

WATER PERMIT NO. 6201A-3

Name of Applicant: Peterson Farms

Address: 19111 Maple Ave, Hitchcock SD 57348

Phone: 605 266-2793

Amount of Water Claimed: no add'l (1.93)

Total Acres: no add'l (135 acres)

Source of Water Supply: groundwater

Water to be used for: irrigation County: Spink

Type of Waste Disposal System:

Location: 2 miles north of Hitchcock

PRIORITY Date Received: 1-16-04

Application/License Fee: \$50

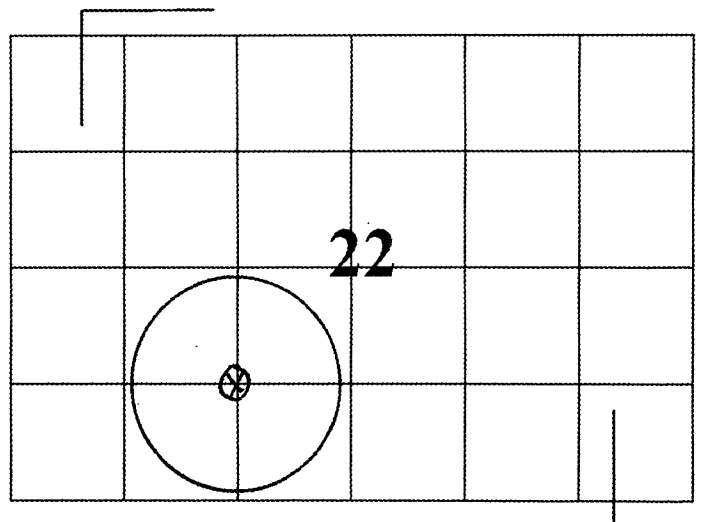
Corrected Application Received:

Period of Annual Use: April 1 – November 30

Remarks: Proposed to transfer the corners (28 ac) from 4 quarter sections and 23 acres from NW ¼ Sec 11-T113N-R63W authorized by Nos. 6201-3 & 6343-3.

Diversion Point: center SW ¼ Sec 22-T114N-R63W

Land to be Irrigated: SW ¼ Sec 22-T114N-R63W



Depth of Well: 70-90 feet deep

Well Driller: :

Remarks:

Type of Map: aerial

Prepared by: Eric Gronlund

Reviewed and the Number Assigned on: 1-20-04

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

RECEIVED

JAN 16 2004

WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6201A-3</u> (office use only) Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>
	Newspaper <u>Redfield Press, Redfield</u>

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 6201-3 & 6343-
(Use predates Mar 2, 1955)

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

Transferring acreage from the corners of the quarter sections authorized by Water Permit Nos. 6201-3 and 6343-3 to the SW 1/4 Section 22, T114N, R63W

- Name of Applicant Peterson Farms Phone 266-2793
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 19111 Maple Avenue, Hitchcock State SD 57348
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.93*CFS or **GPM ***AF Total Acreage 135
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Ground water
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Spink
approximate center of the SW 1/4 Section 22, T114N, R63W
- County or counties where water will be used Spink
- Annual period during which water is to be used April 1 - November 30
- 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
NW 1/4 SW 1/4 Section 22, T114N, R63W	34		
NE 1/4 SW 1/4 Section 22, T114N, R63W	34		
SW 1/4 SW 1/4 Section 22, T114N, R63W	34		
SE 1/4 SW 1/4 Section 22, T114N, R63W	33		

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

Propose to transfer the corners (28 acres) from each of the 4 of the quarter sections and 23 acres from NW1/4 Section 11, T113N, R63W authorized by Water Permit Nos. 6201-3 and 6343-3. The amount of water being transferred is 1.93 cfs. This is being done because it is not economical to place a cornering system on the pivot.

STATE OF SOUTH DAKOTA) SS
County of Hughes

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)

I, Lenny Peterson, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.Applicant's signature Lenny PetersonSubscribed and sworn to before me this 16th day of January, 20 04

Karen Schlaak
Notary Public Signature
KAREN SCHLAACK
NOTARY PUBLIC
State of South Dakota

My Commission Expires
April 1, 2007

SOUTH DAKOTA
WATER PERMIT NO. 6201A-3 FOR IRRIGATION

Date of first receipt of application January 16, 2004.

The Water Management Board approved Water Permit No. 6201A-3 on March 3, 2004 for Peterson Farms, c/o Lenny Peterson, 19111 Maple Ave, 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. 6201A-3 amends Water Permit Nos. 6201-3 and 6343-3 by severing a portion of these permits and simultaneously transferring to other land. Water Permit No. 6201-3 appropriates 6.85 cubic feet of water per second (cfs) from wells (Tulare: Hitchcock Aquifer) to irrigate 480 acres located in the E $\frac{1}{2}$ Section 34-T114N-R63W and NE $\frac{1}{4}$ Section 3-T113N-R63W. Water Permit No. 6343-3 appropriates 4.57 cfs from wells (Tulare: Hitchcock Aquifer) to irrigate 320 acres located in the SW $\frac{1}{4}$ Section 2 and the NW $\frac{1}{4}$ Section 11; all in T113N-R63W. The permit holder is authorized to transfer the water and permitted acres that is not or will not be irrigated by utilizing standard 132 acre center pivots on the five permitted 160 acre quarter sections. Twenty eight acres from four of the authorized quarter sections and 23 acres from the NW $\frac{1}{4}$ Section 11-T113N-R63W authorized by Permits Nos. 6201-3 and 6343-3 are to be transferred. The appropriation of water that will be transferred is 1.93 cfs to be diverted from an additional well (70 – 90 feet deep) constructed in the approximate center of the SW $\frac{1}{4}$ Section 22-T114N-R63W. The 135 acres to be irrigated will be located in the SW $\frac{1}{4}$ Section 22-T114N-R63W. The water source for these irrigation systems is the Tulare-Hitchcock Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this permit.

