

WATER PERMIT NO. 30365A-3

MAP No. Same

Name of Applicant Floyd H. Peterson

Post Office Address RR1 Box 22, Hitchcock SD 57348

Amount of Water Claimed 1.64 cfs Total Acres 115

Source of Water Supply ground water / 4-11

Water to be used for irrigation County Spink

About 6 miles <sup>N</sup> of Hitchcock.

PROOF OF PUBLICATION: Received \_\_\_\_\_ Not Received \_\_\_\_\_

APPLICATION: Approved 3/4/87 Subject to \_\_\_\_\_

F.F.& C.L. Adopted \_\_\_\_\_ Not Approved \_\_\_\_\_ Deferred \_\_\_\_\_

PRIORITY Date Received Mar. 24, 1986 Fee \$225<sup>00</sup> Remarks \_\_\_\_\_

1/9/27 \_\_\_\_\_

Corrected Application Received Jan 9, 1987 Period of Annual Use Apr 1 - Oct 31

WATER QUALITY APPROVAL RECEIVED ☒ APPROVED ☒ ~~CONDITIONAL~~ (Circle one)

| WI-1 Description same as Application | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | REMARKS |
|--------------------------------------|-----------------------------------------|-----------------------------|---------|
|                                      |                                         |                             |         |

Diversion Point well: NE 1/4 SW 1/4 section 2 -

T114-V-R63W

Land to be Irrigated SW 1/4 SW 1/4 (10 ac) SW 1/4 SW 1/4 (25 ac)

NE 1/4 SE 1/4 (40a) SW 1/4 SE 1/4 (40a) section 2-T114N-

R63W

Area covered by  
16. 3465-34 3065A-3

Well Log: Driller Empire Drilling Licensed YES NO

Depth of Well 63 feet REMARKS log not available

Type of Map Aerial photo PREPARED BY Ken Duval Reviewed and the Number

assigned on January 10, 1987 By R. D. Duvall

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3065A-3

(1) Floyd H. Peterson of HC 75, Box 22, Hitchcock, SD 57348 made Application No. 3065A-3, March 24, 1986 for a water permit to appropriate 1.64 cubic feet of water per second from groundwater (one well), Spink County, South Dakota for irrigation purposes. Permit No. 3065A-3 with a priority date of January 9, 1987 was approved March 4, 1987 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before March 4, 1992 and for the application to beneficial use of said water on or before March 4, 1996.

Water Permit No. 3065A-3 authorized additional acreage developed but not covered under Water Permit No. 3065-3. The additional acreage carries a priority date of January 9, 1987.

The applicable portions of Water Permit No. 3065-3 have been incorporated into Water License No. 3065A-3. Priority dates, as they pertain to the acreage irrigated, are described in (3) of this License.

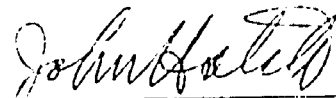
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.66 cubic feet of water per second for beneficial use. The location of the diversion point is: 1460'N and 1500'E of the SW corner of Section 2, T114N, R63W (NE 1/4 SW 1/4).

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

|                       |          |                          |
|-----------------------|----------|--------------------------|
| T114N, R63W Section 2 |          |                          |
| NE 1/4 SW 1/4         | 37 Acres | October 5, 1976 priority |
| SE 1/4 SW 1/4         | 37 Acres | October 5, 1976 priority |
| NW 1/4 SW 1/4         | 1 Acre   | October 5, 1976 priority |
| SW 1/4 SW 1/4         | 1 Acre   | January 9, 1987 priority |
| NW 1/4 SE 1/4         | 27 Acres | January 9, 1987 priority |
| SW 1/4 SE 1/4         | 27 Acres | January 9, 1987 priority |
| Total-----            |          | 130 Acres                |

October 5, 1976 priority established under No. 3065-3.  
January 9, 1987 priority established under No. 3065A-3.

(4) Pursuant to Section 46-5-30.1 Floyd H. Peterson of RR 1, Box 22, Hitchcock, SD 57348 the holder(s) and/or owner(s) of Incorporated Water Permit No. 3065A-3 is issued a license to appropriate water, the right to use 1.66 cubic feet of water per second from groundwater (one well) with priority dates of October 5, 1976 and January 9, 1987 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 3065A-3 and subject to South Dakota State Law.



AUG 5 1992

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

Mail to: Water Rights Div.  
DWNR, Foss Bldg.  
Pierre, SD 57501  
(605) 773-3352

No. 3065A-3 Hydrologic Unit 10160006  
Map No. same Basin James River  
Newspaper Redfield Press, Box 440 (Wed)

# Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

New ☒ Vested Right ☐ Future Use ☐

☐ Application to amend Permit No. 3065-3 with old priority date retained

☐ Change diversion point(s) ☐ Add diversion point(s) ☒ Change acreage ☐ Other ☐

☒ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)

☒ Add Acreage ☒ Increase diversion rate ☐ Other \_\_\_\_\_ See Permit No. 3065-3

☐ Application to: ☒ Use ☐ Transfer water reserved by Future Use Permit No. \_\_\_\_\_

1. Name of Applicant Floyd H. Peterson Phone No. 266-2747

Post Office Address RR 1 - Box 22, Hitchcock State SD 57548  
(Street, RR or Box) Zip Code

2. Amount of water claimed (c.f.s) 1.64 Total acres irrigated 115 new acres

3. Source of Water supply ground water

4. Location of point of diversion 1.460 ft. N. and 1.500 ft. E. of the S.W. corner.  
Sec. 2 - T14N - R63W

County Spink

5. Counties where water will be used Spink

6. Annual period during which water is to be used April 1 to October 31

7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

| Land Description         | No. Acres Irr. |
|--------------------------|----------------|
| NWSW Section 2 T14N R63W | 10             |
| SWSW Section 2 T14N R63W | 25             |
| NWSE Section 2 T14N R63W | 40             |
| SWSE Section 2 T14N R63W | 40             |

| Land Description | No. Acres Irr. |
|------------------|----------------|
|                  |                |
|                  |                |
|                  |                |
|                  |                |

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

The area that is being applied for is in excess of the 110 acres being held under water permit number 3065-3. The point of diversion being the same. The system will be a combination of center pivot and tow line.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map (see instruction)

ST: F SOUTH DAKOTA  
Co: Spink

I, F. H. Peterson the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Floyd H. Peterson

Subscribed and sworn to before me this 6th day of March 19 86

THIS HUBER Notary Public  
My Commission Expires OCT. 10, 1987

Notary Public or other qualified officer

# WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 3065A-3  
Floyd H. Peterson RR1, Box 22, Hitchcock  
 (Applicant) (Post Office Address)  
SD 57348 With the following qualifications.  
 (State) (Zip Code)

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.

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

Date of first receipt of application March 24, 1986.  
 Date of return to applicant for correction, amendments or changes required March 27, 1986.  
 Date of receipt of corrected application Jan 9, 1987. Approved March 4, 1987.

The Water Management Board hereby approves this Water Permit No. 3065A-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is January 9, 1987.
2. One-fifth of the work is to be completed on or before August 4, 1989.
3. The whole of said work is to be completed on or before March 4, 1992.
4. The time limit for proof of beneficial use of water is March 4, 1996.
5. The water appropriated shall be used for the purpose of irrigation.
6. 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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.64 cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served. For irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and 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 March 4, 1996; said water to be used during the following described annual period: April 1 - October 31.

WATER MANAGEMENT BOARD  
 By: John Hatch  
 Chief Engineer  
 Division of Water Rights  
 Dept. of Water and Natural Resources  
APR 30 1987, 1987

## Supplemental Information

(type or print in ink)

This information is stated  
in permit number 3065-3.

### 1. Well Information - Proposed construction

- a) Drill Hole Diameter \_\_\_\_\_ Depth 63 ft.
- b) Casing Type steel Diameter 16 in. Thickness \_\_\_\_\_
- c) Screen Type Johnson stainless steel Diameter 16 in. Thickness \_\_\_\_\_
- d) Gravel Pack Thickness \_\_\_\_\_ Length of Gravel Pack \_\_\_\_\_
- e) Depth to Top of Water Bearing Material 16 feet
- f) Depth of Water (ground surface to water level) 16 feet
- g) Distance to nearest existing domestic well:
- On applicants property 60 rds. On property owned by others 80 rds.

### 2. Dugout Information Estimates

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

### 3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

\_\_\_\_\_  
\_\_\_\_\_

b) Freeboard \_\_\_\_\_

c) Crest Width \_\_\_\_\_

Crest Length \_\_\_\_\_

d) Height \_\_\_\_\_

e) Outlet Dimensions:  
Pipe diameter \_\_\_\_\_

Spillway width \_\_\_\_\_

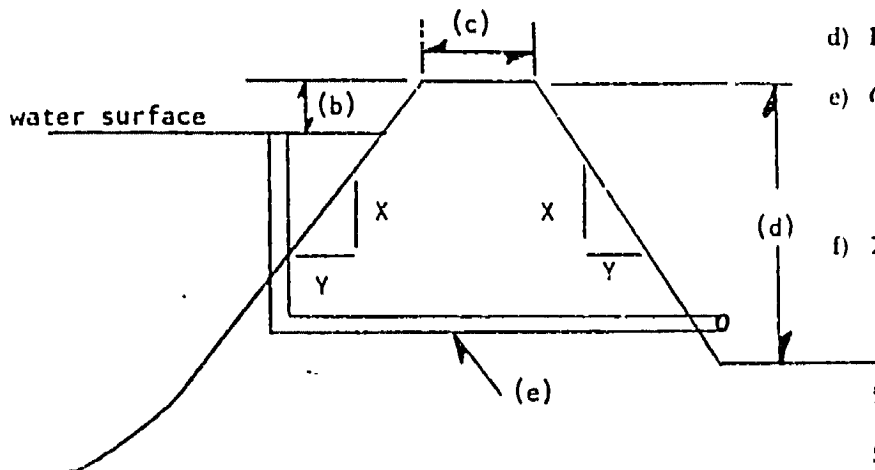
f) X & Y Slope  
Upstream \_\_\_\_\_

Downstream \_\_\_\_\_

Surface Area of Impoundment \_\_\_\_\_

Storage \_\_\_\_\_ acre feet

Drainage area above dam \_\_\_\_\_



*David H. Peterson*  
Signature of Applicant

Report on Application No. 3065A-3  
Floyd H. Peterson  
January 16, 1987

This application proposes to appropriate 1.64 cfs from an existing well 63 feet deep. The well is located in the NE 1/4 SW 1/4 Section 2 and is to be used to irrigate an additional 115 acres in the W 1/2 SE 1/4, W 1/2 SW 1/4 of Section 2, all in T114N-R63W.

Aquifer Tulare-Hitchcock (T-H)

The Tulare Hitchcock is a Pliestocene Age outwash (sand and gravel) aquifer which is under water table conditions. The aquifer underlies 96,000 acres in Spink County and contains an estimated 360,000 acre-feet of recoverable water (Hedges, et al., 1982). The aquifer also extends into Beadle County and underlies 53,800 acres and contains 33,000 acre-feet of recoverable water (Hedges, et al., 1982). The aquifer is hydraulically connected with the Tulare-Western Spink (T-WS) to the west and the James River to the east and south. The potentiometric surface (water level) slopes from west to east towards the James River, although, apparently any discharges to the James River are not significant enough to be discerned in the streamflow records (Kuiper, 1984). Recharge to the T-H comes from underflow from the T-WS and by direct infiltration of precipitation into the T-H.

Driller's logs for this area indicate saturated thicknesses vary from 30 feet to more than 60 feet with water levels from 14 to 21 feet below land surface. The Division of Water Rights monitors 3 observation wells (SP-77N, SP-80B, and SP-80D) which are within 2 miles of this application. Hydrographs (Water Rights Division, 1987) for these wells indicate that water levels have remained fairly stable but do show a 1-2 feet rise for 1986 which indicates a good recharge year. The water levels are the highest ever for the period of record for the 3 observation wells.

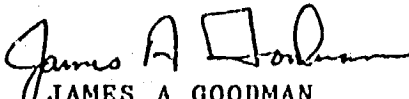
Water use estimates (irrigation report, 1985) indicate about 2400 acre-feet was used for irrigation in 1985. The estimated average annual recharge is approximately 6640 acre feet per year (Hedges, Etal, 1983). The recharge rate is calculated based upon a rate of .83 inches per year which is a "Best Fit" recharge rate which was developed from a computer analysis of the Tulare Aquifer system (Hedges, 1983).

Review of Existing Water Rights

There is one other irrigation well (Permit No. 4591-3) in the same section as this application. The irrigation wells are about 1800 feet apart. Both wells have been in use since 1981 with no apparent problems. Interference between wells should not be significant.

### Conclusions

1. Water is available from the T-H Aquifer in this area.
2. Water use for the T-H is quantified and recharge has been estimated. The estimated recharge is greater than the annual use. Hydrographs of the observation wells tend to verify these estimates.
3. Well interference should not be a problem. The aquifer is under water table conditions and drawdowns usually are not significant. The wells have been in use for a few years without apparent problems. Drawdowns in the observation wells are not significant.
4. A portion of the T-H Aquifer in Beadle County has been restricted by the Water Management Board. No further permit applications are being recommended by staff for approval in that area. This application will not affect that area in Beadle County.

  
JAMES A GOODMAN  
Hydrologist

### Bibliography

Hedges, L.S., S. L. Burch, D. L. Iles, R. A. Barari, R. A. Schoon, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for U.S. Army Corps of Engineers, DWNR, SDGS, Vermillion, SD, 57069

Hedges, L. S., J. H. Allen, D. E. Holly, 1983, Task 7 Ground Water Recharge, for U.S. Army Corps of Engineers, DWNR, SDGS, Vermillion, SD, 57069.

Kuiper, L. K., 1984, Appraisal of the Water Resources of the Eastern Part of the Tulare Aquifer, Beadle, Hand, and Spink Counties, South Dakota, Water Resources Investigations Report 84-4078, USGS, Huron, S.D.

Water Rights, 1987, Observation Well Files for SP-77N, SP-80B and SP-80D, DWNR, Division of Water Rights, Joe Foss Bldg., Pierre, S.D.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 3065A-3

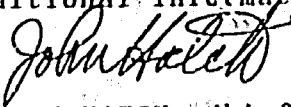
Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 3065A-3, Floyd H Peterson, RR 1, Box 22, Hitchcock SD.

The Chief Engineer is recommending APPROVAL of Application No. 3065A-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with 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.

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

See the attached report for additional information.

  
JOHN HATCH, Chief Engineer  
January 23, 1987



# Department of Water & Natural Resources

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

Water Rights Division  
605 773-3352

January 27, 1987

NOTE:

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

Floyd H. Peterson  
RR 1, Box 22  
Hitchcock, South Dakota 57348

Dear Mr. Peterson:

Your Application No. 3065A-3 for a permit to appropriate water for

irrigation use, has been examined and found to  
comply with the South Dakota Water Laws and applicable rules. A notice of  
your intent to appropriate water has been sent to the Publisher of the

Redfield Press

printed at Redfield

South Dakota. For your information, a copy of this notice, the recommendation  
of the Chief Engineer and a report on the application are enclosed. Please  
review this notice prior to publication and notify this office, if you have  
any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your notice  
of intent to appropriate water and to arrange for payment. Early contact with  
the paper can eliminate delays. The publisher has been instructed to publish  
your notice once each week for two consecutive weeks with the last publication  
to occur at least thirty days before the board meeting. We must receive  
Proof of Publication before the application can be considered by the Water  
Management Board.

Sincerely,

RON DUVAL  
Natural Resources Engineer

enclosures



# Department of Water & Natural Resources

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

Water Rights Division  
605 773-3352

January 27, 1987

Redfield Press  
Box 440  
Redfield, South Dakota 57469

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by Floyd H. Paterson  
Application No. 3065A-3, in Spink County, South Dakota. Please  
publish this notice once each week for two consecutive weeks in your paper. The  
first publication should be on, or before February 4, 1987.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you  
make the first publication. The applicant is to pay the cost of publication and  
should make the necessary arrangements with you to pay these costs.

A copy of BOTH publications must be sent to the Water Rights Division. IMMEDIATELY  
after the FIRST publication, return a copy of the notice with the FIRST Publication  
Transmittal form on the bottom of this page. The first copy is needed to check  
the publication for errors so any corrections can be made before the second  
notice is published.

Please be sure the SECOND publication is returned with the enclosed Proof of  
Publication form. The permit application cannot be considered by the Water  
Management Board until proof of publication has been received.

Thank you for your assistance.

Sincerely,

RON DUVAL  
Natural Resources Engineer

cc: applicant

\*\*\*\*\* CUT HERE \*\*\*\*\*

FIRST  
Publication  
Transmittal

No. \_\_\_\_\_

Date \_\_\_\_\_

TO: Water Rights Division  
Joe Foss Building  
Pierre SD 57501-3181

We are in receipt of your letter dated \_\_\_\_\_ and Notice of Hearing to  
Appropriate Water by Application No. \_\_\_\_\_. The notice was first published  
in our issue dated \_\_\_\_\_. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

NAME \_\_\_\_\_ NEWSPAPER \_\_\_\_\_

*Equal Opportunity Employer*

Instruction to Newspaper - Publish first publication of the following Notice on or before February 4, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 3065A-3 to Appropriate Water and/or to Amend Water Permit or Water Right No. \_\_\_\_\_

Notice is hereby given that Floyd H. Peterson whose mailing address is RR-1, Box 22, Hitchcock, South Dakota has made an application for a permit to appropriate 1.64 cubic feet of water per second from one well (Tulare-Hitchcock Aquifer) 63 feet deep. The well is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 2 and is to be used to irrigate 115 acres in the W $\frac{1}{2}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$  Section 2 all in T114N, R63W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 3065A-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216 Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, March 4, 1987 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 20, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; (ground) 46-6-3, 46-6-3.1, 46-6-5.1, 46-6-10, 46-6-13, 46-6-14; (future use) ~~46-5-38 thru 46-5-40; (transf. lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-3.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg. Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 20, 1987.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )

County Spink )

No. 28

NOTICE OF HEARING

I, Roger Matz  
certify that the annexed printed copy of Notice  
Water was taken from the Redfield

A newspaper which during the whole time of  
herein after stated, has been and is printed and

City of Red

County of Spink and  
that the said notice was published in said new-  
two dates:

February 4, 1987

February 11, 1987

Roger Matz  
(Signature)

Publisher  
(Title)

February 11,  
(Date Signed)

Cost of Printing: 39.24

Notice is hereby given that Floyd H. Peterson whose mailing address is RR 1, Box 22, Hitchcock, South Dakota has made an application for a permit to appropriate 1.64 cubic feet of water per second from one well (Tulare-Hitchcock Aquifer) 63 feet deep. The well is located in the NE 1/4 SW 1/4 Section 2 and is to be used to irrigate 115 acres in the W 1/2 SE 1/4, W 1/2 SW 1/4 Section 2 all in T114W, R63W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 3065A-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, March 4, 1987 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 20, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.1, 46-5-31; 46-6-1, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg, Pierre SD (605-773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with Chief Engineer by February 20, 1987.

(Feb. 4, 11)



Permit No. 3065A-3 ; 3065-3James River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Floyd H. Peterson  
 of Rt. 1 Box 22 Hitchcock, SD 57348 holder of  
 Permit No. 3065-3 , bearing the priority of October 5, 1976 January 9 1987 authorizing  
 the diversion of 1.56 & 1.64 cu. ft. per second of the waters of Groundwater  
 for Irrigation purposes, in Spink County.

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

## A. Works used to divert the water:

Western Land Roller 8" Pump with  
60 Hp. U.S. Electric Motor

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

1000 ft. Buried 8" PVC Pipe

## C. Works used to apply water to beneficial use:

Reinke 8 tower Center Pivot

The system is in the following condition GoodThe point of diversion is located 1460 ft. North & 1500 ft East of the  
SW corner of Sec. 2-T14N-R63W (NE1/4 SW1/4)The works are capable of diverting and conveying to the place of use 1.66 (750 gpm)  
 cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: Sec. 2-T14N-R63W

|                             |                             |
|-----------------------------|-----------------------------|
| <u>October 5, 1976</u>      | <u>January 9, 1987</u>      |
| <u>NE1/4 SW1/4 - 37 Ac.</u> | <u>NW1/4 SE1/4 - 27 Ac.</u> |
| <u>SE1/4 SW1/4 - 37 Ac.</u> | <u>SW1/4 SE1/4 - 27 Ac.</u> |
| <u>NW1/4 SW1/4 - 1 Ac.</u>  | <u>SW1/4 SW1/4 - 1 Ac.</u>  |

comprising a total of 130 acres of land and the license should be issued for 1.66 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: \_\_\_\_\_ Date Sept. 17, 1991

Timothy G. Richard  
 (signature)

LICENSE FOR PERMIT NUMBER 3065A-3 & 3065-3

1. Legal location of wells: 1460 ft. North & 1500 ft. East of the  
SW corner of Sec. 2-T114N-R63W (NE 1/4 SW 1/4)  
dams & structures: \_\_\_\_\_

2. Well Information: Well Drilling Firm \_\_\_\_\_

Completion Report Yes \_\_\_ No X No. of Wells 1 Depth 63 ft.  
Casing a) diameter 16 inch Screen a) type Johnson Stainless Steel  
b) length 43 ft. b) length 20 ft.  
c) type Steel Static Water Level \_\_\_\_\_  
Pump a) make Western Land Roller Motor a) make US Electric  
b) model \_\_\_\_\_ b) model No. \_\_\_\_\_  
c) size 8 inch c) horsepower rating 60 Hp  
d) capacity 750 gpm  
e) turbine pump - no. of stages \_\_\_\_\_  
f) operating PSI \_\_\_\_\_

3. Distribution lines or canals

a) size 8 inch  
b) type Buried PVC  
c) length 1000 ft.

4. Dam Information:

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

5. System Type a) sideroll:

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

c) gun

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

e) gated pipe

- 1) length \_\_\_\_\_
- 2) diameter \_\_\_\_\_
- 3) spacing of gates \_\_\_\_\_

f) portable boom

- 1) make \_\_\_\_\_
- 2) nozzle size \_\_\_\_\_
- 3) capacity (GPM) \_\_\_\_\_

b) towline:

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

d) center pivot

- 1) make Reinke Electrigator
- 2) number of towers 8
- 3) distance between towers \_\_\_\_\_
- 4) overall length 1320 ft
- 5) end gun (Y/N) Yes
- 6) high or low pressure High
- 7) make & size of nozzles \_\_\_\_\_

- 8) capacity (GPM) 750 gpm

g) siphons

- 1) size \_\_\_\_\_
- 2) number \_\_\_\_\_

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

Indicate any other permit(s) which are associated with project 3065-3

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

REMARKS:

3065A-3



# COOPERATIVE EXTENSION SERVICE

BEADLE COUNTY EXTENSION CENTER  
P.O. BOX 36  
HURON, SD 57350-0036

3rd & LINCOLN  
FAIRGROUNDS  
PHONE: (605) 352-8559

March 21, 1986



TO: South Dakota Water Commission

FROM: Dick Fadgen, Extension Agent/Agriculture

I am not aware of the specific acres that are covered under the existing irrigation permit No. 3065-3 for the SW 1/4 and the West 1/2 of SE 1/4 of section 2 - 114 N - 62 W in Spink County.

The request is for an additional 115 acres to cover the remaining tillable acres located in the above description. The area proposed is to be irrigated by 2 sprinkler systems -- towline and center pivot without any additional water source.

Sincerely,

Dick Fadgen  
Extension Agent/Agriculture

DF:mb

*agriculture*

*4-H*

*home economics*

Cooperative Extension Service • South Dakota State University • U.S. Department of Agriculture

3065A-3



# Department of Water & Natural Resources

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

WATER RIGHTS DIVISION  
(605) 773-3352

March 27, 1986

Floyd H. Peterson  
RR 1, Box 22  
Hitchcock, South Dakota 57348

Dear Mr. Peterson:

This letter is in response to your water permit application which was received March 24, 1986. The following items must be completed before the application can be processed:

1. The application fee for 115 acres is \$225.00. The enclosed instruction sheet outlines the fee structure.
2. Enclosed is a copy of the permit application. I have filled in No. 7 according to the aerial photos and lands irrigated under Water Right No. 3065-. The lands listed on No. 3065-3 are the NW $\frac{1}{4}$ SW $\frac{1}{4}$ -30 acres, NE $\frac{1}{4}$ SW $\frac{1}{4}$ -40 acres, SE $\frac{1}{4}$ SW $\frac{1}{4}$ -40 acres, all in Section 2-T114N-R63W. The total combined acreage on No. 3065-3 and the permit application is 225 acres. Please make any needed corrections to the acreage listed in item No. 7 on the permit application.
3. I have also enclosed a WI-1 form (Soil and Water Compatibility). If you have already sent in a WI-1 form please disregard the enclosed form. Soil and Water Compatibility approval is necessary before a permit application can be approved.
4. A well driller's log of the well must also be submitted with the permit application.

Please review the enclosed material, make any corrections, and return the permit application with the \$225.00 filing fee. The WI-1 form can be sent to the Division of Conservation. Contact the Division of Water Rights if you have any questions.

Thank you for your time and consideration.

Sincerely,

Ron Duval  
Natural Resources Engineer

RD:ms  
Enc.

3065A-3

WATER RIGHTS DIVISION  
(605) 773-3852

September 16, 1986

Floyd H. Peterson  
RR 1, Box 22  
Hitchcock, South Dakota 57348

Dear Mr. Peterson:

I am writing in response to our telephone conversation on September 16, 1986, regarding the status of your permit application.

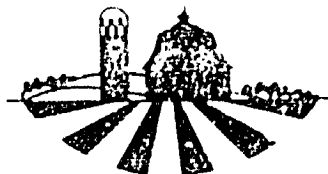
Enclosed is a Soil and Water Compatibility Permit Application which needs to be completed, signed, and notarized. Please contact the Division of Conservation if you have any questions.

Sincerely,

Ron Duvall  
Natural Resources Engineer

RD:ms  
Enc.

3065A-3



# Department of Agriculture

DIVISION OF CONSERVATION  
Anderson Building • Pierre, South Dakota 57501  
Phone 605/773-3258



December 31, 1986

Floyd Peterson  
RR 1, Box 22  
Hitchcock, SD 57348

Dear Mr. Peterson:

In reviewing your soil and water compatibility application for the NW1/4 SW1/4; SW1/4 SW1/4; NW1/4 SE1/4; SW1/4 SE1/4 2-114-63 = 115 acres the irrigation staff is recommending Approval with Requirements of your application to the State Conservation Commission at their January 8, 1987 meeting. The Approved with Requirements recommendation is based on the total salt load of the water and the clay contents of the soil.

The Requirements and Management Recommendations are as follows:

## REQUIREMENTS:

The area mapped as 31, Cavour-Tetonka Complex is subject to poor drainage and limited salt leaching, both of which may adversely effect the soil and crops. For this reason, adequate internal drainage is required which may include the installation of artificial drainage i.e. tile drainage.

## MANAGMENT RECOMMENDATIONS:

We recommend a form of conservation tillage be used to reduce erosion and conserve moisture.

We also recommend the use of a deep ripper to improve the water movement through the soil and enhance the leaching of salts.

Finally, we recommend that you establish a soil monitoring program to establish salt movements and management decisions.

Sincerely,

Jim Stukel  
Land Management Supervisor

cf



# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501

Water Rights Division  
605 773-3352

APR 30 1987

Floyd R. Peterson  
RR 1, Box 22  
Hitchcock, South Dakota 57348

Dear Mr. Peterson:

Enclosed herewith is your Water Permit No. 3065A-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 3065A-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Division

JH:ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83



NOTICE OF COMPLETION OF WORKS AND/OR  
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Sioux Falls

Date 11-21-87

TO: Water Rights  
Joe Foss Building  
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. \_\_\_\_\_.

Water Right Permit No. 306-S-A-3 states that the diversion system is to be constructed by \_\_\_\_\_, and that the water is put to beneficial use by \_\_\_\_\_.

The diversion system was completed on \_\_\_\_\_. Applying the water to beneficial use was completed on \_\_\_\_\_.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Wm. G. Sullivan  
(Signature)

*P.S. I think it has already  
been inspected*

WWR-810-7/19  
Notice of Completion of Works and/or  
Application of Water to Beneficial Use



# Department of Water & Natural Resources

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

December 3, 1987

Floyd Peterson  
RR #1 Box 22  
Hitchcock, SD 57348

Dear Mr. Peterson:

Enclosed is your 1987 Irrigation Water Use Questionnaire. In order to determine the amount of water used under your permit during 1987, you will need to supply us with more information than just the crop and acres irrigated.

Please complete the columns marked # days pumped, average # hours per day, and average pump rate (gpm). The questionnaire should be completed and returned to our office by December 30, 1987. If you have any questions, please contact me.

Sincerely,

GENNY MCMATH  
Natural Resources Analyst

encl

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

FLOYD H PETERSON  
RR 1 BOX 22  
HITCHCOCK, SD 57348

3065A-3

4a. Article Number

P 906 557 755

4b. Service Type:

- ☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2/4/92

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

Floyd H Peterson

6. Signature (Agent)

[Signature]

PS Form 3811, November 1991 U.S. GPO: 1991-237-056

**DOMESTIC RETURN RECEIPT**



3065A-3

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

FLOYD H PETERSON  
RR 1 BOX 22  
HITCHCOCK SD 57348

NOTICE

RE: Violation of Water Permit No(s) 3065A-3 & 5421-3

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 3065A-3 & 5421-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 3065A-3 & 5421-3 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 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 SDCL 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) 3065A-3 & 5421-3 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 before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV  
Water Rights Division  
605 773-3352



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3181

February 20, 1992

3065-3  
3065A-3  
5421-3

Floyd H Peterson  
HC 75 Box 22  
Hitchcock, SD 57348

Dear Mr. Peterson:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 3065-3, 3065A-3 and 5421-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

If you have any questions, please contact me at (605) 773-3352.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath  
Natural Resources Analyst  
Water Rights Division



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

March 12, 1992

3065A-3

Floyd H Peterson  
RR #1 Box 22  
Hitchcock, SD 57348

Dear Mr. Peterson:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 3065A-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Genny McMath  
Natural Resources Analyst  
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, March 20, 1992

RECEIVED OF Janice J Peterson, HC 75 Box 22, Hitchcock, SD 57348

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

|                                                                                                                            |    |    |
|----------------------------------------------------------------------------------------------------------------------------|----|----|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____ |    |    |
| Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____                                         |    |    |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                                     |    |    |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>506SA-5</u>               | 50 | 00 |
| Fee for Filing Transfer Form _____                                                                                         |    |    |
| Fee for Filing Extension Request _____                                                                                     |    |    |
| Fee for Certified Copy of _____                                                                                            |    |    |
| Fee for Print Copy of Map _____                                                                                            |    |    |
| Fee for Certifying _____                                                                                                   |    |    |
| Fee for _____<br>(Any Other Work Provided by Law)                                                                          |    |    |
| Total                                                                                                                      | 50 | 00 |

By *John H. H. H. H.*  
Chief Engineer



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

AUG 5 1992

3065A-3

Floyd R. Peterson  
HC 75, Box 22  
Hitchcock, SD 57348

Dear Mr. Peterson:

Enclosed is Water License No. 3065A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413134 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 3065A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

enclosures

NOTE: The applicable portions of Water Permit No. 3065-3 have been incorporated into Water License No. 3065A-3.

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, \_\_\_\_\_ April 1, 19 86

RECEIVED OF Floyd H. Petersen, Route 1, Box 22, Hitchcock, SD 57348

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

|                                                                                                                                     |       |        |
|-------------------------------------------------------------------------------------------------------------------------------------|-------|--------|
| Fee for Application for Permit No. <u>3065A-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____ | 225   | 00     |
| Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____                                                  |       |        |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                                              |       |        |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____                                 |       |        |
| Fee for Filing Transfer Form _____                                                                                                  |       |        |
| Fee for Filing Extension Request _____                                                                                              |       |        |
| Fee for Certified Copy of _____                                                                                                     |       |        |
| Fee for Print Copy of Map _____                                                                                                     |       |        |
| Fee for Certifying _____                                                                                                            |       |        |
| Fee for _____                                                                                                                       |       |        |
| (Any Other Work Provided by Law)                                                                                                    | Total | 225 00 |

By John Hatch  
Chief Engineer JOHN HATCH (ES)

3065A-3

Department of Agriculture  
W111  
12/85

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

WR#

OWNERS NAME: Eloyd H. Peterson OWNERS ADDRESS: RR1, Box 22  
Hitchcock SD 57348

COUNTY LAND LOCATED IN: Spink PHONE: 261-2747

TENANT'S NAME AND ADDRESS: \_\_\_\_\_

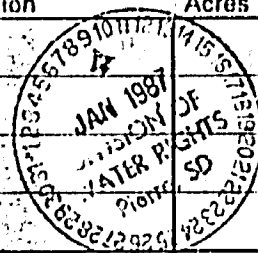
LEGAL DESCRIPTION: (Show Legal Descriptions to Nearest 10 Acres)

1. WELL LOCATION 1400' N and 1500' E from SW corner sec 2-T114N-R63W  
Depth 63 ft

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: \_\_\_\_\_

Diversion Location \_\_\_\_\_

| Legal Description              | Acres     | Legal Description | Acres |
|--------------------------------|-----------|-------------------|-------|
| <u>NW 1/4 sec 2-T114N-R63W</u> | <u>10</u> |                   |       |
| <u>SW 1/4 SW 1/4</u>           | <u>25</u> |                   |       |
| <u>NW 1/4 SE 1/4</u>           | <u>40</u> |                   |       |
| <u>SW 1/4 SE 1/4</u>           | <u>40</u> |                   |       |



3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED 76

LEGAL DESCRIPTION: SW 1/4 sec 2-T114N-R63W

IN WHAT NAME: Dwaine Gross

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY: \_\_\_\_\_ TOWLINE: ☒ CENTER PIVOT: ☒ GUN: \_\_\_\_\_ OTHER: \_\_\_\_\_ (Specify) \_\_\_\_\_

6. CROPS TO BE IRRIGATED: \_\_\_\_\_

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 1 86-0882 10. ADJUSTED (SAR): 2.14  
8. SALINITY (EC X 10<sup>3</sup>): 1650 11. PERCENT SODIUM: 13.47  
9. SODIUM (SAR): 1.05

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at \_\_\_\_\_ a.m./p.m., on \_\_\_\_\_ 19\_\_\_\_, at the following location: \_\_\_\_\_ by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature, of Water Sampler.

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

4th DAY OF Nov, 1986

Walter E. Christ  
(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

☒ APPROVED

☐ DISAPPROVED

☐ WAIVER

☒ REQUIREMENTS

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

3065A-3

MANAGEMENT FORM

4190

APPROVED with Requirements

NAME OF APPLICANT: Floyd Peterson

LEGAL DESCRIPTION: NW1/4 SW1/4; SW1/4 SW1/4; NW1/4 SE1/4; SW1/4 SE1/4 2-114-63 = 115 acres

REQUIREMENTS:

The area mapped as 31, Cavour-Tetonka Complex is subject to poor drainage and limited salt leaching, both of which may adversely effect the soil and crops. For this reason, adequate internal drainage is required which may include the installation of artificial drainage i.e. tile drainage.

MANAGEMENT RECOMMENDATIONS:

We recommend a form of conservation tillage be used to reduce erosion and conserve moisture.

We also recommend the use of a deep ripper to improve the water movement through the soil and enhance the leaching of salts.

Finally, we recommend that you establish a soil monitoring program to establish salt movements and management decisions.

1-8-87  
DATE

*Carl M. Felt*  
SIGNATURE

3065A-3

The range number was given as 62 W and should have been 63 W. This was a typographical error that was not caught.

Enclosed is a check to cover the additional land request for irrigation permit.

Dick Fzden  
Extension Agent  
Huron, S. D. 57350

N

1 inch = 377 ft.

Floyd H Peterson

Rt 1 Box 22

Hitchcock, So. Dak. 57348

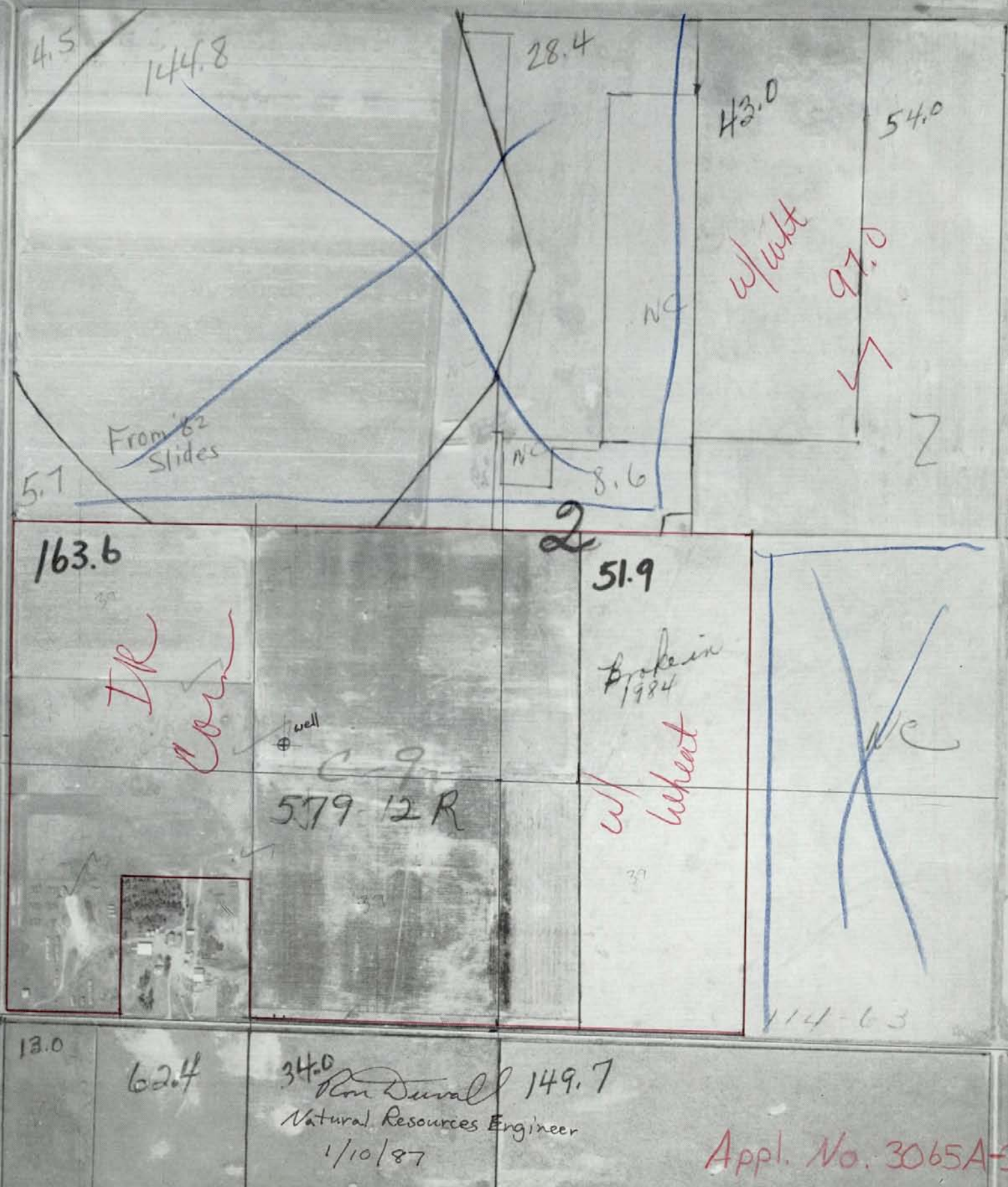
South one-half ( $\frac{1}{2}$ ) of Section 2 114 N - 62 W Spink County

+ Well

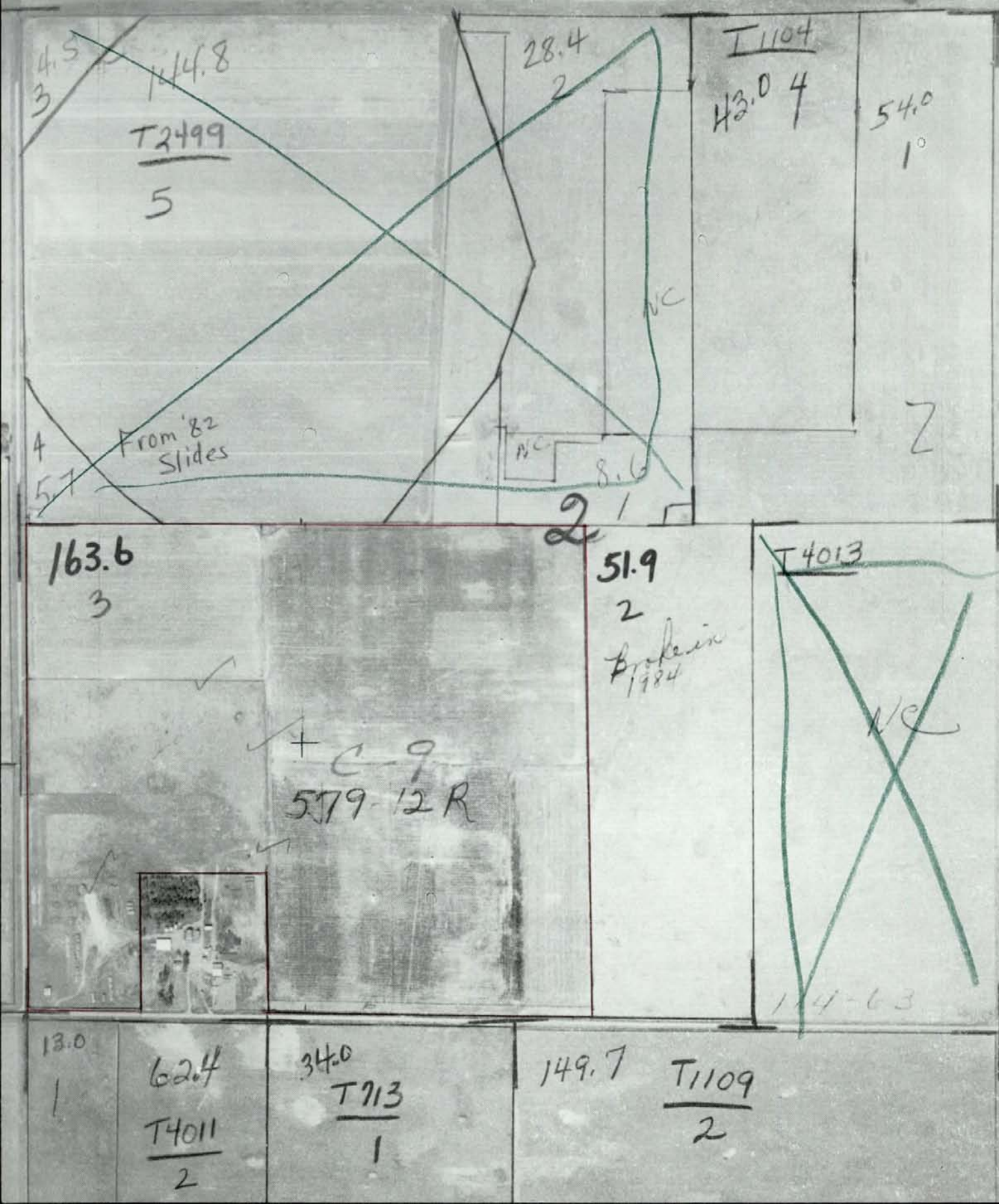
Bldg. site

A combination of center pivot & towline.

NOT TO SCALE



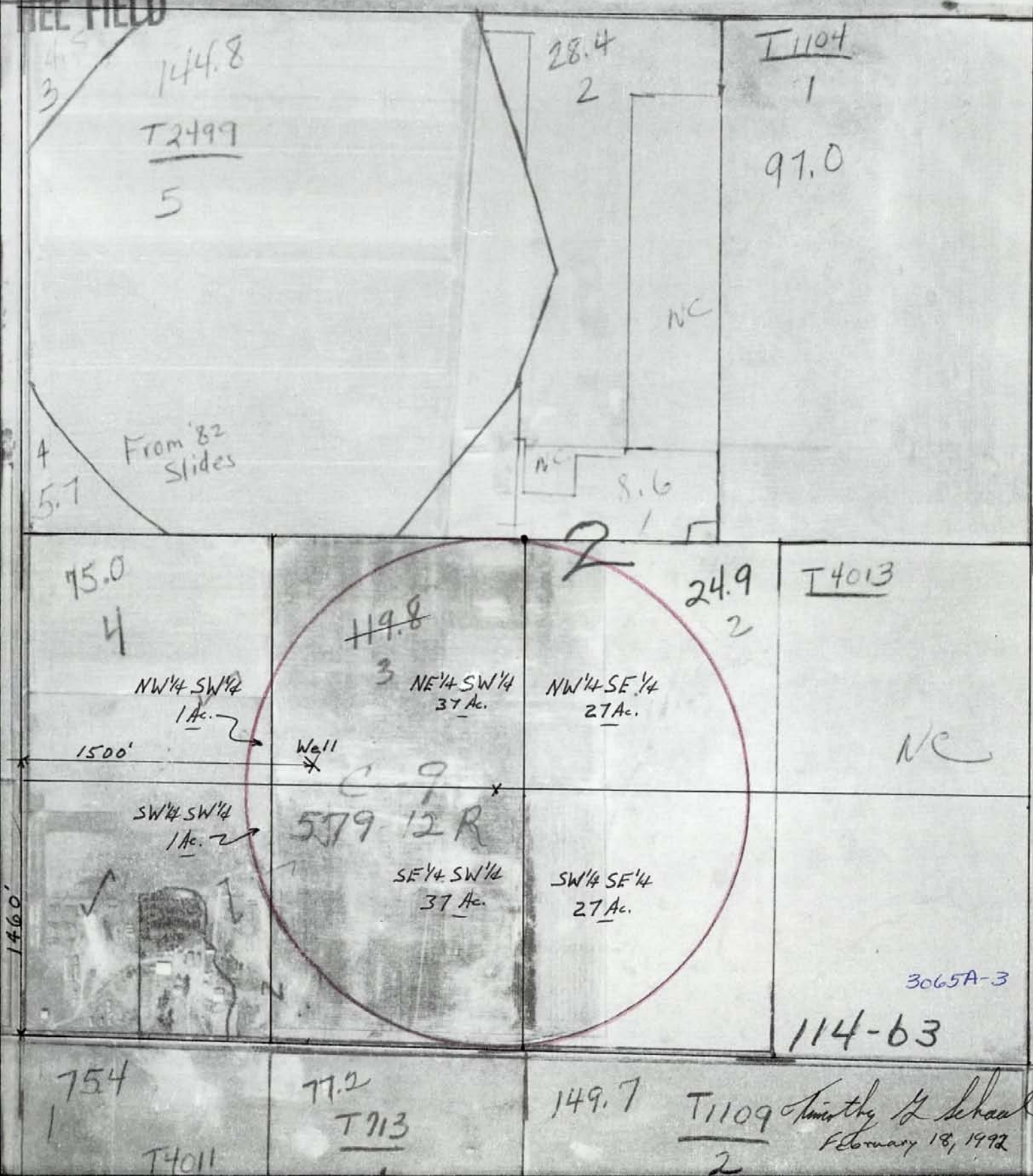
NOT TO SCALE



3065A-3

NOT TO SCALE

HILL FIELD





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

OCT 30 2008

3065A-3  
3065B-3

Lenny Peterson  
Peterson Farms  
19111 Maple Ave  
Hitchcock SD 57348

Dear Mr. Peterson:

Enclosed is your Water License No. 3065B-3. This is the final water right document completing your process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized under Water Right No. 3065B-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 Licenses, 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

Note: The applicable portions of Water Permit No. 3065A-3 were incorporated into Water License No. 3065B-3.