

WATER PERMIT NO. 6799-3

Name of Applicant: **Charles J Boynton** 

Address: **39752 130th St, Bath SD 57427** Phone: **605 225-5803**

Amount of Water Claimed: **2.0 cfs** Total Acres: **160**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **irrigation** County: **Clark**

Type of Waste Disposal System:

Location: **15 miles northwest of Clark**

PRIORITY Date Received: **1-22-07**

Application/License Fee: **\$300**

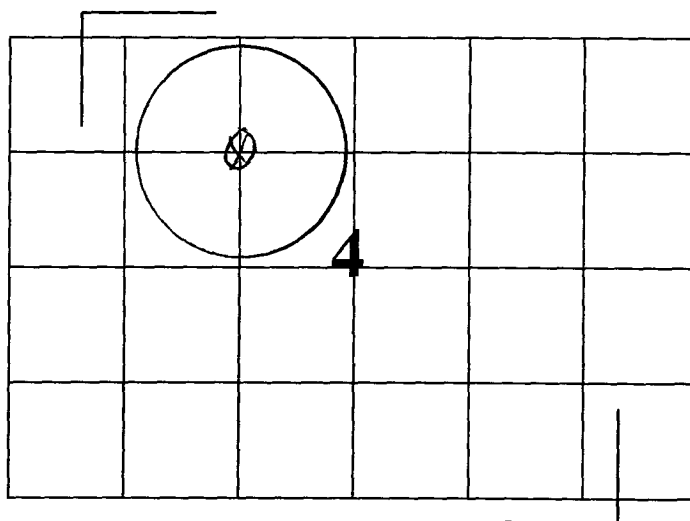
Corrected Application Received: **1-31-07**

Period of Annual Use: **June 1 – September 30**

Remarks:

Diversion Point: **center of NW ¼ Sec 4-T118N-R59W**

Land to be Irrigated: **NW ¼ Sec 4-T118N-R59W**



Depth of Well: **90 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Ronald Christensen, NRCS**

Reviewed and the Number Assigned on: **2-1-07**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6799-3</u> (office use only)	Hydrologic Unit <u>10160006</u>	RECEIVED JAN 22 2007 WATER RIGHTS PROGRAM
	Basin <u>James River</u>		
	Newspaper <u>Clark Co. Courier</u>	<u>Clark SD</u>	
	<u>532-3654</u>	<u>57225</u>	

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

1. Name of Applicant CHARLES L. BOYNTON Phone 605-225-5803
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 39752 130th St BATH State S.D. 57427
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 2.0 *CFS or 900 **GPM ***AF Total Acreage 135.160
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) owned 6050 33-118-59
located approximately center NW1/4 Sec 4 T118N R59W
Neighboring SWSE 32 118-59 County CLARK
5. County or counties where water will be used CLARK
6. Annual period during which water is to be used June - September 30
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NE NW 4-118-59	40		
NW NW 4-118-59	40		
SE NW 4-118-59	40		
SW NW 4-118-59	40		

8. Give a description of the project. (Attach sheet if more space is needed)

See map

STATE OF SOUTH DAKOTA)

County of Brown SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Charles L. Boynton, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true, and that I intend, and am able to complete the necessary construction.

Applicant's signature Charles Boynton

Subscribed and sworn to before me this 19th day of January 20 07

Eileen M. Senst

Notary Public signature

EILEEN M. SENST
MY COMMISSION EXPIRES
JANUARY 30, 2012

**SOUTH DAKOTA
WATER PERMIT NO. 6799-3**

Date of first receipt of application January 22, 2007.

Date of return to applicant for corrections, amendments or changes January 26, 2007.

Date of receipt of corrected application January 31, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6799-3 to Charles J Boynton, 39752 130th St, Bath SD 57427 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. 6799-3 appropriates 2.0 cubic feet of water per second from one well to be completed into the Altamont Aquifer (approximately 90 feet deep) located in the approximate center of NW ¼ Section 4 to irrigate 160 acres located in the NW ¼ Section 4; all in T118N-R59W.
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: June 1 – September 30.
3. The date from which applicant may claim right is January 22, 2007.
4. The date of approval of Permit No. 6799-3 is April 2, 2007.
5. One-fifth of the construction is to be completed on or before October 2, 2009.
6. All construction is to be completed on or before April 2, 2012.
7. Water is to be put to beneficial use on or before April 2, 2016.
8. 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. The well authorized by Permit No. 6799-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

