

Considered: _____

WATER PERMIT NO. 5170-3

MAP No. same 873-2636

Name of Applicant Jerald A. Peterson

Post Office Address RR 1, Box 36 A, Bruce SD 57220

Amount of Water Claimed no add'l Total Acres 50 (see Permit No. 3416-3)

Source of Water Supply ground water 1 well

Water to be used for irrigation County Brookings

About 4 miles N of Bruce

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received December 3, 1987 Fee \$50⁰⁰ Remarks _____

Corrected Application Received _____ Period of Annual Use Apr 1 - Sept 30

WATER QUALITY APPROVAL RECEIVED 1/19/88 APPROVED/CONDITIONAL (Circle one)

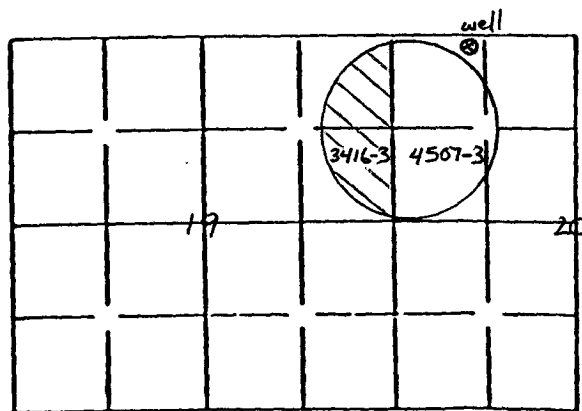
WI-1 Description same as Application YES ☒ NO _____ REMARKS _____

Diversion Point well: NW 1/4 NW 1/4 section 20 -

T112N-R50W

Land to be Irrigated E 1/2 NE 1/4 section 19 - T112N -

R50W



Well Log: Driller Kaiser Well Drilling Licensed YES year? NO _____

WMB accepted
Well Log
7-2-88

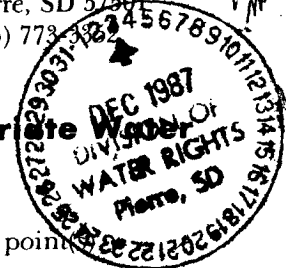
Depth of Well 34 feet REMARKS _____

Type of Map aerial photo PREPARED BY Tom Brandner Reviewed and the Number

assigned on December 31, 1987 By Ron Duvall

(See instructions)

No. 5170-3 Hydrologic Unit 101 70202
Basin Big Sioux River
Newspaper Brookings Daily Register, Box 177



Application For Soil/Water Compatibility Permit and Permit To Appropriately Use Water

- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
- ☐ Change Acreage ☒ Change diversion point(s) ☐ Add diversion point(s)
- ☐ Add Acreage ☐ Increase diversion rate ☒ Other See 4507-3 & 3416-3
1. Name of Applicant Jerald A. Peterson Phone No. 873-2636
- Post Office Address Rural Route 1, Box 36 A, Bruce, South Dakota State 57220
(Street, RR or Box) (City) Zip Code
2. Amount of water claimed (c.f.s) No Add'l Total acres irrigated 50
3. Source of Water supply groundwater 1 Well
4. Location of point of diversion 1275 Feet East and 50 Feet South of the Northwest Corner of
Section 20, T112N, R50W NW¼NW¼
- County Brookings
5. Counties where water will be used Brookings
6. Annual period during which water is to be used April 1 to September 30
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.
<u>NE¼NE¼ Section 19, T112, R50</u>	<u>25</u>
<u>SE¼NE¼ Section 19, T112, R50</u>	<u>25</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: _____
10. Give a description of proposed project. (Attach sheet if more space is needed)

This application is to change the location of the diversion point from the NW¼NE¼ Section 19-T112N-R50W (authorized by Permit No. 3416-3) to the NW¼NW¼ Section 20-T112N-R50W for irrigation of a 50 acre (see Permit No. 3416-3) portion of a pivot also covered partially by Permit No. 4507-3.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA
County of Brookings)^{ss}

I, Jerald A. Peterson, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Jerald A. Peterson

Subscribed and sworn to before me this 30th day of November 19 87

[Signature]
Notary Public
My commission expires Sept. 9, 1993

**SOUTH DAKOTA
WATER PERMIT FOR IRRIGATION**

Date of first receipt of application December 3, 1987

Date Soil/Water Compatibility Permit received January 19, 1988

Date of return to applicant for correction, amendments or changes required January 21, 1988

Date of receipt of corrected application July 27, 1988

The Water Management Board approved Water Permit Application No. 5170-3

on October 6, 1988 for Jerald A. Peterson
(Applicant)

Rural Route 1, Box 36 A Bruce South Dakota 57220
(Street, RR or Box) (City) (State) (Zip Code)

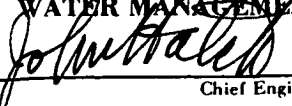
authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5170-3 authorizes a change in location of 1 well, 34 feet deep authorized by Water Permit No. 3416-3. The location of the well is the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20 and the well is used to irrigate 50 acres also authorized by Water Permit No. 3416-3 in the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19; all in T112N, R50W. This permit does not authorize any increase in water appropriated or acreage irrigated.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - September 30
3. The date from which applicant may claim the right is July 27, 1988
4. One-fifth of the construction is ~~to be completed on or before~~
5. All construction is ~~to be completed on or before~~
6. Water is ~~to be put to beneficial use on or before~~
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. 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.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 
Chief Engineer

FEB 13 1989

Division of Water Rights
Dept. of Water and Natural Resources

SOUTH DAKOTA
REISSUED WATER PERMIT No. 5170-3 FOR IRRIGATION

Date of first receipt of application December 3, 1987.
Date Soil/Water Compatibility Permit received January 19, 1988.
Date of return to applicant for corrections, amendments or changes January 21, 1988.
Date of receipt of corrected application July 27, 1988.

