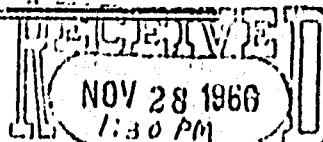


1. Considered Jan 18, 1962
2. Name of Applicant Lyle Peterson
3. Post Office Address Lower Brule
4. Amount of water claimed 3.18
5. Source of water supply Missouri River
6. Water to be used for Irrigation
Acres to be irrigated 222.4
7. Water to diverted and used in Lyman County
about 20 miles of Lower Brule.
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved 6k
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 896-2Water Division No. 2 White River District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Lyle Peterson
 Postoffice address Lower Brule, County Lyman, State S. DAK.

I. If a corporation

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

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

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

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

(c) Cash on hand, \$ Adequate

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Lyle Peterson Project # 13. Amount of water claimed 3.18 cubic feet per second4. Source of water supply Missouri River5. Location of point of diversion South 70° East 120 feet from SW Corner
NE 1/4 Sec 22, T 108N, R 73W on Right bank Lyman County.6. Annual period or periods during which water is to be used April through November

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- Gravity & Sprinkler

(a) Number of acres to be irrigated 222.40 acres.(b) Legal subdivisions to be irrigated See Attachment

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

(c) Statement as to domestic use (giving location, etc.) _____

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

(a) Nature of use _____
Name any of the above uses claimed

(b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

Map # 780-2

8. Estimated cost of work:

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

(c) Fluming, \$-----

(e) Other structures -----

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

Rock, \$-----

Total, \$-----

9. Description of diversion works:

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

Canals, Ditches, Dikes & sprinkler pipe

II. Dimensions of works.

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top -----

feet; slope at front water face -----; slope at back face -----

material used in construction -----

(b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater mark ----- acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE FEET CAPACITY

(c)* Head gate: Width ----- feet; height ----- feet;

Material -----

(d) Canals: Total length ----- miles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- years.

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

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

Kennebec Advocate Leader

STATE OF SOUTH DAKOTA

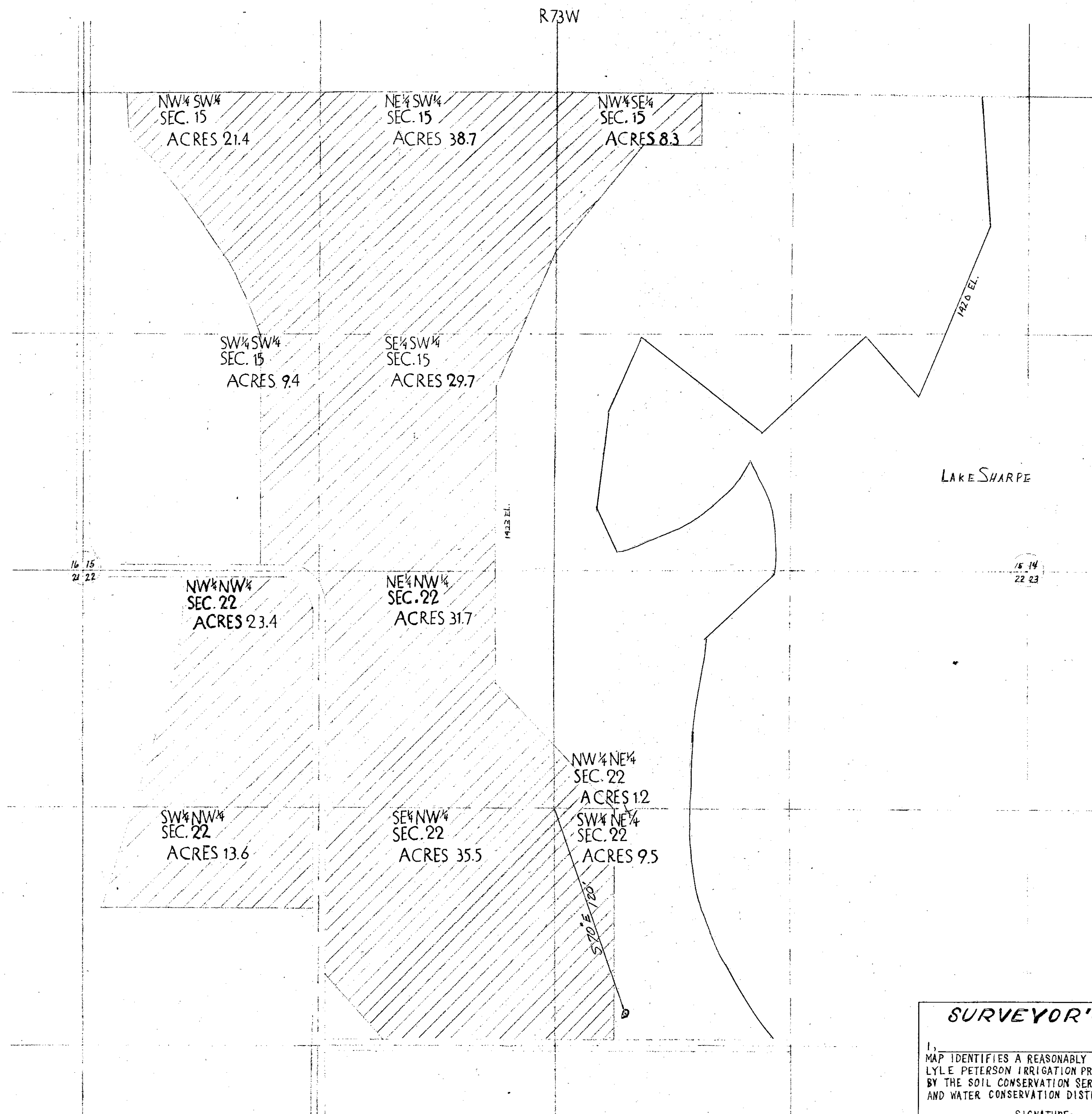
County of Lynn } ss.

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

Signed Lyle Peterson

Subscribed and sworn to before me this 26 day of November 1966

Robert R. Thompson
Notary Public (or other qualified officer.)



Land to be irrigated

All lands described are owned by Lyle Peterson

LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NW 1/4 SW 1/4	15	108N	73W	21.4
NE 1/4 SW 1/4	15	108N	73W	38.7
SW 1/4 SW 1/4	15	108N	73W	9.4
SE 1/4 SW 1/4	15	108N	73W	29.7
NW 1/4 SE 1/4	15	108N	73W	8.3
NW 1/4 NW 1/4	22	108N	73W	23.4
NE 1/4 NW 1/4	22	108N	73W	31.7
SW 1/4 NW 1/4	22	108N	73W	13.6
SE 1/4 NW 1/4	22	108N	73W	35.5
NW 1/4 NE 1/4	22	108N	73W	12
SW 1/4 NE 1/4	22	108N	73W	9.5
TOTAL				222.4

SURVEYOR'S CERTIFICATE

I, _____ DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE LYLE PETERSON IRRIGATION PROJECT NUMBER 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE AMERICAN CREEK SOIL AND WATER CONSERVATION DISTRICT.

SIGNATURE: _____
TITLE: _____

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____, 19____, A.D.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____, 19____.

Scale: 1" = 400'

LYLE PETERSON IRRIGATION PROJECT NUMBER 1.

Lyman County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Date _____
Designed _____
Drawn _____
Traced _____
Checked _____
Approved by _____
Title _____
Sheet _____
No. _____
Drawing No. _____

MAP # 780-2 APR 1963

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

January 20, 1967

This is to certify that the foregoing application was received by the Commission at 1:30 o'clock

p.m. upon the 28th day of November, 1966.

State Water Resources Commission

By:

Richard D. Schnoyen

For

Chief Engineer, Executive Officer

Number of permit

896-2

Date of first receipt of application

November 28, 1966

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

19

Date of receipt of corrected application

19

Date from which applicant may claim a right

November 28, 1966

Approved

January 18, 1967

Recorded in Book

9

Page

194

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

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

July 18, 1967

2nd. The whole of said work is to be completed on or before

January 18, 1972

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

January 18, 1976

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

Irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 32.18 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before January 18, 1976; said water to be used during the following described annual period:

April through November

Witness my hand this

20th

day of

January

1967

State Water Resources Commission

By:

Geel Brinner

Chief Engineer, Executive Officer

Certificate of Construction Issued

AUGUST 5

1969

Water License Issued

AUGUST 5

1969

All lands described are owned by Lyle Peterson

LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NW ¹ SW ¹	15	108N	73W	21.4
NE ¹ SW ¹	15	108N	73W	38.7
NW ¹ SW ¹	15	108N	73W	9.4
SE ¹ SW ¹	15	108N	73W	29.7
NW ¹ SE ¹	15	108N	73W	8.3
NW ¹ NW ¹	22	108N	73W	23.4
NE ¹ NW ¹	22	108N	73W	31.7
SW ¹ NW ¹	22	108N	73W	13.6
SE ¹ NW ¹	22	108N	73W	35.5
NW ¹ NE ¹	22	108N	73W	1.2
SW ¹ NE ¹	22	108N	73W	9.5
TOTAL				222.4



Distributed by
T. L. Irrigation Co.
1103 East South St
Hastings, Nebraska
Phone 2-5300

Allume Sprinkler

Gatelume

Tractor Pull

Speed Roll & Speed Tow

OWNER

DEALER

Name Lyle Peterson

Name _____

Address Lower Brule

Address _____

Location _____

DESCRIPTION OF SOIL:

Texture of soil _____

Top Soil 8" - Loam

Subsoil 5" - Light Clay

Average holding capacity 1.6 Usable water 1.6 in. of soil

Intake rate 4 1/2 inches per hr

CROP INFORMATION AND DESIGN

Crops to be irrigated during July and August 1. Corn 2. Corn 3. _____

Depth of roots 5 ft. 5 ft. _____ ft.

Holding capacity per in. of soil 1.6 in./ft. 1.6 in./ft. _____ in./ft.

