

Considered: _____

WATER PERMIT NO. 5421-3

Ph#266-2747

HAP No. _____

Name of Applicant Floyd Peterson

Post Office Address Farm Hitchcock, SD 57348

Amount of Water Claimed 4.5 cfs Total Acres 320 acres

Source of Water Supply Groundwater

Water to be used for irrigation County Spink

About 4 miles E of Hitchcock

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received 3/21/90 Fee 325⁰⁰ Remarks _____

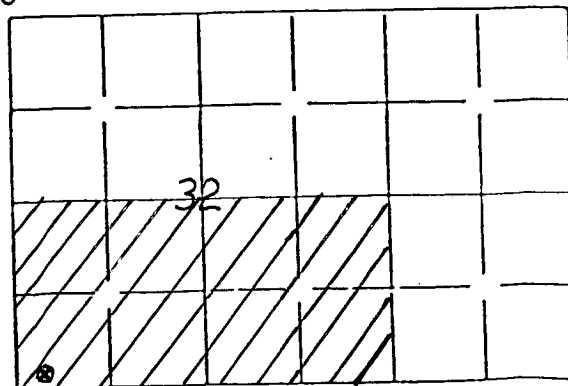
Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

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

Diversion Point SW¹/₄ SW¹/₄ Section 32-T114N-R62W

Land to be Irrigated S¹/₂ Section 32-T114N-R62W



Well Log: Driller Empire Irrigation Drilling Licensed YES X NO _____ in 1980

Depth of Well 55' REMARKS existing well

Type of Map Aerial PREPARED BY Elmer Ward Reviewed and the Number

assigned on 3/27/90 BY Eric Munkland

Pub day Wed

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

(See instructions)

No. 5421-3 Hydrologic Unit 1016006
Basin James River
Newspaper Redfield Press Box 440 57469

Application For Soil/Water Compatibility Permit and Permit To Appropriate 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 _____
1. Name of Applicant Floyd H. Peterson Phone No. 266-2747
2. Farm (RR #1 Box 22) Hitchcock, State SD Zip Code 57348
- (Street, RR or Box) (City)
3. Amount of water claimed (c.f.s) 4.5 Total acres irrigated 320 acres
4. Source of Water supply Groundwater
5. Location of point of diversion SW 1/4 Section 32 T114N R62W
- County Spink
6. Counties where water will be used Spink
7. Annual period during which water is to be used April 1st - October 31
8. 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.
NW 1/4 SW 1/4 Sect 32 - 114N-62W	40
SW 1/4 SW 1/4 " " "	40
NE 1/4 SW 1/4 " " "	40
SE 1/4 SW 1/4 " " "	40

Land Description	No. Acres Irr.
NW 1/4 SE 1/4 Sect 32 - 114N-62W	40
SW 1/4 SE 1/4 " " "	40
NE 1/4 SE 1/4 " " "	40
SE 1/4 SE 1/4 " " "	40

Attach sheet if more space is needed

9. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ Other: _____
10. Crops to be Irrigated: small grain & some soybeans & beans & flowers & sorghum
11. Give a description of proposed project. (Attach sheet if more space is needed) Irrigation of 5 1/2 32-114-62 for improved crop production.

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 SPINK)^{ss}

I, Floyd H. 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

Floyd H. Peterson

Subscribed and sworn to before me this 19th day of March 19 90

Theresa C. Karaka

Notary Public

8-3-97

**SOUTH DAKOTA
WATER PERMIT No. 5421-3 FOR IRRIGATION**

Date of first receipt of application March 14, 1990.

Date Soil/Water Compatibility Permit received March 29, 1990 (verified validity).

Date of return to applicant for corrections, amendments or changes March 14, 1990.

Date of receipt of corrected application March 21, 1990.

The Water Management Board approved Water Permit Application No. 5421-3 on May 24, 1990 for Floyd H. Peterson, RR #1, Box 22, Hitchcock, SD 57348 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. 5421-3 appropriates 4.5 cubic feet of water per second from one existing well (Tulare Aquifer - Hitchcock Management Unit) 68 feet deep to irrigate 320 acres. The point of diversion is located in the SW1/4 SW1/4 of Section 32 T114N-R62W. The land to be irrigated is located in the S1/2 of Section 32 T114N-R62W.
2. The amount of the appropriation may not exceed 2 acre feet annually 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 - October 31.
3. The date from which applicant may claim right is March 14, 1990.
4. One-fifth of the construction is to be completed on or before November 24, 1992.
5. All construction is to be completed on or before May 24, 1995.
6. Water is to be put to beneficial use on or before May 24, 1999.
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

SEP 12 1990
(date)

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 32" Depth 80'
- b) Casing Type concrete Diameter 16 Thickness 2 1/2"
- c) Screen Type concrete Diameter 16" Thickness 2 1/2"
- d) Gravel Pack Thickness 5" Length of Gravel Pack 80'
- e) Depth to Top of Water Bearing Material 36'
- f) Depth to Water (ground surface to water level) 30'
- g) Distance to nearest existing domestic well:
 On applicants property 3/4 to 1 m. On property owned by others 1 1/2 mi

