

WATER PERMIT NO. 5982-3

Name of Applicant: Gary or Julie Peterson

Address: 45913 299th St, Centerville SD 57014

Phone: 605 563-2346

Amount of Water Claimed: 2.28 cfs

Total Acres: 160 acres

Source of Water Supply: groundwater

Water to be used for: irrigation

County: Clay

Type of Waste Disposal System: NA

Location: 20 miles northwest of Vermillion

PRIORITY

Date Received: 2-21-97

Fee: \$250

Corrected Application Received: 2-28-97

Period of Annual Use: May 1 - September 30

Remarks:

Diversion Point: SE 1/4 NW 1/4 Sec 17-
T95N-R52W

Land to be Irrigated: NW 1/4
Sec 17-T95N-R52W

		X			
			17		

Depth of Well: 175 feet deep

Well Driller: Wetmore Drilling

Remarks: test hole not dug until spring

Type of Map: aerial

Prepared by: Mary White

Reviewed and the Number Assigned on: 2-28-97

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 5982-3**

Date of first receipt of application February 21, 1997.

Date of return to applicant for corrections, amendments or changes February 24, 1997.

Date of receipt of corrected application February 28, 1997.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5982-3 to Gary or Julie Peterson, 45913 299th St., Centerville SD 57014 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. 5982-3 appropriates 2.28 cubic feet of water per second from one well (Upper Vermillion:Missouri) 175 feet deep located in the SE 1/4 NW 1/4 Section 17 to irrigate 160 acres located in the NW 1/4 Section 17; all in T95N-R52W.
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: May 1 - September 30.
3. The date from which applicant may claim right is February 21, 1997.
4. The date of approval of Permit No. 5982-3 is April 21, 1997.
5. One-fifth of the construction is to be completed on or before October 21, 1999.
6. All construction is to be completed on or before April 21, 2002.
7. Water is to be put to beneficial use on or before April 21, 2006.
8. 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. The well authorized by Permit No. 5982-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 11 1997

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>5982-3</u> Hydrologic Unit <u>10/70/02</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Plain Talk, Vermillion, SD</u>



Application For Permit To Appropriate Water For Irrigation

Type of Application: X New Vested Right Amendment/Correction to Permit No.
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.)

1. Name of Applicant Gary or Julie Peterson ☒ Owner ☐ Tenant/Lessee Phone 605-563-2346
(check one) (check one)
- Mailing Address 45913 294th St Centerville State S.D. 57014
(Street, RR, or Box) (Zip Code)
2. Amount of water claimed 2.28 *CFS or 1028 **GPM ***AF Total Acreage 160
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout if applicable)
3. Source of water supply Well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well in SE 1/4 NW 1/4
Section 17-95-52 County Clay
5. County or counties where water will be used Clay
6. Annual period during which water is to be used May 1 - Sept. 30
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
SE 1/4 NW 1/4 17-95-52	36 40		
SW 1/4 NW 1/4 17-95-52	36 40		
NW 1/4 NW 1/4 17-95-52	36 40		
NE 1/4 NW 1/4 17-95-52	36 40		

8. Give a description of the project. (Attach sheet if more space is needed)

Install center pivot irrigation supplied by a well for the purpose of raising corn, soybeans, and alfalfa. All equipment is to be new and properly sized.

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of TURNER ss

I, GARY PETERSON, the applicant, have read this application, examined the attached map, and certify that the matters stated are true. I intend and am able to complete the necessary construction.

Signed Gary Peterson

Subscribed and sworn to before me this 19th day of FEBRUARY 19 97

Melanie A. Parsons
Notary Public
My Commission Expires 8-31-2000

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 22" Depth 175'
 b) Casing Type PVC Diameter 16" Thickness SCH 40
 c) Screen Type PVC Diameter 16" Thickness SCH 40
 d) Gravel Pack Thickness 3" Length of Gravel Pack 40'
 e) Depth to Top of Water Bearing Material 80'
 f) Depth to Water (ground surface to water level) 80'
 g) Distance to nearest existing domestic well:

On applicants property 1640' On property owned by others 3700'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
 b) System Capacity (gallons) _____ c) Year Constructed _____
 d) Connected to the City of _____ Sanitary System.

A drillers log will be submitted from Wetmore Drilling of Elk Point on completion of the test hole. Thanks, and if you have any questions or need more information please contact me.

May Pium

3. Dugout Information

- a) Surface Dimensions _____ Depth _____
 b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please : dam. The locations of the dams need to be shown on the map submitted with

- 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

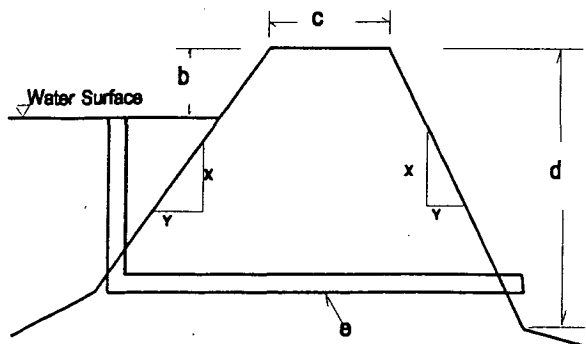
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

