

WATER PERMIT NO. 2443-2

Name of Applicant: Carlton Peterson

Address: 14860 Morning View Drive, Rapid City SD 57703 Phone: 605 923-4562

Amount of Water Claimed: 0.13 cfs Total Acres: 9

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation and domestic use County: Pennington

Type of Waste Disposal System:

Location: 2 miles south of Box Elder

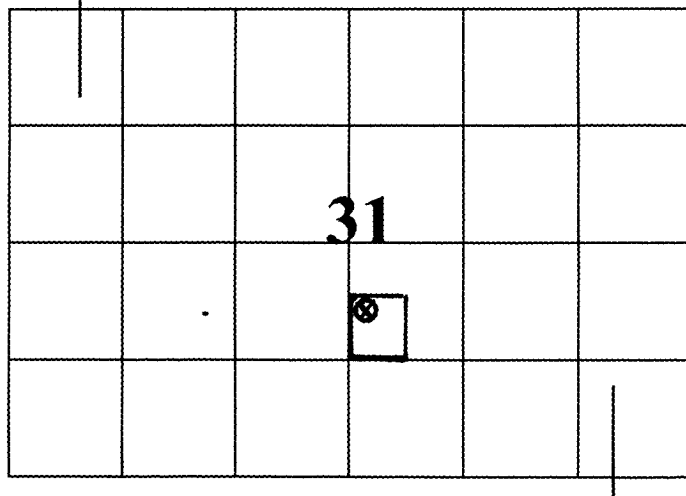
PRIORITY Date Received: 7-7-2000 Fee: \$150

Corrected Application Received:: Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: NW ¼ SE ¼ Sec 31-T2N-R9E

Land to be Irrigated: NW ¼ SE ¼ Sec 31-T2N-R9E



Depth of Well: 2400 feet

Well Driller: :

Remarks: well not constructed

Type of Map: aerial

Prepared by: Jane Jensen, FSA

Reviewed and the Number Assigned on: 7-7-2000

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 2443-2

Date of first receipt of application July 7, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2443-2 to Carlton Peterson, 14860 Morning View Drive, Rapid City SD 57703 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. 2443-2 appropriates 0.13 cubic feet per second (60 gallons per minute) from one well (Inyan Kara Formation) approximately 2400 feet deep located in the NW ¼ SE ¼ Section 31 to irrigate 9 acres located in the NW ¼ SE ¼ Section 31; all in T2N-R9E. The water will also be for domestic use.
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: January 1 – December 31.
3. The date from which applicant may claim right is July 7, 2000.
4. The date of approval of Permit No. 2443-2 is November 20, 2000.
5. One-fifth of the construction is to be completed on or before May 20, 2003.
6. All construction is to be completed on or before November 20, 2005.
7. Water is to be put to beneficial use on or before November 20, 2009.
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. 2443-2 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 (bottom to top) from the producing formation to the surface 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

JAN 02 2001
date



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>2443-2</u>	(office use only) Hydrologic Unit <u>10120110</u>
	Basin <u>Upper Cheyenne</u>	
	Newspaper <u>Rapid City Journal - Rapid City</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 Carlton Peterson Phone 605-923-4562

(check one) ☐ Owner ☐ Tenant/lessee

Mailing Address 14860 Morning View Drive, Rapid City State S D 57703

(Street, RR, or Box and City)

(Zip Code)

2. Amount of water claimed 0.13 *CFS or 60 **GPM ***AF Total Acreage 9
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Lakota Formation

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

Well in NW1/4 SE1/4 Section 31 T2N-R09E BHM

County Pennington

5. County or counties where water will be used Pennington

6. Annual period during which water is to be used 1 Jan - 31 Dec

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
SW1/4NW1/4SE1/4 S31 T2N-R9E	9		

8. Give a description of the project. (Attach sheet if more space is needed)
Install one well for domestic use and irrigation of commercial garden and landscape.

STATE OF SOUTH DAKOTA) SS

County of Pennington

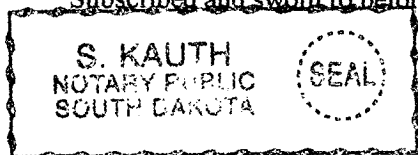
I, Carlton Peterson

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.