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 _____

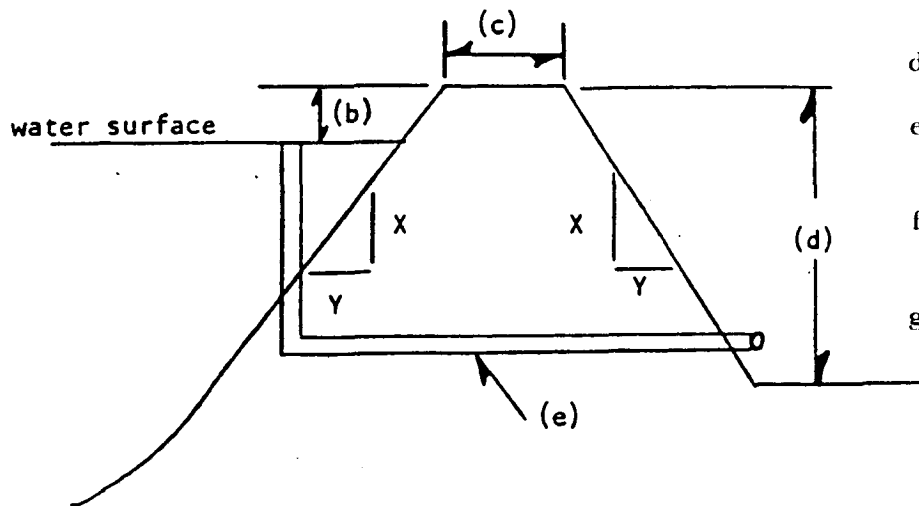
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant

SOUTH DAKOTA Department of
Water & Natural Resources

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

March 14, 1990

Floyd Peterson
Farm
Hitchcock, SD 57348



Dear Mr. Peterson:

This letter is a follow-up to your conversation with John Hatch and your subsequent application for a water permit. The application form you used is out dated. I have enclosed two copies of the new application form and transferred some of the information from your application to the new form. Please complete Form 2 and Form 2A following the instruction sheet I have sent. The following items are necessary to complete the application:

- 1) An application fee must be submitted. The application fee for irrigating 320 acres is \$325.
- 2) A map showing location of well and outlining the lands to be irrigated. The map must be signed by one of the persons listed on the instruction sheet.
- 3) A soils map.
- 4) The two application forms signed and notarized.
- 5) A well log or driller's test log signed by a South Dakota licensed well driller.

Please read and follow the instruction sheet carefully. The Water Management Board cannot consider a water permit application until it is complete and a soil water compatibility permit is obtained.

Feel free to contact me if you have any questions.

Sincerely,

Eric Gronlund
Natural Resource Engineer
Water Rights Division
(605) 773-3352

enc.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412157

Pierre, March 21, 19 90

RECEIVED OF Floyd Peterson, Hitchcock, SD 57348

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

Fee for Application for Permit No. <u>5421-3</u> to Appropriate Water, to construct works and to put water to beneficial use	325	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	325 00

By

John H. Peterson
Chief Engineer

Conversation or File Documentation

NAME OF PERSON OR FILE:

Floyd Peterson

ADDRESS: _____

COUNTY _____

DATE: 3/29/90

TELEPHONE _____

RE: _____

COMMENTS:

Jim Stukel called to say Mr. Peterson has a S/W
permit from 1976 for this acreage

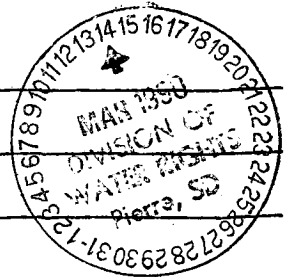
File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric S. Henderson

3108-3 John Hatch
Joe Foss Bldg
773-3296

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

NAME Floyd H Peterson
ADDRESS Hitchcock
COUNTY ~~Beauregard~~ Spink



LEGAL DESCRIPTION

1. WELL LOCATION SW 1/4 32 - Cornwell Twp. 114 N. 5 W.
2. LOCATION OF AREA TO BE IRRIGATED S 1/2 32 - 114 N. 5 W.

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED Alfalfa + grass corn + grain

WATER QUALITY

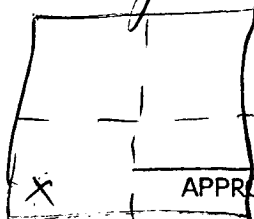
5. SAMPLE NUMBER _____
6. SALINITY (EC X 10⁶) _____
7. SODIUM (SAR) _____
8. RESIDUAL SODIUM CARBONATE (meq/l.) _____

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

Floyd H. Peterson
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
____ DAY OF _____ 19 ____.

(TITLE OR SEAL)



APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

INSTRUCTIONS FOR PREPARING FORM W1 #1

LEGAL DESCRIPTION:

Line 1 - show legal description to nearest 40 acres.
Line 2 - show legal description to nearest 40 acres.

TYPE OF IRRIGATION:

Complete lines 3 and 4.

SOILS INFORMATION: (please see example on reverse side)

Residents of counties with published or up-to-date soil surveys shall contact their local Conservation District for a copy of the soils map for the area to be irrigated and the narrative explanation of the map.

Residents of counties with no up-to-date soil survey information shall contact the Soil Conservation Service or their local Conservation District to obtain the best information available. If soil survey information is not available, the applicant is requested to obtain this information from a private consultant or professional soil classifier.

WATER QUALITY:

The applicant must send a sample of the ground water to be used for irrigation to the Water Quality Laboratory, Water Resources Research Institute, South Dakota State University, Brookings, South Dakota 57006.

