

1. Considered July 24 19 80
2. Name of Applicant RUFAB AND COMPANY
3. Post Office Address SIoux CITY, IOWA
4. Amount of Water Claimed 1.14 ADD'L CFS. (4.28 TOTAL)
5. Source of Water Supply 110' WELL & 104' WELL (EXISTING)
6. Water to be used for IRR.
7. Acres to be irrigated 300 (80 ADD'L) ^{maximum} acre feet
8. Water to be diverted and used in UNION County
about 2 1/2 & 1/2 miles EAST of JEFFERSON
9. PROOF OF PUBLICATION Received (Ret) 7-8-80

Not Received _____

APPLICATION

Approved 7-24-80Subject to WI & IQ

Not Approved _____

Action deferred _____

Priority

Date

Received 3-28-80Application Complete (yes) noFEE 225.00

Remarks ADD add'l 80 acres & well on Permit No. 4439-3,
upon approval 4439-3 will be cancelled

Date information and/or
fee or corrected Application received
Period of Annual use April thru October

WATER
QUALITYReceived (yes) 6/17/80 no (APPROVED) CONDITIONAL (Circle one)WI-1 Description same as application (yes) no Remarks _____

Disapproved _____

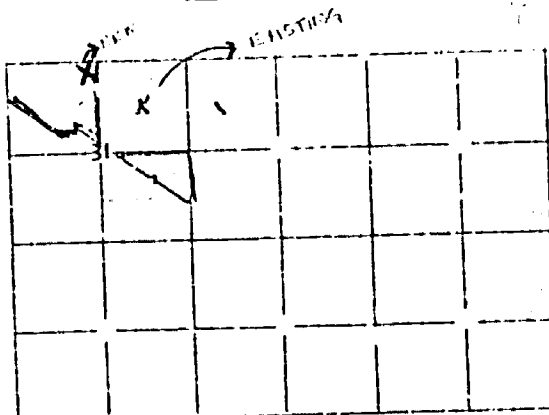
Returned _____

Diversion Points

NE⁴ NW⁴ and
W^{1/2} NE⁴ (existing) both in
Section 31--T90N--R48W

Lands to be irrigated

N^{1/2} and N^{1/2} SE⁴, Section
31--T90N--R48W

NEW IN
REDWELL
LOG

Remarks _____

Driller WETMORE DOLLicensed (yes) noDepth 110' 104'

MAP Map No. 3748-3 Map located in Water Right X1 Map file _____

Type of Map AERIAL Prepared by L. L. Smith Co. Agent

+++++

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 7-24-80

B. J. Swerlund
(Signed)

+++++

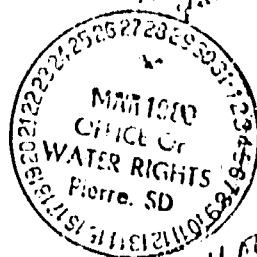
PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

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 was adopted _____
ETC.

Remarks _____

No. 4527-3Map No. 3748-3 Water Division No. 3 MISSOURI RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)10170101

APPLICATION FOR PERMIT



To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Rufab and Company 606 Cunningham Drive
Postoffice address Sioux City State Iowa
If a corporation show date and place of incorporation No
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work Rufab and Company No. 2
4. Amount of water claimed (cubic feet per second) 1.14 (4.28 TOTAL)
5. Source of water supply well
6. Location of point of diversion west 1/2 of NW 1/4 Sec. 31 T 90 Range 48-W E 1/2 NE 1/4, Sec. 31-T 90N-R 48W (EXISTING)

County Union

7. Annual period or periods during which water is to be used April thru 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 80 (300)

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
W 1/2 NW 1/4 Sec. 31 T 90 R 48	40	E 1/2 NW 1/4 & NE 1/4	
NE 1/4 SE 1/4 Sec. 31 T 90 R 48		Sec. 31-T 90N-R 48W	320
SE 1/4 SE 1/4 NW 1/4 OF SE 1/4 SEC 31 T 90	248 HC		

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 2 years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Elk Point, Leader Courier
12. Principal Features of the Proposed Water Supply System.

