

WATER PERMIT NO. 6334A-3

Name of Applicant: Peterson Farms

Address: 19111 Maple Ave, Hitchcock SD 57348

Phone: 605 266-2793

Amount of Water Claimed: no additional

Total Acres: no additional

Source of Water Supply: groundwater

Water to be used for: irrigation

County: Beadle

Type of Waste Disposal System:

Location: 2 miles east of Hitchcock

PRIORITY

Date Received: 1-14-03

Application/License Fee: \$50

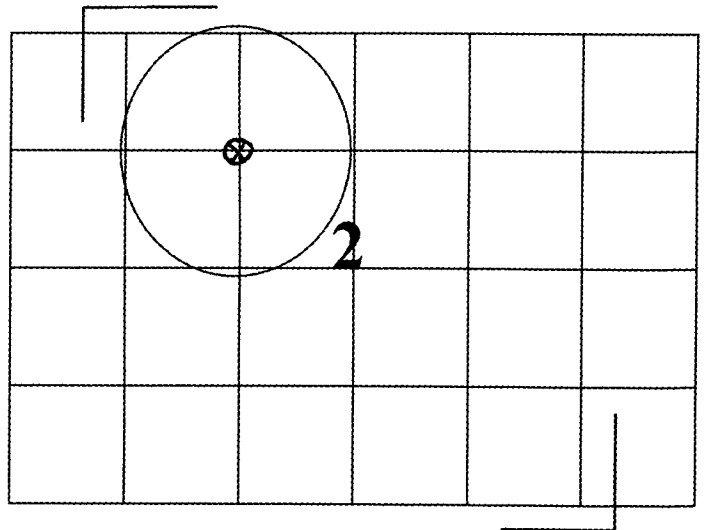
Corrected Application Received:

Period of Annual Use: April 1 – November 30

Remarks: transferring a portion of irrigated acreage and point of diversion to other land

Diversion Point: center NW ¼ Sec 2-T113N-R63W

Land to be Irrigated: NW ¼ Sec 2-T113N-R63W



Depth of Well: 80

Well Driller: : Pullman Drilling Co.

Remarks:

Type of Map: aerial

Prepared by: Willi O. Kips, FSA

Reviewed and the Number Assigned on: 1-15-03

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**REISSUED
SOUTH DAKOTA
WATER PERMIT NO. 6334A-3**

Water Permit No. 6334A-3 is being reissued to reflect that the water source for the new well location is the Tulare:Hitchcock Aquifer.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6334A-3 to Peterson Farms, 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. 6334A-3 amends Water Permit No. 6334-3 by transferring a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6334-3 appropriates 3.82 cubic feet of water per second (cfs) from two wells (Tulare:Western Spink Aquifer) approximately 100 feet deep located in the centers of the NE ¼ and NW ¼ Section 34 to irrigate 267.4 acres located in the N ½ Section 34; all in T115N-R64W. This permit will move the location of 133.7 of the 267.4 acres approximately 7 miles south and 7 miles east with the well to be located in the center of the NW ¼ Section 2 to irrigate 133.7 acres located in the NW ¼ Section 2; all in T113N-R63W. The water source for this irrigation is the **Tulare:Hitchcock Aquifer** and no increase in the diversion rate or number of acres irrigated is authorized by this permit. The remaining 133.7 acres now authorized by Water Permit No. 6334B-3 will remain in the NE ¼ Section 34 with the well located in the approximate center of the NE ¼ Section 34; all in T115N-R64W.
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 date from which applicant may claim right is June 21, 2002.
4. The date of approval of Permit No. 6334A-3 is March 10, 2003.
5. One-fifth of the construction is to be completed on or before September 10, 2005.
6. All construction is to be completed on or before March 10, 2008.
7. Water is to be put to beneficial use on or before March 10, 2012.
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. 6334A-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

MAY 10 2007

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 10 2007

6334A-3

Peterson Farms
Lenny Peterson
19111 Maple Ave
Hitchcock SD 57348

Dear Mr. Peterson:

Enclosed is Reissued Water Permit No. 6334-3. The permit is being reissued to reflect that the water source for the new well location is the Tulare:Hitchcock Aquifer.

If you have any questions, please contact this office.

