

insiderqd: _____

WATER PERMIT NO. 5261-3

HAP No. Same

Name of Applicant Paul Petersen

Post Office Address RR1, Box 4A, Hurley, SD 57036

Amount of Water Claimed 1.96 cfs Total Acres 136

Source of Water Supply groundwater - 1 well

Water to be used for irrigation County Turner

About 3 miles north of Hurley

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved 3/2/89 Subject to _____

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

PRIORITY _____ Date Received Dec 13, 1988 Fee 250⁰⁰ Remarks _____

Dec 13, 1988

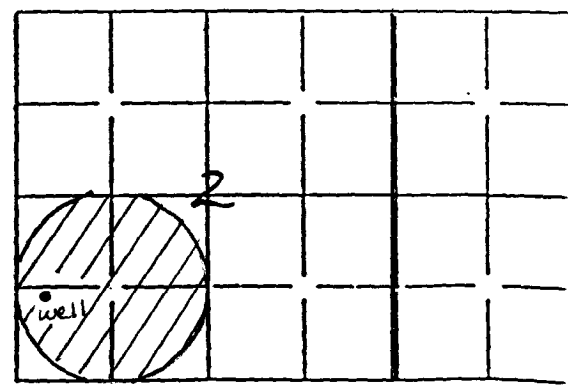
Corrected Application Received Dec. 19, 1988 Period of Annual Use Apr 1 - Nov 30

WATER QUALITY APPROVAL RECEIVED Jan. 20, 1989 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point SW¹/₄ SW¹/₄ Sect. 2 - T98N - R53W

Land to be Irrigated SW¹/₄ Section 2, T98N, R53W



Well Log: Driller Wetmore Drilling Licensed YES ☒ NO _____

Depth of Well 82' REMARKS test hole

Type of Map aerial photo PREPARED BY Fran Ingalls Reviewed and the Number

assigned on January 17, 1989 By Susan A. Bowar

(See instructions)

No. <u>5261-3</u>	Hydrologic Unit <u>10170102</u>
Basin <u>Vermillion R.</u>	
Newspaper <u>The New Era</u>	<u>Parker S.D. 57053</u> (used)



Application For Soil/Water Compatibility Permit and Permit To Appropriately

- 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 _____
1. Name of Applicant Paul Petersen Phone No. 238-5791
- Post Office Address Rt 1 Box 4A Hurley State SD 57036
(Street, RR or Box) (City) (Zip Code)
2. Amount of water claimed (c.f.s.) 2.0 1.96 Total acres irrigated -130- 136
3. Source of Water supply Ground Water 1 well
4. Location of point of diversion will be 1287' North and 650' East
of the SW corner of Sec 2-98-53
SW 1/4 SW 1/4 Section 2-T98N-R53W County Turner
5. Counties where water will be used Turner
6. Annual period during which water is to be used April - November 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.
NE 1/4 SW 1/4 2-98-53	33- 34
NW 1/4 SW 1/4 2-98-53	33- 34
SW 1/4 SW 1/4 2-98-53	33- 34
SE 1/4 SW 1/4 2-98-53	33- 34

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: Corn Beans Alfalfa
10. Give a description of proposed project. (Attach sheet if more space is needed)

Am requesting permit to water 136.8 Acres of SW 1/4 - 2-98-53 with a center pivot irrigation system. I will use Elect power to pump the water through 630' of plastic under ground to the C.P. which will be nozzled at 1000 gpm.

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 Turner)^{ss}

I, Paul Petersen, 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 Paul Petersen

Subscribed and sworn to before me this 12th day of Dec 19 88

[Signature]
Notary Public

**SOUTH DAKOTA
WATER PERMIT No. 5261-3 FOR IRRIGATION**

Date of first receipt of application December 13, 1988.

Date Soil/Water Compatibility Permit received January 20, 1989.

Date of return of applicant for correction, amendments or changes required December 14, 1988.

Date of receipt of corrected application December 19, 1988.

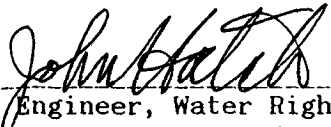
The Water Management Board approved Water Permit Application No. 5261-3 on March 2, 1989 for Paul Petersen, RR 1, Box 4A, Hurley SD 57036 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5261-3 appropriates 1.96 cfs from one well, approximately 80 feet deep to be located in the W 1/2 SW 1/4 to irrigate 136 acres in the SW 1/4; all in Section 2-T98N-R53W.
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 - November 30.
3. The date from which applicant may claim right is December 13, 1988.
4. One-fifth of the construction is to be completed on or before September 2, 1991.
5. All construction is to be completed on or before March 2, 1994.
6. Water is to be put to beneficial use on or before March 2, 1998.
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 authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. 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.
3. 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

JUN 13 1989

(date)

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 22" Depth 80'
- b) Casing Type RVC - Plastic Diameter 16" Thickness 1/2"
- c) Screen Type Plastic 100 slot Diameter 16" Thickness 1/2"
- d) Gravel Pack Thickness 3" Length of Gravel Pack 65'
- e) Depth to Top of Water Bearing Material 2'
- f) Depth to Water (ground surface to water level) 13'
- g) Distance to nearest existing domestic well:
- On applicants property No wells On property owned by others Approx 2566'

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 _____

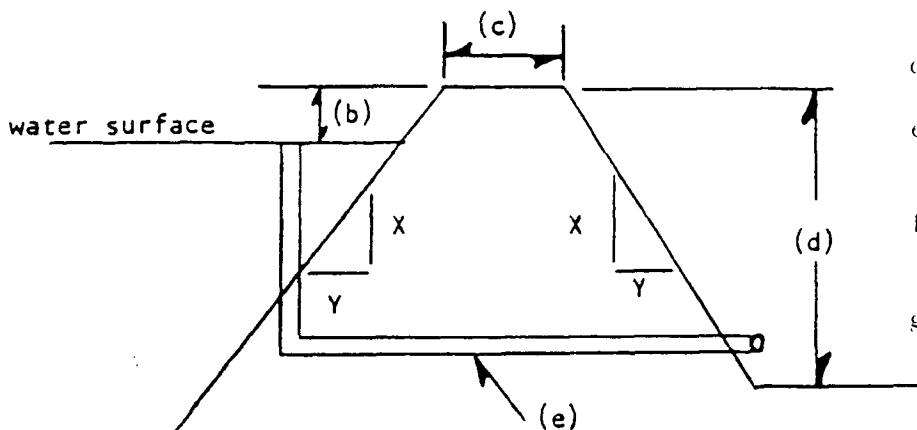
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Paul Petersen
 Signature of Applicant



Department of Water & Natural Resources

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



December 14, 1988

Paul Petersen
RR 1, Box 4A
Hurley, SD 57036

Dear Mr. Petersen:

This is in response to the water permit application received from you on December 13, 1988.

The application is incomplete for the following reason(s):

- (1) According to South Dakota Water Rights Rules, ARSD 74:02:01:07, the map submitted must have the acreage to be irrigated outlined and must also be signed by a South Dakota Registered Engineer, a South Dakota Licensed Land Surveyor, or by a government employee who normally prepares maps as part of his assigned duties (see enclosed instruction sheet). The enclosed maps that were submitted show 160 acres to be irrigated, but the application form indicates 133 acres. Also, does the person who signed the map, Administrative Secretary, Fran Ingalls normally sign maps as part of her assigned duties? If so, the place of employment should be added to the map. If not, another signature must be obtained.