A report of the analysis will be mailed to the State Conservation Commission by the Water Quality Laboratory. The applicant will also receive an analysis report for his records.

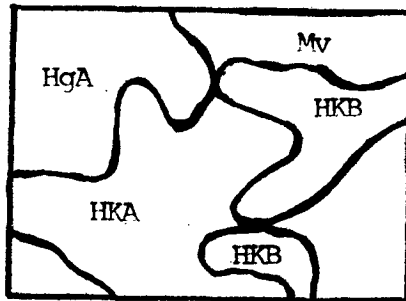
Certification must be completed by applicant and notarized or attested to by Register of Deeds, Registered Professional Engineer, or Conservation District Official.



E X A M P L E

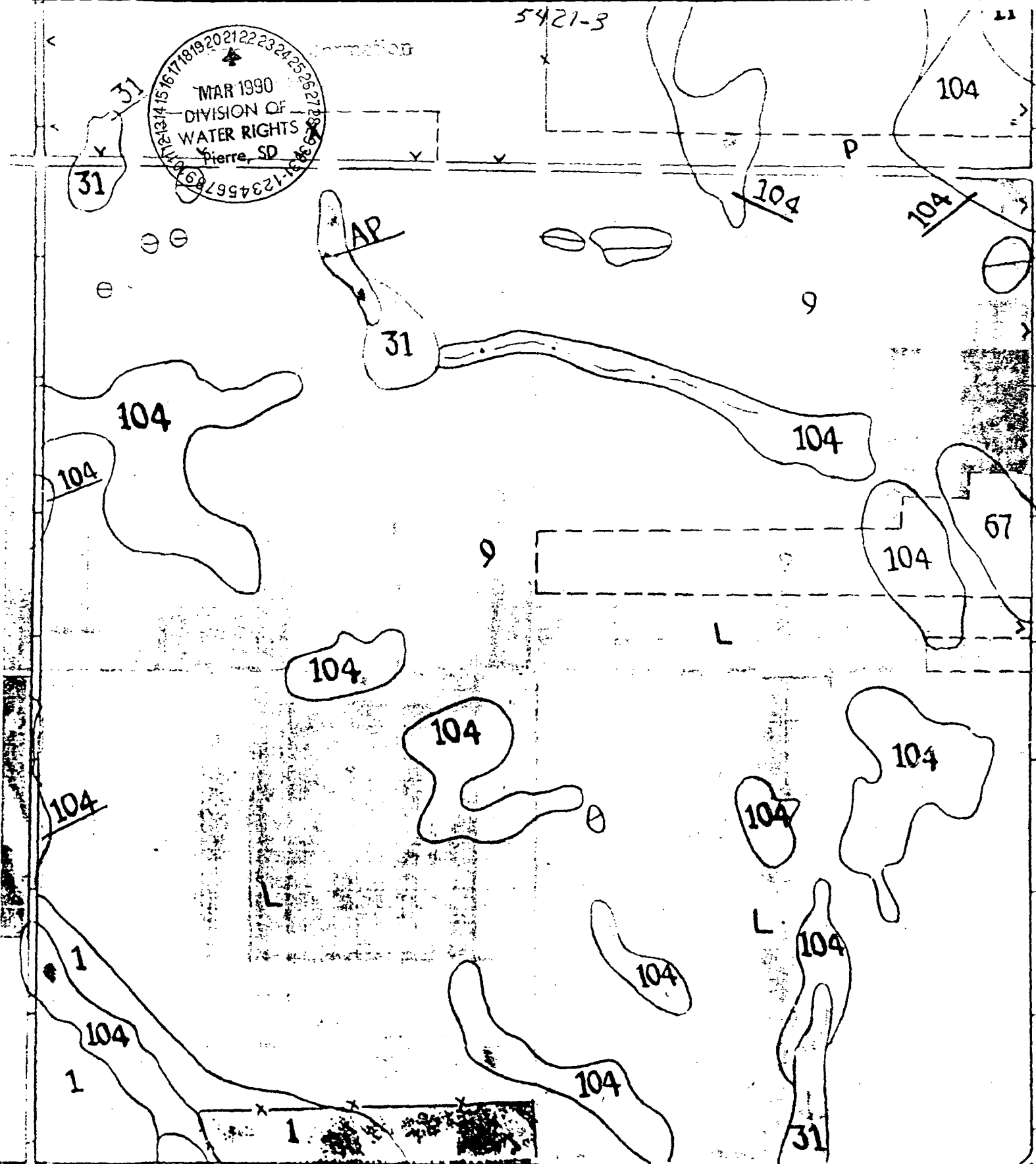
SOILS INFORMATION

SE 1/4, Section 23, T-2N, R-51E



- HgA Highmore - DeGrey silt loams - 0-2% slopes
DeGrey soils have a shallow clay-pan and have slow to very slow permeability generally not suitable for irrigation.
- HKA Highmore - Fakin silt loams - 0-2% slopes
Soils have a high available water capacity and moderate permeability.
- HKB Highmore - Fakin silt loams - 2-5% slopes
Same physical composition as HKA - moderate erosion problems.
- Mv Munjor fine sandy loam - 0-2% slopes
Moderately rapid permeability, moderate or high available water capacity.

