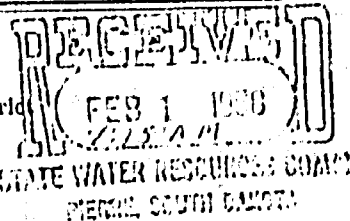


1. Considered April 23, 1958 Appl. No. 578-3
2. Name of Applicant Douglas Bosse
3. Post Office Address Elk Point, South Dakota
4. Amount of water claimed 222 cfs 214 cfs max. allowable
5. Source of water supply ground water
6. Water to be used for irrigation
Acres to be irrigated 150
7. Water to be diverted and used in Union County about
12 miles South east of Elk Point.
8. Proof of Publication Received ✓
Not Received Attel
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 5-18-3Water Division No. Big Sioux River District Big Sioux River
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Douglas Bosse
 Postoffice address Elk Point S. D., County Union, State S. D.

- I. If a corporation
- (a) Name of same
 - (b) Date and place of incorporation
 - (c) Amount of capital stock
 - (d) Amount paid in
 - (e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

- (b) Cash on hand, \$
- (c) Treasury stock, \$
- (d) Bonds to be issued, \$
- (e) Other resources, \$

2. Name of diversion work Doug Bosse Well
 3. Amount of water claimed 1000 gal. per. minute
 4. Source of water supply ground well 70 ft. of water
 5. Location of point of diversion E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 18, T 90, R 48
 6. Annual period or periods during which water is to be used Summer and Fall
 7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gr.(a) Number of acres to be irrigated 70 to 150 acres.(b) Legal subdivisions to be irrigated E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 18, T 90, R 48

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) none

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Name any of the above uses claimed(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant None

(d) Method of developing power

(e) Point where water will be returned to stream On property owned by others 700 rods399-3
MAG 115

8. Estimated cost of work:

(a) Head Gates, \$.....

(b) Pumping plant, \$.....

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures

Total, \$ 22.65

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

well with pump

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....

material used in construction

(b) Reservoir: Capacity when filledacre feet. Surface area atwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE-Feet CAPACITY
0 3	Topsoil	
3 26	Yellow clay	
26 57	Clay and gravel	
57 74	Gravel	
74 100	Hard shale, gravel, sand little rock.	

(c)* Head gate: Width.....feet; height.....feet;
Material

(d) Canal: Total lengthmiles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of workyears.

11. Time required for complete application of water to the proposed beneficial use years.

12. Choice of newspaper for publication of notice of intention to appropriate

Leader Courier Elk Point S. D.

STATE OF SOUTH DAKOTA

County of

Douglas BosseI, Douglas Bosse, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.Signed Douglas Bosse

Jan. 30, 1958

Subscribed and sworn to before me this

day of

1958

James M. Anderson
Notary Public (or other qualified officer.)

N.

SEC 18, T90N, R48W

SCALE 1" = 300'

CENTER
SEC 18

W $\frac{1}{2}$ SE $\frac{1}{4}$

E $\frac{1}{2}$ SE $\frac{1}{4}$

IRRIGATION WELL

1320'

90°

890'

SE COR SEC 18

Sec Line 2

ROAD

I, DID SURVEY LOCATION OF IRRIGATION WELL, IN EAST HALF OF SOUTHEAST QUARTER OF SECTION EIGHTEEN, T 90 N, R 48 W OF 5TH PM AS SHOWN ON ABOVE PLAT IN UNION COUNTY S.D. DAKOTA.

Alfred E. Rasmussen

SURVEYOR Sept. 1957 (survey)

SUBSCRIBED & ACKNOWLEDGED BEFORE ME BY ALFRED E. RASMUSSEN, SURVEYOR

THIS 13TH DAY OF FEBRUARY 1958.

