

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

DEC 17 2014

WATER RIGHTS
PROGRAM

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

No. 6201C-3

Date: 12-15-14

I/We request that portions of Water Right No. 6201-3

formerly owned by: Peterson Farms %Lenny Peterson, 19111 Maple Ave., Hitchcock SD 57348

be transferred to: (name & address)

Danny Peterson
38984 189th Street
Hitchcock SD 57348

Telephone No. 605-350-4717

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

264 acres - E 1/2 Section 34, T114N, R63W

I/We understand that the validity of Water Right No. 6201C-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 Danny Peterson, the new owner, certify that the above information is true and correct.

Danny Peterson
(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 12/17, 20 14

RECEIVED OF Danny Peterson 38984 189th St Hitchcock SD 57348

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	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>6201C-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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **07020**

By J. James Goodman
Chief Engineer

Water Permit No. 6201-3, Peterson Farms

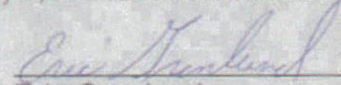


2,300 1,150 0 2,300 Feet

Wells located in the approximate center of NE 1/4 and SE 1/4 Section 34, T114N, R63W and the NE 1/4 Section 3, T113N, R63W referenced from the SE corner Section 34 of T114N, R63W as 1) 1,320 feet south and 1,320 feet west, 2) 1,320 feet north and 1,320 feet west & 3) 3,640 feet north and 960 feet west



Well 1 -- Lat/Lon - N44.629217 W-098.387433
Well 2 -- Lat/Lon - N44.636700 W-098.387050
Well 3 -- Lat/Lon - N44.642817 W-098.385883


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



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



DEC 24 2014

6201-3
6201C-3

Danny Peterson
38984 189th St
Hitchcock SD 57348

Dear Mr. Peterson:

Enclosed is your Water License No. 6201C-3. On December 17, 2014, ownership changes were filed with Water Right No. 6201-3 resulting in No. 6201-3 being divided and reissued as follows:

- **Water Right No. 6201C-3: Danny Peterson** - authorizing diversion of 3.56 cfs from two wells to irrigate 264 acres in the E ½ Section 34, T114N, R63W, Spink County;
- **Water Right No. 6201D-3: Brad Peterson** - authorizing diversion of 1.78 cfs from one well to irrigate 132 acres in the NE ¼ Section 3, T113N, R63W, Beadle County.

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

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. Included with your water license is Receipt No. 07020 in the amount of \$50 which you paid for the ownership change. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 6201C-3
(DIVISION OF NO. 6201-3 INTO 6201C-3 & 6201D-3)

(1) Peterson Farms, Hitchcock, SD was issued Water License No. 6201-3 on May 16, 2008 for a water right to divert 5.34 cubic feet of water per second (cfs) from ground water (three wells – Tulare Western Spink Hitchcock Aquifer), Spink and Beadle Counties in South Dakota for irrigation purposes. Water Right No. 6201-3, with a priority date of May 8, 2000 was issued to the permit holder for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

Water Right No. 6201-3 authorizes diversion of 5.34 cfs from three wells to irrigate 396 acres in the E ½ Section 34, T114N, R63W (Spink County) and the NE ¼ Section 3, T113N, R63W (Beadle County).

On December 17, 2014, ownership changes were filed for the land authorized under No. 6201-3. The water right is being divided and reissued to reflect separate ownership as follows:

- **Water Right No. 6201C-3: Danny Peterson, 38984 189th St, Hitchcock SD 57348**
authorizing diversion of 3.56 cfs from two wells to irrigate 264 acres in the E ½ Section 34, T114N, R63W, Spink County;
- **Water Right No. 6201D-3: Brad Peterson, 19026 391st Ave., Hitchcock SD 57348**
authorizing diversion of 1.78 cfs from one well to irrigate 132 acres in the NE ¼ Section 3, T113N, R63W, Beadle County.

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 3.56 cubic feet of water per second for beneficial use. The location of the diversion points are:

- 1,320 feet north and 1,320 feet west of the SE corner Section 34, T114N, R63W (center of the SE ¼)
- 3,640 feet north and 960 feet west of the SE corner of Section 34, T114N, R63W (SE ¼ NE ¼ Section 34)

(3) The water right 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:

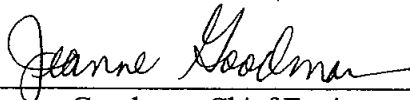
Section 34, T114N, R63W			
NW ¼ NE ¼	33 acres	NW ¼ SE ¼	33 acres
NE ¼ NE ¼	33 acres	NE ¼ SE ¼	33 acres
SW ¼ NE ¼	33 acres	SW ¼ SE ¼	33 acres
SE ¼ NE ¼	33 acres	SE ¼ SE ¼	33 acres
264 acres			

(4) Pursuant to South Dakota Water Law 46-5-30.1 Danny Peterson, 38984 189th St, Hitchcock SD 57348 the holder and/or owner of Water Right No. 6201C-3 is issued a license to appropriate water, the right to use 3.56 cubic feet of water per second from ground water (two wells – Tulare Western Spink Hitchcock Aquifer) with a priority date of May 8, 2000 from the locations specified in (2) of this license for irrigation purposes.

continued

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6201-3 and subject to the following qualifications (*all conditions and qualifications were established under the originating water permit*):

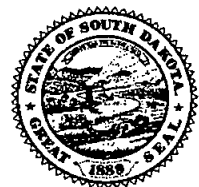
- The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The wells authorized by Permit No. 6201-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the 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.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 24 2014

date



Gronlund, Eric

From: Gronlund, Eric
Sent: Monday, November 21, 2022 1:56 PM
To: Danny Peterson
Cc: Duvall, Ron
Subject: RE: [EXT] Danny Peterson New Pivot

Danny

Water Right No. 6201C-3 can not simply be updated to reflect additional acres.