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)

Applicant's signature Carlton Peterson

Subscribed and sworn to before me this 28 day of June 2000



[Signature]
Notary Public signature

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 3/4" / 6 1/4" Depth 1100' / 2400'
- b) Casing Type STEEL Diameter 7" / 4 1/2" Thickness .312" / .264"
- c) Screen Type NONE Diameter — Thickness —
- d) Gravel Pack NONE Length of Gravel Pack —
- e) Depth to Top of Water Bearing Material 2200'
- f) Depth to Water (ground surface to water level) 500'
- g) Distance to nearest existing domestic well:
- On applicants property 500' On property owned by others 1/4 mile

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 _____

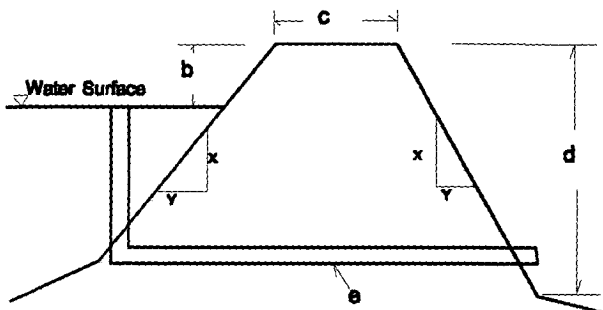
3. Dugout Information

- 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

NON Ag

T1226

T2740

2N9 Z14

School of
mines

proposed
well locat.

Jane Doe

2N-9

NON Ag

Z14 2N9 2443-2

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N^o 416577

Pierre, _____ July 7, 2000

RECEIVED OF Carlton L. or Margot L. Peterson, 14860 Morningview Dr., Rapid City, SD 57703-9009
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>777-1</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	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>777-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	200 00

By Saraland Eschelle
Chief Engineer

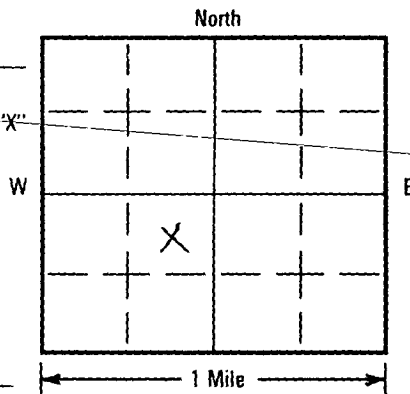
SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NE 1/4 SW 1/4 Sec 31 Twp 2N Rg 9E

County Pennington

Please mark well location with an "X"



Well Completion Date

8-20-2000

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 100 ft. from septic system (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
<u>40.50 LB/FT</u>	<u>10 3/4 IN</u>	<u>0 FT</u>	<u>61 FT</u>	<u>13 1/2 IN</u>
<u>23 LB/FT</u>	<u>7 IN</u>	<u>0 FT</u>	<u>1112 FT</u>	<u>8 3/4 IN</u>
<u>11.6 LB/FT</u>	<u>4 1/2 IN</u>	<u>1079 FT</u>	<u>2595 FT</u>	<u>6 1/4 IN</u>

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Cement</u>	<u>24</u>	<u>15 lb./gal</u>	<u>0 ft</u>	<u>61 ft</u>
<u>Cement</u>	<u>170</u>	<u>15 lb./gal</u>	<u>0 ft</u>	<u>1112 ft</u>
<u>Cement</u>	<u>200</u>	<u>15 lb./gal</u>	<u>1079 - 2595</u>	

Describe grouting procedure

pressure grouted through casing

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

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? _____

DISINFECTION: Was well disinfected upon completion?

X YES, How: chlorine solution

NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Carlton Peterson

Business Name: _____

Address: 14860 Morning View Dr.

Rapid City, SD 57703

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>sand + gravel + clay</u>	<u>0</u>	<u>46</u>
<u>Pierre Shale</u>	<u>46</u>	<u>1078</u>
<u>Niobrara</u>	<u>1078</u>	<u>1247</u>
<u>Carlile</u>	<u>1247</u>	<u>1543</u>
<u>Greenhorn</u>	<u>1543</u>	<u>1646</u>
<u>Belle Fourche / Mowry</u>	<u>1646</u>	<u>2051</u>
<u>Newcastle ss</u>	<u>2051</u>	<u>2116</u>
<u>Skull Creek Shale</u>	<u>2116</u>	<u>2332</u>
<u>Inyan Kara Group</u>	<u>2332</u>	<u>2602</u>
<u>Morrison</u>	<u>2602</u>	<u>2620</u>

STATIC WATER LEVEL

660

Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped

Describe: _____

☐ Bailed

☐ Other

Air developed

Pumping Level Below Land Surface

1060 ft. After 20 Hrs. pumped 208 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

gun perforations:
2358-2378 39 shots 2545-2555 19 shots
2419-2429 19 shots 2572-2586 29 shots
248-2505 100 shots

This well was drilled under license # 331

And this report is true and accurate.

Drilling firm Taylor Drilling

Signature of License Representative:

Ralph Taylor
 Signature of Well Owner or Equitable Property Holder:

Date: _____





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

July 14, 2000

Randy Taylor
Taylor Drilling
2310-12 Commerce Road
Rapid City, SD 57702-8062

Dear Mr. Taylor:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well for Carlton Peterson, 14860 Morning View Dr., Rapid City SD, prior to approval of a water permit. The test well is to be completed into the Inyan Kara Aquifer in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, T2N-R9E. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Very truly yours,

JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for GARLAND ERBLE, Chief Engineer
Water Rights Program
(605) 773-3352

cc: Carlton Peterson



2310-12 Commerce Road
RAPID CITY, SOUTH DAKOTA 57702-8062

RALPH L. TAYLOR, JR. (Randy)
KIM E. TAYLOR

TELEPHONE:
Office 605—348-3800
After Hours 605—341-5417
or 605—787-4989

TO: Ken Buhler
SD DENR

FROM: Randy Taylor
Taylor Drilling Co.

DATE: July 10, 2000

RE: Permission to construct test well

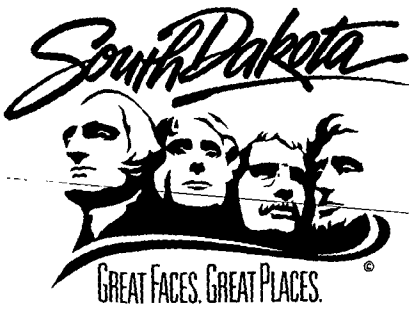
Persuant to SDCL 74:02:04:21, SD Well Construction Code, Taylor Drilling Co. is requesting permission to construct a test well for a well that will require a permit. The well is being drilled for:

Carlton Peterson
14860 Morning View Dr.
Rapid City, SD 57703

The well is estimated to be approximately 2400 feet deep and will produce from the Fall River/ Lakota Fm. The legal location for the well is:

SW 1/4 of NW 1/4 of SE 1/4 of Sec. 31, T 2N, R 9E

Please contact me if you require any further information.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2443-2, Carlton Peterson**

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. 2443-2, Carlton Peterson, 14860 Morning View Drive, Rapid City, SD 57703.

The Chief Engineer is recommending APPROVAL of Application No. 2443-2 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 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. 2443-2 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 (bottom to top) from the producing formation to the surface 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
October 10, 2000

WATER PERMIT APPLICATIONS NO. 2443-2
CARLTON PETERSON
SEPTEMBER 7, 2000

Water Permit Application No. 2443-2 proposes to appropriate 0.13 cubic feet of water per second (cfs) [60 gallons per minute (gpm)] from one well (Inyan Kara Aquifer) approximately 2400 feet deep located in the NW¼ SE¼ of Sec. 31, T2N-R9E, Pennington County. The water is to be used for domestic use and to irrigate 9 acres located in the NW¼ SE¼ of Sec. 31, T2N-R9E.

AQUIFER: Inyan Kara (INKR)

GENERAL:

The Inyan Kara Aquifer is the shallowest bedrock aquifer in this area. The Inyan Kara Aquifer consists of the Fall River Formation and the underlying Lakota Formation. The Fuson Shale sometimes separates these two formations, but it is often difficult to differentiate the bottom of the Fall River from the top of the Lakota. The two formations are probably hydraulically connected and therefore can be considered a single aquifer. The aquifer is areally extensive, underling over 36,000 square miles of western South Dakota (Allen, 1984). The aquifer underlies 1,245,440 acres and contains an estimated 23,352,000 acre-feet of recoverable water in storage in Pennington County alone (Allen, 1984). In general, the Inyan Kara Aquifer consists of interbedded sandstone (thin bedded to massive), siltstone, and shale. This well site is approximately 7.5 miles from the Inyan Kara outcrop (Peter, 1985). The top of the Inyan Kara is expected to be approximately 2330 feet below grade (Carter, 1999). The Inyan Kara is estimated to be 250 feet thick at this site (Allen, 1984). The thickness of the Inyan Kara Aquifer does however, vary considerably within short distances. The Inyan Kara is under confined conditions in this area and the static water level of the well is expected to be approximately 680 feet below grade (Strobel, 2000).

WATER AVAILABILITY:

Water Rights Program monitors 7 observation wells completed into the Inyan Kara Aquifer in the Black Hills Area. Hydrographs of most of these wells indicate the aquifer is in dynamic equilibrium showing minor changes in water level corresponding with seasonal or climatic conditions only. However, one observation well (CU-83C) recorded a steady, gradual (4 feet) loss of head between 1983 and 1998, but water levels appear to have stabilized since 1998. A second observation well (FR-95C) shows a increase of over 16 feet of head since 1995. The nearest observation well to this permit (PE-95B) is located approximately 6.5 miles south west of this site. The limited period of record for this well (5 years) makes it difficult to be definitive, however the aquifer appears to be responsive to recharge, see figure 1, (Water Rights, 2000_a). The hydrograph information indicates water is available for this appropriation.

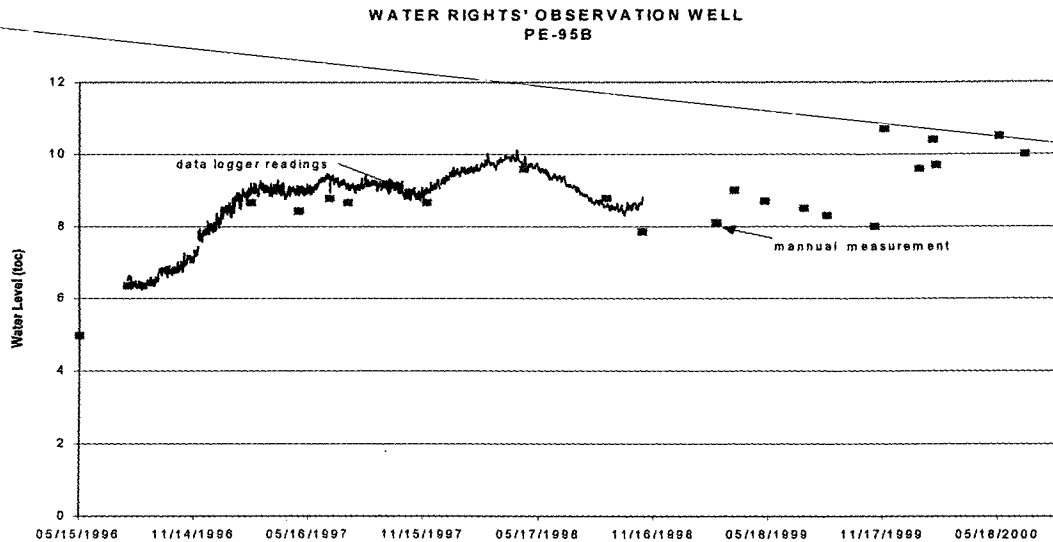


Figure 1. Inyan Kara Aquifer Observation Well

EXISTING WATER RIGHTS:

There are several logs on file for domestic wells in this area. Most of the domestic wells are completed into surficial deposits and the nearest domestic well completed into the Inyan Kara aquifer, on file with the Water Rights Program is over two miles from this well site (Water Rights, 2000_b).

The Inyan Kara Aquifer has been developed in at least 23 counties in South Dakota with 127 Water Rights/Permits. There are 36 rights/permits appropriating water from the Inyan Kara Aquifer in Pennington County. There are no rights/permits appropriating water from the Inyan Kara Aquifer within two miles of the site proposed by this application (Water Rights, 2000_c). The nearest Inyan Kara appropriation is Water Right No. 934-2, for the Town of Box Elder, which is located approximately two miles north of this well site.

Adequate wells are not likely to be adversely affected by this appropriation because of the distance to existing wells completed into the Inyan Kara aquifer, and the relatively low diversion rate proposed by this application (60 gpm).

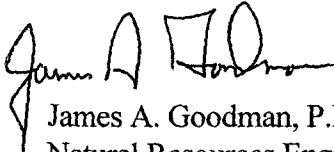
CONCLUSIONS:

1. The Inyan Kara Aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. Well interference should not be a problem in this area. The requested diversion rate is relatively small and should not cause significant drawdown.
3. Water is to be used to irrigate nine acres and for domestic use.



Ken Buhler
Natural Resources Engineering Specialist

approved by



James A. Goodman, P.E.
Natural Resources Engineering Director

REFERENCES:

- Allen, J.C., D.Iles, A.Petres, 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Task 3 & 4: Groundwater Resources Inventory, US Army Corps of Engineers Contract DAWC 45-82-C-015, SD DENR-Geological Survey, Vermillion SD
- Carter, J.M., and Redden, J.A., 1999, Altitude of the Top of the Inyan Kara Group in the Black hills Area, South Dakota, Hydrologic Investigations Atlas HA-744-A, U.S. Department of Interior U.S. Geological Survey
- Peter, K.D., 1985, Availability and Quality of Water from the Bedrock Aquifers in the Rapid City Area, South Dakota, U.S. Geological Survey, Water-Resources Investigations Report 85-4022, Rapid City, SD
- Strobel, M.L., Galloway, J.M., Hamade, G.R., and Jarrell, G.J., 2000, Potentiometric Surface of the Inyan Kara Aquifer in the Black Hills Area, South Dakota, Hydrologic investigations Atlas HA-745-A, U.S. Department of the Interior, U.S. Geological Survey
- Water Rights Program, 2000_a, " Observation Well Files," DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights Program, 2000_b, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights Program, 2000_c, "Water Right/Permit Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
 County of Pennington)

I, Patricia K. Van Patten

certify that the attached printed Notice was taken

from the Rapid City Journal

printed and published in Rapid City

County of Pennington and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

November 1, 2000

November 8, 2000

Cost of Printing Eighty-one dollars

and no cents (\$81.00)

Patricia K. Van Patten
 (Signature)

Legal Advertising Representative
 (Title)

11/8/00
 (Date Signed)

Nov. 1, 8 L788687

NOTICE OF APPLICATION

NO. 2443-2

TO APPROPRIATE WATER

Notice is given that Carlton Peterson, 14860 Morning View Drive, Rapid City, SD 57703, has filed an application for a water permit to appropriate 0.13 cubic feet of water per second (60 gallons per minute) from one well (Inyan Kara Formation) approximately 2400 feet deep located in the NW¼ SE¼ Section 31 to irrigate 9 acres located in the NW¼ SE¼ Section 31; all in T2N-R9E. The water will also be for domestic use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2443-2 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 the application, 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 the 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 recommendation 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 November 20, 2000.

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**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

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

October 24, 2000

Carlton Peterson
14860 Morning View Drive
Rapid City SD 57703

Dear Mr. Peterson:

Water Permit Application No. 2443-2 for irrigation and domestic 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 Rapid City Journal printed at Rapid City, SD (Ph # 605 394-8300). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application 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 Notice of Hearing 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

October 24, 2000

Rapid City Journal
PO Box 450
Rapid City SD 57709-0450

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2443-2 to Appropriate Water to be published twice. Please publish the first notice on November 1, 2000 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 Carlton Peterson, 14860 Morning View Drive, Rapid City SD 57703 (Ph # 605 923-4562).

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

-----CU T HERE-----

No. 2443-2

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

Date _____

We are in receipt of your letter of October 24, 2000 enclosing Notice of Hearing to Appropriate Water by Application No. 2443-2 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 November 1, 2000 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2443-2 to Appropriate Water

Notice is given that Carlton Peterson, 14860 Morning View Drive, Rapid City SD 57703 has filed an application for a water permit to appropriate 0.13 cubic feet per second (60 gallons per minute) from one well (Inyan Kara Formation) approximately 2400 feet deep located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31 to irrigate 9 acres located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31; all in T2N-R9E. The water will also be for domestic use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2443-2 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 the application, 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 the 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 recommendation 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 November 20, 2000.

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**

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

JAN 02 2001

Carlton Peterson
14860 Morning View Dr
Rapid City, SD 57703

Dear Mr. Peterson:

Enclosed is Water Permit No. 2443-2 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

2443-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 16, 2002

NOTICE

TO: CARLTON PETERSON, 14860 MORNING VIEW DRIVE, RAPID CITY, SD 57703

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2443-2. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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) 2443-2 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 E Capitol, 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) 2443-2 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 on/or before March 8, 2002, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

2443-2

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Received by (Please Print Clearly) _____ B. Date of Delivery <u>1-17-02</u>	
1. Article Addressed to: CARLTON PETERSON 14860 MORNING VIEW DRIVE RAPID CITY SD 57703	C. Signature <u>X</u> <u>Carlton Peterson</u> ☐ Agent ☐ Addressee	
	D. Is delivery address different from item 1? ☒ Yes ☐ No If YES, enter delivery address below: _____	
	3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
	4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. <u>7001 2510 0004 4797 3978</u>		



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 24, 2002

2443-2

Carlton Peterson
14860 Morningview Drive
Rapid City SD 57703

Dear Mr. Peterson:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Permit No. 2443-2.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



2443-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
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www.state.sd.us/denr

January 24, 2006

NOTICE

TO: CARLTON PETERSON, 14860 MORNING VIEW DRIVE, RAPID CITY, SD 57703
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2443-2. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire(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) 2443-2 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 2443-2 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 on/or before **February 24, 2006**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



Track & Confirm

Current Status

You entered 2303 2160 0000 0799 5326

Your item was delivered at 11:23 am on January 27, 2006 in RAPID CITY, SD 57701. The item was signed for by M PETERSON.