Sincerely,

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

enclosure

SOUTH DAKOTA
WATER PERMIT NO. 6334A-3

Date of first receipt of application January 14, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6334A-3 to Peterson Farms, 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. 6334A-3 amends Water Permit No. 6334-3 by transferring a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6334-3 appropriates 3.82 cubic feet of water per second (cfs) from two wells (Tulare:Western Spink Aquifer) approximately 100 feet deep located in the centers of the NE $\frac{1}{4}$ and NW $\frac{1}{4}$ Section 34 to irrigate 267.4 acres located in the N $\frac{1}{2}$ Section 34; all in T115N-R64W. This permit will move the location of 133.7 of the 267.4 acres approximately 7 miles south and 7 miles east with the well to be located in the center of the NW $\frac{1}{4}$ Section 2 to irrigate 133.7 acres located in the NW $\frac{1}{4}$ Section 2; all in T113N-R63W. The water source for this irrigation is the Tulare:Western Spink Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this permit. The remaining 133.7 acres authorized by Water Permit No. 6334-3 will remain in the NE $\frac{1}{4}$ Section 34 with the well located in the approximate center of the NE $\frac{1}{4}$ Section 34; all in T115N-R64W.
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 date from which applicant may claim right is June 21, 2002.
4. The date of approval of Permit No. 6334A-3 is March 10, 2003.
5. One-fifth of the construction is to be completed on or before September 10, 2005.
6. All construction is to be completed on or before March 10, 2008.
7. Water is to be put to beneficial use on or before March 10, 2012.
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. 6334A-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 2003

date



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

Eric 773-3350

Mail to:
Water Rights Program
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181
(605) 773-3352

No. <u>6334A-3</u>	(office use only) Hydrologic Unit <u>10160006</u>
Basin <u>James River</u>	
Newspaper <u>Redfield Press, Redfield</u>	
<u>The Plainsman</u>	<u>Huron</u>

RECEIVED
JAN 14 2003
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☐ Amendment/Correction to Permit No. 6334-3
(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 Peterson Farms Phone 605-266-2793
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 1911 Maple Ave Hitchcock State SD 57348
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.91*CFS or 800**GPM ***AF Total Acreage 133.7
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Beadle
center of NW 1/4 - 2-113N-63W
1 well
- County or counties where water will be used Beadle
- Annual period during which water is to be used June - Aug 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
<u>2-113N-63W</u>	<u>133.7</u>		

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

see attached maps

STATE OF SOUTH DAKOTA) SS
County of Beadle)

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, Peterson Farms, 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

Peterson Farms by [Signature]

Subscribed and sworn to before me this 13th day of January 20 03

[Signature]
Notary Public signature



**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. 6334A-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. 6334A-3, Peterson Farms, c/o Lenny Peterson, 19111 Maple Avenue, Hitchcock SD 57348.

The Chief Engineer is recommending APPROVAL of Application No. 6334A-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. 6334A-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.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 11, 2003

NOTE: If approved, this water permit will be assigned No. 6334A-3. The remaining 133.7 acres authorized by No. 6334-3 which will be used to irrigate the NE ¼ Section 34, T115N, R64W will be assigned No. 6334B-3. The June 21, 2002 priority date established by No. 6334-3 will be retained.

REPORT ON WATER PERMIT APPLICATION NO. 6334A-3
For Peterson Farms
February 5, 2003

Application No. 6334A-3 proposes to amend Water Permit No. 6334-3 by transferring a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6334-3 appropriates 3.82 cfs from two wells approximately 100 feet deep located in the centers of the NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of section 34 to irrigate 267.4 acres located in the N $\frac{1}{2}$ of section 34; all in T115N R64W in Spink County. This application proposes to move the location of 133.7 acres of the 267.4 acres approximately seven miles south and seven miles east with the well to be located in the center of the NW $\frac{1}{4}$ of section 2 to irrigate 133.7 acres located in the NW $\frac{1}{4}$ of section 2; all in T113N R63W in Beadle County. The water source for Water Permit No. 6334-3 is from the Tulare Western Spink aquifer and the water source for this application is the Tulare Hitchcock aquifer. No increase in the diversion rate or number of acres irrigated is authorized by this application. The remaining 133.7 acres authorized by Water Permit No. 6334-3 will remain in the NE $\frac{1}{4}$ of section 34 with the well located in the approximate center of the NE $\frac{1}{4}$ of section 34; in T115N R64W in Spink County.

