

WATER PERMIT NO. 7235-3

Name of Applicant: **Peterson Farms**

Address: **19111 Maple Ave, Hitchcock SD 57348** Phone:

Amount of Water Claimed: **1.84** Total Acres: **136**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **irrigation** County: **Spink**

Type of Waste Disposal System:

Location: **6 miles northeast of Hitchcock**

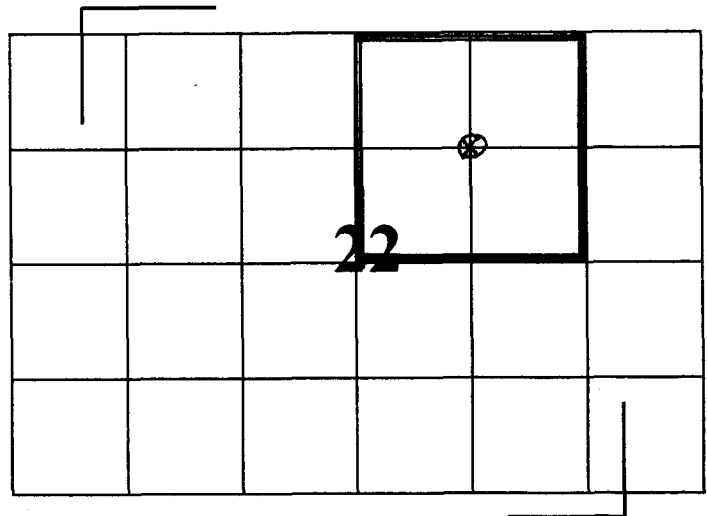
PRIORITY Date Received: **3-1-2011** Application/License Fee: **\$1,050**

Corrected Application Received: Period of Annual Use: **April 1 – October 31**

Remarks: **Applicant intends to relinquish Water Permit No. 6713-3 as part of obtaining this permit.**

Diversion Point: **center NE ¼ Section 22-T114N-**
R62W

Land to be Irrigated: **NE ¼ Section 22-T114N-**
R62W



Depth of Well: **75 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Eric Gronlund**

Reviewed and the Number Assigned on: **3-2-2011**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota

(type or print)

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7235-3</u> (office use only)	Hydrologic Unit <u>10160606</u>
	Basin <u>James River</u>	
	Newspaper <u>Redfield Press PO Box 440</u>	
	<u>605-472-0822</u> <u>Redfield 57469</u>	

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MAR - 1 2011

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.)

1. Name of Applicant Peterson Farms Phone 605-266-2793(check one) ☐ Owner ☐ Tenant/lesseeMailing Address 19111 Maple Avenue Hitchcock SD 57348
(Address) (City) (State) (Zip Code)2. Amount of water claimed 1.94 *CFS or ***GPM ***AF Total Acreage 136
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)3. Source of water supply Tulare:East James Aquifer4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Spink

Approximate center of NE 1/4 Section 22, T114N, R62W

5. County or counties where water will be used Spink6. Annual period during which water is to be used April 1 - October 317. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

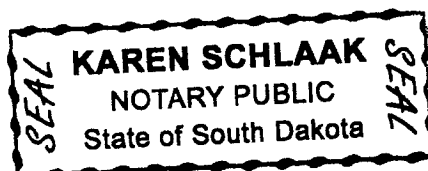
Land Description	Acres	Land Description	Acres
NW 1/4 NE 1/4 Section 22, T114N, R62W	34		
NE 1/4 NE 1/4 Section 22, T114N, R62W	34		
SW 1/4 NE 1/4 Section 22, T114N, R62W	34		
SE 1/4 NE 1/4 Section 22, T114N, R62W	34		

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

Intend to develop a well to irrigate the NE 1/4 Section 22, T114N, R62W. Peterson Farms intends to relinquish Water Permit No. 6713-3 as part of obtaining this water permit.

