

WR

Water Right No. 4681-3

1. Considered 5-1 19 81
2. Name of Applicant ROBERT J. BORCHARD
3. Post Office Address MANSFIELD 57460
4. Amount of Water Claimed No ADD'L
5. Source of Water Supply 120' DEEP WELL EXISTING UNDE 2870-3
6. Water to be used for IRR
7. Acres to be irrigated 80 ADD'L maximum acre feet
8. Water to be diverted and used in BROWN County
about 2N, 2 1/2 miles WEST of MANSFIELD
9. PROOF OF PUBLICATION Received (initials) 4-23-81
Not Received _____
- APPLICATION Approved _____
Subject to _____
Not Approved _____
Action deferred _____

Priority Date
Received 3-13-81 Application Complete yes no FEE 225⁰⁰
3-13-81 Remarks Add acreage on # 2870-3

WATER
QUALITY

Date information and/or
fee or corrected Application received _____
Period of Annual use APRIL THRU OCTOBER
Received yes 4/10/81 no APPROVED CONDITIONAL (Circle one)
WI-1 Description same as application yes no Remarks _____

Disapproved _____

Returned _____

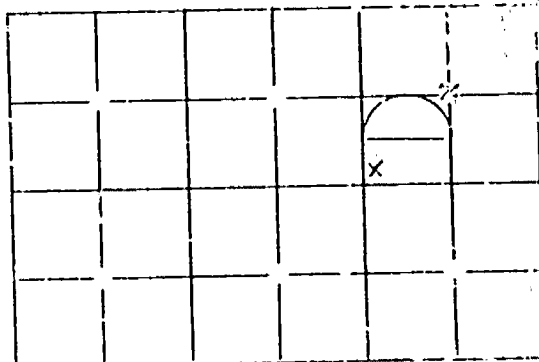
Diversion Point _____

SW⁴ SW⁴ 24-121-65

Lands to be irrigated _____

N 1/2 SW⁴ Section 24-

T12N - R6SW



WELL
LOG

Remarks _____

Driller Huron Drilling Licensed yes to _____

Depth 120' deep

(well inspected by Merriam)
(log in 2870-3)

No. 4681-3Map No. 3872-3 Water Division No. 3 JAMES RIVER District
Above for Office Use 10160003

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

Check one of the following:

New ☐ Vested Right ☐ Future Use ☐Change in Diversion ☐ Additional Diversion ☐Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant Robert J Borchard Phone No. 225-J893
 Post Office Address Mansfield State SD 57460
(Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
3. Name of diversion work Borchard #2
4. Amount of water claimed (cubic feet per second) no additional
5. Source of water supply groundwater (existing well under Permit No. 2870-3)
6. Location of point of diversion a point 250'N & 60'E of the SW corner, Section 24,
T121N, R65W
 _____ County Brown
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

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.
<u>N$\frac{1}{2}$ SW$\frac{1}{4}$ Section 24, T121N, R65W</u>	<u>80</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water AMERICAN NEWS
Aberdeen SD
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source.
pump well & motor
- B. Works proposed to transport water to place of use.
mainline
- C. Works proposed to apply water to beneficial use.
centerpivot

Estimated Total Cost \$ _____

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)
) ss.
 County of HUGHES)I, Robert J Borchard 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 Robert J BorchardSubscribed and sworn to before me this 13th day of March, 1981.Karen Wernsmann

Notary Public (or other qualified officer).

KAREN WERNSMANN, Administrative Secretary

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4681-3

ROBERT J. BORCHARD MANSFIELD
(Applicant) (Post Office Address)
SOUTH DAKOTA 57460 With the following qualifications
(State)

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 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.

Date of first receipt of application MARCH 13, 1981
Date of return to applicant for correction, amendments or changes required MARCH 13, 1981
Date of receipt of corrected application APRIL 10, 1981
Approved MAY 1, 1981, Recorded in Book 22 Page 127

WATER RIGHT PERMIT NO. 4681-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4681-3 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 MARCH 13, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 1, 1982
3. The whole of said work is to be completed on or before MAY 1, 1983
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 1, 1985
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 1, 1985; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 18TH day of MAY, 1981

THE WATER MANAGEMENT BOARD

By John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

PAGE NO. 1

Karl Osberg

FOREMAN

[illegible]

12 Principal Features of the Proposed Water Supply System (continue 1)

D Well Information or Estimates

(1) Drill Hole, Diameter 12" Depth 108'

(2) Casing, Type Steel Diameter 12" Thickness 1/2"
(wood, concrete, steel, etc)

(3) Perforated Screen

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____, Length of gravel pack _____

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 Water Sample - Sent to State University -
Test Well Information Available at Huron Drilling, Inc., Huron, South
Dakota - Drill Log Inclosed.

Depth to top of water bearing material 88'

Depth to bottom of water bearing material 108'

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property 320 rds. On property owned by others 240 rds.

G Water Storage Dams.

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

Robert J. Bouchard
Signature of Applicant

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

Office Use Only

OWNERS NAME: Robert J. Borchard OWNERS ADDRESS: 4681-3

COUNTY LAND LOCATED IN: Brooks PHONE: 225-1443

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

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

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

1. WELL LOCATION OR DIVERSION POINT: 25 ft North-South East 1/4 Section 35, T14N, R65W
2. SURFACE WATER SOURCE: _____
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
<u>NE 1/4 SW 1/4 34-131-65</u>	<u>33</u>		
<u>NW 1/4 SW 1/4 34-131-65</u>	<u>33</u>		
<u>14 14</u>			

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: X GUN: _____ OTHER: _____ (Specify)
5. CROPS TO BE IRRIGATED: Alfalfa - Corn - Sorghum - Barley
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: 1976
- LEGAL DESCRIPTION: NW 1/4 35-131-65 SW 1/4 34-131-65
- IN WHAT NAME: Robert J. Borchard

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

7. WATER SAMPLE NUMBER: 76-808
8. SALINITY (EC X 10⁶): 739
9. SODIUM (SAR): 1.77
10. ADJUSTED (SAR): 4.04 2.83

RECEIVED

MAR 23 1981

South Dakota
Division of Conservation

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 instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____ 19____, at the following location: _____ by _____ (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 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 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

13 DAY OF March, 1981.

William S. Stoltz
(NOTARY PUBLIC) Patricia J. Director

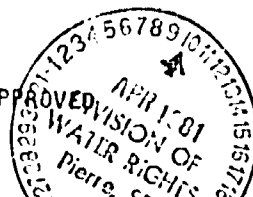
IMPORTANT

Robert J. Borchard
APPLICANT'S SIGNATURE

Frank M. Ziegler
Director, Division of Conservation

APPROVED
DISAPPROVED
☒ CONDITIONALLY APPROVED

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.



4681-3

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

DIVISION OF CONSERVATION

NAME OF APPLICANT Robert Forchard

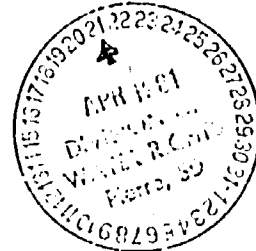
SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

THESE SOILS CAN BE IRRIGATED WITH THE FOLLOWING RESTRICTIONS:

- 56D - Max-Williams loams should be left in permanent vegetation where the slope exceeds 9%
- 78 - Tonka silt loams should be drained or left in permanent vegetation if problems with ponding or traction occur.

RECOMMENDED MANAGEMENT:



No. 4681-3

Publish first publication, on or before April 17, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 10, 1981

Notice is hereby given that Robert J. Borchard whose post office address is Mansfield, 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, 46-6-5.1, 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 (one existing well) through the Borchard #2, the point (X) of diversion of which is (X)(X)(X) to be located in the SW~~1~~ SW~~1~~

of Section 24, Twp. 121 N, Range 65W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N~~1~~ SW~~1~~, Section 24 - T121N - R65W. to add additional acreage on an existing permit.

This Application No. 4681-3 will be considered by the Water Management Board at the Civil Defense Room, State Capitol Building, Pierre, SD 57501 upon the 1st day of May 1981

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, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Robert J. Borchard
Mansfield, SD 57460

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

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

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brown) ss.