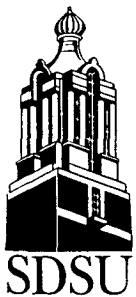
i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



NOT TO SCALE





South Dakota State University

Gary Peterson
45913 299th St
Centerville, SD 57014



Water Resources Research Institute
Water Quality Laboratory
Water Pesticide Laboratory

Box 2120, Ag. Engineering 211
SDSU
Brookings, SD 57007
Phone: 605-688-4910
FAX: 605-688-4917
E mail: WRISDSU@MG.SDSTATE.EDU

Dear Mr. Peterson:

Enclosed is a copy of the analysis of your water sample which you submitted to us for testing. We have identified the source of your water as taken from a unknown source at an unknown depth located in the NW 1/4 in T 095N R 52W S 17. We have assigned it lab number 97-0086. Your water, as represented by this sample, is classified as a high salinity, low sodium hazard for irrigation usage. The electrical conductivity (EC) of this water is 1750 micromhos/cm. The main ions in this water are: calcium (Ca) and sulfate (SO₄).

I have plotted your approximate water quality in red on the outside back cover of the enclosed pamphlet (AES 13). The range in the sodium hazard, from 0.36 to 1.00, is dependent upon the leaching fraction that may result if irrigation water is applied. The higher sodium hazard is associated with no leaching, and the lower sodium hazard is associated with normal leaching fractions (0.03-0.05). The leaching fraction is defined as the amount of water lost below the root zone annually, divided by the total amount received into the soil profile.

This water is marginal for use for irrigation purposes depending upon soil type, climate, and management. The high concentration of salts in the water (EC) indicate that soil salinization could be a problem depending upon the soil you intend to irrigate, its drainage characteristics, and the management and crops used. The probability for economic and managerial success on a long term basis using this water is marginal. The major portion of the salts are calcium and sulfate which is good. This does help to reduce the potential for yield reduction of some crops.

The boron level 0.28 ppm for this water poses a low toxicity level for most normal crops in this area. I have enclosed a sheet that tells the boron toxicity levels for major crops.

I am forwarding a copy of this letter and water analysis to the Division of Water Rights in Pierre for their information and/or action.

If you have further questions regarding this water analysis, please do not hesitate to call or write.

Sincerely,

John H. Bischoff, Assistant Professor
Water Resources Institute

Enclosures

cc: Division of Conservation

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

07/30/1997
Turner

Bill To:

Date Rec'd 07/25/1997

Lab Sample No 97-0086

Source

Depth

Legal ID: T 095N R 52W S 17 b

cc: Peterson, Gary
45913 299th St
Centerville SD 57014

Calcium (Ca)	302 ppm	15.10 me/l
Magnesium (Mg)	95 ppm	7.81 me/l
Sodium (Na)	28 ppm	1.22 me/l
Potassium (K)	10 ppm	0.26 me/l
Sulfate (SO4)	858 ppm	17.86 me/l
Nitrate as N (NO3)	0.05 ppm	me/l
Organic Nitrogen as N	ppm	
Ammonia Nitrogen as N	ppm	
Nitrite as N (NO2)	ppm	
Ortho Phosphorus	ppm	
Total Phosphorus	ppm	
Chloride (Cl)	3 ppm	0.08 me/l
Bicarbonate (HCO3)	351 ppm	5.76 me/l
Carbonate (CO3)	0 ppm	me/l
Iron (Fe)	ppm	me/l
Fluoride (F)	ppm	me/l
Manganese (Mn)	ppm	
Boron (B)	0.28 ppm	
Hardness (EDTA as CaCO3)	1146 ppm	66.99 gpg
Total Solids	ppm	
Total Cations		24.39 me/l
Total Anions		23.70 me/l
Alkalinity (Methyl Orange)	288 ppm(as CaCO3)	
Alkalinity (Phenolphthalein)	0 ppm(as CaCO3)	
Electrical Conductivity	1760 micromhos per cm at 25°C	
Sodium Adsorption Ratio (SAR)	0.36 Adjusted SAR	1.00
Sodium	5.00 % of Cations	
Residual Sodium Carbonate	0.00 me/l	
pH	6.90	

gpg = grains per gallon
me/l = milliequivalents per liter

ppm = parts per million

COMMENTS:

Analysis By: Shirley Mittan

Service Performed:	Analysis Cost:	70.00	Amount Received:	.00
Irrigation Analysis	Sales Tax:	4.20	AMOUNT DUE:	74.20
	Total Cost:	74.20		

Make checks payable to: SDSU Water Quality Lab
Please write lab number on your check!
Lab Sample No. 97-0086

August 31, 1998



Peterson, Gary
45913 299th St.
Centerville, SD 57014

Dear Mr. Peterson:

Enclosed is a copy of the analysis of your water sample which you submitted to us for testing. We have identified the source of your water as taken from a unknown source at an unknown depth in an unknown location. We have assigned it lab number 98-0195.

Your water, as represented by this sample, is classified as a high salinity, low sodium hazard for irrigation usage. The electrical conductivity (EC) of this water is 1750 micromhos/cm. The main ions in this water are: calcium (Ca) and sulfate (SO₄).

