

WATER PERMIT NO. 6312-3

Name of Applicant: Danny Peterson

Address: 38984 189St, Hitchcock SD 57348

Phone: 605 266-2876

Amount of Water Claimed: 2.28 cfs

Total Acres: 160 acres

Source of Water Supply: groundwater (1 well)

Water to be used for: irrigation

County: Spink

Type of Waste Disposal System:

Location: 2 miles north of Hitchcock

PRIORITY

Date Received: 3-13-2002

Fee: \$250

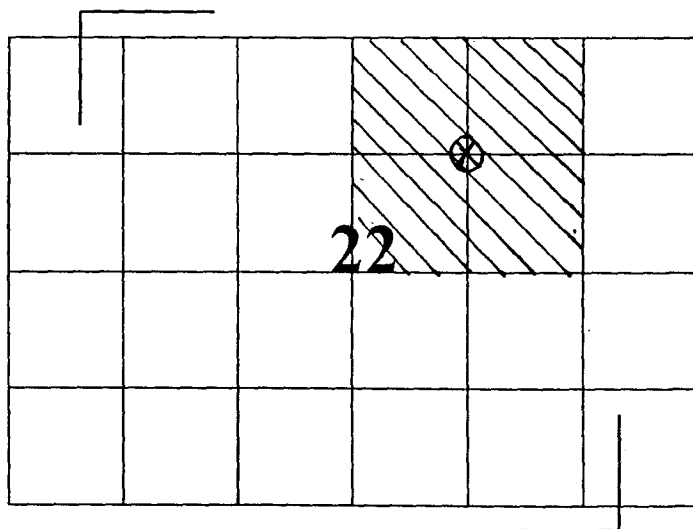
Corrected Application Received:

Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: center of NE ¼ Sec 22-T114N-R63W

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



Depth of Well: 90 feet deep

Well Driller: :

Remarks:

Type of Map: aerial

Prepared by: Ron Duvall

Reviewed and the Number Assigned on: 3-15-02

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>6312-3</u>	Hydrologic Unit <u>1016 0006</u>
	Basin <u>James River</u>	
	Newspaper <u>Redfield Press, Redfield</u>	

RECEIVED
MAR 13 2002
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

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

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

- Name of Applicant Danny Peterson Phone 605-266-2876
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 38984 189 St Hitchcock State SD 57348
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 2.28*CFS or **GPM ***AF Total Acreage 160
(*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 - 1 well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) center of
NE 1/4 sec 22 - 114 N - 63 W County Spink
- County or counties where water will be used Spink
- Annual period during which water is to be used Apr 1 - Oct 31
- 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
<u>NE 1/4 sec 22 - 114 N - 63 W</u>	<u>160</u>		

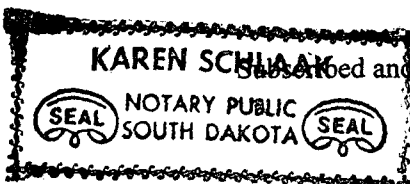
8. Give a description of the project. (Attach sheet if more space is needed)

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, Floyd 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 Danny Peterson by Floyd Peterson
Subscribed and sworn to before me this 13th day of March 20 02



4-2000

Karen Schluack
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 6312-3

Date of first receipt of application March 13, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6312-3 to Danny Peterson, 38984 189th St, 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. 6312-3 appropriates 2.28 cubic feet of water per second from one well (Tulare: Hitchcock Aquifer) approximately 90 feet deep located in the center of NE ¼ Section 22 to irrigate 160 acres located in the NE ¼ Section 22; all in T114N-R63W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is March 13, 2002.
4. The date of approval of Permit No. 6312-3 is June 4, 2002.
5. One-fifth of the construction is to be completed on or before December 4, 2004.
6. All construction is to be completed on or before June 4, 2007.
7. Water is to be put to beneficial use on or before June 4, 2011.
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. 6312-3 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.