AQUIFER - TULARE – HITCHCOCK (T-H)

The Tulare Hitchcock is predominantly a surficial outwash (sand and gravel) that is under water table conditions in Spink and Beadle but is under slight artesian conditions at this site. Test well information supplied with the application indicates sand beginning at 20 feet grading progressively coarser with depth to a total depth of 78 feet below land surface. The test well had a static water level of 17 feet below land surface and was capable of producing 50 gpm using air to develop.

The Tulare Hitchcock and Tulare Western Spink management units have been combined for water use purposes (Goodman, 2002). Even though the source of water for Water Permit No. 6334-3 is the Tulare Western Spink and the source of water for application No. 6334A-3 is the Tulare Hitchcock this transfer can be accomplished. The Water Management Board determined that pumping from the combined aquifer system may exceed the estimated average annual recharge to the aquifers. The Board chose to defer permits because there were undeveloped and recently issued permits which when fully developed could affect water availability from the aquifers. The Board decided to keep these applications deferred for five years to allow time for development of the permits.

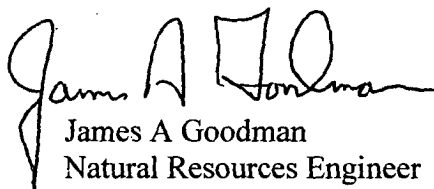
The Water Rights Program monitors an observation well in this immediate area. BD-77A is located within one-half mile of this application. Water levels for this well are available from about 1952 to the present. The record indicates that the aquifer does recharge and that pumping does not appear to significantly affect water levels. In general, the water level record indicates the aquifer is capable of sustaining additional withdrawals (Water Rights, 2003).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two permits Nos. 6201-3 and 6343-3 located within a one-half mile radius of this application. The nearest proposed irrigation well would be one-half mile west and one half mile south from this application. There are no other nearby water permits/rights and all of these permits are held by Peterson Farms. Interference is not expected to be a problem. Pumping by irrigation wells in this part of Spink and Beadle Counties does not create significant drawdown in the aquifer. This is shown by the observation well data and testing information from the existing irrigation wells.

CONCLUSIONS

1. The water for this application is already appropriated under Water Permit No. 6334-3. This application can be transferred using SDCL 46-5-34.
2. Moving the diversion point and water use area will not adversely affect existing water permits/rights.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. The Tulare Hitchcock and Tulare Western Spink are different management units of the Tulare aquifer. However, the Water Management Board has determined to combine the two into a single unit for management purposes.



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, 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

Water Rights, 2003, Unpublished Observation Well Records for Spink and Beadle Counties, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

January 13, 2003

RECEIVED
JAN 14 2003
WATER RIGHTS
PROGRAM

Eric Gronlund
Natural Resources Engineer
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

Dear Eric:

We just purchased the Northwest quarter section 2-113N-63W in December from Mary Kingdon Kelly which is located east of Hitchcock next to our existing pivots. We would like to transfer water rights from North half section 34T115N, R64W application No. 6334-3. Approximately 133.7 acres are one half the acres which we would like to transfer from the west quarter in Section 34T115N, R64W to the NW quarter of 2-113N-63W by Hitchcock in Altoona Township.

The reason for moving the water permit is because the location is a lot closer to our home and pivots that we just put in the last two years.

Sincerely yours,



Lenny Peterson
Peterson Farms

ksp

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP

2002

Transferred
to *Apex*
Wall 5N Center
of 1/4
Spink County

2

NHEL

① 152.4

T-8767

NHEL

① 149.4

T-84

Received from
W.D. O. Linn, FLM
Beck C. FSA

6334A-3

2002

T-10205

OC34

TRANS for
this West 1/4 ~~too~~ from
in 34 too
Sec 2-113N-63W

remaining permit
would stay with
East 1/4 if possibly

W
HEL
① 10.0

W
HEL
② 267.4

34

T-9124
CRP

CRP



NC

115-64

W
HEL
① 122.5

W
HEL
② 10.2

Received from
W. O. Kyr, FLM
Beadle Co. FSA

6334A-3

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ 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 _____

