

Considered: \_\_\_\_\_

WATER PERMIT NO. 5286-3

MAP No. same 369-2674

Name of Applicant Glen L. Boese

Post Office Address RR1, Box 21, Springfield SD 57062

see Permit Nos.

Amount of Water Claimed 1 cfs Total Acres 111 2946-34 4787-3

Source of Water Supply 2 add'l wells and Emanuel Creek

Water to be used for irrigation County Bon Homme

About 6 miles NW of Springfield.

PROOF OF PUBLICATION: Received \_\_\_\_\_ Not Received \_\_\_\_\_

APPLICATION: Approved \_\_\_\_\_ Subject to \_\_\_\_\_

F.F. & C.L. Adopted \_\_\_\_\_ Not Approved \_\_\_\_\_ Deferred \_\_\_\_\_

PRIORITY Date Received Feb 3, 1989 Fee 225<sup>00</sup> Remarks \_\_\_\_\_

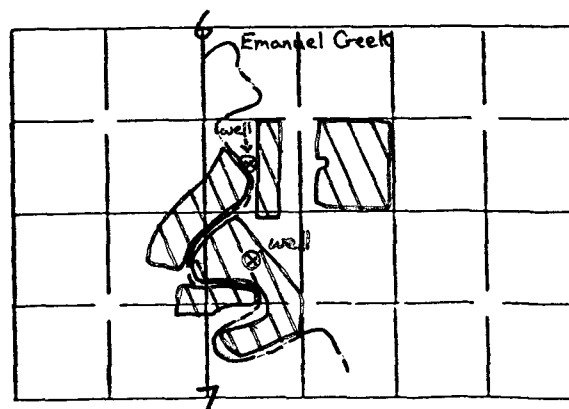
Corrected Application Received Feb. 22, 1989 Period of Annual Use Apr 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED \_\_\_\_\_ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES \_\_\_\_\_ NO \_\_\_\_\_ REMARKS \_\_\_\_\_

Diversion Point 2 wells: SW $\frac{1}{4}$  SE $\frac{1}{4}$  sec 6; NW $\frac{1}{4}$  NE $\frac{1}{4}$  sec 7; Emanuel Creek: between points in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  sec 6 and the SW $\frac{1}{4}$  NE $\frac{1}{4}$  sec 7; all in T93N-R60W

Land to be Irrigated S $\frac{1}{2}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  sec 6; E $\frac{1}{2}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  NE $\frac{1}{4}$  sec 7; all in T93N-R60W



Well Log: Driller Ries Drilling (existing well) licensed YES ☒ NO ☐

Depth of Wells ~ 60 feet REMARKS \_\_\_\_\_

Type of Map aerial photo PREPARED BY Shirley Sutera, ASCS Reviewed and the Number assigned on March 8, 1989 By Ron D. Small

(See instructions)

No. 5286-3 Hydrologic Unit 10170101  
Basin Missouri River  
Newspaper Tyndall Tribune & Register, Box 520  
(Wed) 57066

## Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

- Type of Application: ☐ New ☐ Vested Right ☐ Amend Permit No. \_\_\_\_\_
- ☐ Change Acreage ☐ Change diversion point(s) ☒ Add diversion point(s)
- ☐ Add Acreage ☒ Increase diversion rate ☐ Other See permits 2946-3 4787-3
- Name of Applicant Glen L. Boese Phone No. 605-369-2674
- Post Office Address RR1 Box 21 Springfield State S.D. Zip Code \_\_\_\_\_  
(Street, RR or Box) (City)
2. Amount of water claimed (c.f.s) 1 c.f.s. Total acres irrigated 70 acres 111
3. Source of Water supply well 2 wells and Emanuel Creek
4. Location of point of diversion SW 1/4 of SE 1/4 - 6-93-60  
app. 1000 feet north west of the South East corner of SW 1/4 of SE 1/4  
section 6, T93N, R 60W; NW 1/4 NE 1/4 Sec 7-93N-60W County Bon Homme
5. Counties where water will be used Bon Homme
6. Annual period during which water is to be used April 1 - October 31
7. 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>S.E. 1/4 of SE 1/4 - 6-93-60</u>             | <u>30</u> 36   |
| <u>SW 1/4 of SE 1/4 - 6-93-60</u>               | <u>71</u> 21   |
| <u>SW 1/4 of SE 1/4 - 6-93-60 NW 1/4 NE 1/4</u> | <u>2</u> 4     |
| <u>NW 1/4 of NE 1/4 7-93-60</u>                 | <u>7.9</u> 24  |

| Land Description                   | No. Acres Irr. |
|------------------------------------|----------------|
| <u>SW 1/4 NE 1/4 Sec 7-93N-60W</u> | <u>11</u>      |
| <u>NE 1/4 NW 1/4</u>               | <u>14</u>      |
| <u>SE 1/4 NW 1/4</u>               | <u>1</u>       |

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: \_\_\_\_\_ Towline: \_\_\_\_\_ Center Pivot: X Gun: X Other: \_\_\_\_\_
9. Crops to be Irrigated: Corn, Soy Beans, OATS, Alfalfa
10. Give a description of proposed project. (Attach sheet if more space is needed) 1 c.f.s. (450 G.P.M.) is the difference between need G.P.M. and old well.

It is our intent to secure just enough water to continue use of our present systems. The present well is 6" diameter and provides 200-300 G.P.M. We need 600-650 G.P.M. to operate ~~at~~ our current systems and provide the most even coverage. We are using "Big Guns" and a small water drive center pivot which requires more Gal. Per. Acre to operate than larger electric

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils Drives, information and any other technical information.

STATE OF SOUTH DAKOTA)  
County of Bon Homme ss

I, Glen L. Boese by Vincent Boese Vincent Boese P.O.A., the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

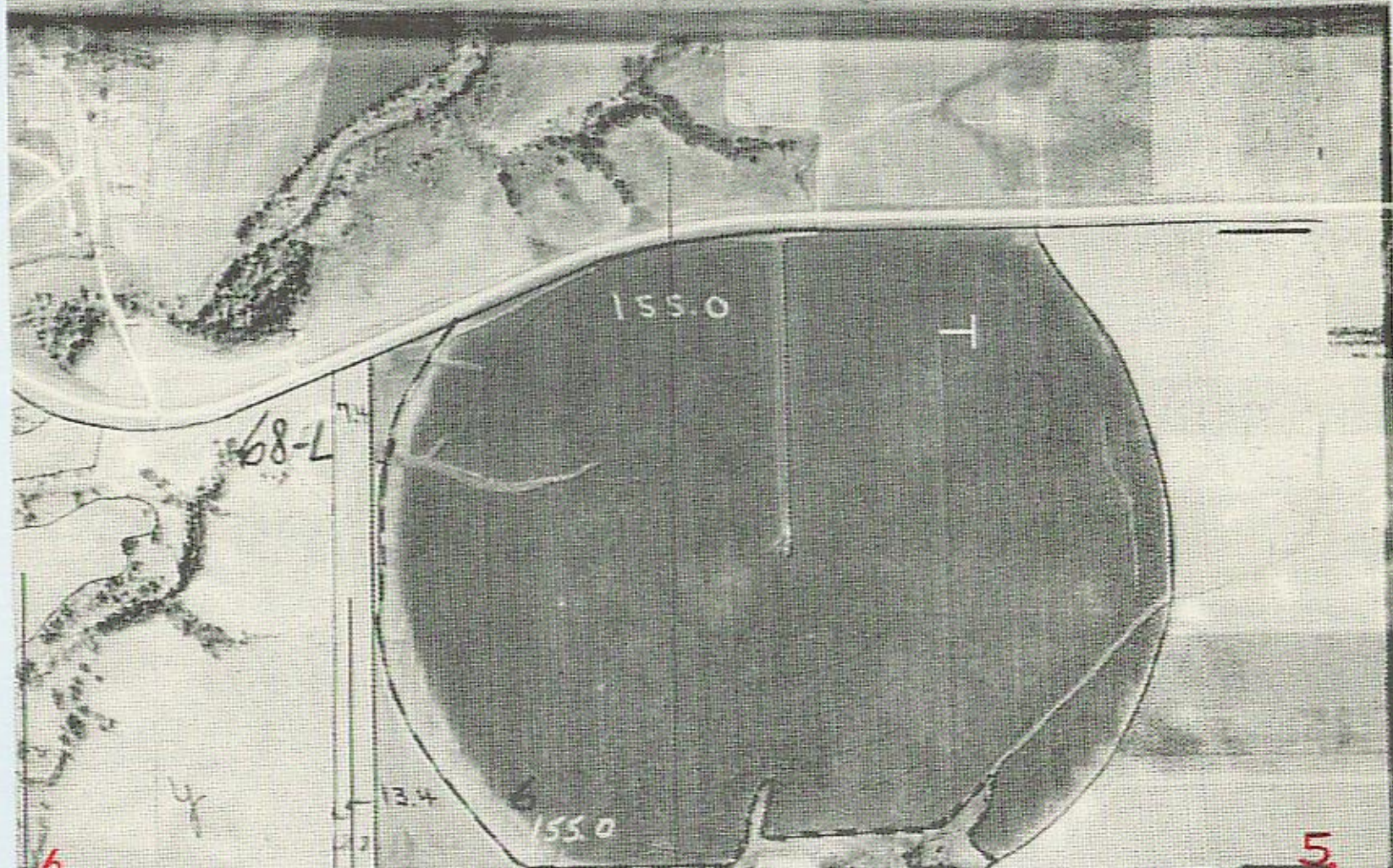
Signed Beth M. Deutscher 9-15-96 Notary Public

