

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 6343-3

Date: Sept-2016

I/We request that Water Right/Permit No. 6343-3

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:

Portion of water right associated with the SW ¼ Section 2, T113N, R63W

I/We understand that the validity of Water Right/Permit No. 6343-3 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>6343-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **07911**

By J. Lee Goodman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

6343B-3
6343-3

SEP 12 2016

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

Dear Mr. Peterson:

Enclosed is Water License No. 6343A-3. Due to ownership changes filed by you and Lenny Peterson, Water Right No. 6343-3 was divided and reissued to reflect separate ownership as follows:

- **No. 6343A-3 – Lenny Peterson, 19111 Maple Avenue, Hitchcock SD 57348** authorizing diversion of 1.78 cfs from one well located in the center of the NW ¼ Section 11 to irrigate 132 acres in the NW ¼ Section 11, all in T113N, R63W.
- **No. 6343B-3 – Twisted Land and Cattle, 19026 391st Avenue, Hitchcock SD 57348** authorizing diversion of 1.78 cfs from one well located in the SW ¼ Section 2 to irrigate 132 acres in the SW ¼ Section 2, all in T113N, R63W.

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. 6343B-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.

Your receipt in the amount of \$50 which you paid for filing the ownership change is enclosed. If you have any questions, please contact our office.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 6343B-3
DIVISION OF NO. 6343-3 INTO 6343A-3 & 6343B-3

(1) Peterson Farms, Hitchcock SD was issued Water License No. 6343-3, May 16, 2008 for a water right to divert 3.56 cubic feet of water per second (cfs) from ground water, two wells (Tulare Western Spink Hitchcock Aquifer), located in Beadle County, South Dakota and used for irrigation purposes. Water License No. 6343-3, with a priority date of July 26, 2002 was issued to the permit holder for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

On June 22, 2016 and September 7, 2016, ownership changes were filed with Water Right No. 6343-3. The water license is being divided and reissued to reflect separate ownership as follows:

- **No. 6343A-3 – Lenny Peterson, 19111 Maple Avenue, Hitchcock SD 57348** authorizing diversion of 1.78 cfs from one well located in the center of the NW ¼ Section 11 to irrigate 132 acres in the NW ¼ Section 11, all in T113N, R63W.
- **No. 6343B-3 – Twisted Land and Cattle, 19026 391st Avenue, Hitchcock SD 57348** authorizing diversion of 1.78 cfs from one well located in the SW ¼ Section 2 to irrigate 132 acres in the SW ¼ Section 2, all in T113N, R63W.

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,546' N and 1,320' E of the SW corner of Section 2, T113N, R63W (approximate center of the SW ¼ Section 2)

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

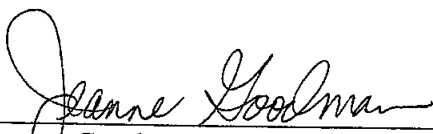
Section 2, T113N, R63W	NW ¼ SW ¼	33 acres
	NE ¼ SW ¼	33 acres
	SW ¼ SW ¼	33 acres
	SE ¼ SW ¼	33 acres
	Total	132 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Twisted Land and Cattle, 19026 391st Avenue, Hitchcock SD 57348 the holder and/or owner of Water Right No. 6343B-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 Western Spink Hitchcock Aquifer) with a priority date of July 26, 2002 from the location specified in (2) of this license for irrigation purposes.

continued

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6343-3 and subject to the following qualifications:

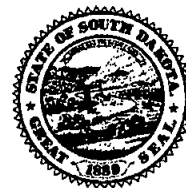
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 6343B-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. *The well was drilled by Pullman Well Drilling. A copy of the well log is on file with the Water Rights Program.*
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

SEP 12 2016

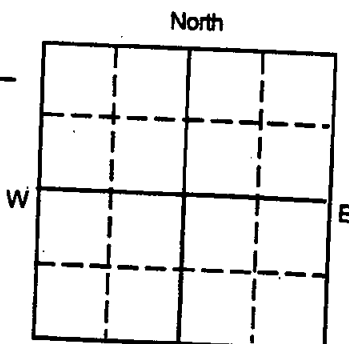
date



SOUTH DAKOTA WATER WELL COMPLETION REPORT

6343B-3

11-02

Location none $\frac{1}{4}$ w $\frac{1}{4}$ Sec 2 Twp 113 Rg 63County Bradley
Spink SPWPlease mark well
location with an "X"

Well Completion Date

4/3/2003

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

? ft. from in pasture (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse

CASING DATA:

If other describe ☐ Steel ☒ Plastic ☐ Other

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	67.0 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	20	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 67.0 Feet to 82.0 Feet
 Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ NoIf so, what material? Pea RockDescribe packer(s) and location
@67-82

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Pellets☐ No, Why Not?Lab sample sent to for
water quality analysisWell Owner: Oscar PetersonBusiness Name: Peterson FarmsAddress: 19026 391st AveCity, State, Zip: Hitchcock SD 57348

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay	0	17
Med to Fine sand	17	82
Blue Clay	82	

STATIC WATER LEVEL

14.0 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:
☐ Bailed
☐ Other

Pumping Level Below Land Surface

39.0 Ft. After 6.0 Hrs. pumped 900.0 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate:

GPM

REMARKS

RECEIVED

DEC 31 2003

WATER RIGHTS
PROGRAM

This well was drilled under license #

440

And this report is true and accurate.