I have plotted your approximate water quality in red on the outside backcover of the enclosed pamphlet (AES 13). The range in the sodium hazard, from 0.39 to 1.07, is dependent upon the leaching fraction that may result if irrigation water is applied. The higher sodium hazard is associated with no leaching, and the lower sodium hazard is associated with normal leaching fractions (0.03-0.05). The leaching fraction is defined as the amount of water lost below the root zone annually, divided by the total amount received into the soil profile.

This water can be used for irrigation purposes for most normal soils which have adequate internal drainage. This means that if the water table is greater than 10 feet below ground surface the majority of the year and there are no tight impermeable layers within the root zone which may create a perched water table, the salts (ions) that do exist in the water will be able to be leached downward below the root zone where they do little or no harm to growing crops. The probability for soil salinization from this water is low when used on soils with good subsurface drainage.

The boron level 0.22 ppm for this water poses a low toxicity level for most normal crops in this area. I have enclosed a sheet that tells the boron toxicity levels for major crops.

I am forwarding a copy of this letter and water analysis to the Division of Water Rights in Pierre for their information and/or action.

If you have further questions regarding this water analysis, please do not hesitate to call or write.

Sincerely,

John H. Bischoff, Assistant Professor
Water Resources Institute

Enclosures
cc: Division of Water Rights

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

08/31/1998
Turner

Bill To: Peterson, Gary
45913 299th St.
Centerville, SD 57014

Date Rec'd 08/24/1998
Lab Sample No 98-0195
Source
Depth
Legal ID:

cc:

Calcium (Ca)	250 ppm	12.50 me/l
Magnesium (Mg)	99 ppm	8.14 me/l
Sodium (Na)	29 ppm	1.26 me/l
Potassium (K)	10 ppm	0.27 me/l
Sulfate (SO4)	740 ppm	15.41 me/l
Nitrate as N (NO3)	0.15 ppm	0.01 me/l
Organic Nitrogen as N	ppm	
Ammonia Nitrogen as N	ppm	
Nitrite as N (NO2)	ppm	
Ortho Phosphorus	ppm	
Total Phosphorus	ppm	
Chloride (Cl)	10 ppm	0.28 me/l
Bicarbonate (HCO3)	351 ppm	5.76 me/l
Carbonate (CO3)	0 ppm	me/l
Iron (Fe)	ppm	me/l
Fluoride (F)	ppm	me/l
Manganese (Mn)	ppm	
Boron (B)	0.22 ppm	
Hardness (EDTA as CaCO3)	1032 ppm	60.35 gpg
Total Solids	ppm	
Total Cations		22.17 me/l
Total Anions		21.46 me/l
Alkalinity (Methyl Orange)	288 ppm(as CaCO3)	
Alkalinity (Phenolphthalein)	0 ppm(as CaCO3)	
Electrical Conductivity	1743 micromhos per cm at 25°C	
Sodium Adsorption Ratio (SAR)	0.39 Adjusted SAR	1.07
Sodium	5.68 % of Cations	
Residual Sodium Carbonate	0.00 me/l	
pH	6.94	

gpg = grains per gallon
me/l = milliequivalents per liter

ppm = parts per million

COMMENTS:

Analysis By: Shirley Mittan

Service Performed:	Analysis Cost:	76.00	Amount Received:	.00
Irrigation Analysis	Sales Tax:	3.04	AMOUNT DUE:	79.04
	Total Cost:	79.04		

Make checks payable to: SDSU Water Quality Lab
Please write lab number on your check!
Lab Sample No. 98-0195

RECEIPT

Division of Water Rights

415250

South Dakota Department of Environment and Natural Resources

Pierre, _____, February 21, 19 97

RECEIVED OF Gary Peterson, 459¹³ 299th St, Centerville SD 57014

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

Fee for Application for Permit No. <u>5982-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	22500
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 _____	

(Any Other Work Provided by Law)	Total
	22500

By John Hatch
Chief Engineer JOHN HATCH

RECEIPT

415260

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ February 28, 19 97

RECEIVED OF Gary or Julie Peterson, 45913 - 299th St., Centerville, SD 57014

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

Fee for Application for Permit No. <u>5982-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	25	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 _____		

(Any Other Work Provided by Law)	Total	25 00

By John Hatch
Chief Engineer



WETMORE DRILLING

Mike Wetmore
Geologist



Office: 1-800-399-7713
(605) 356-3757
P. O. Box 880
Elk Point, SD 57025

Shop: (605) 356-2248
I-29 Exit 15
Elk Point, SD 57025

Cellular: (712) 251-7599
February 27, 1997

SD-DENR
Water Rights Division
523 East Capitol
Pierre, SD 57501-3181



Re: Gary Peterson, Irrigation Permit Application, Test Hole Log

Gentlemen,

Listed below is the estimated test hole log for the above named irrigation permit applicant. This test hole log is based on a survey of several nearby wells drilled by Wetmore Drilling:

<u>DEPTH</u>	<u>LITHOLOGY</u>
000-003	Top soil
003-024	Yellow clay
024-117	Blue clay
117-175	Sand & gravel

The purpose of this estimated test hole log is to allow Gary Peterson's irrigation permit application to move forward in a timely manner. When the weather permits, we will be drilling a test hole and a copy of that log will be forwarded to your office.

If you have any questions, please feel free to give me a call. We thank you for your time and consideration in this matter.

