

SOUTH DAKOTA
REISSUED WATER PERMIT NO. 7725A-3
(OWNERSHIP CHANGE OF APPROVED PORTIONS OF WATER PERMIT NO. 7725-3)

Date of first receipt of Application No. 7725-3: February 28, 2013.

The Water Management Board approved portions of Water Permit No. 7725-3 on July 11, 2013, for Lenny Peterson, Hitchcock SD.

On July 23, 2014, an ownership change was filed transferring the approved portions of Water Permit No. 7725-3 to Danny Peterson, 38984 189th St, Hitchcock SD 57348. Water Permit No. 7725-3 is being divided into Water Permit No. 7725A-3 (approved portion) and Application No. 7725B-3 (denied portion currently under appeal) to reflect separate ownership.

Water Permit No. 7725A-3 authorizes 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. 7725A-3 appropriates 1.93 cubic feet of water per second (cfs) from one well to be completed into the Tulare:Western Spink Hitchcock Aquifer (60-100 feet deep) located in the approximate center of the SW ¼ Section 7 for irrigation of 135 acres located in the SW ¼ Section 7, all in T113N, R63W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: March 1 – November 30.
3. The date from which applicant may claim right is February 28, 2013.
4. One-fifth of the construction is to be completed on or before January 11, 2016.
5. All construction is to be completed on or before July 11, 2018.
6. Water is to be put to beneficial use on or before July 11, 2022.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

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. 7725A-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

continued

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Water Permit No. 7725A-3

Danny Peterson

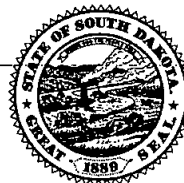
This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

AUG 04 2014

date



NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

JUL 23 2014

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 7725-3Date: July 22, 2014

I/We request that Water Right/Permit No. 7725-3 formerly owned by:
Lenny Peterson (The approved portion of 7725-3) be transferred to:

New Owner Name: Danny Peterson
Address: 38984 189th Street
City, State, Zip Hitchcock SD 57348 Telephone No. 605-350-4717

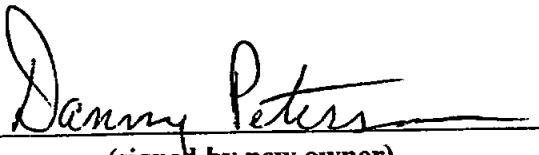
Title to the following described land(s)/property has been transferred as described above:
SW1/4 Section 7 Township 113N Range 63W

☒ I understand that the validity of Water Right/Permit No. 7725-3 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, Danny Peterson, the new owner, certify that the above information is true and correct.


(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 7/24, 20 14

RECEIVED OF Danny Peterson 38984 189th St Hitchcock Sd 57348

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>7725-3</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. **06911**

By *Jeannie Goodman*
Chief Engineer

File No. 7725-3

7725A-3

7725B-3

7725C-3

Water Rights Program - File Documentation

NAME: Lenny Peterson

ADDRESS: Hitchcock SD

DATE: 7-23-14 **COUNTY:** Spink

RE: Notice of Transfer of Ownership

COMMENTS:

Water Permit No. 7725-3 held by Lenny Peterson appropriates 1.93 cubic feet of water per second (cfs) from one well to be completed into the Tulare:Western Spink Hitchcock Aquifer (60-100 feet deep) located in the approximate center of the SW 1/4 Section 7 for irrigation of 135 acres located in the SW 1/4 Section 7; all in T113N-R63W was approved July 1, 2013 and deferred the remaining portion requested on the application.

The remaining portion is 2.64 cfs diversion rate authority for irrigation of 185 acres located in the S 1/2 Section 7-T113N-R63W. On October 3, 2013 the Board denied this remaining portion. Lenny Peterson appealed that decision to circuit court and as of July 23, 2014 a judge's ruling has not been made.

On July 23, 2014 a Notice of Transfer was filed by Danny Peterson for the approved portion of Water Permit No. 7725-3.

Permit No. 7725-3 is being split into Permit No. 7725A-3 (approved portion) and Application No. 7725B-3 (denied portion under appeal).

Also, on July 23, 2014 Danny Peterson submitted an application to amend Permit No. 7725A-3 by transferring the irrigated acreage and point of diversion to other land. The application to amend will be Application No. 7725C-3. This application proposes to move the irrigated acreage and diversion point to the SW 1/4 Section 22-T114N-R63W.



Karen Schlaak
Water Rights Program



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

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



AUG 04 2014

7725-3
7725A-3

Danny Peterson
38984 189th St
Hitchcock SD 57348

Dear Mr. Peterson:

Enclosed is your Reissued Water Permit No. 7725A-3.

On July 23, 2014, an ownership change was filed for the approved portions of Water Permit No. 7725-3 located in the SW ¼ Section 7, T113N, R63W. Based on the ownership change, Water Permit No. 7725-3 has been divided into No. 7725A-3 (approved portion) and Application No. 7725B-3 (denied portion currently under appeal).

Enclosed for your records is Receipt No. 06911 in the amount of \$50 which you paid for filing the ownership change. For informational purposes, the application you submitted to transfer the irrigated acreage and point of diversion now authorized under No. 7725A-3 to other land is currently under review.

If you have any questions, please contact our office.

Sincerely,

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

enclosures

SOUTH DAKOTA
WATER PERMIT NO. 7725C-3

Date of first receipt of application July 23, 2014.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7725C-3 to Danny Peterson, 38984 189th St, Hitchcock SD 57348 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7725C-3 amends Water Permit No. 7725A-3 by transferring the irrigated acreage and point of diversion to other land. Water Permit No. 7725A-3 appropriates 1.93 cubic feet of water per second from one well located in the center of the SW 1/4 Section 7 for irrigation of 135 acres located in the SW 1/4 Section 7; all in T113N-R63W. This permit authorizes moving the irrigation approximately 3 miles east and 4 miles north with the well located in the approximate center of the SW 1/4 Section 22 to irrigate 135 acres located in the SW 1/4 Section 22; all in T114N-R63W. The water source for this irrigation system is the Tulare:Western Spink Hitchcock Aquifer and no increase in the diversion rate or number of acres irrigated is authorized by this permit.
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: March 1 – October 1.
3. The date from which applicant may claim right is February 28, 2013 (established by Water Permit No. 7725A-3).
4. The date of approval of Permit No. 7725C-3 is October 14, 2014.
5. One-fifth of the construction is to be completed on or before January 11, 2017.
6. All construction is to be completed on or before July 11, 2018.
7. Water is to be put to beneficial use on or before July 11, 2022.
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 Permit No. 7725C-3 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. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. Approval of Water Permit No. 7725C-3 incorporates Permit No. 7725A-3.

WATER MANAGEMENT BOARD

By: *Jeanne Goodman*

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

OCT 28 2014

date