5421-3



CORNWALL T114N R62W S32 BEADLE COUNTY

OBSELETE INFORMATION
USDA - SCS

Elmer M. Ward DC
SCS

5421-3



NOT TO SCALE

114-62

255

153.1

Tst Beadle

Transfer to
Beadle County

32

T1095
295.9
1

A-11
379-234R



114-62

Well
X

Elmer M. Ward DC
Soil Conservation Service

EMPIRE

IRRIGATION DRILLING CO.

FRANKFORT, SOUTH DAKOTA

PHONE 472-0384



TEST PUMPING DATA

Customer's Name Floyd Peterson

Customer's Address Hitchcock, So Dak.

Date Test Pumped 4-18-80 Static Water Level: 17.

Test Number	Pumping Level	G. P. M.	Pumping Period
1	_____ ft. _____ in.		_____ hrs. _____ min.
2			
3	44'	800	
4	50'	900	
5	55'	1000	
6			True static one
7			min. after shut down
8			22'

Speak

(1) WELL CONSTRUCTION

Location of well: SW 1/4 — 1/4 — Section 32 Township 114 Range 62

X Well owner: Peterson (Name) W. Peterson (Address)

Date well drilling completed: 8-4-77 Purpose of well: Irrigation
(domestic, irrigation, municipal, industrial, other)

[illegible]

PUMP INSTALLATION _____ HR _____

Company name and size of pump _____ G.P.M.

Type of pump _____ Capacity of installed pump _____

Depth of pump placement _____ ft., Date of pump installation _____

WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required. See Section 46.40B of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Name of Pump Installation Contractor



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413121

Pierre, March 11, 1992

RECEIVED OF Floyd H. Peterson, HC 75, Box 22, Hitchcock, SD 57348

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5421-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch
Chief Engineer

REPORT ON APPLICATION NO. 5421-3

Floyd Peterson

April 12, 1990

Application No. 5421-3 proposes to appropriate 4.5 cubic feet of water per second (cfs) from an existing well (Tulare-Hitchcock) 68 feet deep to irrigate 320 acres. The point of diversion is located in the SW1/4 SW1/4, section 32, T114N R62W, Spink County, SD. The land to be irrigated is located in the S1/2, section 32, T114N R62W.

DISCUSSION

This application, if approved, will irrigate 320 acres at a diversion rate of 4.5 cfs. The applicant had a previous permit (3108-3) covering the same lands that was cancelled for nonconstruction of works at the March 2, 1988 meeting of the Water Management Board. The applicant proposes to use a center pivot irrigation system.

AQUIFER Tulare Aquifer - Hitchcock Management Unit (T-H)

AQUIFER INFORMATION AND CHARACTERISTICS

The source of water for Application No. 5421-3 is the Tulare Aquifer (Hitchcock Management Unit) which is a part of the Central James Aquifer Complex. The formation underlies 96,000 acres in Spink County and has an estimated 360,000 acre-feet of recoverable water in storage (Hedges, 1982). It is a surficial formation (glacial in origin) composed primarily of outwash deposits of sand and gravel. A layer of till with an average thickness of 35 feet overlies the aquifer in most areas in Beadle County. As a result of this confining layer, the formation is normally under artesian conditions. Water table conditions do exist, however, in areas where the formation is exposed at the surface (Howells, 1969). The well log submitted with the application is as follows:

<u>Depth (feet)</u>	<u>Description</u>
0 - 8	top soil
8 - 34	fine sand
34 - 54	medium sand
54 - 64	coarse sand
64 - 68	clay

The water level at the time the well was constructed (1977) was 19 feet. This coupled with the fact that there is relatively little confining material indicates that water table conditions exist in this area. The Division of Water Rights has two observation wells (SP-77I and SP-79N) in the area that have similar well log descriptions with aquifer thicknesses of 31 to 38 feet. Both are under water table conditions. A pumping test for the applicant's well indicated a yield of 1000 GPM with 38

feet of drawdown. On a long term basis, the well is not expected to produce 2025 gpm. Even a yield of 1000 gpm can probably not be sustained with this well.

REVIEW OF AREA WATER RIGHTS

32 According to the 1988 Irrigation Questionnaire, Spink County has 37 permits in the Tulare-Hitchcock Management Unit with an annual appropriation of 13,087.6 acre-feet (approximately 4% of the total recoverable water). The reported pumpage from this formation was 3,596.3 acre-feet in 1988. The reported pumping from the Tulare Aquifer in Spink and Beadle Counties (all management units) was 19,935.1 acre-feet. The estimated annual recharge for this formation is 23,000 acre-feet (Kuiper, 1984). Water Right No. 1509-3 uses 1.9 cfs for irrigation and is located within one mile of the proposed diversion point. With water table conditions existing in this region, well interference with area water rights/permits is not expected to be a problem.

Observation wells SP-77I and SP-79N fluctuate very little in response to pumping or seasonal changes. Water levels in SP-77I have only fluctuated by 2.5 feet while SP-79N showed a 3.6 foot change throughout the period of record.

CONCLUSIONS

1. There is unappropriated water available in the Tulare-Hitchcock Management Unit for further appropriation.
2. Application No. 5421-3, if approved, proposes to irrigate 320 acres from an existing well at a diversion rate of 4.5 cfs (2020 GPM). The well is not expected to yield this amount of water according to the well pumping data. An additional well cannot be constructed under this permit. An amendment or a new application will have to be submitted and approved to drill additional wells.
3. Well interference should not be a problem since water table condition prevail in this area.
4. Approval of this application is subject to completion of the annual irrigation questionnaire.