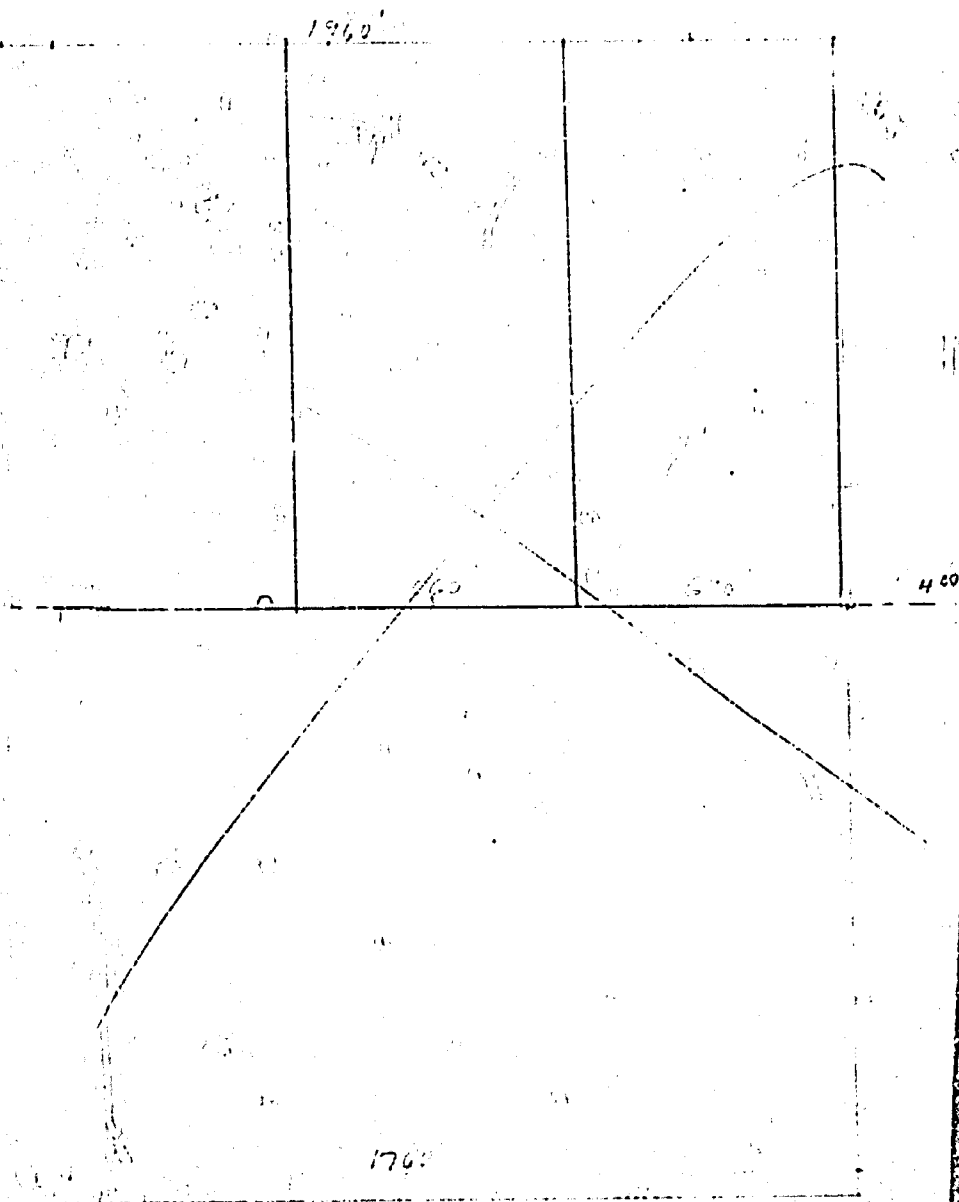
Total holding capacity 1.6 in. 1.6 in. _____ in.

A good irrigation should replace 60% or less of
the total soil water per irrigation except
on sandy soils in which you may deplete
60% of total holding capacity.

Application rate	<u>3 1/2</u>	_____	in./hr
Operation per set	<u>11 hrs.</u>	<u>23 hrs.</u>	_____ hrs.
Gross amount out hour	<u>3 1/2</u>	<u>11</u>	_____ ins.
Water application efficiency	<u>25%</u>	<u>50%</u>	_____ %
Net usable water into soil	<u>1.6</u>	<u>1.6</u>	_____ in.
Average peak use rate of crop	<u>3 1/2 in/day</u>	<u>3 1/2 in/day</u>	_____ in/day
Irrigation interval	<u>10 days</u>	<u>22 days</u>	_____ days
Total days of operation per set	<u>10 days</u>	<u>22 days</u>	_____ days
Acres per set, per lateral	<u>1</u>	<u>1</u>	_____ Acres
Number of sets per acre	<u>1</u>	<u>1</u>	_____
Total acres	<u>1</u>	<u>1</u>	_____ Acres
Days of operation	<u>10</u>	<u>22</u>	_____
Total acres	<u>1</u>	<u>1</u>	_____ Acres
Number of sets	<u>1</u>	<u>1</u>	_____
Total acres	<u>1</u>	<u>1</u>	_____ Acres

SUMMARY: During July and August only _____ Acres of crops can be irrigated with a _____ lateral system. If more acres than this are desired it can be obtained by increasing the number of laterals. The remaining acres should be irrigated by pre-season irrigation to build up sub-soil moisture in all the fields. Small grain is a good crop to irrigate on extra acres because total irrigation can be obtained without lessening the acres that can be totally irrigated during July or August.

REMARKS:



SYSTEM SPECIFICATIONS:

1. Sprinkler model 30 W (M) Nozzle size 1 1/2 : Cap 807 GPM at 45 psi
2. Maximum pressure at head of line 67.7 psi, or 119 ft.
3. Maximum lateral length (a) 160 ft. Size 4 in. Sprinkler spacing ft.
(b) ft. Size in. Sprinkler spacing ft.
4. Number of lateral lines 2 Total number of sprinklers required 66
5. System capacity required 530 GPM

ESTIMATE IRR. OPERATION

Gross amount of water applied 5.0 inches = 1440 A. ins.
 $\times$ 1 = A. ins.
 $\times$ = A. ins.
 Total per year 1440 A. ins.
120 A. ft.

530 gpm (System Capacity)
1.17 Acre in. per hr.
1440 Acre inches per year
1.17 Acre inches per hr. 1230 Hrs. of operation per year.

MAINLINE SELECTION:

- (1) Additional cost per year of 1 in. pipe (a) inch.
 when pumping GPM.
 inch is ft/100 ft. of pipe; ft/100 ft. additional loss
 inch is ft/100 ft. of pipe; to pump through ft. over
 in. per 100 ft. of pipe.
 ft. per 100 ft. of pipe equals ft.

BHP = $\frac{\text{head ft.} \times \text{gpm}}{3750 \times \text{eff. pump}}$

Additional BHP is inch;
 ghp

Additional fuel cost is

$\frac{\text{BHP}}{\text{BHP ref.}} \times \text{cost of fuel} \times \text{hrs. of operation} = \$$

- (2) Additional Cost of large pipe

Difference in cost between inch and inch is
 per ft. $\times$ ft. of pipe equals \$

Dep. based on yr. at int. for recover factor.

Cost to own over yr. is \$

Use MAINLINE Size inch.

MAINLINE SELECTION:

(1a) Additional cost per year of fuel to pump into _____ in. over _____ inch.
when pumping _____ GPM,

_____ inch is _____ ft/100 ft. of pipe } _____ ft/100 ft. additional loss
_____ inch is _____ ft/100 ft. of pipe } to pump through _____ in. over
_____ in. per 100 ft. of pipe.
_____ ft. per 100 ft. x _____ ft. of pipe equals _____ ft.

$$\text{BHP} = \frac{\text{head ft.} \times \text{gpm}}{3960 \times \text{eff. pump} \times \text{eff. drive}}$$

Additional BHP to pump into _____ in. over _____ inch =

$$\frac{22 \text{ ft.} \times 530 \text{ gpm}}{3960 \times \% \times \%} = 2 \text{ bhp}$$

Additional fuel cost per year =

$$\frac{\text{BHP}}{\text{BHP hrs.}} = \frac{2}{27} \text{ /hr.} \times 12 \text{ cents / } 1 \text{ hr. operation} = \$ \frac{2}{27} \times 12 = \$ 0.89$$

(2a) Additional Cost of larger pipe

Difference in cost between _____ inch and _____ inch is \$ _____
per ft. x 1370 ft. of pipe equals \$ 479.50

Dep. based on 10 yr. at _____ % Int. or 33% recover factor.

$$\text{Cost to own } 1 \text{ over } 1 \text{ per yr.} = \$ 47 \div 10 = \$ 4.7$$

Use MAINLINE Size _____ inch.

TOTAL HEAD AND BHP REQUIRED:

Total pumping lift	440 ft.
Column loss	_____ ft.
Lateral Pressure (1st sprink)	119 ft.
Friction Mainline loss	34 ft.
Misc. loss (valve, etc.)	1 ft.
Elev. difference	40 ft.
Total Head	634 ft.

$$\text{Cont. HP or BHP} = \frac{634 \text{ ft.} \times 530 \text{ gpm}}{3960 \times \% \times \%} = 83$$

FUEL COSTS PER YEAR

$$\frac{\text{BHP}}{\text{BHP hrs.}} = \frac{83}{27} \text{ per hr.} \times 12 \text{ cents per } 1 \text{ hr.} = 36 \text{ cents per hr.}$$

$$\text{Cost per year} = \$ \frac{36}{100} \text{ per hour} \times 1230 \text{ hrs. per yr.} = \$ 44.28 \text{ per yr.}$$

$$\text{Fuel Cost per acre ft.} = \$ \frac{44.28}{120} = \$ 0.37 \text{ per acre ft.}$$

POWER UNIT

Corbett 14 225.50 HP at 2700 RPM 142.5 ft. per min. of
Make and model _____ piston travel.
(Should not exceed 1400 ft. per minute.)