WATER MANAGEMENT BOARD

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

JUN 13 2002

date



(Complete applicable portions only)

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth 70-90'
- b) Casing Type Plastic Diameter 16 in Thickness _____
- c) Screen Type stainless 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 none On property owned by others $\approx 3/4$ mile

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 _____

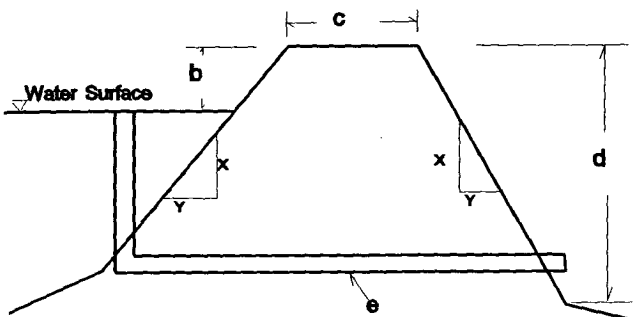
3. Dugout Information

- 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

712 417123

Pierre, March 13, 2002

RECEIVED OF Floyd H. (Oscar) 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. _____ to Appropriate Water, to construct and to put water to beneficial use _____	250	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

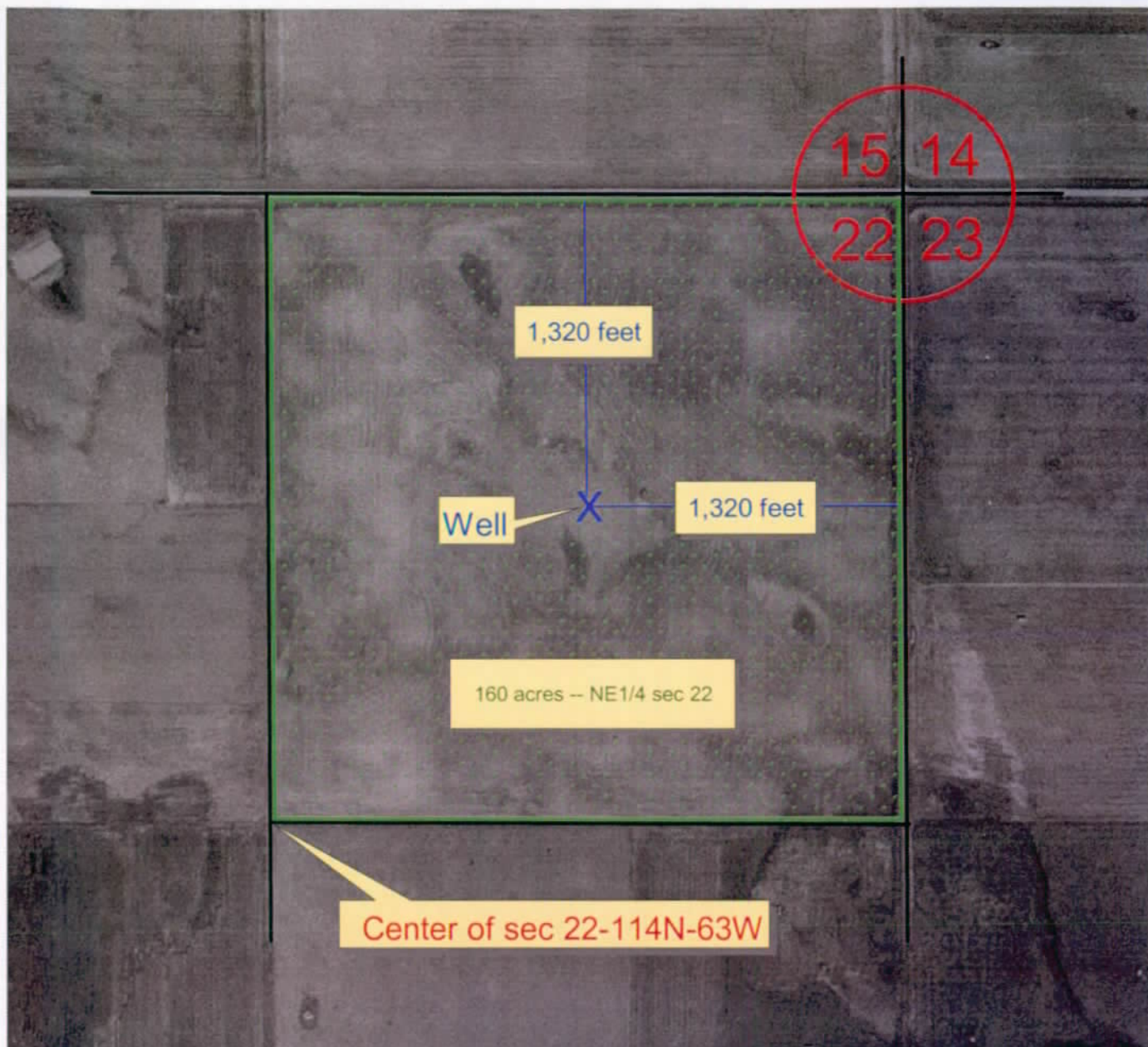
(Any Other Work Provided by Law)	Total	300 00