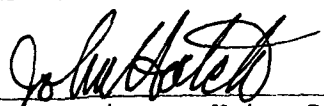
The Water Management Board approved Water Permit Application No. 5170-3 on October 6, 1988 for Jerald A. Peterson, RR 1, Box 36A, Bruce SD 57220 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5170-3 authorizes a change in location of 1 well, 34 feet deep authorized by Water Permit No. 3416-3. The location of the well is the NW 1/4 NW 1/4 Section 20 and the well is used to irrigate 50 acres also authorized by Water Permit No. 3416-3 in the E 1/2 NE 1/4 Section 19; all in T112N, R50W. This permit does not authorize any increase in water appropriated or acreage irrigated.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - September 30.
3. The date from which applicant may claim right is December 13, 1976 (established under Permit No. 3416-3).
4. One-fifth of the construction is completed.
5. All construction is completed.
6. Water is put to beneficial use.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. 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.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

DEC 26 1989

(date)

Supplemental Information

(type or print in ink)

* 1. Well Information - Proposed construction

- a) Drill Hole Diameter 28" Depth 34'
- b) Casing Type steel Diameter 14" Thickness 1/4"
- c) Screen Type stainless steel Diameter 14" Thickness 1/4"
- d) Gravel Pack Thickness 10" Length of Gravel Pack 3'
- e) Depth to Top of Water Bearing Material 2'
- f) Depth to Water (ground surface to water level) 5'
- g) Distance to nearest existing domestic well:
On applicants property 20' On property owned by others 1/2 mile

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) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

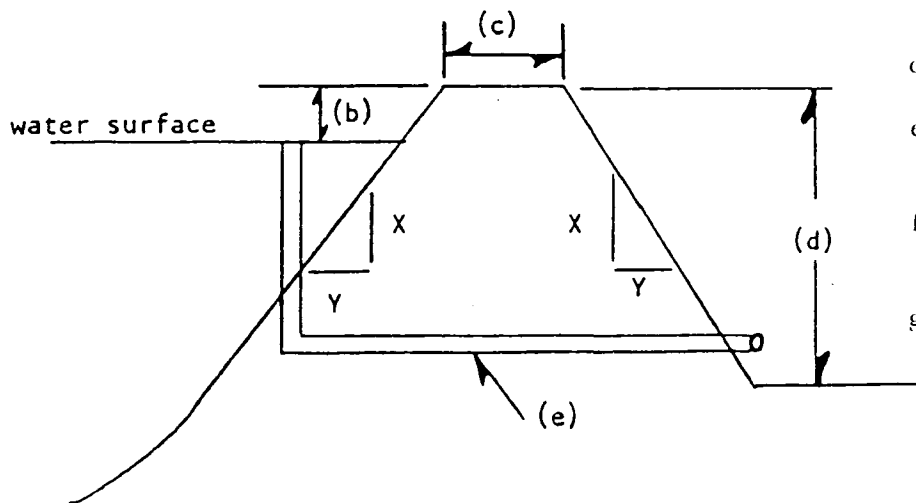
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant Gerald A. Peterson