Drilling firm: Pullman Well Drilling Inc

Signature of License Representative:

Raynie Pullman

Signature of Well Owner or Equitable Property Holder:

Date:

5-10-03

Permit No. 6343-3
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. **6343-3**, bearing the priority of **July 26, 2002** authorizing the total diversion of as reissued **3.84 cu. ft. per second** from the **Tulare:Hitchcock Aquifer** for **irrigation** purposes, in **Beadle** County.

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

A. Works used to divert the water:

Two wells are in place with a diesel powered turbine shaft pump system that Lenny Peterson indicates are each capable of producing 1.78 cfs (800 gpm).

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

Well heads are near the pivot points. Water from the well is conveyed to the pivot point in an above ground 8 inch pipeline. The systems are powered by 110 hp diesel motor (note: This is the diesel motor rating, the rating on the turbine gear drives is 60 and 80 hp). Peterson Farms is undertaking an effort to convert many of their systems to electrical power. It is unknown whether these will be converted

C. Works used to apply water to beneficial use:

Two 8 tower T-L center pivots

The system is in the following condition **excellent**. The points of diversion (wells) are **located specifically at Lat/Lon - N44.622556 W-098.377361 & Lat/Lon - N44.614694 W-098.377083 which referenced from the SW corner of Section 2, T113N, R63W are 1,546 feet north and 1,320 feet east & 1,320 feet south and 1,320 feet east.**

The works are capable of diverting **3.56 cfs from two wells** which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

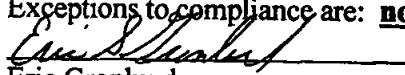
All in T113N, R63W

Section 2		Section 11	
NW ¼ SW ¼	33 acres	NW ¼ NW ¼	33 acres
NE ¼ SW ¼	33 acres	NE ¼ NW ¼	33 acres
SW ¼ SW ¼	33 acres	SW ¼ NW ¼	33 acres
SE ¼ SW 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 **264** acres of land and the license should be issued for **3.56 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. 6343-3

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	Approx. centers of the SW ¼ Section 2 and the NW ¼ Section 11, T113N, R63W

Other permit(s) associated with the project: the diversion rate acreage amount for corners under Water Permit No. 6343-3 were transferred to Permit No. 6201A-3. The water permit was reissued to reflect this change.

WELL INFORMATION:

- 1) Well Drilling Firm: **Pullman Drilling**
- 2) No. of Wells two
- 3) Depth(s) 82 and 115 feet
- 4) Well logs available Yes
- 5) Comment:

Casing:

- 1) Diameter 16 inches
- 2) Length 67 and 100 feet
- 3) Type plastic

Screen:

- 1) Type stainless steel
- 2) Length both 15 feet
- 3) Static water level 14 and 22 feet

Pump:

- 1) Make both Western Land Roller Amarillo
Gear Drive
- 2) Model both 560A (serial on one 2509240)
- 3) Size
- 4) Capacity 800 GPM

Motor:

- 1) Make John Deere
- 2) Model No. both 4045 Models C110HP4
(Serial No. on one is 1T1952)
- 3) Horsepower rating 60 & 80 hp (on gear drive)

SYSTEM TYPE:**Center pivot:**

- 1) Make T-L
- 2) Overall length approx.1,320 feet
- 3) Number of towers 8 tower
- 4) Distance between towers feet
- 5) End gun Yes (length with gun 1,350 feet)
- 6) High or low pressure low
- 7) Capacity 800 GPM

CHEMIGATION EQUIPMENT: Yes**PERMIT QUALIFICATIONS:**

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

COMMENTS:

- Irrigation questionnaires indicate irrigation began in 2003. Based on well completion reports wells were drilled in April 2003 and April 2004. The system in the SW ¼ was in place a year prior to the system in the NW ¼ Section 11.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

August 2, 2016

Brad Peterson
19026 391st Avenue
Hitchcock SD 57348

Dear Mr. Peterson:

Enclosed as we discussed are partially completed transfer forms for filing ownership changes on the remaining water permits or rights listed in the name of Peterson Farms. Lenny filed ownership changes on his portion back in June.

Please review the forms to ensure they are correct. Once you have completed and signed the forms, return them to our office with a filing fee of \$50 each. The check or money order for the fee can be made payable to the Water Rights Program.

I included an email that Eric sent to all of you back in January containing questions about ownership of land described in Water Right No. 1722-3. Two forms for this one are enclosed.

I have also enclosed a listing of permits/rights held by Petersons. Let me know if you see any discrepancies. If you have any questions, please give me a call.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

August 30, 2016

Brad Peterson
19026 391st Avenue
Hitchcock SD 57348

Dear Mr. Peterson:

Enclosed as we discussed are partially completed transfer forms for filing ownership changes on the remaining water permits or rights listed in the name of Peterson Farms. Lenny filed ownership changes on his portion back in June.

Please review the forms to ensure they are correct. Once you have completed and signed the forms, return them to our office with a filing fee of \$50 each. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please give me a call.

Sincerely,

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

enclosures

Note: Please take a few minutes and get the transfers completed and returned as soon as possible. I would like to have everything finalized before the annual irrigation questionnaires need to be mailed.

63438-3



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,

A handwritten signature in cursive script, appearing to read "Genny McMath".

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

enclosures