Water Right No. 6201C-3 appropriates 3.56 cfs (1,598 gpm) to irrigate 264 acres located in the E ½ of Section 34, T114N, R63W. The water license reflects that 132 acres are authorized in each quarter section, presumably from a standard quarter section pivots, supplied by two wells completed into the Tulare:Western Spink Hitchcock aquifer individually each producing 1.78 cfs (800 gpm).

Upgrading one of the center pivots with a cornering system increases the number of acres irrigated by 20.5 acres. An increase in the number of acres irrigated means more water used and requires a new water permit to be obtained for the additional acres. This requires an application process that includes a review and public notice. However, as you are aware the Tulare:Western Spink Hitchcock aquifer is fully appropriated and the Water Rights Program is not recommending approval of new appropriations of water. New applications from this aquifer are put on hold and a priority list was developed should water become available. The law also requires a review at least every five year of the appropriative status of the aquifer. There are currently 28 applications on hold and the next review of the aquifer status is in July 2025. You can certainly apply for additional acres in the event water is determined to have become available for appropriation. However your application will be number 29 on the priority list.

I want to caution you about making a financial investment and construction works that irrigate more than authorized by your water right. Given the full appropriation status of the Tulare:Western Spink Hitchcock aquifer an increase in acres will not be allowed at this time.

Please feel free to contact if you want to discuss further.

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

From: Danny Peterson <petersonbrothers@live.com>
Sent: Monday, November 21, 2022 12:46 PM
To: Gronlund, Eric <Eric.Gronlund@state.sd.us>
Subject: [EXT] Danny Peterson New Pivot

Eric,

The Pivot on NE ¼ Section 34-114-63 is rusted out and needs replacing. I would like to put a Corner Pivot on it to replace it. Attached is the specs. The Permit number is 6201C-3. The current acres permitted is 132. Can I have it updated to the 152.5 acres it would water with this new corner pivot? Danny 605-350-4717

Sent from [Mail](#) for Windows

Gronlund, Eric

From: Danny Peterson <petersonbrothers@live.com>
Sent: Monday, November 21, 2022 12:46 PM
To: Gronlund, Eric
Subject: [EXT] Danny Peterson New Pivot
Attachments: North Kambel Pivot.jpg

Eric,

The Pivot on NE ¼ Section 34-114-63 is rusted out and needs replacing. I would like to put a Corner Pivot on it to replace it. Attached is the specs. The Permit number is 6201C-3. The current acres permitted is 132. Can I have it updated to the 152.5 acres it would water with this new corner pivot? Danny 605-350-4717

Sent from [Mail](#) for Windows

Permit No. 6201C-3
Sec 34-T114-R63W NE 1/4



Danny Peterson 7T - 11/15/2022

PRICES EFFECTIVE: June 01, 2022

Customer Information

Danny Peterson
38984 189th
Hitchcock, SD, USA 57348
Legal:

Mailing: 38984 189th
City/State: Hitchcock, SD, USA 57348
Email:
Phone:

Dealer Information

1918010

PO #:

FAX:
Mobile:
Email:
Phone:

System Information

System Type: Center Pivot

System GPM: 800.0 GPM
Max. System GPM: 812.1 GPM
Elevation: 0' feet
Top of Inlet Pressure: 38.4 PSI
End Pressure: 25 PSI
Hours to Apply 1": 112.8 Hours

Model: E2065-G ESAC 6.0 LOW / Trailing / 57"

System Length: 1576'
Min. System GPM: 499.2 GPM
System Acres: 121.9 Acres
SAC Acres: 26.2 Acres
End Gun Acres: 4.4 Acres
Total Acres: 152.5 Acres

Span Information

Number	Type	Length	Ext	Spacing	Wheel Track	Tire Size	PSI Loss	Span Cable
1	E2065	175'	Y	57"	181'	11.2 x 24	2.5	10C/#10/0s
2	E2065	175'	Y	57"	360'	11.2 x 24	2.4	10C/#10/0s
3	E2065	175'	Y	57"	539'	11.2 x 24	2.2	10C/#10/0s
4	E2065	194'	N	57"	733'	11.2 x 24	2	10C/#10/0s
5	E2065	194'	N	57"	927'	11.2 x 24	1.6	10C/#10/0s
6	E2065	194'	N	57"	1121'	11.2 x 24	1.1	10C/#10/0s
7	E2065	175'	N	57"	1296'	14.9 x 24	0.6	10C/#10/0s
SAC-194'	E2065/E2060	194'	N	57"	1490'	320/85R38	0.5	
EB	E2060	85'	N	57"	1576'		0.3	