

Considered: _____

WATER PERMIT NO. 5460-3

Phone: 874-2581

Name of Applicant: Carl Boeke

Post Office Address: RR 1, Box 171, Clear Lake, SD 57226

Amount of Water Claimed: No Add'l (4.4 cfs) Total Acres: No Add'l (312 Acres)

Source of Water Supply: Groundwater

Water to be used for: irrigation County: Deuel

About 2 miles East of Clear Lake

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F.& C/.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received: 6/12/90 Fee: \$50 Remarks Applic. is for
an additional diversion point. Presently 3 permitted wells

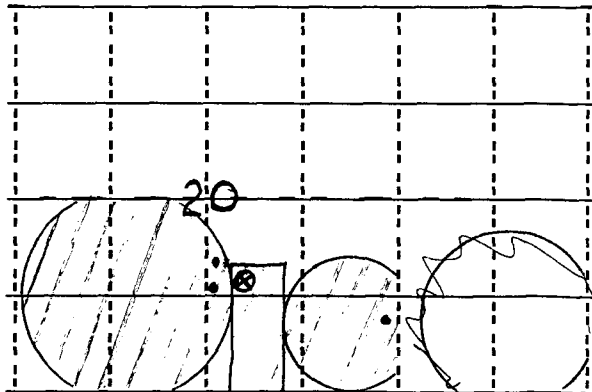
Corrected Application Received _____ Period of Annual Use May 1 - Sept. 15

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: NW1/4 SE1/4 Section 20 T115N-
R48W

Land to be Irrigated: S1/2 Section 20 T115N-R48W
(permitted under Nos. 2803-3 & 4504-3)



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 80' REMARKS _____

Type of Map: ASCS Aerial PREPARED BY: Mark Rath Reviewed and the Number

Assigned on 6/22/90 By Eric Gronlund

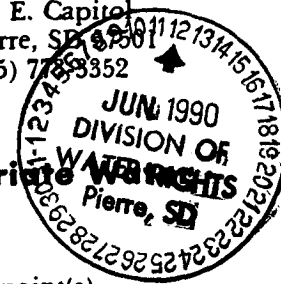
Pub Day - Wed

Mail to: Water Rights Div.

523 E. Capitol
Pierre, SD 57501
(605) 778-3352

(See instructions)

No. 5460-3 Hydrologic Unit 07020003
Basin Minnesota - Whetstone
Newspaper Clear Lake Courier Box 277 57226



Application For Soil/Water Compatibility Permit and Permit To Appropriately

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 _____

1. Name of Applicant CARL P. BOEKE Phone No. 874-2581

Post Office Address RR 1 Box 171 CLEAR LAKE State SD 57226
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s) NO ADD'L Total acres irrigated NO ADD'L (SEE PERMITS 2803-3, 4504-3)

3. Source of Water supply GROUNDWATER

4. Location of point of diversion NEW WELL, SW 1/4 NW 1/4 SE 1/4 SECTION 20 -
T115N - R48W

County DEUEL

5. Counties where water will be used DEUEL

6. Annual period during which water is to be used MAY 1 - SEPTEMBER 15

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.
NW 1/4 SW 1/4 Sec 20-115-48	32
NE 1/4 SW 1/4 "	35
SE 1/4 SW 1/4 "	38
SW 1/4 SW 1/4 "	39

Land Description	No. Acres Irr.
NW 1/4 SE 1/4 Sec 20-115-48	16
NE 1/4 SE 1/4 "	12
SE 1/4 SE 1/4 "	36
SW 1/4 SE 1/4 "	32

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: X Other: _____
 (Specify)

9. Crops to be Irrigated: CORN, SOYBEANS, SMALL GRAINS, ALFALFA

10. Give a description of proposed project. (Attach sheet if more space is needed) TO ADD AN ADDITIONAL
DIVERSION POINT, NO ADDITIONAL WATER CLAIMED

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

STATE OF SOUTH DAKOTA)
County of Deuel) ss

I, Carl P. Boeke, 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.

Dale W. Winters Notary Public, South Dakota
My Commission Expires April 19, 1991

Signed Carl P. Boeke

Subscribed and sworn to before me this small day of June 19 90

Dale W. Winters
Notary Public

**SOUTH DAKOTA
WATER PERMIT No. 5460-3 FOR IRRIGATION**

Date of first receipt of application June 12, 1990.

Date Soil/Water Compatibility Permit received June 25, 1976.