Ruth B. Boudette

NOTARY

Map No. 397-3
(App. No. 518-3)

RECEIVED
FEB 20 1958
STATE OF S.D. DAKOTA

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota

February 3, 1958

This is to certify that the foregoing application was received by the Commission at 9:15 o'clock

9 a.m. upon the 1 day of February, 1958

State Water Resources Commission

By:

John R. Miller

Chief Engineer, Executive Officer

Number of permit 5-18-3

Date of first receipt of application February 1, 1958

Date of return to applicant for correction, amendments or changes required as follows: February 3, 1958

Date of receipt of corrected application February 20, 1958

Date from which applicant may claim right February 1, 1958

Approved April 23, 1958, Recorded in Book 4 Page 225

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

October 23, 1958

2nd. The whole of said work is to be completed on or before April 23, 1959

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

April 23, 1960

4th. The water appropriated shall be used for the purpose of irrigation

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 2.14 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 April 23, 1960; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 1 day of May, 1958

State Water Resources Commission

By:

John R. Miller

Chief Engineer, Executive Officer

Certificate of Construction Issued September 22, 1961

Water License Issued September 22, 1961

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36", Depth 100'Type of casing concrete
(wood, concrete, steel, etc.)Size of casing 18" Thickness of casing 2 1/2"Length of casing 4 inch If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen concreteSize of perforated screen 18" (diameter), 30' (length)Thickness of gravel pack 8", length of gravel pack 100'

(c) Water Bearing Materials

Distance to water 18' Character of water bearing materials graveland rock

Thickness of water bearing material

(d) Pump and Motor

Type of pump centrifugal
(centrifugal, propeller, mixed flow, etc.)Name of pump Western Land, size 10" outlet 8"Kind of motor Gas or diesel
(gasoline, electric, diesel, etc.)Horsepower 25 & 38, Name of Motor 1-H-C. power unit or Cat D-2

(e) Complete well

Capacity 1000 gal per min. at drawdown of 12 ft. Estimated cost \$2088

(f) Owner of land upon which well is located

Douglas Borne
NameElk Point S.D.
Address

(g) Distance to nearest existing wells

On same owner's property none rods. On property owned by others 160 rods

Permit No. **518-3**

Water Division No. **3** **Big Sioux River** Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That **Douglas Bosso**

of **Elk Point**, County of **Union**, and State of

South Dakota, the holder of Permit No. **518-3**, issued upon Application

No. **518-3**, bearing date of priority of **February 1, 1958**, authorizing the diversion of

2.14 cu. ft. per second of the waters of **ground water**

County of **Union**, State of South Dakota, at **a point 890' N and**

1320' W of the SE corner, Section 18, T90N, R48W

, for **irrigation**

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory

condition for diverting and conveying to the place of intended use **2.66** cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: **150 acres in the SE 1/4 Section 18, T90N, R48W**

Witness my hand this **22nd** day of **September** A. D. 19**61**

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

STATE OF SOUTH DAKOTA

WATER LICENSE No. 518-3

WHEREAS, On the 1st day of February A. D. 1958
Douglas Bosso

of Elk Point County of Union and State of
South Dakota duly made application (No. 518-3) to us for a permit to use 2.14
cubic feet per second of the waters of ground water
County of Union, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 1st day of May A. D. 1958
Permit No. 518-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 23rd day of
April A. D. 1959 and for the application to beneficial use of said
water on or before the 23rd day of April A. D. 1960
and,

WHEREAS, On the 15th day of May A. D. 1961
the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.66
cubic feet per second of said waters, as evidenced by our Certificate No. 518-3
dated September 22, 1961 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 2.14 cubic feet per second of water, with date of
priority of February 1, 1958 and,

WHEREAS, On the 15th day of May A. D. 1961
proof was duly made of the application to beneficial use of 2.14 cubic feet per second of said water;
to be used for irrigating 150 acres in the SE 1/4, Section 18,
T90N, R48W

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to Douglas Bosse
of Elk Point the holder and owner of said permit No. 518-3
a water right, dating from February 1, 1938 to the use of 2.14
cubic feet per second of the waters of ground water
in the County of Union and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at a point 890°N and 1320° W
of the SE corner, Section 18, T90N, R48W
and conducted to and upon the SE 1/4 Section 18, T90N, R48W