Subscribed and sworn to before me this 1st day of February, 1989

Vincent Boese

Notary Public

**NOT TO SCALE**



T2027

Irrigated Hands  
Out lined

NOT TO

Section 6  
T934 R 60W

T 1058  
Section 7  
T 93N, R 60W

T 2077

T 2078

72125

T 2031

Well about 750 feet north west from  
SE corner of SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  2079  
of 6-93-60

Shirley Suter

T2126

Shirley Suter ASCS  
Program Asst

Appl. No. 5286-3

Shirley Enters ASCS  
Program Asst

**SOUTH DAKOTA**  
**WATER PERMIT No. 5286-3 FOR IRRIGATION**

Date of first receipt of application February 3, 1989.

Date Soil/Water Compatibility Permit received March 13, 1989.

Date returned to applicant for required corrections, amendments and changes February 7, 1989.

Date corrected applicant received February 14, 1989.

The Water Management Board approved Water Permit Application No. 5286-3 on May 10, 1989 for Glen L. Boese, RR #1, Box 21, Springfield, SD 57062 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5286-3 appropriates 1.0 cubic feet of water per second (cfs) from 2 additional wells (Choteau Tyndall Aquifer) approximately 60 feet deep to irrigate 111 acres. Water from the 2 wells is to be diverted into Emanuel Creek and then be pumped to the land to be irrigated. Portions of the 111 acres to be irrigated are also included on Water Permit Nos. 2946-3 and 4787-3. The 2 wells are to be located in the SW1/4 SE1/4 Section 6; NW1/4 NE1/4 Section 7 and water is to be diverted from Emanuel Creek between points in the SW1/4 SE1/4 Section 6 and the SW1/4 NE1/4 Section 7; all in T93N-R60W. The acreage to be irrigated is located in the S1/2 SE1/4, SE1/4 SW1/4 Section 6; E1/2 NW1/4, W1/2 NE1/4 Section 7; all in T93N-R60W. The combined diversion rate of this application and Permit Nos. 2946-3 and 4787-3 may not exceed the rate of 1 cfs per 70 acres.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 to October 31.
3. The date from which applicant may claim right is February 3, 1989.
4. One-fifth of the construction is to be completed on or before November 10, 1991.
5. All construction is to be completed on or before May 10, 1994.
6. Water is to be put to beneficial use on or before May 10, 1998.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

**QUALIFICATIONS**

- 1) The wells authorized by Permit No. 5286-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:29.

- 2) The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The 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 adequate wells having prior water rights.
- 3) This permit is approved subject to the irrigation water use questionnaire being submitted each year.
- 4) If the wells approved under this permit flow, the wells shall be valved and the flow reduced to the amount needed or shut off when not being used for irrigation. If the wells are abandoned or the permit cancelled, the wells must be plugged in accordance with specifications of the Water Management Board.
- 5) The combined diversions of Permit Nos. 5286-3, 4787-3 and 2946-3 may not exceed 1.0 cfs per 70 acres.
- 6) To prevent the waste of water, the wells authorized by Permit No. 5286-3 may not be pumped or discharged into Emanuel Creek when there are sufficient natural flows in Emanuel Creek for both irrigation and downstream livestock watering, nor pumped or discharged into Emanuel Creek to provide well water flow in the creek beyond the irrigation withdrawal point.
- 7) The wells may be pumped directly to the irrigation systems (by passing the stream) at any time during the irrigation season, regardless of stream flow.

**WATER MANAGEMENT BOARD**

By: \_\_\_\_\_

Chief Engineer, Water Rights Division  
Department of Water and Natural Resources

SEP 12 1989

\_\_\_\_\_  
(date)

# Supplemental Information

(type or print in ink)

## 1. Well Information - Proposed construction

- a) Drill Hole Diameter 18" inches Depth 80' feet
- b) Casing Type plastic Diameter 12" inches Thickness .500" inch
- c) Screen Type plastic Diameter 12" inches Thickness .500" inch
- d) Gravel Pack Thickness 3" inches Length of Gravel Pack 50' feet
- e) Depth to Top of Water Bearing Material 60' feet
- f) Depth to Water (ground surface to water level) 0' (flowing)
- g) Distance to nearest existing domestic well:  
On applicants property 40 rds (660' ft) On property owned by others 200 rds (3300 ft)

## 2. Dugout Information Estimates

- a) Surface Dimensions \_\_\_\_\_ Depth \_\_\_\_\_
- b) Depth to water (ground surface to water level) \_\_\_\_\_

## 3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

\_\_\_\_\_  
\_\_\_\_\_

b) Freeboard \_\_\_\_\_

c) Crest Width \_\_\_\_\_

Crest Length \_\_\_\_\_

d) Height \_\_\_\_\_

e) Primary Outlet Capacity \_\_\_\_\_  
If Pipe, diameter \_\_\_\_\_

f) Secondary Spillway Capacity \_\_\_\_\_  
Spillway width \_\_\_\_\_

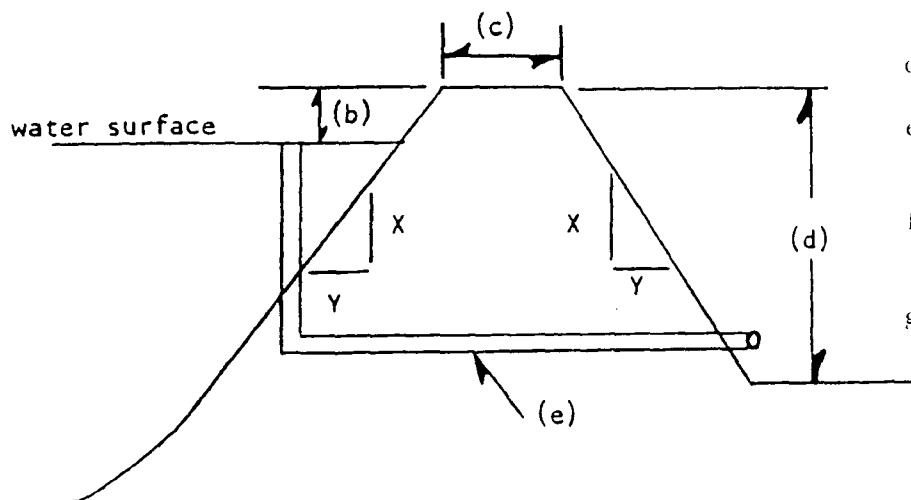
g) X & Y Slope  
Upstream \_\_\_\_\_

Downstream \_\_\_\_\_

Surface Area of Impoundment \_\_\_\_\_

Storage \_\_\_\_\_ acre feet

Drainage area above dam \_\_\_\_\_



Signature of Applicant \_\_\_\_\_

Enclosed is my application to appropriate water for an additional well and an increase in diversion rates.

Also included are maps, requested technical information and a check for the sum of \$225.00 for application fees of 70 acres of land to be irrigated

If there is need for additional information please contact me.

Home Phone - (605) 369-2674

WORK Phone - (605) 369-2211

Thank You.

Vince Boese

Vit Boese

**South Dakota Department of  
Water & Natural Resources**

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



February 7, 1989

Glen L Boese  
RR 1, Box 21  
Springfield SD 57062

Dear Mr. Boese:

This letter is in response to your water permit application received on February 3, 1989. The following information is needed to complete the application:

- 1) The acreage outlined on the enclosed aerial photo exceeds the number of acres specified on the permit application and two areas are not included on the application. I believe the application should specify the following acreages:

|                                 |          |
|---------------------------------|----------|
| SE1/4 SE1/4 section 6-T93N-R60W | 36 acres |
| SW1/4 SE1/4 "                   | 21       |
| SE1/4 SW1/4 "                   | 4        |
| NE1/4 NW1/4 section 7-T93N-R60W | 13       |
| SE1/4 NW1/4 "                   | 1        |
| NW1/4 NE1/4 "                   | 6        |
| Total                           | 81 acres |

*Please revise my original application to read the following acreages with addition of 25.2 laying across NE1/4 of NW1/4 NW1/4 of NE1/4 and SW1/4 of SE1/4 (map enclosed) for a total of 106.2 acres*

Total 81 acres

*Thank You - Glen Boese*

I will make the above changes to your application with your written permission.