APR 20 2007
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 25 inch Depth 90 feet
- b) Casing Type PVC schedule 40 Diameter 16" Thickness 5/8"
- c) Screen Type Stainless Steel Diameter 16" Thickness -
- d) Gravel Pack pea rock Length of Gravel Pack 50'
- e) Depth to Top of Water Bearing Material 40'
- f) Depth to Water (ground surface to water level) 40'
- g) Distance to nearest existing domestic well:
- On applicants property 1700' On property owned by others 3210

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

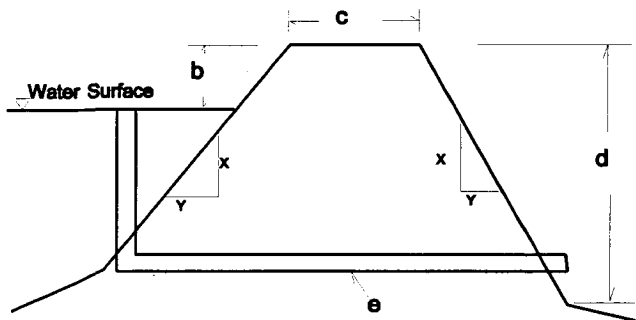
3. Dugout Information

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

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to 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 _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

Soil Map

Date: 1/19/2007

Customer(s): CHARLES LLOYD BOYNTON

District: CLARK COUNTY CONSERVATION DISTRICT

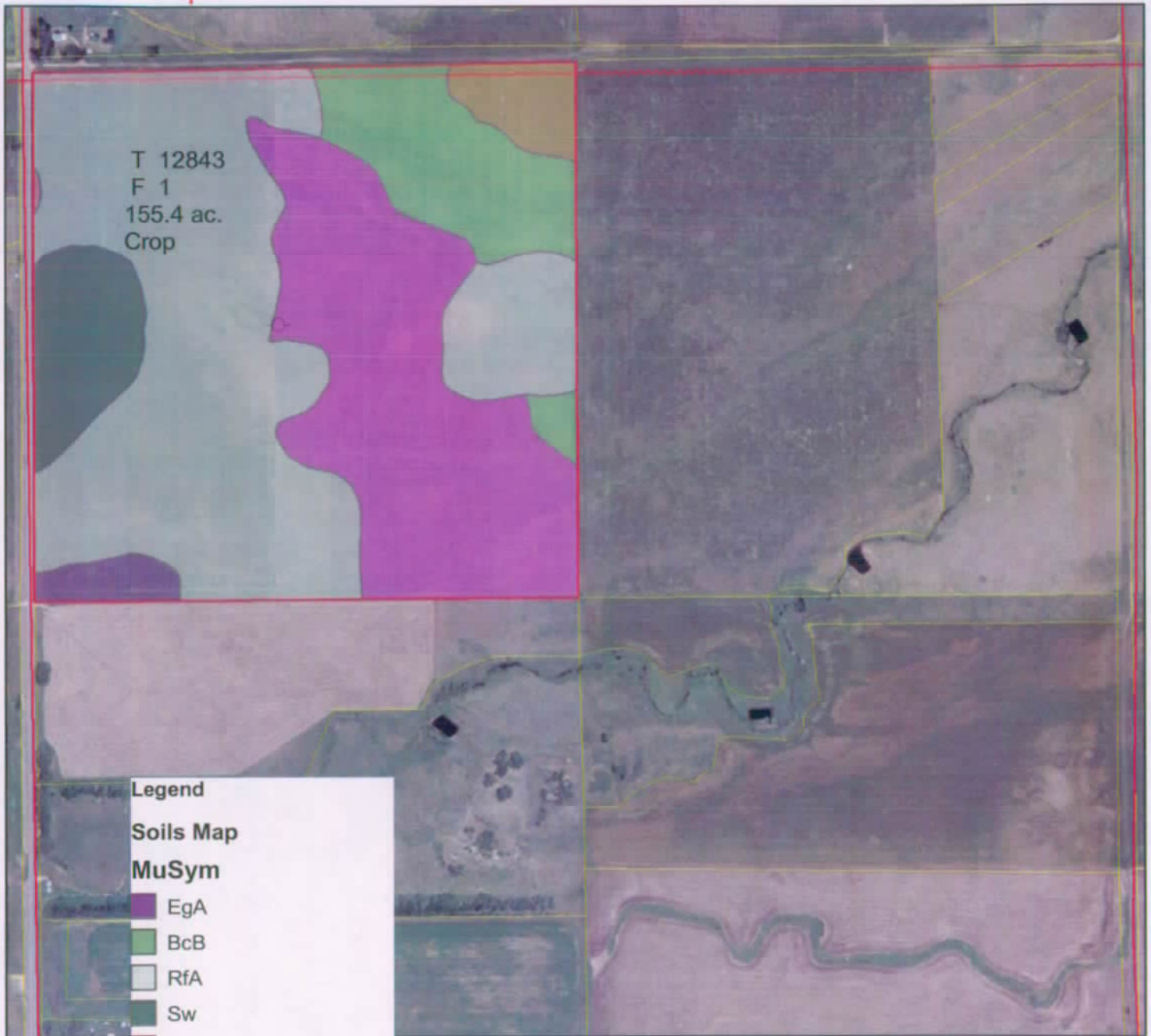
Approximate Acres: 155.4

Legal Description: ~~18~~⁴ - 118 - 59 Clark

Field Office: ABERDEEN SERVICE CENTER

Agency: USDA/NRCS

Assisted By: Ronald W Christensen



Legend

Soils Map

MuSym

EgA

BcB

RfA

Sw

Dv

RsA

BdA

Irrigationproject

Proposed irrigation Well

plss_a_46025_utm14

clu_copy_a_sd025

Image: ortho_1-1_1n_s_sd025_20031.sid



360 0 360 720 1,080 1,440 Feet



Conservation Plan Map

Date: 1/19/2007

Customer(s): CHARLES LLOYD BOYNTON

District: CLARK COUNTY CONSERVATION DISTRICT

Approximate Acres: 155.4

Legal Description: ~~18~~⁴ - 118 - 59 Clark

Field Office: ABERDEEN SERVICE CENTER

Agency: USDA/NRCS

Assisted By: Ronald W Christensen



Ronald Christensen, NRCS

Legend

- Irrigation project
- Proposed irrigation Well
- plss_a_46025_utm14
- clu_copy_a_sd025



Image: ortho_1-1_1n_s_sd025_20031.sid

420 0 420 840 1,260 1,680 Feet



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date Jan 22, 2007

RECEIVED OF Charles Boynton, 39752 130th St., Bath SD 57427

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

Fee for Application for Permit No. <u>6799-3</u> to Appropriate Water, to construct and to put water to beneficial use	250	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. <u>6799-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	300.00

No.

02850

By

Darland E. Elbe
Chief Engineer *gm*



January 26, 2007

Charles L. Boynton
39752 130th St
Bath SD 57427

Dear Mr. Boynton:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation. In order to complete the application the following is required.

- Enclosed is the map submitted with the application. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties. Our suggestion would be to take the map back to the Clark County Conservation District and have Ronald W Christensen sign it, since he prepared it.