STATE OF SOUTH DAKOTA)
County of Hughes) SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Also, attach map and any other technical information. (see instructions)

I, Lenny Peterson, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.Applicant's signature Lenny PetersonSubscribed and sworn to before me this 1st day of March 20 11

Karen Schlaak
Notary Public signature
My commission expires 4/1/2013

SOUTH DAKOTA
WATER PERMIT NO. 7235-3

Date of first receipt of application March 1, 2011.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7235-3 to Peterson Farms, c/o Lenny Peterson, 19111 Maple Ave, Hitchcock SD 57348 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7235-3 appropriates 1.94 cubic feet of water per second (cfs) from one well to be completed into the Tulare:East James Aquifer (approximately 75 feet deep) located in center of the NE 1/4 Section 22 for irrigation of 136 acres located in the NE 1/4 Section 22; all in T114N-R62W. This permit will supplement irrigation of the acreage located in the NE 1/4 Section 22-T114N-R62W from the James River authorized by Permit No. 7234-3 from this groundwater source.
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 1, 2011.
4. The date of approval of Permit No. 7235-3 is May 9, 2011.
5. One-fifth of the construction is to be completed on or before November 9, 2013.
6. All construction is to be completed on or before May 9, 2016.
7. Water is to be put to beneficial use on or before May 9, 2020.
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. 7235-3 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. Diversion under Water Permit Nos. 7234-3 and 7235-3, combined, shall not exceed 2 acre feet of water per acre and cannot exceed one cfs per 70 acres.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
5. Approval of Water Permit No. 7235-3 cancels Water Permit No. 6713-3.

WATER MANAGEMENT BOARD

By: Garland Erbele

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

AUG 22 2011

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 16 Depth approx. 75
- b) Casing Type PVC Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 25 feet
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicant's 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

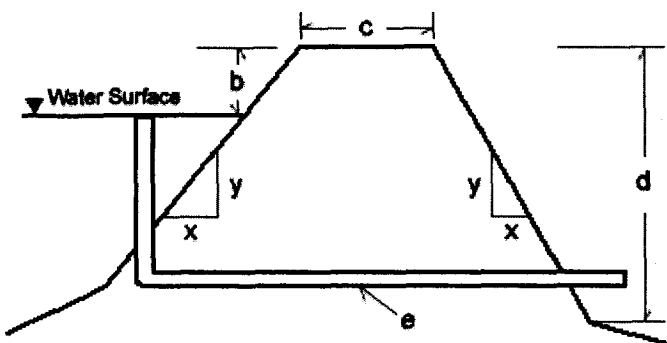
3. Dugout Information

- 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 (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

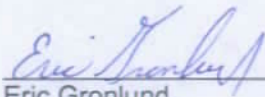
PETERSON FARMS APPLICATION FROM TULARE; HITCHCOCK AQUIFER



980 490 0 980 Feet

● Diversion point location

RECEIVED
MAR - 1 2011
WATER RIGHTS
PROGRAM


Eric Gronlund
Water Rights Program, DENR



RECEIPT
WATER RIGHTS PROGRAM
South Dakota Department of Environment and Natural Resources

Date 3/1, 20 11

RECEIVED OF Peterson Farms 19111 Maple Ave Hitchcock SD 57348

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

Fee for Application for Permit No. <u>7235-3</u> to Appropriate Water, to construct and to put water to beneficial use	850	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. <u>7235-3</u>	200	00
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	1050 00

No. **04940**

By *Laurel Erbe*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7235-3, 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. 7235-3, Peterson Farms, c/o Lenny Peterson, 19111 Maple Avenue, Hitchcock SD 57348.

The Chief Engineer is recommending APPROVAL of Application No. 7235-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use with the unused water of Water Permit No. 6713-3 reverting to the public and becoming unappropriated water, 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:

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. 7235-3 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. Diversion under Water Permit Nos. 7234-3 and 7235-3, combined, shall not exceed 2 acre feet of water per acre and cannot exceed one cfs per 70 acres.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
5. Approval of Water Permit No. 7235-3 cancels Water Permit No. 6713-3.

See report on application for additional information.

Garland Erbele, Chief Engineer
April 8, 2011

REPORT ON WATER PERMIT NO. 7235-3
For Peterson Farms
March 30, 2011

Application No. 7235-3 proposes to appropriate 1.94 cfs (870 gpm) from one well approximately 75 feet deep located in the center of the NE $\frac{1}{4}$ of section 22 for irrigation of 136 acres located in the NE $\frac{1}{4}$ of section 22; all in T114N R62W in Spink County. This application is to supplement irrigation of the acreage located in the NE $\frac{1}{4}$ of section 22, T114N R62W from a ground water source. Combinations of diversions authorized by Water Permit Application No. 7234-3 and this application, if approved, may not exceed 1.0 cfs for each 70 acres irrigated.