- 2) The application should also include Emanuel Creek as a water source if you intend to divert water from the wells into the creek and then pump the water to the acreage. The existing water permit (Permit No. 2946-3 - copy enclosed) to pump water from Emanuel Creek does not include all the acreage specified on this application. Please inform me if you intend to divert water from the wells into the creek. Emanuel Creek needs to be added to this application if you do intend to divert water to the acreage via the creek.

Please respond to the above questions to continue processing of your application. If Emanuel Creek is to be added to this application, then soil/water compatibility approval will also be needed for irrigation of the acreage from the creek. Permit No. 4787-3 already includes soil/water approval for the ground water source.

Please contact me if you have any questions.

Sincerely,

*Ron Duvall*

Ron Duvall  
Natural Resources Engineer  
605 773-3352  
enc.



## Conversation or File Documentation

NAME OF PERSON OR FILE: Glen L. BoeseADDRESS: RR1, Box 21, Springfield SD COUNTY Bon HommeDATE: Feb 14, 1989 TELEPHONE \_\_\_\_\_RE: Additions to water permit Application

COMMENTS:

Glen Boese called regarding the water permit application received February 3, 1989 and my letter to Mr. Boese dated February 7, 1989. Mr. Boese stated that the acreage changes in my letter dated Feb 7, 1989 could be placed on the permit application and that Emanuel Creek could also be added to the application. Mr. Boese also stated that he would like to add a second well to be constructed in the center of the NW 1/4 NE 1/4 section 7 and add an additional 25 acres in the NE 1/4 section 7; all in T93N-R60W.

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: Don Duvall

## CONSERVATION COMMISSION MEETING

\*\*\*\*\*  
**DATE:** March 7, 1989

**Page 1 - APPROVED WITH REQUIREMENTS**  
\*\*\*\*\*

|                 |                       |                       |                   |
|-----------------|-----------------------|-----------------------|-------------------|
| <b>NAME:</b>    | Glen L. Boese         | <b>WATER QUALITY:</b> | 89-0077 & 89-0078 |
| <b>ADDRESS:</b> | RR 1, Box 21          | <b>SALINITY:</b>      | 1100 & 1000       |
| <b>ADDRESS:</b> | Springfield, SD 57062 | <b>SAR:</b>           | 0.48 & 1.07       |
|                 |                       | <b>SODIUM:</b>        | 9.14 & 20.09      |
| <b>COUNTY:</b>  | Bon Homme             | <b>ADJ SAR:</b>       | 1.17 & 2.50       |

**LEGAL DESCRIPTION:** SE1/4 SE1/4; SW1/4 SE1/4; SE1/4 SW1/4; of Sec. 6-T93N-R60W and the NW1/4 NE1/4; SW1/4 NE1/4; NE1/4 NW1/4; SE1/4 NW1/4; of Sec. 7-T93N-R60W = 111 acres

**APPLICATION #:** 4345

**TYPE OF IRRIGATION:** Center pivot & gun

**WATER SOURCE:** Surface (Emanuel Creek) & ground

### REQUIREMENTS:

As they appear under permit #2927 BH.

### MANAGEMENT RECOMMENDATIONS:

We recommend the use of a form of conservation tillage to control erosion and conserve soil moisture.

### TYPE OF PERMIT GRANTED AND REASON:

The approved with requirements recommendation is based on the soil of the area and slopes within the project.

**NOTE:** The area is already under permit. This permit is to add a surface water source.  
\*\*\*\*\*



SOIL/WATER COMPATIBILITY PERMIT

Division of Conservation

Office Use Only

4345-A

WR#

OWNERS NAME: BOESS, L.OWNERS ADDRESS: RRL, BOX 21SPRINGFIELD, SD 57062COUNTY LAND LOCATED IN: BON HOMME PHONE: 369-2674

LEGAL DESCRIPTION:

☒ Well☒ Surface1. LOCATION SW $\frac{1}{4}$  SE $\frac{1}{4}$  6-T93N-R60W; SW $\frac{1}{4}$  SE $\frac{1}{4}$  6-T93N-R60W; NW $\frac{1}{4}$  NE $\frac{1}{4}$  7-T93N-R60W

Depth: \_\_\_\_\_

| Legal Description                             | Acres | Legal Description                             | Acres |
|-----------------------------------------------|-------|-----------------------------------------------|-------|
| SE $\frac{1}{4}$ SE $\frac{1}{4}$ 6-T93N-R60W | 36    | SW $\frac{1}{4}$ NE $\frac{1}{4}$ 7-T93N-R60W | 11    |
| SW $\frac{1}{4}$ SE $\frac{1}{4}$ 6-T93N-R60W | 21    | NE $\frac{1}{4}$ NW $\frac{1}{4}$ 7-T93N-R60W | 14    |
| SE $\frac{1}{4}$ SW $\frac{1}{4}$ 6-T93N-R60W | 4     | SE $\frac{1}{4}$ NW $\frac{1}{4}$ 7-T93N-R60W | 1     |
| NW $\frac{1}{4}$ NE $\frac{1}{4}$ 7-T93N-R60W | 24    | TOTAL ACRES                                   | 111   |

2. TYPE OF IRRIGATION: GRAVITY: \_\_\_\_\_ TOWLINE: \_\_\_\_\_ CENTER PIVOT: ☒ GUN: ☒ OTHER: (Specify) \_\_\_\_\_3. CROPS TO BE IRRIGATED: CORN, SOYBEANS, OATS, ALFALFA

## WATER QUALITY:

4. WATER SAMPLE NUMBER: 89-0077 & 89-0078 7. ADJUSTED (SAR): 1.17 & 2.50  
 5. SALINITY (EC X 10<sup>6</sup>): 1100 & 1000 8. PERCENT SODIUM: 9.14 & 20.09  
 6. SODIUM (SAR): 0.48 & 1.07

## Requirements:

That the buffer strip be maintained along Emanuel Creek where it borders the 11.0 acres in the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  Section 6, mapped as Talmo-Delmont (TaE) loam (presently being irrigated); the natural drainageway located in the 3.5 acres, mapped Ethan-Davis (EoD) in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  Section 6, remain in permanent vegetation, and should erosion occur in the future, the necessary corrective action be taken.

  
 Director, Division of Conservation

AUGUST 14, 1990

Date

☒ APPROVED☐ DISAPPROVED☐ WAIVER☒ REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

Department of Agriculture  
WI#1  
5/87

SOIL/WATER COMPATIBILITY PERMIT  
Division of Conservation



Office Use Only

2927-BH-A

WR#

OWNERS NAME: BOESE, GLEN

OWNERS ADDRESS: BOX 21

SPRINGFIELD, SD 57062

COUNTY LAND LOCATED IN: BON HOMME PHONE: 369-2674

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION SE $\frac{1}{4}$  SE $\frac{1}{4}$  6-T93N-R60W, NW $\frac{1}{4}$  NE $\frac{1}{4}$  7-T93N-R60W, SW $\frac{1}{4}$  SE $\frac{1}{4}$  6-T93N-R60W

Depth: \_\_\_\_\_

| Legal Description                                                       | Acres | Legal Description                                                        | Acres |
|-------------------------------------------------------------------------|-------|--------------------------------------------------------------------------|-------|
| <u>N<math>\frac{1}{2}</math> NW<math>\frac{1}{4}</math> 8-T93N-R60W</u> |       | <u>SE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math> 6-T93N-R60W</u> |       |
| <u>NE<math>\frac{1}{4}</math> 7-T93N-R60W</u>                           |       |                                                                          |       |
| <u>E<math>\frac{1}{2}</math> NW<math>\frac{1}{4}</math> 7-T93N-R60W</u> |       |                                                                          |       |
| <u>SE<math>\frac{1}{4}</math> 6-T93N-R60W</u>                           |       |                                                                          |       |

2. TYPE OF IRRIGATION: GRAVITY: \_\_\_\_\_ TOWLINE: \_\_\_\_\_ CENTER PIVOT: XXX GUN: XXX OTHER: XXX (Specify) XXX

3. CROPS TO BE IRRIGATED: ALFALFA, PASTURE, CORN, OATS, SORGHUM

WATER QUALITY:

4. WATER SAMPLE NUMBER: 78-771

7. ADJUSTED (SAR): 1.66

5. SALINITY (EC X 10<sup>6</sup>): 705

8. PERCENT SODIUM: \_\_\_\_\_

6. SODIUM (SAR): 0.71

Requirements:

That the buffer strip be maintained along Emanuel Creek where it borders the 11.0 acres in the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  Section 6, mapped as Talmo-Delmont (TaE) loam (presently being irrigated); the natural drainage way located in the 3.5 acres, mapped Ethan-Davis (EoD) in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  Section 6, remain in permanent vegetation, and should erosion occur in the future, the necessary corrective action be taken.