By

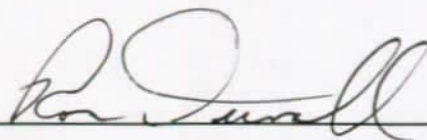
Garland Ebele
Chief Engineer

gm

1000 0 1000 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights


Ron Duvall, Nat Res. Engineer
Date

No. 6312-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

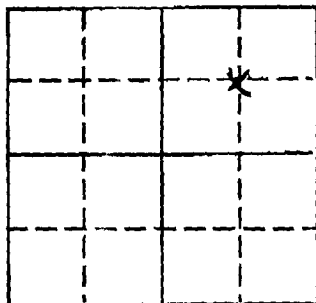
11-02

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

1 Mile

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

☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Danny Peterson

Business Name:

Address: 38984 189 ST

City, State, Zip: Hitchcock SD 57348

WELL LOG:

DEPTH

FORMATION	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. 6312-3
FOR Danny Peterson
April 19, 2002

Application No. 6312-3 proposes to appropriate 2.28 cfs (1023 gpm) from one well approximately 90 feet deep located in the center of the NE ¼ of section 22 to irrigate 160 acres located in the NE ¼ of section 22; all in T114N R63W in Spink County.

AQUIFER – TULARE HITCHCOCK (T-H)

The Tulare Hitchcock is a surficial outwash (sand and gravel) which 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 (Hedges, 1982). The aquifer extends into Beadle County to the south, blends into the Tulare Western Spink aquifer to the west and is bounded by the James River to the east. Ground water movement is from southwest to northeast across the area of this application (Hamilton, 1996). Recharge to the aquifer (Area A as described by Kuiper) was estimated to be 0.83 inches per year (Kuiper, 1984). This equals 6,640 acre-feet of recharge per year for the Tulare Hitchcock portion in Spink County. The average water use from the Tulare Hitchcock aquifer in Spink County has been 2,525 acre-feet per year since 1979 with a maximum use year of 4,350 acre-feet in 1996.

Including this application, there are ten newer water permits authorizing irrigation in Spink County that would amount to an estimated additional use of 1400 acre-feet, annually. The aquifer has water remaining to be appropriated and used during normal years. However, it is likely that during drought years the water use will exceed the recharge rate of 6,640 acre-feet per year.

No test hole information was filed with the application. However, there is sufficient information available from surrounding irrigation and observation wells and from the Spink County Study to evaluate this application. It will be necessary to drill test holes to determine the best site for a production well.

The Water Rights Program monitors two observation wells located within a one-mile radius of this application. Water levels for these observation wells show good correlation with climatic conditions, that is rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2002). Hydrographs for observation wells SP-80D and SP-80F are included with this report.

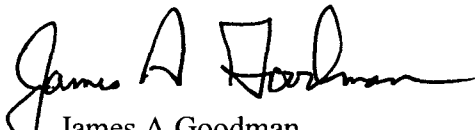
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing irrigation well is one mile east of this application. There are eight other irrigation wells within approximately a 1-½ mile radius of this application.

Interference is not a concern. The existing wells do not cause significant drawdown during pumping. This is shown by the observation well hydrographs.

CONCLUSIONS

1. Water is available from the Tulare Hitchcock aquifer.
2. The aquifer is under water table conditions in this area. Drawdown created by pumping does not extend very far from the production well. This is shown by the observation well hydrographs. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. Water use from the aquifer will be approaching the annual recharge limit of 6,640 acre-feet and may even exceed that limit especially during drought years.