Sincerely,

WETMORE DRILLING

Mike Wetmore

cc: Gary Peterson



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 24, 1997

Gary Peterson
45913 299th St
Centerville SD 57014

Dear Mr. Peterson:

Thank you for submitting your *Application for a Permit to Appropriate Water for Irrigation*.

On Item No. 2 of the application, you indicate the amount of water claimed to be 800 gallons per minute which equals 1.78 cubic feet of water per second (cfs). Under State Statutes you are allowed 1 cfs (450 gpm) for each 70 acres irrigated. This would mean that you are allowed 1.64 cfs (738 gpm) for the 115 acres to be irrigated. Please let us know if you concur with this change on your application.

Your note submitted with the application, indicated that Wetmore Drilling would send in the drillers log on completion of the test hole. Upon submittal of the drillers log, further processing of your application will continue.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Environmental Scientist
605-773-3352

enclosure

File No.

Water Rights Program - File Documentation

NAME: Gary Peterson

ADDRESS: Centerville SD

DATE: 2-25-97 **COUNTY:** Union **TELEPHONE:** 605 563-2346

RE: Pending application

COMMENTS:

Gary Peterson called concerning my letter dated 2-24-97, regarding the 1 cfs per 70 acres. Mr. Peterson stated he wanted to amend to his application to include the entire 160 acres in the NW 1/4 Section 17-T95N-R52W. He also wanted to claim the maximum amount of water which is 2.28 cfs. He will be submitting the additional \$25 fee. Mr. Peterson stated that Wetmore Drilling will send in the well log upon completion.



Karen Schlaak
Environmental Scientist

REPORT ON WATER PERMIT APPLICATION NO. 5982-3
for Gary or Julie Peterson
March 24, 1997

Application No. 5982-3 proposes to appropriate 2.28 cfs (1023 gpm) from one well approximately 175 feet deep located in the SE 1/4 NW 1/4 of Section 17 to irrigate 160 acres located in the NW 1/4 of Section 17; all in T95N-R52W in Clay County.

AQUIFER - UPPER VERMILLION MISSOURI (UVM)

The Upper Vermillion Missouri aquifer is a buried glacial outwash (sand and gravel) which can be under slightly confined conditions but is predominantly under unconfined or water table conditions in Clay County. No driller's log was submitted with the application but nearby well logs and the information from the Clay County study is sufficient to evaluate this application. Hydrologically this area is relatively simple. A shallow glacial outwash named the Parker Centerville aquifer underlies the floodplain of the Vermillion River and blends into the Upper Vermillion Missouri aquifer in northern Clay County. The Upper Vermillion Missouri also blends into the Lower Vermillion Missouri aquifer in this same area. The Upper Vermillion Missouri aquifer underlies 11,200 acres and contains an estimated 168,000 acre feet of recoverable water in storage in Clay County (Hedges, 1982). The aquifer is hydraulically connected into Turner County to the north and to the Lower Vermillion Missouri aquifer to the south. The aquifer is also hydraulically connected to the Vermillion River. Ground water movement is from north to south and toward the Vermillion River (Christensen, 1967).

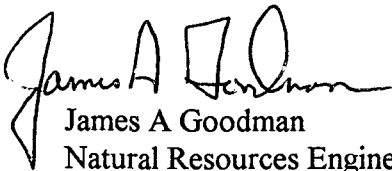
The Water Rights Program monitors an observation well CL-66A which is located about two miles southeast of the application and completed into the Lower Vermillion Missouri aquifer. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1997). A hydrograph for this well is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing Water Right No. 2268-3 with a diversion point located about one-half mile northwest of the diversion point for this application. Interference is not a concern. Drawdown created by pumping will not be significant at this distance. This is also shown by the observation well record.

CONCLUSIONS

1. Water is available from the Upper Vermillion Missouri aquifer.
2. The aquifer is buried and may be under slightly confined conditions. However, in the area, the aquifer is mostly under water table conditions. Drawdown is not expected to be significant. Interference is not expected to be a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. No test hole information was submitted with this application but data for this area is sufficient to determine the water source and availability questions.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