The Water Management Board cannot consider a water permit application until it is complete. Please outline the acreage to be irrigated on the maps, and return them along with a qualified signature.

Feel free to contact us if you have any questions.

Sincerely,

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosure



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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411541

Pierre, December 13, 1988

RECEIVED OF Paul Petersen, RR 1, Box 4A, Hurley SD 57036

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

Fee for Application for Permit No. <u>5261-3</u> to Appropriate Water, to construct works and to put water to beneficial use	250	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	250 00

By

Chief Engineer

John Hatch
KS



WETMORE DRILLING

P.O. BOX 577 - ELK POINT, SOUTH DAKOTA 57025 - (605) 356-3272



December 10, 1988

Paul Peterson
RR Box 41A
Hurley, SD 57036

TEST HOLE LOG:

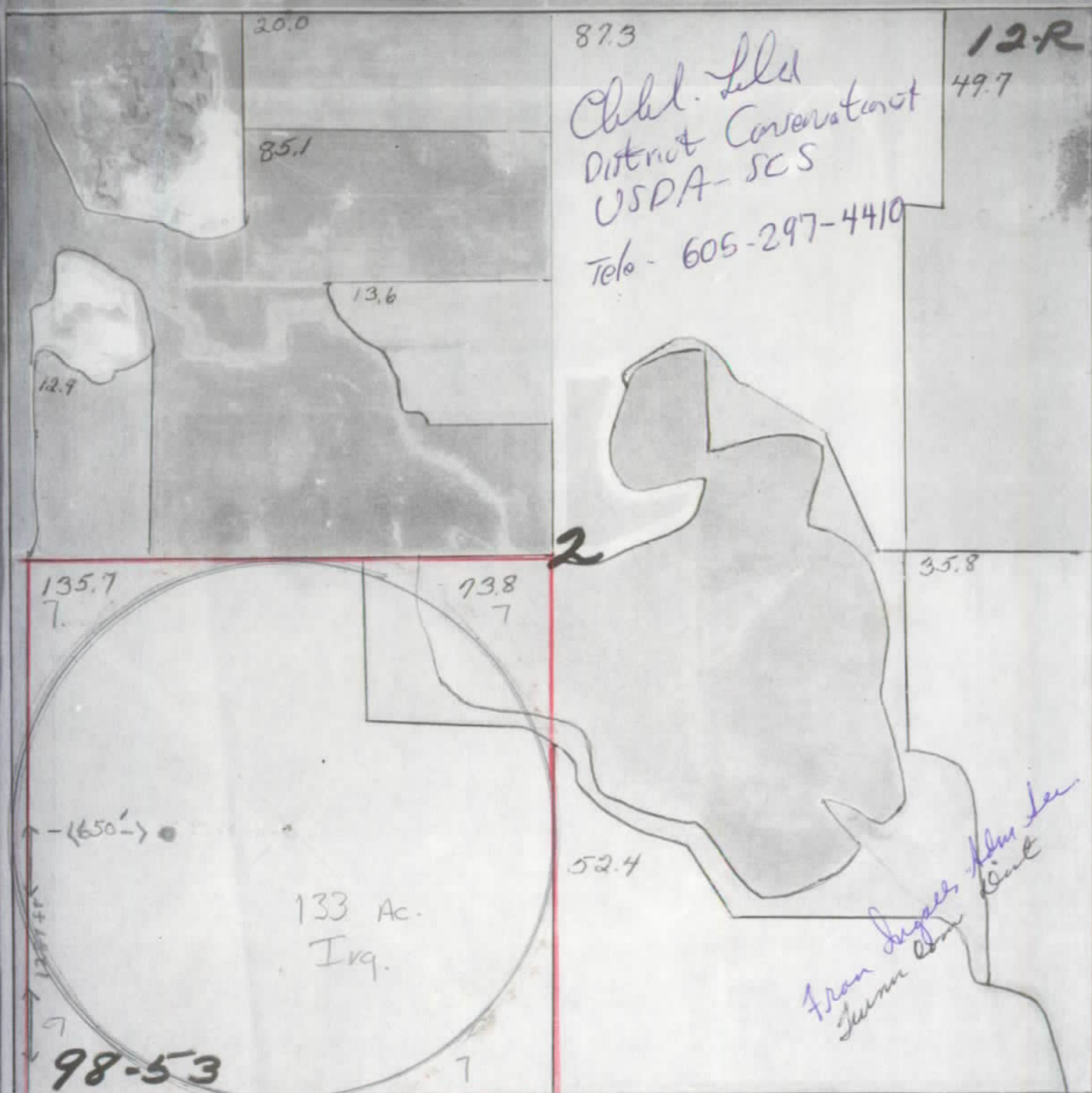
Center of SW $\frac{1}{4}$ 2-98-53 Hurley Twnsp - Turner Co.

0 - 2'
2 - 80'
80 - 82'

Topsoil
gravel
clay

James Wetmore
James Wetmore
Wetmore Drilling
PO Box 577
Elk Point, SD 57025

NOT TO SCALE



Appl. No. 5261-3

12.9

1-53

135.7

7A

73.8

7A

Chad. L. L. L.
District Conserv.
USDA-SCS
005297-4410

well

Pivot

133 Acres
to Trg.

52.4

98-53

Shan. L. L. L.
District Conserv.
USDA-SCS
005297-4410

7.1

104.0

2.1

20.3

6.0

Appl. No. 5261-3

Report on Application No. 5261-3

Paul Peterson

January 22, 1989

This application proposes to appropriate 1.96 cfs from one well approximately 80 feet deep to be located in the W1/2 SW 1/4 to irrigate 136 acres in the SW 1/4, all in Section 2, T98N-R53W, in Turner County.

Aquifer - Parker Centerville (PAC)

The Parker Centerville (PAC) is a Pliestocene surficial outwash (sand and gravel) and alluvium. The aquifer is under water table conditions and is hydraulically connected to the Vermillion River. The test hole log submitted with this application indicates aquifer from 2 to 80 feet below land surface. This would indicate a hydraulic connection to a deeper aquifer (Upper Vermillion Missouri) in this area. Normally the PAC thickness does not exceed 40-50 feet. Examining other drill logs for the area, (Well Files, 1989) would indicate the potential for aquifer interconnection and that the drill log submitted is reasonable. The reason for calling this proposed diversion PAC is because of the surficial nature of the aquifer at this location.

The PAC Aquifer underlies 38,300 acres and contains an estimated 114,900 acre-feet of recoverable water (Hedges, 1982). These estimates are very conservative in light of the probable interconnection with deeper glacial aquifers.

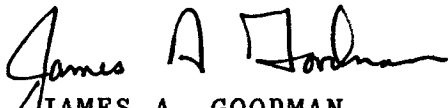
The Division of Water Rights monitors 61 observation wells in Turner County and 20 of these are completed into the PAC Aquifer (Water Rights, 1989). Water levels in these wells respond seasonally and to extremes of drought and wet periods. Water levels in the aquifer indicate the aquifer is sustaining the demands for irrigation. A hydrograph for observation well TU-56D is included with this report.