Terry L. Jorgensen /KS
Terry L. Jorgensen
Natural Resources Engineer
Division of Water Rights

Approved by:

Gale N. Selken
Gale N. Selken, P.E.
Natural Resources Engineer IV

REFERENCES

- Division of Water Rights, 1988, Irrigation Report by Aquifer, DWNr, Division of Water Rights, Joe Foss Building, Pierre, SD.
- Division of Water Rights, 1989, Observation Well Files, DWNr, Division of Water Rights, Joe Foss Building, Pierre, SD.
- Hedges, L.S, Burch, S.L., Iles, D.L., Barari, R.A., 1982, Evaluation of Groundwater Resources in Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, U.S. Army Corps of Engineers contract No. DACW 45-80-C0185, DWNr, Office of Geological Survey, Vermillion, SD.
- Howells, L.W., Stephens, J.C., 1969, Geology and Water Resources of Beadle County, South Dakota, Part II: Water Resources, Geological Survey, Vermillion, SD.
- Kuiper, Logan K., 1984, Appraisal of the Water Resources of the Eastern Part of the Tulare Aquifer, Beadle, Hand, and Spink Counties, South Dakota, U.S. Geological Survey, Huron, SD.

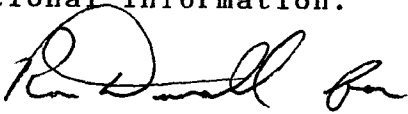
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5421-3, Floyd Peterson

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. 5421-3, Floyd Peterson Farm, Hitchcock SD.

The Chief Engineer is recommending APPROVAL of Application No. 5421-3 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 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
April 13, 1990

NOTE: One well is not expected to yield 4.5 cfs. Another application will be necessary, if more than one well is to be constructed.



Department of Water & Natural Resources

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

April 16, 1990

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

Floyd H. Peterson
Farm
Hitchcock, SD 57348

Dear Mr. Peterson:

Water Permit Application No. 5421-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Redfield Press printed at Redfield SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also 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,

A handwritten signature in cursive script that reads "Eric Gronlund".

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

April 16, 1990

Redfield Press
Box 440
Redfield, SD 57469-0440

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 5421-3 to be published twice. Please publish the first notice on or before April 26, 1990 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 Floyd H. Peterson, Farm, Hitchcock, SD 57348.

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,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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 April 26, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5421-3 to Appropriate Water

Notice is given that Floyd Peterson, Hitchcock, SD 57348 has filed an application for a water permit to appropriate 4.5 cubic feet of water per second from one existing well (Tulare Aquifer-Hitchcock Management Unit) 68 feet deep to irrigate 320 acres. The point of diversion is located in the SW1/4 SW1/4 of Section 32-T114N-R62W. The land to be irrigated is located in the S1/2 of Section 32-T114N-R62W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5421-3 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 in the Pelican Room, Ramkota Inn, Hwy 212, Watertown, SD on May 23, 1990 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 May 11, 1990. 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 May 11, 1990.

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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Spink) ss.

I, B. G. M. Jorgenson
 certify that the attached printed Notice was taken
 from the The Redfield Press

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

of April 25 & May 2

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

Notice of Hearing on Application
No. 5424-3 To Appropriate
Water.

B. G. M. Jorgenson
 (Signature)

Bookkeeper
 (Title)

5/2/90
 (Date Signed)

Cost of Printing: 61 x .3392 = (.80)
for 2nd = 37.24

No. 28

NOTICE OF HEARING ON APPLICATION
NO. 5421-3 TO APPROPRIATE WATER

Notice is given that Floyd Peterson, Hitchcock, SD 57348, has filed an application for a water permit to appropriate 4.5 cubic feet of water per second from one existing well (Tulare Aquifer - Hitchcock Management Unit) 68 feet deep to irrigate 320 acres. The point of diversion is located in the SW 1/4 SW 1/4 of Section 32-T114N-R62W. The land to be irrigated is located in the S 1/2 of Section 32-T114N-R62W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5421-3 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 in the Pelican Room, Ramkota Inn, Hwy. 212, Watertown, SD, on May 23, 1990, 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.

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 May 11, 1990. 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 May 11, 1990.

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.

(April 25; May 2)





Department of Water & Natural Resources

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

SEP 12 1990

Floyd H. Peterson
RR 31 Box 22
Hitchcock, SD 57348

Dear Mr. Peterson:

Enclosed is Water Permit No. 5421-3 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,

A handwritten signature in cursive script, appearing to read "John Hatch".

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.



**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date Sept 20 - 90

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

FROM: David H. Peterson Hitchcock, So. Dak.
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. 5421-3.

Water Permit No. 5421-3 states that the diversion system is to be constructed by May 24 1995, and that the water it put to beneficial use by May 24 1999.

The diversion system was completed on Sept 29 - 90.
Applying the water to beneficial use was completed on _____.

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

David H. Peterson
signature



Department of Water & Natural Resources

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

October 9, 1990

5421-3

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

Dear Mr. Peterson:

We have received the "Notice of Completion of Works" you submitted for Water Permit No. 5421-3. The permit will be scheduled for inspection as soon as time permits. You have complied with all the requirements as far as obtaining the water permit. The intervening time between your submission of the completion of works form, the actual inspection of your system and the issuance of your water license has no bearing on your permit.