Director, Division of Conservation

AUGUST 14, 1990

Date

XXX APPROVED

DISAPPROVED

WAIVER

XXX REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

Department of Agriculture  
WI#1  
5/87

SOIL/WATER COMPATIBILITY PERMIT  
DIVISION OF  
WATER RIGHTS  
Pierre, SD

Office Use Only

585X 4343

WR#

OWNERS NAME: Glen L. Boese

OWNERS ADDRESS: RR 1, Box 21

Springfield, SD 57062

COUNTY LAND LOCATED IN: Bon Homme PHONE: 369-2674

LEGAL DESCRIPTION:

☒ Well

☒ Surface

1. LOCATION SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 6-T93N-R60W; SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 6-T93N-R60W; NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 7-T93N-R60W

Depth: \_\_\_\_\_

| Legal Description                                  | Acres | Legal Description                                  | Acres |
|----------------------------------------------------|-------|----------------------------------------------------|-------|
| SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6-T93N-R60W | 36    | SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7-T93N-R60W | 11    |
| SW $\frac{1}{4}$ SE $\frac{1}{4}$ " "              | 21    | NE $\frac{1}{4}$ NW $\frac{1}{4}$ " "              | 14    |
| SE $\frac{1}{4}$ SW $\frac{1}{4}$ " "              | 4     | SE $\frac{1}{4}$ NW $\frac{1}{4}$ " "              | 1     |
| NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7-T93N-R60W | 24    | TOTAL ACRES =                                      | 111   |

2. TYPE OF IRRIGATION: GRAVITY: \_\_\_\_\_ TOWLINE: \_\_\_\_\_ CENTER PIVOT: ☒ GUN: ☒ OTHER: (Specify) \_\_\_\_\_

3. CROPS TO BE IRRIGATED: corn, soybeans, oats, alfalfa

WATER QUALITY:

4. WATER SAMPLE NUMBER: 89-0077 & 89-0078 7. ADJUSTED (SAR): 1.17 & 2.50

5. SALINITY (EC X 10<sup>6</sup>): 1100 & 1000 8. PERCENT SODIUM: 9.14 & 20.09

6. SODIUM (SAR): 0.48 & 1.07

Requirements:

As they appear under permit #2927 Btl.

Peter D. Smith  
Director, Division of Conservation

2/19/88  
Date

☒ APPROVED ☒ REQUIREMENTS  
☐ DISAPPROVED  
☐ WAIVER

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411617

Pierre, February 3, 1989

RECEIVED OF Glen L. Boese, RR, Springfield, SD 57062

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

|                                                                                                                              |       |        |
|------------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>5286-3</u> to Appropriate Water, to construct works and to put water to beneficial use | 225   | 00     |
| 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 _____                                                                                           |       |        |
| Fee for Filing Extension Request _____                                                                                       |       |        |
| Fee for Certified Copy of _____                                                                                              |       |        |
| Fee for Print Copy of Map _____                                                                                              |       |        |
| Fee for Certifying _____                                                                                                     |       |        |
| Fee for _____                                                                                                                |       |        |
| (Any Other Work Provided by Law)                                                                                             | Total | 225 00 |

By

John Hatch / msa  
Chief Engineer

Address R. P. Date 4/22/07

Signed By \_\_\_\_\_ Date \_\_\_\_\_

X all belong to Glen Boese  
5286-3 2/89 5/94 7

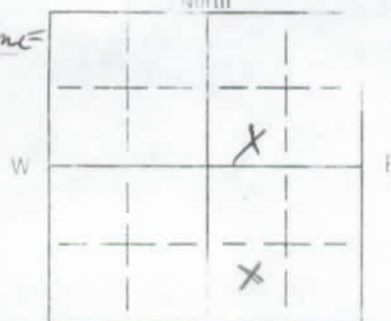
Vin Boese  
RD 10/18/90

# SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NE 1/4 Sec 6 T. 93 R. 60  
County Brown legal incorrect according to North

Please mark well location with an "X"



Well Completion Date

4/22/89

## PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes  
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Reverse

## CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

| PIPEWEIGHT       | DIAMETER     | FROM        | TO            | HO           | DIAMETER |
|------------------|--------------|-------------|---------------|--------------|----------|
| <u>500</u> LB/FT | <u>16</u> IN | <u>0</u> FT | <u>122</u> FT | <u>26</u> IN |          |
| _____ LB/FT      | _____ IN     | _____ FT    | _____ FT      | _____ IN     |          |
| _____ LB/FT      | _____ IN     | _____ FT    | _____ FT      | _____ IN     |          |
| _____ LB/FT      | _____ IN     | _____ FT    | _____ FT      | _____ IN     |          |

## GROUT:

Was the well grouted? ☒ YES ☐ NO

To what depth? Thirty feet FEET

What is grouting material? Portland Cement

If cement, number of sacks? 84 lbs.

Describe grouting procedure Turbine Pipe

What was grout weight? \_\_\_\_\_ LB/GAL

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 16 IN Length 32 FEET

Material PVC

Slot Size 80 Set From 90 Feet To 122 Feet

Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet To \_\_\_\_\_ Feet

Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet To \_\_\_\_\_ Feet

Other information

Was a packer or seal used? ☒ YES ☐ NO

If so, what material? Bentonite

Describe packer(s) and location? Above Brownell Pack  
30' - 75'

Was well disinfected upon completion? ☐ YES ☒ NO

Explain Irrigation well

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to

Well Owner:

Name Vin Boese

Address Springfield, S.D.

Well Log:

Depth 57062

Formation

From

To

|                           |            |            |
|---------------------------|------------|------------|
| <u>Top Soil</u>           | <u>0</u>   | <u>2</u>   |
| <u>Yellow Clay</u>        | <u>2</u>   | <u>6</u>   |
| <u>Rocks &amp; Gravel</u> | <u>6</u>   | <u>18</u>  |
| <u>Blue Clay</u>          | <u>18</u>  | <u>31</u>  |
| <u>Fine Med Sand</u>      | <u>31</u>  | <u>122</u> |
| <u>Chalk</u>              | <u>122</u> | <u>22</u>  |

STATIC WATER LEVEL 14' 4" Feet

If flowing, closed in pressure \_\_\_\_\_ PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify

Can well be completely shut in?

## WELL TEST DATA:

☒ Pumped

☐ Bailed

Describe

☐ Other

Pumping Level Below Land Surface

|                   |          |              |                |
|-------------------|----------|--------------|----------------|
| <u>58' 6"</u> ft. | At _____ | pumped _____ | <u>800</u> GPM |
| _____ ft.         | At _____ | pumped _____ | _____ GPM      |
| _____ ft.         | At _____ | pumped _____ | _____ GPM      |

## REMARKS:

This well was drilled under license # 94

And this report is true and accurate.

Drilling firm Chapman Drilling Inc

Signature of License Representative:

Signature of Well Owner:

Date 12/30/89

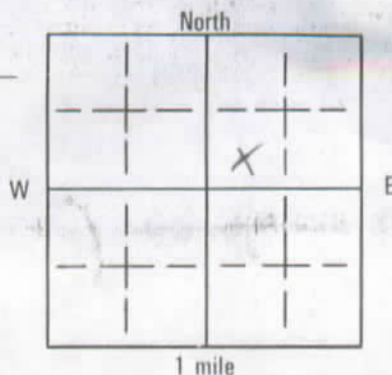


## SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NW 1/4 NE 1/4 Sec 7 Twp 93 Rg 100County Brown - Homme

Please mark well location with an "X"

Well Completion Date 7-25-92

## PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes  
☒ Irrigation ☐ Industrial ☐ Stock

## Method of Drilling:

FORWARD

## CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe \_\_\_\_\_

| PIPEWEIGHT       | DIAMETER     | FROM         | TO            | HOLE DIAMETER |
|------------------|--------------|--------------|---------------|---------------|
| <u>140</u> LB/FT | <u>10</u> IN | <u>0</u> FT  | <u>60</u> FT  | <u>14</u> IN  |
| <u>160</u> LB/FT | <u>10</u> IN | <u>60</u> FT | <u>100</u> FT | <u>14</u> IN  |
| _____ LB/FT      | _____ IN     | _____ FT     | _____ FT      | _____ IN      |
| _____ LB/FT      | _____ IN     | _____ FT     | _____ FT      | _____ IN      |

## GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 44 FEETWhat is grouting material? BENTONITE & CEMENTIf cement, number of sacks? 14Describe grouting procedure PUMPED THROUGH TREMMIE PIPE