- The application states two well locations, the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33-T119N-R59W and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32-T119N-R59W. The map indicates a proposed well location in the approximate center of the NW $\frac{1}{4}$ Section 18-T118N-R59W. I am assuming the map indicates the correct location of your proposed well. Am I correct?
- If available, please submit a well log or test hole log signed by a licensed South Dakota well driller.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

RECEIVED

JAN 31 2007

**AIR QUALITY
PROGRAM**

Water Rights Program - File Documentation

NAME: Charles Boynton

ADDRESS: Bath SD

DATE: 2-1-07 **COUNTY:** Clark **TELEPHONE:** 605 225-5803

RE: Pending application

COMMENTS:

I called Mr. Boynton regarding the aerial photo maps submitted with his application. Mr. Boynton indicated the proposed irrigation project is located in **Section 4**. Section 18 as indicated on the map is a typographical error. The application lists the lands to be irrigated as Section 4 which is correct. Eric verified the location via computer file.



Karen Schlaak
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
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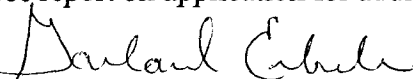
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6799-3, Charles J Boynton**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6799-3, Charles J Boynton, 39752 130th Street, Bath SD 57427.

The Chief Engineer is recommending APPROVAL of Application No. 6799-3 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) it is in the public interest with the following qualification:

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. The well authorized by Permit No. 6799-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.


Garland Erbele, Chief Engineer
March 2, 2007

REPORT ON WATER PERMIT NO. 6799-3
For Charles J Boynton
February 12, 2007

Application No. 6799-3 proposes to appropriate 2.0 cfs (900 gpm) from one well approximately 90 feet deep located in the approximate center of the NW ¼ of section 4 to irrigate 160 acres located in the NW ¼ of section 4; all in T118N R59W in Clark County.

AQUIFER – ALTAMONT (A)

The Altamont is a buried outwash (sand and gravel) that is under artesian conditions in this area. The aquifer consists of the Altamont 2 and 3 aquifers in this area (Hamilton, 1986). The Altamont 2 aquifer underlies 630 square miles and contains an estimated 3.2 million acre-feet of water storage in Clark County and the Altamont 3 underlies 210 square miles and contains an estimated 810,000 acre-feet of water in storage in Clark County (Hamilton, 1986). In this portion of Clark County the two aquifers appear to be hydraulically connected. Ground water movement is from east to west across northwestern Clark County (Hamilton, 1986).