Enclosed is your copy of Water Permit No. 5421-3. You may keep it for your records. If you have any questions, please contact me.

Sincerely,

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

Genny McMath
Natural Resource Analyst
(605) 773-3352

enclosure



5421-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FLOYD H PETERSON
RR 1 BOX 22
HITCHCOCK SD 57348

NOTICE

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

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

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

The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

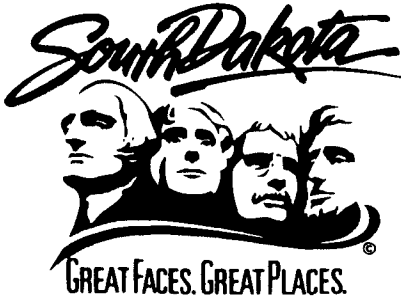
1. Suspend or cancel Permit No(s) 3065A-3 & 5421-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 20, 1992

3065-3
3065A-3
5421-3

Floyd H Peterson
HC 75 Box 22
Hitchcock, SD 57348

Dear Mr. Peterson:

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

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

Sincerely,

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

Genny McMath
Natural Resources Analyst
Water Rights Division

James River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Floyd H. Peterson
 of Rt. 1 Box 22, Hitchcock, SD 57348 holder of
 Permit No. 5421-3, bearing the priority of March 14, 1990 authorizing
 the diversion of 4.5 cu. ft. per second of the waters of Groundwater
 for Irrigation purposes, in Spink County.

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

A. Works used to divert the water:

Western Land Roller 8" Turbine Pump with
U.S. Electric Motor, 75HP, Model 365TP

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

Approx. 4000 ft. 8" Buried PVC Pipe

C. Works used to apply water to beneficial use:

2 - Linze Zimmetic 7 Tower Center Pivots

The system is in the following condition Good

The point of diversion is located 180 ft. North & 360 ft. East of the
SW corner of Sec. 32-T114N-R62W. (SW1/4 SW1/4)

The works are capable of diverting and conveying to the place of use 2.11 (950 gpm)
 cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: Sec. 32-T114N-R62W

<u>NW1/4 SW1/4 - 33 Ac.</u>	<u>NW1/4 SE1/4 - 33 Ac.</u>
<u>NE1/4 SW1/4 - 33 Ac.</u>	<u>NE1/4 SE1/4 - 33 Ac.</u>
<u>SE1/4 SW1/4 - 33 Ac.</u>	<u>SE1/4 SE1/4 - 33 Ac.</u>
<u>SW1/4 SW1/4 - 33 Ac.</u>	<u>SW1/4 SE1/4 - 33 Ac.</u>

comprising a total of 264 acres of land and the license should be issued for 2.11 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date Sept. 17, 1991

Timothy G. Schaal
 (signature)

LICENSE FOR PERMIT NUMBER 5421-3

1. Legal location of wells: 180 ft. North & 360 ft. East of the
SW corner of Sec. 32-T114N-R62W (SW1/4 SW1/4)
dams & structures: _____

2. Well Information: Well Drilling Firm Grosch Irrigation

Completion Report Yes X No _____ No. of Wells 1 Depth 68 ft.
Casing a) diameter 16 inch Screen a) type N/A
b) length 68 ft. b) length _____
c) type Concrete Static Water Level _____
Pump a) make Western Land Roller Motor a) make U.S. Electric
b) model _____ b) model No. 365TP
c) size 8" c) horsepower rating 75 Hp
d) capacity 950 gpm
e) turbine pump - no. of stages 5
f) operating PSI _____

3. Distribution lines or canals

a) size 8 inch
b) type Buried PVC
c) length ≈ 4000 ft.

4. Dam Information:

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

5. System Type a) sideroll:

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

c) gun

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

e) gated pipe

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

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

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

d) center pivot

- 1) make 2-Line Zimmatic
- 2) number of towers 7
- 3) distance between towers _____
- 4) overall length 1320
- 5) end gun (Y/N) Yes
- 6) high or low pressure Low - 45 psi
- 7) make & size of nozzles _____
- 8) capacity (GPM) 950 gpm

g) siphons

- 1) size _____
- 2) number _____

NOTE:

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

Indicate any other permit(s) which are associated with project #3108-3 (Cancelled)

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

REMARKS:

5421-3

NOT TO SCALE

2.5 3 | 6.6 4 | 2.5 5

114-62

1st Bundle

Transfer to
Beckle County

32

T1095
289.0

NW 1/4 SW 1/4
33 Ac.

NE 1/4 SW 1/4
33 Ac.

NW 1/4 SE 1/4
33 Ac.

NE 1/4 SE 1/4
33 Ac.

SW 1/4 SW 1/4
33 Ac.

SE 1/4 SW 1/4
33 Ac.

SW 1/4 SE 1/4
33 Ac.

SE 1/4 SE 1/4
33 Ac.

NE

114-62

360' Well
180'

NE

5421-3

Timothy B. School
February 18, 1992

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5421-3

(1) Floyd H. Peterson of RR 1, Box 22, Hitchcock, SD 57348 made Application No. 5421-3, March 14, 1990 for a water permit to appropriate 4.50 cubic feet of water per second from groundwater (one well), Spink County, South Dakota for irrigation purposes. Permit No. 5421-3 with a priority date of March 14, 1990 was approved May 24, 1990 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before May 24, 1995 and for the application to beneficial use of said water on or before May 24, 1999.