Kaiser Well Drilling Smet, South Dakota 57231

IRRIGATION-TESTING-DRILLED-STOCK AND DOMESTIC
BORED WELLS

Ph. 854-3744

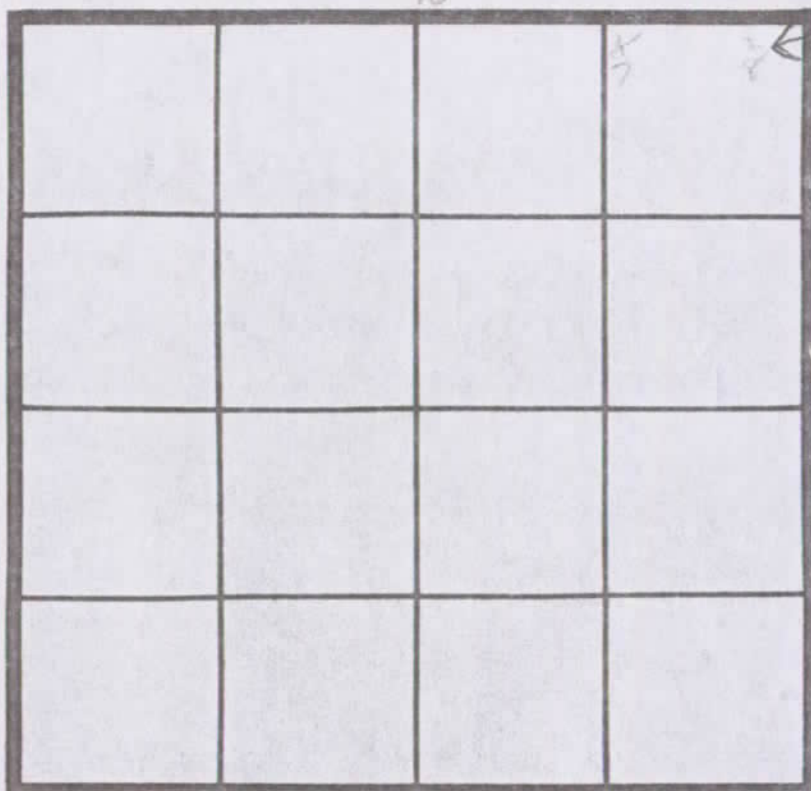
Name Frank Peterson

Location _____

Township _____

Section _____

S pivot - Hottel
NE corner



Test hole No. 17

Data

Topsoil	0 - 1 1/2'
yellow clay	1 1/2' - 5'
gravel	5' - 12'
yellow clay	12' - 14'
SAND very fine	14' - 33'
gravel coarse	
rock water	33' - 37'
moat	37' - 41'
yellow clay	41' - 60'

Test hole No. 2

Data

Topsoil	0 - 1 1/2'
yellow clay	1 1/2' - 2'
gravel	2' - 34'
Blue clay	34' - 40'

Driller: Frank Peterson

346

1998

2

24.4

139.6

54.5

1930

762

815

1920

58.

1990

25

25

34

34

285

61.5

2.2

9.7

876

118-50

Torn Brander	112-50
Natural Resources	Engineering

12-31-87

112-55

28.4

$$\overline{55}$$

Appl. No. 5170-3

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411078

Pierre, December 3, 1987

RECEIVED OF 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. <u>5170-3</u> to Appropriate Water, to construct works and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
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 

SOUTH Dakota Department of
Water & Natural Resources

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

October 16, 1987

Jerald A. Peterson
Rural Route 1, Box 36A
Bruce, SD 57220

Dear Mr. Peterson:

I am writing in regard to your Water Right Permit No. 4507-3 located in the NW1/4 of Section 20, T112N, R50W. In the spring of this year, I stopped by to inspect the lands developed under this permit for final licensing. A problem exists with the lands in the NE1/4 of Section 19, T112N, R50W which you purchased from Mr. Rasmussen. These acres belong under a different permit (3416-3) in the name of Mr. Rasmussen and are to be irrigated from a diversion point in the NW1/4 NE1/4 of Section 19. Soil-water compatibility approval for the land is from a diversion point in the NE1/4 of Section 19. The actual diversion point is presently in the NE corner of the NW1/4 NW1/4 of Section 20.

In order to straighten out the situation we have enclosed the necessary forms. Form 2 is the document needed to apply for a change in diversion point location and to acquire the proper soil-water compatibility approval. Note that no new water sample is necessary. Please check the information over, sign the two application forms and have them notarized. A fee of \$50 is required for the application to change a diversion point. The 50 acres listed under the application is the approximate acreage under pivot irrigation in Section 19. It is based on our field observations and measurements as well as your estimate of the total acreage covered by the pivot.

Two copies of Form 2A giving us information on your production well in Section 20 should also be completed as best you can and signed. If possible send a well log from the production well. If you do not have a copy of the log, you may be able to get one from the well driller.

Finally, a Transfer of Water Permit form is included that needs to be signed and notarized. A \$2.50 fee is required to transfer the permit.

October 16, 1987
Jerauld A Peterson
Page 2

If you have any questions or corrections on the new application please contact Mr. Ron Duvall or myself in this office or Mr. Jim Stukel of the State Conservation Commission (773-3259) for questions on soil-water requirements.

Sincerely,

A handwritten signature in cursive script that reads "Tom Brandner".

Tom Brandner
Natural Resources Engineer
(605) 773-3352

cc. Jim Stukel, State Conservation Commission

Enclosures

CONSERVATION COMMISSION MEETING

DATE: January 14, 1988

Page 1 - APPROVED with Requirements

NAME: Jerald Peterson

Water Quality: 80-083

ADDRESS: RR 1, Box 36A

SALINITY: 646

ADDRESS: Bruce, SD 57220

SAR: 0.20

SODIUM: 5.65

COUNTY: Brookings

ADJ SAR: 0.50

LEGAL DESCRIPTION: NE1/4 NE1/4 19-T112-R50 = 25 acres and SE1/4 NE1/4 19-T112-R50 = 25 acres.

APPLICATION #: 4231

TYPE OF IRRIGATION: Center Pivot

WATER SOURCE: Ground Water

REQUIREMENTS:

The soils of Lamoure (La) and Solomon (So) are somewhat poorly drained to poorly drained and when irrigated may result in the enhancement of the problem. Therefore, adequate internal drainage shall be provided. To achieve this requirement may be sound water management and proper cropping, but it may include the installation of artificial drainage i.e. tile drainage.

MANAGEMENT RECOMMENDATIONS:

We recommend that the area mapped as Solomon be placed in permanent vegetation i.e. alfalfa or grass.

Also note that the same recommendations are used in the area of Lamoure if necessary.

TYPE OF PERMIT GRANTED AND REASON:

The Approved with Requirements recommendation is based on the clay contents of the soils and the natural drainage limitations of Lamoure and Solomon soils.



Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4231

WR#

OWNERS NAME: Jerald Peterson OWNERS ADDRESS: RR 1, Box 36A

Bruce, SD 57220

COUNTY LAND LOCATED IN: Brookings PHONE: 873-2636

LEGAL DESCRIPTION:

☐ Well ☐ Surface

1. LOCATION 1275' East and 50' South of the Northwest Corner of 20-T112N-R50W

Depth: _____

Legal Description	Acres	Legal Description	Acres
<u>NE$\frac{1}{4}$ NE$\frac{1}{4}$ 19-T112N-R50W</u>	<u>25</u>		
<u>SE$\frac{1}{4}$ NE$\frac{1}{4}$ 19-T112N-R50W</u>	<u>25</u>		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: XX GUN: _____ OTHER: (Specify) _____

3. CROPS TO BE IRRIGATED: _____

WATER QUALITY:

4. WATER SAMPLE NUMBER: 80-083

7. ADJUSTED (SAR): 0.50

5. SALINITY (EC X 10⁶): 646

8. PERCENT SODIUM: 5.65

6. SODIUM (SAR): 0.20

Requirements:

The soils of Lamoure (La) and Solomon (So) are somewhat poorly drained to poorly drained and when irrigated may result in the enhancement of the problem. Therefore, adequate internal drainage shall be provided. To achieve this requirement may be sound water management and proper cropping, but it may include the installation of artificial drainage i.e. tile drainage.



XX

APPROVED

DISAPPROVED

WAIVER

XX

REQUIREMENTS

[Signature]
Director, Division of Conservation

1-14-88

Date

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



Department of Water & Natural Resources

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

January 21, 1988

Jerald A. Peterson
Route 1, Box 36 A
Bruce, South Dakota 57220

Dear Mr. Peterson:

This letter is in response to the driller's log you submitted from Kaiser Well Drilling as part of your water permit application. The log does not specify the well location or the date the well was constructed (copy enclosed). The following information is needed regarding the irrigation well located in the NW 1/4 NW 1/4 Section 20-T112N-R50W:

1. The approximate date the well was constructed.
2. Confirmation that the attached log is for the well currently being used to supply the center pivot.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Ron Duvall". The signature is written in a cursive style with a large, looping "R" and a clear "Duvall".

Ron Duvall
Natural Resources Engineer
(605) 773-3352

RD:ms
Enc.

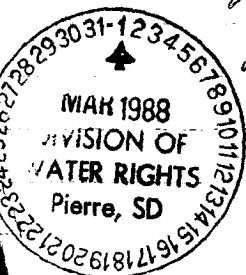
2-15-88

Regarding your letter
dated Jan 21, 1988:

As we are wintering
in New Zealand and
don't have access to our
records at this time -
but upon our arrival
home in the spring,
will get this information
to you as soon as possible.

Thank you
Jerald A Peterson
RR

Bruce, S.D
57220



Report on Application 5170-3
Jerald A. Peterson
January 13, 1988

Water Permit Application No. 5170-3 was submitted for Jerald A. Peterson of Bruce, South Dakota to change the location of the groundwater diversion point authorized by Permit No. 3416-3. Water Permit No. 3416-3 specified the diversion point location to be in the NW1/4 NE1/4, Section 19, to irrigate 107.2 acres in the NE1/4, Section 19, all in T112N, R50W. Application No. 5170-3 proposes to change the location of the diversion point to the NW1/4 NW1/4, Section 20, T112N, R50W to pump from one 34 foot deep well and irrigate 50 acres in the E1/2 NE1/4, Section 19, T112N, R50W authorized by Permit No. 3416-3. This application does not authorize any increase in water appropriation or acreage irrigated.

Background

Land in the E1/2 NE1/4, Section 19, T112N, R50W, originally under Permit No. 3416-3, and acreage in the NW1/4, Section 20, T112N, R50W covered by Permit No. 4507-3, were combined and irrigated by a center pivot from the diversion point requested on this application. The owner of Permit No. 4507-3 purchased the E1/2 NE1/4 of Section 19 which is under Permit No. 3416-3, but did not acquire the land containing the original diversion point for Permit No. 3416-3. This well is located in the NW1/4 NE1/4 of Section 19, which remains under different ownership.

Aquifer Characteristics

The permit is located in the Coteau des Prairie portion of the Central Lowland physiographic province. The region is covered by Pleistocene glacial material including moraines, stagnant ice features, glacial drift and outwash. The well has been drilled into the Big Sioux Aquifer-Brookings Management Unit. This is a surficial aquifer which can be under water table or artesian conditions (Hedges and others, 1982). This particular well appears to be under water table conditions based on information in the well log supplied by the applicant (Water Permit Application 5170-3, 1988).

Water Availability

Water Permit Application 5170-3 does not authorize any additional water appropriations, as only a change in well location is requested. Thus, water is available for this application.

The Brookings Management Unit has an estimated volume of recoverable water in excess of 637,000 acre-feet with 245,850 acre-feet of this amount in Brookings County alone (Hedges, and others, 1982). In 1982 county appropriations were approximately 77,000 acre-feet, of which 9000 acre-feet were used. This amounts to 31% of available water appropriated and 3% of it

utilized (Hedges, and others, 1983). The primary users were irrigators, municipalities, and rural water systems. No specific data are available on the latter groups, but acre-feet appropriated for irrigation fell from 57,534 in 1982 to 43,058 in 1986, a 25% decrease (SDGS, 1987).

Four Water Rights Division observation wells, BG-75H, BG-75L, BG-75I, and BG-75Y, all located in the aquifer and approximately a mile from the application diversion point, do not indicate any long term trend in water levels. The water level measurements show that the aquifer responds quickly to precipitation events and groundwater levels rise and fall with the variations in seasonal and annual precipitation (WRD Observation Well Files, 1988). The above information supports the conclusion that water would be available from the aquifer.

Existing Water Permits

There are a number of water permits in the vicinity of this application. The permits consist primarily of irrigation permits and the Brookings-Deuel rural water system wells. The two nearest permits, 2148-3 and 3416-3 (the portion remaining under the previous owner) are approximately 2000 and 4000 feet respectively from this application's diversion point. There should be no adverse effects from this well spacing.

According to the permit application, the nearest domestic well on another individual's property is one-quarter mile away. The well interference qualification will be included to protect adequate domestic wells, although interference with this well is not anticipated.

Also, because this application does not authorize any additional diversion of water and the application diversion point has been in use for a few years with no complaints filed against its use (WRD Complaint Files, 1988), no interference is expected.

Conclusions

1. Water is available from the Big Sioux Aquifer-Brookings Management Unit for this application as no additional water is authorized.
2. The well at the new diversion point requested in the application had been in use for a number of years with no complaints brought against it.
3. There are a number of permits located in the vicinity of the application with the closest approximately one-half mile away. Because of the large aquifer capacity and sufficient well spacing the Water Rights Division does not expect the application to cause any adverse effects on existing water rights.

4. This permit can be approved with the well interference qualification. Upon licensing of the permit, applicable portions of 3416-3 should be incorporated into 5170-3.



Tom Brandner
Natural Resources Engineer

References

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

Hedges, L.S., S.L. Burch, and D.L. Iles, 1983, Evaluation of Ground-Water Resources Eastern South Dakota and Iowa; Task 6: Average Annual Water Use by Aquifer, Prepared for U.S. Army Corps of Engineers Planning Division by DWNR Geological Survey, Vermillion, SD.

South Dakota Geological Survey, 1987, Irrigation Report by County: Eastern South Dakota, Prepared by SDGS for the Division of Water Rights, 150 p.

Water Rights Division, 1988, Complaint Files, DWNR, Joe Foss Bldg., Pierre, SD.

Water Rights Division, 1988, Observation Well Files, DWNR, Joe Foss Bldg., Pierre, SD.

Water Rights Division, 1988, Permit Files, DWNR, Joe Foss Bldg., Pierre, SD.

Water Right Permit Application No. 5170-3, 1988, Information Included with Permit Application.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5170-3, Jerald A Peterson

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. 5170-3, Jerald A. Peterson, RR 1, Box 36A, Bruce SD.

The Chief Engineer is recommending APPROVAL of Application No. 5170-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. 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.
2. 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
August 16, 1988



Department of Water & Natural Resources

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

(April 7, 1988

Jerald A. Peterson
RR 1, Box 36A
Bruce SD 57720

Dear Mr. Peterson:

This letter is to follow-up our phone conversation on March 30, 1988 regarding your water permit application to change the location of the well diversion point. You indicated that Gene Kaiser drilled the production well in 1982 to the best of your knowledge. You also believed that test hole No. 8 was representative of the constructed well. I informed you that Mr. Kaiser was not a licensed well driller in 1982 and that the test hole log submitted with the application was not acceptable unless the driller was licensed in South Dakota.

The water permit application can not be considered by the Water Management Board until the application is complete. Therefore, I informed you to submit letter petitioning the Board to make a declaratory ruling to accept the test hole log as submitted pursuant to General Rules Section 74:02:01:46. You stated the May Board meeting conflicted with corn planting season and that you would prefer to attend the July 27 and 28, 1988 Board meeting.

Please submit a written petition stating you wish to testify at the July 27 and 28, 1988 Board meeting to ask the Board to accept the test hole log. No action can be taken on the water permit application until this situation is resolved. Contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Ron Duvall".

Ron Duvall
Natural Resources Engineer
605 773-3352

4-11-88

Ron Duwall

Natural Resources Engineer

Pierre, S.D.



Dear Ron:

I have contacted Gene Kaiser re the test logs and irrigation well in Sect. 20. As yet I haven't received any information from him. If I do I will contact you.

In lieu of any new or different information I request an audience at your July board meeting to have my test hole data accepted for sect. 20.

Sincerely,

Jerry Peterson

RR1 Box 36A

Bruce S.D.

57220



Department of Water & Natural Resources

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

May 20, 1988

NOTICE

TO: Jerald A Peterson
RR 1, Box 36A
Bruce SD 57220

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

John Hatch
by James Hunter

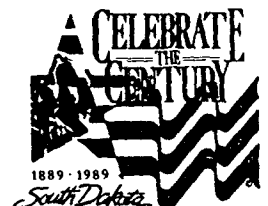
SUBJECT: Notice of Hearing on Request for Declaratory Ruling to Accept a
Test Hole Log from an Unlicensed Well Driller.

On December 3, 1987 a water permit application was submitted to the Division of Water Rights with a test hole log completed by Kaiser Well Works. A letter dated January 21, 1988 requested additional information regarding the test hole log which you answered via phone on March 30, 1988. I informed you during the phone conversation and by a follow-up letter dated April 7, 1988 that the log was not acceptable because Kaiser Well Works was not a licensed South Dakota well driller. The letter also stated the water permit application can not be considered by the Water Management Board until the test hole log issue is resolved.

On April 13, 1988 your letter was received requesting a hearing before the Water Management Board to have the test hole log accepted by the Board. The Board will consider the request for a declaratory ruling on the acceptability of the log pursuant to General Rules Section 74:02:01:46 and 74:02:01:08.1, respectively. The Board has legal authority and jurisdiction to consider this matter pursuant to SDCL 46-1-15, 46-2-5, 46-2-9, 46-2-11, 46-2-17 and 46-5-10. The public hearing will be held on July 27, 1988 at 9:30 am, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD. The agenda time is an estimate. The actual time of hearing may be later than 9:30 am due to prior agenda items.

After all evidence is taken at the hearing, the Board may issue a decision to accept the submitted test hole log, reject the submitted test hole log and require submission of a log from a licensed well driller, or take no action. The hearing will be held pursuant to the contested case procedures required by SDCL Chapter 1-26. The hearing is an adversary proceeding and any party has the right to be present at the hearing and to be represented by a lawyer. These and other due process rights will be forfeited, if not exercised at the hearing. Any decision rendered by the Board may be appealed to the Circuit Court and to the State Supreme Court as provided by law.

cc: Harold Deering, Assistant Attorney General



CERTIFICATION

I hereby certify that on May 20, 1988 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing Notice of Hearing on Request for Delcaratory Ruling addressed as follows:

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

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 24th day of May, 1988.



th day of May
John Hatch
Notary Public

Conversation or File Documentation

NAME OF PERSON OR FILE: Jerald A. PetersonADDRESS: RR1, Box 36A, Bruce SD 57220 COUNTY BrookingsDATE: August 11, 1988 TELEPHONE _____RE: Acceptance of Driller's log by the Water Management Board

COMMENTS:

Pursuant to the Notice of Hearing dated May 20,
1988, the Board moved to accept the driller's log for
purposes of completing Application No. 5170-3,
Jerald A. Peterson. The motion carried. Mr. Peterson
also gave testimony that the log was representative
of the completed well even though the legal description
was not included on the log.

File in Permit or other file as necessary. Use to document conversations and
what the other party was told; why action or decision was made.

Instruction to Newspaper - Publish first Notice on or before August 29, 1988 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5170-3 to Change the Diversion Point for
Permit No. 3416-3

Notice is given that Jerald A Peterson, RR 1, Box 36A, Bruce SD has filed an application for a water permit to change the location of the groundwater diversion point authorized by Permit No. 3416-3. The point of diversion specified on Permit No. 3416-3 was to be located in the NW 1/4 NE 1/4 Section 19, T112N, R50W to irrigate 107.2 acres in the NE 1/4 Section 19, T112N, R50W. Application No. 5170-3 proposes to change the location of the diversion point (well - 34 feet deep) to the NW 1/4 NW 1/4 Section 20 to irrigate 50 acres authorized by Permit No. 3416-3 in the E 1/2 NE 1/4 Section 19; all in T112N, R50W. This application does not authorize any increase in water appropriation or number of acres irrigated.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5170-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on October 5, 1988 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 23, 1988. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by September 23, 1988.

This application is made pursuant to 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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; 46-5-33 thru 46-5-35; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUB

STATE OF SOUTH DAKOTA)
County Brookings) ss.

I, Rob James

certify that the annexed printed copy of Notice of Intent to

Water was taken from the Brookings Daily

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

City of Brookings

County of Brookings and State of Sou
that the said notice was published in said newspaper on the
two dates:

August 29, 1988

September 6, 1988

[Signature]
(Signature)

Publisher
(Title)

9/6/88
(Date Signed)

Cost of Printing: \$42.50

Legal 480, 2x, Aug. 29, Sept. 6
NOTICE OF HEARING on
Application No. 5170-3 to Change
the Diversion Point for
Permit No. 3416-3

Notice is given that Jerald A Peterson, RR 1, Box 36A, Bruce SD has filed an application for a water permit to change the Location of the groundwater diversion point authorized by Permit No. 3416-3. The point of diversion specified on Permit No. 3416-3 was to be located in the NW 1/4 NE 1/4 Section 19, T112N, R50W to irrigate 107.2 acres in the NE 1/4 Section 19, T112N, R50W. Application No. 5170-3 proposes to change the location of the diversion point (well - 34 feet deep) to the NW 1/4 NW 1/4 Section 20 to irrigate 50 acres authorized by Permit No. 3416-3 in the E 1/2 NE 1/4 Section 19; all in T112N, R50W. This application does not authorize any increase in water appropriation or number of acres irrigated.

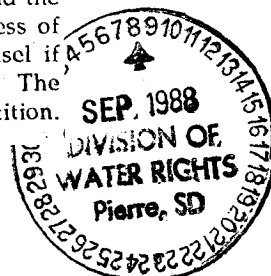
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Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 23, 1988. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre, SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition.

Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversarial proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or petitioner. The request for a delay must be received by September 2, 1988.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-11 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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-5-33 thru 46-5-35; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.





Department of Water & Natural Resources

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

FEB 13 1989

Jerald A. Peterson
RR 1, Box 36 A
Bruce, South Dakota 57220

Dear Mr. Peterson:

Enclosed is your Water Permit No. 5170-3 as approved by the Water Management Board authorizing construction of the water system and the application of water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch". The signature is written in black ink and is positioned above the typed name and title.