No test well was drilled for this application. There is sufficient information available from surrounding irrigation wells, observation wells, county study drilling and domestic wells in the area to evaluate this application. However, a test well must be constructed before this site can be fully evaluated as a potential production well site. A nearby irrigation well (for Water Right No. 2851-3) reportedly produced 1,200 gpm with 17 feet of drawdown. This equates to a relatively high specific capacity of 70.5 gpm/ft of drawdown.

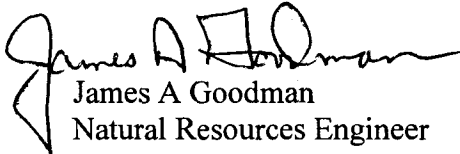
The Water Rights Program monitors three observation wells within a two mile radius of this application. These are CK-76B (located about one and one-half miles to the northwest), CK-78A (located about one mile east) and CK-76C (located about two miles south) all from this application. CK-76B is under water table conditions and CK-76C and CK-78A are under artesian conditions. Water levels for these wells show good response to climatic conditions that is rising water levels during wet years (recharge) and gradually declining water levels during dry years. The effects of pumping on the observation wells that are under artesian conditions are also obvious. Hydrographs for these three observation wells are included with this report. In general, the observation well record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2007).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are three existing irrigation wells located within one mile of this application. The existing well for Water Right No. 2851-3 is about 1,600 feet west of the well for this application. The well for Water Right No. 4391-3 is about 2,500 feet north of the well for this application and the south well for Water Right No. 4955-3 is located about 3,200 feet northwest of this proposed well. Interference will occur. That is drawdown created by pumping of these wells does extend to the other wells. This phenomenon is not expected to adversely affect existing water rights. It appears that the irrigation well for No. 4955-3 is under water table conditions. This factor would diminish the drawdown potential in this area.

CONCLUSIONS

1. Water is available from the Altamont aquifer.
2. The aquifer is under artesian conditions at this site.
3. Drawdown will be created by pumping in this area. This is shown by the observation well hydrographs. Interference will occur but this is not expected to cause adverse impacts.
4. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.