As part of obtaining Water Permit Application No. 7235-3, Peterson Farms intends to relinquish Water Permit No. 6713-3 which authorizes 1.94 cfs located in the center of the NW $\frac{1}{4}$ of section 24 to irrigate 136 acres located in the NW $\frac{1}{4}$ of section 24; T115N R62W in Spink County.

AQUIFER – TULARE EAST JAMES (T-EJ)

The Tulare East James has been declared fully appropriated based upon use by the Water Management Board at the July 12, 2006 hearing (Goodman, 2006). What that means is that no additional permits can be granted from the aquifer.

No test well log is available for this proposed site. However, at this site the aquifer is under water table conditions. A Water Rights' observation well SP-79K is located about one-quarter mile northeast from this proposed well site. The observation well has sand and gravel from 8 to 73 feet below land surface with a static water level about 17 feet below land surface at the present time. A hydrograph for this observation well is included with this report (Water Rights, 2011).

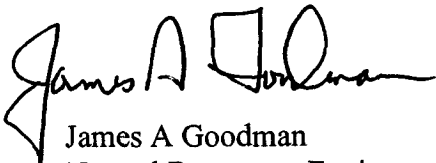
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing ground water permit or right is located about one and one-half miles to the east. Interference is not a concern. Drawdown created by pumping is not significant in this area and will not affect existing rights.

This site will also be permitted for irrigation with surface water from the James River under water permit application No. 7234-3 if that application is approved. This permit will be necessary and used when water is not available from the James River.

CONCLUSIONS

1. The Tulare East James aquifer has been determined by the Water Management Board to be fully appropriated based upon actual water use.
2. The source of water for this application is the Tulare East James aquifer.
3. Water is not available for this application unless Water Permit No. 6713-3 (1.94 cfs, 136 acres) is cancelled. Only upon cancellation of this existing permit does water become available for appropriation.
4. Technically Water Permit No. 6713-3 may already be forfeited because 1/5 of the construction work was not been completed in accordance with the criteria (condition #4) placed by the Water Management Board on the original permit. That discussion is only relevant to this application in the event of approval of this application and leaving No. 6713-3 remaining valid.
5. This application is not a request for transfer but a new permit application. If approved this application will take a new priority date based upon the filing of this new application.
6. The well authorized by this application must be completed in accordance with SD Well construction Standards.
7. The lands to be irrigated under this application will also be irrigated under water permit No. 7234-3 allowing use of water from the James River. The combined diversions from No. 7235-3 (this application) and No. 7234-3 cannot exceed 2 acre-feet per acre and cannot exceed one cfs per 70 acres.