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

JH: ms

enclosure

**Department of
Water & Natural Resources**

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

March 29, 1989

5170-3

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

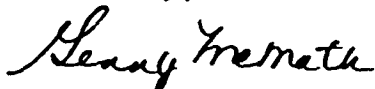
Dear Mr. Peterson:

The inspection of your water use system and the inspection of the extent of the application of water to beneficial use, as developed under your Water Permit No. 5170-3 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, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$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, April 7, 1989

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>5170-3</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 / mra
Chief Engineer John Hatch / mra

SOUTH Dakota Department of
Water & Natural Resources

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

DEC 26 1989

5170-3

Jerald Peterson
RR 1, Box 36A
Bruce SD 57220

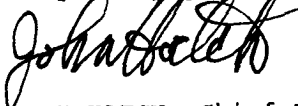
Dear Mr. Peterson:

Enclosed is Reissued Water Permit No. 5170-3. A review of the permit for licensing purposes found the priority date to be in error.

The original water permit issued February 13, 1989 authorized a change in location of the diversion point described in Water Permit No. 3416-3. Since Water Permit No. 5170-3 did not authorize any increase in water appropriated or acreage irrigated, it should have carried the same priority date as Permit No. 3416-3 (December 13, 1976).

Water Permit No. 5170-3 has been reissued to correct the priority date. The date has been changed from July 27, 1988 to December 13, 1976. If you have any questions concerning the reissued permit, please contact Genny McMath, 773-3352.

Very truly yours,



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

enclosure

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5170-3**

(1) Jerald A Peterson, 46727 197th St, Bruce, SD 57220 made Application No. 5170-3, December 3, 1987 for a water permit to change the location of a well authorized under Water Permit No. 3416-3. The well is located in Brookings County, South Dakota and used for irrigation purposes. Permit No. 5170-3, with a priority date of December 13, 1976 (established under Water Permit No. 3416-3) was approved October 6, 1988 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of water completed. Permit No. 5170-3 did not authorize an increase in the water appropriated or the acreage irrigated under Water Permit No. 3416-3.

Water Permit No. 5170-3 specified the location of the diversion point was in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, T112N, R50W. An investigation of the water use system found the diversion point located near the quarter-quarter line between the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (permitted location) and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ (actual location). Pursuant to SDCL 46-5-13.1, the Chief Engineer made a finding that the change in diversion point location does not increase the potential for adverse effects to existing diversions.

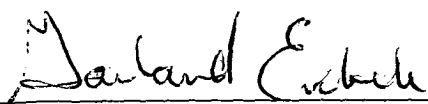
Land authorized for irrigation under Water Permit No. 4507-3 (priority date of March 10, 1980) is also irrigated from the well described above. The application portions of Water Permit No. 3416-3 & Water Permit No. 4507-3 have been incorporated into this Water License No. 3416-3. Priority dates as they pertain to the acres irrigated, are described in (3) of this license.

(2) It is certified that the permit holder 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 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 1,400'E and 70'S of the NW corner of Section 20, T112N, R50W (NE $\frac{1}{4}$ NW $\frac{1}{4}$).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following 136 acres:

December 13, 1976 Priority Date Section 19, T112N, R50W		March 10, 1980 Priority Date Section 20, T112N, R50W			
NE $\frac{1}{4}$ NE $\frac{1}{4}$	28 acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$	37 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$	3 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	28 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$	37 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$	3 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Jerald A Peterson, 46727 197th St, Bruce, SD 57220 the holder and/or owner of Incorporated Water Right No. 5170-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water (one well) with priority dates of December 13, 1976 & March 10, 1980 from the location specified in (2) of this license. The water 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 Right No. 5170-3 and subject to South Dakota State Law.


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

NOV 07 2001
date



Approval of Diversion Point Location Change

NAME: Jerald A Peterson

ADDRESS: 46727 197th St, Bruce SD 57220

DATE: September 17, 2001

COUNTY: Brookings

TELEPHONE: 873-2636

Cell 695-3163

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The developed water source is the same as originally permitted (Big Sioux – Brookings) and there is no increase in the authorized diversion rate. The license for No. 5170-3 is to be issued for 1.78 cfs which is well within the total appropriation of 3.59 cfs (4507-3) and 1.50 cfs (3416-3) which are to be incorporated into No. 5170-3.

- **If irrigation, no new land is irrigated**

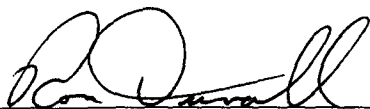
All of the irrigated property is within the areas described on Nos. 3416-3 and 4507-3 which are to be incorporated into No. 5170-3.

- **Review of Existing Diversions**

The nearest other existing water right is No. 2148-3, Summa Living Trust, located approximately 2,000 feet from the well covered by No. 5170-3. The well location for No. 5170-3 is very near the quarter-quarter line separating the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (permitted location) from the NE $\frac{1}{4}$ NW $\frac{1}{4}$ (actual location) section 20-T112N-R50W. The well has been in use for many years with no reported interference between the irrigation wells.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point be licensed as developed.



Ron Duvall, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location of the diversion point does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program

Permit No. 5170-3
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 27, 2001, made a thorough examination of the water use system constructed by Jerald A Peterson of 46727 197th St, Bruce SD 57220 holder of Permit No. 5170-3, bearing the priority of December 13, 1976 authorizing the diversion of no additional cu. ft. per of the waters of ground water (Big Sioux:Brookings) for irrigation purposes, in Brookings County.

Inspection contact & relationship to permit holder, if applicable: **Jerald Peterson**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Kaiser
- 2) No. of Wells 1
- 3) Depth(s) 52 feet
- 4) Well log is available N
- 5) Comment: test hole log only

Casing:

- 1) Diameter 16 inches
- 2) Length 37 feet

Screen:

- 1) Type stainless steel
- 2) Length 15 feet

Pump:

- 1) Make Valley

Motor:

- 1) Make Lister, diesel
- 2) Size 1800 rpm
- 3) Horsepower rating 50 hp

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

- 1) Type PVC
- 2) Size 8 inches
- 3) Length 1,750 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
- 2) Number of towers 8
- 3) End gun Y
- 4) Low pressure
- 5) Capacity 800 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: See attached "Change in Diversion Point Location" documentation

Report of Examination of Works

Permit No. 5170-3

The system is in good condition with the point of diversion located as follows: Well: 1,400 feet E and 70 feet S from the NW corner section 20-T112N-R50W (NE $\frac{1}{4}$ NW $\frac{1}{4}$ - latitude 44.49985, longitude -96. 86289). The works are capable of diverting and conveying to the place of use 1.78 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 T112N-R50W**

NE $\frac{1}{4}$ NE $\frac{1}{4}$ sec 19	28 ac	NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec 20	37 ac	NE $\frac{1}{4}$ NW $\frac{1}{4}$ sec 20	3 ac
SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec 19	28 ac	SW $\frac{1}{4}$ NW $\frac{1}{4}$ sec 20	37 ac	SE $\frac{1}{4}$ NW $\frac{1}{4}$ sec 20	3 ac

*Priority (December 13, 1976) established under No. 3416-3 for acreage in sec 19. Priority (March 10, 1980) established under No. 4507-3 for acreage in section 20.

comprising a total of 136 acres of land and the license should be issued for 1.78 cfs.

Other permit(s) associated with the project: **3416-3 & 4507-3** | All structures, wells and lands on map Y

*No. 5170-3 specified irrigation of 50 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ sec 19 as authorized by No. 3416-3. However, the original acreage covered by No. 3416-3 authorized up to 107.2 irrigated acres in NE $\frac{1}{4}$ sec 19. The developed acreage (56 acres) is within this total permitted acreage.



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: September 19, 2001

700 0 700 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall, Nat. Res. Engineer
September 12, 2001

No. 5170-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOV 07 2001

Jerald A Peterson
46727 197th St
Bruce, SD 57220

Dear Mr. Peterson:

The investigation and issuance of your water licenses have been completed. Enclosed are the following:

- **Water License No. 3556A-3**
- **Water License No. 3556B-3**
(For ease of reporting, Water Right No. 3556-3 was divided and reissued as "A" & "B" to reflect the separate systems.)
- **Water License No. 5170-3 and map**
(This license incorporated the applicable portions of Water Permit Nos. 3416-3 and 4507-3.)
- **Water License No. 5443-3 and map**
(This license incorporated the applicable portions of Water Right No. 4345-3.)

For your information SDCL 46-6-27 requires that if the owner of an existing well(s), such as the wells authorized by Water Right Nos. 3556A-3, 3556B-3, 5170-3 and 5443-3, 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.

Also enclosed are your Receipt Nos. 413420 and 411734. As long as you use the water beneficially, as stated in each of 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



5170-3
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.



5170-3
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

5170-3

SD EForm - 1621LD V1

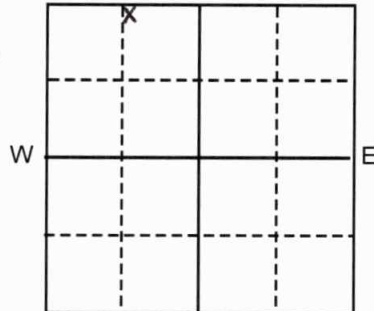
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NE ¼ NW ¼ Sec 20 Twp 112N Rg 50W

County Brookings

North

Please mark well
location with an "X"

Well Completion Date

5/6/2022

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

Mud Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	12.00 IN	0.0 FT	22.0 FT	18.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite	8	Lb/gal	0.0 Ft	15.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

Tremie pipe

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 12.00 Inches Length 10.0 Feet

Material Stainless steel

Slot Size 70 Set From 22.0 Feet to 32.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?

☒ No, Why Not?

Lab to which water

quality sample sent for analysis

Irrigation well

Well Owner: Jerry Peterson

Business Name:

Address: 46727 197th St

City, State, Zip: Bruce SD 57220

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top soil	0	2
Clay - brown/gray	2	3
Gravel	3	32
Clay - blue	32	40

STATIC WATER LEVEL 3.0 FEET

If flowing: closed in pressure PSI

GPM flow through Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe:

☐ Bailed

☐ Other

Pumping Level Below Land Surface

Ft. After Hrs. pumped GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

GPS: N44 29.9930 W96 51.7900

This well was drilled under license # 475 and this report is true and accurate.

Drilling firm: THEIN WELL COMPANY, INCORPORATED

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

RECEIVED

JUN 14 2022

Date:

OFFICE OF
WATER

Jerry Peterson

32' Irrigation well
Bruce SD
N44 29.9930 W96 51.7900

Legend

 32' Irrigation well

Big Sioux River

199th St

32' Irrigation well

199th St

199th St

468th Ave

468th Ave

Google Earth

N

2000 ft



**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