Water Permit Nos. 6201-3 and 6343-3 are reissued to reflect this transfer.

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 – November 30.
3. The dates from which applicant may claim right are: May 8, 2000 (1.20 cfs-84 acres) and July 26, 2002 (0.73 cfs-51 acres).
4. One-fifth of the construction is to be completed on or before September 3, 2006.
5. All construction is to be completed on or before March 3, 2009.
6. Water is to be put to beneficial use on or before March 3, 2013.
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.

(continued)

2. The well authorized by Permit No. 6201A-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.
4. The approval of Water Permit No. 6201A-3 withdraws Application No. 6334C-3 from consideration.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

MAY 10 2004

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 16" Depth 70 -90
- b) Casing Type stainless Diameter 16 in Thickness
- c) Screen Type Diameter Thickness
- d) Gravel Pack Length of Gravel Pack
- e) Depth to Top of Water Bearing Material
- f) Depth to Water (ground surface to water level)
- g) Distance to nearest existing domestic well:
On applicants property On property owned by others domestic well to north

2. Wastewater Disposal System Information

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

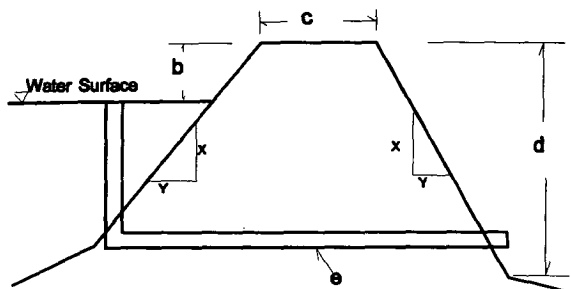
3. Dugout Information

- 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 furnish the information requested below for each dam. The locations of the dams need to 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
- h) Surface Area of Impoundment
- i) Storage Acre Feet
- j) Drainage Area Above Dam Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 16, 20 04

RECEIVED OF Flyoyd Peterson, 18892 390th Ave., Hitchcock SD 57348-7707

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

Fee for Application for Permit No. <u>6201A-3</u> 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 _____		
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.

001093

By

Darland White
Chief Engineer

Peterson Farms Water Permit Application



0 650 1,300 2,600 3,900 5,200 Feet



Well to be located in the approximate center of the SW 1/4
and irrigated acreage located in the SW 1/4 of Section 22,
T114N, R63W

Eric Gronlund
Eric Gronlund
Water Rights Program, DENR
January 16, 2004

SD EForm - 1621 V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

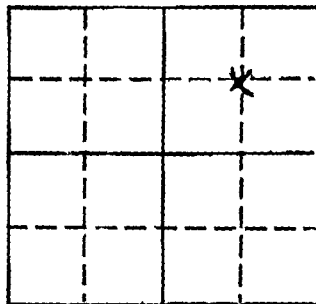
11-02

Location NE 1/4 NE 1/4 Sec 22 Twp 114 Rg 63

County

Spink

North



Please mark well location with an "X"

Well Completion Date

7/5/2002

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

? ft. from _____ (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Forward

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	62.0 FT	24.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Cement	10	Lb/gal	0.0 Ft	20.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
Line

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 16.00 Inches Length 15.0 Feet

Material Stainless Steel

Slot Size .057 Set From 62.0 Feet to 77.0 Feet

Other Information _____

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No

If so, what material? Pea Rock

Describe packer(s) and location

20 To 77

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Pellets

Lab sample sent to for water quality analysis

☐ No, Why Not? _____

Well Owner: Danny Peterson

Business Name: _____

Address: 38984 189 ST

City, State, Zip: Hitchcock SD 57348

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay	0	16
Yellow Sand	16	35
Fine to Med Gray Sand	35	40
Med to coarse Gray sand	40	60
Med to coarse Gray sand w/ coal	60	76
Blue Clay		

STATIC WATER LEVEL 17.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: W/air

☐ Bailed

☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

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:

Wayne Pullman

Signature of Well Owner or Equitable Property Holder:

Date: 7-30-02

REPORT ON WATER PERMIT APPLICATION NO. 6201A-3
For Peterson Farms
February 6, 2004

Application No. 6201A-3 proposes to amend Water Permit Nos. 6201-3 and 6343-3 by severing a portion of these permits and simultaneously transferring to other land. Water Permit No. 6201-3 appropriates 6.85 cfs from three wells to irrigate 480 acres located in the E $\frac{1}{2}$ of section 34, T114N R63W in Spink County and the NE $\frac{1}{4}$ of section 3, T113N R63W in Beadle County. Water Permit No. 6343-3 appropriates 4.57 cfs from two wells to irrigate 320 acres located in the SW $\frac{1}{4}$ of section 2 and the NW $\frac{1}{4}$ of section 11, T113N R63W in Beadle County. Both these permits are within the five year time period to complete construction of works. The applicant proposes to transfer the water and permitted acres (corners) that will not be irrigated on five permitted quarter sections by utilizing standard 132 acre center pivots on each quarter section. Twenty eight acres each from four of the authorized quarter sections and twenty three acres from the NW $\frac{1}{4}$ of section 11, T113N R63W are proposed to be transferred. The appropriation of water that will be transferred is 1.93 cfs for irrigation of 135 acres from an 70-90 feet deep well located in the approximate center of the SW $\frac{1}{4}$ of section 22, T114N R63W in Spink County. The irrigated acreage is also in the SW $\frac{1}{4}$ of section 22 and the water source for all the permits is the Tulare Hitchcock aquifer. No increase in diversion rate of permitted acreage is authorized by this application.