I, Tammie Schweigert 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:

April 15th 1981

April 22, 1981

Tammie Schweigert
(Signature)

Legal Clerk
(Title)

April 22 1981
(Date Signed)

(Legal No. 141 - April 15, 22 - 2T)
NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER
Notice is hereby given that Robert
J. Borchard whose post office address is
Mansfield, 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 46-2-13; 46-3-1 thru 46-3-8; 46-3-10 thru 46-3-13; 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 thru 52:01:01-13, for a permit to appropriate for beneficial use no additional cubic feet of water per second of time from groundwater (on existing well) through the Borchard No. 2, the point (XX) of diversion of which is to be located in the SW 1/4 SW 1/4 of Section 24, Twp. 121 N, Range 55W. Said water to be used for the purpose of providing irrigation on portions of the following described land: N 1/4 SW 1/4, Section 24, T121N, R65W, to add additional acreage on an existing permit.

This Application No. 46813 will be considered by the Water Management Board at the Civil Defense Room, State Capitol Building, Pierre, SD 57501 upon the 1st day of May 1981 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, DWR, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to ensure access to the hearing.
WATER MANAGEMENT BOARD
Betty Westlund, Water Rights Specialist
cc: Robert J. Borchard
Mansfield, SD 57460

Cost of Printing: 10" @ 319 #3190



RECEIF

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8071

PIERRE, March 13

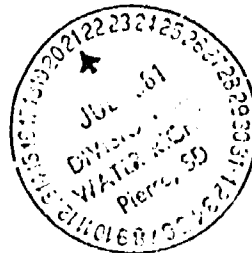
19 81

RECEIVED OF Krause - Allbee Farms, Mansfield SD 57460 for Robert J Borchard
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 4681-3 (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



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

Post Office Manfield, S.D.

Date 19 July

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 maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No.

4681-3.

Water Right Permit No. 4681-3 states that the diversion system is to be constructed by May 1 1983, and that the water is put to beneficial use by May 1 1985.

The diversion system was completed on May 2 1981. Applying the water to beneficial use was completed on May 2 1981.

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.

Robert J. Borchard
(Signature)

4681-3

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4681-3**

(1) Robert J Borchard of Mansfield, SD 57460 made Application No. 4681-3, March 13, 1981 for a water permit to add acreage to Water Right No. 2870-3, Brown County, South Dakota for irrigation purposes. Water Permit No. 4681-3 did not allow for an increase in diversion rate from the existing well. Permit No. 4681-3, with a priority date of March 13, 1981 was approved May 1, 1981 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 1, 1983 and for the application to beneficial use of said water on or before May 1, 1985.

The applicable portions of Water Right No. 2870-3 have been incorporated into this Water License No. 4681-3. The priority dates, as they pertain to the acreage irrigated, are described in (3) of this license.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.00 cubic feet of water per second for beneficial use. The location of the diversion point is 250 feet N and 60 feet E of the SW corner of Section 24, T121N, R65W (SW 1/4 SW 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land: 274 acres all in T121N, R65W

Section 24	NW 1/4 SW 1/4	33 acres	Priority: March 13, 1981 - established under No. 4681-3
	NE 1/4 SW 1/4	33 acres	"
	SV 1/4 SW 1/4	33 acres	Priority: August 10, 1976 - established under No. 2870-3
	SE 1/4 SW 1/4	33 acres	"
Section 25	NW 1/4 NW 1/4	38 acres	Priority: August 10, 1976 - established under No. 2870-3
	NE 1/4 NW 1/4	38 acres	"
	SW 1/4 NW 1/4	33 acres	"
	SE 1/4 NW 1/4	33 acres	"

(4) Pursuant to South Dakota Water Law 46-5-30.1 Robert J Borchard of HC 75 Box 103, Mansfield, SD 57460 the holder and/or owner of Incorporated Water Permit No. 4681-3 is issued a license to appropriate water, the right to use 2.00 cubic feet of water per second from groundwater (one well) with priority dates of August 10, 1976 and March 13, 1981 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 4681-3 and subject to South Dakota State Law.


John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 2 1996
date



Permit No. 4681-3
James 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, November 8, 1995, made a thorough examination of the water use system constructed by Robert Borchard of RR 1 Box 103, Mansfield SD 57460 holder of Permit No. 4681-3, bearing the priority of March 13, 1981 authorizing the diversion of No Add'l (see #2870-3) cu. ft. per second of the waters of ground water for Irrigation purposes, in Brown County.

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

- A. Works used to divert the water:
Western Land Roller 8 inch 5 stage Turbine pump, Serial No. 82081030, Capacity 900 gpm and 75 Hp US Electric motor, Model No. 365TP WPI
- B. Works used to transport water to place of use:
Approximately 1650 feet 8 inch PVC pipe
- C. Works used to apply water to beneficial use:
Valley 8 tower Center Pivot

The system is in the following condition Good. The point of diversion is located 250 feet north & 60 feet east of the SW corner of Section 24-T121N-R65W (SW 1/4 SW 1/4). The works are capable of diverting and conveying to the place of 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:

Water Permit No. 4681-3

NW 1/4 SW 1/4 Sec. 24-T121N-R65W--33 Acres
 NE 1/4 SW 1/4 " " --33 Acres

Water Right No. 2870-3

SW 1/4 SW 1/4 Sec. 24-T121N-R65W--33 Acres
 SE 1/4 SW 1/4 " " -- 33 Acres
 NW 1/4 NW 1/4 Sec. 25-T121N-R65W--38 Acres
 NE 1/4 NW 1/4 " " --38 Acres
 SW 1/4 NW 1/4 " " -- 33 Acres
 SE 1/4 NW 1/4 " " --33 Acres

comprising a total of 274 acres of land and the license should be issued for 2.00 (900 gpm) cfs.

Applicable permit qualifications have been complied with: Yes ☒ X

Exceptions to compliance are: none Date Report Completed: March 22, 1996

Timothy G. Schaal

Timothy G. Schaal, P.E.
 Natural Resources Engineer
 DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 4681-3

Other permit(s) associated with the project: 2870-3 (licensed for 2 cfs)

DATE OF INSPECTION: November 8, 1995

NAME & ADDRESS OF INSPECTION CONTACT/ Robert Borchard
RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Robert Borchard, RR 1 Box 103, Mansfield SD 57460

DIVERSION POINT LEGAL LOCATION: 250 feet north & 60 feet east of the SW corner of
Section 24-T121N-R61W (SW 1/4 SW 1/4)

WELL INFORMATION:

- 1) Well Drilling Firm: Huron Drilling
- 2) No. of Wells 1
- 3) Depth(s) 108 feet
- 4) Well log is available yes
- 5) Comment: XXXX

Casing:

- 1) Diameter 12 inches
- 2) Length XXXX feet
- 3) Type steel

Screen:

- 1) Type XXXX
- 2) Length XXXX feet
- 3) Static water level XXXX feet

Pump:

- 1) Make Western Land Roller
- 2) Model Serial #82081030
- 3) Size 8 inch
- 4) Capacity 900 GPM

Motor:

- 1) Make US Electric
- 2) Model No. 365TP WPI
- 3) Horsepower rating 75 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type Buried PVC
- 2) Size 8 inches
- 3) Length 1650 feet

SYSTEM TYPE:

Center pivot:

- 1) Make Valley
- 2) Overall length 1320 feet
- 3) Number of towers 8
- 4) Distance between towers XXX feet
- 5) End gun yes--Nelson
- 6) High or low pressure high
- 7) Capacity 900 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate yes
- 2) Main line check valve yes
- 3) Inspection port/air relief yes
- 4) Low pressure drain yes
- 5) Discharge is 20' from source yes
- 6) Interlock type direct
- 7) Injection pump type pos. displacement
- 8) Injection check valve yes
- 9) Injection line check valve or positive displacement pump yes
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules yes
- 11) Comments : XXXX

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by yes
- 3) All structures, wells and lands on map yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 26, 1996

4681-3

Robert Borchard
RR 1, Box 103
Mansfield, SD 57460

Dear Mr. Borchard:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 4681-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

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

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

Robert J. Borchard
HC 75, Box 103
Mansfield, SD 57460

4681-3

Dear Mr. Borchard:

Enclosed is Water License No. 4681-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414947 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. 4681-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Water Right No. 2870-3 have been incorporated into this Water License No. 4681-3.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

4681-3
414947

Pierre, _____ May 7, 19 36

RECEIVED OF Robert Borchard, HC 75, Box 103, Mansfield, SD 57460

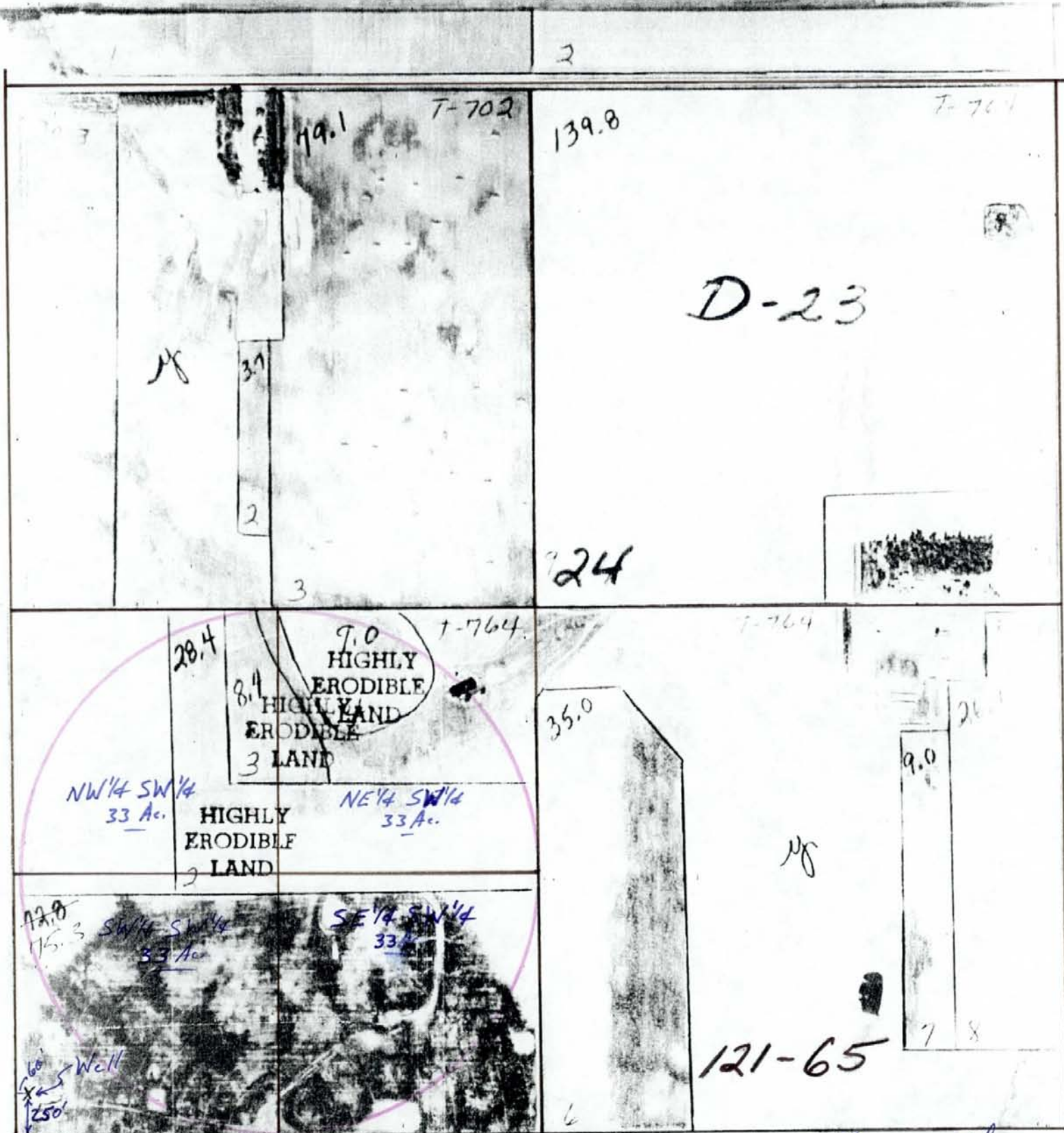
the following amount in fees for services rendered as provided for by law:

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>4681-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By J. H. Hatcher
Chief Engineer