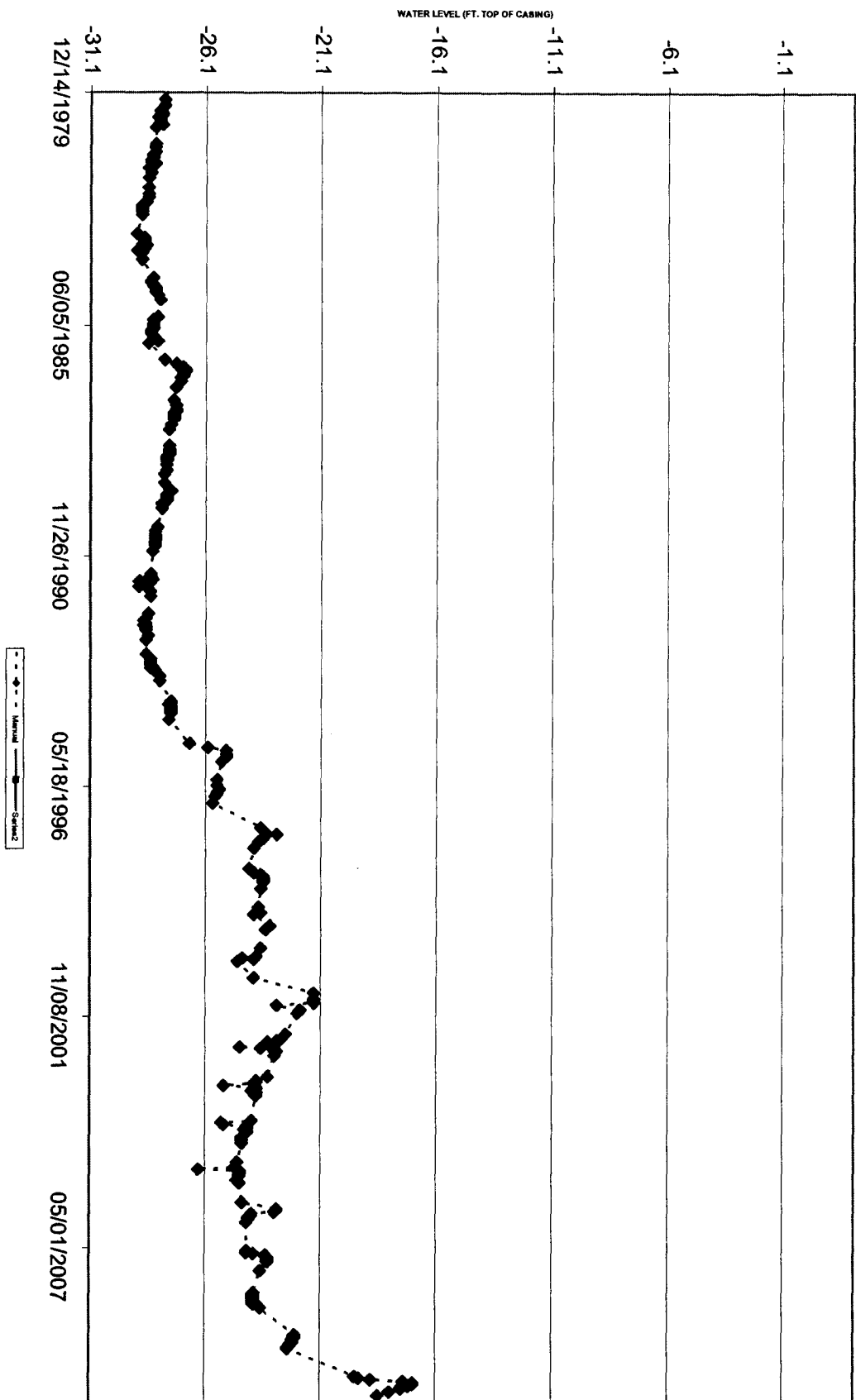
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Goodman, J.A., 2006, Report on Water Permit Application No. 6711-3 for Oscar Inc. and Nos. 6712-3 and 6713-3 for Peterson Farms, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

Water Rights, 2011, Unpublished Observation Well Records for Spink County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
SP-79K



Affidavit of Publication

STATE OF SOUTH DAKOTA,
County of Spink: ss.

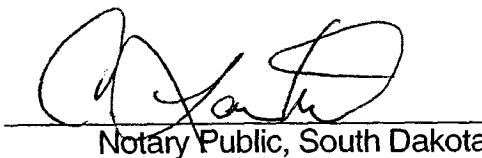
I, Mark E. Davis, of said County & State, being first duly sworn on oath, say that THE REDFIELD PRESS is a legal weekly newspaper as defined in Sec. 65.0508 South Dakota Code 1939, as amended by Chapter 298 of the Session of Laws of 1939, printed and published in the English language in the City of Redfield, 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:

#289 Notice

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 April 20th and the last publication being made on April 27th, that Fifty-nine and 85/100 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 27th day
of April, 2011.


Notary Public, South Dakota

My commission expires 04/06/2016

Notice

#289

NOTICE OF APPLICATION NOS. 7234-3 AND 7235-3 TO APPROPRIATE WATER

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

Application No. 7234-3 proposes to appropriate 2.28 cubic feet of water per second (cfs) from the James River to irrigate 160 acres located in the NE 1/4 Section 22-T114N-R62W. The applicant will utilize the existing James River diversion point authorized by Water Right No. 6183-3 located in the SW 1/4 SW 1/4 Section 22-T114N-R62W.

Application No. 7235-3 proposes to appropriate 1.94 cfs from one well to be completed into the Tulare-East James Aquifer (approximately 75 feet deep) located in center of the NE 1/4 Section 22 for irrigation of 136 acres located in the NE 1/4 Section 22-T114N-R62W. This application is to supplement irrigation of the acreage located in the NE 1/4 Section 22-T114N-R62W from a groundwater source. Combinations of diversions authorized by No. 7234-3 and this application, if approved, may not exceed 1.0 cfs for each 70 acres irrigated.