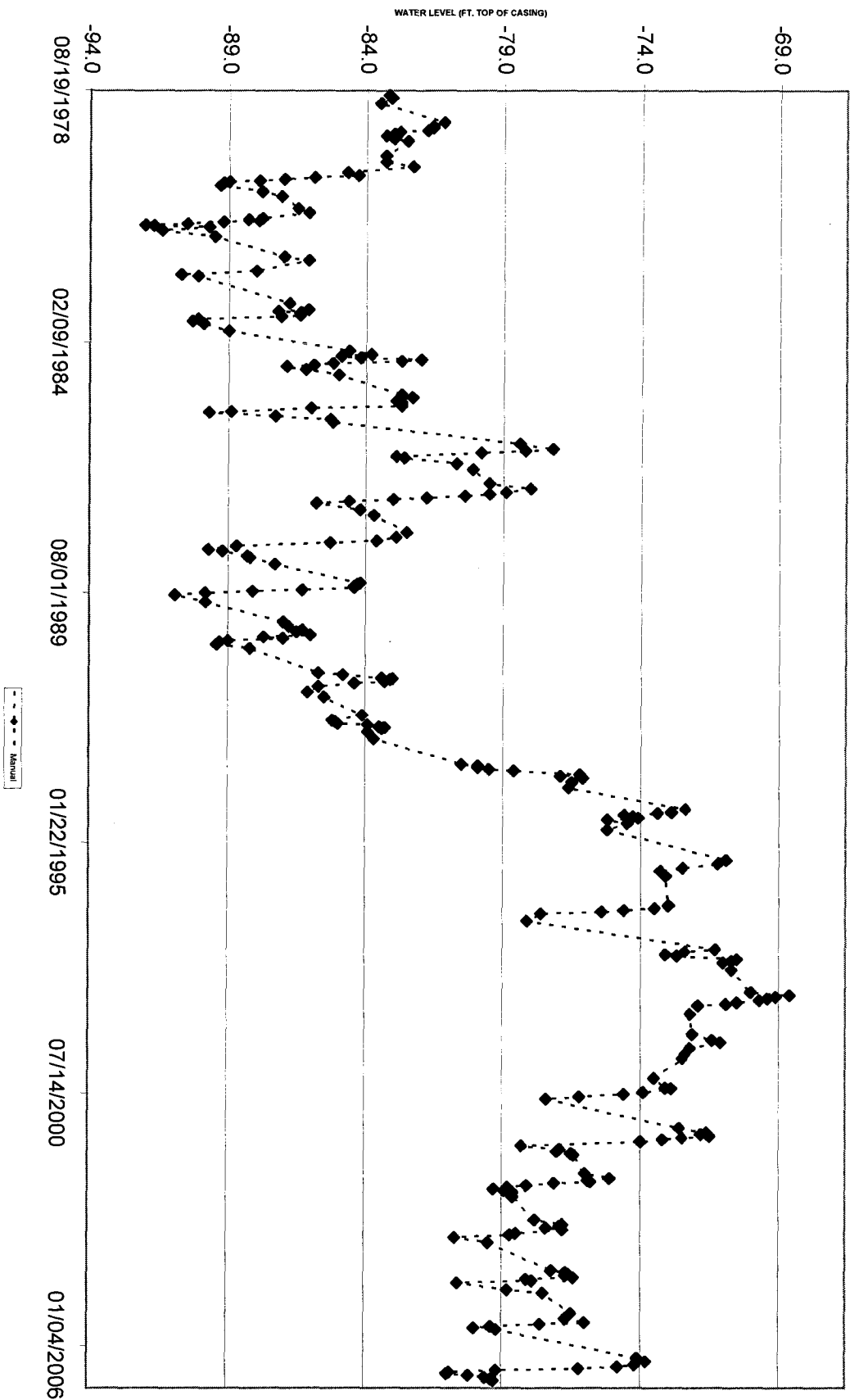

James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

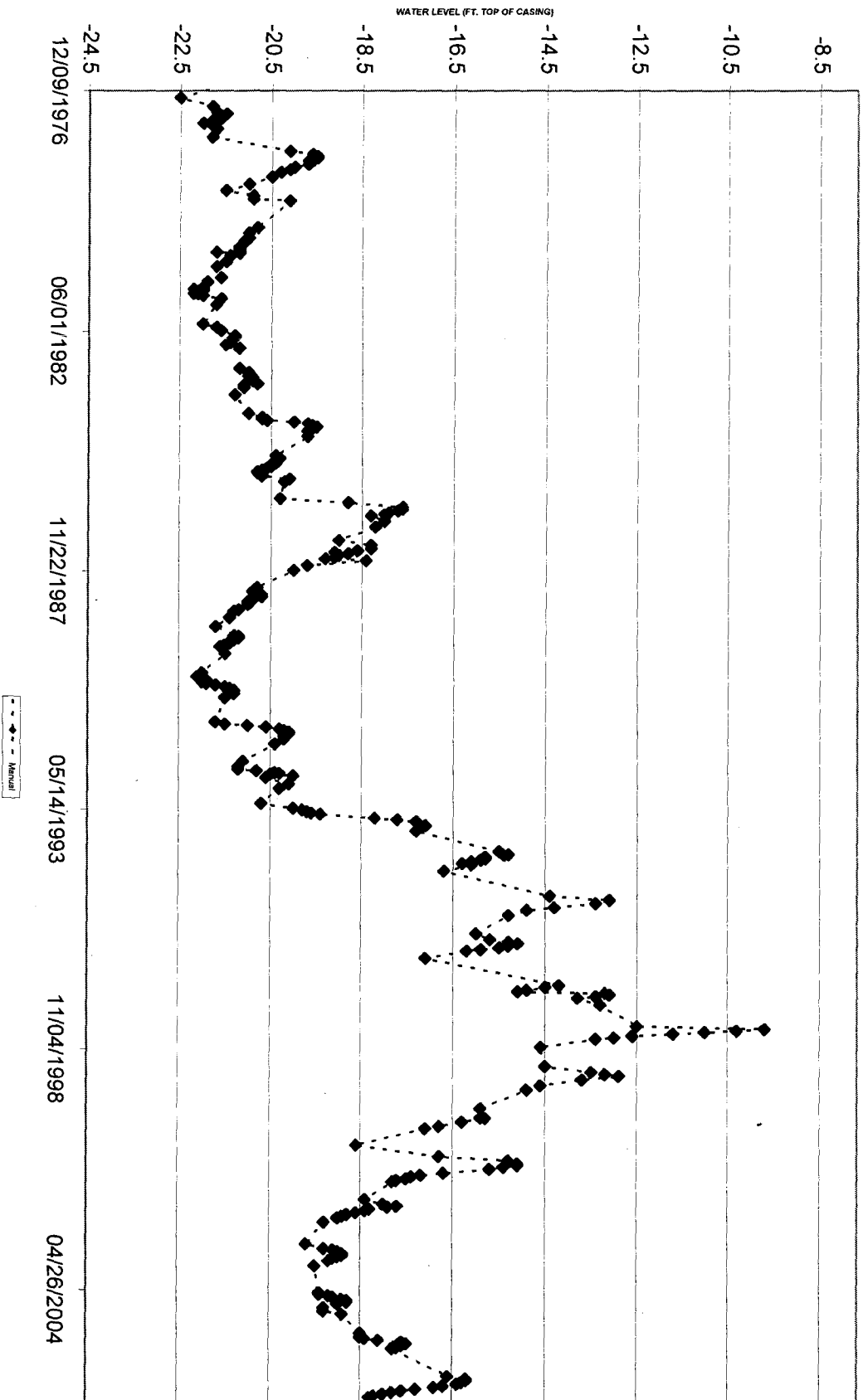
Hamilton, L.J., 1986, Geology and Water Resources of Clark County, South Dakota, Bulletin 29, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2007, Unpublished Observation Well Data for Clark County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