Review of Existing Water Permits

This area is intensively irrigated from either the PAC or the Upper Vermillion Missouri Aquifer. Interference has never been a problem in this area. This is expected because the PAC is under water table conditions and typically drawdowns do not extend very far from pumping wells under these aquifer conditions.

Conclusions

1. Water is available from the PAC Aquifer.
2. Interference between pumping wells is not expected to be a problem.
3. The PAC Aquifer and the deeper glacial aquifer appear to be interconnected in this area.
4. Historically, irrigation has been done in this area since 1955 and interference or water availability has never been a problem.
5. Recent studies indicate that irrigation or farming in general which occurs over shallow water table aquifers may cause ground water contamination problems.


JAMES A. GOODMAN

Hydrologist

Bibliography

Hedges, L.S., Evaluation of Ground Water Resources Easter SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, SD 57069

Water Rights, 1989, Observation Well Records for Turner County, SD, DWR, Division of Water Rights, Joe Foss Bldg, Pierre, SD 57501

Well Files, 1989, Files of Drillers Logs for T98N-R53W, Turner County, DWR, Division of Water Rights, Joe Foss Bldg, Pierre, SD 57501

OBS_WELL	LOCATION	DATE	READING
TU-56D	098N-53W-01BCCC	08/15/56	-15.3
TU-56D	098N-53W-01BCCC	09/12/56	-16.0
TU-56D	098N-53W-01BCCC	10/11/56	-16.2
TU-56D	098N-53W-01BCCC	11/29/56	-16.1
TU-56D	098N-53W-01BCCC	02/01/57	-16.6
TU-56D	098N-53W-01BCCC	04/10/57	-16.1
TU-56D	098N-53W-01BCCC	05/22/57	-17.1
TU-56D	098N-53W-01BCCC	08/03/57	-14.1
TU-56D	098N-53W-01BCCC	05/02/58	-14.9
TU-56D	098N-53W-01BCCC	06/19/58	-15.2
TU-56D	098N-53W-01BCCC	08/14/58	-16.0
TU-56D	098N-53W-01BCCC	09/26/58	-16.4
TU-56D	098N-53W-01BCCC	11/13/58	-16.5
TU-56D	098N-53W-01BCCC	03/14/59	-17.2
TU-56D	098N-53W-01BCCC	05/18/59	-17.2
TU-56D	098N-53W-01BCCC	06/10/59	-16.3
TU-56D	098N-53W-01BCCC	07/16/59	-16.7
TU-56D	098N-53W-01BCCC	08/12/59	-17.5
TU-56D	098N-53W-01BCCC	09/11/59	-17.4
TU-56D	098N-53W-01BCCC	11/19/59	-16.8
TU-56D	098N-53W-01BCCC	05/06/60	-13.1
TU-56D	098N-53W-01BCCC	07/08/60	-13.8
TU-56D	098N-53W-01BCCC	11/03/60	-15.0
TU-56D	098N-53W-01BCCC	03/08/61	-14.9
TU-56D	098N-53W-01BCCC	07/12/61	-13.0
TU-56D	098N-53W-01BCCC	11/03/61	-16.5
TU-56D	098N-53W-01BCCC	04/13/62	-14.8
TU-56D	098N-53W-01BCCC	07/11/62	-13.7
TU-56D	098N-53W-01BCCC	10/31/62	-14.3
TU-56D	098N-53W-01BCCC	03/07/63	-14.3
TU-56D	098N-53W-01BCCC	07/17/63	-17.3
TU-56D	098N-53W-01BCCC	12/03/63	-15.8
TU-56D	098N-53W-01BCCC	07/27/64	-18.6
TU-56D	098N-53W-01BCCC	12/15/64	-18.3
TU-56D	098N-53W-01BCCC	04/14/65	-17.6
TU-56D	098N-53W-01BCCC	07/21/65	-18.4
TU-56D	098N-53W-01BCCC	11/04/65	-16.0
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TU-56D	098N-53W-01BCCC	06/13/67	-15.6
TU-56D	098N-53W-01BCCC	06/21/67	-15.4
TU-56D	098N-53W-01BCCC	06/28/67	-15.3
TU-56D	098N-53W-01BCCC	07/07/67	-15.2
TU-56D	098N-53W-01BCCC	07/12/67	-15.2
TU-56D	098N-53W-01BCCC	07/19/67	-15.3
TU-56D	098N-53W-01BCCC	07/26/67	-15.4
TU-56D	098N-53W-01BCCC	08/02/67	-15.7
TU-56D	098N-53W-01BCCC	08/08/67	-15.8
TU-56D	098N-53W-01BCCC	08/18/67	-16.0
TU-56D	098N-53W-01BCCC	08/23/67	-15.8
TU-56D	098N-53W-01BCCC	09/08/67	-16.0
TU-56D	098N-53W-01BCCC	11/27/67	-16.5
TU-56D	098N-53W-01BCCC	03/13/68	-16.6
TU-56D	098N-53W-01BCCC	07/11/68	-16.8
TU-56D	098N-53W-01BCCC	10/31/68	-15.8
TU-56D	098N-53W-01BCCC	04/17/69	-13.6

9:52 MONDAY, JANUARY 23, 1989 1

OBS_WELL	LOCATION	DATE	READING
TU-56D	098N-53W-01BCCC	06/11/69	-13.3
TU-56D	098N-53W-01BCCC	06/20/69	-13.3
TU-56D	098N-53W-01BCCC	06/27/69	-13.3
TU-56D	098N-53W-01BCCC	07/04/69	-13.3
TU-56D	098N-53W-01BCCC	07/11/69	-13.3
TU-56D	098N-53W-01BCCC	07/18/69	-13.3
TU-56D	098N-53W-01BCCC	07/25/69	-13.4
TU-56D	098N-53W-01BCCC	08/01/69	-13.5
TU-56D	098N-53W-01BCCC	08/08/69	-13.6
TU-56D	098N-53W-01BCCC	09/17/69	-14.0
TU-56D	098N-53W-01BCCC	11/20/69	-14.2
TU-56D	098N-53W-01BCCC	04/03/70	-14.5
TU-56D	098N-53W-01BCCC	04/08/70	-14.2
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TU-56D	098N-53W-01BCCC	04/07/71	-18.7
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TU-56D	098N-53W-01BCCC	11/23/71	-15.9
TU-56D	098N-53W-01BCCC	04/06/72	-15.4
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TU-56D	098N-53W-01BCCC	06/29/77	-17.4
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TU-56D	098N-53W-01BCCC	07/07/78	-15.8
TU-56D	098N-53W-01BCCC	07/21/78	-15.7
TU-56D	098N-53W-01BCCC	08/30/78	-15.7