What was grout weight? \_\_\_\_\_ LB/GAL

SCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 10 IN Length 40 FEETMaterial PVCSlot Size 3/16" Set From 60 Feet To 100 Feet

Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet To \_\_\_\_\_ Feet

Slot Size \_\_\_\_\_ Set From \_\_\_\_\_ Feet To \_\_\_\_\_ Feet

Other information \_\_\_\_\_

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? \_\_\_\_\_

Describe packer(s) and location? \_\_\_\_\_

Was well disinfected upon completion? ☐ YES ☒ NO

Explain \_\_\_\_\_

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to \_\_\_\_\_

## Well Owner:

Name VINCE BOESEAddress RR 1 Box 215Well Log: \_\_\_\_\_ Depth 57062

| Formation                  | From      | To         |
|----------------------------|-----------|------------|
| <u>TOP SOIL</u>            | <u>0</u>  | <u>2</u>   |
| <u>YELLOW CLAY</u>         | <u>2</u>  | <u>26</u>  |
| <u>SHALE W/SAND LAYERS</u> | <u>26</u> | <u>58</u>  |
| <u>CHALK/DARK</u>          | <u>58</u> | <u>100</u> |

STATIC WATER LEVEL 0 FeetIf flowing: closed in pressure 15 PSIGPM flow 450-500 through 6 inch pipeControlled by ☒ Valve ☐ Reducers ☐ Other

If other; specify \_\_\_\_\_

Can well be completely shut in? YES

## WELL TEST DATA:

☒ Pumped☐ Bailed☐ OtherDescribe: IRRIGATION CENTRIFUGAL PUMP TO PIVOT

## Pumping Level Below Land Surface

1 ft. After 6 Hrs. pumped 600+ GPM

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

## REMARKS:

HEAVY MUD REQUIRED  
TO DRILL TO HARD WATER  
FROM FLOWING.  
LOTS OF COLD WATER

This well was drilled under license # 590

And this report is true and accurate.

Drilling firm WELL DOCTOR & REPAIRSignature of License Representative: Robert AndersonSignature of Well Owner: Vince BoeseDate 7-25-92

REPORT ON APPLICATION NO. 5286-3

Glen Boese

March 3, 1989

Application No. 5286-3, Glen Boese, proposes to appropriate 1.0 cubic foot of water per second (cfs) from two wells to irrigate 111 acres. Water from the wells is to be diverted into Emanuel Creek and then pumped from the creek and onto the land for irrigation. Portions of the 111 acres are also covered by Water Permit Nos. 2946-3 and 4787-3. The two wells are to be located in the SW1/4 SE1/4 Section 6 and the NW1/4 NE1/4 Section 7. Water is to be diverted from Emanuel Creek between points in the SW1/4 SE1/4 Section 6 and the SW1/4 NE1/4 Section 7. The acreage to be irrigated is located in the S1/2 SE1/4, SE1/4 SW1/4 Section 6 and the E1/2 NW1/4, W1/2 NE1/4 Section 7. Sections 6 and 7 are located in T93N, R60W.

Aquifer - Choteau - Tyndall (CH:T) and surface water from Emmanuel Creek

The Choteau aquifer is a glacial outwash aquifer consisting of sand and gravel deposits and is under artesian head conditions in this area. The aquifer underlies 31,300 acres in Bon Homme Co. and contains an estimated 140,850 acre-feet of recoverable water (Hedges, et al, 1982). Observation well BH-78E (Water Rights, 1989) is located about 2000 feet east of the proposed well sites. Water level records for the observation well reflect little fluctuation in water level readings.

Review of Existing Water Rights

There are 21 existing irrigation permits from the Choteau - Tyndall aquifer. These permits have a combined appropriation of 9393 acre-feet, and the reported pumpage in 1987 amounted to 1646 acre-feet (Water Rights, 1987). The nearest irrigation wells to the proposed wells are located one-half mile northeast and one mile east.

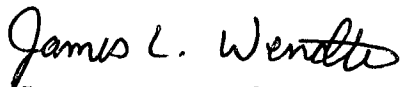
Effects on Emanuel Creek

Emanuel Creek has a drainage area of 182 square miles, 154 of which is in Bon Homme Co. Water quality in Emanuel Creek varies inversely with the discharge. Low mineral concentrations occur during high discharge periods when the majority of flow comes from surface runoff. High mineral concentrations occur during low discharge periods when the majority of flow comes from groundwater sources (Jorgensen, 1971). Water quality differences between Emanuel Creek (during low flow conditions) and water from Choteau aquifer are minimal. This is primarily due to the fact that the base flow in Emanuel Creek during low flow conditions comes from groundwater. During high flow conditions there should be no need

to divert water into the creek. Therefore, diverting Choteau aquifer water into Emanuel Creek during low flow conditions should not have an adverse impact on the creek.

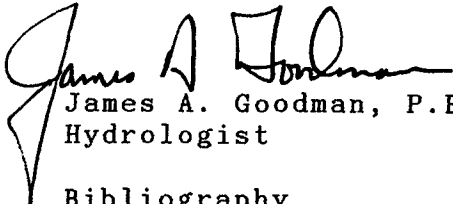
### Conclusions

1. Water is available from the Choteau - Tyndall aquifer.
2. The combined diversion rate of this application, if approved, and Permit Nos. 2946-3 and 4787-3 should not exceed the rate of 1.0 cfs per 70 acres.
3. These wells, because of their location, may flow. The wells must be controlled and valved down when not being used for irrigation purposes.
4. Observation well records for a well near the diversion points reflect little fluctuation in water level readings.
5. This application should not adversely impact existing water rights in the area.
6. It may be necessary to obtain an NPDES Permit to discharge water into Emanuel Creek.
7. If diverting from surface water only, flows in Emanuel Creek, low flows must be bypassed to supply downstream domestic use.



James L. Wendte  
Natural Resources Engineer

Approved by:



James A. Goodman, P.E.  
Hydrologist

### Bibliography

Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, R.A. Schoon, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for U.S. Army Corps of Engineers, DWNR, SDGS, Vermillion, SD, 57069.

Jorgensen, D.G., 1971, Geology and Water Resources of Bon Homme County, South Dakota, Bulletin 21, for United States Geological Survey, County of Bon Homme, Fort Randall Conservancy Sub-District, DWNR, SDGS, Vermillion, SD, 57069.

Water Rights Division, 1987, Irrigation Report by County, DWNR, Division of Water Rights, Joe Foss Bldg., Pierre, SD, 57501.

Water Rights Division, 1989, Observation Well File BH-78E, DWNR, Division of Water Rights, Joe Foss Bldg., Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 5286-3, Glen L. Boese

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5286-3, Glen L. Boese, RR 1, Box 21, Springfield SD.

The Chief Engineer is recommending APPROVAL of Application No. 5286-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The wells authorized by Permit No. 5286-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:29.
2. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The 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 adequate wells having prior water rights.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. If the wells approved under this permit flow, the wells shall be valved and the flow reduced to the amount needed or shut off when not being used for irrigation. If the wells are abandoned or the permit cancelled, the wells must be plugged in accordance with specifications of the Water Management Board.
5. The combined diversions of Permits No. 5286-3, 4787-3, and 2946-3 may not exceed 1.0 cfs per 70 acres.
6. The wells authorized by Permit No. 5286-3 may not be pumped when there are sufficient natural flows in Emanuel Creek for both irrigation and downstream livestock watering, nor to provide well water flow in the creek beyond the irrigation withdrawal point.

See the attached report for additional information.