AQUIFER – TULARE HITCHCOCK (T-H)

The Tulare Hitchcock aquifer is a surficial outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 96,000 acres and contains an estimated 360,000 acre feet of recoverable water in storage in Spink County and underlies 53,800 acres and contains an estimated 333,000 acre feet of recoverable water in storage in Beadle County (Hedges, 1982). The total recharge to the aquifer is approximately 10,360 acre feet annually. This calculation uses a recharge rate of 0.83 inches per year (Kuiper, 1984). The Water Management Board has deferred a number of water permit applications from the aquifer because of concerns about water availability. These applications were deferred in December of 2002 (Goodman, 2002) after a number of permits were approved with the understanding that after five years (allowing for development of the newly granted permits) the deferred applications could be considered again.

No test holes have been drilled on the property where this water is to be transferred. There is sufficient information available from observation wells, county study test holes and domestic and irrigation in the area to evaluate this application.

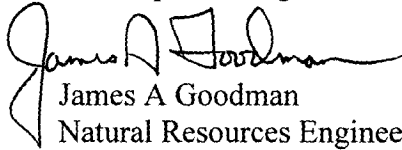
There is an existing observation well SP-80F located within one mile of this proposed irrigation well. Water levels for the observation well show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. A hydrograph for this observation well is included with this report (Water Rights, 2004).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing water permit No. 6312-3 located within one-half mile of this application. Interference is not a concern. The two irrigation wells should be about one-half mile apart. Drawdown created by pumping is not expected to be significant at this distance between wells.

CONCLUSIONS

1. The source of water for this application is the Tulare Hitchcock aquifer.
2. This transfer can be accomplished under SDCL 46-5-34. There is no increase in acres or increase in diversion rate allowed by this application.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. The existing permits will be decreased by 1.93 cfs and 135 acres as described in the application.
5. Approval of this application will not adversely affect any nearby existing water permits/rights.

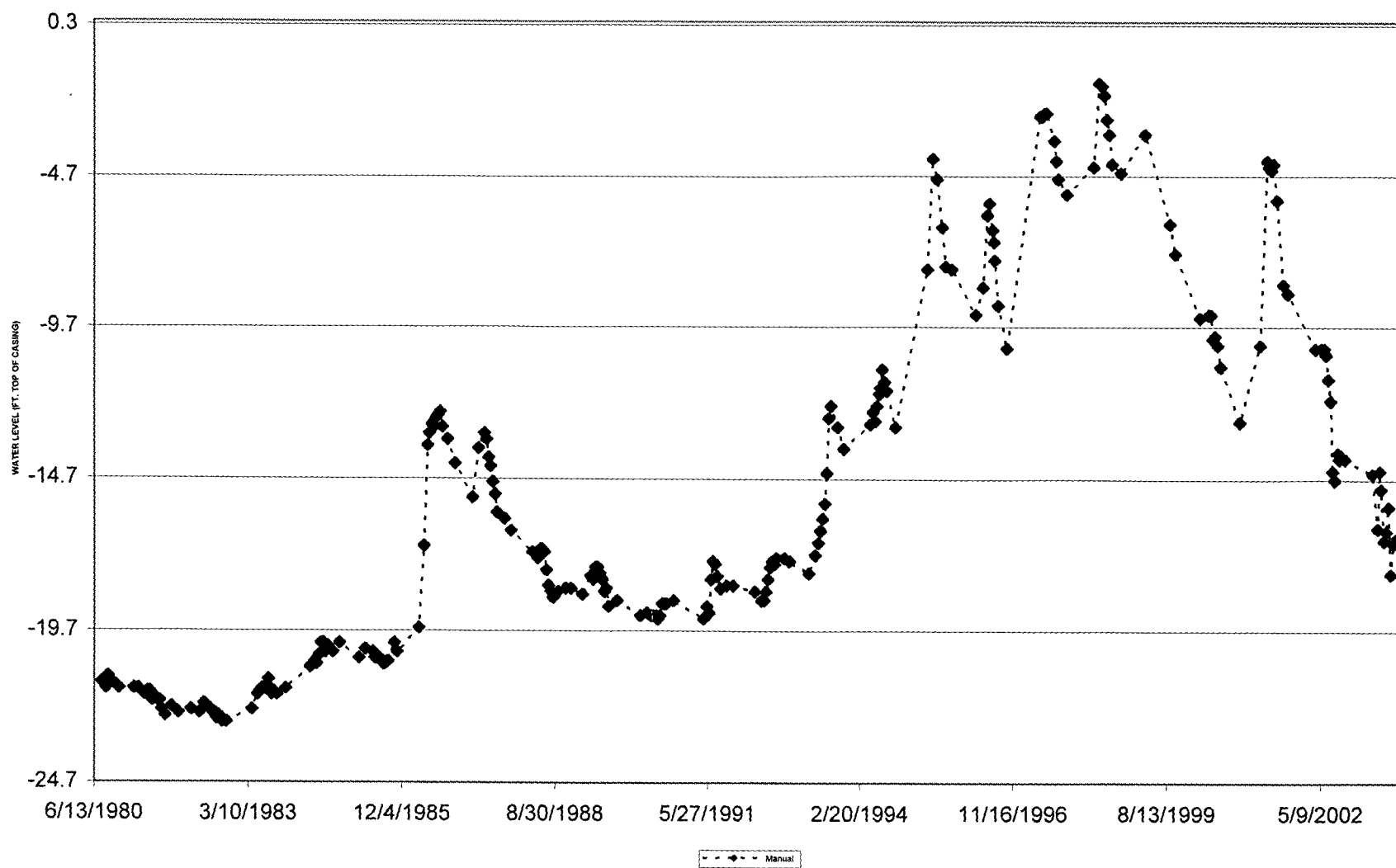


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Goodman, J.A., 2002, Report on Water Permit Nos. 6330-3, 6331-3, 6332-3, 6336-3, 6337-3, 6338-3, 6339-3, 6340-3, 6343-3, 6344-3, 6345-3, 6346-3, 6348-3, 6353-3, for Water From the Tulare Hitchcock Aquifer and Water Permit Nos. 6333-3, 6334-3, 6347-3, 6351-3, 6352-3, for Water From the Tulare Western Spink Aquifer, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.
- Hedges, L.S., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Kuiper, L.K., 1984, Appraisal of Water Resources of Eastern Part of the Tulare Aquifer, Beadle, Hand and Spink Counties, South Dakota, WRI 84-4978, USGS, Huron, SD, 57350.
- Water Rights, 2004, Unpublished Observation Well Data for the Tulare Hitchcock Aquifer, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
SP-80F**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6201A-3, Peterson Farms**

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. 6201A-3, Peterson Farms, c/o Lenny Peterson, 19111 Maple Avenue, Hitchcock SD 57348.

The Chief Engineer is recommending APPROVAL of Application No. 6201A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is 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. 6201A-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.
4. The approval of Water Permit No. 6201A-3 withdraws Application No. 6334C-3 from consideration.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 27, 2004

NOTE: If approved, this water permit will be assigned No. 6201A-3. Water Permit Nos. 6201-3 and 6343-3 will be reissued to reflect the reduction in acreage and diversion rate. The May 8, 2000 and July 26, 2002 priority date established by 6201-3 and 6343-3 will be retained.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 27, 2004

Lenny Peterson
Peterson Farms
19111 Maple Avenue
Hitchcock SD 57348

Dear Mr. Peterson:

Please find enclosed a copy of the staff report and Chief Engineer's recommendations for Water Permit Application Nos. 6201A-3 and 6334C-3. Keep in mind that Application No. 6334C-3 will be withdrawn from consideration if Application No. 6201A-3 is approved.

We'll likely see you on March 3rd. Give me a call if you have any questions or concerns regarding the recommendations.

Sincerely,


Eric Gronlund
Water Rights Program, DENR
(605) 773-3352

enclosure

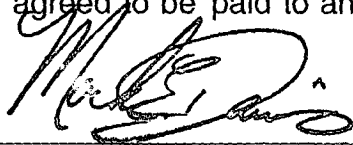
Affidavit of Publication

STATE OF SOUTH DAKOTA,
County of Spink: ss.

I, Mark E. Davis, of said County & State, being first duly sworn on oath, say that THE REDFIELD PRESS is a legal weekly newspaper as defined in Sec. 65.0508 South Dakota Code 1939, as amended by Chapter 298 of the Session of Laws of 1939, printed and published in the English language in the City of Redfield, in said County and State, by THE REDFIELD PRESS, and has been such newspaper during the time hereinafter mentioned, and that I Mark E. Davis, the undersigned, am Publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the legal or official notice entitled:

30 Notice of Hearing, Water right Permits

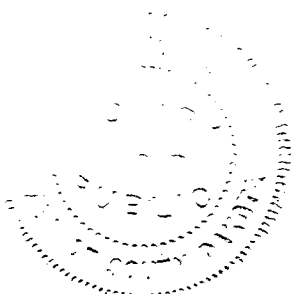
A printed copy of which is hereto attached, was printed and published in said newspaper in 2 successive issues, to wit: The first publication being made on February 4, 2004 and the last publication being made on February 11, 2004 that the full amount of the fee charged for publishing the same to-wit: the sum Seventy-Five and 92/100 Dollars, insures to the benefit of the publisher of THE REDFIELD PRESS, that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.



Subscribed and sworn to before me this 19th day of February, 2004.


Notary Public, South Dakota

My commission expires 11/10/09



RECEIVED
FEB 24 2004
WATER RIGHTS
PROGRAM

Notice of Hearing

30

NOTICE OF HEARING ON

APPLICATION NO. 6201A-3 AND 6334C-3 TO AMEND WATER PERMITS

Notice is given that Peterson Farms, c/o Lenny Peterson, 19111 Maple Ave, Hitchcock SD 57348 has filed the following water permit applications.

Application No. 6201A-3 requests to amend Water Permit Nos. 6201-3 and 6343-3 by serving a portion of these permits and simultaneously transferring to other land. Water Permit No. 6201-3 appropriates 6.85 cubic feet of water per second (cfs) from wells (Tulare: Hitchcock Aquifer) to irrigate 480 acres located in the E 1/2 Section 34-T114N-R63W and NE 1/4 Section 3-T113N-R63W. Water Permit No. 6343-3 appropriates 4.57 cfs from wells (Tulare: Hitchcock Aquifer) to irrigate 320 acres located in the SW 1/4 Section 2 and the NW 1/4 Section 11; all in T113N-R63W. These water permits are still within the five year period to complete construction of works. The applicant proposes to transfer the water and permitted acres that is not or will not be irrigated by utilizing standard 132 acre center pivots, on the five permitted 160 acre quarter sections. Twenty eight acres from four of the authorized quarter sections and 23 acres from the NW 1/4 Section 11-T113N-R63W authorized by Permits Nos. 6201-3 and 6343-3 are proposed to be transferred. The appropriation of water that will be transferred is 1.93 cfs to be diverted from an additional well (70-90 feet deep) constructed in the approximate center of the SW 1/4 Section 22, T114N, R63W. The 135 acres to be irrigated will be located in the SW 1/4 Section 22, T114N, R63W. The water source for these irrigation systems is the Tulare-Hitchcock Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application.