The Water Management Board approved Water Permit Application No. 5460-3 on October 3, 1990 for Carl P. Boeke, RR #1, Box 171, Clear Lake, SD 57226 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. 5460-3 authorizes one additional well (Big Sioux-Brookings Aquifer) 80 feet deep, located in the NW1/4 SE1/4 Section 20 T115N-R48W. Water Permit Nos. 2803-3 and 4504-3 authorized 4.4 cubic feet of water per second from 3 existing wells irrigating 240 acres in the S1/2 Section 20 T115N-R48W. The 3 existing wells are located in the NW1/4 SE1/4, SE1/4 SE1/4 Section 20 T115N-R48W. No increase in the diversion rate or acres irrigated are authorized by this Permit.
2. The amount of the appropriation may not exceed 2 acre feet annually 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: May 1 - September 15.
- 3 The date from which applicant may claim right is June 29, 1976.
4. 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 well 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.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

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

DEC 19 1990

(date)

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 12" Depth 80'
- b) Casing Type STEEL Diameter 8" Thickness _____
- c) Screen Type CONTINUOUS SLOT Diameter 8" Thickness _____
- d) Gravel Pack Thickness 6" Length of Gravel Pack 30'
- e) Depth to Top of Water Bearing Material 70'
- f) Depth to Water (ground surface to water level) 50'
- g) Distance to nearest existing domestic well:

On applicants property _____ On property owned by others _____

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 _____

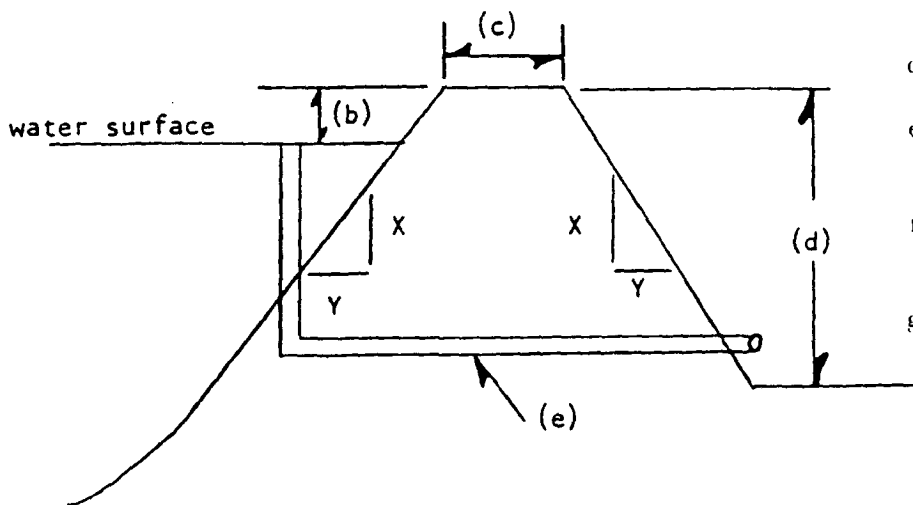
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation



Office Use Only

2517-DU-A

WR#

OWNERS NAME: BOEKE, CARL

OWNERS ADDRESS: RR 1, BOX 171

CLEAR LAKE, SD 57226

COUNTY LAND LOCATED IN: DEUEL

PHONE: 874-2581

LEGAL DESCRIPTION:

☒ Well

☐ Surface

1. LOCATION: NE 1/4 SE 1/4 20-T115N-R48W

Depth: _____

Legal Description	Acres	Legal Description	Acres
<u>SE 1/4 20-T115N-R48W</u>			

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

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

WATER QUALITY:

4. WATER SAMPLE NUMBER: 79-353

7. ADJUSTED (SAR): 1.85 (.7) = 1.3

5. SALINITY (EC X 10⁶): 531

8. PERCENT SODIUM: 19.10

6. SODIUM (SAR): 0.8

Requirements:

The maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 inches of the soil profile) at the beginning of the growing season apply. They become applicable upon the issuing of a soil and water compatibility permit by the Division, of the Commission.

XXX APPROVED

XXX REQUIREMENTS

DISAPPROVED

WAIVER

Director, Division of Conservation

OCTOBER 17, 1991

Date

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

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: 5 1/4 E 1/4 20 Section 115-N Township 48-49-W Range

Well owner Carl Roake Clear Lake En. Dist
(Name) (Address)

Date well drilling completed 9-12-77 Purpose of well irrigation
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	
<u>0'-1'</u>	<u>Top soil</u>	<u>78</u>	ft.
<u>1'-4'</u>	<u>yellow clay</u>	<u>105</u>	ft.
<u>4'-9'</u>	<u>gravel</u>	<u>142</u>	ft.
<u>9'-29'</u>	<u>dark yellow clay</u>	<u>177</u>	ft.
<u>29'-78'</u>	<u>blue & grey</u>	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used. <u>14" 20' 5" steel</u>	
<u>78'-142'</u>	<u>gravel & sand</u>		
<u>142'-</u>	<u>blue & grey</u>		
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations. <u>14" 5' 0" 2" 304</u>	
		If a flowing well, flow of completed well _____ G.P.M.	