JOHN HATCH, Chief Engineer  
March 31, 1989



# Department of Water & Natural Resources

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

March 4, 1989

**NOTE: TO BE SURE OF PUBLICATION ON  
THE CORRECT DATES, CONTACT  
THE NEWSPAPER RIGHT AWAY.**

Glen L. Boese  
RR 1, Box 21  
Springfield SD 57062

Dear Mr. Boese:

Your Application No. 5286-3 for a permit to appropriate water for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your intent to appropriate water has been sent to the Publisher of the Tyndall Tribune & Register printed at Tyndall SD. For your information, a copy of the notice is enclosed. The recommendation of the Chief Engineer and a report on the application will be sent later. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Ron Duvall  
Natural Resources Engineer  
605 773-3352

enclosures





# Department of Water & Natural Resources

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

April 4, 1989

Tyndall Tribune & Register  
Box 520  
Tyndall SD 57066

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5286-3 to be published twice. Please publish the first notice on or before April 12, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Glen L. Boese, RR 1, Box 21, Springfield SD 57062.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall  
Natural Resources Engineer  
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Ron Duvall  
Water Rights Division  
Joe Foss Building  
Pierre SD 57501-3181

No. \_\_\_\_\_

Date \_\_\_\_\_

We are in receipt of your letter of \_\_\_\_\_ enclosing Notice of Hearing to Appropriate Water by Application No. \_\_\_\_\_ which was first published in our issue of \_\_\_\_\_. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper



Instruction to Newspaper - Publish first Notice on or before April 12, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

---

NOTICE OF HEARING on Application No. 5286-3 to Appropriate Water

Notice is given that Glen L. Boese, RR 1, Box 21, Springfield SD 57062 has filed an application for a water permit to appropriate 1.0 cubic feet of water per second (cfs) from 2 additional wells (Choteau Tyndall Aquifer) approximately 60 feet deep to irrigate 111 acres. Water from the 2 wells is to be diverted into Emanuel Creek and then be pumped to the land to be irrigated. Portions of the 111 acres to be irrigated are also included on Water Permit Nos. 2946-3 and 4787-3. The 2 wells are to be located in the SW 1/4 SE 1/4 Section 6; NW 1/4 NE 1/4 Section 7 and water is to be diverted from Emanuel Creek between points in the SW 1/4 SE 1/4 Section 6 and the SW 1/4 NE 1/4 Section 7; all in T93N-R60W. The acreage to be irrigated is located in the S 1/2 SE 1/4, SE 1/4 SW 1/4 Section 6; E 1/2 NW 1/4, W 1/2 NE 1/4 Section 7; all in T93N, R60W. The combined diversion rate of this application, if approved, and Permit Nos. 2946-3 and 4787-3 may not exceed the rate of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5286-3 with qualifications because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on May 10, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by April 28, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by April 28, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

No. 5286-3



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County San Homme ) ss.

I, Wayne L. Bertrand

certify that the annexed printed copy of Notice of Intent

Water was taken from the Springfield

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

City of Springfield

County of San Homme and State of  
that the said notice was published in said newspaper on  
two dates:

April 12, 1989

April 19, 1989

Wayne L. Bertrand  
(Signature)

Publisher  
(Title)

4-19-89

(Date Signed)

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on Application No. 5286-3 to  
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(Apr. 12 & 19)

Cost of Printing: \$ 43.99

101 lines @ 24.2 + 80% x 1

No. 5286-3



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Bon Homme ) ss.

1. Wayne L. Bertrand

certify that the annexed printed copy of Notice of Intent to

Water was taken from the Tyndall Tribune & Register

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

City of Tyndall

County of Bon Homme and State of Sou  
that the said notice was published in said newspaper on the  
two dates:

April 12, 1989

April 19, 1989

Wayne L. Bertrand  
(Signature)

Publisher  
(Title)

4-19-89

(Date Signed)

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Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5286-3 with qualifications because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD on May 10, 1989 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by April 28, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605-773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by April 28, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

(Apr. 12 & 19)

Cost of Printing: \$43.99

101 lines @ 24.2 + 80% K1



# Department of Water & Natural Resources

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

May 5, 1989

Glen L. Boese  
RR 1, Box 21  
Springfield SD 57062

Dear Mr. Boese:

Enclosed is the Report and the Recommendation of the Chief Engineer for Water Permit Application No. 5286-3 which will be considered at the May 10, 1989 Water Management Board Meeting.

Sincerely, ,

*Karen Schlaak*

KAREN SCHLAACK  
Senior Secretary  
605 773-3352

enclosures





# Department of Water & Natural Resources

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

SEP 12 1989

Glen L. Boese  
RR #1 Box 21  
Springfield, SD 57062

Dear Mr. Boese:

Enclosed is Water Permit No. 5286-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

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 Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Division  
605 773-3352

enclosures

**PLEASE NOTE:** Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



WATER RIGHTS DIVISION - DWNR  
FILE DOCUMENTATION  
WATER PERMIT NOS. 2946-3, 4787-3, & 5286-3

Name of Person/File: Glen L Boese  
Address: RR #1 Box 21, Springfield, SD 57062  
County: Bon Homme  
Date: January 3, 1990

RE: Status of Permit inspection and licensing

DISCUSSION

Water Permit No. 2946-3 authorizes irrigation of land from Emanuel Creek. Permit No. 4787-3 authorizes irrigation from groundwater. An inspection of the water use system (September 15, 1987) constructed under these two permits found the water from the well constructed under No. 4787-3 flowed into Emanuel Creek. Mr. Boese then pumps the water from Emanuel Creek onto the land.

Mr. Boese's system may have been upgraded since the 1987 inspection as is reflected by Water Permit No. 5286-3. Water Permit No. 5286-3, with a priority date of February 3, 1989, authorizes irrigation of 111 acres. Acreage authorized under Permit Nos. 2946-3 and 4787-3 is also covered under Permit No. 5286-3. The source of water for the new permit is a combination of groundwater and Emanuel Creek. The time limit for completion of the project, as specified in Water Permit No. 5286-3, is May 10, 1994.

CONCLUSION

Since the system constructed under Water Permit Nos. 2946-3 and 4787-3 may have changed and/or is in the process of being changed, a water license should not be issued at this time.

After the completion date for Permit No. 5286-3, the project should be reinspected and a water license issued which incorporates the applicable portions of Water Permit Nos. 2946-3 and 4787-3 into No. 5286-3.

*Glenn M. Mott*  
*Natural Resources Analyst*

WATER RIGHTS DIVISION - DWNR  
FILE DOCUMENTATION

FILE: Glen L. Boese  
RR #1, Box 21  
Springfield, SD 57062

DATE: 9/4/90

RE: Permits No. 4787-3 & 5286-3

Mr. Glen Boese called today in regards to whether his current permit allowed him to redevelop a well in the NW1/4 NE1/4 section 7 T93N-R60W.

From a quick review of Permit No. 4787-3, three wells were authorized in the SW1/4 SE1/4, SE1/4 SE1/4 Section 6 and the NW1/4 NE1/4 Section 7; all in T93N-R60W. However, during a inspection in 1987 the well in the NW1/4 NE1/4 of Section 7 was not put to beneficial use. In 1989, Water Permit No. 5286-3 was issued which authorized 2 additional wells to be located in the SW1/4 SE1/4 Section 6 and NW1/4 NE1/4 Section 7; all in T93N-R60W. According to Mr. Boese the well in the SW1/4 SE1/4 of Section 6 has been drilled. Mr. Boese wanted to know if he could redevelop an existing well in the NW1/4 NE1/4 of Section 7 under Permit No. 5286-3. I told Mr. Boese if the well was in the same water source as those permitted under No. 5286-3 and within 660 feet of the well permitting by No. 5286-3 that this well (as explained to me) would be authorized.

*Eric Moulton*

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That Glen L. Boese and Phyllis J. Boese of the County of Bon Homme have made, constituted and appointed, and by these presents do make, constitute and appoint Vincent Boese of the County of Bon Homme and P.O. of Springfield, South Dakota, our true and lawful attorney for us and in our names, place and stead of ourselves, for all purposes whatsoever, except he may sell none of our real estate nor encumber the same in any way whatsoever.

That we grant and give unto him, said attorney our full authority and power to do and perform all and every act and thing whatsoever requisite and necessary to be done in the premises, as fully to all intents and purposes, as we might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that our said attorney shall lawfully do or cause to be done by virtue thereof.

In the event the abovesaid Vincent Boese is unable to act as our designated power of attorney for any reason whatsoever, then and in that event, we do hereby appoint Theodore G. Boese of the State of South Dakota, our true and lawful attorney for us and in our names, place and stead of ourselves, for all purposes whatsoever, except he may sell none of our real estate nor encumber the same in any way whatsoever.

IN TESTIMONY WHEREOF, we have hereunto set our hands and seals this 11th day of August, 1987.

Glen L. Boese *Glen L. Boese* (SEAL)

Phyllis J. Boese *Phyllis J. Boese* (SEAL)

STATE OF SOUTH DAKOTA)

SS

COUNTY OF BON HOMME )

On this the 11th day of August, 1987, before me, Thomas E. Alberts, the undersigned officer, personally appeared Glen L. Boese and Phyllis J. Boese, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(SEAL)

*Thomas E. Alberts*  
Thomas E. Alberts  
Notary Public-South Dakota

My Commission Expires: May 21, 1990.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

April 21, 1993

Vince Boese  
RR 1 Box 21  
Springfield, SD 57062

Four

Dear Mr. Boese:

A well driller's report filed by Well Doctor & Repair shows that they completed a new well for you which produced 600+ Gallons Per Minute (GPM). Based on the information in the report, you may need a water permit.

Water Permit No. 5286-3 allows you to divert water in the SW1/4 SE1/4 Section 6; NW1/4 NE1/4 Section 7, both in T93N-R60W for 2 additional wells. According to the well drillers report, the additional well in Section 7 was drilled in the SW1/4 NE1/4 Section 7 T93N-R60W.