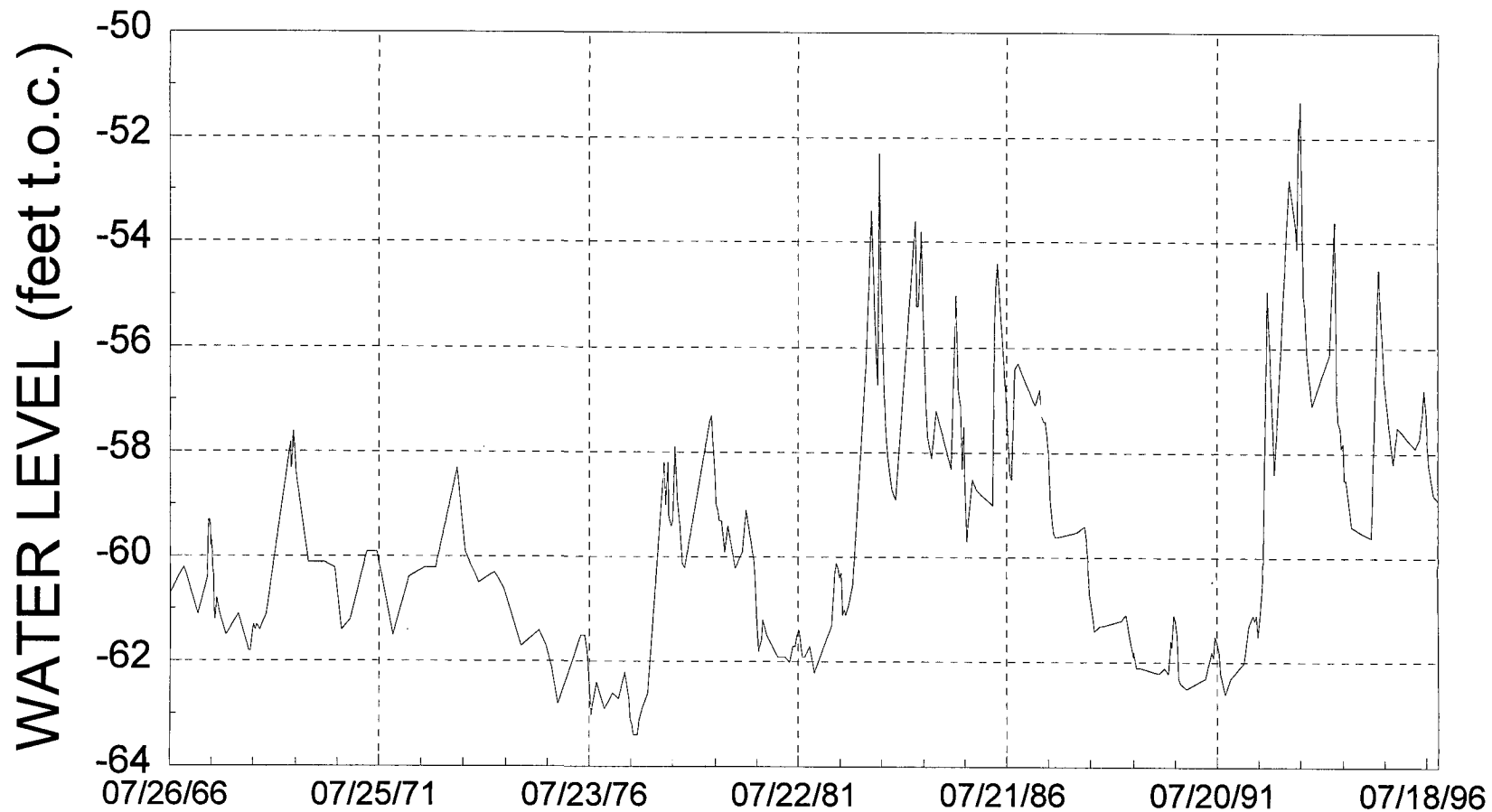
Christensen, C.M., J.C. Stephens, 1967, Geology and Hydrology of Clay County South Dakota, Bulletin 19, SD DENR, SDGS, Vermillion, SD, 57069.

Hedges, L.S., etal, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1997, Unpublished Observation Well Data for Clay County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS OBSERVATION WELL

CL-66A



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5982-3, Gary and Julie Peterson**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5982-3, Gary and Julie Peterson, 45913 299th St., Centerville, SD 57014.

The Chief Engineer is recommending APPROVAL of Application No. 5982-3 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. The well authorized by Permit No. 5982-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer
March 26, 1997



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

March 27, 1997

Gary or Julie Peterson
45913 299th St.
Centerville, SD 57014

Dear Mr. and Ms. Peterson:

Water Permit Application No. 5982-3 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 Plain Talk printed at Vermillion, SD (Ph # (605) 624-2695). 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 Hearing 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 27, 1997

Plain Talk
Box 256
Vermillion, SD 57069

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5982-3 to be published twice. Please publish the first notice on April 4, 1997, 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 Gary or Julie Peterson, 45913 299th St., Centerville, SD 57014 (Ph # (605) 563-2346).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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. No action may be taken on the permit application 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 Program
Joe Foss Building
Pierre SD 57501-3181

No. 5982-3

Date _____

We are in receipt of your letter of 3/27/97 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 April 4, 1997, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5982-3 to Appropriate Water

Notice is given that Gary and Julie Peterson, 45913 299th St., Centerville SD 57014 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from one well (Upper Vermillion:Missouri) 175 feet deep located in the SE 1/4 NW 1/4 Section 17 to irrigate 160 acres located in the NW 1/4 Section 17; all in T95N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5982-3 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 21, 1997.

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 the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Clay, ss.