9:52 MONDAY, JANUARY 23, 1989 2

OBS_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
TU-56D	098N-53W-01BCCC	09/22/78	-15.6
TU-56D	098N-53W-01BCCC	10/12/78	-15.9
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TU-56D	098N-53W-01BCCC	04/11/79	-14.8
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TU-56D	098N-53W-01BCCC	09/17/80	-16.2
TU-56D	098N-53W-01BCCC	10/23/80	-16.8
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TU-56D	098N-53W-01BCCC	06/01/81	-18.0
TU-56D	098N-53W-01BCCC	06/26/81	-18.0
TU-56D	098N-53W-01BCCC	07/06/81	-18.1
TU-56D	098N-53W-01BCCC	07/30/81	-18.3
TU-56D	098N-53W-01BCCC	08/10/81	-18.6
TU-56D	098N-53W-01BCCC	08/27/81	-18.9
TU-56D	098N-53W-01BCCC	09/15/81	-19.1
TU-56D	098N-53W-01BCCC	10/29/81	-19.6
TU-56D	098N-53W-01BCCC	12/10/81	-19.7
TU-56D	098N-53W-01BCCC	05/04/82	-19.1
TU-56D	098N-53W-01BCCC	06/02/82	-18.7
TU-56D	098N-53W-01BCCC	06/16/82	-17.9
TU-56D	098N-53W-01BCCC	06/29/82	-17.4
TU-56D	098N-53W-01BCCC	07/14/82	-17.5
TU-56D	098N-53W-01BCCC	07/27/82	-18.1
TU-56D	098N-53W-01BCCC	08/11/82	-18.9
TU-56D	098N-53W-01BCCC	08/23/82	-19.2
TU-56D	098N-53W-01BCCC	09/10/82	-19.2
TU-56D	098N-53W-01BCCC	10/07/82	-19.1
TU-56D	098N-53W-01BCCC	11/06/82	-18.1
TU-56D	098N-53W-01BCCC	04/20/83	-12.5
TU-56D	098N-53W-01BCCC	05/19/83	-11.3
TU-56D	098N-53W-01BCCC	06/01/83	-11.2
TU-56D	098N-53W-01BCCC	06/15/83	-11.3
TU-56D	098N-53W-01BCCC	06/28/83	-10.1
TU-56D	098N-53W-01BCCC	07/14/83	-9.9
TU-56D	098N-53W-01BCCC	07/26/83	-10.0
TU-56D	098N-53W-01BCCC	08/09/83	-10.1
TU-56D	098N-53W-01BCCC	08/22/83	-10.6

OBS_WELL	OBSERVATION WELL LOCATION	WATER LEVELS DATE	READING
TU-56D	098N-53W-01BCCC	09/14/83	-11.2
TU-56D	098N-53W-01BCCC	10/17/83	-11.6
TU-56D	098N-53W-01BCCC	11/17/83	-11.7
TU-56D	098N-53W-01BCCC	04/10/84	-10.5
TU-56D	098N-53W-01BCCC	05/09/84	-9.1
TU-56D	098N-53W-01BCCC	05/24/84	-9.5
TU-56D	098N-53W-01BCCC	06/06/84	-9.4
TU-56D	098N-53W-01BCCC	06/20/84	-7.7
TU-56D	098N-53W-01BCCC	07/04/84	-7.6
TU-56D	098N-53W-01BCCC	07/19/84	-8.4
TU-56D	098N-53W-01BCCC	08/01/84	-8.9
TU-56D	098N-53W-01BCCC	08/15/84	-9.4
TU-56D	098N-53W-01BCCC	08/29/84	-10.1
TU-56D	098N-53W-01BCCC	10/01/84	-10.5
TU-56D	098N-53W-01BCCC	11/07/84	-10.1
TU-56D	098N-53W-01BCCC	03/20/85	-10.8
TU-56D	098N-53W-01BCCC	04/30/85	-9.0
TU-56D	098N-53W-01BCCC	05/26/85	-9.7
TU-56D	098N-53W-01BCCC	06/07/85	-10.0
TU-56D	098N-53W-01BCCC	06/20/85	-9.2
TU-56D	098N-53W-01BCCC	07/06/85	-10.2
TU-56D	098N-53W-01BCCC	07/20/85	-10.7
TU-56D	098N-53W-01BCCC	08/01/85	-11.2
TU-56D	098N-53W-01BCCC	08/03/85	-11.2
TU-56D	098N-53W-01BCCC	08/21/85	-11.9
TU-56D	098N-53W-01BCCC	09/19/85	-11.5
TU-56D	098N-53W-01BCCC	10/24/85	-11.4
TU-56D	098N-53W-01BCCC	03/19/86	-13.0
TU-56D	098N-53W-01BCCC	04/01/86	-13.0
TU-56D	098N-53W-01BCCC	04/16/86	-10.0
TU-56D	098N-53W-01BCCC	04/29/86	-9.2
TU-56D	098N-53W-01BCCC	05/28/86	-8.7
TU-56D	098N-53W-01BCCC	06/03/86	-9.0
TU-56D	098N-53W-01BCCC	06/12/86	-9.0
TU-56D	098N-53W-01BCCC	06/26/86	-9.5
TU-56D	098N-53W-01BCCC	07/10/86	-9.5
TU-56D	098N-53W-01BCCC	08/01/86	-10.2
TU-56D	098N-53W-01BCCC	08/14/86	-10.5
TU-56D	098N-53W-01BCCC	08/30/86	-10.7
TU-56D	098N-53W-01BCCC	09/25/86	-9.2
TU-56D	098N-53W-01BCCC	10/23/86	-9.9
TU-56D	098N-53W-01BCCC	03/26/87	-10.0
TU-56D	098N-53W-01BCCC	05/07/87	-10.0
TU-56D	098N-53W-01BCCC	05/20/87	-10.0
TU-56D	098N-53W-01BCCC	06/04/87	-10.2
TU-56D	098N-53W-01BCCC	06/19/87	-10.5
TU-56D	098N-53W-01BCCC	07/02/87	-10.7
TU-56D	098N-53W-01BCCC	07/17/87	-10.8
TU-56D	098N-53W-01BCCC	08/03/87	-11.3
TU-56D	098N-53W-01BCCC	08/13/87	-11.6
TU-56D	098N-53W-01BCCC	08/27/87	-12.1
TU-56D	098N-53W-01BCCC	09/17/87	-12.5
TU-56D	098N-53W-01BCCC	10/29/87	-12.7
TU-56D	098N-53W-01BCCC	03/24/88	-12.6
TU-56D	098N-53W-01BCCC	05/26/88	-12.6

9:52 MONDAY, JANUARY 23, 1989 4

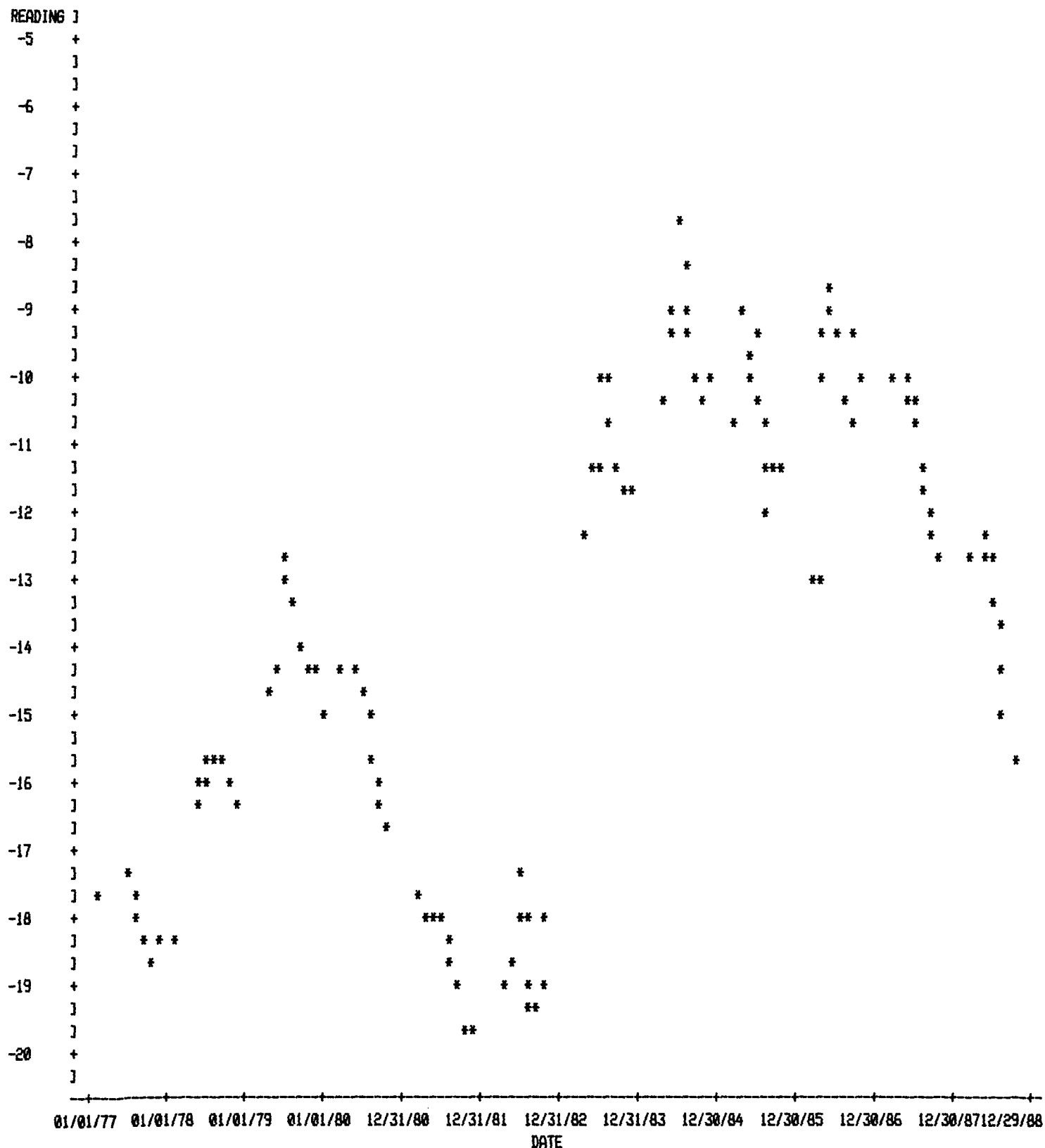
OBS_WELL	LOCATION	DATE	READING
TU-56D	098N-53W-01BCCC	06/09/88	-12.5
TU-56D	098N-53W-01BCCC	06/23/88	-12.7
TU-56D	098N-53W-01BCCC	07/08/88	-13.3
TU-56D	098N-53W-01BCCC	07/21/88	-13.7
TU-56D	098N-53W-01BCCC	08/05/88	-14.4
TU-56D	098N-53W-01BCCC	08/18/88	-14.9
TU-56D	098N-53W-01BCCC	10/05/88	-15.8

N= 227

OBSERVATION WELL WATER LEVELS
OBS_WELL=TU-56D

9:52 MONDAY, JANUARY 23, 1989 6

PLOT OF READING*DATE SYMBOL USED IS *



NOTE: 91 OBS HAD MISSING VALUES OR WERE OUT OF RANGE 24 OBS HIDDEN

UQ50009 - END OF DATA SET

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5261-3, Paul Petersen

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. 5261-3, Paul Petersen, RR 1, Box 4A, Hurley SD 57036.

The Chief Engineer is recommending APPROVAL of Application No. 5261-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. 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.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
January 23, 1989



Department of Water & Natural Resources

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

January 24, 1989

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

Paul Petersen
RR 1, Box 4A
Hurley SD 57036

Dear Mr. Petersen:

Your Application No. 5261-3 for a permit to appropriate water for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your intent to appropriate water has been sent to the Publisher of the The New Era printed at Parker SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

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

January 24, 1989

The New Era
Box 577
Parker SD 57053

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 5261-3 to be published twice. Please publish the first notice on or before February 1, 1989 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Paul Petersen, RR 1, Box 4A, Hurley SD 57036.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____



Instruction to Newspaper - Publish first Notice on or before February 1, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5261-3 to Appropriate Water

Notice is given that Paul Petersen, RR 1, Box 4A, Hurley SD 57036 has filed an application for a water permit to appropriate 1.96 cubic feet of water per second from one well (Parker Centerville Aquifer) approximately 80 feet deep to be located in the W 1/2 SW 1/4 to irrigate 136 acres in the SW 1/4; all in Section 2, T98N, R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5261-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City SD on March 1, 1989 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 February 17, 1989. 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 February 17, 1989.

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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

No. _____



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Jurone) ss.

I, Judith E. Triese hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the SD Dept. of Water Natural Resources

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

New Era of Parker

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

February 2, 1989
February 9, 1989

Judith E. Triese
(Signature)

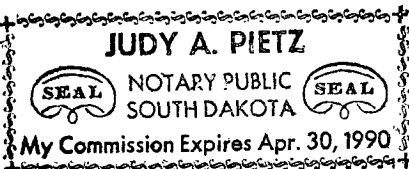
Secretary
(Title)

February 9, 1989
(Date Signed)

Cost of Printing: \$ 31.44.

Judy A. Pietz

WNR-808-7/79
Proof of Publication



NOTICE OF HEARING
on Application No. 5261-3
to Appropriate Water

Notice is given that Paul Petersen, RR 1, Box 4A, Hurley, SD 57036 has filed an application for a water permit to appropriate 1.96 cubic feet of water per second from one well (Parker Centerville Aquifer) approximately 80 feet deep to be located in the W 1/2 SW 1/4 to irrigate 136 acres in the SW 1/4; all in Section 2, T98N, R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5261-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City SD on March 1, 1989 at 10:00 a.m. 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.

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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 February 17, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-1-2.1, 46-2-9, 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

(Publish February 2 & 9, 1989)



Department of Water & Natural Resources

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

JUN 13 1989

Paul Petersen
Rr 1, Box 4A
Hurley SD 57036

Dear Mr. Petersen:

Enclosed is Water Permit No. 5261-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

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

Very truly yours,

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

enclosures

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

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



Turner Co.

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 12-5-90TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181FROM: Paul Petersen Rt 1 Box 4A Hurley S.D.
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5261-3.

Water Permit No. 5261-3 states that the diversion system is to be constructed by 3-2-1994, and that the water it put to beneficial use by 3-2-1998.

The diversion system was completed on 5-5-89.
Applying the water to beneficial use was completed on 5-20-89.

You may schedule an inspection so that the Water License may be issued.

Paul Petersen
signature





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 1997

Wetmore Drilling Company
ATTN: Mike Wetmore
Box 880
Elk Point, SD 57025

Dear Mr. Wetmore:

After a review of Water Rights Program files, I could not locate well completion reports for several water permit holders in Turner and Union counties. The following is a list of well owners along with legal descriptions of their wells which were drilled by Wetmore Drilling Company:

Donald Abraham	NE1/4 Section 32; T093N R50W	Union County
Lyle Wagner	NW1/4 Section 35; T092N R50W	Union County
Don Lantis	SW1/4 Section 03; T098N R48W	Union County
Paul Peterson	SW1/4 Section 02; T098N R53W	Turner County
James Bondeson	NE1/4 Section 22; T098N R53W	Turner County

I would appreciate a copy of each well completion report if it is available to you. Please return the reports in the postage free envelope provided at your earliest convenience. If you have any questions, feel free to contact me at 605-773-3352.

Sincerely,

Barry A. McLaury
Water Rights Program

enclosures

REPORT ON INSPECTION OF PERMIT NO. 5261-3

Other permit(s) associated with the project: None.

DATE OF INSPECTION: June 18, 1996.

NAME OF INSPECTION CONTACT: Paul Petersen, owner.

NAME & ADDRESS OF PERMIT HOLDER: Paul Petersen, 45610 282ND Street, Hurley, SD 57036.

DIVERSION POINT LEGAL LOCATION: 1190 feet N and 790 feet E from the SW corner of Section 02; T098N R53W (SW1/4 SW1/4).

WELL INFORMATION:

- 1) Well Drilling Firm: Wetmore Drilling
- 2) No. of Wells 1
- 3) Depth(s) 120 feet
- 4) Well log is available N

Casing:

- 1) Diameter 16 inches
- 2) Length 80 feet
- 3) Type PVC

Motor:

- 1) Make US Electric
- 2) Model No. 364 TP
- 3) Horsepower rating 60 HP

Screen:

- 1) Type PVC
- 2) Length 40 feet
- 3) Static water level 13 feet

Pump:

- 1) Make Fairbanks-Morse
- 2) Model No. H 16 FL7 100B
- 3) Capacity 800 GPM

DISTRIBUTION LINES OR CANALS:

- | | | |
|--------------------|--------------------------|---------------------------|
| 1) Type <u>ALU</u> | 2) Size <u>10</u> inches | 3) Length <u>15</u> feet |
| 1) Type <u>PVC</u> | 2) Size <u>08</u> inches | 3) Length <u>450</u> feet |

SYSTEM TYPE:

Center pivot:

- | | |
|------------------------------------|------------------------------------|
| 1) Make <u>Valley</u> | 4) End gun <u>Y</u> |
| 2) Overall length <u>1280</u> feet | 5) High or low pressure <u>Low</u> |
| 3) Number of towers <u>7</u> | 6) Capacity <u>800</u> GPM |

CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y
- 2) Main line check valve Y
- 3) Inspection port/air relief Y
- 4) Low pressure drain Y
- 5) Discharge is 20' from source Y
- 6) Interlock type **Electrical**
- 7) Injection pump type **Agri-inject piston**
- 8) Injection check valve Y
- 9) Injection line check valve or positive displacement pump Y
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules Y

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

NOTE:

Well information came from Mr. Petersen. I called Wetmore Drilling and they couldn't find a copy of the well log for this well.

Permit No. 5261-3
Vermillion River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

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

I have this day, **June 18, 1996**, made a thorough examination of the water use system constructed by **Paul Petersen** of **45610 282ND Street, Hurley, SD 57036** holder of Permit No. **5261-3**, bearing the priority of **December 13, 1988** authorizing the diversion of **1.96** cu. ft. of water per second from **ground water** for **irrigation** purposes, in **Turner** County.

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

A. Works used to divert the water:

A 60 HP US Electric motor with an 800 GPM Fairbanks-Morse pump.

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

15 feet of 10" aluminum and 450 feet of 8" PVC.

C. Works used to apply water to beneficial use:

A 7 tower Valley center pivot capable of 800 GPM.

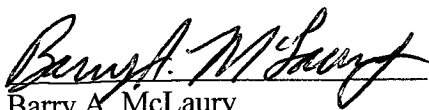
The system is in the following condition **good**. The point of diversion is located **1190 feet N and 790 feet E from the SW corner of Section 02; T098N R53W (SW1/4 SW1/4)**. The works are capable of diverting and conveying to the place of use **1.77** cu. ft. of water per second which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

T098N R53W	SECTION 02	NW1/4 SW1/4	34 ACRES
		NE1/4 SW1/4	34 ACRES
		SW1/4 SW1/4	34 ACRES
		SE1/4 SW1/4	34 ACRES

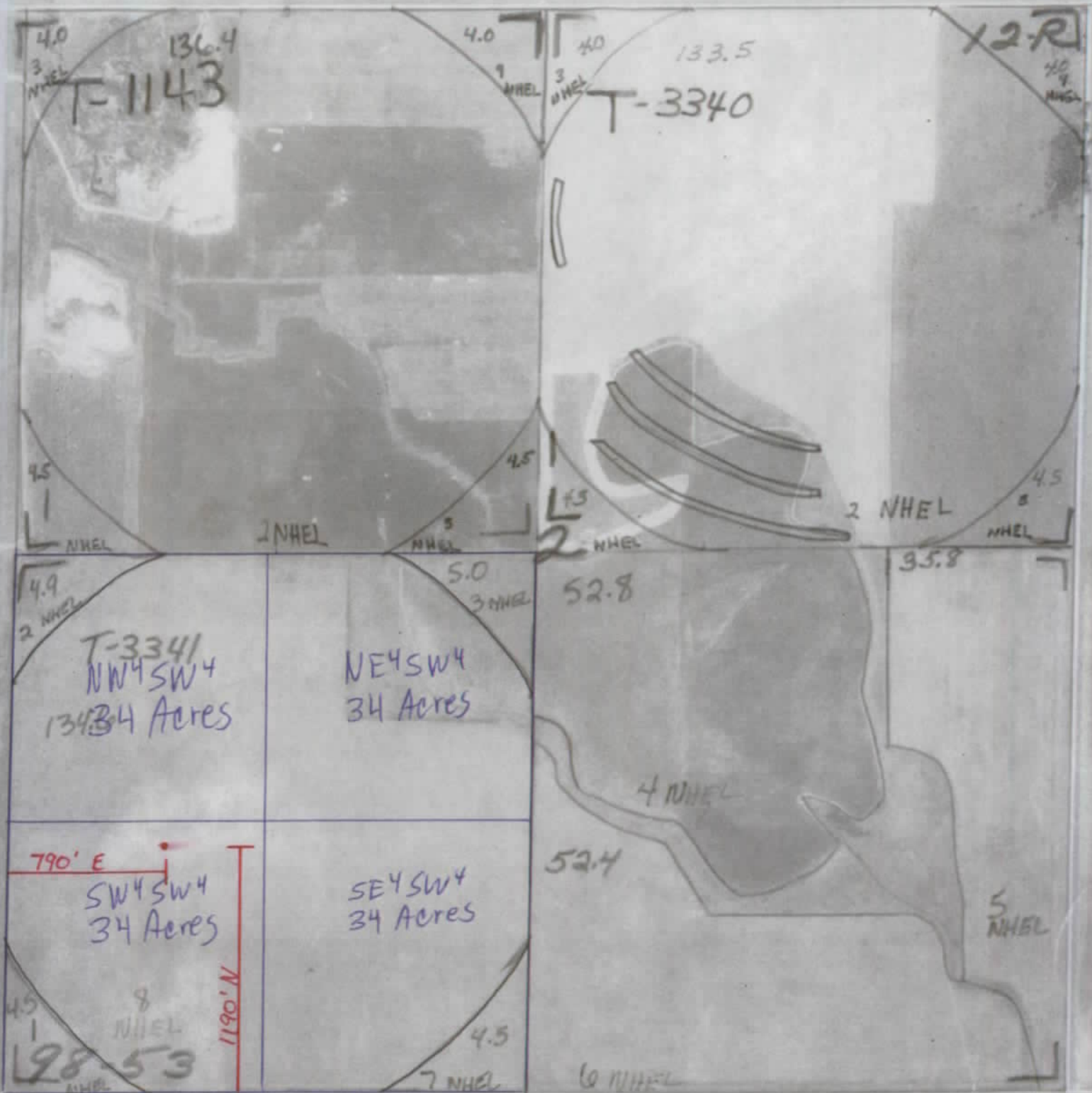
comprising a total of **136** acres of land and the license should be issued for **1.77** cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: **None** Date Report Completed: **March 10, 1997**