Enclosed is a copy of the well drillers report and an aerial photo showing the location of where the well is to be placed. Please review the photo to determine if the new irrigation well is located in the correct location. If it is, the legal description on the well drillers report is incorrect.

Please use the enclosed postage free envelope to notify us of the correct location of the new irrigation well by May 19, 1993 or contact Barry McLaury, Natural Resources Analyst, at 605-773-3352 if you have questions.

Very truly yours,

RON DUVAL, Natural Resources Engineer  
for JOHN HATCH, Chief Engineer  
Water Rights Division  
enclosure

# REPORT ON INSPECTION OF PERMIT NO. 2946-3 & 4787-3 & 5286-3

DATE: 6-8-94

Other permit(s) associated with the project: None

DIVERSION POINTS LEGAL LOCATIONS: #1: (well) 3300 feet E and 925 feet S; #2 (Creek Diversion) 3000 feet E and 200 feet S; Both from the NW corner of Section ~~8~~<sup>7</sup>; #3: (Creek Diversion) 525 feet N and 1980 feet W; #4 (well) 525 feet N and 1850 feet W; Both from the SE corner of Section ~~8~~<sup>7</sup>, all diversions in T93N-R60W of Bon Homme County.

6

## WELL INFORMATION:

- 1) Well Drilling Firm: Well Doctor & Repair
- 2) No. of Wells 1
- 3) Depth(s) 100 feet
- 4) Well log is available Y
- 5) Comment: Flowing well. Also pumped.

### Casing:

- 1) Diameter 10 inches
- 2) Length 80 feet
- 3) Type PVC

### Screen:

- 1) Type PVC
- 2) Length 20 feet
- 3) Static water level (Flowing) feet

### Pump:

- 1) Make Berkeley Centrifugal
- 2) Model B4JOBM-CW
- 3) Serial No. N00509X
- 4) Capacity 600 GPM

### Motor:

- 1) Make Allis Chalmers Diesel
- 2) Model No. 2900

- 1) Well Drilling Firm: Huron Drilling
- 2) No. of Wells 1
- 3) Depth(s) <sup>120</sup>~~1200~~ feet
- 4) Well log is available Y
- 5) Comment: Used for Pivot.

### Casing:

- 1) Diameter 24 inches
- 2) Length 120 feet
- 3) Type PVC

### Screen:

- 1) Type Stainless Steel
- 2) Length 30 feet
- 3) Static water level 13 feet

### Pump:

- 1) Make Western Land Roller
- 2) Serial No. B68668
- 3) Size
- 4) Capacity 650 GPM

### Motor:

- 1) Make Deutz Diesel
- 2) Model No. F6L912

3) Horsepower rating 80 hp

3) Horsepower rating 90 hp

**DISTRIBUTION LINES:**

1) Type PVC                      2) Size 6 inches

3) Length 3100 feet

1) Type ALU                      2) Size 6 inches

3) Length 400 feet

1) Type RUB                      2) Size 4 inches

3) Length 1200 feet

**SYSTEM TYPE:**

**Center pivot:**

1) Make Valley

2) Overall length 580 feet

3) Number of towers 4

4) Distance between towers 145 feet

5) End gun Y

6) High or low pressure High

7) Capacity 600 GPM

**Gun:**

1) Make Boss

2) Nozzle size 1 1/2 inches

3) Capacity 600 GPM

4) Hose size 4 1/2 inches

5) Hose length 1200 feet

6) Hose type rubber

**CHEMIGATION EQUIPMENT:**

1) Does chemigate N

2) **Sent him Chemigation Rules. He may chemigate in the future.**

**PERMIT QUALIFICATIONS AND REGULATIONS:**

1) Special qualifications to permit being abided by Y

2) All structures, wells and lands on map Y

3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

**Permit No. 2946-3, 4787-3, & 5286-3**

**Missouri River - Water District**

**Report Of Examination Of Works And/Or Application of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Glen L. Boese of RR1 Box 21, Springfield, SD 57062 holder of Permit Nos. 2946-3, 4787-3, & 5286-3, bearing the priorities of July 20, 1976, June 6, 1981, February 3, 1989 (consecutively) authorizing the diversion of 0.70, 2.85, 1.00 (consecutively) cu. ft. of water per second from surface water & groundwater for irrigation purposes, in Bon Homme County.

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

**A. Works used to divert the water:**

**Pump:**

- 1) Make Berkeley Centrifugal
- 2) Model B4JOBM-CW
- 3) Serial No. N00509X
- 4) Capacity 600 GPM

**Motor:**

- 1) Make Allis Chalmers Diesel
- 2) Model No. 2900
- 3) Horsepower rating 80 hp

**Pump:**

- 1) Make Western Land Roller
- 2) Serial No. B68668
- 3) Size
- 4) Capacity 650 GPM

**Motor:**

- 1) Make Deutz Diesel
- 2) Model No. F6L912
- 3) Horsepower rating 90 hp

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

**DISTRIBUTION LINES:**

- |                    |                         |                            |
|--------------------|-------------------------|----------------------------|
| 1) Type <u>PVC</u> | 2) Size <u>6</u> inches | 3) Length <u>3100</u> feet |
| 1) Type <u>ALU</u> | 2) Size <u>6</u> inches | 3) Length <u>400</u> feet  |
| 1) Type <u>RUB</u> | 2) Size <u>4</u> inches | 3) Length <u>1200</u> feet |

**C. Works used to apply water to beneficial use:**

**SYSTEM TYPE:**

**Center pivot:**

- 1) Make Valley
- 2) Overall length 580 feet
- 3) Number of towers 4
- 4) Distance between towers 145 feet
- 5) End gun Y
- 6) High or low pressure High
- 7) Capacity 600 GPM

**Gun:**

- 1) Make Boss
- 2) Nozzle size 1 1/2 inches
- 3) Capacity 600 GPM
- 4) Hose size 4 1/2 inches
- 5) Hose length 1200 feet
- 6) Hose type rubber

The system is in good condition. The points of diversion are located #1: (well) 3300 feet E and 925 feet S; #2 (Creek Diversion) 3000 feet E and 200 feet S; Both from the NW corner of Section 8.7 #3: (Creek Diversion) 525 feet N and 1980 feet W; #4 (well) 525 feet N and 1850 feet W; Both from the SE corner of Section 8.7 all diversions in T93N-R60W of Bon Homme County. The works are capable of diverting and conveying to the place of use 2.66 cu. ft. of water per second which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

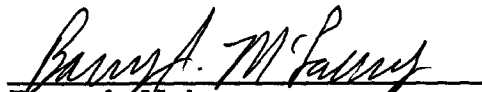
|                  |                  |                    |                 |
|------------------|------------------|--------------------|-----------------|
| <u>T93N-R60W</u> | <u>SECTION 6</u> | <u>SW1/4 SE1/4</u> | <u>20 acres</u> |
|                  |                  | <u>SE1/4 SW1/4</u> | <u>1 acre</u>   |
|                  |                  | <u>SE1/4 SE1/4</u> | <u>32 acres</u> |
|                  | <u>SECTION 7</u> | <u>NE1/4 NW1/4</u> | <u>10 acres</u> |
|                  |                  | <u>NW1/4 NE1/4</u> | <u>27 acres</u> |
|                  |                  | <u>SW1/4 NE1/4</u> | <u>10 acres</u> |

comprising a total of 100 acres of land and the license should be issued for 1.42 CFS (two wells and Emanuel Creek).

**\*\* NOTE: Water Permit Nos. 2946-3 & 4787-3 will be incorporated into Water Permit No. 5286-3 during Licensing. 1.42 CFS is all the water allowed under the 1 CFS per 70 acres law.**

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: None Date: 6-8-94

  
Barry A. McLaury

Environmental Scientist  
DENR, Water Rights Division



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

September 22, 1994

Permit No. 5286-3

Glen L. Boese  
RR 1, Box 21  
Springfield, SD 57062

Dear Mr. Boese:

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 Nos. 2946-3, 4787-3 and 5286-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit Nos. 2946-3 and 4787-3 will be incorporated into 5286-3.

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 Division  
523 E. Capitol  
Pierre, SD 57501-3181**

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

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

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

# RECEIPT

414299

## Division of Water Rights

### South Dakota Department of Environment and Natural Resources

Pierre, \_\_\_\_\_, October 14, 19 94

RECEIVED OF Vincent Boese (Glen Boese), RR 1 Box 21, Springfield, SD 57062

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>5285-3</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 John Hatch  
Chief Engineer

## STATE OF SOUTH DAKOTA

### WATER LICENSE NO. 5286-3

---

(1) Glen L Boese, RR 1 Box 21, Springfield, SD 57062 made Application No. 5286-3, February 3, 1989 for a water permit to divert 1.0 cubic feet of water per second (cfs) from ground water (two additional wells), Bon Homme County, South Dakota for irrigation purposes. Permit No. 5286-3, with a priority date of February 3, 1989 was approved May 10, 1989 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 10, 1994 and for the application to beneficial use of said water on or before May 10, 1998.