Attach sheet if more space is needed

Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump _____ HP _____

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

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

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____

Name of Pump Installation Contractor

SOUTH DAKOTA WATER WELL COMPLETION REPORT

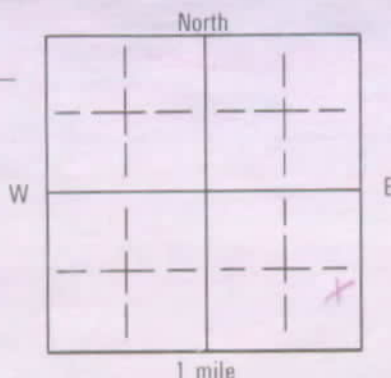
10-85

Location S 1/4 E 1/4 Sec 20 Twp 15N Rg 47W

County

Dakota

Please mark well location with an "X"

Well Completion Date 9-77

PROPOSED USE:

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

Method of Drilling:

Direct Rotary

CASING DATA:

- ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>54</u> LB/FT	<u>14</u> IN	<u>2</u> FT	<u>130</u> FT	<u>20</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 ☐ NOTo what depth? 120 FEETWhat is grouting material? Drill cuttings

If cement, number of sacks? _____

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 14 IN Length 12 FEETMaterial Johnson Stainless Hi-QSlot Size 120 Set From 130 Feet To 142 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information Packed with Madison S.P. pack 3/4 x 1/4Was a packer or seal used? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain A.T.H.Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name Carl BoekeAddress Clare Lake

Well Log:

Depth

Formation

From

To

<u>Top soil</u>	<u>0</u>	<u>1</u>
<u>yellow clay</u>	<u>1</u>	<u>4</u>
<u>gravel medium</u>	<u>4</u>	<u>9</u>
<u>yellow clay sandy</u>	<u>9</u>	<u>29</u>
<u>Blue clay light</u>	<u>29</u>	<u>78</u>
<u>gravel medium</u>	<u>78</u>	<u>142</u>
<u>Blue clay firm</u>	<u>142</u>	<u>150</u>

STATIC WATER LEVEL 105 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

124 ft. After 24 Hrs. pumped 500 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

High pressure tested this well to increase production, which was 2700 @ 500.This well was drilled under license # 337

And this report is true and accurate.

Drilling firm Kaiser Well DrillingSignature of License Representative: Donald Gene Kaiser