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 22nd day of September A. D. Nineteen
Hundred and sixty-one

State Water Resources Commission
By:
Chief Engineer, Executive Officer
J.W.GRINES

STATE OF SOUTH DAKOTA	Water License No. _____
To _____	_____
Source of Supply _____	_____
County _____	_____
Am't _____ c. f. s.	_____
Point of Diversion _____	_____
Place of Use _____	_____
Purpose _____	_____
Date of Priority _____	_____
Recorded _____	_____
in Book _____ of _____	Page _____

PROOF OF PUBLICATION

RECEIVED
APR 23 1958

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA }
County _____ Union } ss.

-----Wm. J. Ryan----- being duly sworn, deposes and says the annexed printed copy of Notice of Intention 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----- County of
Union----- and State of South Dakota; that the said notice was published in said newspaper on the following dates:

-----March 6, March 13, March 20,-----

-----March 27,-----

in each and every issue of the full number thereof, the first publication being made on the 6th day of March-----
19 58 and the last publication on the 27th day of
March----- 19 58, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Publisher----- the printer----- and publisher----- of the said newspaper.

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. D., February 20, 1958.

Notice is hereby given that Douglas Bosse whose postoffice address is Elk Point, S. D., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use, 2.22 cubic feet of water per second of time from ground water through the Doug Bosse Well, the point of diversion of which is to be located in the SE¹/₄ of the SE¹/₄ of Section 18 Twp. 90N. Range 48W. Said water to be used for the purpose of providing irrigation on the following described land: W¹/₂ SE¹/₄ and part of the E¹/₂ SE¹/₄, Sec. 18 T. 90N. R. 48W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 23 day of April, 1958, at 2:00 p.m. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission
By: Les Wyborny,
Water Rights Engineer.

Witness my hand and seal this 6th day of March, 1958.

Subscribed and sworn to before me this 16th day of April----- A. D. 19 58

Notary Public _____ County, S. D.

(First Publication before March 21, 1950.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., February 26, 1950.

Notice is hereby given that Douglas Bosse whose postoffice address is Elk Point S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.22 cubic feet of water per second of time from the ground water through the Doug Bosse Well, the point of diversion of which is to be located on the ~~XXXXXX~~ of said stream, in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19 Twp. 90N Range 48W. Said water to be used for the purpose of providing irrigation on the following described land:

W $\frac{1}{2}$ SE $\frac{1}{4}$ and part of the E $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18 T 90N, R 48W

~~XXXXXX~~

~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 23 day of April, 1950, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

~~XXXXXXXXXXXXXXXXXXXX~~
 Los Vyborny
 Water Rights Engineer

March 21, 1958

Mr. Herman Bernard
Box 97
Jefferson, South Dakota

Dear Mr. Bernard:

Your letter of March 12 inquires about the affects to your land by the water right application of Douglas Bosse.

The State water laws permits acquisition of an irrigation water right by other than the landowner if the other person has an interest in the land such as a lease or other contractual arrangement. It is assumed that arrangements have been made between the owner and the operator concerning the use to be made of the land. However, once acquired, an irrigation water right is appurtenant to the land upon which the water is used. So, any irrigation water right obtained by other than the landowner is the landowner's water right and the records may be established to show the landowner as the holder of such water right at any time the landowner so wishes. Once acquired the irrigation water right is valid as long as the water is used beneficially. Three years of non-use is a basis for forfeiture of the water right.

Regarding your question as to whether or not Mr. Bosse's permit will prevent you from constructing a well on your own land at some future time, adequate spacing between wells is necessary to avoid interference between wells. In your area 1000 feet spacing should be adequate although definite assurance cannot be given because of changes in aquifer characteristics.