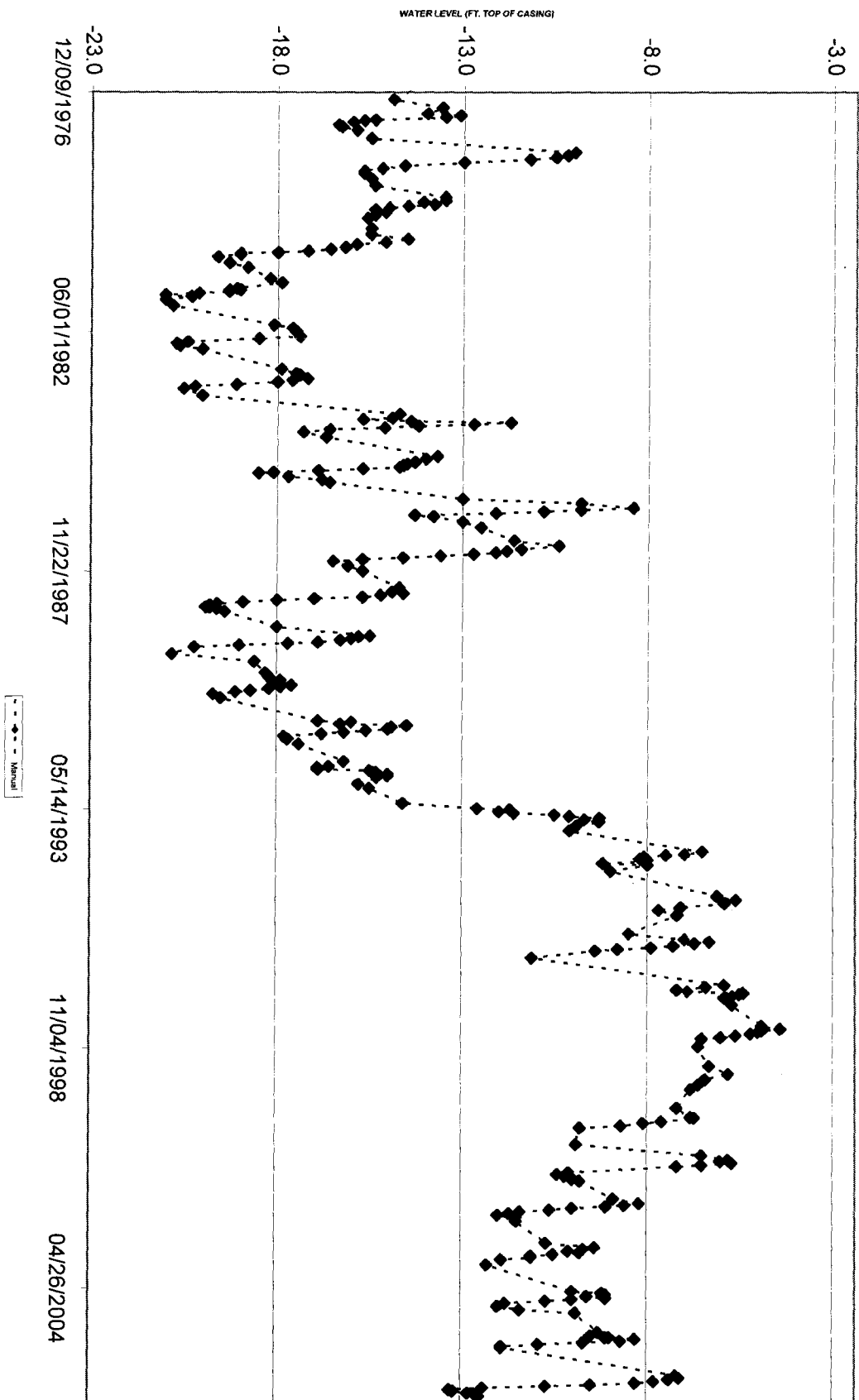
WATER RIGHTS' OBSERVATION WELL
CK-78A



WATER RIGHTS' OBSERVATION WELL
CK-76B



WATER RIGHTS' OBSERVATION WELL
CK-76C



Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Clark) SS

I, Jessica Anderson

certify that the attached printed Notice was taken

from the March 14, 2007

Clark County Courier

printed and published in Clark Courier

County of Clark and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

March 14, 2007

March 21, 2007

Cost of Printing \$38.10

Jessica Anderson
(Signature)