Signature of Well Owner: _____

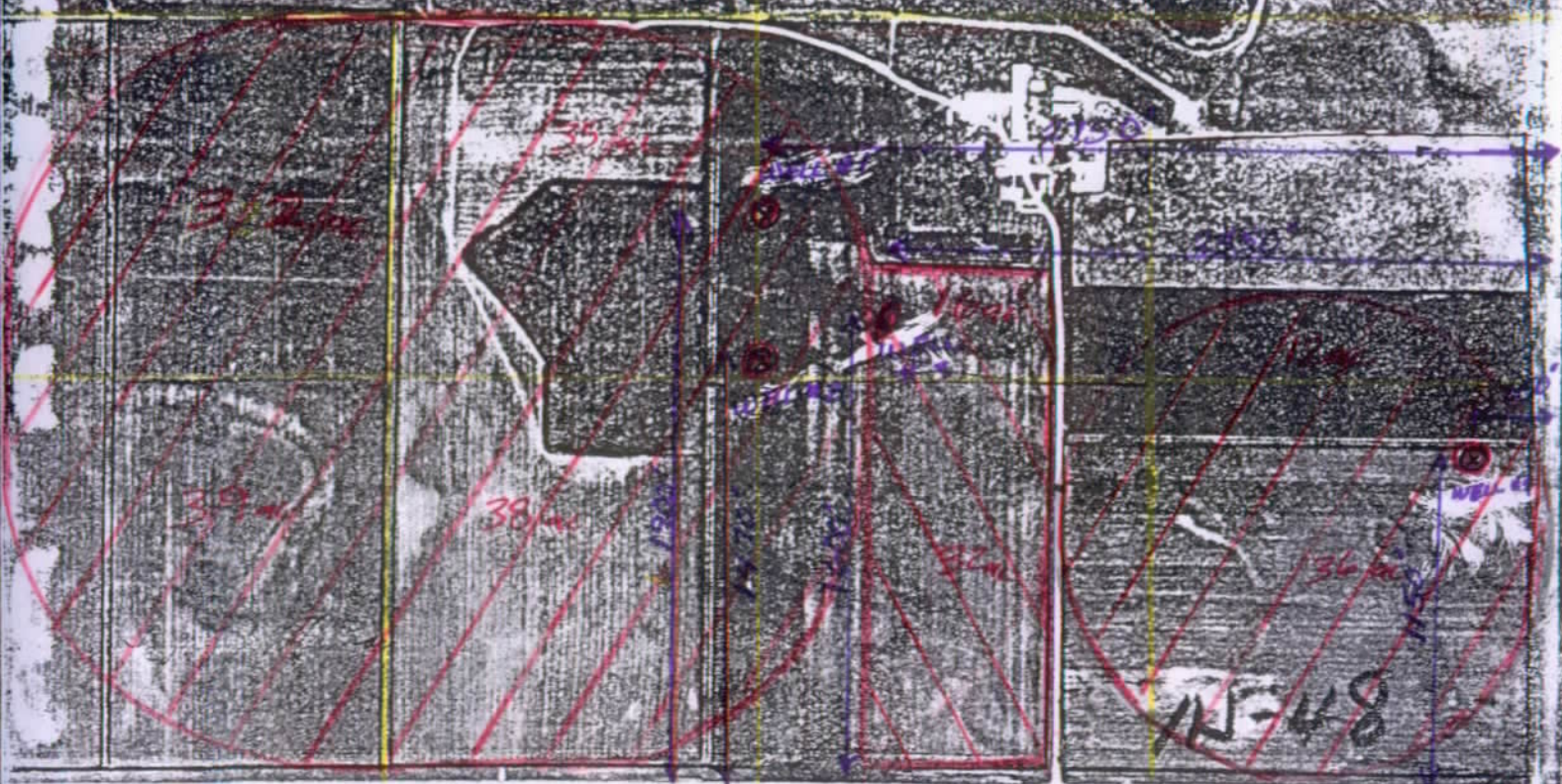
Date _____



115-48

164B

Mat D. Rath
NATURAL RESOURCES ENGINEER II
WATER RIGHTS DIVISION
6/22/90



5460-3

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412262

Pierre, June 12, 1990, 19 90

RECEIVED OF Carl Boeke, RR#1 BOX 171 CLEAR LAKE SD 57226

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

Fee for Application for Permit No. 5460-3 to Appropriate Water, to construct works and to put water to beneficial use	50	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	50	00

By John Hatch
Chief Engineer

Report on
Water Permit Application No. 5460-3
Carl Boeke
July 26, 1990

Application No. 5460-3, Carl Boeke, proposes to add an additional diversion point for irrigation covered under Water Permit Nos. 2803-3 and 4504-3. There is to be no additional water claimed beyond the 4.4 cubic feet of water per second (cfs) already appropriated. The diversion point is located in the NW1/4 SE1/4 of Section 20-T115N-R48W. The acreage irrigated is located in the S1/2 of Section 20.

Water Source

The proposed diversion point would be from a completed well which has been drilled to a depth of 80 feet into the Big Sioux-Brookings Aquifer. The well is located within 600 feet of two wells covered under Water Permit No. 2803-3 and within 2500 feet of a well covered under Water Permit No. 4504-3. These three wells are also completed into the Big Sioux-Brookings Aquifer.

The Big Sioux-Brookings Aquifer underlies 26,400 acres in Deuel County and contains 59,400 acre-feet of recoverable water. Observation well DU-75A is located 1.5 miles to the northeast of the proposed diversion point. Water level records for the observation well reflect fairly constant readings with some yearly fluctuations.

Review of Existing Water Rights

There are three irrigation wells other than the wells listed under the irrigation project which are located within 1.5 miles of the proposed diversion point. Interference by this proposed diversion point would not be expected.

Conclusions

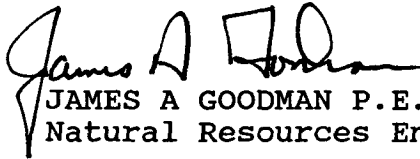
1. Water is available for the proposed diversion point from the Big Sioux-Brookings Aquifer
2. There is to be no additional diversion of water beyond 4.4 cfs which has already been appropriated under the existing permits.
3. There should be no interference with existing water rights.

4. Observation well records reflect fairly constant readings with some yearly fluctuations.



MARK D. RATH
Natural Resources Engineer II

Approved by:



JAMES A GOODMAN P.E.
Natural Resources Engineer IV

Bibliography

1. USGS, 1985, Water Resources of Deuel and Hamlin Counties South Dakota, U.S. Geological Survey Water-Resources Investigations Report 84-4069
2. U.S. Army Corps of Engineers, 1982, Evaluation of Ground Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, U.S. Army Corps of Engineers Contract DACW, 45-80-C-0185.

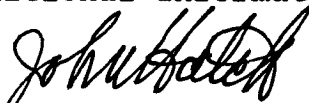
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5460-3, Carl Boeke

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. 5460-3, Carl Boeke, RR #1 Box 171, Clear Lake SD

The Chief Engineer is recommending APPROVAL of Application No. 5460-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The well 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.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


JOHN HATCH, Chief Engineer
August 10, 1990

SOUTH Dakota Department of
Water & Natural Resources

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

August 24, 1990

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

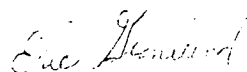
Carl P. Boeke
RR #1 Box 171
Clear Lake SD 57226

Dear Mr. Boeke:

Water Permit Application No. 5460-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Clear Lake Courier printed at Clear Lake SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. 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,



Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

August 24, 1990

Clear Lake Courier
Box 277
Clear Lake SD 57226

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 5460-3 to be published twice. Please publish the first notice on or before September 5, 1990 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 Carl P. Boeke, RR #1 Box 171, Clear Lake SD 57226.