State Law (SDCL 46-5-34) allows an irrigation water right to be served from one parcel of land and simultaneously transferred to another parcel if it becomes impracticable to use all or any part of the water beneficially or economically for irrigation on the current land. Mr. Peterson indicates that it is not economical feasible to place a center pivot system on each of his pivots.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6201A-3 because 1) existing right will not be unlawfully impaired, 2) it is beneficial use of water, and 3) it is in the public interest.

Mr. Peterson has submitted Application No. 6334C-3 in the alternative if Application No. 6201A-3 does not receive favorable consideration. Application No. 6334C-3 will be withdrawn if No. 6201A-3 is approved.

Application No. 6334C-3 requests to amend Water Permit No. 6334B-3 by serving the irrigated and simultaneously transferring to other land. Water Permit No. 6443B-3 appropriates 1.91 cfs from 1 well to irrigate 134 acres located in the NE 1/4 Section 34-T115N-R64W. This application proposed to move the center pivot approximately 6 miles southeast with the well to be located in the approximate center of the SW 1/4 Section 22 to irrigate 134 acres located in the SW 1/4 Section 22; all in T114N-R63W. The water source for this irrigation system is the Tulare:Western Spink Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application.

State Law (SDCL 46-5-34) allows an irrigation water right to be served from one parcel of land and simultaneously transferred to another parcel if it becomes impracticable to use all or any part of the water beneficially or economically for irrigation on the current land. Mr. Peterson indicates economically this location is closer to the home place and can be more closely monitored.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6334C-3 if it is considered by the Water Management Board because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer.

The applicant must also file a petition if opposed to the Chief Engineers recommendation. The Chief Engineers 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 February 23, 2004. 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.

The Water Management Board will consider this application at 11:00 A.M., March 3, 2004 in the Matthew Training Center, Foss Building, 523 E Capitol Ave., Pierre SD. The Chief Engineers 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. The March 3, 2004 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by February 23, 2004.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact Eric Gronlund by February 23, 2004, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since the application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by February 23, 2004.

This applications made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

(February 4, 11)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 2004

Redfield Press
PO Box 440
Redfield SD 57469-0440

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application Nos. 6201A-3 and 6334C-3 to Amend Water Permits to be published twice. Please publish the first notice on February 4, 2004 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 Peterson Farms, % Lenny Peterson, 19111 Maple Ave., Hitchcock SD (Ph # 605-266-2793).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 6201A-3 & 6334C-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of January 29, 2004 enclosing Notice of Hearing to Amend Water Permits by Application Nos. 6201A-3 & 6334C-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

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

January 29, 2004

Peterson Farms
% Lenny Peterson
19111 Maple Ave
Hitchcock SD 57348

Dear Mr. Peterson:

Water Permit Application Nos. 6201A-3 & 6334C-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 (Ph # 605-472-0822). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice is enclosed. The report and Chief Engineers recommendation will be sent to you in the near future. 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. Upon receiving authorization, 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 also 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.

Instruction to Newspaper - Publish first Notice on February 4, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 6201A-3 and 6334C-3 to Amend Water Permits

Notice is given that Peterson Farms, c/o Lenny Peterson, 19111 Maple Ave, Hitchcock SD 57348 has filed the following water permit applications.

Application No. 6201A-3 requests to amend Water Permit Nos. 6201-3 and 6343-3 by severing a portion of these permits and simultaneously transferring to other land. Water Permit No. 6201-3 appropriates 6.85 cubic feet of water per second (cfs) from wells (Tulare: Hitchcock Aquifer) to irrigate 480 acres located in the E ½ Section 34-T114N-R63W and NE ¼ Section 3-T113N-R63W. Water Permit No. 6343-3 appropriates 4.57 cfs from wells (Tulare: Hitchcock Aquifer) to irrigate 320 acres located in the SW ¼ Section 2 and the NW ¼ Section 11; all in T113N-R63W. These water permits are still within the five year period to complete construction of works. The applicant proposes to transfer the water and permitted acres that is not or will not be irrigated by utilizing standard 132 acre center pivots on the five permitted 160 acre quarter sections. Twenty eight acres from four of the authorized quarter sections and 23 acres from the NW ¼ Section 11-T113N-R63W authorized by Permits Nos. 6201-3 and 6343-3 are proposed to be transferred. The appropriation of water that will be transferred is 1.93 cfs to be diverted from an additional well (70 – 90 feet deep) constructed in the approximate center of the SW ¼ Section 22, T114N, R63W. The 135 acres to be irrigated will be located in the SW ¼ Section 22, T114N, R63W. The water source for these irrigation systems is the Tulare-Hitchcock Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application.

State Law (SDCL 46-5-34) allows an irrigation water right to be severed from one parcel of land and simultaneously transferred to another parcel if it becomes impracticable to use all or any part of the water beneficially or economically for irrigation on the current land. Mr. Peterson indicates that it is not economical feasible to place a corning system on each of his pivots.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6201A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Mr. Peterson has submitted Application No. 6334C-3 in the alternative if Application No. 6201A-3 does not receive favorable consideration. Application No. 6334C-3 will be withdrawn if No. 6201A-3 is approved.

Application No. 6334C-3 requests to amend Water Permit No. 6334B-3 by severing the irrigated and simultaneously transferring to other land. Water Permit No. 6443B-3 appropriates 1.91 cfs from 1 well to irrigate 134 acres located in the NE ¼ Section 34-T115N-R64W. This application proposed to move the center pivot approximately 6 miles southeast with the well to be located in the approximate center of the SW ¼ Section 22 to irrigate 134 acres located in the SW ¼ Section 22; all in T114N-R63W. The water source for this irrigation system is the Tulare:Western Spink Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application.

State Law (SDCL 46-5-34) allows an irrigation water right to be severed from one parcel of land and simultaneously transferred to another parcel if it becomes impracticable to use all or any part of the water beneficially or economically for irrigation on the current land. Mr. Peterson indicates economically this location is closer to the home place and can be more closely monitored.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6334C-3 if it is considered by the Water Management Board because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 February 23, 2004. 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.

The Water Management Board will consider this application at 11:00 A.M., March 3, 2004 in the Matthew Training Center, Foss Building, 523 E Capitol Ave., Pierre SD. 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. The March 3, 2004 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by February 23, 2004.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact Eric Gronlund by February 23, 2004, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since this application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by February 23, 2004.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 10 2004

Peterson Farms
c/o Lenny Peterson
19111 Maple Ave
Hitchcock SD 57348

Dear Mr. Peterson:

Enclosed are Water Permit No. 6201A-3 and Reissued Water Permit No. 6343-3.

On March 3, 2004, the Water Management Board approved Water Permit No. 6201A-3 which severed a portion of Water Permit No. 6343-3 and simultaneously transferred it to other land. Water Permit No. 6343-3 is being reissued to reflect this transfer.

Also, Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use as authorized by No. 6201A-3. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

Enclosed is the receipt for payment of the application/license fee for No. 6201A-3.

If you have any questions concerning the reissued permit, please contact this office.

Sincerely,

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

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ SW ¼ Sec 32 Twp 114 Rg 63

County

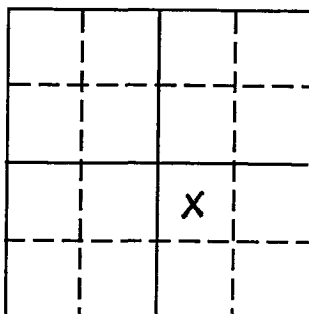
Spink

North

Please mark well location with an "X"

W

E



1 Mile

Well Completion Date

4/16/2004

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

? ft. from In Pasture (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT LB/FT	DIAMETER IN	FROM FT	TO FT	HOLE DIAMETER IN
	16.00	0.0	48.0	24.00

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight Lb/gal	From Ft	To Ft
Cement	50		0.0	20.0

Describe grouting procedure

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 16.00 Inches Length 15.0 Feet

Material Stainless Steel

Slot Size .060 Set From 48.0 Feet to 63.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No

If so, what material? Gravel

Describe packer(s) and location

Gravel Packed

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How?

☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Lenny Peterson

Business Name: Peterson Farms

Address: 1911 Maple Ave

City, State, Zip: Hitchcock SD 57348

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay	0	10
Fine to Med Sand	10	20
Med to Coarse Sand w/ Coal	20	30
Coarse Sand	30	40
Coarse Sand w/ Pearock	40	50
Gravel	50	60
Blue Clay	60	63

STATIC WATER LEVEL

20

FEET

If flowing: closed in pressure

PSI

GPM flow through

Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe:
☐ Bailed
☐ Other

Pumping Level Below Land Surface

Ft. After Hrs. pumped GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate:

GPM

REMARKS

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm: Pullman Well Drilling Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

4/16/04

RECEIVED

SEP - 9 2004

WATER RIGHTS PROGRAM

Permit No. 6201A-3
James 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, **September 12, 2007**, made a thorough examination of the water use system constructed by **Peterson Farms** care of **Lenny Peterson, 19111 Maple Avenue, Hitchcock SD 57348** holder of Permit No. **6201A-3**, bearing the priority of **May 8, 2000 (1.2 cfs for 84 acres) and 0.73 cfs for 51 acres** authorizing the total diversion of **1.93 cu. ft. per second** from the **Tulare:Hitchcock Aquifer** 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:

A well is in place with a turbine shaft pump system that Lenny Peterson indicates is capable of producing 1.78 cfs (800 gpm).

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

Well head is approximate 212 feet northeast of the pivot center. Water from the well is conveyed to the pivot point in a 8 inch pipeline. The system is powered by a ~~60~~ hp diesel motor but Peterson Farms is undertaking an effort to convert the system to electrical power. 110

C. Works used to apply water to beneficial use:

An 8 tower T-L center pivot EJS

The system is in the following condition **excellent**. The point of diversion (well) is **located specifically at Lat/Lon - N44.665833 W-098.396556 which is in the NE ¼ SW 1/4 Section 22, T114N, R63W referenced from the SW corner as 1,475 feet north and 1,465 feet east.**

The works are capable of diverting **1.78 cfs from one well** which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

All in Section 22, T114N, R63W

NW ¼ SW ¼	33 acres
NE ¼ SW ¼	33 acres
SW ¼ SW ¼	33 acres
SE ¼ SW ¼	33 acres

This breakdown of acres is a best estimate based on 1) information provided by the applicant, 2) viewing the orthoquadrangle using ArcMap, and 3) calculating the area based on the pivot radius.

comprising a total of **132** acres of land and the license should be issued for **1.78 cfs** from the well
 Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: **none** Date Report Completed: **October 25, 2007**



Eric Gronlund
 Natural Resources Engineer
 DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 6201A-3

DATE OF INVESTIGATION:	September 12, 2007
NAME & ADDRESS OF PERMIT HOLDER	Peterson Farms c/o Lenny Peterson 19111 Maple Avenue Hitchcock SD 57348
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Lenny Peterson (partner)
DIVERSION POINT LEGAL LOCATION	NE ¼ SW ¼ Section 22, T114N, R63W

Other permit(s) associated with the project: the diversion rate and acreage for this pivot were authorized by transfers from No. 6201-3 to No. 6343-3. These water permit were reissued to reflect this change.

WELL INFORMATION:

- 1) Well Drilling Firm: **Pullman Drilling**
- 2) No. of Wells One
- 3) Depth(s) 63 feet
- 4) Well log is available Yes
- 5) Comment: map on completion report shows well in wrong spot

Casing:

- 1) Diameter 16 inches
- 2) Length 48 feet
- 3) Type plastic

Screen:

- 1) Type stainless steel
- 2) Length 15 feet
- 3) Static water level 20 feet

Pump:

- 1) Make Western Land Roller Amarillo Gear Drive
- 2) Model 560A
- 3) Size
- 4) Capacity 800 GPM

Motor:

- 1) Make John Deere
- 2) Model No. 4045 Serial CX110F401
- 3) Horsepower rating 110 hp

SYSTEM TYPE:

Center pivot:

- 1) Make T-L
- 2) Overall length approx. 1,300 feet
- 3) Number of towers 8 tower
- 4) Distance between towers _____ feet
- 5) End gun Yes (length with gun 1,377 feet)
- 6) High or low pressure low
- 7) Capacity 800 GPM

CHEMIGATION EQUIPMENT: Yes

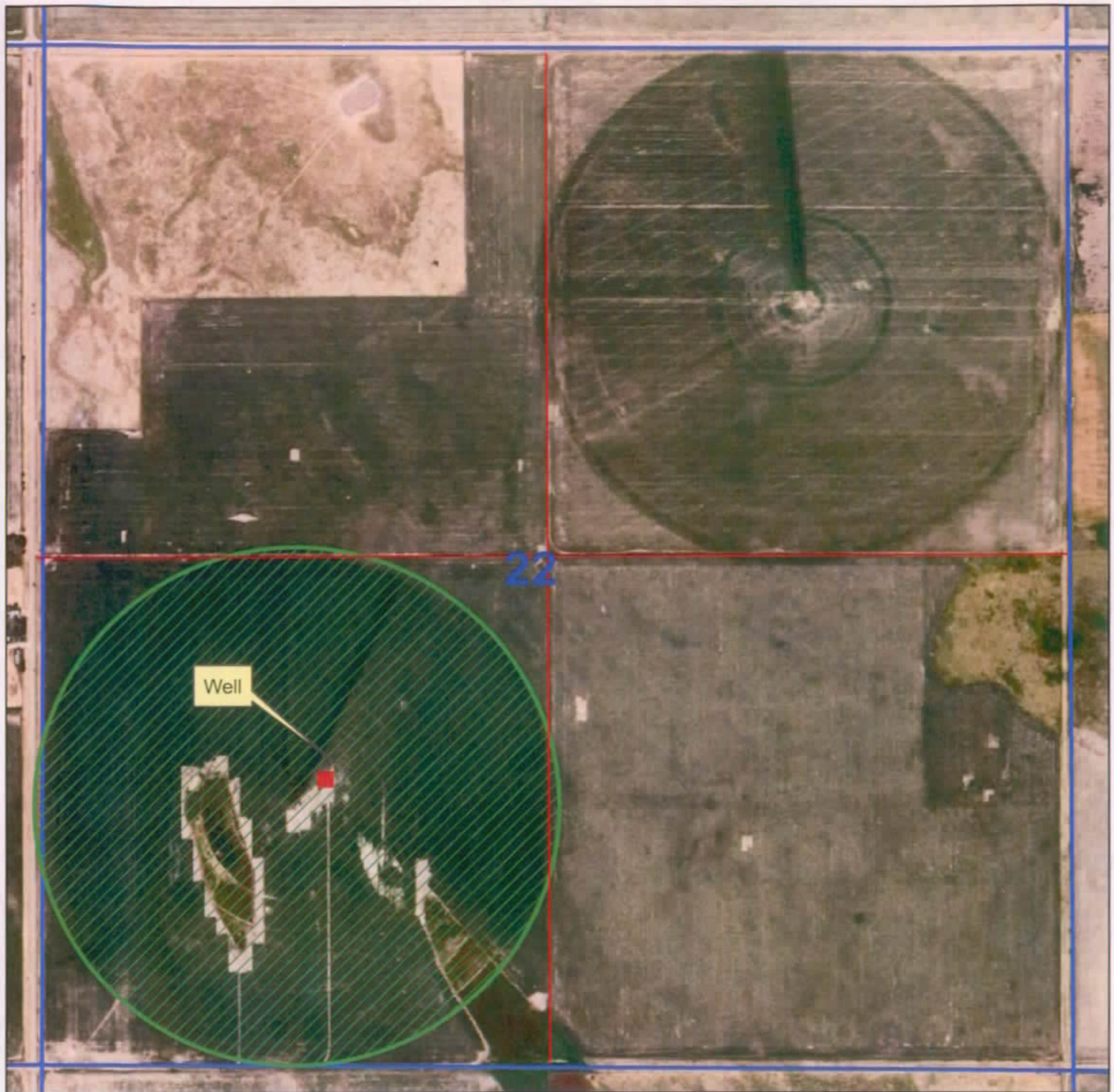
PERMIT QUALIFICATIONS:

- 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

COMMENTS:

- Irrigation questionnaires indicate irrigation began in 2005
- The land was put into prevent plant in 2007. The large storm event from early in the years caused some standing water in portions of the field.

Water Permit No. 6201A-3, Peterson Farms



1,500 750 0 1,500 Feet

Well is located northeast of the center of the SW 1/4 Section 22, T114N, R63W referenced from the SW corner as 1,475 feet north and 1,465 feet east



Lat/Lon - N44.665833 W-098.396556

Eric Gronlund

Eric Gronlund
Water Rights Program
Date of Investigation - 9/12/2007

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

Date

9/11/07

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Peterson Farms
(name)19111 Maple Avenue
(address)Hitchcock SD 57348
(city, state, zip)

(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6201A-3 states that the water use system is to be constructed by

March 3 2009
(date)

, and water is to be put to beneficial use by

March 3 2013
(date)

The water use system was completed on 2005

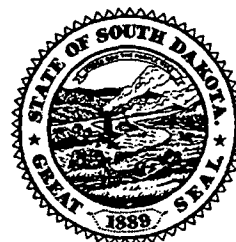
(date)

Applying the water to beneficial use was completed on 2005

(date)

You may schedule an investigation so that the water license may be issued.

Lenny Peterson
(signature)



**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6201A-3**

(1) Peterson Farms, % Lenny Peterson, 19111 Maple Ave., Hitchcock SD 57348 made Application No. 6201A-3, January 16, 2004 for a water permit to divert 1.93 cubic feet of water per second (cfs) from ground water (one well – Tulare:Hitchcock Aquifer), Spink County, South Dakota for irrigation purposes. Permit No. 6201A-3, with priority dates of May 8, 2000 and July 26, 2002 was approved March 3, 2004 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before March 3, 2009 and for the application to beneficial use of said water on or before March 2013. ***A notice of completion of works was submitted September 11, 2007 indicating the project was completed in 2005.***

Water Permit No. 6201A-3 amended Water Permit Nos. 6201-3 and 6343-3 by severing a portion of those permits and simultaneously transferring them to other land. A total of 1.20 cfs and 84 acres were severed from No. 6201-3 and 0.73 cfs and 51 acres were severed from 6343-3. Nos. 6201-3 and 6343-3 were then reissued for the remaining diversion authority and acres.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 1,475 ft N & 1,465 ft E of the SW corner of Section 22, T114N, R63W (NE ¼ SW ¼).

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

Section 22, T114N, R63W	NW ¼ SW ¼	33 acres
	NE ¼ SW ¼	33 acres
	SW ¼ SW ¼	33 acres
	SE ¼ SW ¼	33 acres
	Total	132 acres

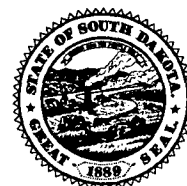
(4) Pursuant to South Dakota Water Law 46-5-30.1 Peterson Farms, % Lenny Peterson, 19111 Maple Ave., Hitchcock SD 57348 the holders and/or owners of Water Right No. 6201A-3 are issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water (one well – Tulare:Hitchcock Aquifer) with priority dates of May 8, 2000 (1.20 cfs & 84 acres) and July 26, 2002 (0.58 cfs & 48 acres) from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6201A-3 and subject to the following 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. 6201A-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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.
- Approval of Water Permit No. 6201A-3 withdrew Application No. 6334C-3 from consideration.


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

MAY 16 2008
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

MAY 16 2008

Lenny Peterson
Peterson Farms
19111 Maple Ave
Hitchcock SD 57348

RE: Water License Nos. 6201-3, 6201A-3, 6334A-3, 6334B-3 and 6343-3

Dear Mr. Peterson:

Enclosed are your Water License Nos. 6201-3, 6201A-3, 6334A-3, 6334B-3 and 6343-3. These are the final water right documents completing your process of obtaining Water Rights. Included with your licenses are maps prepared by the staff engineer who conducted the investigations.

For your information SDCL 46-6-27 requires that if the owner of an existing well(s), such as the wells authorized by the above water rights, 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.

Many of your irrigation systems are set up to use chemigation. Enclosed are excerpts of Board Rules outlining the requirements for chemigation equipment.

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

Sincerely,

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

enclosures

**SOUTH DAKOTA
WATER PERMIT NO. 6201B-3**

Date of first receipt of application February 8, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6201B-3 to Peterson Farms, 1911 Maple Ave, 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. 6201B-3 amends Water Right No. 6201A-3 by transferring the irrigated acreage and point of diversion to other land. Water Right No. 6201A-3 appropriates 1.78 cubic feet of water per second (cfs) from one well located in the NE 1/4 SW 1/4 Section 22 to irrigate 132 acres located in the SW 1/4 Section 22; all in T114N-R63W. This permit authorizes moving the center pivot approximately 5 miles southeast with the well to be located in the SW 1/4 NE 1/4 Section 33 to irrigate 132 acres located in the S 1/2 NE 1/4 and N 1/2 SE 1/4 Section 33; all in T114N-R62W. The water source for this irrigation system is the Tulare:Hitchcock Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this permit.
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 – November 30.
3. The dates from which applicant may claim right are May 8, 2000 (1.20 cfs & 84 acres) and July 26, 2002 (0.58 cfs & 48 acres) established by Water Right No. 6201A-3.
4. The date of approval of Permit No. 6201B-3 is April 16, 2012.
5. One-fifth of the construction is to be completed on or before October 16, 2014.
6. All construction is to be completed on or before April 16, 2017.
7. Water is to be put to beneficial use on or before April 16, 2021.
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. 6201B-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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.
4. The well authorized by Water Permit No. 6201A-3 located in the NE ¼ SW ¼ Section 22, T114N, R63W may be temporarily abandoned by sealing the top of the casing with a watertight cap pursuant to Water Management Board Rule (ARSD 74:02:04:70.01). If this well is permanently abandoned it shall be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

WATER MANAGEMENT BOARD

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

SEP 14 2012
date