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

Pump

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

Pipe

C. Works proposed to apply water to beneficial use.

Center Pivot

THIS APPLICATION IS FOR ADDITIONAL
ACREAGE & DIVERSION POINT ON PERMIT
No. 4437-3. UPON APPROVAL, PERMIT No.
4437-3 WILL BE INCORPORATED INTO THIS
APPLICATION AND PERMIT No. 4437-3
WILL BE CANCELLED.

Estimated Total Cost \$ 30,000.00

Attachment: 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 _____

I, _____ 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.

Subscribed and sworn to before me this 6th day of March 1980

Richard R. Rector
Notary Public for other qualified officers

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 4527-3
RUEAB AND COMPANY 606 CUNNINGHAM DRIVE
 (Applicant) (Post Office Address)

SIoux CITY, IOWA 51100 With the following modifications:
 (State)

The irrigation wells 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.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

The applicable portions of Permit No. 4439-3 have been incorporated into this permit No. 4527-3 and Permit No. 4439-3 has been placed in a cancelled status.

Date of first receipt of application March 28 19 80
 Date of return to applicant for correction, amendments or changes required March 31 and May 22 19 80
 Date of receipt of corrected application June 17 19 80
 Approved July 24 19 80 Recorded in Book 21 Page 224

WATER RIGHT PERMIT NO. 4527-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 4527-3 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 1.14 c.f.s. from March 28, 1980 and 3.14 c.f.s. from August 28, 1979
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before January 24 19 83
3. The whole of said work is to be completed on or before July 24 19 85
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is July 24 19 87
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 4.28 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 July 24 19 87; said water to be used during the following described annual period: April thru October

Witness my hand this 4th day of August 19 80

WATER RESOURCES COMMISSION

By

John Hatch
 Chief Engineer, Executive Officer
 JOHN HATCH

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

P.O. Box 577

Phone [605] 358-3272

Name Rafael & Co.

Address 606 Cunningham
Sioux City, Ia 51107

Yours on steel 76.0.5 Date 2-18, 1980

Joe Wetmore

Sub Total

Tax

**Please Pay By Invoice
No Statement Will Be Sent**

TOTAL

CONSERVATION
COMMISSION
W1 #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 ONLY

IRRIGATION SYSTEM _____

WATER QUALITY _____

SOILS CAPABILITY _____

APPROVED: John Sudbury

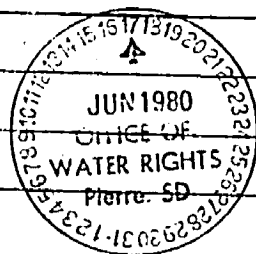
DISAPPROVED _____

RECEIVED

APR 10 1980

South Dakota
Division of Conservation

NAME Rufah and Company
ADDRESS 606 Cunningham Drive
Sioux City Iowa
COUNTY Union



LEGAL DESCRIPTION

1. WELL LOCATION NW 1/4 NW 1/4 Sec 31 T90 R48W

2. AREA TO BE IRRIGATED 40 80 ac total

TYPE OF IRRIGATION

Portions of NW 1/4 NW 1/4 Sec 31 35 to 40 Ac
Portions of NE 1/4 SE 1/4 Sec 31 5 to 10 Ac
Portions of NW 1/4 SE 1/4 Sec 31 5 to 8 Ac
Portions of SE 1/4 Sec 31 40 Ac

Well #1 12.77
" " #2 41.23
" " #3 2.55

3. GRAVITY _____ SPRINKLER (INDICATE TYPE) Center Pivot

4. CROPS TO BE IRRIGATED corn Beans alfalfa Etc.

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE 1%

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION fine to medium silty loam

WATER QUALITY

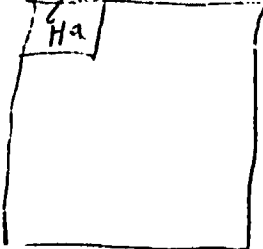
(TO BE COMPLETED BY COMMISSION)

7. SAMPLE NUMBER SD-153

8. SALINITY 1.25

9. SODIUM 1.25 11.5

Soils Sec 31 T90 R48W



Ha - Haynie series - deep, well drained, Level silty soils on bottom land. Silt loam to a silty clay loam.