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,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
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 September 5, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5460-3
to Amend Water Permit No. 4504-3

Notice is given that Carl Boeke, RR #1 Box 171, Clear Lake SD 57226 has filed an application for a water permit for one additional well (Big Sioux-Brookings Aquifer) 80 feet deep, located in the NW1/4 SE1/4 Section 20-T115N-R48W. Water Permit Nos. 2803-3 and 4504-3 authorize 4.4 cubic feet of water per second from 3 existing wells to irrigate 312 acres located in the S1/2 Section 20-T115N-R48W. The 3 existing wells are located in the NW1/4 SE1/4, SE1/4 SE1/4 Section 20-T115N-R48W. No increase in diversion rate or acres irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5460-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board in the Community Room, Brule Co. Courthouse, 300 S. Courtland, Chamberlain, SD on October 3, 1990 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.

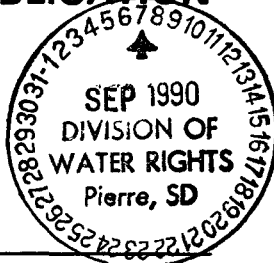
Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 21, 1990. The Chief Engineer's address is "Water Rights Division, 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 September 21, 1990.

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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Deuel) ss.



I, Gary DeJong

certify that the attached printed Notice was taken
from the Clear Lake Courier

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

city _____ of Clear Lake, SD

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

August 29, 1990

Sept. 5 1990

Gary DeJong
(Signature)

Publicist
(Title)

9/6/90
(Date Signed)

Michele Gross

**My Commission Expires
January 29, 1998**

Cost of Printing: 45.01

NOTICE OF HEARING ON APPLICATION NO. 5460-3 TO AMEND WATER PERMIT NO. 4504-3

Notice is given that Carl Boeke, RR #1
Box 171, Clear Lake SD 57226 has filed
application for a water permit for one
additional well (Big Sioux-Brookings
quifer) 80 feet deep, located in the
NW¼ SE¼ Section 20-T115N-R48W.
Water Permit Nos. 2803-3 and 4504-3
authorize 4.4 cubic feet of water per
second from 3 existing wells to irrigate
12 acres located in the S¼ Section
20-T115N-R48W. The 3 existing wells
are located in the NW¼ SE¼, SE¼
NE¼ Section 20-T115N-R48W. No
increase in diversion rate or acres
irrigated is authorized by this applica-
tion.

Pursuant to SDCL 46-2A-2, the Chief
Engineer of the Water Rights Division
recommends APPROVAL of Applica-
tion No. 5460-3 because 1) existing
rights will not be unlawfully impaired, 2)
is a beneficial use of water and 3) it is in
the public interest. This application will
be considered by the Water Manage-
ment Board in the Community Room,
Brule Co. Courthouse, 300 S. Courtland,
Chamberlain, SD on October 3, 1990 at
10:00 am. The Chief Engineer's recom-
mendation 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
46-26, must file a written petition with
BOTH the applicant and Chief Engineer
by September 21, 1990. 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 September 21, 1990.

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, 46-6-30.2, 46-6-30.4, 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.
Aug. 29 & Sept. 5

Conversation or File Documentation

NAME OF PERSON OR FILE: CARL BOEKEADDRESS: CLEAR LAKE COUNTY DEUELDATE: _____ TELEPHONE 874-2581RE: PERMIT INSPECTION

COMMENTS:

CALL AND TALKED TO WAYNE BOEKE CONCERNING
LAND IRRIGATED BY TRAVELING GUN. ALSO TOLD THEM
THAT I WOULD BE SENDING FORMS TO THEM FOR GETTING
A PERMIT FOR THE FOURTH WELL.

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.



Department of Water & Natural Resources

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

December 6, 1990

Kaiser Well Drilling
ATTN: Ronald G. Kaiser
405 8th St SE
Watertown, SD 57201

Dear Mr. Kaiser:

Our records indicate that you drilled three wells for Carl Boeke of Clear Lake, SD. The 80' wells are located in the SE1/4 of Section 20-T115N-R48W, I have not been able to find the as complete well logs for these production wells. I would appreciate it if you would check your files for the well logs and then send any information you have concerning this to me.

If you need any additional information feel free to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark D. Rath". The signature is fluid and cursive, with the first name "Mark" and last name "Rath" clearly distinguishable.

Mark D. Rath
Natural Resources Engineer II
Water Rights Division
(605) 773-3352

Mark.

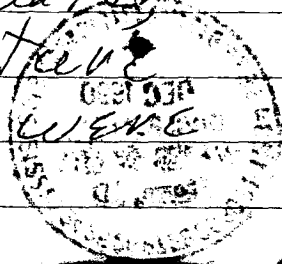
The attached Form is for the well I drilled back in 1977 which is for their small pivot in the very south east corner.