NOT TO SCALE



Timothy G. Schaal
March 29, 1996

HURON DRILLING INC.
WELL LOCATION MAP

4681-3

Return to
Map Dept

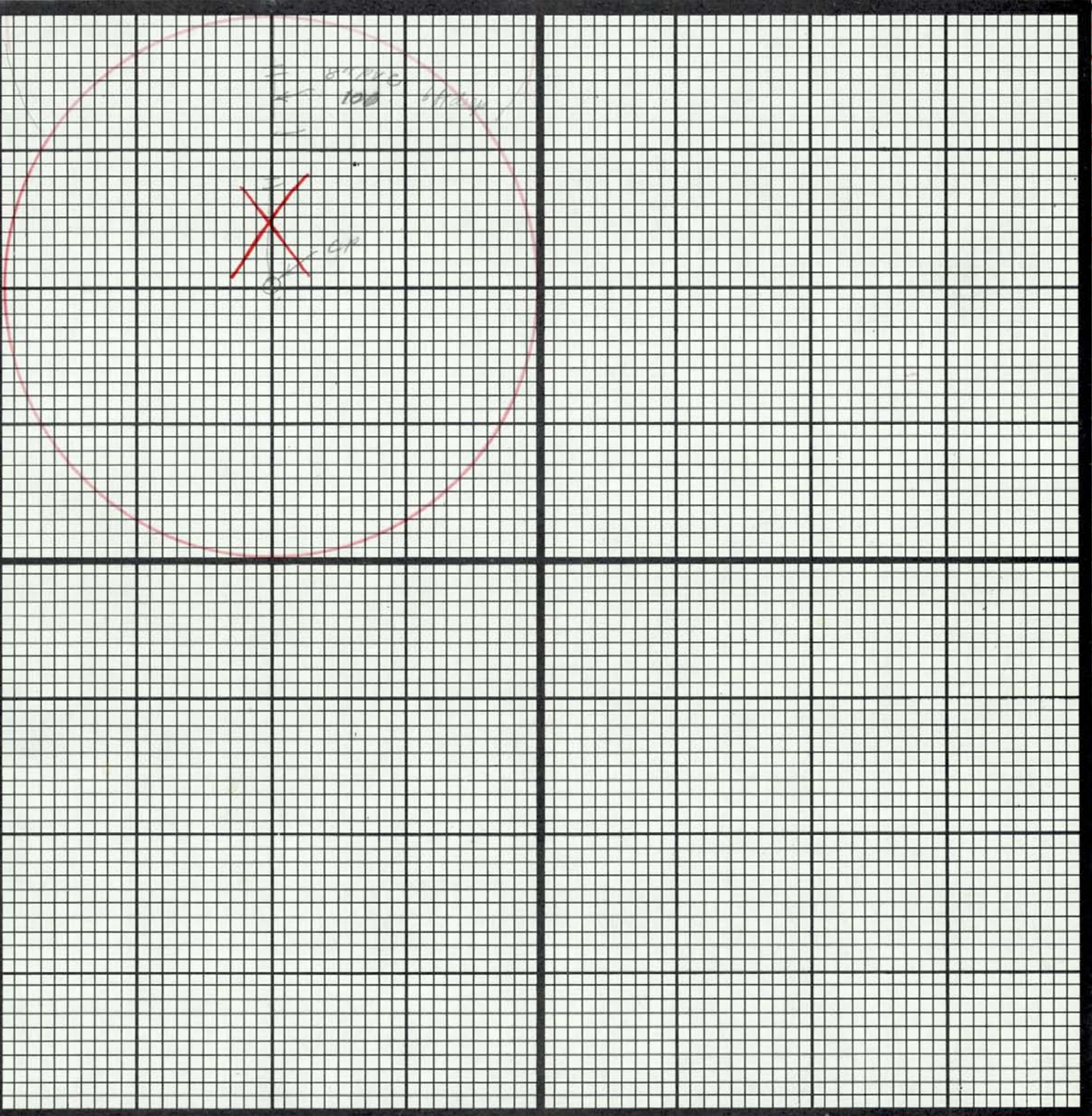
MAP NO 2204-3 APPL NO 2870-3

NAME Robert J. Borchard

DATE August 6 19 76

WELL NO. #1 NW QUARTER, SECTION 25

TWP. 121 RANGE 65 IN Brown COUNTY



X — PROPOSED LOCATION

Prepared By Dick Fadgen
Dick Fadgen
Beadle County Extension Agent



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 22, 2009

4681-3

Robert J Borchard
14549 382nd Ave
Mansfield SD 57460 6826

Dear Mr. Borchard:

Thank you for the prompt return of your 2009 irrigation questionnaire.

As you requested, future irrigation questionnaires will be directed to your leaser. Phillip Shanley will begin receiving the annual forms in 2010. Sending the forms to him does not change ownership of the water right; it merely allows us to send it to the person responsible for the irrigation of the land.

Thank you again for letting us know about the change needed for the irrigation questionnaire mailing. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is fluid and cursive, with the first name "Genny" and last name "McMath" clearly distinguishable.

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures



Thrivent Financial for Lutherans

Appleton, Wisconsin • Minneapolis, Minnesota
800-THRIVENT (800-847-4836) • www.thrivent.com

RECEIVED

JUN 11 2013

WATER RIGHTS
PROGRAM

4681-3

Henry Math

I am retired so I will give
you the name address and
phone numbers for you to
contact. The address is.

Phillip Shanley
Box 168

224 1st ave N West

Warner S Dak 57479

cell phone 605-290-3323

Land line 605-5040

Thank you

Sincerely

Robert J. Burkard

Phillip Shanley has a 5 year
lease on all of my land



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

June 11, 2013

4681-3
7470-3

Robert J Borchard
14549 382nd Ave
Mansfield SD 57460

Dear Mr. Borchard:

Thank you for your letter of June 10th letting us know that Phillip Shanley leases all of your land.

I have added his contact information to our files, specifically the irrigation questionnaire mailing list, so that the annual forms can be sent directly to him as the "leaser". We will continue to mail Mr. Shanley the annual questionnaires until you let us know otherwise.

Thank you again and if you have any questions, please contact us.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

4681-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date March 17, 2021RECEIVED OF Phillip Shanley PO Box 168 Warner SD 57479

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$
Fee to retain Future Use Permit No. _____ after period of seven years.	\$
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$
Fee for Filing Transfer Form <u>4681-3</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law)	
TOTAL	\$50.00

By Eric Gronlund
 Chief Engineer
Em

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

MAR 17 2021

Ck# 17777

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

RECEIVED

MAR 17 2021 Water Right/Permit No. 4681-3

WATER RIGHTS
PROGRAM

Date: January 12, 2021

I/We request that Water Right/Permit No. 4681-3 formerly owned by:

Robert Borchard

be transferred to:

New Owner Name: Phillip Shanley

Address: PO Box 188 224 1st Ave NW

City, State, Zip Warner SD 57479 Telephone No. 605-290-3323

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

Phillip Shanley

☒ I understand that the validity of Water Right/Permit No. 4681-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Phillip Shanley, 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.

4681-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

March 17, 2021

7470-3
4681-3

Phillip Shanley
PO Box 168
Warner SD 57479

Dear Mr. Shanley:

Enclosed as we discussed are transfer forms for filing the ownership changes on Water Permit No. 7470-3 and Water Right No. 4681-3. The new forms include the legal descriptions for each one. Please sign and return the forms to us in the enclosed postage paid envelope.

With respect to the ownership change you filed for Water Permit No. 2870-3; we will refund you the \$50 you paid for filing the ownership change. No transfer is required for that specific permit because the land described in the permit was incorporated into No. 4681-3 at the time of licensing. A refund for the fee will be processed and sent to you within the next couple weeks.

No further fees are required on your part. If you have any questions, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP
RECEIVED

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

MAR 23 2021
WATER RIGHTS
PROGRAM

No. 4681-3
Date: _____

I/We request that Water Right No. 4681-3

formerly owned by: Robert Borchard

be transferred to: (name & address) Phillip Shanley, PO Box 168, 224 1st Ave NW, Warner SD 57479

Telephone No. 605 290-3323

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

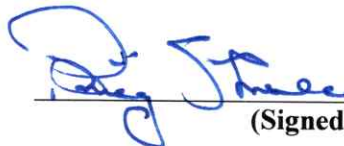
274 acres – SW ¼ Section 24, NW ¼ Section 25, all in T121N, R65W

I/We understand that the validity of Water Right No. 4681-3 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 Fifty Dollars (\$50.00) 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 Phillip Shanley, 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.

4681-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

March 25, 2021

7470-3
4681-3

Phillip Shanley
PO Box 168
Warner SD 57479-0168

Dear Mr. Shanley:

I am writing to acknowledge the updated forms you submitted for transferring Water Right No. 4681-3 and Water Permit No. 4681-3.

The ownership changes have been completed. The above listed water right and water permit, formerly held by Robert Borchard, are now listed in your name.

Enclosed are your receipts for the filing fees you paid. If you have any questions, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath". The signature is written in a cursive style.

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures