

Water Right Number 4362-3

1. Considered January 31, 19 79
2. Name of Applicant John Honey
3. Post Office Address Bruce, S.D. 8-112-50
4. Amount of water claimed 2.0
5. Source of water supply Two - 36' wells
6. Water to be used for irrigation
Acres to be irrigated 147
7. Water to be diverted and used in Brookings County
about 5N, 2E Miles of BRUCE
8. Proof of Publication
Received 2-12-79
Not received
9. Application
Approved 3-28-79
Subject to WI - 660' 5 ft
Not approved
Action deferred 2-1-79
10. Remarks:

No. 4362-3Map No. 3559-3Water 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 John Hovey
 Postoffice address Box 1 Bruce, State South Dakota
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor

3. Name of diversion work John Hovey Irrigation Project #1

4. Amount of water claimed (cubic feet per second) 2.0

5. Source of water supply 2 wells

6. Location of point of diversion #1 - 2150' N 42° E; #2 - 1750' - N 55° E
Between & SW corner Sec 8 - 112 - 50

County Brookings

7. Annual period or periods during which water is to be used April - November

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 147

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.
<u>N 1/4 of Sec 8 - 112 - 50</u>	<u>37</u>		
<u>NE 1/4</u>	<u>40</u>		
<u>SW 1/4</u>	<u>36</u>		
<u>SE 1/4</u>	<u>34</u>		

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 3 years.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Brookings Register

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source: 2 nearly identical wells, 600' apart

B. Works proposed to transport water to place of use: closed conduit

C. Works proposed to apply water to beneficial use: center pivot irrigation machine

Estimated Total Cost \$60,000

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 Brookings)

I, John Hovey, 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

Subscribed and sworn to before me this

27

day of

April1978

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4362-3

John Hovey
(Applicant)

RR #1 - Bruce
(Post Office Address)

South Dakota 57220 With the following modifications:
(State)

The irrigation wells 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.

The wells approved under this Permit shall be spaced so that there is at least 660 feet between wells.

Date of first receipt of application _____ December 15 19 78
Date of return to applicant for correction, amendments or changes required _____ December 15 19 78
Date of receipt of corrected application _____ January 12 19 78
Approved March 28, 19 79, Recorded in Book 20 Page 286

WATER RIGHT PERMIT NO. 4362-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4362-3 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 December 15, 19 78
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before September 28, 19 81
3. The whole of said work is to be completed on or before March 28, 19 84
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is March 28, 19 87
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 injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.0 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 March 28, 19 87; said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 10th day of APRIL, 19 79

WATER RIGHTS COMMISSION

By: John Kautz
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

DRILLING LOG

Name John Hovey Date 10-19-98
Address SW 1/4 Bruce RR 1
County Brookings Sec. 8 Twp. 112 Range 50
SW 1/4 2 = 5 112 50

NO. FT.	DIA.	RATE	CASING	TOTAL
90'	4 3/4"	B2.50	—	B225.00
~~PAID~~				
Irregular Project				Irregular Project

BALANCE DUE:

BALANCE DUE: (middle of S. Quarter) [middle of N. Quarter]
0 ft. to 1 ft. Topsoil _____ ft. to _____ ft.

E1 / Hole
0 ft. to 1 ft. Topsoil
1 ft. to 36 ft. Red Sand & GRANUL
36 ft. to 38 ft. Brown clay
38 ft. to 40 ft. Blue Clay
____ ft. to ____ ft.
____ ft. to ____ ft. #2
____ ft. to ____ ft.
____ ft. to ____ ft.
____ ft. to ____ ft.
____ ft. to ____ ft.

Hole 2
0 ft. to 3 ft. Topsoil
3 ft. to 8 ft. Dark clay
8 ft. to 16 ft. Red GRANUL
16 ft. to 46 ft. BROWN SAND medium gr. COAR.
46 ft. to 50 ft. Brown + Blue clay
____ ft. to ____ ft.
____ ft. to ____ ft.
____ ft. to ____ ft.
____ ft. to ____ ft.
____ ft. to ____ ft.

STATIC WATER LEVEL 2 16 ft.

Garry M. Wolf
DRILLER

REMARKS: #1 Hole - suggest 12'-15' c" - 080"
 slot screen - should be a very good well.
 #2 Hole - good looking material - suggest

2 nearly identical wells.

Project #1

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 24", Depth 36'
- (2) Casing, Type steel Diameter 16" Thickness 3/16"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Johnson, Diameter 16", Length 10'
- (4) Gravel Pack. Thickness 4", Length of gravel pack 38'

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 0'-1' - Top soil; 1' to 36' sand;
0 gravel; 36' to 38' - Brown clay; 38' to 40' Blue clay

Depth to top of water bearing material 8'

Depth to bottom of water bearing material 36'

Thickness of water bearing material 24'

Depth to water (ground surface to water level) 8'

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

On same owner's property 50 rds. On property owned by others 200 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.

John D. Hovey
Signature of Applicant

CONSERVATION
COMMISSION
FORM W1 #1

water right

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)

RECEIVED

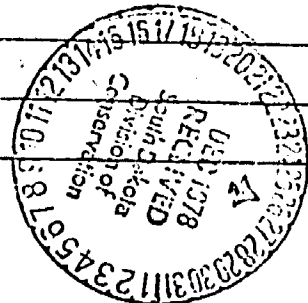
NOV 29 1978

South Dakota
Division of Conservation

NAME John Hovey

ADDRESS Brookings South Dakota

COUNTY Brookings



LEGAL DESCRIPTION

1. WELL LOCATION SW 1/4 Sec 8 - 112-50

2. LOCATION OF AREA TO BE IRRIGATED SW 1/4 Sec 8 - 112-50

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN ☒

4. CROPS TO BE IRRIGATED corn & soybeans

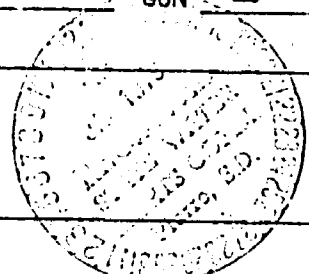
WATER QUALITY

5. SAMPLE NUMBER 78-1035

6. SALINITY (EC X 10⁶) 8.82

7. SODIUM (SAR) 0.23 Adjusted = 0.59

8. RESIDUAL SODIUM CARBONATE (meq/l.) 0.0



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 _____ 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.

John Hovey
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
17 DAY OF NOV 19 78.

Albert J. Hovey
APPROVED/DATE

(TITLE OR SEAL)

Conditional

(SOILS INFORMATION ON REVERSE SIDE)

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57007

Submitted by: John Hovey
 Address: Sioux Falls, SD 57220

Date Rec'd: November 18, 1978
 Sample No. 73-1035
 Identification Cell-43
SW 1/4, Sec. 8, T. 112N, R. 50W

WATER ANALYSIS

Calcium (Ca)	142	ppm*	7.10	me/l**
Magnesium (Mg)	40	ppm	3.28	me/l
Sodium (Na)	12	ppm	0.52	me/l
Potassium (K)	2	ppm	0.05	me/l
Sulfate (SO ₄)	74	ppm	1.54	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.10	me/l
Bicarbonate (HCO ₃)	317	ppm	5.20	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)	260	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	882	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.23	Adjusted SAR	0.59	
Sodium	4.75	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.42			
Others:				

*ppm=parts per million
 **n c/l=millequivalents per liter

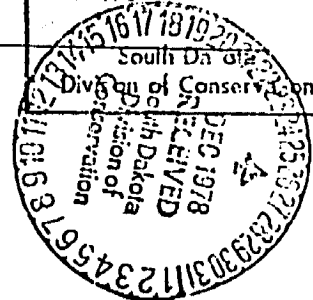
***g-p.g.=grains per gallon

COMMENTS: Total cations 10.95 me/l
 Total anions 6.84 me/l

Note: 51 ppm NO₃

RECEIVED

NOV 23 1978



By: Shirley Litten

Service Performed	Amount Due
Irrigation Analysis	\$15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 73-1035

Amount Enc. 1\$

Signed

CONDITIONAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

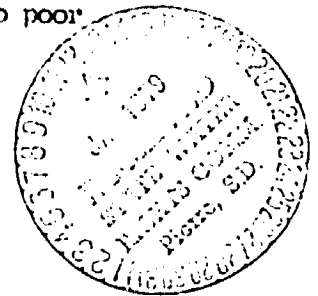
SD-3-112-50

NAME OF APPLICANT John Meyer, Pierre, SD

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

Vp - Volga Silty loam--poorly drained, restricted crop growth due to poor aeration.



RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 2 to 3 times during the irrigation season.
 2. Each uninterrupted application (one rotation of center pivot) should be of at least NA inches of water.
 3. ☒ Yes ☐ No Surface drainage suggested on any area that tends to pond water.
 4. ☐ Yes ☐ No Subsurface drainage suggested on _____.
 5. ☒ Deep tillage (for the purpose of aiding movement of water through dense subsoils.
- COMMENTS: All clayey soils.
6. ☐ Heavy fall application of irrigation water.
 7. Type of irrigation system recommended for use on this application see below.

GENERAL COMMENTS:

Pivot system to swing back and forth to the drainage channel, with irrigation plan and design for soils east and south of the channel only.

An end gun may be employed to gain extra irrigable acres on the south and east. In years of limited rainfall, a permanent type of crop-alfalfa or grass-west of the channel may benefit from irrigation, if your system can be so designed.

Actually, your (Vp) Volga soils are best suited to gravity irrigation.

Copy to applicant
Copy to Water Rights
Copy on File

No. 4362-3

Publish first publication, on or before January 19, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 12, 1979

Notice is hereby given that John Hovey whose post office

address is Bruce, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from ground water (2 wells) through the Harvey Irrigation Project #1, the point(s) of diversion of which is(are) to be located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 8, Twp. 112N, Range 50W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$, Section 8, T112N, R50W

This Application No. 4362-3 will be considered by the Water Rights Commission at SDEA Auditorium, 411 E. Capitol, Pierre upon the 31st day of January, 1979

at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION

BETTY WESTLUND

Water Rights Specialist

cc: **John Hovey, Bruce, SD 57220**

Affidavit of Publication

State of South Dakota

County of Brookings

55

Dennis D. Koenders

of said county, being first duly sworn, on oath, says: That he is one of the editors of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that he has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year next prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed in the office maintained at said place of publication; and that the

Legal No. 19

51 lines x .367

a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit "A," and is made a part

of this affidavit, was published in said newspaper for

successive week(s), to-wit:

January 18, 1979	19
January 25, 1979	19
19	19
19	19

That the full amount of the fee charged for the publication of said Exhibit "A" inures to the sole benefit of the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Eighteen dollars and seventy-two cents Dollars

Subscribed and sworn to before me this 25th day of

January, 1979

E. P. Adams

Notary Public in and for the County of Brookings, South Dakota.

My Commission expires September 6, 1985

Exhibit "A"

Legal No. 19, January 18 & 25

No. 4362-3

NOTICE OF HEARING ON APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501
January 12, 1979

Notice is hereby given that John Hovey, whose post office address is Bruce, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-8.1 46-6-10, and Commission Rules ARDS 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from ground water (2 wells) through the Hovey Irrigation Project No. 1, the point(s) of diversion of which is (are) to be located in the NW 1/4 SW 1/4 and SW 1/4 SW 1/4 of Section 8, Twp. 112N, Range 50W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SW 1/4, Section 8, T112N, R50W.

This Application No. 4362-3 will be considered by the Water Rights Commission at SDEA Auditorium, 411 E. Capitol, Pierre, upon the 31st day of January, 1979, at 10 a.m. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing.

Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION

Betty Westlund
Water Rights Specialist



RECEIPT

WATER RIGHTS COMMISSION

No 4 6629

State of South Dakota

December 19 78

Johh Hovey, RRI, H8W2HXSM Bruce SD

PIERRE,

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

Fee for Application for Permit to Appropriate Water No. 4362-3 (examination, processing, recording and filing)	250 00	~~XXXX~~ 00
Fee for Inspecting Construction, and issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	250 00	~~XXXX~~ 00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH



136-2-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

March 14, 1979

TO: Holders of Deferred Applications in Brookings, Hamlin and Deuel Counties
FROM: John Hatch, Chief Engineer, Water Rights Commission
SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred water right applications in Brookings, Hamlin and Deuel Counties at 1:45 p.m. on March 28, 1979, at the Community Room of the Pierre City Hall, 222 East Dakota Ave, Pierre, South Dakota.

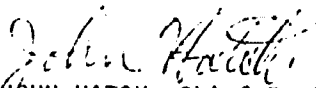
This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-14; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-41; 46-6-3; 46-6-5; 46-6-6.1; 46-6-10; 46-6-3.1; 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These applications were deferred by the Water Rights Commission in 1977 and 1978, pending Staff investigation. Data from the computer model are not complete at this time, the Commission Staff may recommend deferral on some of the applications until this data is obtained.

After reconsideration of the deferred applications the Commission can approve, conditionally approve, defer, or deny all or part of the Application.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw

February 5, 1979

John Hovey
Bruce, SD 57220

Dear Mr. Hovey:

This is to inform you that the Water Rights Commission has deferred action on your Application No. 4362-3 at the February 1, 1979 meeting.

Also, as of this date, we have not received the Affidavit of Publication from the newspaper.

If you have any questions, feel free to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/gy

No. 4362-3



Department of Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

Phone (605) 773-3352

September 27, 1982

Jerry Peterson
Rt 1, Box 36A
Bruce SD 57220

Dear Mr. Peterson:

Please find enclosed a copy of our Form 20, Notice of Transfer of Water Permit. This must be signed by the owner before a notary public and returned to this office with a fee of Two Dollars and Fifty Cents (\$2.50).

Upon receipt of the Form 20 and the \$2.50 filing fee the permit will be transferred to the proper name.

Please advise this office if you have any questions.

Sincerely,

KAREN SCHLAACK
Administrative Secretary

NO. 4362-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: October 7, 1982

This is to notify you that the title to the lands described as follows:

147 acres SW 1/4 Section 8, T112N, R50W

formerly owned by John Hovey, Bruce SD

has been transferred to Jerry Peterson, Rt 1, Box 36A, Bruce SD 57220

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 4362-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Harlin) ss.

I, X John Hovey being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

John Hovey
(Signed)

Subscribed and sworn to before me this 7th Day of October, 1982.

Laurel Peterson
(Notary Public)

My Commission expires July 20, 1984



RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8975

PIERRE, October 12, 1982, 19

RECEIVED OF Jerry Peterson, Route #1, Box 36A, Bruce, SD 57220
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing <u>TRANSFER OF W. 24052-3</u>	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By Jerry Peterson
Chief Engineer, Executive Officer
JOHN HATCHER

No. 4362-3

 **Department of
Water & Natural Resources**
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

October 15, 1982

Jerry Peterson
RR 1, Box 36A
Bruce SD 57220

Dear Mr. Peterson:

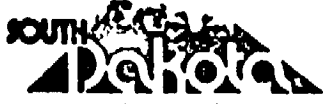
Enclosed is receipt No. 4 8975 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 4362-3.

Our records now show you as the owner of this Water Right.

Sincerely,

KAREN SCHLAACK
Administrative Secretary

enclosure



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

December 30, 1983

3556-3

4233-3

4362-3

4507-3

4940-3

Jerauld A Peterson
Rt 1, Box 36A
Bruce SD 57220

Dear Mr. Peterson:

This will acknowledge receipt of your 1983 Irrigation Questionnaire. In regard to your request for a list of your permits and the lands covered under each, the following is a description of each of the permits.

- Permit No. 3556-3: 302 acres, N $\frac{1}{2}$ Section 8, T112N, R50W
4.3 cfs - from 2 wells in centers of NW $\frac{1}{4}$ & NE $\frac{1}{4}$ Section 8
- Permit No. 4233-3: 302 acres - N $\frac{1}{2}$ Section 8, T112N, R50W
(same land and cfs as under Permit No. 3556-3)
this permit is for 2 additional wells in the E $\frac{1}{2}$ NW $\frac{1}{4}$
and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 8
- Permit No. 4362-3: 147 acres - SW $\frac{1}{4}$ Section 8, T112N, R50W
2.0 cfs - from 2 wells in NW $\frac{1}{4}$ SW $\frac{1}{4}$ & SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8
- Permit No. 4507-3: 252 acres - SE $\frac{1}{4}$ Section 17, NW $\frac{1}{4}$ Section 20, T112N, R50W
3.59 cfs - from 2 wells in NW $\frac{1}{4}$ NW $\frac{1}{4}$ & NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20
- Permit No. 4940-3: 156 acres - SE $\frac{1}{4}$ Section 8, T112N, R50W
2.2 cfs - from 1 well in approximate center of SE $\frac{1}{4}$ Sec 8

If you have any questions or need further information, contact this office.

Sincerely,

GENNY MCMATH
Natural Resources Analyst

GM:ks

Equal Opportunity Employer



Department of Water & Natural Resources

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

December 10, 1987

4940-3
4362-3
3556-3

Jerald A Peterson
RR #1 Box 36A
Bruce, SD 57220

Dear Mr. Peterson:

The inspection of your water use systems and inspection of the extent of the application of water to beneficial use as developed under Water Permit Nos. 4940-3, 4362-3 and 3556-3 has been completed. The final water right document, the Water License, can now be issued for these permits.

I am contacting Grimshaw Drilling to try and obtain well logs for the your wells. The well logs are needed to complete the permit files for licensing purposes.

Statutes require that we charge a \$50.00 fee (each) for inspection and issuance of a Water License. Upon receipt of \$150.00 from you, Water License Nos. 4940-3, 4362-3 and 3556-3 can be issued. South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the license fees are paid.

If you have any questions, please contact us.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

Permit No. 4362-3BIG SIOUX 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 JERALD A. PETERSON of BRUCE, SD holder of Permit No. 4362-3, bearing the priority of DECEMBER 15, 1978 authorizing the diversion of 2.0 cu. ft. per second of the waters of GROUND WATER (1 WELL) for IRRIGATION purposes, in BROOKINGS County.

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

A. Works used to divert the water:

1 37' DEEP WELL WITH A 16" CASING AND 15' JOHNSON SS SCREEN
A VALLEY PUMP, 800 GPM CAPACITY, HEAD-144, CODE-J.74, 1800 RPM, SERIAL # 143529
POWERED BY A 40 HP GE MOTOR, MODEL-5K6237XMS01F, 1755 RPM, TYPE-K, ^{104ME.44}

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

225' OF BURIED 8" PVC PIPE TO CENTER PIVOT SERIAL # FTJ610267

C. Works used to apply water to beneficial use:

AN 8 TOWER VALLEY (VALMONT) CENTER PIVOT, MODEL-4865, WITH END GUN
LOW PRESSURE SYSTEM, (25 PSI), 800 GPM CAPACITY, SERIAL # 46128

The system is in the following condition GOODThe point of diversion is located 1325' E AND 1450' N OF SW CORNER OF SECTION 8, T112N, R50W.The works are capable of diverting and conveying to the place of use 1.78 (800 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: ALL IN SECTION 8, T112N, R50WNW 1/4, SW 1/4 - 27 ACRESNE 1/4, SW 1/4 - 38 ACRESSE 1/4, SW 1/4 - 31 ACRESSW 1/4, SW 1/4 - 22 ACREScomprising a total of 118 acres of land and the license should be issued for 1.69 cfsApplicable permit qualifications have been complied with Yes ☒ NoExceptions to compliance are: *NEED THE PRODUCTION WELL LOG Date 4-1-87*Grimsdale is out of business

Donna M. Brander
SIGNED

CHANDLER DRILLING CO.

DRILLING LOG

924 South Melrose
Sioux Falls, S.D. 57106
Phone 605-332-6974

Name John Hovey Date 10-19-78

Address 524 Bruce R.R. 1

County BRECKINRIDGE Sec. 8 Twp. 112 Range 50
SW 4 22 5 112 50

NO. FT.	DIA.	RATE	CASING	TOTAL
90'	4 3/4"	2.50	—	225.00

BALANCE DUE:

(middle of S. Quarter) (middle of N. Quarter)
0 ft. to 1 ft. Topsoil

1 ft. to 36 ft. Red Sand & Gravel
36 ft. to 38 ft. Brown clay

38 ft. to 40 ft. Blue clay
40 ft. to 46 ft. Red Gravel

46 ft. to 50 ft. Brown sand & clay
50 ft. to 52 ft. Brown & Blue clay

52 ft. to 54 ft. ?
54 ft. to 56 ft. ?

56 ft. to 58 ft. ?
58 ft. to 60 ft. ?

60 ft. to 62 ft. ?
62 ft. to 64 ft. ?

64 ft. to 66 ft. ?
66 ft. to 68 ft. ?

68 ft. to 70 ft. ?
70 ft. to 72 ft. ?

REMARKS: 1/16" - suggest 12'-15' c" c80"
slot steeper - should be a very good well.
1/16" - good looking material - suggest

Sally M. W. DRILLER

LICENSE FOR PERMIT NUMBER 4362-3 (Jerald A. Peterson)

1. Legal location of wells: Near center of SW $\frac{1}{4}$, Section 8,
T112N, R50W.

dams & structures: _____

2. Well Information: Well Drilling Firm Grimshaw

No. of wells 1 Depth 37'

Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level _____

Pump a) make _____ Motor a) make _____
b) model _____ b) model no. _____
c) size _____ c) horsepower rating _____
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:
a) size of lines _____
b) type _____
c) length _____

Other Information on
Examination Report

4. Dam information:
a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

i) Outlet tubes:
1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

5. System Type: a) siederoll:
1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:
1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES	NO	Check Items
-----	----	-------------

- | | | |
|-------------------------------------|--------------------------|---|
| ☒ | ☐ | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| ☒ | ☐ | 2. Special Qualifications to permit being abided by. |
| ☒ | ☐ | 3. All Structures, wells and lands on map. |

REMARKS:

The log for the production well has not been received.

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4362-3

(1) John Hovey of RR #1, Bruce, South Dakota 57220 made Application No. 4362-3, December 15, 1978 for a water permit to appropriate 2.00 cubic feet of water per second from groundwater (two wells), Brookings County, South Dakota for irrigation purposes. Permit No. 4362-3 with a priority date of December 15, 1978 was approved March 28, 1979 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before March 28, 1984 and for the application to beneficial use of said water on or before March 28, 1987.

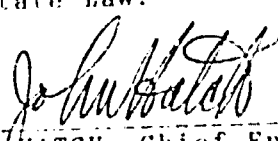
On October 12, 1982, Water Permit No. 4362-3 was transferred to Jerry Peterson, RR #1, Box 36A, Bruce, SD 57220.

(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 1.69 cubic feet of water per second for beneficial use. The location of the diversion point is: 1325' E and 1450' N of the SW corner of Section 8, T112N, R50W (NE1/4 SW1/4).

(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:

Section 8, T112N, R50W	NW1/4 SW1/4	27 acres
	NE1/4 SW1/4	38 acres
	SE1/4 SW1/4	31 acres
	SW1/4 SW1/4	22 acres
	Total	118 acres

(4) Pursuant to Section 46-5-30.1 Jerry Peterson of RR #1, Box 36A, Bruce, South Dakota, 57220 the holder(s) and/or owner(s) of Water Permit No. 4362-3 is issued a license to appropriate water, the right to use 1.69 cubic feet of water per second from groundwater (one well) with a priority date of December 15, 1978 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 Water Permit No. 4362-3 and subject to South Dakota State Law.


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

SEP 14 1989

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, December 15, 197

RECEIVED OF Dr. Jerald A. Peterson, RR 1, Box 36A, 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 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>4362-3</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 _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch

Chief Engineer JOHN HATCH (MS)

 **Department of
Water & Natural Resources**

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

4362-3
3556-3

SEP 14 1989

Jerry Peterson
RR #1, Box 36A
Bruce, SD 57220

Dear Mr. Peterson:

Enclosed are Water License Nos. 4362-3 and 3556-3. They are the final water right documents completing your process of obtaining Water Rights. Enclosed are Receipt Nos. 411095 and 411096 in the amount of \$50.00 each which you paid for the inspection and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right Nos. 4362-3 and 3556-3, 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.

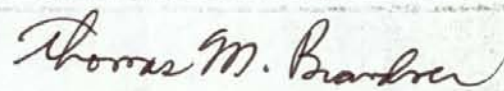
Very truly yours,


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

enclosures



NOT TO SCALE



4-1-87

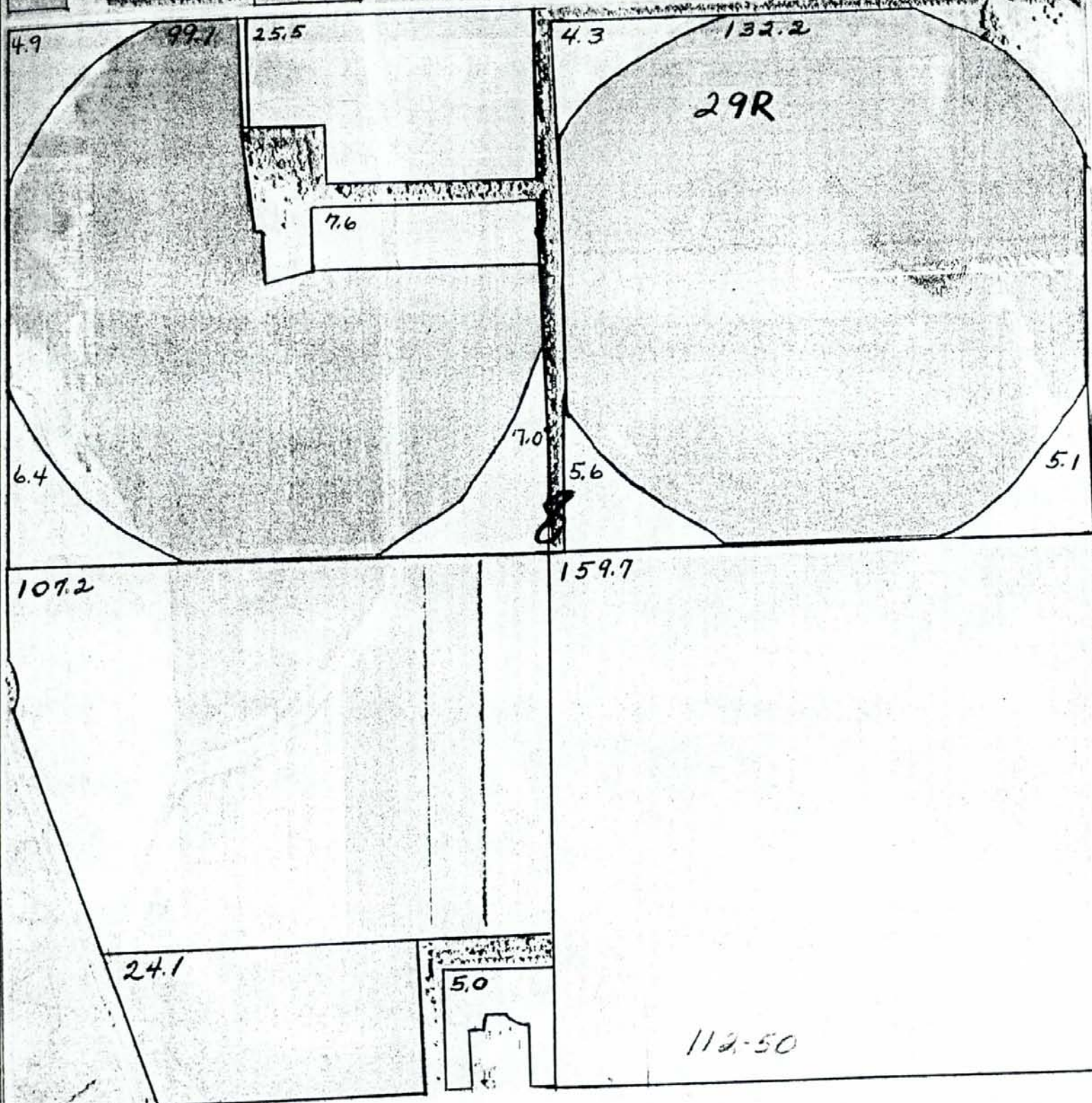
WATER RIGHT No. 4362-3

APPL 4362-3

NOT TO SCALE

4362-3

112-50



NOT TO SCALE

43

35.6

25.5

10.8

63.6

2-22

6.0

49.6

John Hovey

Irrigation Project #1

Bruce S. Dakota

Brookings County

65.1

2.5

31.9

18

107.2

124.0

Area Irrigated - SW¹ sec 8 - 112-50
water claimed - 2.0 cfs

well #1

2150'
N 42° E

well #2

24.1
N 55° E

2.1

4

5.3

30.4

12-12-78

certified correct

John S. Lawrence

File Copy

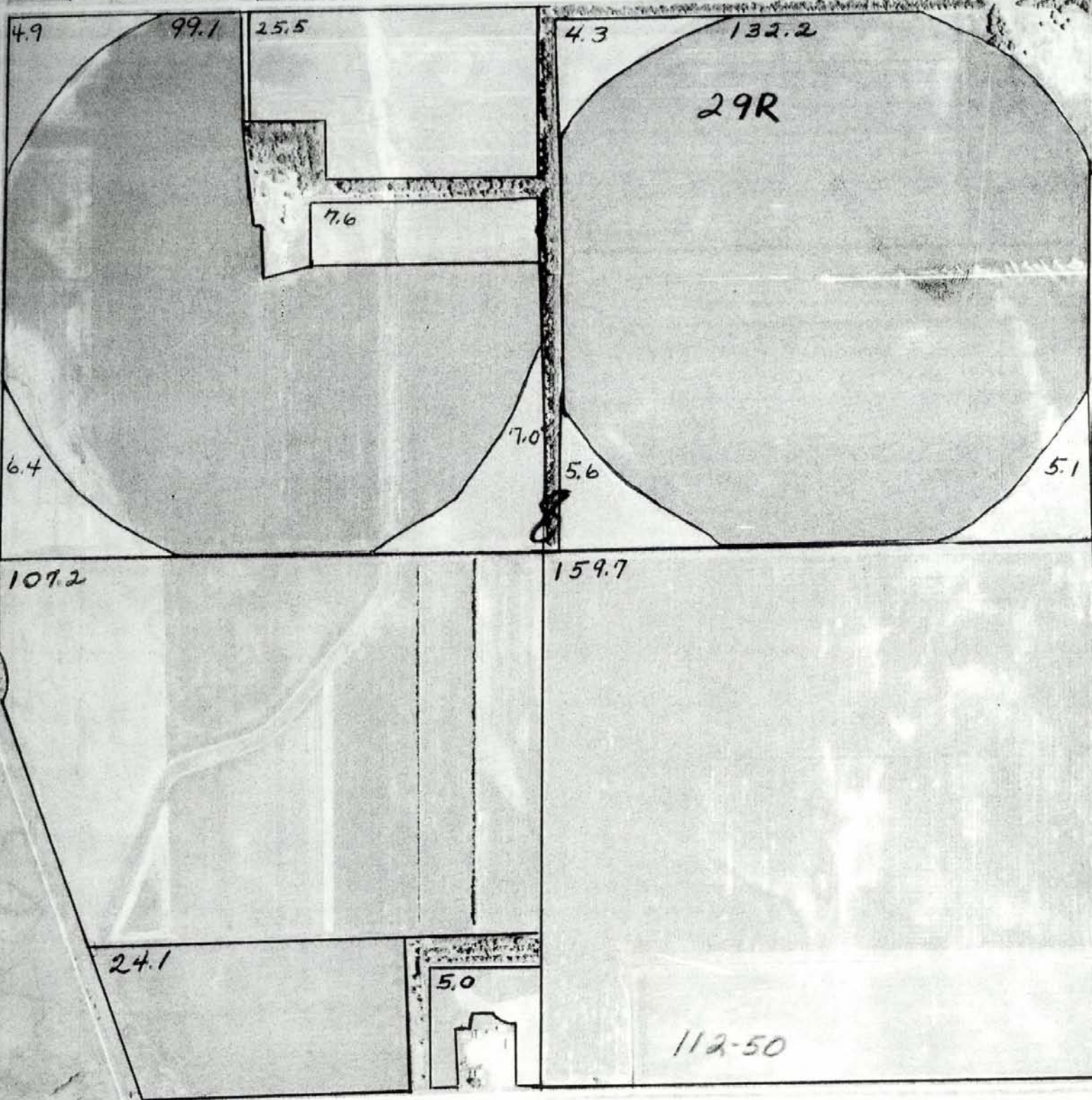
APPL 3359B

APPL 4362-3

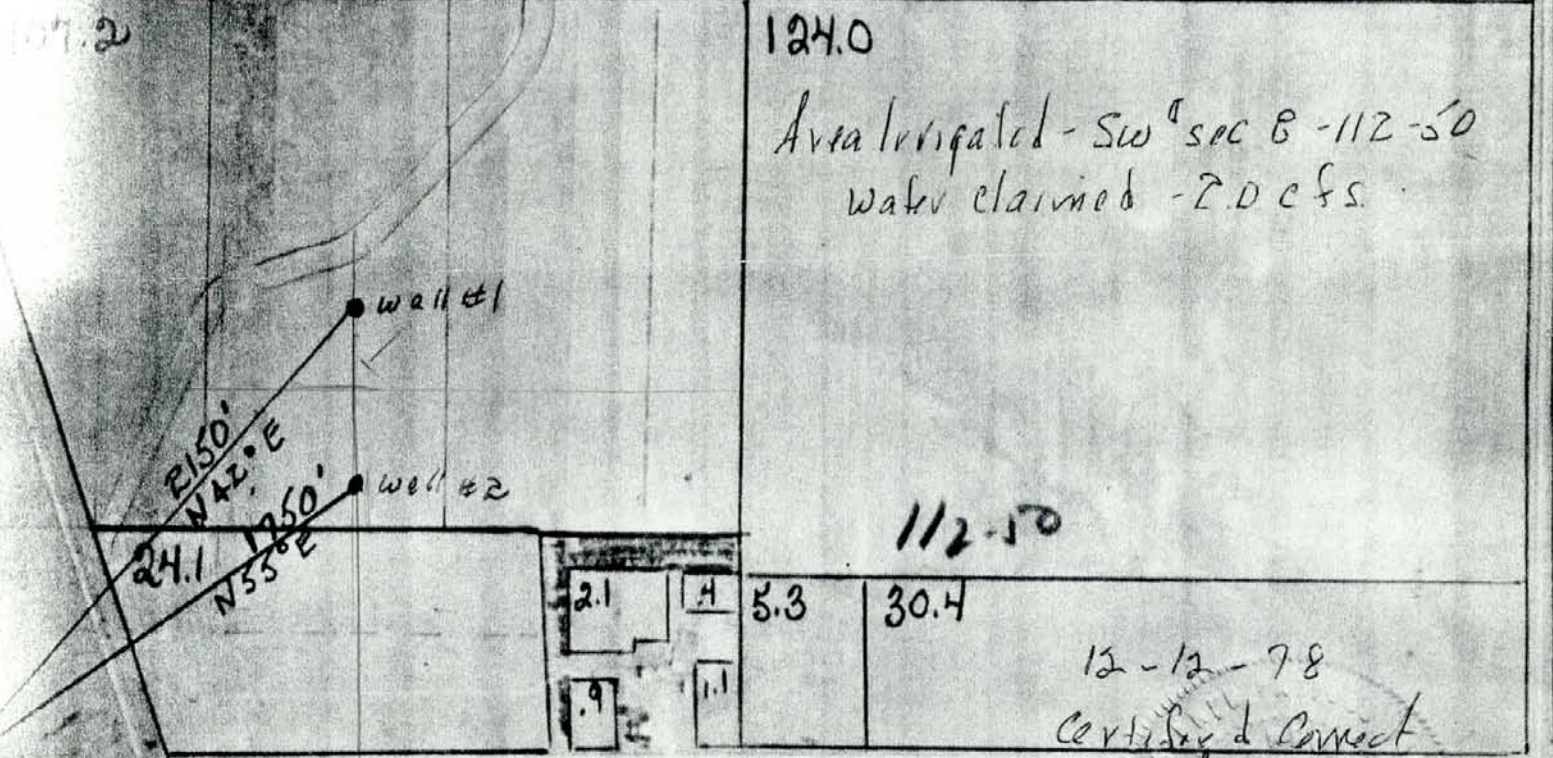
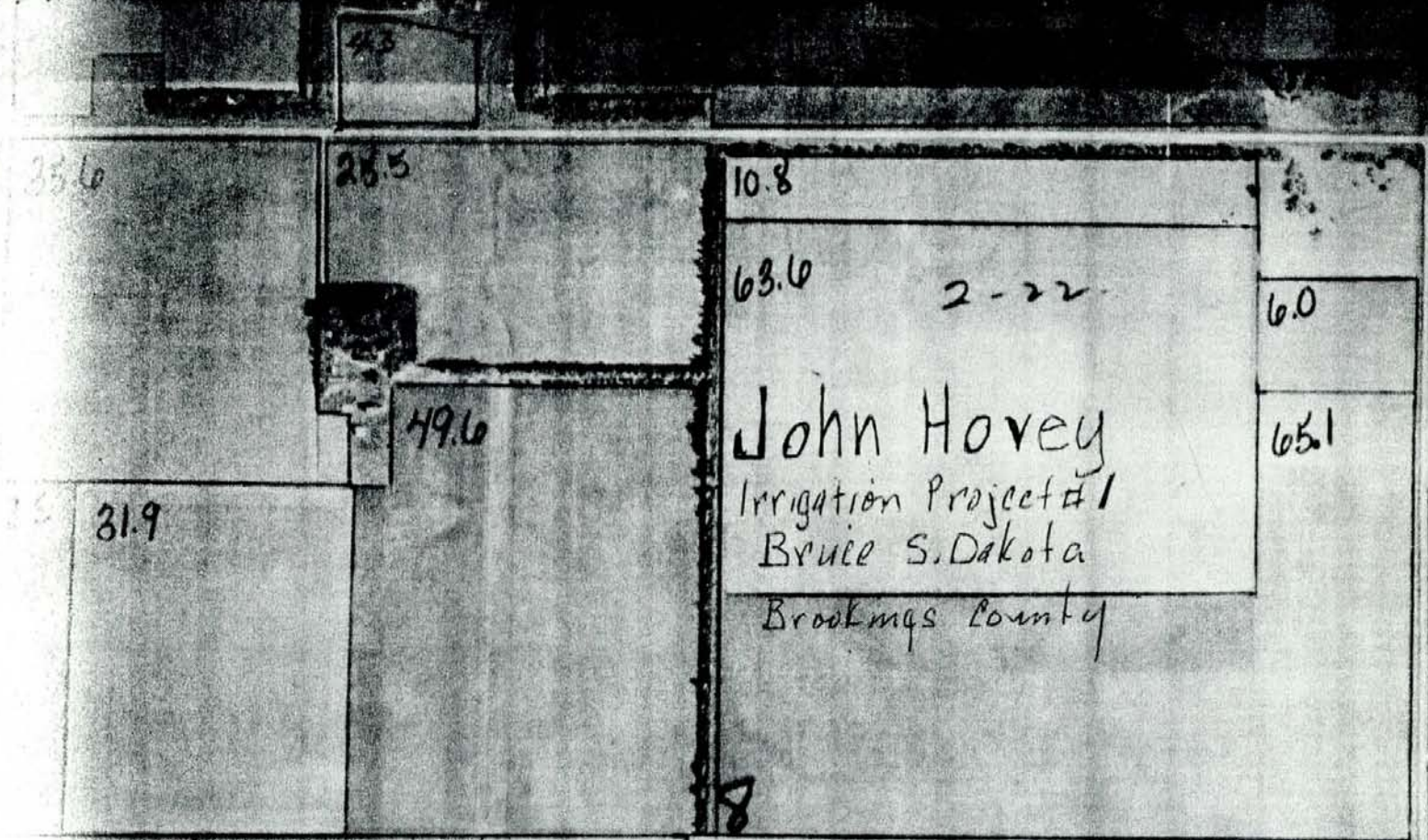
NOT TO SCALE

4362-3

112-50



NOT TO SCALE





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 15, 2009

4362-3

Jerald A Peterson
46727 197th St
Bruce SD 57220

Dear Mr. Peterson:

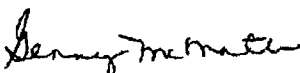
This letter is in reference to your Water Right No. 4362-3. I am reviewing last year's irrigation questionnaires and found your note indicating the acreage should be 130 instead of 118 as authorized.

The water use system was inspected for licensing back in 1987. At that time, the staff engineer found an 8 tower center pivot covering 118 acres in the SW ¼ Section 8. Enclosed is a copy of the license, inspection report and the map.

Please take a look at them to see if you agree with what was found back in 1987. I am assuming that the discrepancy is probably due to the shelter belt and the farmstead located in the very SE part of the SW ¼. If the system has changed and more acres are being irrigated, the license can not be increased and it will take a new permit application to cover the additional acres. If after reviewing the photo and the inspection report you feel it is accurate the way it is, nothing needs to be done.

Please let me know if you have any questions or if you feel a new application is necessary.

Sincerely,


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

enclosures



4362-3

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.



4362-3
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