The other three wells were drilled by Empire Drilling out of Haron, S.D., by Paul King & Ben Shell, in 1976.

They sold the business in 1977 to Allen Wist of Frankfort and he sold it to Allen Kretzschmar of Frankfort. They don't do the business in 1983-84 & don't know if he has the business records or if Ben Shell has them. If you call Allen Kretzschmar he can tell you how to get a hold of Ben Shell in Texas.

All I can tell you about Mr. Boek's well is what he told me. According to him they are approximately 75'-80' deep with Johnson irrigator screens on steel casing, at least the one to the west of the east one is. (I worked on the pump this summer '990 and that one was steel (16").

The water quality must be pretty good in this aquifer since the machine's structure is as clean as when they were put up.





Department of Water & Natural Resources

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



June 6, 1990

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

Dear Mr. Boeke:

On April 18, 1990 I made an inspection of your water permits 2803-3 and 4504-3 for irrigation. At that time I found that your irrigation project had not been developed as stated in the permit. The primary change with which we are concerned is there is one additional well located in the SE1/4 of Section 20-T115N-R48W besides the three which are listed, because of this a new permit must be applied for.

Enclosed is a set of partially completed applications and an instruction sheet. Look these over carefully to make sure that the information listed is correct. I do not believe that the soil and water compatibility tests will have to be redone.

You will need to return the signed forms along with a \$50.00 fee to this office. If there are any questions feel free to contact me.

Sincerely,

Mark D. Rath
Natural Resources Engineer II
Water Rights Division
(605) 773-3352

*Publish in the Clear Lake Courier
% Clear Lake South Dakota 57226*



Department of Water & Natural Resources

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

DEC 19 1990

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

Dear Mr. Boeke:

Enclosed is Water Permit No. 5460-3 as approved by the Water Management Board authorizing your water diversion system and the application of water beneficial use, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 14, 1992

Andrea Calderone
US Fish & Wildlife Service
PO Box 48
Madison, SD 57042-0048

Dear Ms. Calderone:

Enclosed, as you requested, are copies of Water Permit Nos. 2803-3, 4504-3 and 5460-3 for Carl Boeke. The permits authorize irrigation of land in portions of Sections 20, T115N, R8W.

I have also enclosed a copy of the "Report of Examination of Works and/Or Application of Water to Beneficial Use" The report shows the acreage actually developed under the three permits.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 15, 1992

SECOND NOTICE

Permit No. 5460-3

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

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

Dear Mr. Boeke:

On December 19, 1990, you were notified the final inspection fee of \$50.00 is due before Water License No. 5460-3 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)							
3. Article Addressed to: Carl P. Boeke RR 2, Box 171 Clear Lake, SD 57226	4. Article Number P 757 566 259 Type of Service: <table border="0"> <tr> <td>☐ Registered</td> <td>☐ Insured</td> </tr> <tr> <td>☒ Certified</td> <td>☐ COD</td> </tr> <tr> <td>☐ Express Mail</td> <td>☐ Return Receipt for Merchandise</td> </tr> </table> Always obtain signature of addressee or agent and <u>DATE DELIVERED</u>.	☐ Registered	☐ Insured	☒ Certified	☐ COD	☐ Express Mail	☐ Return Receipt for Merchandise
☐ Registered	☐ Insured						
☒ Certified	☐ COD						
☐ Express Mail	☐ Return Receipt for Merchandise						
5. Signature — Addressee X <i>Carl P. Boeke</i>	8. Addressee's Address (ONLY if requested and fee paid)						
6. Signature — Agent X							
7. Date of Delivery 061692							

PS Form 3811, Apr. 1989

DOMESTIC RETURN RECEIPT

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413268

Pierre, June 29, 19 92

RECEIVED OF Dorothy Boeke, RR 1 Box 171, Clear Lake, SD 57226

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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>5460-3</u>	50	00
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	50 00

By John Hatch
Chief Engineer

MINNESOTA RIVER Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by CARL P BOEKE
_____ of CLEAR LAKE SD holder ofPermit No. 2803-3, 4504-3, bearing the priority of June 29, 1976 for 2803-3 & 5460-3
& 5460-3 February 20, 1980 for 4504-3 authorizingthe diversion of 4.4 cu. ft. per second of the waters of GROUND WATERfor IRRIGATION purposes, in DEUEL County.