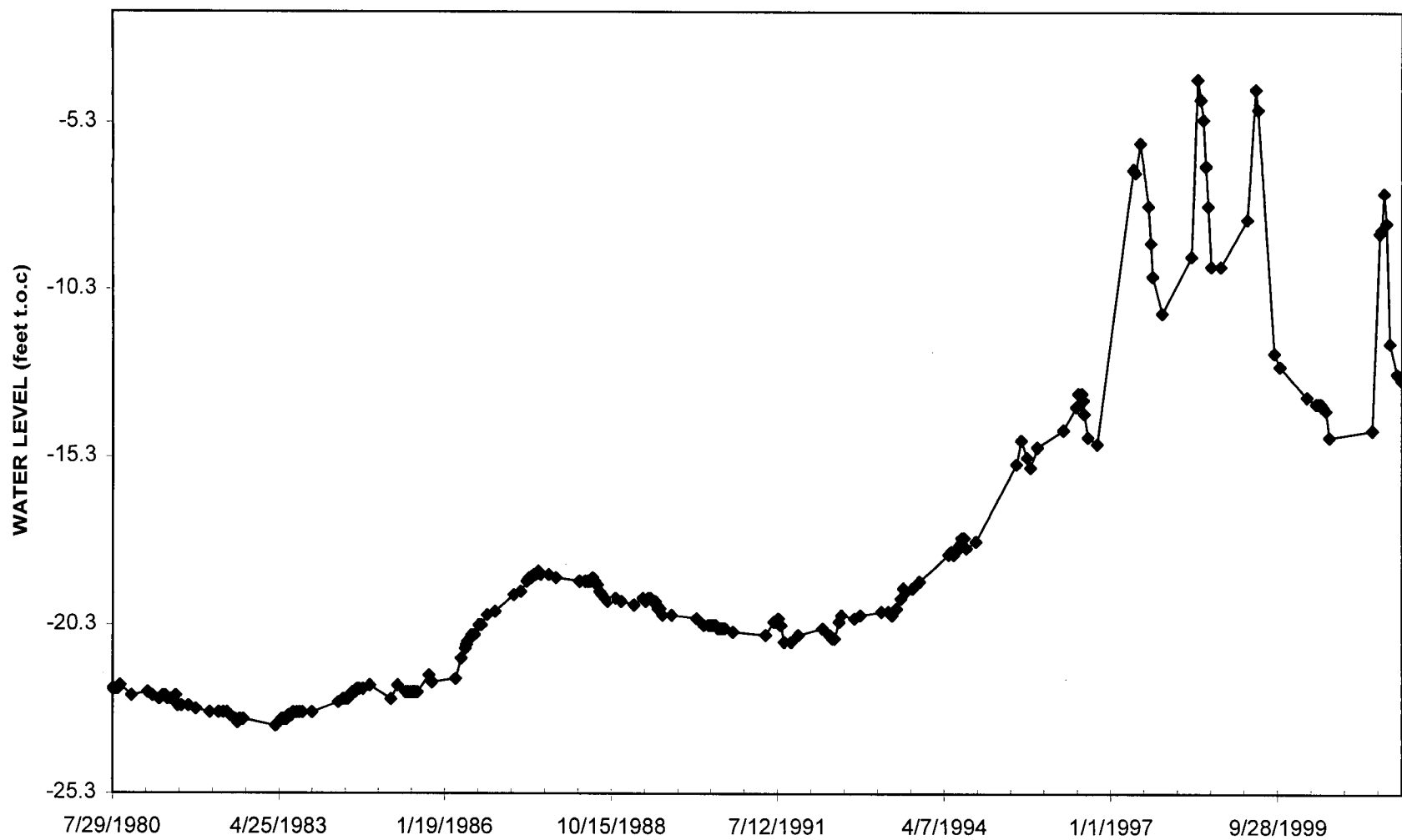


James A Goodman
Natural Resources Engineer

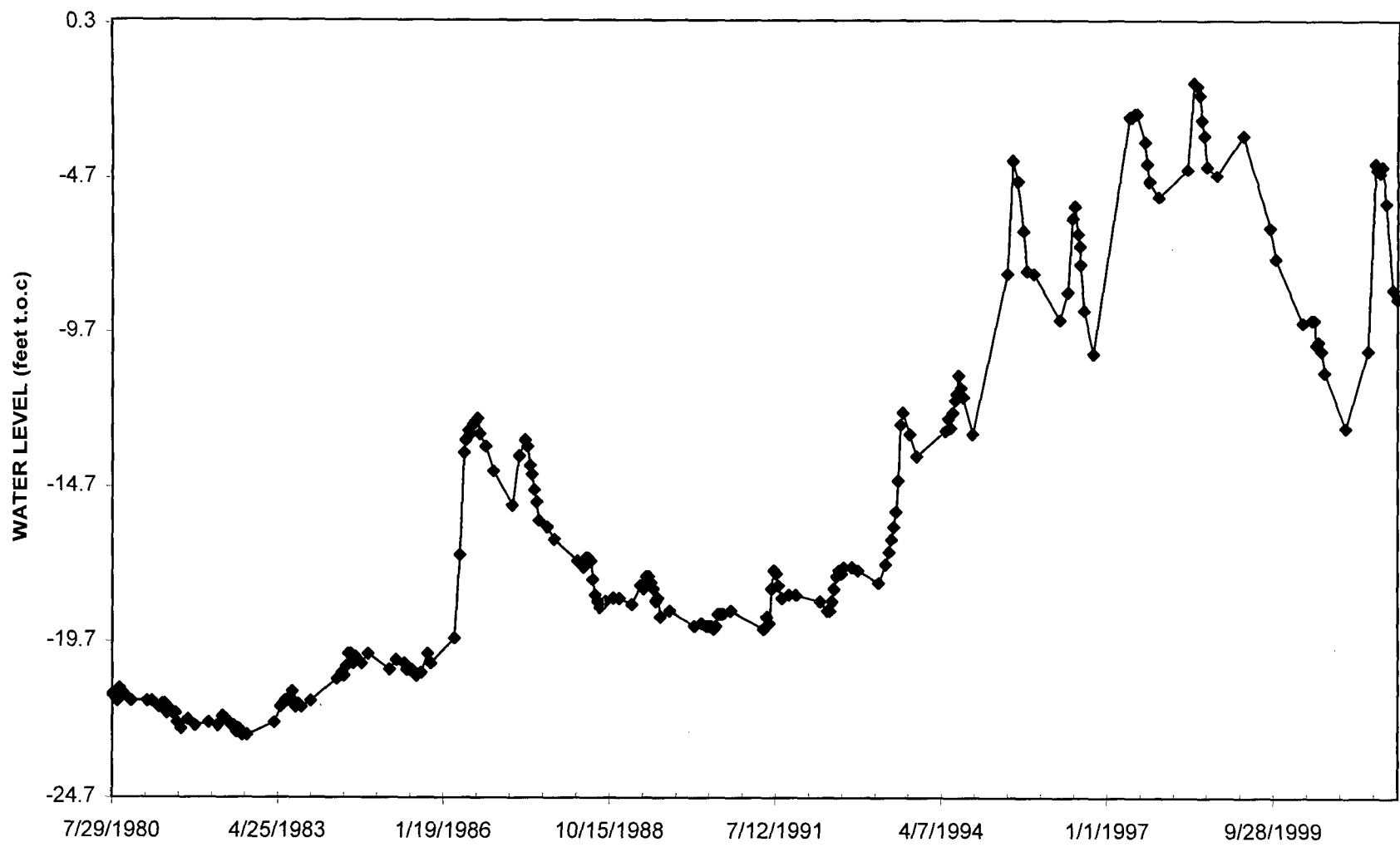
BIBLIOGRAPHY

- Hamilton, L.J., L.W. Howells, 1996, Water Resources of Spink County, South Dakota, Water Resources Investigations Report No. 96-4056, USGS, Rapid City SD, 57702.
- 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, SDGS, Vermillion, SD, 57069.
- Kuiper, L.K., 1984, Appraisal of the Water Resources of the Eastern Part of the Tulare Aquifer, Beadle, Hand, and Spink Counties, South Dakota, WRI 84-4078, USGS, Huron, SD, 57350.
- Water Rights, 2002, Unpublished Observation Well Data for Spink County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL SP-80D



WATER RIGHTS' OBSERVATION WELL SP-80F





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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. 6312-3, Danny 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. 6312-3, Danny Peterson, 38984 189th Street, Hitchcock SD 57348.

The Chief Engineer is recommending APPROVAL of Application No. 6312-3 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) it is in the public interest with 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 wells authorized by Permit No. 6312-3 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.

See report on application for additional information.

Garland Erbele, Chief Engineer
May 3, 2002

Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Spink

SS

I, Mark E. Davis, of said County and 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:

ND. 15 Notice of Application

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 May 15, 2002

2nd May 22, 2002 5th 20

3rd 20 6th 20

4th 20 7th 20

that the full amount of the fee charged for publishing the same to-wit: the sum of \$ 41.10, 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.

Mark E. Davis

Subscribed and sworn to before me this 23rd day of May, 2002.

Jamie R. Tauth

Notary Public, Spink County, South Dakota

(SEAL)

RECEIVED

MAY 24 2002

WATER RIGHTS
PROGRAM

Notice of Application

No. 15

NOTICE OF APPLICATION NO. 6312-3 to Appropriate Water

Notice is given that Danny Peterson, 38984 189 St, Hitchcock SD 57348 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from one well (Tulare: Hitchcock Aquifer) approximately 90 feet deep located in the center on NE 1/4 Section 22 to irrigate 160 acres land in the NE 1/4 Section 22; all in T114N-R63W.

Pursuant to SDCL 46-2A-2, Chief Engineer recommends APPROVAL of Application No. 6312-3 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 Chief Engineer's address is "Water Rights Program, Joe 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 June 4, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

(May 15, 22)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 6, 2002

Redfield Press
PO Box 440
Redfield, SD 57469-0440

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6312-3 to Appropriate Water to be published twice. Please publish the first notice on May 15, 2002 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 Danny Peterson, 38984 189th St., Hitchcock, SD 57348 (Ph # 605-266-2876).

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. 6312-3

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

Date _____

We are in receipt of your letter of May 6, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 6312-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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.

May 6, 2002

Danny Peterson
38984 189 St.
Hitchcock, SD 57348

Dear Mr. Peterson:

Water Permit Application No. 6312-3 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, 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. 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 May 15, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6312-3 to Appropriate Water

Notice is given that Danny Peterson, 38984 189 St, Hitchcock SD 57348 has filed an application for a water permit to appropriate 2.28 cubic feet of water per second from one well (Tulare: Hitchcock Aquifer) approximately 90 feet deep located in the center of NE ¼ Section 22 to irrigate 160 acres located in the NE ¼ Section 22; all in T114N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6312-3 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 June 4, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 13 2002

Danny Peterson
38984 189 St
Hitchcock SD 57348

Dear Mr. Peterson:

Enclosed is Water Permit No. 6312-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

Form 10

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

Date 7-24-2002

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

FROM:

Danny Peterson

(name)

38984 189th Street

(address)

Hitchcock SD 57348

(city, state, zip)

605-266-2876

(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. 6312-3 states that the water use system is to be constructed by

June 4, 2007
(date), and water is to be put to beneficial use by June 4, 2011
(date)

The water use system was completed on July 21, 2002
(date)

Applying the water to beneficial use was completed on July 21, 2002
(date)

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

Danny Peterson
(signature)



SOUTH DAKOTA WATER WELL COMPLETION REPORT

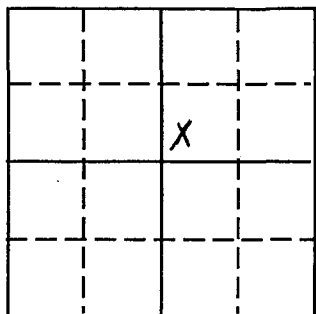
11-02

Location SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 22 Twp 114 Rg 63

County

Spink

North



Please mark well location with an "X"

Well Completion Date

4/6/2004

1 Mile

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	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
	16.00	0.0	47.0	24.00
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
		Lb/gal	0 Ft	25 Ft
<u>Concrete</u>	<u>60</u>			
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16.00 Inches Length 15.0 Feet
Material PVCSlot Size .060 Set From 47.0 Feet to 62.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No
If so, what material? Resin

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Pellets
☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Lenny PetersonBusiness Name: Peterson FarmsAddress: 1911 Maple AveCity, State, Zip: Hitchcock SD 57348

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay	0	20
Blue Clay	20	28
Med Sand w/ Coal	28	44
Med to Fine Sand	44	54
Pea Rock	54	62
Blue Clay	62	64

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:

Ken Palmer
 Signature of Well Owner or Equitable Property Holder:

RECEIVED

SEP - 9 2004

WATER RIGHTS PROGRAM

Date: 4/6/04



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUL 18 2007

6312-3

6312A-3

6331-3

6331A-3

6333-3

Floyd Peterson
18892 390th Ave
Hitchcock SD 57348

Dear Mr. Peterson:

Enclosed are Water Permit Nos. 6312A-3 and 6331A-3 which amend several water permits by severing portions of the permits and simultaneously transferring to other land. To reflect action taken on July 2, 2007 by the Chief Engineer on behalf of the Water Management Board to transfer diversion authority, Water Permit Nos. 6312-3 and 6333-3 are also being reissued.

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 for Water Permit No. 6312A-3 and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

c: Lenny Peterson, with copy of Reissued Water Permit No. 6333-3
Danny Peterson, with copy of Reissued Water Permit No. 6312-3

**REISSUED
SOUTH DAKOTA
WATER PERMIT NO. 6312-3 FOR IRRIGATION**

The Water Management Board approved Water Permit No. 6312-3 on June 4, 2002 for Danny Peterson, 38984 189th 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. 6312-3 appropriates 2.28 cubic feet of water per second from one well (Tulare:Hitchcock Aquifer) 90 feet deep located in the center of the NE ¼ Section 22 to irrigate 160 acres located in the NE ¼ Section 22; all in T114N-R63W.

To reflect action taken on July 2, 2007 by the Chief Engineer on behalf of the Water Management Board, to transfer diversion rate authority, Water Permit No. 6312-3 is being reissued as follows:

Reissued Water Permit No. 6312-3 appropriates 1.88 cubic feet of water per second from one well (Tulare:Hitchcock Aquifer) 90 feet deep located in the center of the NE ¼ Section 22 to irrigate 132 acres located in the NE ¼ Section 22; all in T114N-R63W.

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 – September 30.
3. The date from which applicant may claim right is March 13, 2002.
4. One-fifth of the construction is to be completed on or before December 4, 2004.
5. All construction is to be completed on or before June 4, 2007.
6. Water is to be put to beneficial use on or before June 4, 2011.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6312-3 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.

WATER MANAGEMENT BOARD

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

JUL 18 2007

date



Permit No. 6312-3
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 **Danny Peterson** of **38984 189th Avenue, Hitchcock SD 57348** holder of Permit No. **6312-3**, bearing the priority of **March 13, 2002** authorizing the diversion of **1.88 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 in close proximity to pivot center. Water from the well is conveyed to the pivot point in a 8 inch pipeline as shown in picture at end of investigation report. It should be noted that the system was powered by a 60 hp diesel motor but was being converted to electric power. In 2008, the power source will be electricity.

C. Works used to apply water to beneficial use:

An 8 tower T-L center pivot

The system is in the following condition **excellent**. The point of diversion (well) is **located specifically at Lat/Lon - N44.672528 W-098.387222 which is in the approximate center of NE 1/4 Section 22, T114N, R63W referenced from the NE corner as 1,320 feet South and 1,320 feet West.**

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

CHEMIGATION EQUIPMENT: No

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 2003
- There are two well logs on file for the NE ¼ of Section 22. One drilling in 2002 and the other in 2004. There is only one well supplying this pivot. It is presumed the 2002 correctly reflects the well used for this pivot as that's when the pivot was constructed. Lenny Peterson had no knowledge of the well drilled in 2004 at this site which leads me to the conclusion that the legal description on the report may be in error.

FIELD INVESTIGATION REPORT FOR PERMIT NO. 6312-3

DATE OF INVESTIGATION:	September 12, 2007
NAME & ADDRESS OF PERMIT HOLDER	Danny Peterson 38984 189th Avenue Hitchcock SD 57348
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Lenny Peterson (brother)
DIVERSION POINT LEGAL LOCATION	Approx. center of NE ¼ Section 22, T114N, R63W

Other permit(s) associated with the project: the diversion rate of 0.40 and 28 acres were transferred from No. 6312-3 to No. 6312A-3. Water Permit No. 6312-3 was reissued to reflect this change.

WELL INFORMATION:

- 1) Well Drilling Firm: **Pullman Drilling**
- 2) No. of Wells One
- 3) Depth(s) 76 feet
- 4) Well log is available Yes
- 5) Comment:

Casing:

- 1) Diameter 16 inches
- 2) Length 62 feet
- 3) Type plastic

Screen:

- 1) Type stainless steel
- 2) Length 15 feet
- 3) Static water level 17 feet

Pump:

- 1) Make Western Land Roller Amarillo Gear Drive
- 2) Model 560A – Serial 240011
- 3) Size
- 4) Capacity 800 GPM

Motor:

- 1) Make John Deere
- 2) Model No. 4045
- 3) Horsepower rating 60 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 40 psi
- 7) Capacity 800 GPM

Picture of well and pivot for Water Permit No. 6312-3



Picture of Well and Pivot taken September 12, 2007

Water Permit No. 6312-3, Danny Peterson



1,500 750 0 1,500 Feet



Well is located in the approximate center of NE 1/4 Section 22, T114N, R63W referenced from the NE corner as 1,320 feet South and 1,320 feet West
Lat/Lon - N44.672528 W-098.387222

Eric Gronlund

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 23 2008

6312-3

Danny Peterson
38984 189th Ave
Hitchcock SD 57348

Dear Mr. Peterson:

Enclosed is your Water License No. 6312-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6312-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6312-3**

(1) Danny Peterson, 38984 189th Ave., Hitchcock SD 57348 made Application No. 6312-3, March 13, 2002 for a water permit to divert 2.28 cubic feet of water per second (cfs) from ground water (one well – Tulare:Hitchcock Aquifer), Spink County, South Dakota for irrigation purposes. Permit No. 6312-3, with a priority date of March 13, 2002 was approved June 4, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 4, 2007 and for the application to beneficial use of said water on or before June 4, 2011.

On July 2, 2007, the Chief Engineer on behalf of the Water Management Board took action to transfer diversion rate authority of 0.40 cfs and 28 acres from the corners of the NE ¼ Section 22, T114N, R63W and simultaneously transfer them to other land (see 6312A-3 – Floyd Peterson). Water Permit No. 6312-3 was reissued for the remaining diversion rate of 1.88 cfs and 132 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 in the approximate center of the NE ¼ Section 22, T114N, R63W.

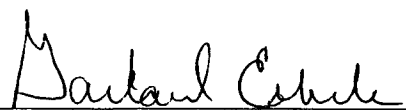
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Danny Peterson, 38984 189th Ave., Hitchcock SD 57348 the holder and owner of Water Right No. 6312-3 is 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 a priority date of March 13, 2002 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6312-3 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. 6312-3 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) from the producing formation to the surface pursuant to Section 74:02:04:28 (**well log on file with the Water Rights Program**).
- 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

JAN 23 2008

date



6312-3



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 18, 2008

NOTICE

TO: DANNY PETERSON, 38984 189TH ST, HITCHCOCK, SD 57348
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6312-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6312-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2008** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6312-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

6312-3

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 3431
Status: **Delivered**

Your item was delivered at 8:51 AM on January 19, 2008 in HITCHCOCK, SD 57348. The item was signed for by D PETERSON.

[Additional Details >](#)[Return to USPS.com Home >](#)

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

[Site Map](#)[Contact Us](#)[Forms](#)[Gov't Services](#)[Jobs](#)[Privacy Policy](#)[Terms of Use](#)[National & Premier Accounts](#)

Copyright© 1999-2007 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA

usps.com
United States Postal Serviceusps.com
United States Postal Service

SIGNATURE CONFIRMATION NUMBER: 2303 2160 0000 0802 3431	
DANNY PETERSON 38984 189TH ST HITCHCOCK SD 57348	
Waiver of Signature ☐ YES ☐ NO	
Postmark Here	
POSTAL CUSTOMER: Keep this receipt. For Inquiries: Access internet web site at www.usps.com or call 1-800-222-1811	
☐ Priority Mail [®] Service ☐ First-Class Mail [®] parcel ☐ Package Services parcel	



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 2008

6201-3
6312-3

Lenny Peterson
19111 Maple Ave
Hitchcock SD 57348

Dear Mr. Peterson:

I am writing to acknowledge receipt of the 2007 irrigation questionnaires for Brad Peterson and Danny Peterson. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right Nos. 6201-3 and 6312-3.

The information was received in our office prior to the Water Management Board meeting and the issue has been deleted from the agenda.

As you requested, future irrigation questionnaires will be sent directly to you for completion. If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

c: Brad Peterson
Danny Peterson