PUMP

Corbett 14 225.50 Make 4X3 Size 1.53 gpm Head 194 RPM 2100 Eff. 1.53

on or before December 22, 19 66
(First Publication)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., November 29, 19 66

Notice is hereby given that Lyle Peterson whose postoffice address is Lower Brule S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.18 cubic feet of water per second of time from the Missouri River through the Lyle Peterson Project #1, the point of diversion of which is to be located on the right bank of said stream in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22 Twp. 108N Range 73W. Said water to be used for the purpose of providing irrigation on the following described land:

SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15; NW $\frac{1}{4}$ and W $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, all in T108N, R73W.

~~SEE~~~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 18th day of January, 19 66, at 2 P. M. All interested persons may appear and be heard.

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

State Water Resources Commission

By:

RICHARD D. SCHMOY
Water Right Specialist

CC: Mr. C. L. Flint, Publisher
Advocate-Leader
Kennebec, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Lyman } ss.

C. L. Flint being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Advocate Leader a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the Town of Kennelbec County of Lyman and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Dec. 8th, 1966Dec. 15th, 1966Dec. 22nd, 1966Dec. 29th, 1966

in each and every issue of the full number thereof, the first publication being made on the 8th day of Dec. 1966 and the last publication on the 29th day of Dec. 1966, upon which days & times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Publisher the printer and publisher of the said newspaper.

C. L. Flint

Subscribed and sworn to before me this 10th day of January A. D. 1967

(Seal)

Vernon C. ErmaNotary Public Lyman Co County, S. D.Comm exp 6/28/74

APPROPRIATION OF WATER

Office of State Water Resources
Commission, Pierre, S. Dak., No-
vember 29, 1966.

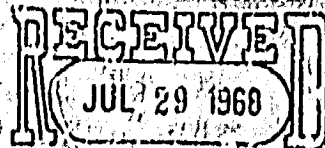
Notice is hereby given that Lyle Peterson whose postoffice address is Lower Brule, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.18 cubic feet of water per second of time from the Missouri River through the Lyle Peterson Project No. 11, the point of diversion of which is to be located on the right bank of said stream in the SW 1/4 of NE 1/4 of Section 22, Twp. 108 N., Range 73 W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SW 1/4 and NW 1/4 SE 1/4 Section 13, NW 1/4 and W 1/4 NE 1/4 Section 22, all in T. 108 N., R. 73 W., S. 4.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 18th day of January, 1967, at 2 P.M. All interested persons may appear and be heard.

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

State Water Resources Commission
By: Richard D. Schroyer
Water Right Specialist.
(Publish Dec. 8, 15, 22 & 29)

RECEIVED
JAN 13 1967STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Permit No. 896-2Water Division No. 2White River Water DistrictSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Lower Brule, South Dakota 57531(Date) 22 July 1968

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

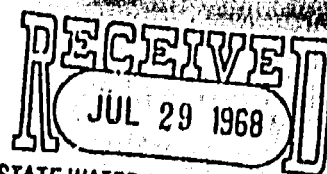
DEAR SIR: Notice is hereby given of the completion of the works for the diversion of water
at a rate of 3.19 cu. ft. per second of the waters of the state from Project 1
through the Lyle Peterson Project
for IRRIGATION purposes
by sprinkler in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Lyle E. Peterson
2. The postoffice address of such person or the place of business of such corporation is Lower Brule
County of Lyman State of South Dakota
3. The number of such permit is 896-2 and the date set for the completion of such work is July 1968
4. Said water to be used for IRRIGATION purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 3.19 cubic feet per second.
6. The amount of land for which said water is available is 323.40 acres,
particularly described as follows: first part of project is 80 acres described
as follows E 1/2 NW 1/4 22 10 81-17 3W

I hereby certify that the facts set forth in the above notice are true.

Lyle E. Peterson

(Signature of Owners)

Permit No. 896-2Water Division No. 2 White River Water DistrictSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Louise Beule, S.Dak. 57548(Date) 22 July 1968

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 22nd day of July
 1968, at LOUISE BEULE County of LYMAN State of South Dakota,
 before _____ proof will be submitted of the application to beneficial use
 (Examining Engineer or Officer)
 of _____ cubic feet per second of the waters of Missouri River
 _____ in accordance with the terms and conditions of Permit No. 896-2
 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are Lyle E.PETERSON, LOUISE BEULE, SOUTH DAKOTA, 575482. The use to which said water has been applied is IRRIGATION3. The amount applied to beneficial use is 3.18 cubic ft. per second4. The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated) E 1/2 NW 1/4 22 108N - 73W

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

Lyle Peterson Project Number 05016. The right to take the water from such works is based upon permit No. 896-27. The source of supply from which such water is diverted is Missouri River (Lake Mary)8. The date of priority which said user is prepared to establish is 22 July 1968

(Sign)

Lyle Peterson

Permit No. 896-2Water Division 2 WHITE RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by LYLE
PETERSON of LOWER BRULE holder
 of Permit No. 896-2, bearing date of priority of NOVEMBER 28, 1966
 authorizing the diversion of 3.18 cu. ft. per second of the waters of MISSOURI RIVER
 for IRRIGATION purposes, in LYMAN County.

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

The Water Use System consists of,

A. Works used to divert the water:

BERKELY 8" PUMP, POWERED BY
CHRYSLER INDUSTRIAL H-225 MOTOR.
PROPANE

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

1/2 MILE OF 6" MAINLINE
1

C. Works used to apply water to beneficial use.

4. 1/4 MILE 4" TOWNLINES WITH RAINBIRD #30
SPRINKLER HEADS @ 30' SPACINGS 164

The system is in the following condition: GOOD

The point of diversion is located S 70° E, 120' FROM THE SW
CORNER, ~~SECTION 22~~ NW 1/4 NE 1/4, Section 22, T108N, R73W

The works are capable of diverting and conveying to the place of use 3.18cu. 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 IN T108N, R73W

SECTION 15		SECTION 22	
N 1/2 SW 1/4	60.1 AC.	N 1/2 NW 1/4	55.1 AC
S 1/2 SW 1/4	48.1 "	S 1/2 NW 1/4	39.1 AC
NW 1/4 SE 1/4	8.3 "	W 1/2 NE 1/4	10.7 AC.

comprising a total of 222.4 acres of land.Date JULY 18, 1969

Burton Jones
 (Signature)

WATER RIGHT SPECIALIST
 WATER RESOURCES COMM.

Permit No. 896-2

Water Diversion No. 2 WHITE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Lyle Peterson

_____ the holder _____ of
Permit No. 896-2, issued upon Application No. 896-2, bearing date of priority of November 28,
1966 authorizing the diversion of 3.18 cu. ft. per second of the waters of _____
the Missouri River County of Lyman State of South Dakota at a
point S 70° E., 120 feet from the SW Corner, NW 1/4 NE 1/4, Section 22, T108N, R73W
_____, for irrigation

purposes, has a complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 3.3 cu. ft. per second of water.

Date August 5, 1969

WATER RESOURCES COMMISSION

By:

J.W. GRINES, Executive Officer

WATER LICENSE NO. 896-3

(1) WHEREAS, On the 28th day of November A. D. 1966
Lyle Peterson

made Water Right Application No. 896-2 for a permit to use 3.18 cubic feet per second of the waters of the Missouri River
County of Buffalo State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 20th day of January A. D. 1967
Permit No. 896-2, with a date of priority of November 28, 1956
was issued to said applicant for the diversion of said water and provided for the completion of construction of the water supply system therein described on or before the 18th day of January A. D. 1972 and for the application to beneficial use of said water on or before the 18th day of January A. D. 1976

and:
(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 3.18 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

All in T108N, R73W			Acres
Section 15	N $\frac{1}{2}$ SW $\frac{1}{4}$		60.1
	S $\frac{1}{2}$ SW $\frac{1}{4}$		48.1
	NW $\frac{1}{4}$ SE $\frac{1}{4}$		8.3
Section 22	N $\frac{1}{2}$ NW $\frac{1}{4}$		55.1
	S $\frac{1}{2}$ NW $\frac{1}{4}$		39.1
	NE $\frac{1}{4}$ NE $\frac{1}{4}$		10.7
Total			222.4 Acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Lyle Peterson

of Lower Brule

the holder and owner of said permit No. 896-2 a water right, dating from November 28, 1956

to use of 3.16 cubic feet per second of the waters

of the Missouri River

in the County of Lyman and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point S 70° E, 120' from the SW Corner NW ¼ NE ¼,

Section 22, T108N, R73W

and conduct to and upon portions of Section 15 and 22, T108N, R73W, described on the front of

this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 896-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 5th day of August A. D.

Nineteen Hundred and Sixty-nine

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.H. GRIMES

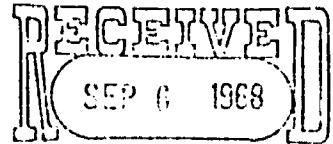
896-2

NR001

3 September 1968

Mr. Lyle Peterson

Lower Brule, South Dakota



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Dear Mr. Peterson:

Inclosed for your information and files is a fully executed copy of Easement No. DACA45-2-69-6013 granting right of way for the installation, operation and maintenance of an underground irrigation water pipeline and portable pump unit over, across, in, and upon Government-owned lands of the Big Bend Dam, Lake Sharpe Project, South Dakota.

It is requested that you forward to this office your remittance in the amount of \$50.00, as evidenced by the inclosed Bill for Collection.

Sincerely yours,

/s/ Dale Kent

DALE KENT

Chief, Real Estate Division

2 Incls
As stated

cc: SD St Wtr Res Comm.
Bur Res, Billings
(ea w/cy incl 1)

DEPARTMENT OF THE ARMY
EASEMENT FOR RIGHT OF WAY
(PIPELINE)

ON BIG BEND DAM, LAKE SHARPE PROJECT, SOUTH DAKOTA

DACW45-2-6)-6013

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2665, hereby grants to

Lyle Peterson

Lower Brule, South Dakota

coextensive with State
hereinafter designated as the grantee, for a period not exceeding Water Permit No. 836-2
~~XXXXXXXXXXXXXXXXXXXX~~ an easement for a right of way for the installation,
operation and maintenance of an underground irrigation water pipeline and
portable pump unit

over, across, in, and upon land under the control of the Secretary of the Army at the location
shown in red on Exhibit "A" entitled Big Bend Dam and Lake Sharpe, Segment "3"
attached hereto and made a part hereof, and described as follows:

A parcel of land in the E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T108N, R73W of the 5th
Principal Meridian, Lyman County, South Dakota, more particularly described
as follows: A strip of land 66 feet wide lying 33 feet on each side of
the following described line; commencing at the northwest corner of said
E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence south along the west line of said E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ for a
distance of 33 feet to the point of beginning; thence East parallel to
the north line of said E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the shoreline of Lake Sharpe.

Contains 0.50 acre, more or less.

THIS EASEMENT is granted subject to the following conditions:

1. The grantee shall pay to the United States compensation in the amount of Fifty
and no/100 Dollars ----- (\$ 50.00)
for the term, payable in advance. Compensation shall be made payable to the
Treasurer of the United States and forwarded by the grantee to District Engineer,
Omaha District, Corps of Engineers, 6012 U. S. Post Office and Court
House, Omaha, Nebraska, 68102

2. The installation and/or operation and maintenance of said line shall be accomplished without cost or expense to the United States under the general supervision and subject to the approval of the officer having immediate jurisdiction over the property, hereinafter designated as "said officer", and in such manner as not to endanger personnel or property of the United States on the said United States land or obstruct travel on any road thereon. The grantee shall have the right of ingress and egress for such purposes.

3. The use and occupation of said land incident to the exercise of the privileges hereby granted shall be subject to such rules and regulations as the said officer may from time to time prescribe.

4. The grantee shall supervise the said line and cause it to be inspected at reasonable intervals, and shall immediately repair any leaks found therein as a result of such inspection, or when requested by said officer to repair any defects. Upon completion of the installation of said line and the making of any repairs thereto, the premises shall be restored immediately by the grantee, at the grantee's own expense, to the same condition as that in which they existed prior to the commencement of such work, to the satisfaction of the said officer.

5. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises, shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

6. The United States reserves to itself the right to construct, use, and maintain across, over, and/or under the right of way hereby granted, electric transmission, telephone, telegraph, water, gas, gasoline, oil and sewer lines, and other facilities, in such manner as not to create any unreasonable interference with the use of the right of way herein granted.

7. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, or for injuries to the person of the grantee (if an individual), nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to government activities, and the grantee shall hold the United States harmless from any and all such claims.

8. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance, and use of said line.

9. That the grantee shall furnish through said line such service as may be required from time to time for governmental purposes on said land, provided that payment for such service will be made by the United States at rates which shall be mutually agreeable but which shall never exceed the most favorable rates granted by the grantee for similar service.

10. In the event all or any portion of said land occupied by said line shall be needed by the United States, or in the event the existence of said line shall be considered detrimental to governmental activities, the grantee shall, from time to time, upon notice so to do, and as often as so notified, remove said line and related facilities to such other location or locations on said land as may be designated by said officer, and, in the event said line shall not be removed or relocated within ninety (90) days after any aforesaid notice, the United States may cause the same to be done at the expense of the grantee.

11. This easement may be terminated by the Secretary of the Army upon a reasonable notice to the grantee if the Secretary of the Army shall determine that the right of way hereby granted interferes with the use or disposal of said land or any part thereof by the United States, or it may be terminated by the Secretary of the Army for failure, neglect, or refusal by the grantee fully and promptly to comply with any and all of the conditions of this grant, or for nonuse, or for abandonment.

12. Upon the expiration or termination of this grant, the grantee shall, without expense to the United States, and within such time as the Secretary of the Army may indicate, remove the said line from said land and restore the premises hereby authorized to be used and occupied to a condition satisfactory to the said officer. In the event the grantee shall fail, neglect, or refuse to remove the said line and so restore the premises, the United States shall have the option either to take over the said line as the property of the United States, without compensation therefor, or to remove the said line and perform the restoration work as aforesaid at the expense of the grantee, and in no event shall the grantee have any claim for damages against the United States or its officers or agents, on account of the taking over of said line or on account of its removal.

13. The conditions of this instrument shall extend to and be binding upon and shall inure to the benefit of the heirs, representatives, successors, and assigns of the grantee.

14. That it is understood that this instrument is effective only insofar as the rights of the United States in the said property are concerned; and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

15. That the grantee shall not discharge waste or effluent from the granted property in such manner that such discharge will contaminate streams or other bodies of water or otherwise become a public nuisance.

16. That this easement and right-of-way for a water pipeline and pumping plant is granted for the exercise of water rights granted by the State of South Dakota. It is understood and agreed that no right to use water from the reservoir is created by this grant. It is further understood by the grantee that the granting of this easement does not preclude the Secretary of the Interior from requiring the grantee to enter into an appropriate water service contract in consideration of such irrigation benefits as may, in the opinion of the Secretary of the Interior, be derived from the withdrawal of irrigation water from the reservoir.

Prior to the execution of this easement Conditions Nos. 15 and 16 were added.

This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand this
day of 27 August, 1968.

Wm. D. Y. Lantton

L. Y. LANTTON

Acting Chief, Real Estate Division
Cannon District, Corps of Engineers

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: Lyle Peterson

ADDRESS: HCR 85 Box 1, Lower Brule, SD 57548-9201

DATE: October 15, 1998

RE: status

COMMENTS:

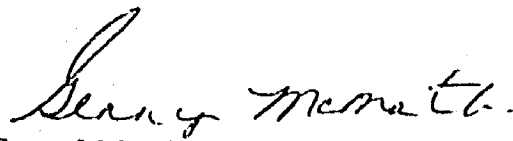
George Spiehs with the Corps of Engineers called to inquire if No. 896-2 had been cancelled yet. I told him our records show the water right to be "active" however, valid is another question. The water right holder submits yearly irrigation questionnaires which say they have a system and I would have to look back on records to see how long they have not irrigated.

Mr. Spiehs said there pipeline and equipment are in severe disrepair and at this point, most of the pipeline is laying in the fields and has been driven over many times and probably could not be used. He said it appears that they just "hay" around it.

I told him I would document his conversation to me and would put the water right on a list of those to look at when in that area.

RECOMMENDED ACTION:

If legal excuse does not exist, the water right may be subject to cancellation -- however someone from our office should contact the Peterson's or do a field investigation prior to scheduling the matter for cancellation.


Genny McMath
Environmental Scientist



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 19, 2003

896-2

Lyle & Leola Peterson
22407 Little Bend Rd
Lower Brule SD 57548-5202

Dear Mr. & Mrs. Peterson:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire for Water Right No. 896-2. You indicated several acres were irrigated this year. In order for the questionnaire to be considered complete, we need to have you fill out the back of the form too.

Please write in the acres, pump rate, days per month and average hours per day in the months that water was applied. We use the information to calculate how much water was used from a specific source.

Please complete the form and return it to us by December 1st. If you have any questions, please get in touch with me.

Sincerely,

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

enclosure

896-2

2007 Water Management Board Irrigation Questionnaire

Please fill out and return before **December 3, 2007**

REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352 or send your form(s) electronically over the internet at <https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

Permit No. 896-2

LEOLA & ROYAL PETERSON
22407 LITTLE BEND RD
LOWER BRULE SD 57548 5202

Any address/ownership corrections? *no*

Telephone No. *605 473-5405*

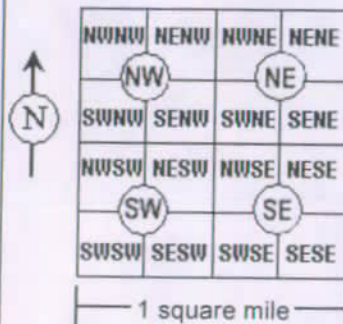
1. Did you irrigate in 2007? *yes ☐ **no ☒
*If yes, _____ acres were irrigated out of the 221.40 acres covered by Permit No. 896-2

**If no, check reason(s) for not irrigating:
sufficient moisture ☒ no water available ☐
system not constructed ☐ use abandoned ☐
enrolled in CRP ☐, through what year? _____
other ☐, please explain in the Comment Box:

Comment Box

*Set up the pump & motor -
got 3 inches of rain! Bought
the pump & motor in July - it
wasn't used as we were blessed
with rain. We hope to use it needed.
Run pump for testing in Oct*

- If your answer to question No. 1 is "no," you are done! If you answered "yes," please complete Nos. 3, 4 & 5.
- Did you apply chemicals or fertilizer through the system in 2007? yes ☐ no ☐
- If more than one water source is listed below, circle each source used. **A. MISSOURI RIVER**
- Provide your water use on the back of this form.



Office use only

RECEIVED
NOV 28 2007
WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 896-2

(see above section map for help reading legal descriptions)

sec 15-T108N-R73W, N1/2SW1/4 - 60.10 acres
sec 15-T108N-R73W, S1/2SW1/4 - 48.10 acres
sec 15-T108N-R73W
sec 22-T108N-R73W
sec 22-T108N-R73W
sec 22-T108N-R73W



Please provide your 2007 water use to irrigate the above acreage on the **REVERSE** side of this form.

For an example of a completed questionnaire, please refer to the reverse side of your cover letter.

896-2



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2023

NOTICE

TO: ROYAL PETERSON, MGR, 22407 LITTLE BEND RD, LOWER BRULE, SD 57548 5202

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire has not been submitted for Permit No(s) 896-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 896-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: AIYTZG**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 25, 2023

896-2

Royal Peterson
22407 Little Bend Rd
Lower Brule SD 57548

Dear Mr. Peterson:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 896-2. 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
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us