The "Notice of Completion of Works and Application of Water to Beneficial Use" submitted October 3, 1990, indicated the diversion system was completed September 29, 1990.

(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 2.11 cubic feet of water per second for beneficial use. The location of the diversion point is: 180'N and 360'E of the SW corner of Section 32, T114N, R62W (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:

T114N, R62W Section 32	NW 1/4 SW 1/4	33 Acres
	NE 1/4 SW 1/4	33 Acres
	SE 1/4 SW 1/4	33 Acres
	SW 1/4 SW 1/4	33 Acres
	NW 1/4 SE 1/4	33 Acres
	NE 1/4 SE 1/4	33 Acres
	SE 1/4 SE 1/4	33 Acres
	SW 1/4 SE 1/4	33 Acres
	Total-----	264 Acres

(4) Pursuant to Section 46-5-30.1 Floyd H. Peterson of RR 1, Box 22, Hitchcock, SD 57348 the holder(s) and/or owner(s) of Water Permit No. 5421-3 is issued a license to appropriate water, the right to use 2.11 cubic feet of water per second from groundwater (one well) with a priority date of March 14, 1990 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 5421-3 and subject to South Dakota State Law.

 MAR 24 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 24 1992

5421-3

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

Dear Mr. Peterson:

Enclosed is Water License No. 5421-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413121 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5421-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

enclosures

5421-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW ¼ SW ¼ Sec 32 Twp 114 Rg 62

County

Spink

North

Please mark well location with an "X"

W

E

Well Completion Date

1/31/2012

1 Mile

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft. from (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

☐ Steel
 ☐ Plastic
 ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	51.0 FT	25.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Vol Clay	31	Lb/gal	0.0 Ft	47.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☐ Perforated pipe
 ☒ Manufactured

Diameter 16.00 Inches Length 15 Feet

Material Stainless Steel

Slot Size 0.050 Set From 51.0 Feet to 66.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes
 ☐ No

If so, what material? Pearlock

Describe packer(s) and location

47-66

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?

☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Oscar Peterson

Business Name: Oscar Inc.

Address: 209 27th St NW

City, State, Zip: Huron SD 57350

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay	0	7
Yellow Sand	7	13
Fine Yellow Sand	13	23
Med Yellow Sand w/ Coal	23	33
Fine Gray Sand	33	50
Coarse Gray Sand	50	66
Blue Clay	66	

STATIC WATER LEVEL

4

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:

RECEIVED

MAR - 4 2013

WATER RIGHTS PROGRAM

REMARKS

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm: Pullman Well Drilling Inc.

Signature of License Representative:

Ken Palmer

Signature of Well Owner or Equitable Property Holder:

Date:

5421-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 24, 2020

5421-3
6312A-3

Brad Peterson
Twisted Land & Cattle LLC
19030 391st Ave
Hitchcock SD 57348

Dear Mr. Peterson:

I am writing to acknowledge receipt of your irrigation questionnaires and notes about the needed ownership changes.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing ownership changes on Water Right No. 5421-3 and Water Permit No. 6312A-3. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath". The signature is fluid and cursive, with the first name "Genny" and last name "McMath" clearly visible.

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

PAID

DEC - 2 2020

Ck# 3618

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED

DEC 02 2020

WATER RIGHTS
PROGRAM

No. 5421-3

Date: 11/30/2020

I/We request that Water Right No. 5421-3

formerly owned by: Floyd Peterson

be transferred to: (name & address) Twisted Land & Cattle LLC

19030 391st Ave

Hitchcock, SD 57348 Telephone No. 605-350-0802

Title to the following described land(s)/property has been transferred as described above:

264 acres - S ½ Section 32, T114N, R62W

I/We understand that the validity of Water Right No. 5421-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Twisted Land & Cattle LLC the new owner, certify that the above information is true and correct.

Brad Peterson for Twisted Land & Cattle LLC
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

5421-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date December 2, 2020RECEIVED OF Twisted Land & Cattle, LLC 19030 391st Ave Hitchcock SD 57348

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct 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. _____	\$
Fee for Filing Transfer Form <u>5421-3</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law) TOTAL	\$50.00

By Eric Gronlund
Chief Engineervm

State of South Dakota

Office of the Secretary of State

Certificate of Organization

Domestic Limited Liability Company

I, **Shantel Krebs**, Secretary of State of the State of South Dakota, hereby certify that the ARTICLES OF ORGANIZATION for

Twisted Land And Cattle, LLC

BUSINESS ID# DL157084

with an effective date of: December 4, 2018, duly signed and verified, SDCL 47-34A-203, 212 has been received in this office and is found to conform to law.

ACCORDINGLY, and by virtue of the authority vested in me by law, I hereby issue this Certificate of Organization and attach hereto a duplicate of the ARTICLES OF ORGANIZATION.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of South Dakota, in Pierre, the Capital City, this day, December 4, 2018.