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

A. Works used to divert the water: 3 WELLS WITH FAIRBANKS MORSE PUMPS WITH A
TOTAL OF 1200 gpm CAPACITY AND 1 WELL WITH A NATIONAL PUMP WITH A
CAPACITY OF 500 gpm.B. Works used to transport water to place of use: 4500' of 8" AND 6" PUC PIPE AND
1000' of 4 1/2" HOSE.C. Works used to apply water to beneficial use: A VALLEY CORONAL UNIT CENTER PILOT,
A VALLEY CENTER PILOT, AND A VERMORE BIG GUN.The system is in the following condition GOODThe point of diversion is located FROM THE SE CORNER OF SECTION 20-T115N-R48W Well #1 - 2750' W
1900' N, Well #2 - 2750' W 1900' N, Well #3 - 2350' W 1600' N, Well #4 250' W 1150' N
1470' N,The works are capable of diverting and conveying to the place of use 3.78cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL LANDS LOCATED IN THESECTION 20-T115N-R48W NW 1/4 SW 1/4 - 32 ac NW 1/4 SE 1/4 - 16 acNE 1/4 SW 1/4 - 35 ac NE 1/4 SE 1/4 - 12 acSE 1/4 SW 1/4 - 38 ac SE 1/4 SE 1/4 - 36 acSW 1/4 SW 1/4 - 39 ac SW 1/4 SE 1/4 - 32 accomprising a total of 240 acres of land and the license should be issued for 3.43 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: _____ Date 4/18/90Mark D. Roth

(signature)

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make VEZNER
- 2) nozzle size 1 3/8"
- 3) capacity (GPM) 400
- 4) hose size 4 1/2"
- 5) hose length 1000

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make VALLEY CORNER
- 2) number of towers 10
- 3) distance between towers _____
- 4) overall length 1200' + CORNER UNIT
- 5) end gun (Y/N) Y
- 6) high or low pressure HIGH
- 7) make & size of nozzles RAINBIRD NELSON
- 8) capacity (GPM) 750

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
<u>X</u>	---	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>	---	2. Special qualifications to permit being abided by?
<u>X</u>	---	3. All structures, wells and lands on map?
<u>X</u>	---	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
---	<u>X</u>	5. Is chemigation used?
---	<u>NA</u>	6. If yes, does equipment comply with chemigation rules?

REMARKS:

LICENSE FOR PERMIT NUMBER 2803-3, 4504-3 : 5460-3

1. Legal location of wells: FROM THE SE CORNER OF SECTION 20-T115N-R48W
WELL #1 - 2750' W, 1900' N WELL #2 - 2750' W 1470' N
~~dams & structures:~~ WELL #3 - 2350' W, 1600' N

2. Well Information: Well Drilling Firm EMPIRE WELL DRILLING
(ATTACHED WELL LOG MAY BE FOR THESE WELLS
IT IS FROM THE CORRECT 1/4 SECTION)

Completion Report Yes No X No. of Wells 3 Depth 80
Casing a) diameter 12" Screen a) type STAINLESS STEEL
b) length b) length
c) type STEEL Static Water Level 50'
Pump a) make FAIRBANKS MORSE Motor a) make GE
b) model b) model No. 5K6247XH4A
c) size 8" c) horsepower rating 40
d) capacity 400 gpm
e) turbine pump - no. of stages 6
f) operating PSI 80

3. Distribution lines or canals

a) size
b) type
c) length

4. Dam Information:

a) height to crest m) Outlet tubes:
b) height to primary spillway 1) diameter
c) height to secondary spillway 2) type
d) crest width 3) valved (Y/N)
e) crest length 4) valve type
f) spillway length 5) location on structure
g) spillway width
h) approx. storage n) Category of Dam
i) approx. storage to crest
j) date constructed
k) inspection sheet completed (Y/N)
l) Name of Contractor

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of
sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make VALLEY
- 2) number of towers 4
- 3) distance between towers _____
- 4) overall length 880
- 5) end gun (Y/N) Y
- 6) high or low pressure HIGH
- 7) make & size of nozzles
RAINBIRD, NELSON
- 8) capacity (GPM) 750

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
---	---	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
---	---	2. Special qualifications to permit being abided by?
---	---	3. All structures, wells and lands on map?
---	---	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
---	---	5. Is chemigation used?
---	---	6. If yes, does equipment comply with chemigation rules?

REMARKS:

1. Legal location of wells: FROM THE SE CORNER OF SECTION 20-T115N-R48W
Well #4 - 250' W 1150' N
dams & structures: _____

2. Well Information: Well Drilling Firm KAISER'S WELL WORKS

Completion Report Yes X No _____ No. of Wells 1 Depth 142
Casing a) diameter 14" Screen a) type STAINLESS STEEL
b) length _____ b) length _____
c) type STEEL Static Water Level 105'
Pump a) make NATIONAL Motor a) make NEWMAN
b) model N-260 b) model No. 51245206
c) size 8" c) horsepower rating 60
d) capacity 500 gpm
e) turbine pump - no. of stages 8
f) operating PSI 80

3. Distribution lines or canals

a) size _____
b) type _____
c) length _____

4. Dam Information:

a) height to crest _____ m) Outlet tubes:
b) height to primary spillway _____ 1) diameter _____
c) height to secondary spillway _____ 2) type _____
d) crest width _____ 3) valved (Y/N) _____
e) crest length _____ 4) valve type _____
f) spillway length _____ 5) location on structure _____
g) spillway width _____
h) approx. storage _____ n) Category of Dam _____
i) approx. storage to crest _____
j) date constructed _____
k) inspection sheet completed (Y/N) _____
l) Name of Contractor _____