Bookkeeper
(Title)

3/21/07
(Date Signed)

Clark County Courier 7

NOTICE OF APPLICATION NO.

6799-3 To Appropriate Water

Notice is given that Charles J Boynton, 39752 130th St, Bath, SD 57427 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Altamont Aquifer (approximately 90 feet deep) located in the approximate center of NW 1/4 Section 4 to irrigate 160 acres located in the NW 1/4 Section 4; all in T118N-R59W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6799-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition of contesting the Chief Engineer's recommendation. The Chief Engineer's address in "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 2, 2007.

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 the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



March 2, 2007

CLARK COUNTY COURIER
119 1st AVE E
CLARK SD 57225

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6799-3 to Appropriate Water to be published twice. Please publish the first notice on March 14, 2007 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Charles Boynton 39752 130th St Bath SD 57427 (Ph # 605-225-5803).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 6799-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of March 2, 2007 enclosing Notice to Appropriate Water by Application No. 6799-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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

March, 2, 2007

CHARLES BOYNTON
39752 130TH ST
BATH SD 57224

Dear Mr. Boynton:

Water Permit Application No. 6799-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Clark County Courier printed at Clark, SD (Ph # 605-532-3654). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are 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 Notices and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on March 14, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6799-3 to Appropriate Water

Notice is given that Charles J Boynton, 39752 130th St, Bath SD 57427 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Altamont Aquifer (approximately 90 feet deep) located in the approximate center of NW ¼ Section 4 to irrigate 160 acres located in the NW ¼ Section 4; all in T118N-R59W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6799-3 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 2, 2007.

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 the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

APR 20 2007

CHARLES J BOYNTON
39752 130TH ST
BATH SD 57427

Dear Mr. Boynton:

Enclosed is Water Permit No. 6799-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

6799-3

11-02

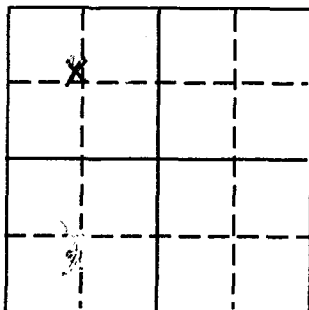
Location NW 1/4 NW 1/4 Sec 4 Twp 118 Rg 59

County

Clark

North

Please mark well location with an "X"



Well Completion Date

8/14/2007

1 Mile

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft. from (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
	16.00	0.0	112.0	24.00

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
		Lb/gal	FT	FT
Smooth Grout	64		90	0
"80" 24 qals pr. bag		Lb/gal	FT	FT

Describe grouting procedure

Trzmiz - from gravel pack to surface

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 16.00 Inches Length 15.0 Feet

Material Stainless steel

Slot Size .057 Set From 112.0 Feet to 127.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ NoIf so, what material? Pearock

Describe packer(s) and location

@112

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Charles Boynton

Business Name:

Address: 39752 130 StCity, State, Zip: Bath SD 57427

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Gravel	0	10
Blue Clay w/sand strks	10	80
Coarse sand some coal	80	127
Shale	127	

STATIC WATER LEVEL 23.0 FEET

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: turbine
☐ Bailed
☐ Other

Pumping Level Below Land Surface

42.0 Ft. After 6.0 Hrs. pumped 850.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

JAN 16 2008

WATER RIGHTS PROGRAM

This well was drilled under license #

440

And this report is true and accurate.

Drilling firm: Pullman Well Drilling Inc

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

6799-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 28, 2019

4391-3
6799-3

Charlie Boynton
41406 160th St
Conde SD 57434-6516

Dear Mr. Boynton:

Enclosed is a "Notice" dated October 18, 2019 concerning the 2019 irrigation questionnaires.

The notice was originally mailed to 39752 130th St, Bath SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads 'Genny McMath'.

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

enclosures



6799-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUN 28 2023

Charles L Boynton
39752 130th St
Bath SD 57247

6799-3

Dear Mr. Boynton:

Enclosed is Water License No. 6799-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, 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, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

NOTE: The investigation found your irrigation system is capable of diverting 2.11 cubic feet of water per second (cfs) which is equivalent to approximately 950 gallons per minute. The statutory limit for 137.0 acres is 1.95 cfs (equivalent to 875 gpm). Diversion of water under this water license is limited to 1.95 cfs.

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6799-3

(1) Charles L Boynton, 39752 130th St, Bath SD 57427, made Application No. 6799-3, January 22, 2007, for a water permit to divert 2.0 cubic feet of water per second from groundwater, one well (Altamont Aquifer), Clark County, South Dakota for irrigation purposes. Permit No. 6799-3, with a priority date of January 22, 2007, was approved April 2, 2007, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before April 2, 2012, and for the application to beneficial use of water on or before April 2, 2016.

(2) It is certified that the permit holder 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 1.95 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1320 ft S & 915 ft E of the NW corner of Section 4, T118N, R59W (NW ¼ NW ¼)
(Latitude 45.06244 Longitude -97.93913)

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

Section 4, T118N, R59W			
NW ¼ NW ¼	34.5 acres	SE ¼ NW ¼	34.0 acres
NE ¼ NW ¼	34.5 acres	SW ¼ NW ¼	34.0 acres
TOTAL: 137.0 acres			

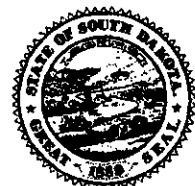
(4) Pursuant to South Dakota Water Law 46-5-30.1 Charles L Boynton, the holder and/or owner of Water Right No. 6799-3 is issued a license to appropriate water, the right to use 1.95 cubic feet of water per second from groundwater, one well (Altamont Aquifer), with a priority date of January 22, 2007, from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6799-3 and subject to the following qualifications:

1. The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right 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. The well authorized by Permit No. 6799-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *(The well was drilled by Pullman Well Drilling Inc. in 2007. A copy of the well completion report is on file with the Water Rights Program.)*
3. This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

Eric Gronlund
Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

JUN 28 2023
date



**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 6799-3**

I have this day, **June 22, 2023**, made a thorough examination of the water use system constructed by **Charles L Boynton, 39752 130th St, Bath, SD 57427** of Permit No. **6799-3**, bearing the priority of **January 22, 2007**, authorizing the diversion of **2.0** cu. ft. per second of the waters of the **Altamont Aquifer** for **irrigation** purposes, in **Clark** County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Pullman Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 127 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 16 inches
- 2) Length 112 feet
- 3) Type Plastic

Screen:

- 1) Type Stainless steel
- 2) Length 15 feet
- 3) Static water level 23 feet

Pump:

- 1) Make Submersible
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 950 GPM

Motor:

- 1) Make Unknown
- 2) Model No. Unknown
- 3) Horsepower rating Unknown hp

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

- 1) Type Buried PVC
- 2) Size 8 inches
- 3) Length 400 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Reinke
- 2) Overall length 1320 feet
- 3) Number of towers 8
- 4) End gun Y
- 5) Capacity 950 GPM

Chemigation Equipment:

- 1) Does chemigate Y

Comments: **Uses commercially available injection equipment**

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by N

If no, describe: **Pumping 950 gpm while Permit authorizes 900 gpm.**

NOTE: This well supplies water to two (2) adjacent pivots. Only one (1) pivot on this permit.

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows: **WELL LOCATION**
From the NW corner Sec 4, T118N R59W 1,320 ft S & 915 ft E, Lat 45.06244 Long -97.93913 (NW ¼ NW ¼)

2. The works are capable of diverting and conveying to the place of use 2.11 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

legal description/acreage

All land in Sec 4 T118N R49W

NW ¼ NW ¼ – 34.5 acres

NE ¼ NW ¼ – 34.5 acres

SE ¼ NW ¼ – 34.0 acres

SW ¼ NW ¼ – 34.0 acres

comprising a total of 137.0 acres of land and the license should be issued for 1.95 cfs

3. All structures, wells and lands on map Y

F. Comments or other permit(s) associated with the project:

The irrigated acreage was estimated with the aid of FSA imagery and ArcMAPS software.

The pump rate reported in a recent Irrigation Questionnaire was used to establish the system flow capacity.

The mailing address and the telephone number in the permit materials are not current. The new mailing address 41406 160th St, Conde, SD 57434 and the phone number is 605/228-3246

I talked to Dale Boynton, his son, during the field inspection visit.

A handwritten signature in black ink, appearing to read 'D W DeBoer', written in a cursive style.

Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: **June 26, 2023**



0 0.05 0.1 0.2 0.3 0.4 Miles



Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program