Peterson Farms intends to relinquish Water Permit No. 6713-3 which authorizes 1.94 cfs from the Tulare-East James Aquifer located in the center of the NW 1/4 Section 24 to irrigate 136 acres located in the NW 1/4 Section 24; all in T115N-R62W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7234-3 & 7235-3 because 1) unappropriated water is available (for No. 7235-3 water becomes available with the unused water of Water Permit No. 6713-3 reverting to the public and becoming unappropriated water); 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 these applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 May 9, 2011.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications.

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

Published twice at an approximate
cost of \$59.85. (Apr 20, 27)

RECEIVED

APR 28 2011

WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 8, 2011

Redfield Press
PO Box 440
Redfield SD 57469

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 7234-3 & 7235-3 to Appropriate Water to be published twice. Please publish the first notice on April 20, 2011 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Peterson Farms, c/o Lenny Peterson, 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-----

Nos. 7234-3 & 7235-3

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

Date _____

We are in receipt of your letter of April 8, 2011 enclosing Notice to Appropriate Water by Application Nos. 7234-2 & 7235-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

April 8, 2011

Peterson Farms
Lenny Peterson
19111 Maple Ave
Hitchcock SD 57348

Dear Mr. Peterson:

Water Permit Application Nos. 7234-3 & 7235-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice 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 recommendations of the Chief Engineer and reports 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 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. 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
eric.gronlund@state.sd.us

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendations, 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 applications.

Instruction to Newspaper - Publish first Notice on April 20, 2011 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

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Peterson Farms intends to relinquish Water Permit No. 6713-3 which authorizes 1.94 cfs from the Tulare:East James Aquifer located in the center of the NW $\frac{1}{4}$ Section 24 to irrigate 136 acres located in the NW $\frac{1}{4}$ Section 24; all in T115N-R62W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7234-3 & 7235-3 because 1) unappropriated water is available (for No. 7235-3 water becomes available with the unused water of Water Permit No. 6713-3 reverting to the public and becoming unappropriated water), 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 these applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 May 9, 2011.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.
Published twice at the total approximate cost of _____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 22 2011

Peterson Farms
Lenny Peterson
19111 Maple Ave
Hitchcock SD 57348

Dear Mr. ^{Lenny}Peterson:

Enclosed are Water Permit Nos. 7234-3 and 7235-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10's, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return the 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.

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

PETERSON FARMS

19111 Maple Ave.
Hitchcock, SD 57348
Phone (605)-266-2793
Fax (605)-266-2793
Kpetrson@venturecomm.net

RECEIVED**MAR 19 2013****WATER RIGHTS
PROGRAM**

March 19, 2013

Eric Gronlund
South Dakota Water Rights
523 E. Capitol
Pierre, SD 57501

Dear Eric,

We would like to transfer from Peterson Farms the Irrigation Permit that is on NE¼-114N-62 W to NW¼-26-114N-62W owned by Shane, Jeb, and Mitch Peterson.

Please let us know if this letter will suffice and let us know what the transfer fee is. If there is another form we have to fill out, please email us a form to use. Thank you for your time.

Sincerely,

Bread Peterson on behalf of Peterson Farms.

Lenny Peterson

ksp

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

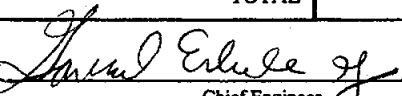
Date 3/19, 20 13

RECEIVED OF Peterson 209 27th St NW Huron SD 57350

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>7235-3</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. 06249

By 
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

MAR 19 2013

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 7235-3Date: March 19, 2013

I/We request that Water Right/Permit No. 7235-3 formerly owned by:
Peterson Farms be transferred to:

New Owner Name: Jeb, Shane and Mitch PetersonAddress: 39686 Hwy 28City, State, Zip Hitchcock SD 57348 Telephone No. 350-4563

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

transfer ownership of the water permit for the purpose of transferring the NE 1/4 Section 22, T114N, R62W to the NW 1/4 Section 26, T114N, R62W.

☐ I understand that the validity of Water Right/Permit No. 7235-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

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

Shane Peterson by 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 16, 2013

7235-3

Mitch, Jeb & Shane Peterson
39686 Hwy 28
Hitchcock SD 57348

Dear Sirs:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for filing an ownership on Water Permit No. 7235-3.

The ownership change has been completed. Water Permit No. 7235-3 formerly held by Peterson Farms is now listed in the names of Mitch, Jeb & Shane Peterson.

Enclosed for your records is Receipt No. 06249 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosure