

Water Right Number 3859.3

1. Considered 5-25, 19 77
2. Name of Applicant MARGARET ANN PETERSON
3. Post Office Address LITTLETON, COLO
4. Amount of Water claimed 1.14
5. Source of Water supply 90' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 80
7. Water to be diverted and used in UNION County
about 4N, 6W miles of ELK POINT
8. Proof of Publication
Received 5-2-77
Not Received
9. Application
Approved
Subject to
Not Approved
Action Deferred
10. Remarks:

No. 3257-3
 Map No. 311B-3 Water Division No. 3 BIG SIOUX RIVER District
 (Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable)

1. Name of Applicant Margaret Ann Peterson
 Post-office address Littleton, State Colorado
 If a corporation, give date and place of incorporation No
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
 3. Name of diversion work Peterson Irrigation Project
 4. Amount of water claimed (cubic feet per second) 2.7 CFS 1.74 MCM AVAILABLE
 5. Source of water supply Well
 6. Location of point of diversion 2570' West, and 2640' North of SE Corner of Section 31,
T92N R50W, all in
South Dakota County Union
 7. Annual period or periods during which water is to be used June through September
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 9. For irrigation use, Total number of acres to be irrigated 427 80

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.	Land Description	No. Acres Irr.
SW 1/4 & NW 1/4	80		
Sec 31, T92N R50W	427 80 acres		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Leader-Courier, Elk Point, S.D.
 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

Center PivotEstimated Total Cost \$ 10,000.00

Attachments: Attach Form 2A if diversion from a well or dugout or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Union

I, Margaret Ann Peterson, the applicant, certify that I have read the foregoing application and 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 Margaret Ann PetersonSubscribed and sworn to before me this 22 day of February, 1977

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3859-3

MARGARET ANN PETERSON
(Applicant)

5354 S. CAMMERON RD., LITTLETON
(Post Office Address)

COLORADO 80123
(State)

With the following modifications:

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application MARCH 7, 19 77
Date of return to applicant for correction, amendments or changes required _____, 19 ____
Date of receipt of corrected application APRIL 4, 19 77
Approved MAY 25, 19 77, Recorded in Book 16 Page 261

WATER RIGHT PERMIT NO. 3859-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3859-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is MARCH 7, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 25, 19 79
3. The whole of said work is to be completed on or before MAY 15, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 25, 19 82
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, lawfully acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.14 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, and if for the irrigation purposes said appropriation must be limited to not more than 3 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 MAY 25, 19 82; said water to be used during the following described annual period: JUNE THROUGH SEPTEMBER

Witness my hand this 12TH day of JUNE, 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill hole, Diameter 30 inches, Depth 90 feet
- (2) Casing, Type Transite Diameter 16" I.D. Thickness 3/4 inch
(wood, concrete, steel, etc)
- (3) Perforated Screen
Type 1/8 inch Slotted, Diameter 16" I.D., Length 20 feet
- (4) Gravel Pack, Thickness 6-9 inches, Length of gravel pack 20+ feet

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials (Please attach a copy to test well log if available.)

Character of Water bearing materials water bearing Gravels and Rock

Depth to top of water bearing material 20 feet

Depth to bottom of water bearing material 90 feet

Thickness of water bearing material 70 feet

Depth to water (ground surface to water level) 14 foot drawdown

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 170 rds. On property owned by others 180 rds.

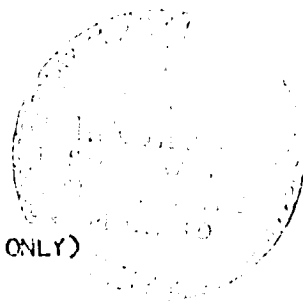
G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Margaret L. Peterson
Signature of Applicant

CONSERVATION
COMMISSION
FORM W1 #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME Margaret Ann Peterson
ADDRESS 5354 S. Cimarron Rd. Littleton, Colo. 80120
COUNTY Union

LEGAL DESCRIPTION

1. WELL LOCATION SW 1/4 NE 1/4 Sec 31 92-50
2. LOCATION OF AREA TO BE IRRIGATED SW 1/4 NE 1/4 and NW 1/4 SE 1/4 Sec 31-92-50

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn, beans, small grain ETC

WATER QUALITY

5. SAMPLE NUMBER 77-366
6. SALINITY (EC X 10⁶) 1640 (high)
7. SODIUM (SAR) 0.93 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from Union Conservation District,
County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true
and correct.