The State water laws provide that any owner of water supply works, that have capacity in excess of his water rights, is required to deliver such surplus at reasonable rates, to

Herman Bernard

2

March 21, 1958

to another person entitled to water use. This would apply under Mr. Bosse's present proposal

I strongly urge you to negotiate a written agreement with Mr. Bosse covering the arrangements you and he wish to exist in the future concerning irrigation water use on your respective properties.

If you object to Mr. Bosse acquiring an irrigation permit on your land, please advise.

You may be interested in the enclosed copy of the water laws.

Sincerely,

J. W. GRIMES
Chief Engineer

JWG:ls
Enc.

Jefferson, S. D.
March 12, 1958.

State Water Resources Commission,
Pierre, S. D.

Dear Sirs:

We have noticed in the Leader-Courier published March 6, 1958 at Elk Point, S. D. a notice for Appropriation of Water by Douglas Bosse.

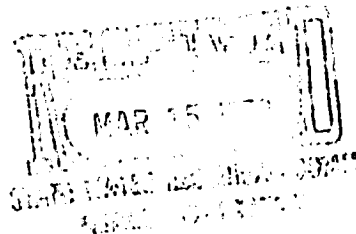
In this notice he is asking for water to irrigate an 80 acres of land which belongs to us. The $W\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 13 T 90N, R48W is ours. His land is part of the $E\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 18 T 90N R48W.

Will his obtaining a permit to irrigate our land prevent us from obtaining rights to put a well on our 80($W\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 18 T 90N R 48W) and irrigating our own land if we wish to do so in the future? Would his obtaining a permit to irrigate our land have any effect on us in any other respect?

We wrote a letter May 1, 1956 applying for a permit for a well and rec'd the application, thanks to you. After we had our land surveyed and found it was not level enough to irrigate we decided not to put in a well at that time because of the expense of leveling the land. We may want to in the future.

Thank you and we will be interested in reading your reply.

Yours truly,



Norman E. Knapp
Box 97
Jefferson S.D.

Permit No. 518-3Water Division No. 3RIG 51008
RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated AUG 1
 1954, I have this day made a thorough examination of the diversion works constructed by DONALD
BOESSE, of JEFFERSON
UNION County, South Dakota, holder of Permit No. 518-3, issued
 upon Application No. 518-3, bearing date of priority of AUG 1, 1954, authorizing the
 diversion of 2.14 cu. ft. per second of the waters of GRAND WATER for IRRIGATION
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 1 WESTERLAND ROLLER PUMP #457133
10" WITH 8" OUTLET INTERNATIONAL HARVESTER
MODEL 17 STATIONARY COLDEN 4 FINE SERVO

and the system is in the following condition: EXCELLENT

The point of diversion is located E 1/2 SEC 18 T70 R44

The works are capable of diverting and conveying to the place of use 170000 cu. ft. per second of water,
 which is to be used for

The legal sub-divisions to be irrigated are: W 1/2 SEC 18 T70 R44
SEC 18 T70 R44

comprising a total of 150 acres of land.
 The domestic use intended comprises

The utilization for power, mining, or other beneficial uses comprises: ALL

Witness my hand, this 15 day of Aug, A. D. 1954.

—SEAL—

[Signature]
 Examining Engineer.

Water Rights Division - DWR
Conversation or File Documentation

File No. 3249-3

NAME OF PERSON OR FILE: Dean Bosse

ADDRESS: RR#2 Jefferson SD 57038 COUNTY DAKE

DATE: August 29, 1984 TELEPHONE 996-5688

RE: ownership of WR's 54-3 (D. J. Bosse), 518-3 + 3249-3 (Douglas Bosse)

COMMENTS:

I spoke with Mrs. Dean Bosse - she indicated the land did now belong to Dean & Dale Bosse, but she was not certain which permit went to whom. (Dean & Dale are sons of Douglas Bosse)

The water rights should be transferred - send forms to Dean Bosse and they can complete with appropriate names. Mrs. Bosse said this was satisfactory.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Benny McMath

54-3
518-3
3249-3

August 24, 1984

Dean Bosse
RR#2
Jefferson, South Dakota 57038

Dear Mr. Bosse:

Please find enclosed copies of Notice of Transfer of Water Permit forms. These forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 for each transfer, total of \$7.50.