Christy L. Bram

Being first duly sworn, deposes and says: That he/she is a resident of the County of Clay and State of South Dakota; that

THE PLAIN TALK

is a legal newspaper of general circulation, printed and published in Vermillion, in said County and State, by Broadcaster Press, Inc., and is now and has been such newspaper continuously during all the times hereinafter mentioned; that affiant is and was during all the time hereinafter mentioned in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit; and that the notice and advertisement headed:

Notice of Application no. 5982-3 to

Appropriate Water

a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper at least once in each week

for 2 successive weeks; that said newspaper at the time of the first publication of said notice hereinafter stated, had, and still has, a bona fide circulation of over two-hundred paid copies weekly, and had been published in the said county of Clay for more than one year immediately prior to the date of the said publication of said notice, and that said newspaper during said times, was, and is, printed in part in an office maintained at said city of Vermillion, the said place of publication; that the first publication of said notice in said newspaper as

aforsaid was on Friday, the 4 day of April 19 97, and that the succeeding publications were severally

on Friday, the 11 day of April 19 97

on Friday, the _____ day of _____, 19 _____

on Friday, the _____ day of _____, 19 _____

on Friday, the _____ day of _____, 19 _____

that the fees charged for the printing and publication of the said notice and advertisement in said newspaper as aforsaid were

thirty-three dollars and 16 cents

and that said fees for the printing and publishing of said notice and advertisement have been fully paid; that the full amount of the fee charged for the publishing of the said attached annexed notice and advertisement inures to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Christy L. Bram

Subscribed and sworn to before me this 10th

day of April, 19 97

Joan E. Willard

My Commission Expires
April 17, 1997

Notary Public

NOTICE OF APPLICATION

NO. 5982-3 to Appropriate Water

Notice is given that Gary and Julie Peterson, 45913 289th St., Centerville, SD 57014 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from one well (Upper Vermillion; Missouri) 175 feet deep located in the SE1/4NW1/4 Section 17 to irrigate 160 acres located in the NW1/4 Section 17; all in T95N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5982-3 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by April 21, 1997.

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 the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

Nettie H. Myers, Secretary
Department of Environment and
Natural Resources
Publish: April 4 & 11, 1997





JUN 11 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Gary or Julie Peterson
45913 299th St.
Centerville, SD 57014

Dear Mr. and Ms. Peterson:

Enclosed is Water Permit No. 5982-3 authorizing construction of your water diversion system and beneficial use of the water, 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 Program
605 773-3352

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 6-12-97TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181FROM: Gary Peterson 45913 299th ST
(name) (address)
Centerville SD 57014 605-563-2346
(city) (state) (zip) (phone)

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. 5982-3.

Water Permit No. 5982-3 states that the diversion system is to be constructed by 4-21-2002, and that the water is put to beneficial use by
(date)

4-21-2006
(date)

The diversion system was completed on 5-4-97.
(date)

Applying the water to beneficial use was completed on 5-4-97.
(date)

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

Gary Peterson
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 21, 2004

5982-3

Gary and Julie Peterson
45913 299th St
Centerville SD 57014

Dear Mr. & Mrs. Peterson:

On August 25, 2004 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5982-3, was completed by Eric Gronlund, a staff engineer with our program. Your final water right document, the water license, can now be issued.

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

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

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date JANUARY 3, 20 04

RECEIVED OF Gary Peterson, 45913 199th St., Centerville SD 57C14

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5982-3</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No. 200403

By Darlene Eide

Chief Engineer

gm

Permit No. 5982-3
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, August 25, 2004, made a thorough examination of the water use system constructed by Gary and Julie Peterson of 45913 299th Street, Centerville SD 57014 holder of Permit No. 5982-3, bearing the priority of February 21, 1997 authorizing the diversion of 2.28 cu. ft. per second of the waters of Upper Vermillion: Missouri Aquifer for irrigation purposes, in Clay County.

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

A. Works used to divert the water:

An Amarillo pump powered by a 60 hp John Deere PTO drive

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

Water from well piped approximately 15 feet to the center pivot

C. Works used to apply water to beneficial use:

A 6 tower Valley center pivot that is 1076 feet long with an end gun adding another 100 feet to the effective length of the pivot.

The system is in the following condition excellent. The point of diversion is located approximately 1,320 feet south and 1,500 feet east of the NW corner (SE ¼ NW ¼) of Section 17, T95N, R52W (lat/lon N43.04995 W-097.01708). The works are capable of diverting and conveying to the place of use 1.64 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:

All in Section 17, T95N, R52W

NW ¼ NW ¼	20	SW ¼ NW ¼	25
NE ¼ NW ¼	33	SE ¼ NW ¼	37

comprising a total of 115 acres of land and the license should be issued for 1.64 cfs.

Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: December 15, 2004



Eric Gronlund

Natural Resources Engineer

DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO.

DATE OF INVESTIGATION:	August 25, 2004
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Gary Peterson 45913 299 th Street Centerville SD 57014
NAME & ADDRESS OF PERMIT HOLDER	
DIVERSION POINT LEGAL LOCATION	<u>approximately 1,320 feet south and 1,500 feet east of the NW corner (SE ¼ NW ¼) of Section 17, T95N, R52W (lat/lon N43.04995 W-097.01708)</u>

Other permit(s) associated with the project: None

WELL INFORMATION:

- 1) Well Drilling Firm: Wetmore Drilling
- 2) No. of Wells 1
- 3) Depth(s) 165 feet
- 4) Well log is available Yes
- 5) Comment:

Pump:

- 1) Make Amarillo
- 2) Model Serial No. SG0A-203571
- 3) Size
- 4) Capacity 735 GPM

Casing:

- 1) Diameter 16 inches
- 2) Length 105 feet
- 3) Type Plastic Schedule 40

Screen:

- 1) Type manufactured PVC
- 2) Length 60 feet
- 3) Static water level 60 feet

Motor:

- 1) Make John Deere PTO
- 2) Model No. C110HP4
- 3) Horsepower rating 60 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type _____
- 2) Size _____ inches
- 3) Length _____ feet

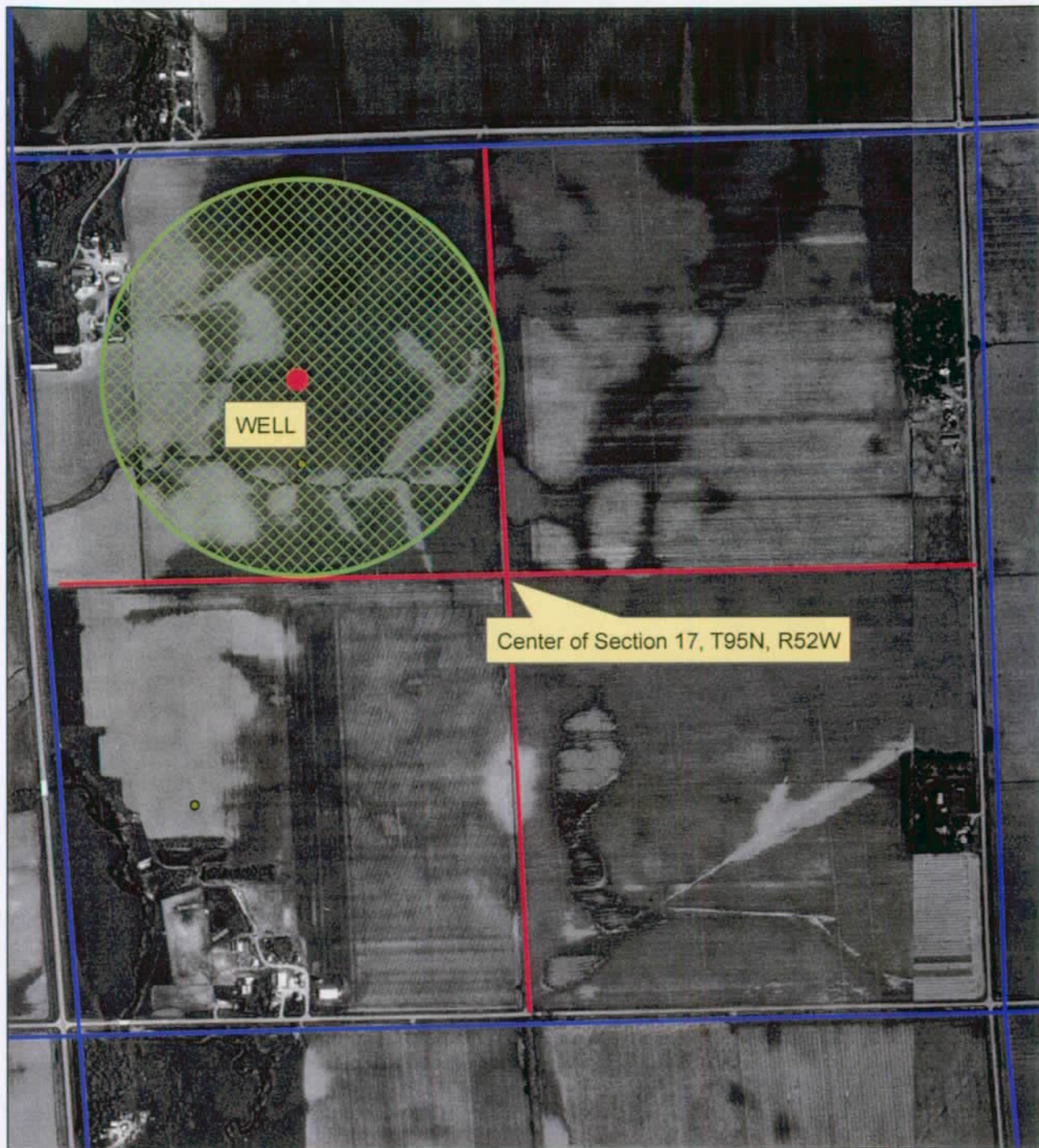
SYSTEM TYPE:**Center pivot:**

- | | |
|---|------------------------------------|
| 1) Make <u>Valley</u> | 5) End gun <u>Yes</u> |
| 2) Overall length <u>1176 (with end gun)</u> feet | 6) High or low pressure <u>Low</u> |
| 3) Number of towers <u>6</u> | 7) Capacity <u>735</u> GPM |
| 4) Distance between towers _____ feet | |

NO CHEMIGATION**PERMIT QUALIFICATIONS**

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

Water Permit No. 5982-3, Gary and Julie Peterson



0 375 750 1,500 2,250 3,000
Feet

Approximate location of well is 1,320 feet south and 1,500 feet east
of the NW corner (SE 1/4 NW 1/4) of Section 17, T95N, R52W
Lat/Lon N43.04995 W-097.01708



Eric Gronlund
Eric Gronlund
Water Rights Program, DENR
Licensing Investigation - August 25, 2004



Pivot Point and well authorized by Water Permit No. 5982-3, Gary and Julie Peterson

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5982-3

(1) Gary and Julie Peterson, 45913 299th St, Centerville SD 57014 made Application No. 5982-3, February 21, 1997 for a water permit to divert 2.28 cubic feet of water per second from groundwater (one well), Clay County, South Dakota for irrigation purposes. Permit No. 5982-3, with a priority date of February 21, 1997 was approved April 21, 1997 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before April 21, 2002 and for the application to beneficial use of water on or before April 21, 2006.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on June 18, 1997. The *Notice* stated the diversion system was completed on May 4, 1997 and the water placed to beneficial use on May 4, 1997.

