
and be heard. Any person who may
be affected by a Board decision who
desires to present evidence or
cross-examine witnesses according
to SDCL 1-6 may notify the Board
in writing prior to the hearing or
orally at the hearing.
This hearing is an adversary pro-
ceeding. Any person has the right
to be present or to be represented
by a lawyer. Those and other due
process rights will be forfeited if
they are not exercised at the
hearing. Decisions of the Board
may be appealed to the Courts as
provided by law.

Water Management Board
Betty Westlund
Water Rights Specialist

May 1 & 8



Form 10.

No. _____



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Clear Lake S. Dakota

Date _____

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. 4504-3

Water Right Permit No. 4504-3 states that the diversion system is to be constructed by May 22, 19 83 and that the water is to be put to beneficial use by May 22, 19 83.

The diversion system was completed on Completed, 19 ____.
Applying the water to beneficial use was completed on _____,
19 ____.

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.

David D. Doe
(Signature)



Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

March 22, 1983

PERMIT NO. 4504-3

4504-3
Carl P Boeke
Clear Lake SD 57226

Dear Sir:

Water Permit No. 4504-3 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

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

Please advise, if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

South Dakota

4504-3

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOV 23 1992

5460-3

Carl P. Boeke
RR 1, Box 171
Clear Lake, SD 57226

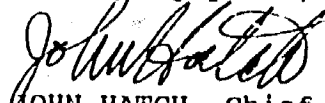
Dear Mr. Boeke:

Enclosed is Water License No. 5460-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413268 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5460-3, 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 Division
(605) 773-3352

enclosures

NOTE: The applicable portions of Water Permit Nos. 2803-3 and 4504-3 are incorporated into this Water License No. 5460-3.

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