Upon receipt of the enclosed forms and the \$2.50 filing fee for each (total of \$7.50) the permit will be transferred to the proper name. 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.

Please advise us if you have any questions.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

Equal Opportunity Employer

518-3

*This property has
not been transferred*

Thank you

Dean Bosse

DEAN BOSSE
Rt. 1 Box 99
Elk Point, S. Dak. 57025



518-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 22, 2003

518-3

Douglas Bosse
48250 SD Hwy 10S
Jefferson SD 57038

Dear Mr. Bosse:

Enclosed is a "Notice" dated October 17, 2003 concerning the 2003 irrigation questionnaire. The notice was originally mailed to RR 1 Box 1175, Jefferson SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures



518-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2006

NOTICE

TO: DOUGLAS BOSSE, 48250 SD HWY 10S, JEFFERSON, SD 57038

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire has not been submitted for Permit No(s) 518-3. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 2, 2006, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 518-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

518-3



Track & Confirm

Current Status

You entered 2303 2160 0000 0799 4046

Your item was delivered at 2:16 pm on January 25, 2006 in JEFFERSON, SD 57038. The item was signed for by D BOSSE.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email [What is this?](#) [Go >](#)

▶ Request Proof of Delivery [What is this?](#) [Go >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

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U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 4046

DOUGLAS BOSSE
48250 SD HWY 10S
JEFFERSON SD 57038

iling.

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 153, May 2002

(See Reverse)



518-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2006

Dean Bosse
32840 481st Ave
Elk Point SD 57025

Dear Mr. Bosse:

Thank you for calling concerning the 2005 irrigation questionnaires. Enclosed as we discussed are a new set of forms to complete.

Also enclosed is a partially completed "Notice of Transfer of Ownership" form for Water Right No. 518-3. Please complete and sign as needed. The form will need to be submitted with a \$2.50 filing fee. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

enclosures: irrigation questionnaires
"Notice of Transfer of Ownership" form

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 2, 20 06

RECEIVED OF Dale Boose, 32840 481st ave., Elk Point SD 57025

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>518-3</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

2275

By

Darland Albrecht
Chief Engineer *gm*

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 518-3

Date: 1-31-06

I/We request that Water Right No. 518-3

formerly owned by: Douglas Bosse

be transferred to: (name & address) DALE BOSSE

Telephone No. 605-966-5688

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

150 acres - SE ¼ Section 18, T90N, R48W

I/We understand that the validity of Water Right No. 518-3 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 DALE BOSSE, the new owner, certify that the above information is true and correct.

Dale Bosse

(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.

RECEIVED
FEB 02 2006
WATER RIGHTS
PROGRAM



518-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 3, 2006

Dale Bosse
32840 481st Ave
Elk Point SD 57025

Dear Mr. Bosse:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right Nos. 54-3, 518-3, 2117-3, 3249-3, 3364-3 and 5184-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

We have also received the "Notice of Transfer of Ownership" form and filing fee from you for transferring Water Right No. 518-3. The transfer has been completed. Water Right No. 518-3 formerly listed in the name of Douglas Bosse is now listed in your name.

Enclosed is your Receipt No. 02275 in the amount of \$2.50. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosure



518-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: DALE BOSSE, 17016 280TH ST, WESTFIELD, IA 51062

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 518-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 54-3 & 5184-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 54-3 & 5184-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 518-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

c: KENNY CHICOINE, 48042 329TH ST, JEFFERSON SD 57038

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

518-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 2, 2015

54-3
518-3
5184-3

Dale Bosse
17016 280th St
Westfield IA 51062

Dear Mr. Bosse:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 54-3, 518-3 and 5184-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

c: Kenny Chicoine