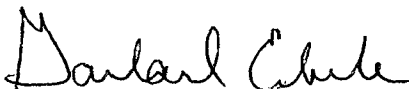
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holders and/or owners of Water Right No. 5982-3 are issued a license, bearing a priority date of February 21, 1997 to appropriate 1.64 cubic feet of water per second from groundwater (one well) to irrigate 115 acres.

The diversion point is located: 1,320 feet south and 1,500 feet east of the northwest corner (SE ¼ NW ¼) Section 17-T95N-R52W. The acres authorized for irrigation are as follows:

<u>Section 17-T95N-R52W</u>	NW ¼ NW ¼	20 acres
	NE ¼ NW ¼	33 acres
	SW ¼ NW ¼	25 acres
	SE ¼ NW ¼	37 acres
		<u>115 acres</u>

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 5982-3 including the following now applicable qualifications:

- 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.
- The well authorized by Permit No. 5982-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

APR 19 2005

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 19 2005

5982-3

Gary and Julie Peterson
45913 299th St
Centerville SD 57014

Dear Mr. & Ms. Peterson:

Enclosed is Water License No. 5982-3. This is the final water right document completing your process of obtaining a Water Right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

enclosures

5982-3

The land which this irrigation system
is on has been sold, so these two permits

5982-3 and 7442-3

Need to be transferred in to the name

of: Leah Johnson

45259-290 st

Viborg SD 57070

5982-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

December 3, 2015

5982-3
7442-3

Leah Johnson
45259 290th St
Viborg SD 57070

Dear Ms. Johnson:

I am in receipt of the 2015 irrigation questionnaires for Water Right No. 5982-3 and Water Permit No. 7442-3 along with the notation concerning the need for an ownership change.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please review the forms and make any necessary corrections. Upon completion, please sign and return the forms to our office with a required filing fee of \$50.00 each (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of both Nos. 5982-3 and 7442-3 for your records. If you have any questions, please contact me.

Sincerely,

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

enclosures

RECEIVED

DEC 28 2015

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5982-3

Date: 12-11-15

I/We request that Water Right No. 5982-3

formerly owned by: Gary or Julie Peterson

be transferred to: (name & address) Leah Johnson

45259-290 st

V. 609 50 57070

Telephone No. 605-326-5338

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

115 acres - NW 1/4 Section 17, T95N, R52W

I/We understand that the validity of Water Right No. 5982-3 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 Leah Johnson, the new owner, certify that the above information is true and correct.


(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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/4, 20 16

RECEIVED OF Lowell L Johnson 45259 290th St Viborg SD 57070

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50 00	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>5982-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 07589

By Jean Howland
Chief Engineer



5982-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

January 5, 2016

5982-3
7442-3

Leah Johnson
45259 290th St
Viborg SD 57070

Dear Ms. Johnson:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership of Water Right No. 5982-3 and Water Permit No. 7442-3. The ownership changes have been completed. The above listed water right and water permit are now listed in your name.

Enclosed for your records are Receipt Nos. 07589 and 07590 in the amounts of \$50 each. If you have any questions, please contact me.

Sincerely,

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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

May 2, 2024

7442-3 & 5982-3

Leah Johnson
45259 290th St
Viborg SD 57070

Dear Mr. Johnson:

I am writing in regard to Water Right No. 5982-3 and Permit No. 7442-3. The water right authorizes diversion 1.64 cfs (approx. 735 gpm) of water from groundwater, one well, completed into the Upper Vermillion Missouri Aquifer. Water Permit No. 7442-3, with the diversion rate authority of Water Right No. 5982-3, authorizes the irrigation of 40 acres in the W ½ NE ¼ Section 17, T95N, R52W, Clay County.

In reviewing your 2023 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

Water Permit No. 7442-3 allows you to use up to 2 acre-feet (ac-ft) (24 inches) of water, per acre, per year. On the questionnaire you reported substantially more water use. The following information is what was reported and what is authorized:

- 40 acres irrigated
- Reported water use – 135.2 ac-ft of water (approximately 40.5 inches)
- Authorized water use – 80 acre-feet (40 acres x 2 ac-ft per year)

We realize that water use depends greatly on climactic conditions and may vary year to year. However, it is very rare that irrigators come close to the 24 inches per acre that is authorized. Typical water use is between 8 and 12 inches per acre. The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

If you do in fact apply as much water as claimed on your questionnaire, you are exceeding the limits of your water right and will have to reduce your discharge to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

NOTE: Water Right No. 5982-3 authorizes a diversion rate of 1.64 cubic feet of water per second (approx. 735 gallons per minute). The 2023 irrigation questionnaire you submitted lists a pump rate of 900 gpm. A new permit would be required to increase the rate of diversion from 1.64 cfs to 2.0 cfs.

enclosure