Margaret Ann Peterson
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
22 DAY OF February 19 77.

[Signature]
TITLE OR SEAL
Notary Public

Alfred J. [Signature]
APPROVED/COMMISSIONER

(SOILS INFORMATION ON REVERSE SIDE)

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Margaret Ann Tetersen Date Rec'd March 2, 1977
Address: 5354 S. Cimarron Rd. Sample No. 77-366
Littleton, Colorado 80123 Identification Well-
HEA, Sec. 31, T 92N, R 50W

WATER ANALYSIS

Calcium (Ca)	243	ppm*	12.15	me/l**
Magnesium (Mg)	40	ppm	3.28	me/l
Sodium (Na)	59	ppm	2.57	me/l
Potassium (K)	8	ppm	0.21	me/l
Sulfate (SO ₄)	670	ppm	13.94	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	40	ppm	1.13	me/l
Bicarbonate (HCO ₃)	342	ppm	5.60	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	280	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1640	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.93			
Sodium	14.11	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.22			
Others:				

*ppm=parts per million

**me/l=millequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 18.21 me/l
Total anions 20.67 me/l

By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-366 Amount Enclosed \$

Signed

March 22, 1977

Mr. Margaret A. Peterson
5354 S. Clemens Rd.
Littleton, CO 80123

Dear Ms. Peterson:

Your water sample (Lab. No. 77-366) has been analyzed and the results are reported on the accompanying sheet, which is your copy to keep.

I am also enclosing a copy of AES pamphlet #13 for your use. The quality of your water for irrigation use is plotted approximately by means of the red cross in the chart on the outside back cover.

This water is marginal for use on the soils you intend to irrigate and should be considered for use only under the following conditions:

(1) It will be used no more than 3 times (preferably less) in any growing season.

(2) The soil will be completely filled with water so natural leaching can occur, by irrigating in the late fall just before freeze-up, at least one year out of 3.

(3) Water applications will be made each irrigation to completely re-ut the entire depleted soil within the rooting zone of the crop being grown. This may require 3-5 inches of water each irrigation with fine soils.

(4) If a salt problem or soil dispersion occurs, contact extension personnel or this office for management recommendations.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb

Enclosure

cc: State Conservation Commission
D. Pahl, Extension Service

Send advertising
notice to:

Robert E. Sonnelly
R.R.

Burham, Ala 37010

2050-2

No. 1541 77

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501 77

Margaret Ann Peterson

near the center

of Section _____, Twp. _____, Range _____. Said water to be used for the purpose of providing irrigation on the following described land:

This application No. _____ will be considered by the Water Rights Commission at their office at Pierre upon the _____ day of _____, 19____, at _____ M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERBORN

Water Rights Specialist

BFJ/Robert E. Donnelly, R.R., Burbank, SD 57010
CC:

No. 3859-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester E. Emerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leader Courier

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

City of Elk Point

County of Union and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

April 21, 1977

April 28, 1977

Lester E. Emerson
(Signature)

Publisher
(Title)

April 28, 1977
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER)-24
Pierre, South Dakota 57501
April 7, 1977

Notice is hereby given that
Margaret Ann Peterson whose
post office address is Littleton,
Colo., has made an application
in accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 1.14 cubic feet of
water per second of time from
ground water through the Peter-
son #1, the point of diversion of
which is to be located near the
center of Section 31, Twp. 92N,
Range 50W. Said water to be used
for the purpose of providing irr-
igation on portions of the follow-
ing described land:

SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31,
T92N, R50W.

This application No. 3859-3
will be considered by the Water
Rights Commission at their off-
ice at Pierre, upon the 25th, day
of May, 1977, at 10:00 A.M. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION

By James Winterton
Water Rights Specialist
Pub. April 21, 28.



Form 10.

No. 3859-3

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

Post Office 5354 S. Cimarron Rd., Littleton,
Colorado

Date 4-3-78

TO: Water Rights Commission
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 the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 3859-3.

Water Right Permit No. 3859-3 states that the diversion system is to be constructed by June 1, 19 77 and that the water is to be put to beneficial use by July 1, 19 77.

The diversion system was completed on June 1, 19 77.
Applying the water to beneficial use was completed on July 1,
19 77.

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.



Margaret Ann Peterson
(Signature)



3859-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

September 4, 2002

3859-3

James Donnelly
47068 322nd St
Elk Point SD 57025

Dear Mr. Donnelly:

On June 18, 2002, an investigation of the water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 3859-3 (Margaret Ann Peterson), was completed by Ron Duvall, a staff engineer with our program. The final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing the water license. The check or money order for the fee should be made payable to the "Water Rights Program".

A licensed water right is similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

Following the investigation, Ron indicated that I should be directing the annual irrigation questionnaire to you rather than to Ms. Peterson. I will include a form for this water right along with the four you currently receive. The annual questionnaires are scheduled for mailing in mid October.

If you have any questions regarding the water permit, investigation of the water use system or payment of the fee, please contact me.

Sincerely,

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date SEPTEMBER 9, 2002

RECEIVED OF James Donnelly, 47068 322nd St., Ell Point SD 57025

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. <u>3859-3</u>			
Fee for Filing Transfer Form _____			
Fee for _____			
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____			
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____			
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____			
(Any Other Work Provided by Law)	TOTAL		
	50.00		

No.

By

Michael Erbe

Chief Engineer

003212

g m

Permit No. 3859-3
Big Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, June 18, 2002, made a thorough examination of the water use system constructed by Margaret Ann Peterson of 5951 S Camargo Way, Littleton CO 80123 holder of Permit No. 3859-3, bearing the priority of March 7, 1977 authorizing the diversion of 1.14 cu. ft. per second of the waters of ground water for irrigation purposes, in Union County.

Inspection contact & relationship to permit holder, if applicable: **James Donnelly, Brother**
47068 322nd Street
Elk Point SD 57025

Note: Send annual irrigation questionnaire to James Donnelly

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: unknown
- 2) No. of Wells 1
- 3) Depth(s) 81 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 16 inches
- 2) Type steel

Screen:

- 1) Type unknown

Pump:

- 1) Make Randolph
- 2) Model F80
- 3) Serial No. 32739

Motor:

- 1) Make Ford V200, 8 cyl diesel
- 2) Serial No. 96B10852

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 1,800 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Electrogator (towable)
- 2) Number of towers 8
- 3) End gun Y
- 4) High or low pressure high
- 5) Capacity 900 GPM

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: none

Report of Examination of Works

Permit No. 3859-3

The system is in good condition with the point of diversion located as follows: Well (NW¼SE¼): 70 feet E from the center of section 31-T92N-R50W (Lat 42.74269 Long -96.7957). The works are capable of diverting and conveying to the place of use 2.00 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows: All in sec 31-T92N-R50W

SW¼NE¼ 36 acres

NW¼SE¼ 36 acres

comprising a total of 72 acres of land and the license should be issued for 1.02 cfs.

Comments or other permit(s) associated with the project: none | All structures, wells and lands on map Y



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: September 3, 2002

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3859-3

(1) Margaret Ann Peterson, 5951 S Camargo Way, Littleton, CO 80123 made Application No. 3859-3, March 7, 1977 for a water permit to divert 1.14 cubic feet of water per second from ground water (one well), Union County, South Dakota for irrigation purposes. Permit No. 3859-3, with a priority date of March 7, 1977 was approved May 25, 1977 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 25, 1982 and the application to beneficial use of water on or before May 25, 1982.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, Margaret Ann Peterson the holder and/or owner of Water Right No. 3859-3 is issued a license, bearing a priority date of March 7, 1977 to appropriate 1.02 cubic feet of water per second from ground water (one well) to irrigate 72.00 acres.

The diversion point is located 70'E of the center of Section 31, T92N, R50W (NW ¼ SE).

The acres authorized for irrigation are as follows:

Section 31, T92N, R50W	
SW ¼ NE ¼	36.0 acres
NW ¼ SE ¼	<u>36.0 acres</u>
Total	72.0 acres

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 3859-3 including the following qualification:

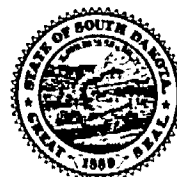
- The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

Garland Erbele

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

SEP 17 2002

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 17 2002

3859-3

James Donnelly
47068 322nd St
Elk Point SD 57025

Margaret Ann Peterson
5951 S Camargo Way
Littleton, CO 80123

Dear Mr. Donnelly and Ms. Peterson:

Enclosed is Water License No. 3859-3. This is the final water right document completing your process of obtaining a Water Right. Receipt No. 000273 in the amount of \$50.00, paid for the investigation and issuance of the Water License is being forwarded to Mr. Donnelly.

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. 3859-3, 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.

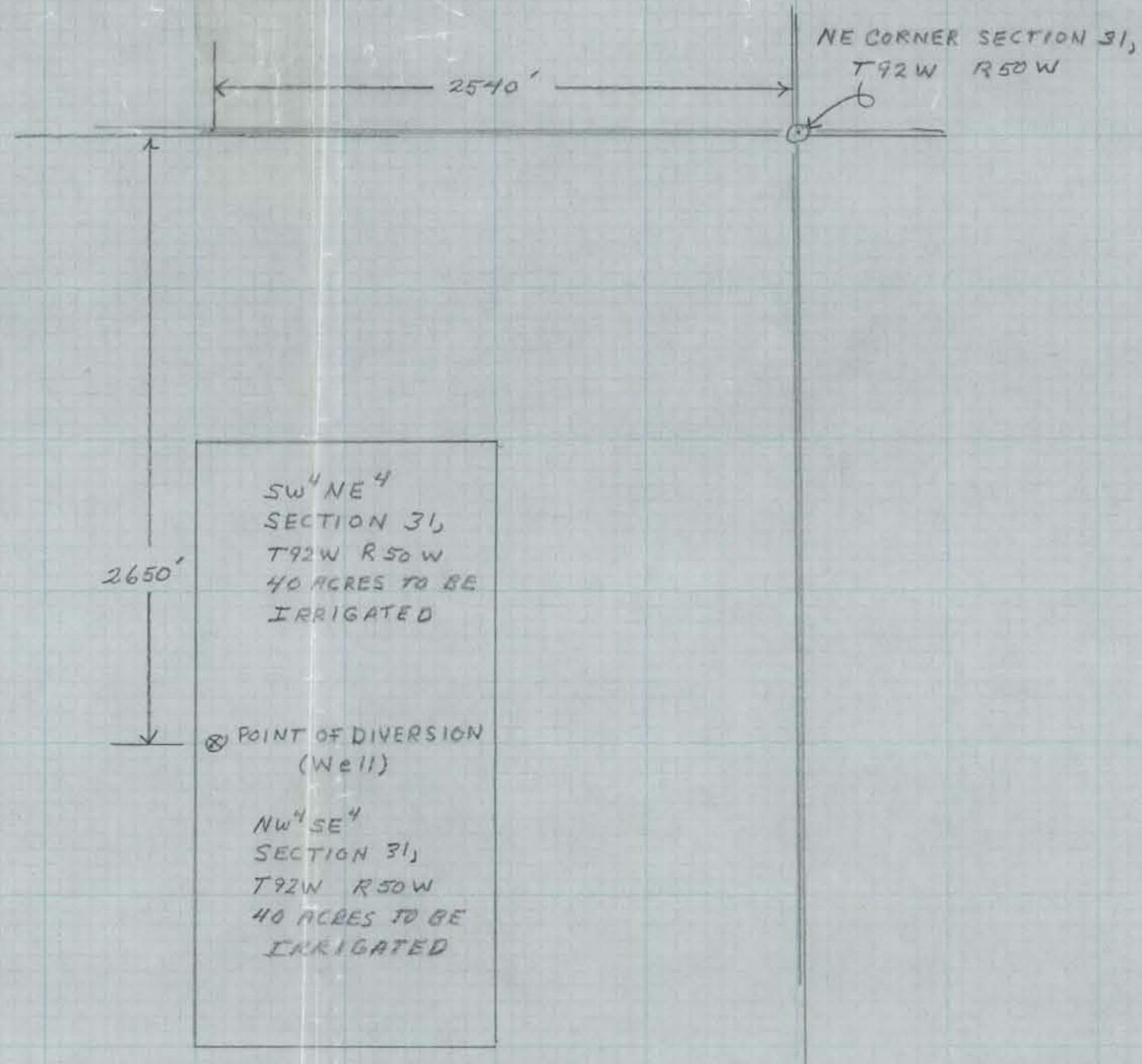
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

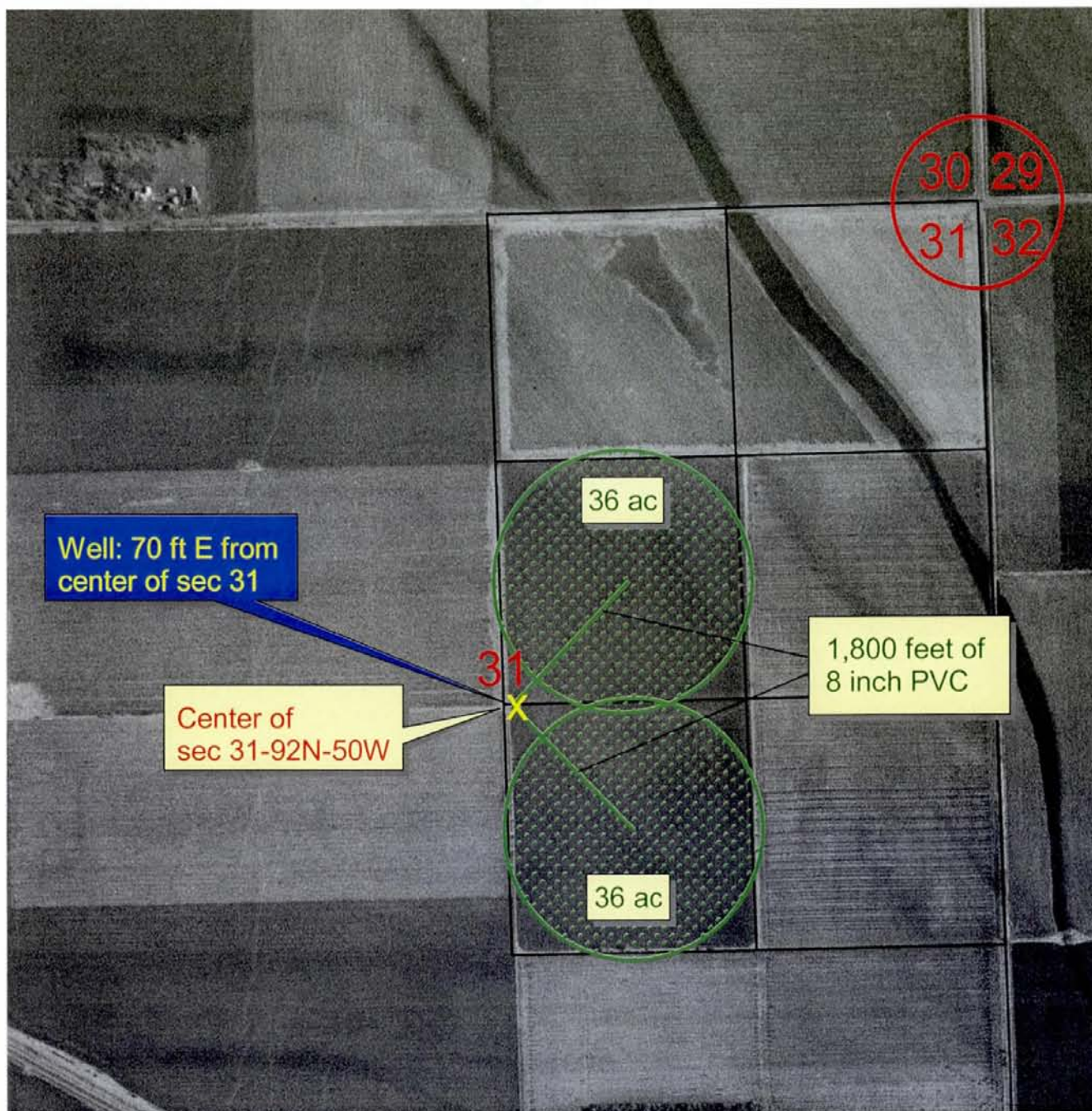
SD-ENG-42
2/73



scale 8" = 1 mile

MARGRET M. PETERSON DENVER, COLORADO PETERSON IRRIGATION PROJECT SW 1/4 NE 1/4 and NW 1/4 SE 1/4 Sec. 31, T92N R50W			
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE			
Designed <u>JMB:line</u>	Date <u>12/11/75</u>	Approved by <u>[Signature]</u>	Title <u>12/11/75</u>
Drawn <u>JMB:line</u>	Date <u>12/11/75</u>	Title	
Traced	Sheet	Drawing No.	
Checked	No	of	

1000 0 1000 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall, Nat. Res. Engineer
September 3, 2002

No. 3859-3

(6m388)
161.4

65R

(4-225)
58.5

(4-289)
80.5

(4-290)
81.2

(6m309)
151.7

(4-234)
59.3

(4-12)
143.7

31

13.8

(4m205)
62

92-50

(6m388)

65R

NOT TO SCALE

3859