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

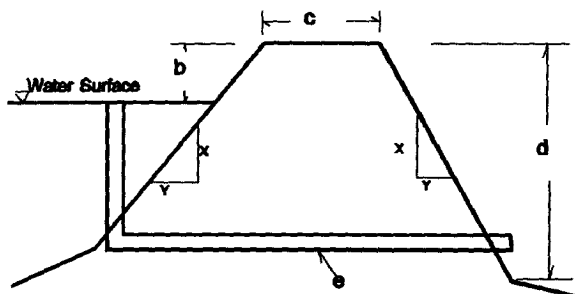
3. Dugout Information

- 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

PULLMAN DRILLING, INC. - DRILLER'S LOG(605) 883-453;
1-800-451-488

JOB NAME		LOCATION	DATE	RIG NO.	FOREMAN
Peterson Farms			12-30-02		Paul Hoff
Jt No	DEPTH	TIME	REMARKS		
1	20		0-20 Yellow clay w/rocks		
2	40		20-40 Fine to med yellow sand		
3	60		40-50 Fine gray sand 50-60 Med. gray sand		
4	80		60-78 Med. to Coarse sand w/coal 78-80 Blue clay		
5					
6					
7					
8			3" Well		
9			T.D. 80'		
10			20' 0.16 3" slotted		
11			60' 3" blank		
12			Pumped w/air 50 GPM.		
13			Water head 17'		
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REMARKS:

For Lenny Peterson
2662793

M&M LOGGING, INC. - PULLMAN, ID

Test Well Log
NW 1/4 - 2 - 113N - 63W

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 15, 2003

RECEIVED OF Peterson Farms, 19111 Maple Avenue, Hitchcock SD 57348

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

Fee for Application for Permit No. <u>6334A-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.

000544

By

Darland Erbe

Chief Engineer

gan

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 6334A-3, Peterson Farms

ADDRESS: COUNTY: Beadle

DATE: January 15, 2003 TELEPHONE: cell 354-4602

RE: diversion rate on application

COMMENTS:

Mr. Peterson returned my phone call. He said it was his intent to transfer half of the acreage and half the diversion rate to the land in the NW $\frac{1}{4}$ of Section 2, T113N, R63W.

He asked that I amend the application to reflect that 133.7 acres and 1.91 cfs is to be transferred to the NW $\frac{1}{4}$ Section 2, T113N, R63W.

NAME: Eric Henderson

PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss.

I, Kimberly DeWall, being duly sworn on oath, say that THE PLAINSMAN is a daily paper published at Huron, Beadle County, South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date, that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am *Legal Advertising Coordinator* of said newspaper and know the facts herein state. The annexed notice headed:

Peterson Farms – Application 6334A-3

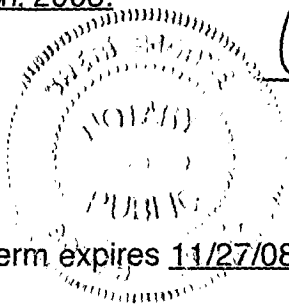
Was published for two days, once each week, on the same day, in said newspaper, and not in any supplement of the said newspaper, the first publication was on the 19th day of February, 2002 and the last publication was on the 26th day of February, 2002. That the full amount of the fee charged for publishing the same, Twenty Four 41/100 Dollars inures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Kimberly DeWall

Subscribed and sworn to before me this 19th day of March, 2003.

Cheri Brala

Notary Public, South Dakota



My term expires 11/27/08

Legal #60

RECEIVED

MAR 26 2003

WATER RIGHTS
PROGRAM

F.P. 2-19-03 L.P. 2-26-03
**NOTICE OF APPLICATION
NO. 6334A-3 to Appropriate
Water to Amend Water
Permit No. 6334-3**

Notice is given that Peterson Farms, 19111 Maple Ave, Hitchcock SD 57348 has filed an application for a water permit to amend Water Permit No. 6334-3 by transferring a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6334-3 appropriates 3.82 cubic feet of water per second (cfs) from two wells (Tulare: Western Spink Aquifer) approximately 100 feet deep located in the centers of the NE 1/4 and NW 1/4 Section 34 to irrigate 267.4 acres located in the N 1/2 Section 34; all in T115N-R64W. This application proposes to move the location of 133.7 of the 267.4 acres approximately 7 miles south and 7 miles east with the well to be located in the center of the NW 1/4 Section 2 to irrigate 133.7 acres located in the NW 1/4 Section 2; all in T113N-R63W. The water source for this irrigation is the Tulare: Western Spink Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application. The remaining 133.7 acres authorized by Water Permit No. 6334-3 will remain in the NE 1/4 Section 34 with the well located in the approximate center of the NE 1/4 Section 34; all in T115N-R64W.

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 is impractical to use all or any part of the water beneficially or economically for irrigation on the current land. Mr. Peterson indicates as his justification for this change that the land is nearer to his home place operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6334A-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. 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 recommen-

dation. 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 March 10, 2003.

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
No. 60 (adv.)

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:

#55 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 February 19, 2003 and the last publication being made on February 26, 2003 that the full amount of the fee charged for publishing the same to-wit: the sum of Thirty-nine and 77/100 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 11th day
of March, 2003.


Notary Public, South Dakota

My term expires 08/16/08



Notice of Application

No. 55
NOTICE OF APPLICATION NO.
6334A-3 TO APPROPRIATE WATER
TO AMEND WATER PERMIT
NO. 6334-3

Notice is given that Peterson Farms, 19111 Maple Ave, Hitchcock SD 57348 has filed an application for a water permit to amend Water Permit No. 6334-3 by transferring a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6334-3 appropriates 3.82 cubic feet of water per second (cfs) from two wells (Tulare:Western Spink Aquifer) approximately 100 feet deep located in the centers of the NE 1/4 and NW 1/4 Section 34 to irrigate 267.4 acres located in the N 1/2 Section 34; all in T115N-R64W. This application proposes to move the location of 133.7 of the 267.4 acres approximately 7 miles south and 7 miles east with the well to be located in the center of the NW 1/4 Section 2 to irrigate 133.7 acres located in the NW 1/4 Section 2; all in T113N-R63W. The water source for this irrigation is the Tulare:Western Spink Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application. The remaining 133.7 acres authorized by Water Permit No. 6334-3 will remain in the NE 1/4 Section 34 with the well located in the approximate center of the NE 1/4 Section 34; all in T115N-R64W.

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 is impractical to use all or any part of the water beneficially or economically for irrigation on the current land. Mr. Peterson indicates as his justification for this change that the land is nearer to his home place operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6334A-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

RECEIVED

MAR 12 2003

WATER RIGHTS
PROGRAM

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 March 10, 2003.

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. Priner
Secretary
Department of Environment and
Natural Resources
(February 19, 26)

Instruction to Newspaper - Publish first Notice on February 19, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6334A-3 to Appropriate Water
to Amend Water Permit No. 6334-3

Notice is given that Peterson Farms, 19111 Maple Ave, Hitchcock SD 57348 has filed an application for a water permit to amend Water Permit No. 6334-3 by transferring a portion of the irrigated acreage and point of diversion to other land. Water Permit No. 6334-3 appropriates 3.82 cubic feet of water per second (cfs) from two wells (Tulare:Western Spink Aquifer) approximately 100 feet deep located in the centers of the NE ¼ and NW ¼ Section 34 to irrigate 267.4 acres located in the N ½ Section 34; all in T115N-R64W. This application proposes to move the location of 133.7 of the 267.4 acres approximately 7 miles south and 7 miles east with the well to be located in the center of the NW ¼ Section 2 to irrigate 133.7 acres located in the NW ¼ Section 2; all in T113N-R63W. The water source for this irrigation is the Tulare:Western Spink Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this application. The remaining 133.7 acres authorized by Water Permit No. 6334-3 will remain in the NE ¼ Section 34 with the well located in the approximate center of the NE ¼ Section 34; all in T115N-R64W.

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 is impractical to use all or any part of the water beneficially or economically for irrigation on the current land. Mr. Peterson indicates as his justification for this change that the land is nearer to his home place operation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6334A-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. 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.

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 11, 2003

Redfield Press
PO Box 440
Redfield SD 57469-0440

ATTENTION: Legal Public Notice

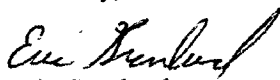
Enclosed is a Notice of Hearing on Application No. 6334A-3 to Appropriate Water to be published twice. Please publish the first notice on February 19, 2003 with the second publication 7 days later.

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 Petersen Farms, 19111 Maple Ave, Hitchcock SD 57348 (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. 6334A-3

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

Date _____

We are in receipt of your letter of February 11, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 6334A-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

February 11, 2003

The Plainsman
PO Box 1278
Huron SD 57350-1278

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6334A-3 to Appropriate Water to be published twice. Please publish the first notice on February 19, 2003 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 Petersen Farms, 19111 Maple Ave, Hitchcok SD 57348 (Ph # 605-266-2793).