Permits associated with this water use system:

- Water Permit No. 2946-3 - with a priority date of July 20, 1976, authorizes diversion of 0.70 cfs from Emanuel Creek to irrigate 49 acres;
- Water Permit No. 4787-3 - with a priority date of June 6, 1981, authorizes diversion of 2.85 cfs from ground water (three wells) to irrigate 200 acres;
- Water Permit No. 5286-3 - with a priority date of February 3, 1989, authorizes diversion of 1.00 cfs from ground water (two wells) to irrigate portions of land described under Nos. 2946-3 and 4787-3. No. 5286-3 also allowed diversion of water from the wells into Emanuel Creek with water then diverted to the irrigated acres.

The statutory limit for irrigation of 100 acres is 1.42 cfs. Diversions from Emanuel Creek and ground water may not exceed a combined diversion rate of 1.42 cfs. The applicable portions of Water Permit Nos. 2946-3 and 4787-3 have been incorporated into this Water License No. 5286-3.

The project, as licensed, utilizes Emanuel Creek and two wells to irrigate 100 acres with the following priority dates and diversion rates:

- July 20, 1976 for diversion of 0.70 cfs from Emanuel Creek to irrigate up to 49 acres of the 100 acres;
- June 6, 1981 for diversion of 0.45 cfs from ground water (developed diversion rate under No. 4787-3 as noted by applicant on application No. 5286-3);
- February 3, 1989 for diversion of 0.97 cfs from ground water (0.45 cfs + 0.97 cfs = 1.42 cfs from ground water).

(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 1.42 cubic feet of water per second for beneficial use. The location of the diversion points are:

- #1 (well) 3,300'E and 925'S of the NW corner of Section 7 (NW¼ NE¼) T93N, R60W;
- #2 (creek diversion) 3000'E and 200'S of the NW corner of Section 7 (NW¼ NE¼) T93N, R60W;
- #3 (creek diversion) 525'N and 1,980'W of the SE corner of Section 6 (SW¼ SE¼) T93N, R60W;
- #4 (well) 525'N and 1,850'W of the SE corner of Section 6 (SW¼ SE¼) T93N, R60W.

(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 **100 acres described below:**

|                       |                                   |          |
|-----------------------|-----------------------------------|----------|
| Section 6, T93N, R60W | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 20 acres |
|                       | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 32 acres |
|                       | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 1 acre   |
|                       |                                   |          |
| Section 7, T93N, R60W | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 10 acres |
|                       | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 27 acres |
|                       | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 10 acres |

(4) Pursuant to South Dakota Water Law 46-5-30.1 Glen L Boese, RR 1 Box 21, Springfield, SD 57062 the holder and/or owner of Incorporated Water Permit No. 5286-3 is issued a license to appropriate water, the right to use 1.42 cubic feet of water per second from ground water (two wells) and Emanuel Creek with priority dates of July 20, 1976 (Emanuel Creek), June 6, 1981 (ground water), and February 3, 1989 (ground water) from the locations 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. 5286-3 and subject to South Dakota State Law.

  
 JOHN HATCH, Chief Engineer  
 Water Rights Program  
 Department of Environment and Natural Resources

JUN 23 1997

date





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

JUN 23 1997

5286-3

Glen L. Boese  
RR 1, Box 21  
Springfield, SD 57062

Dear Mr. Boese:

Enclosed is Water License No. 5286-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414299 in the amount of \$50.00 which you paid for the investigation 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. 5286-3, 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 Permit Nos. 2946-3 and 4787-3 have been incorporated into this Water License No. 5286-3.**



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

June 24, 1997

5286-3

Vincent Boese  
RR 1 Box 21  
Springfield, SD 57062

Dear Mr. Boese:

Enclosed, as we discussed, is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change on Water Right No. 5286-3. Please review the form and make any necessary corrections. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

Thank you for contacting me about the need for the transfer and updating of the water right. If you have any questions, please give me a call.

Sincerely,

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

encl

# NOTICE OF TRANSFER OF OWNERSHIP

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



No. 5286-3

Date: 7-8-97

I/We request that Water Right No. 5286-3

formerly owned by: Glen L Boese

be transferred to: (name & address) Vincent Boese, RR 1 Box 21, Springfield, SD 57062

Telephone No. 605-369-2674

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

100 acres - S $\frac{1}{2}$  SE $\frac{1}{4}$  and SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 6; NE $\frac{1}{4}$  NW $\frac{1}{4}$  and W $\frac{1}{2}$  NE $\frac{1}{4}$  Section 7, T93N, R60W

I/We understand that the validity of Water Right No. 5286-3 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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA )

County of Bon Homme )

I/We Vincent Boese 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, and that I know of my own personal knowledge that the information herein stated is true.

(Signed)

Subscribed and sworn to before me this 9th day of July, 1997.

(Notary Public)

NOTARY PUBLIC: 5/18/98

**NOTE:** Water permits may be cancelled for nonconstruction within the five year construction period. 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.

By \_\_\_\_\_  
Chief Engineer



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

July 21, 1997

No. 5286-3

Vincent Boese  
RR 1, Box 21  
Springfield, SD 57062

Dear Mr. Boese:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 5286-3.

Our records now show you as the owner of Water Right No. 5286-3.

Sincerely,

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

enclosure



5286-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 15, 2016

NOTICE

TO: VINCENT BOESE, 31017 EQUAL RIGHTS SCHOOL RD, SPRINGFIELD, SD 57062 6306  
FROM: Ron Duvall, Natural Resources Engineer  
for Jeanné Goodman, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5286-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5286-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** 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) 5286-3 in accordance with applicable provisions of SDCL 46-1-12;
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 before the **March 3, 2016** 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](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

**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.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

[denr.sd.gov](http://denr.sd.gov)

February 3, 2016

5286-3

Vincent Boese  
31017 Equal Rights School Rd  
Springfield SD 57062-6306

Dear Mr. Boese:

I am writing to acknowledge receipt of your 2015 irrigation questionnaire.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 5286-3. 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](mailto:genny.mcmath@state.sd.us)



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 20, 2017

NOTICE

TO: VINCENT BOESE, 31017 EQUAL RIGHTS SCHOOL RD, SPRINGFIELD, SD 57062 6306

FROM: Ron Duvall, Natural Resources Engineer  
for Jeanne Goodman, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5286-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5286-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** 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) 5286-3 in accordance with applicable provisions of SDCL 46-1-12;
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 before the **March 1, 2017** 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](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

**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.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

[denr.sd.gov](http://denr.sd.gov)

February 21, 2017

5286-3

Vincent Boese  
31017 Equal Rights School Rd  
Springfield SD 57762 6306

Dear Mr. Boese:

I am writing to acknowledge receipt of your 2016 irrigation questionnaire.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 5286-3. 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,

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  
Water Rights Program  
(605) 773-3352  
email: [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us)



5286-3  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 26, 2018

NOTICE

TO: VINCENT BOESE, 31017 EQUAL RIGHTS SCHOOL RD, SPRINGFIELD, SD 57062 6306  
FROM: Ron Duvall, Natural Resources Engineer  
for Jeanne Goodman, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5286-3. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5286-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** 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) 5286-3 in accordance with applicable provisions of SDCL 46-1-12;
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 before the **March 7, 2018** 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](mailto:genny.mcmath@state.sd.us). If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

**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.



5286-3

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

February 23, 2018

5286-3

Vincent Boese  
31017 Equal Rights School Rd  
Springfield SD 57062-6306

Dear Mr. Boese:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 5286-3. 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,

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](mailto:genny.mcmath@state.sd.us)



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**  
JOE FOSS BUILDING  
523 E. CAPITOL AVE  
PIERRE SD 57501-3182  
danr.sd.gov

January 14, 2025

**NOTICE**

TO: VINCENT BOESE, 31017 EQUAL RIGHTS SCHOOL RD, SPRINGFIELD, SD 57062 6306

FROM: Ron Duvall, Engineer III  
for Eric Gronlund, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5286-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5286-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** 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) 5286-3 in accordance with applicable provisions of SDCL 46-1-12;
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 before the **March 5, 2025**, 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 Amanda Dewell at (605) 773-3352 or email at [amanda.dewell@state.sd.us](mailto:amanda.dewell@state.sd.us). **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: OBIFRA**

**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.



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 E. CAPITOL AVE  
PIERRE SD 57501-3182  
danr.sd.gov

January 21, 2025

5286-3

Vincent Boese  
31017 Equal Rights School Rd  
Springfield SD 57062

Dear Mr. Boese:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 5286-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell  
Permitting Administrator  
Water Rights Program  
605 773-3352  
Amanda.Dewell@state.sd.us