 Barry A. McLaury
 Natural Resources Scientist
 DENR, Water Rights Program

NOT TO SCALE



Barry A. McLaury *Barry A. McLaury*
Environmental Scientist
Water Rights Program
Date *March 10, 1997*

5261-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 19, 1997

Permit Nos. 3906A-3
5261-3
5555-3

Paul Petersen
45610 282nd Street
Hurley, SD 57036

Dear Mr. Petersen:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 3906A-3, 5261-3 and 5555-3, has been completed. Your final water right documents, the Water Licenses, can now be issued. Upon licensing, the applicable portions of Water Permit Nos. 3906-3 and 4961-3 will be incorporated into 3906A-3.

Statutes require that we charge a \$50.00 fee per license (\$150.00 total) for the investigation and issuance of the Water Licenses. Upon receipt of the \$150.00 fee from you, we will begin processing your Water Licenses.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 fee per license (\$150.00 total) has been paid. Please contact us if you have any questions.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

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

RECEIPT

415282

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 24, 19 97

RECEIVED OF Paul Petersen Farms, 45610 - 282nd St., Hurley, SD 57036

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
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>5261-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch 
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5261-3

(1) Paul Petersen, 45610 282nd St, Hurley SD 57036 made Application No. 5261-3, December 13, 1988 for a water permit to divert 1.96 cubic feet of water per second from groundwater (one well), Turner County, South Dakota for irrigation purposes. Permit No. 5261-3, with a priority date of December 13, 1988 was approved March 2, 1989 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 2, 1994 and for the application to beneficial use of said water on or before March 2, 1998.

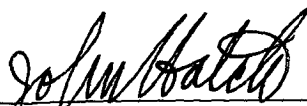
The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on December 10, 1990. The *Notice* stated the diversion system was completed on May 5, 1989 and the water placed to beneficial use on May 20, 1989.

(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 1.77 cubic feet of water per second for beneficial use. The location of the diversion point is 1,190 feet north and 790 feet east from the southwest corner of Section 2-T98N-R53W (SW 1/4 SW 1/4).

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

Section 2-T98N-R53W	NW 1/4 SW 1/4	34 acres
	NE 1/4 SW 1/4	34 acres
	SW 1/4 SW 1/4	34 acres
	SE 1/4 SW 1/4	34 acres
Total		136 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Paul Petersen, 45610 282nd St, Hurley SD 57036 the holder and/or owner of Water Permit No. 5261-3 is issued a license to appropriate water, the right to use 1.77 cubic feet of water per second from groundwater (one well) with a priority date of December 13, 1988 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 Water Permit No. 5261-3 and subject to South Dakota State Law.


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

APR 7 1997

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 7 1997

3906A-3
5261-3
5555-3

Paul Petersen
45610 282nd Street
Hurley, SD 57036

Dear Mr. Petersen:

Enclosed are Water License Nos. 3906A-3, 5261-3 and 5555-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 415281, 415282 and 415283 in the amount of \$50.00 each which you paid for the investigation 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 wells authorized by Water Right Nos. 3906A-3, 5261-3 and 5555-3, 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 Program
(605) 773-3352

ks
enclosures

NOTE: The applicable portions of Nos. 3906-3 and 4961-3 have been incorporated into this Water License No. 3906A-3.

Gronlund, Eric

From: kknittel@gwtc.net
Sent: Monday, June 22, 2015 10:22 AM
To: Gronlund, Eric
Subject: Water on road 6/21/15

Eric,

I talked to you this morning about water getting sprayed on the road.

This happened around 3:00am on June 21.

T98N R53W sec 2 Hurley township turner county

W 1/2 of SW 1/4 the water was hitting 280th street

T98N R53W sec. 11 Hurley township Turner County NE 1/4 the water was hitting 280th street

I know that this has been a problem last year and they were reported last summer. They are still doing it. This is a dangerous thing to have happen at night to anyone driving on that road. And it is a waste of water to spray in the ditch and on the road.

Thanks for your time,

Kelly Knittel

Freeman SD

605-929-6340



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

Nos. 5261-3 and 199-3

June 23, 2015

Paul Petersen
45610 282nd Street
Hurley SD 57036

Dear Mr. Petersen:

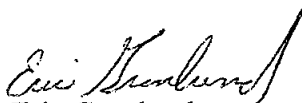
The Department of Environment and Natural Resources (DENR) has again this season received information alleging the irrigation systems located in the SW 1/4 Section 2 and the NE 1/4 Section 11; all in T98N-R53W had irrigation water from the end guns overspraying on the road. The water right for the system in Section 2 is held in your name under Water Right No. 5261-3 and the system in Section 11 is held in the names of Harriette and James Mershon under Water Right No. 199-3 with you listed as the operator.

It is common for center pivots to have stops which can be engaged to shut off the operation of the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes unauthorized end gun overspray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

If you don't believe your irrigation systems are causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,


Eric Gronlund
Water Rights Program, DENR
605 773-3352

5261-3

Schlaak, Karen

From: Gronlund, Eric
Sent: Monday, July 20, 2015 10:41 AM
To: Schlaak, Karen
Subject: FW: Water on road

Follow-up with letters

-----Original Message-----

From: kknittel@gwtc.net [<mailto:kknittel@gwtc.net>]
Sent: Monday, July 20, 2015 10:18 AM
To: Gronlund, Eric
Subject: Water on road

July 17th 7:30am
T98N R53W section 2 SW 1/4
Hurley twp Turner county
Water was going on Hwy 19

5261-3 Paul Petersen

July 19th 11:30 M
T98N R53W section 2 SE 1/4
Hurley twp Turner county
Water was on 280th street

1791-3 Shon Sawyer

Kelly Knittel
Freeman SD
605 925-4388



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

July 22, 2015

3906A-3
5261-3

Paul Peterson
45610 282nd St
Hurley SD 57036

Dear Mr. Peterson:

The Department of Environment and Natural Resources (DENR) has received another inquiry alleging the irrigation systems located in the SW 1/4 Section 14 (Water Right No. 3906A-3) and the SE 1/4 Section 2 (Water Rights No. 5261-3); all in T98N-R53W had irrigation water from the end gun hitting the road.

As stated in our June 23, 2015 letter to you, a water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun over spray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

Again, if you don't believe your irrigation systems are causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov
Nos. 199-3, 3906A-3 and 5261-3

August 7, 2015

Paul Petersen
45610 282nd Street
Hurley SD 57036

Dear Mr. Petersen

The Department of Environment and Natural Resources (DENR) is writing regarding ongoing issues with end gun overspray from the irrigation systems located in the SW ¼ Section 2, the NE ¼ Section 11, and the SW ¼ Section 14, all in T98N, R53W. Our records indicate you rent the land in the NE ¼ Section 11, T98N, R53W authorized for irrigation by Water Right No. 199-3 held by Harriette and James Mershon.

DENR wrote previous letters this year when complaints were received alleging end gun overspray from systems you operate. As you will recall, the DENR also fielded complaints during the 2014 irrigation season regarding this same issue.

DENR has received multiply complaints this year regarding overspray from the systems listed above on to the road surfaces, and a DENR staff personally observed overspray had occurred on the road surface from the system in the SW ¼ Section 14, T98N, R53W as recently as August 4th.

DENR recognizes a landowner's desire to optimize production and we understand that end gun stops can malfunction. We want to work with irrigators to voluntarily correct the problems. However, DENR cannot allow unchecked overspray that is a waste of water and is on property not covered by the water right. It is your responsibility to operate and monitor the irrigation system; especially the end guns, to make sure it is not applying water where it is not allowed. If you cannot successfully get end gun stops to operate in a manner where there is not direct spray on the roadway, you must takes steps to disable the end gun or alter the pivot's operation or rotation to insure overspray does not occur. Please contact me at the number below or by email when you have the stop on the end gun functioning or have adjusted pivot operation to prevent overspray.

On two occasions this summer, DENR staff traveled to Turner County specifically to observe irrigation overspray. We will continue throughout the remainder of this irrigation season to check systems in the area. If these systems are found to be overspraying, the Chief Engineer will issue a formal order that you control the overspray. Failure to comply with the Chief Engineer's Order will result in the Water Rights Program scheduling a hearing before the Water Management Board for enforcement action. This can result in the suspension of the water right or a civil fine imposed for each violation.

(continued)

This letter will go into the administrative record for each water right. If unchecked overspray continues into future years, this letter serves as DENR's notice of the Chief Engineer's intent to issue a formal order to cease overspraying and potentially scheduling a hearing before the Water Management Board.

I look forward to hearing from you by August 14, 2015.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eric Gronlund".

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

Gronlund, Eric

From: Brett Petersen <brettrpetersen@gmail.com>
Sent: Monday, August 10, 2015 1:55 PM
To: Gronlund, Eric
Subject: End gun over sprays

Eric, after the first letter i adjusted the end gun shut offs and thought i had them shutting off in enough time but evidently not. I received your letter today and will go back out and adjust them some more. We are making an effort on this matter and should have it resolved now. thanks

Brett and Paul Petersen



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

199-3
3906A-3
5261-3

August 2, 2016

Paul Peterson
45610 282nd St
Hurley SD 57036

Dear Mr. Peterson:

The Department of Environment and Natural Resources (DENR) has again this season received information alleging the irrigation systems located in the NE 1/4 Section 11-T98N-R53W (No. 199-3, Harriet & James Mershon), SW 1/4 Section 14-T98N-R53W (No. 3906A-3) and SW 1/4 Section 2-T98N-R53W (5261-3) had irrigation water from the end gun overspraying on the road.

It is common for center pivots to have stops which can be engaged to shut off the operation of the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

If you don't believe your irrigation systems are causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

Schlaak, Karen

From: Gronlund, Eric
Sent: Tuesday, August 02, 2016 8:01 AM
To: Schlaak, Karen
Subject: FW: overspray

-----Original Message-----

From: kknittel@gwtc.net [mailto:kknittel@gwtc.net]

Sent: Monday, August 01, 2016 10:42 PM

To: Gronlund, Eric

Subject: overspray

On July 30 2016 at 11:30pm T98N R53W sec 11 NE 1/4 water was spraying on 280th street again.

On July 31 2016 at 12:30am T98N R53W sec 14 SW1/4 water was spraying on Hwy 19
On August 1 2016 at 8:00 am T98N R53W sec 2 SW1/4 water was spraying on 280th street

Kelly Knittel

199-3 Harriet & James Mereson
o/o Paul Peterson

5261-3

3906A-3

→ Paul Peterson
45610 282nd St
Hurley 57036

Schlaak, Karen

From: Gronlund, Eric
Sent: Tuesday, August 02, 2016 10:56 AM
To: Schlaak, Karen
Subject: FW: End gun over sprays

From: Brett Petersen [<mailto:brettrpetersen@gmail.com>]
Sent: Tuesday, August 02, 2016 10:54 AM
To: Gronlund, Eric
Subject: Re: End gun over sprays

Eric, thanks for the heads up I have been continually adjusting them so that we can keep them off the road so I'll make sure I take care of it. It's hard to be at them at the exact right time to catch them but we are trying. Thanks again
Brett

Sent from my iPhone

On Aug 2, 2016, at 10:30 AM, Gronlund, Eric <Eric.Gronlund@state.sd.us> wrote:

Brett – received a complaint about three of Petersen's systems overspraying on to the road. They are all in T98N, R53W:

sec 11 NE 1/4 water was spraying on 280th street n.

On July 31 2016 - sec 14 SW1/4 water was spraying on Hwy 19

On August 1 2016 - sec 2 SW1/4 water was spraying on 280th street

You'll be getting the normal letter to check your endguns to be sure they are operating properly.

Thanks for your cooperation

Eric Gronlund
Water Rights Program, DENR
605 773-3352
Eric.gronlund@state.sd.us

From: Brett Petersen [<mailto:brettrpetersen@gmail.com>]
Sent: Monday, August 10, 2015 1:55 PM
To: Gronlund, Eric
Subject: End gun over sprays

Eric, after the first letter i adjusted the end gun shut offs and thought i had them shutting off in enough time but evidently not. I received your letter today and will go back out and adjust them some more. We are making an effort on this matter and should have it resolved now. thanks
Brett and Paul Petersen



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

January 22, 2021

NOTICE

TO: PAUL PETERSEN, 45610 282ND ST, HURLEY, SD 57036

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaires

Our records indicate your 2020 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 121-3A, 199-3, 289-3, 3411-3, 1773-3, 3632-3, 3633-3 & 3648-3 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) 164-3, 2053-3, 2852-3, 3906A-3, 5261-3, 5373-3, 5555-3, 6221-3 & 7588-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 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) 164-3, 2053-3, 2852-3, 3906A-3, 5261-3, 5373-3, 5555-3, 6221-3 & 7588-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 121-3A, 199-3, 289-3, 3411-3, 1773-3, 3632-3, 3633-3 & 3648-3 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 3, 2021** 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: <https://denr.sd.gov/iq> using this password: XTHTSS**

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.

5261-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

February 2, 2021

Paul Petersen Farms
45610 282nd St
Hurley SD 57036

RE: Water Permit or Right Nos. 121-3A, 164-3, 199-3, 289-3, 1773-3, 2053-3, 2852-3, 3411-3, 3632-3, 3633-3, 3648-3, 3906A-3, 5261-3, 5373-3, 5555-3, 6221-3 & 7588-3

Dear Mr. Petersen:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for the above listed water permits and rights. 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,

A handwritten signature in cursive script, reading "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us