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Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 6334A-3

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

Date _____

We are in receipt of your letter of February 11, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 6334A-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 NEWSPAPERS RIGHT AWAY.**

February 11, 2003

Lenny Peterson
Peterson Farms
19111 Maple Ave
Hitchcock SD 57348

Dear Mr. Peterson:

Water Permit Application No. 6334A-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) and the Publisher of the Plainsman printed at Huron, SD (Ph # 605-352-6401). You will need to contact the newspapers 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 papers can eliminate delays. Upon receiving authorization, the publishers have 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 newspapers have 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUN 13 2003

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

Dear Mr. Peterson:

Enclosed are Water Permit Nos. 6334A-3 and 6334B-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Water Permit No. 6334-3 has been divided and reissued based on action by the Chief Engineer on behalf of the Water Management Board transferred portions of the acreage to be irrigated and point of diversion to other lands.

Form 10s, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return these completed forms after you have finished the systems and have put the water to beneficial use. An investigation can then be scheduled so the water licenses may be issued, thus completing the acquisition of a water right.

Sincerely,

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

enclosures

С. П. К.

Permit No. 6334A-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. **6334A-3**, bearing the priority of **June 21, 2002** * authorizing the total diversion of as reissued **1.91 cu. ft. per second**** from the **Tulare:Hitchcock Aquifer** for **irrigation** purposes, in **Beadle** County.

* appear to be an error when issuing No. 6334A-3. The date to complete construction and to place water to beneficial use should have been the dates established by Water Permit No. 6334-3.

** Water Permit No. 6334-3 was issued for 3.82 cfs. When the permit was transferred lands is was split into an A & B number. On Permit No. 6334B-3 it is clear that each permit appropriated 1.91 cfs of the original appropriation. Therefore Permit No. 6334A-3 appropriates 1.91 cfs.

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

A. Works used to divert the water:

One well is in place with a diesel powered 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 located at the pivot center. Water from the well is conveyed to the pivot point in a 8 inch pipee. The system is powered by a John Deere 4045 - 110 hp diesel motor. Peterson Farms is undertaking an effort to convert a number of their systems to electrical power. It is not known whether this pivot will be converted to electrical power in the next years.

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 - N44.629100 W-098.377483 which is in the approximate center of the NW 1/4 Section 2, T113N, R63W referenced from the NW corner as 1,320 feet south and 1,320 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 2, T113N, R63W

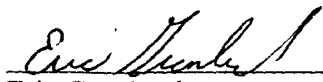
NW ¼ NW ¼	33 acres
NE ¼ NW ¼	33 acres
SW ¼ NW ¼	33 acres
SE ¼ NW ¼	33 acres

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 29, 2007**



Eric Gronlund

Natural Resources Engineer

DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 6334A-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	Approximate center of Section 2, T113N, R63W

Other permit(s) associated with the project: Water Permit No. 6334-3 was split into an A & B number to reflect the transfer of diversion rate authority and land to a different location. Permit No. 6334A-3 is where acre was transferred to and Permit No. 6334B-3 was issued to reflect the remaining acreage the stayed at its intended location.

WELL INFORMATION:

- 1) Well Drilling Firm: **Pullman Drilling**
- 2) No. of Wells One
- 3) Depth(s) 81 feet
- 4) Well log is available Yes
- 5) Comment: it is believed that the report on file is for this well in the NW ¼ of Section 2

Casing:

- 1) Diameter 16 inches
- 2) Length 65 feet
- 3) Type plastic

Screen:

- 1) Type stainless steel
- 2) Length 15 feet
- 3) Static water level 24 feet

Pump:

- 1) Make Western Land Roller Amarillo Gear Drive
- 2) Model 560A - Serial 2462201
- 3) Size
- 4) Capacity 800 GPM

Motor:

- 1) Make John Deere
- 2) Model No. 4045 - CX110HP4
- 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 - T-L package chemigation unit (needs to have a 20 foot line from the low pressure drain away from the well head)

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 2004
- Discussed with Lenny Peterson the need for a 20' line from the low pressure drain from the well head.

Picture of Well Head and Diesel Motor at the site of Water Permit No. 6334A-3



Picture taken September 12, 2007

Water Permit No. 6334A-3, Peterson Farms



1,700 850 0 1,700 Feet

Wells located in the in approximate center of Section 2 of 113N, R62W
referenced from the NW corner Section 2 as 1,320 feet south and
1,320 feet east



Lat/Lon - N44.629100 W-098.377483

Eric Gronlund

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

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6334A-3**

(1) Peterson Farms, % Lenny Peterson, 19111 Maple Avenue, Hitchcock SD 57348 made Application No. 6334-3, June 21, 2002 for a water permit to divert 3.82 cubic feet of water per second (cfs) from ground water, Spink County, South Dakota for irrigation purposes. Permit No. 6334-3, with a priority date of June 21, 2002 was approved December 4, 2002.

Water Permit No. 6334-3 was divided and reissued to transfer acreage and diversion points to other lands.

- **No. 6334A-3** authorizes 1.91 cfs from one well located in the center of the NW ¼ Section 2 to irrigate 133.7 acres located in the NW ¼ Section 2, all in T113N, R63W, Beadle County.
- **No. 6334B-3** authorizes 1.91 cfs from one well to be located in the center of the NE ¼ Section 34 to irrigate 133.7 acres located in the NE ¼ Section 34, T115N, R64W, Spink County (licensed separately).

(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 center of the NW ¼ Section 2, T113N, R63W.

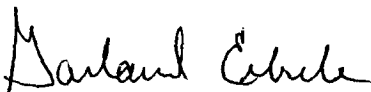
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 2, T113N, R63W	NW ¼ NW ¼	33 acres
	NE ¼ NW ¼	33 acres
	SW ¼ NW ¼	33 acres
	SE ¼ NW 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. 6334A-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 a priority date of June 21, 2002 from the location specified in (2) of this license for irrigation of the land described above.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6334A-3 and subject to the following qualifications:

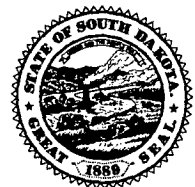
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 6334A-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 (***well log on file***).
- 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

MAY 16 2008

date





MAY 16 2008

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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

RECEIVED
SEP - 7 2016
WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 6334A-3

Date:

Sept - 2016

I/We request that Water Right/Permit No. 6334A-3

formerly owned by: Peterson Farms

be transferred to: (name & address) Brad Peterson, 19026 391st Avenue, Hitchcock SD 57348

Twisted Land and Cattle

Telephone No. 605 266-2817

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

NW ¼ Section 2, T113N, R63W

I/We understand that the validity of Water Right/Permit No. 6334A-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

Brad Peterson

, the new owner, certify that the above information is true and correct.

Brad 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 9/7, 20 16

RECEIVED OF Twisted Land & Cattle 19026 391st Ave Hitchcock SD 57348

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	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>6334A-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **07910**

By Jane Goodman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

September 9, 2016

Brad Peterson
Twisted Land and Cattle
19026 391st Ave
Hitchcock SD 57348

RE: Water Permit/Right Nos. 2367-3, 5671-3, 6334A-3, 7234-3, 7235A-3 and 7444-3

Dear Mr. Peterson:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on the above listed water permits and water rights. The ownership changes have been completed as follows:

- **Water Right No. 2367-3**, formerly held by Peterson Farms is now listed in the name of Twisted Land and Cattle;
- **Water Right No. 5671-3**, formerly held by Peterson Farms is now listed in the name of Twisted Land and Cattle;
- **Water Right No. 6334A-3**, formerly held by Peterson Farms is now listed in the name of Twisted Land and Cattle;
- **Water Right No. 7234-3**, formerly held by Peterson Farms is now listed in the name of Twisted Land and Cattle;
- **Water Permit No. 7235A-3**, formerly held by Mitch, Jeb & Shane Peterson is now listed in the names of Trent, Jeb and Shane Peterson (in-care-of your address);
- **Water Permit No. 7444-3**, formerly held by Mitch, Jeb & Shane Peterson is now listed in the names of Trent, Jeb and Shane Peterson (in-care-of your address);

Enclosed for your records are the receipts in the amount of \$50 each which you paid for filing the ownership changes. The two water rights that need to be divided and reissued to reflect separate ownership are being processed separately. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures

6334A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 25, 2017

Brad Peterson
Twisted Land & Cattle
19030 391st Ave
Hitchcock SD 57348-6808

RE: Irrigation Questionnaires for Nos. 1722A-3, 2367-3, 5671-3, 6334A-3, 6343B-3, 7234-3

Dear Mr. Peterson:

Enclosed is a "Notice" dated October 20, 2017 concerning the 2017 irrigation questionnaires.

The notice was originally mailed to 19026 391st Ave, Hitchcock SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

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