Approved

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Rufab and Company, Sioux City, Iowa

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

Ad - Albaton Silty Clay, narrow band of land adjacent to Lake.

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than NA times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least NA inches of water.
3. ☒ Yes ☐ No Surface drainage suggested on *See below
4. ☐ Yes ☐ No Subsurface drainage suggested on _____
5. ☐ Deep tillage (for the purpose of aiding movement of water through dense subsoils.

COMMENTS:

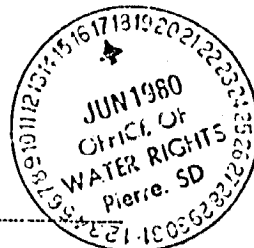
6. ☐ Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application pivot

GENERAL COMMENTS:

*Your flat topography indicates that isolated areas may be helped by improved surface drainage.

The calcareous content of your surface soil and throughout the root zone indicates history of a fluctuating water table. Under an irrigation regime, both surface and internal drainage may be needed to maintain high yields.

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



Submitted by: Rufab & Company
 Address: 606 Cunningham Dr.
Sioux City, Iowa 57511

Date Rec'd March 24, 1980
 Sample No. 80-153
 Identification Well-
NW 1/4, Sec. 31, T 90N, R 48W

WATER ANALYSIS

Calcium (Ca)	152	ppm*	7.60	me/l**
Magnesium (Mg)	36	ppm	2.95	me/l
Sodium (Na)	64	ppm	2.78	me/l
Potassium (K)	5	ppm	0.13	me/l
Sulfate (SO ₄)	208	ppm	4.34	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.07	me/l
Bicarbonate (HCO ₃)	571	ppm	9.36	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)	468	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1085	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.20	Adjusted SAR	3.35	
Sodium	20.65	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.75			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

COMMENTS: Total cations 13.46 me/l
 Total anions 13.77 me/l

By: Shirley Mittan

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. 80-153

Amount Enclosed \$

Signed

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 30, Depth 110

(2) Casing, Type Transite Diameter 16 Thickness 1/2
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type Transite Slotted, Diameter 16, Length 36

(4) Gravel Pack, Thickness 14, Length of gravel pack 40

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 See attached log --

Depth to top of water bearing material 20

Depth to bottom of water bearing material 110

Thickness of water bearing material 16

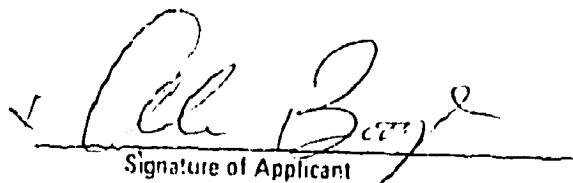
Depth to water (ground surface to water level) _____

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

On same owner's property 0 rds. On property owned by others 160 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.


Signature of Applicant

No. 4527-3

Publish first publication, on or before June 26, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 18, 1980

Notice is hereby given that Rufab & Company whose post office

address is Sioux City, Iowa, ~~3000 W. 14th St.~~ 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 4.28 cubic feet of water per second of time from groundwater (1.14 add'l) additional point of diversion & (2 wells, 1 existing) through the Rufab & Co. #2, to add an TX the point(s) of diversion of additional acreage on an existing permit. NW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ (existing) both in which ~~XX~~(are) to be located in the

~~XX~~ Section 31, Twp. 90N, Range 48W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N $\frac{1}{2}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 31-T90N-R48W.

This Application No. 4527-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Bldg., Church and Illinois Street, Pierre, SD 57501 upon the 24th day of July, 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.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Rufab & Co.
606 Cunningham Drive
Sioux City, IA 51100

Betty Westlund
Water Rights Specialist

WNR-256A-7/79
GROUNDWATER

No. 4527-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss

I, Lester E. Emerson hereby

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

Water was taken from the Leader-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

City Elk Point of

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

Thursday, June 26, 1980

Thursday, July 3, 1980

Lester E. Emerson
(Signature)

Publisher
(Title)

July 3, 1980
(Date Signed)

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501

June 18, 1980

Notice is hereby given that
Rufah & Company whose post
office address is Sioux City,
Iowa, has made an application in
accordance with the provisions
of SDCL 46-1-1 thru 46-1-9, 46-
1-11, 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:
01:19, for a permit to appropri-
ate for beneficial use 4.28
(1.14 add'l.) cubic feet of water
per second of time from ground-
water (2 wells, 1 existing)
through the Rufah & Co. #2, to
add an additional point of diversion
and TX, the point(s) of
diversion of additional acreage
on an existing permit which are
to be located in the NW 1/4 NW 1/4
and W 1/2 NE 1/4 (existing) both in
Section 31, Twp. 90N, Range
48W. Said water to be used for
the purpose of providing irrigation
on portions of the following
described land: N 1/2 and N 1/2
SE 1/4, Section 31-T90N-R48W.
This Application No. 4527-3
will be considered by the Water
Management Board at Meeting
Room #1, Kneip Bldg., Church
and Illinois Street, Pierre, SD
57501 upon the 24th day of July,
1980 at 10 A.M. The Board is
authorized to make a determina-
tion 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-ex-
amine witnesses according to
SDCL 1-28 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 exer-
cised at the hearing. Decisions
of the Board may be appealed to
the Courts as provided by law.

Any handicapped person wish-
ing to attend this hearing can
contact the Water Rights



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7423

PIERRE, March 31

80

RECEIVED OF Pufab & Company, 5001 E Washington Street, Phoenix AR
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. <u>4527-3</u> (examination, processing, recording and filing)	225	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 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	225	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

August 6, 1980

Rufab and Company
606 Cunningham Drive
Sioux City SD 51100

Dear Sirs:

Enclosed herewith is your Water Right Permit No. 4527-3 as approved by the Water Management Board authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 4527-3.

Also enclosed is FORM 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Management Board when you have completed the system and/or have put the water to beneficial use. The Board can then schedule an inspection so that your Certificate of Construction and/or Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH: kw

enclosure

NOTE: The applicable portions of Permit No. 4439-3 have been incorporated into this Permit No. 4527-3 and Permit No. 4439-3 has been placed in a cancelled status.

WNR-80-7/70

Forwarding Permit to Appropriate Water

January 12, 1982

4527-3

Lolighton Chicolino
RR2, Box 46A
Jefferson, South Dakota 57030

Mr. Chicolino:

This letter is in reply to your recent letter requesting information concerning the completion date on Permit No. 4527-3.

Upon approval of a permit, the applicant has five years to complete the project. The five year construction date for Permit No. 4527-3 is July 25, 1985. For your information, a copy of the permit is enclosed.

If you have any questions, please contact this office.

Sincerely,

Genny Young
Water Rights Specialist
Water Rights Division
Phone: (605) 773-3352

Enclosure: Copy of permit

B11108GY.wr

Dear Sir :

4527-3

Enclosed are Oregon
well Permit papers for well
2, It is to be dug the
first part of 1984.

I thought it best to
notify you of this, so you
will know that it will
be dug for this permit within
the next 1 to 4 months.

Please
Reply
Thank
You

Thank You
Leighton
Chumie

Box 46 Ki

Jefferson, S. D. Ok

This was submitted
w/copy of Permit
No. 4527-3





Department of Water & Natural Resources

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

October 12, 1990

NOTICE TO SUBMIT IRRIGATION QUESTIONNAIRE AND REPORT CHEMIGATION

4527-3
SONIA CHICOINE-TENANT
RR 2 BOX 464
JEFFERSON
SD 57038

WR/HI

G

10/10/90
TENANT

Please complete the enclosed 1990 Irrigation Water Use Questionnaire(s) and return them in the postage paid envelope by December 14, 1990. Submission of the Irrigation Questionnaire(s) each year is required. The addition of chemicals through an irrigation system must also be reported. If you reported chemigation in the past, form(s) are enclosed. If you chemigated only in 1990, form(s) will be sent to you.

If you have multiple permits, you may receive more than one questionnaire. If you are unable to complete the questionnaire for each water permit or water right, complete one and return ALL questionnaires. Make any necessary corrections to your mailing address or include a new owner's name and mailing address on the bottom of the questionnaire(s). Also please indicate on the questionnaire if your land is in a federal acreage reserve or production quota program.

PLEASE NOTE: A WATER RIGHT OR PERMIT CAN BE SUSPENDED FOR UP TO ONE YEAR IF THE IRRIGATION QUESTIONNAIRE IS NOT RETURNED OR THE USE OF CHEMIGATION IS NOT REPORTED.

If you have questions or need assistance with the questionnaire or chemigation reporting, please contact Genny McMath at (605) 772-3352.

Eugene Mollett - 966-5781
Virgil Mollett, Jr - 966-5783

enclosures

For the Water Management Board

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Division





DEPARTMENT OF WATER & NATURAL RESOURCES

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

December 28, 1990

4527-3

Eugene Mollett
RR #1 Box 42
Jefferson, SD 57038

Dear Mr. Mollett:

Enclosed is a 1990 irrigation questionnaire pertaining to Water Permit No. 4527-3. The permit (copy enclosed) is listed in the name of Rufab & Company. Sonia Chicoine has notified our office that she is no longer the tenant on this property and indicated we should contact you.

Please complete the questionnaire as accurately as possible and return it to our office by January 11, 1990. I have enclosed a postage paid envelope for your use in returning the form. If you have any questions or need assistance in completing the form, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

Permit No. 4527-3
Missouri River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **June 19, 2002**, made a thorough examination of the water use system constructed by **Rufab and Company** of **606 Cunningham Drive, Sioux City IA 51100** holder of Permit No. **4527-3**, bearing the priority of **August 28, 1979 (No. 4439-3)** and **March 28, 1980 (No. 4527-3)** authorizing the diversion of **4.28** cu. ft. per second of the waters of **ground water** for **irrigation** purposes, in **Union** County.

Inspection contact & relationship to permit holder, if applicable: **Virgil Mollet, tenant**

A. Works used to divert the water:

Well Information: East well

- 1) Well Drilling Firm: **Karpen Well & Pump**
- 2) No. of Wells **1**
- 3) Depth(s) **104** feet
- 4) Well log is available **Y**
- 5) Comment: **limited information**

Casing: West well

- 1) Diameter **16** inches
- 2) Length **64** feet
- 3) Type **Transite**

Screen: West well

- 1) Type **Slotted**
- 2) Length **26** feet
- 3) Static water level **6** feet

Well Information: West well

- 1) Well Drilling Firm: **S P S - Inc.**
- 2) No. of Wells **1**
- 3) Depth(s) **90** feet
- 4) Well log is available **Y**
- 5) Comment: **in name of Alan Booge**

Pump: East and West wells

- 1) Make **Western Land Roller**

Motor: East well

- 1) Make **General Electric**
- 2) Model No. **DSJ402319**
- 3) Horsepower rating **75** hp

Motor: West well

- 1) Make **General Electric**
- 2) Model No. **ANJ119390**
- 3) Horsepower rating **50** hp

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

- 1) Type **Aluminum**
- 2) Size **6** inches
- 3) Length **40** feet at West well

C. Works used to apply water to beneficial use:

Center pivot: East well

- 1) Make **Electrogator**
- 2) Number of towers **2**
- 3) End gun **Y**
- 4) Low pressure
- 5) Capacity **900** GPM

Chemigation Equipment:

- 1) Does chemigate **N**

Center pivot: West well

- 1) Make **Valley**
- 2) Number of towers **8**
- 3) End gun **Y**
- 4) Low pressure
- 5) Capacity **800** GPM

Report of Examination of Works

Permit No. 4527-3

D. Compliance with Permit Requirements:

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

The system is in good condition with the point(s) of diversion located as follows: East well: 1,425 feet W and 1,450 feet S from the NE corner section 31 (SW $\frac{1}{4}$ NE $\frac{1}{4}$) Latitude 42.57186, Longitude -96.55206; West well: 1,500 feet E and 1,600 feet S from the NW corner section 31 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) Latitude 42.57164, Longitude -96.56107; all in section 31-T90N-R48W. The works are capable of diverting and conveying to the place of use 3.78 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: all in section 31-T90N-R48W

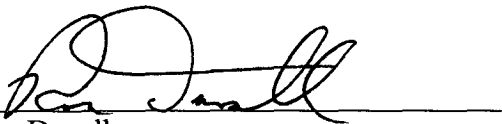
NE $\frac{1}{4}$ NE $\frac{1}{4}$	34 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$	35 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$	34 acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$	26 acres*
SW $\frac{1}{4}$ NE $\frac{1}{4}$	39 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$	2 acres*
SE $\frac{1}{4}$ NE $\frac{1}{4}$	37 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$	21 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	4 acres*		
NW $\frac{1}{4}$ SE $\frac{1}{4}$	6 acres*		

comprising a total of 238 acres of land and the license should be issued for 3.40 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project: 4439-3

* Acreage (38 acres) added by No. 4527-3 to acreage developed under No. 4439-3. A priority date of March 28, 1980 pertains to 38 acres (0.54 cfs) and a priority date of August 28, 1979 pertains to 200 acres (2.86 cfs). No. 4439-3 is incorporated into No. 4527-3.



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: January 30, 2003



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

RECEIVED

FEB 10 2003

WATER RIGHTS
PROGRAM

4527-3

February 3, 2003

Rufab and Company
606 Cunningham Drive
Sioux City IA 51100

Dear Sir:

On June 19, 2002 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 4527-3, was completed by Ron Duvall, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
(605) 773-3352

Please mail to
the tenant:
~~Vincent~~ Eugene Mollet
48011 332nd St
Jefferson SD
57038



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 11, 2003

4527-3

Eugene Mollet, Tenant
48011 332nd St
Jefferson SD 57038

Dear Mr. Mollet:

On June 19, 2002 the investigation of the water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 4527-3, was completed by Ron Duvall, a staff engineer with our program. The final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

The licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

We originally sent this letter to Rufab and Company. The letter was returned because of an incorrect address. Do you have a current address for them?

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 2003

No. 4527-3

Eugene Mollet, Tenant
48011 332nd St
Jefferson SD 57038

Dear Mr. Mollet:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Permit No. 4527-3. The water permit is currently listed in the name of Rufab & Company. As I stated in our phone conversation, enclosed is a copy of the map for the acreage covered by this permit.

The transfer form should be checked over for accuracy and signed by the new owner. Upon completion, return the form to our office with a required filing fee of \$2.50 as well as the \$50 license fee (\$52.50 total).

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,

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED
MAR - 6 2003
WATER RIGHTS
PROGRAM

No. 4527-3

Date: 2-25-03

I/We request that Water Right/Permit No. 4527-3

formerly owned by: Rufab & Company

be transferred to: (name & address) BOUGE PROPERTIES LIMITED PTN.
P.O. BOX 494
SOUTH SIOUX CITY, NE 68776

Telephone No. 602-275-5471

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

ON 712-239-43B
KIRK INVEN

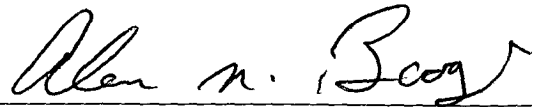
238 acres - N 1/2, N 1/2 SE 1/4 Section 31-T90N-R48W

I/We understand that the validity of Water Right/Permit No. 4527-3 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 with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We ALAN M. BOUGE PTN the new owner, certify that the above information is true and correct.



(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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.

1000 0 1000 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall, Nat. Res. Engineer
January 30, 2003

No. 4527-3

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date MARCH 6, 2003

RECEIVED OF Booge Properties Limited Ptn., PO Box 494, South Sioux City NE 68776

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. <u>4527-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No.

000075

By

Darlene White
Chief Engineer *gm*

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 6, 20 03

RECEIVED OF Booge Properties Limited Partnership, PO Box 494, South Sioux City NE 68776

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	2.50	
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 <u>4527-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2.50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No. **000676**

By

Darland Ebel
Chief Engineer *gmv*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 13 2003

4527-3

Booge Properties Limited Ptn.
Alen Booge
PO Box 494
South Sioux City NE 68776

Dear Mr. Booge:

Enclosed is Water License No. 4527-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 000675 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License and Receipt No. 000676 in the amount of \$2.50 which you paid for the transfer of Water License No. 4527-3.

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. 4527-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

A handwritten signature in black ink that reads "Garland Erbele".

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

enclosures

cc: Eugene Mollet, Tenant, 48011 332nd St., Jefferson SD 57038

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4527-3

(1) Rufab and Company, 606 Cunningham Drive, Sioux City IA 51100 made Application No. 4527-3, March 28, 1980 for a water permit to divert 4.28 cubic feet of water per second (cfs) from groundwater (two wells), Union County, South Dakota for irrigation purposes. Permit No. 4527-3, with priority dates of March 28, 1980 and August 28, 1979 was approved July 24, 1980 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 24, 1985 and for the application to beneficial use of water on or before July 24, 1987.

An investigation conducted for licensing purposes found one of the wells under Water Permit No. 4527-3 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.

On March 6, 2003, Water Permit No. 4527-3 was transferred to Booge Properties Limited PTN, PO Box 494, South Sioux City NE 68776.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 4527-3 is issued a license, bearing priority dates of March 28, 1980 (0.54 cfs) and August 28, 1979 (2.86 cfs) from groundwater (two wells) to divert 3.40 cfs for irrigation of 238 acres.

The diversion points are located: East well – 1,425 feet west and 1,450 feet south from the northeast corner Section 31 (SW ¼ NE ¼) and West well – 1,500 feet east and 1,600 feet south from the northwest corner Section 31 (SE ¼ NW ¼); all in T90N-R48W. The acres authorized for irrigation are as follows:

Section 31-T90N-R48W					
NE ¼ NE ¼	34 acres	NE ¼ NW ¼	35 acres	NE ¼ SE ¼	4 acres*
NW ¼ NE ¼	34 acres	NW ¼ NW ¼	26 acres*	NW ¼ SE ¼	6 acres*
SW ¼ NE ¼	39 acres	SW ¼ NW ¼	2 acres*		
SE ¼ NE ¼	37 acres	SE ¼ NW ¼	21 acres		
Total 238 acres					

* Acreage with March 28, 1980 priority date. Remaining acreage has August 28, 1979 priority date.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 4527-3 including the following now applicable qualifications:

- The irrigation wells 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 withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
- The applicable portions of Permit No. 4439-3 were incorporated into No. 4527-3 and No. 4439-3 was placed in a cancelled status.

Garland Erbele

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

MAR 13 2003

date



Approval of Diversion Point Location Change

NAME: Rufab and Company

ADDRESS: 606 Cunningham Drive, Sioux City IA 51100

DATE: January 30, 2003 **COUNTY:** Union

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The developed water source is the same as the permitted source and the developed diversion rate (3.78 cfs) is less than the permitted amount of 4.28 cfs.

- **If irrigation, no new land is irrigated**

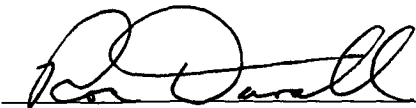
The developed acreage (238 acres) is less than the 300 acres authorized by Nos. 4527-3 and 4439-3.

- **Review of Existing Diversions**

The well was completed in 1984 and no instances of interference with other wells have been reported, nor would interference be expected in the Missouri Elk Point aquifer. The nearest other permitted diversion point (aside from the other well covered by No. 4527-3) is over one half mile away -- Permit No. 4503-3, Kathleen Chicoine.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed. The well was developed in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ section 31-T90N-48W approximately 200 feet from the permitted area in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of section 31.



Ron Duvall, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program

NOT TO SCALE



NOT TO SCALE

4439
4527

(8-163)
41.3

(8-138)
43.4

142R

3.5

(8-154)
76.0

25.0

299.0

310

(8-163)
44.3

(2-43)

51.7
286.4

90-48

142R