[Shipment Details >](#)

Notification Options

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

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Track & Confirm

Enter label number:

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 5326

CARLTON PETERSON
14860 MORNING VIEW DRIVE
RAPID CITY SD 57703

Waiver of Signature ☐ YES ☐ NO

Postmark
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POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
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PS Form 153, May 2002

(See Reverse)



**DEPARTMENT of ENVIRONMENT
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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 2, 2006

2443-2

Carlton Peterson
14860 Morning View Dr
Rapid City SD 57703

Dear Mr. Peterson:

I am writing to acknowledge receipt of your 2005 irrigation questionnaire. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Permit No. 2443-2.

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
Environmental Scientist
Water Rights Program
(605) 773-3352



2443-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PMB 2020
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www.state.sd.us/denr

January 24, 2012

NOTICE

TO: CARLTON PETERSON, 14860 MORNING VIEW DRIVE, RAPID CITY, SD 57703

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2443-2. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 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) 2443-2 qualification:

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

The hearing will be held at **10:00 am, March 7, 2012** 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) 2443-2 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 on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

February 7, 2012

2443-2

Carlton Peterson
14860 Morning View Dr
Rapid City SD 57703

Dear Mr. Peterson:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Permit No. 2443-2. 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
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 2443-2

I have this day, April 7, 2016, made a thorough examination of the water use system constructed by Carlton Peterson, 14860 Morning View Drive of Permit No. 2443-2, bearing the priority of 7/7/2000 authorizing the diversion of 0.13 cu. ft. per second of the water from one well for irrigation purposes, in Pennington County.

Inspection contact & relationship to permit holder, if applicable: **Carlton Peterson, owner**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Taylor Drilling 8/20/2000
- 2) No. of Wells 1
- 3) Depth(s) 2,620 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 10 3/4" 0-61' surface casing 7" 0-1,112' 4 1/2" 1,079-2,595'
- 2) Length 2,595 feet
- 3) Type steel

Screen:

- 1) Type gun perforated 2,358' - 2,586' 206 shots
- 2) Length 228 feet
- 3) Static water level 660 feet

Pump:

- 1) Make Grundfos
- 2) Model 25S100-52DS
- 3) Size 6"
- 4) Capacity 32 GPM
- 5) Horsepower rating 10 hp

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

- 1) Type portable 2) Size various inches 3) Length -- feet

Comments: **The owner operates a truck garden and uses a variety of sprinklers and some gravity irrigation to water the vegetables and trees.**

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

List any extended period of nonuse: **none**

- 3) Exceptions to compliance are: none

E. Condition and Location:

1. The system is in good condition with the point of diversion located as follows:
NW ¼ SE ¼ S31 T2N R9E (1,895 ft. north and 2,535 ft. west of the SE corner),
N 44.087087° W 103.080243°
2. The works are capable of diverting and conveying to the place of use 0.07 cu. ft. per second (32 gpm) of water which is to be used for domestic, and gravity and sprinkler irrigation. Water has been put to beneficial use to the maximum extent as follows:

legal description/acreage

NW ¼ SE ¼ S31 T2N R9E / 4.8 acres

legal description/acreage

comprising a total of 4.8 acres of land and the license should be issued for 0.07 cfs .

3. All structures, wells and lands on map Yes

F. Comments or other permit(s) associated with the project: None

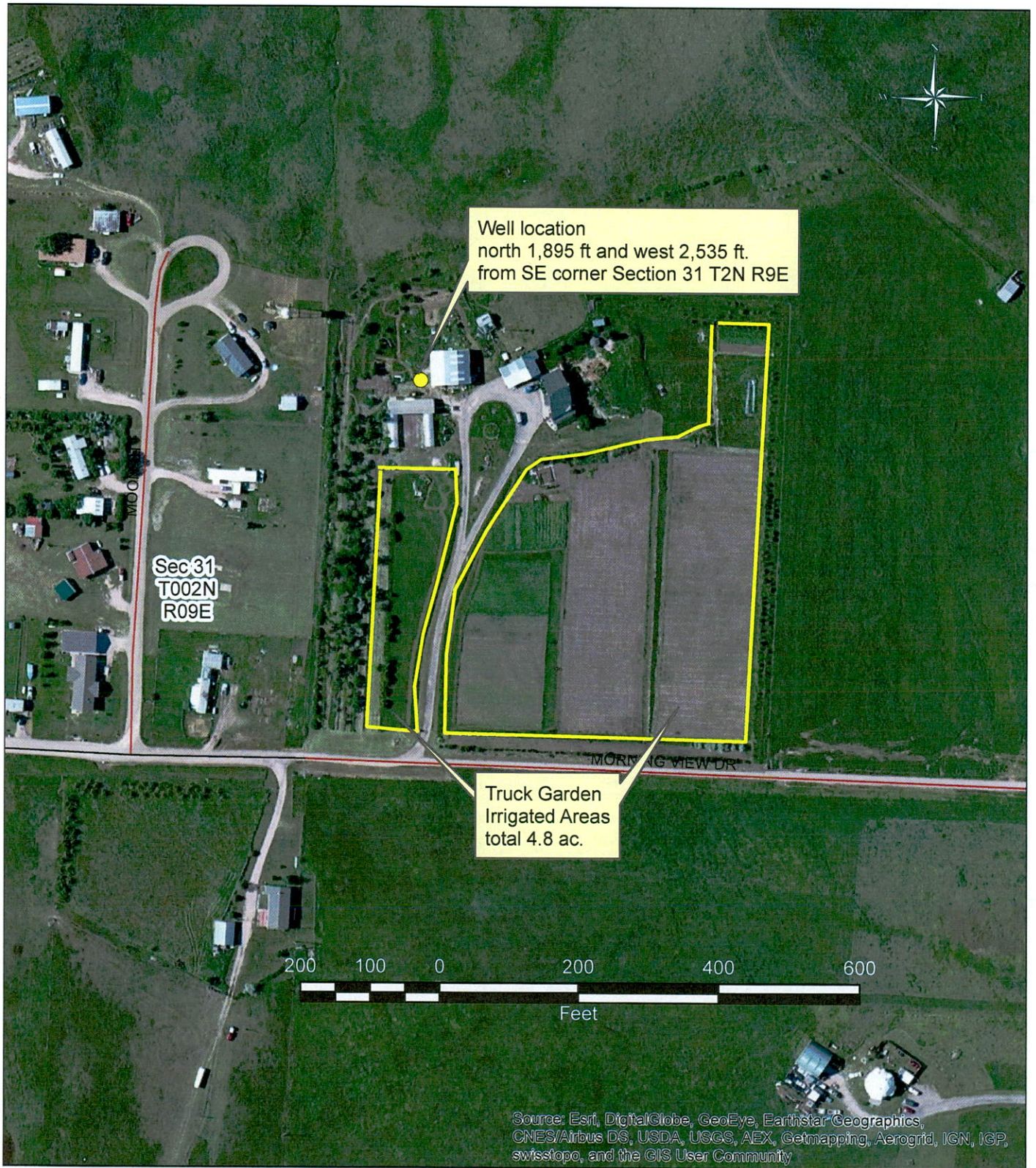
Steven Quissell
Water Rights Inspector
DENR, Water Rights Program

Date report completed: 4/12/2016



Peterson well head

Water Right #2443-2
Carlton Peterson
4/7/2016

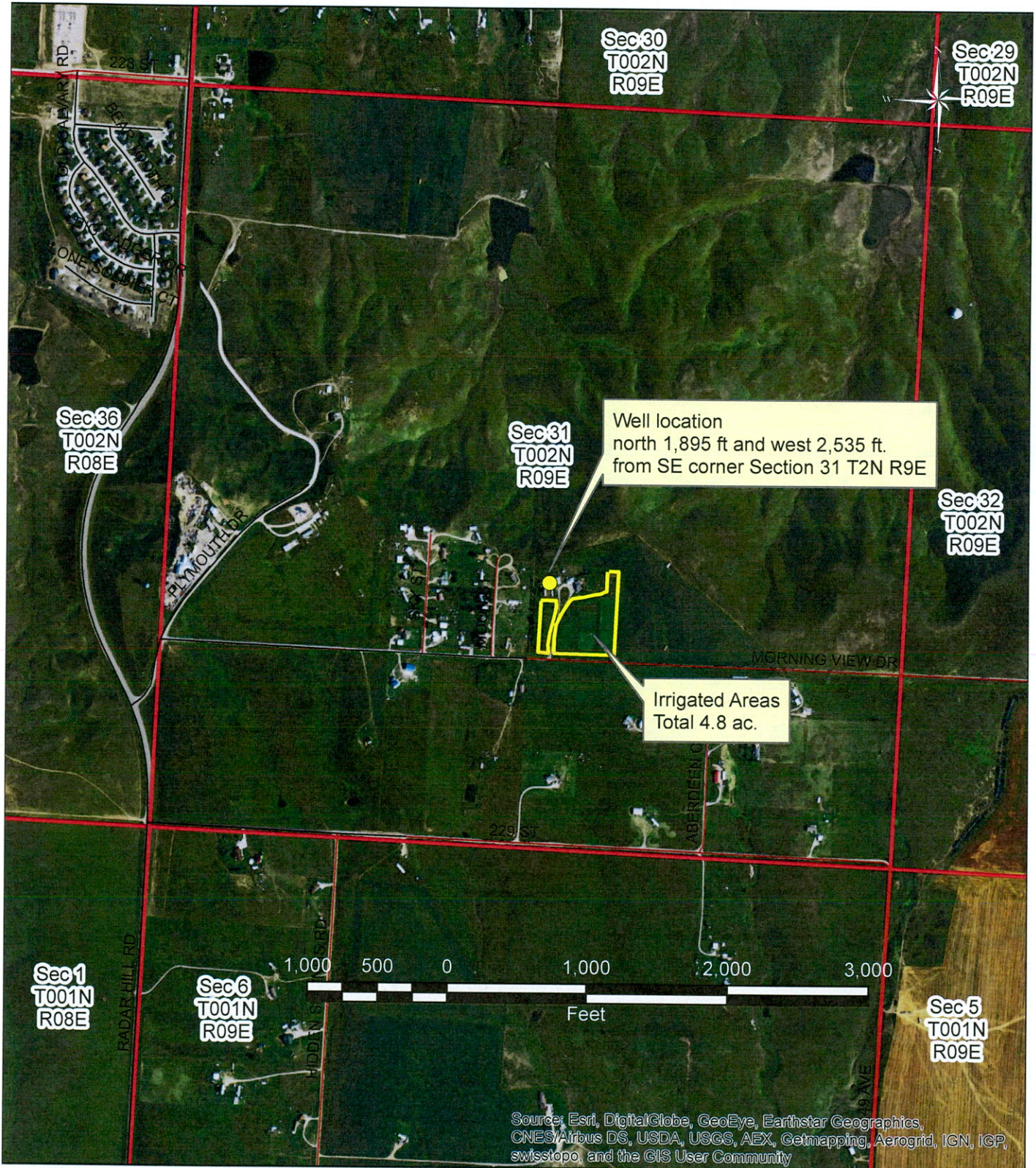


Steven Quissell

Steven Quissell
Water Rights Inspector
DENR Water Rights Program



Water Right #2443-2
Carlton Peterson
4/7/2016



Steven Quissell

Steven Quissell
Water Rights Inspector
DNR Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 03 2016

2443-2

Carlton Peterson
14860 Morning View Dr
Rapid City SD 57703

Dear Mr. Peterson:

Enclosed is Water License No. 2443-2. 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 the owner of an existing well, such as the well authorized by Water Right No. 2443-2, 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.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2443-2

(1) Carlton Peterson, 14860 Morning View Dr., Rapid City SD 57703 made Application No. 2443-2, July 7, 2000 for a water permit to divert 0.13 cubic feet of water per second from ground water, one well (Inyan Kara Formation), Pennington County, South Dakota for irrigation and domestic use purposes. Permit No. 2443-2, with a priority date of July 7, 2000 was approved November 20, 2000 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 20, 2005 and for the application to beneficial use of said water on or before November 20, 2009.

(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 0.07 cubic feet of water per second for beneficial use. The location of the diversion point is 1,895 feet north and 2,535 feet west of the SE corner of Section 31, T2N, R9E (NW ¼ SE ¼).

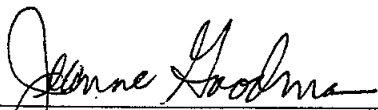
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

4.8 acres – NW ¼ SE ¼ Section 31, T2N, R9E

(4) Pursuant to South Dakota Water Law 46-5-30.1 Carlton Peterson, 14860 Morning View Dr., Rapid City SD 57703 the holder and/or owner of Water Right No. 2443-2 is issued a license to appropriate water, the right to use 0.07 cubic feet of water per second from ground water, one well (Inyan Kara Formation) with a priority date of July 7, 2000 from the location specified in (2) of this license for irrigation and domestic use purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2443-2 and subject to the following qualifications:

- 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.
- The well authorized by Permit No. 2443-2 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 Taylor Drilling in August, 2000. A copy of the well completion report is on file with the Water Rights Program.***
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 03 2016

date

