

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

JAN 26 2012

WATER RIGHTS
PROGRAM

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

No. 2437A-3

Date: 22 Jan 2012

I/We request that portions of Water Right No. 2437-3

formerly owned by: Dr H P Sandberg

be transferred to: (name & address) Dr Gerald A Peterson
46727 197th St living trust
Bruce, S.D. 57220 Telephone No. 873-2636

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

132 acres in NE 1/4 Section 24, T112N, R51W

I/We understand that the validity of Water Right No. 2437A-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Dr J Peterson, the new owner, certify that the above information is true and correct.

Dr J Peterson, living trust
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1-26, 2012

RECEIVED OF Dr. Jerald A Peterson Living Trust, 46727 197th St, Bruce SD 57220

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2437A-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No. 05305

By Garland Erbuley
Chief Engineer KS



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

APR 25 2012

2437A-3

Dr. Jerald A Peterson Living Trust
46727 197th St
Bruce SD 57220

Dear Mr. Peterson:

Enclosed is your Reissued Water License No. 2437A-3.

Water Right No. 2437-3, formerly held by Dr. H P Sandberg was divided and reissued to reflect separate ownership as follows:

- **No. 2437A-3, Dr. Jerald A. Peterson Living Trust:** authorizing diversion of 1.78 cfs from one well located in the NE $\frac{1}{4}$ Section 24 to irrigate 132 acres in the NE $\frac{1}{4}$ Section 24, T112, R51W.
- **No. 2437B-3, Joint Well Field Inc:** authorizing diversion of 1.78 cfs from one well located in the SE $\frac{1}{4}$ Section 24 to irrigate 132 acres in the SE $\frac{1}{4}$ Section 24, T112, R51W.

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. 2437A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 2437A-3
DIVISION OF 2437-3 INTO 2437A-3 & 2437B-3

(1) Dr. H P Sandberg was issued Water License No. 2437-3, August 24, 1981 for a water right to divert 3.56 cubic feet of water per second from ground water (two wells – Big Sioux Brookings Aquifer), Brookings County, South Dakota for irrigation purposes. Water License No. 2437-3, with priority dates of November 25, 1968 and October 30, 1975 was issued to the permit holder for diversion of water with construction of the water supply system and the application to beneficial use of water completed.

Water Right No. 2437-3 authorizes irrigation of 264 acres in the E ½ Section 24, T112N, R51W. The land described in the water right has been transferred to two new owners. The water license is being divided and reissued to reflect separate ownership as follows:

- **No. 2437A-3, Dr. Jerald A. Peterson Living Trust:** authorizing diversion of 1.78 cfs from one well located in the NE ¼ Section 24 to irrigate 132 acres in the NE ¼ Section 24, T112, R51W. The well in the NE ¼ was originally authorized under Water Right No. 1580-3 (incorporated into No. 2437-3) and carries a priority date of November 25, 1968.
- **No. 2437B-3, Joint Well Field Inc:** authorizing diversion of 1.78 cfs from one well located in the SE ¼ Section 24 to irrigate 132 acres in the SE ¼ Section 24, T112, R51W. The well in the SE ¼ was approved under No. 2437-3 and carries a priority date of October 30, 1975.

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law relating to completion of the of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use.

The location of the diversion point is 500 feet south of the center of the NE ¼ Section 24, T112N, R51W.

(3) The water right holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate a 132 acre circle in the NE ¼ Section 24, T112N, R51W.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Dr. Jerald A Peterson Living Trust, 46727 197th St, Bruce SD 57220 the holder and/or owner of Water Right No. 2437A-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water (one well – Big Sioux Brookings Aquifer) with a priority date of November 25, 1968 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2437-3 and subject to the following qualification:

- 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.



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

APR 25 2012

date





2437A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: JERALD A PETERSON, 46727 197TH ST, BRUCE, SD 57220

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

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaires

Our records indicate your 2016 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 2437A-3, 3556-3A, 3556B-3 & 4362-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4940-3, 4981-3, 5170-3 & 5443-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4940-3, 4981-3, 5170-3 & 5443-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2437A-3, 3556-3A, 3556B-3 & 4362-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires 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.



2437A-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 8, 2023

Jerald Peterson
46727 107th St
Bruce SD 57220

Dear Mr. Peterson:

A well driller's report filed by Kaiser Well Drilling recently shows they completed a new well for you in April 2022.

A review of our files indicates Water Right No. 2437A-3 was issued for 800 gallons per minute (gpm) from a well located in the NE 1/4 Section 24-T112N-R51W for irrigation of 132 acres located in the same area.

Is this a replacement well or an additional well which does not increase the total appropriation of 800 gpm? If the authorized diversion rate is increased, a new water permit will need to be obtained. Once we know this information, we can determine what additional action, if any, needs to be taken to ensure the water right accurately reflects your irrigation system.

Please contact me or send an email regarding the status of this well. If you have any questions, let me know.

Sincerely,

Karen Schlaak

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

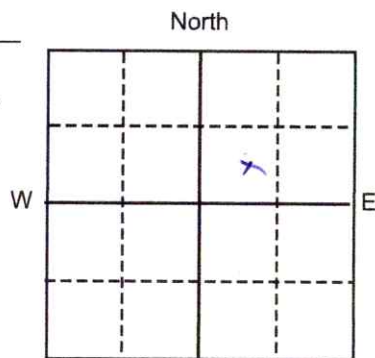
2-17-23 Jerry left voice mail
Replacement well 10 ft from old well
Old well pumped sand.

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location 1/4 NE 1/4 Sec 24 Twp 112N Rg 5WCounty Brookings

Please mark well location with an "X"



Well Completion Date

4-12-22

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

Direct Rotary

CASING DATA:

☐ Steel ☐ Plastic ☐ Other
 If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>5.40</u> LB/FT	<u>16</u> IN	<u>12</u> FT	_____ FT	<u>24</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>airwell</u>	<u>19</u>	Lb/gal	<u>0</u> Ft	<u>29</u> Ft
<u>DF</u>		Lb/gal	_____ Ft	_____ Ft

Describe grouting procedure

Pressure Pull

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16 Inches Length 15 Feet
 Material Stainless
 Slot Size 80 Set From 31 Feet to 46 Feet
 Other information _____

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No
 If so, what material? _____

Describe packer(s) and location

DISINFECTION:

Was well disinfected upon completion?

☐ Yes, How? _____
☒ No, Why Not? irrigation
 Lab to which water quality sample sent for analysis _____
Well Owner: Jerold Peterson

Business Name: _____

Address: 46727 197th StCity, State, Zip: Brule SD 57220

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>1 1/2</u>
<u>Yellow Mixed Gravel</u>	<u>1 1/2</u>	<u>8</u>
<u>Gravel med-coarse</u>	<u>8</u>	<u>20</u>
<u>Gravel Fine-med</u>	<u>20</u>	<u>46</u>
<u>Blue Clay</u>	<u>46</u>	

STATIC WATER LEVEL

10 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: air lift
☐ Bailed
☐ Other _____

Pumping Level Below Land Surface

25 Ft. After 8 Hrs. pumped 600 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 689 and this report is true and accurate.Drilling firm: Kaiser well Drilling Inc

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

RECEIVED

FEB 01 2023

OFFICE OF
WATER

Date: _____



2437A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 14, 2017

Jerald A Peterson
46727 197th St
Bruce SD 57220

RE: Water Right Nos. 2437A-3, 3556-3A, 3556B-3, 4362-3, 4940-3, 4981-3, 5170-3 & 5443-3

Dear Mr. Peterson:

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

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right Nos. 2437A-3, 3556-3A, 3556B-3, 4362-3, 4940-3, 4981-3, 5170-3 & 5443-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 12, 2024

2437A-3, 3556A-3, 3556B-3,
4362-3, 4940-3, 4981-3, 5170-3 & 5443-3

Jerald A Peterson
46727 197th St
Bruce SD 57220

Dear Mr. Peterson:

Enclosed are the 2024 Irrigation Questionnaires for Water Right/Permit Nos. 2437A-3, 3556A-3, 3556B-3, 4362-3, 4940-3, 4981-3, 5170-3 & 5443-3.

The questionnaires were originally mailed to you on October 23, 2024. However, based on your telephone call to our office notifying us that you had not received the forms, they have been re-mailed.

This is a time sensitive matter. Please complete and return the enclosed questionnaires or submit your reports online at <https://danr.sd.gov/iq/> using this password **YATGQK**.

Sincerely,

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

enclosures