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5460-3

(1) Carl P. Boeke of RR 1, Box 171, Clear Lake, SD 57226 made Application No. 5460-3, June 12, 1990 for a water permit to appropriate no additional cubic feet of water per second from groundwater (one well), Deuel County, South Dakota for irrigation purposes. Permit No. 5460-3 with a priority date of June 29, 1976 (established under Water Permit No. 2803-3) was approved October 3, 1990 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 5460-3 authorizes one additional well to irrigate land described in Water Permit No. 2803-3. No increase in the diversion rate or acres irrigated were authorized. A priority date of June 29, 1976 was retained.

Water Permit No. 4504-3 (approved May 22, 1980) authorized one additional well to irrigate land described in Water Permit No. 2803-3. No additional diversion rate or acres irrigated were authorized. The new well (SE 1/4 SE 1/4 Section 20) retained a February 20, 1980 priority date.

The applicable portions of Water Permit Nos. 2803-3 and 4504-3 are incorporated into this Water License No. 5460-3. The wells in the NW 1/4 SE 1/4 Section 20 (#1, #2 & #3) retain a priority date of June 29, 1976. Well #4 (SE 1/4 SE 1/4 Section 20) carries a priority date of February 20, 1980.

(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 3.43 cubic feet of water per second for beneficial use. The location of the diversion points are: #1 - 2750'W and 1900'N of the SE corner; #2 - 2750'W and 1470'N of the SE corner; #3 - 2350'W and 1600'N of the SE corner; and #4 - 250'W and 1150'N of the SE corner; all in Section 20, T115N, R48W.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T115N, R48W Section 20	NW 1/4 SW 1/4	32 Acres
	NE 1/4 SW 1/4	35 Acres
	SE 1/4 SW 1/4	38 Acres
	SW 1/4 SW 1/4	39 Acres
	NW 1/4 SE 1/4	16 Acres
	NE 1/4 SE 1/4	12 Acres
	SE 1/4 SE 1/4	36 Acres
	SW 1/4 SE 1/4	32 Acres
	Total-----	240 Acres

(4) Pursuant to Section 46-5-30.1 Carl P. Boeke of RR 1, Box 171, Clear Lake, SD 57226 the holder(s) and/or owner(s) of Incorporated Water Permit No. 5460-3 is issued a license to appropriate water, the right to use 3.43 cubic feet of water per second from groundwater (4 wells) with priority dates of June 29, 1976 and February 20, 1980 from the location specified in (2) of this license. The water is 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. 5460-3 and subject to South Dakota State Law.



NOV 23 1992

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



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 23 1992

5460-3

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

Dear Mr. Boeke:

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

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5460-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

enclosures

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

5460-3

SD EForm - 1621LD V1

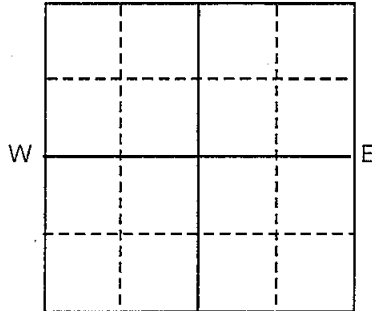
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW ¼ SW ¼ Sec 20 Twp 115 Rg 48

County Deuel

North

Please mark well
location with an "X"

Well Completion Date

November 30, 2011

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
ft. from (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Mud Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	12.00 IN	2.0 FT	147.0 FT	18.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Quick Grout	35	Lb/gal	0.0 Ft	145.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
PSI Tremi

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 12.00 Inches Length 9.0 Feet

Material Stainless Steel

Slot Size Set From 147.0 Feet to 156.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine

☐ No, Why Not?

Lab to which water quality sample sent for analysis

Well Owner: Neal Boeke

Business Name:

Address: 47968 Hwy 22

City, State, Zip: Clear Lake SD 57226

WELL LOG:

FORMATION			DEPTH	
			FROM	TO
Loam	Black	M	0	3
Clay	Tan	M	3	16
Gravel	Tan	Coarse	16	22
Clay	Blue	M	22	59
Clay	Tan	M	59	72
Clay	Blue	M	72	148
Sand	Blue	M	148	157

STATIC WATER LEVEL

If flowing: closed in pressure PSI

GPM flow through Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe:
☐ Bailed
☐ Other

RECEIVED

DEC 26 2012

WATER RIGHTS
PROGRAM

Pumping Level Below Land Surface

Ft. After Hrs. pumped GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

+44 45' 03.6
-96 36' 57.6

This well was drilled under license # 463 and this report is true and accurate.

Drilling firm: Steffl Drilling & Pump Inc

Signature of License Representative:

Signature of Well Owner or Equitable Property holder

Date:

3-20-12