Shantel Krebs

Shantel Krebs
Secretary of State

12/04/2018 10:51 AM



DL157084

Secretary of State
500 E. Capitol Ave
Pierre, SD 57501-5070
(605) 773-4845

ARTICLES OF ORGANIZATION

DOMESTIC LIMITED LIABILITY COMPANY
SDCL 47-34A-203, 212

Please Type or Print Clearly in Ink
Please submit one Original
Make payable to the SECRETARY OF STATE

Filing Fee: \$150

Total Fee: \$150

Article I

The name of the Company: **Twisted Land And Cattle, LLC**

Article II

The address of the initial designated office in or out of the State of South Dakota where the company conducts its business:

Actual Street Address

**19030 391ST AVENUE
HITCHCOCK, SD 57348**

Mailing Address

**P.O. BOX 65
MILLER, SD 57362**

Article III

SDCL 59-11-6

The South Dakota Registered Agent's Name:

South Dakota law permits the registered agent to be either (a) a noncommercial registered agent or (b) a commercial registered agent.

(b) The South Dakota Commercial Registered Agent's name & CRA#

CRA: **DAKOTA LAW FIRM, PROF. L.L.C. (0000049)**

Actual Street Address in this State

**103 W 3RD ST
MILLER, SD 57362**

Mailing Address in this State

**PO BOX 65
MILLER, SD 57362**

Article IV

The name and address of each organizer

Name

Address

Brad Peterson Living Trust, u/t/d November 30, 2018

19026 391st Avenue, Hitchcock, SD 57348

**Denise Peterson Living Trust,
u/t/d November 30, 2018**

19026 391st Avenue, Hitchcock, SD 57348

Trent Peterson

19026 391st Avenue, Hitchcock, SD 57348

Shane Peterson

39027 SD Hwy 28, Hitchcock, SD 57348

Jeb Peterson

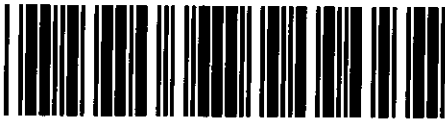
18892 390th Avenue, Hitchcock, SD 57348

Article V

The duration of the company if other than perpetual is: **Perpetual**

If the document is not to be effective upon filing by the Secretary of State, the delayed effective date is: _____

B0081-7241 12/04/2018 10:51AM Rec'd by SD SOS



Article VI

☒ Member-Managed ☐ Manager-Managed

Article VII

Whether one or more of the members of the company are to be liable for its debts and obligations as set forth under SDCL 47-34A-303(c).

☐ Yes ☒ No

Article VIII

Beneficial Owners (optional): A beneficial owner is a person who has or in some manner controls an equity security. Please consult an attorney for legal advice if you have any questions concerning this entry. Any question under this heading is considered a request for legal advice and the secretary of state's office is, by statute, not permitted, to provide legal advice.

Signature/Authorization

The Articles of Organization must be executed by the organizers.

No person may execute this report knowing it is false in any material respect. Any violation may be subject to a criminal penalty (SDCL 22-39-36).

Clay A. Anderson

Clay A. Anderson

Registered Agent - 12/04/2018
Attorney at Law

PRINTED NAME

SIGNATURE

TITLE

DATED

5421-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 3, 2020

5421-3
6312A-3

Brad Peterson
Twisted Land & Cattle LLC
19030 391st Ave
Hitchcock SD 57348

Dear Mr. Peterson:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on Water Right No. 5421-3 and Water Permit No. 6312A-3.

The ownership changes have been completed. Nos. 5421-3 and 6312A-3 formerly held by Floyd Peterson are now listed under Twisted Land & Cattle LLC.

Enclosed for your records are receipts for the filing fees you paid.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath".

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

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

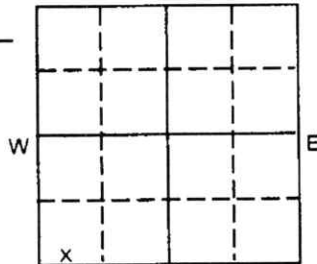
5421-3 replace
ment
well

Location SW ¼ SW ¼ Sec 32 Twp 114 Rg 62

County

Spink

North

Please mark well
location with an "X"

Well Completion Date

1/31/2012

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft from (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

☐ Steel
 ☐ Plastic
 ☐ Other

If other describe

PIPEWEIGHT LB/FT	DIAMETER IN	FROM FT	TO FT	HOLE DIAMETER IN
	16.00	0.0	51.0	25.00

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight Lb/gal	From Ft	To Ft
Vol Clay	31		0.0	47.0

Describe grouting procedure

SCREEN:

☐ Perforated pipe
 ☒ Manufactured

Diameter 16.00 Inches Length 15 Feet

Material Stainless Steel

Slot Size 0.050 Set From 51.0 Feet to 66.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes
 ☐ No

If so, what material? Pearock

Describe packer(s) and location

47-66

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?
 ☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Oscar Peterson

Business Name: Oscar Inc.

Address: 209 27th St NW

City, State, Zip: Huron SD 57350

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay	0	7
Yellow Sand	7	13
Fine Yellow Sand	13	23
Med Yellow Sand w/ Coal	23	33
Fine Gray Sand	33	50
Coarse Gray Sand	50	66
Blue Clay	66	

STATIC WATER LEVEL 4 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:

RECEIVED

REMARKS

MAR - 4 2013

WATER RIGHTS
PROGRAM

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm: Pullman Well Drilling Inc.

Signature of License Representative:

Ken Palmer

Signature of Well Owner or Equitable Property Holder:

Date: