

WATER PERMIT NO. 1776-1

Name of Applicant: Robert A. Christofferson

Address: 530 State, Spearfish SD 57783 Phone: 605 642-3349

Amount of Water Claimed: 0.67 cfs Total Acres: 141.2 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: Lawrence

Type of Waste Disposal System:

Location: 5 miles northwest of Spearfish

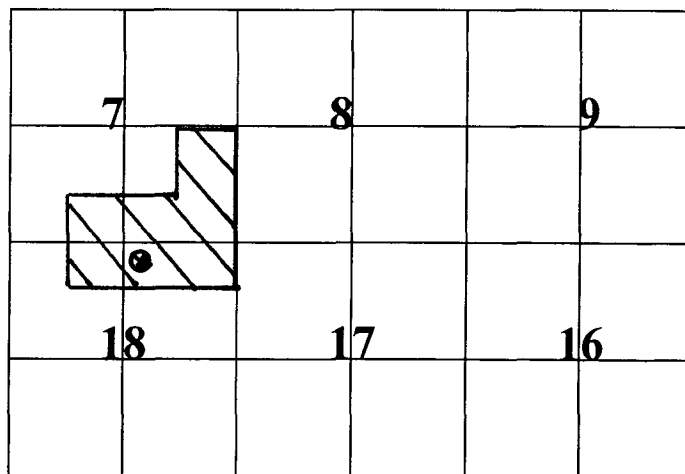
PRIORITY Date Received: 7-29-2002 Application/License Fee: \$300

Corrected Application Received: Period of Annual Use: April 1 – November 30

Remarks:

Diversion Point: NW ¼ NE ¼ Sec 18-T7N-R2E

Land to be Irrigated: N ½ NE ¼, NE ¼ NW ¼ Sec 18 and S ½ SE ¼ NE ¼ SE ¼, SE ¼ SW ¼ Sec 7; T7N-R2E



Depth of Well: 1000 feet deep

Well Driller: : Graf Drilling

Remarks:

Type of Map: aerial

Prepared by: Gary Hendrickson, NRCS

Reviewed and the Number Assigned on: 7-29-2002

By: Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT NO. 1776-1**

Date of first receipt of application July 29, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1776-1 to Robert A Christofferson, 530 State, Spearfish SD 57783 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. 1776-1 appropriates 0.67 cubic feet of water per second from one well (Minnelusa Formation) 1076 feet deep located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18 to irrigate 141.2 acres located in the N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18; S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7; all in T7N-R2E.
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 July 29, 2002.
4. The date of approval of Permit No. 1776-1 is October 28, 2002.
5. One-fifth of the construction is to be completed on or before April 28, 2005.
6. All construction is to be completed on or before October 28, 2007.
7. Water is to be put to beneficial use on or before October 28, 2011.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

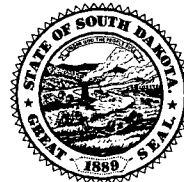
WATER MANAGEMENT BOARD

By: Garland Erbele

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

NOV 26 2002

date



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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1776-1</u>	(office use only) Hydrologic Unit <u>10120203</u>
	Basin <u>Belle Fourche River</u>	
	Newspaper <u>Black Hills Pioneer, Spearfish</u>	

RECEIVED
JUL 29 2002
WATER RIGHTS PROGRAM

Application For Permit To Appropriate Water For Irrigation

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

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

- Name of Applicant Robert A. Christofferson Phone 605.642.3340
(check one) Owner Tenant/lessee
Mailing Address 530 State, Spearfish State SD 57783
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.67 *CFS or 300 **GPM ***AF Total Acreage 141.2
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply groundwater
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
Well: NW1/4NE1/4, Section 18, T7N, R2E, BHM
 County Lawrence
- County or counties where water will be used Lawrence
- Annual period during which water is to be used April 1 through 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
NE1/4NW1/4, Sec. 18, T7N, R2E	3.9	NE1/4SE1/4, Sec. 7, T7N, R2E	27.0
NW1/4NE1/4 & NE1/4NW1/4, Sec. 18, T7N, R2E	27.0		
SE1/4SW1/4 & SW1/4SE1/4, Sec. 7, T7N, R2E	60.0		
SE1/4SE1/4, Sec. 7, T7N, R2E & NE1/4NE1/4, Sec. 18, T7N, R2E	23.3		

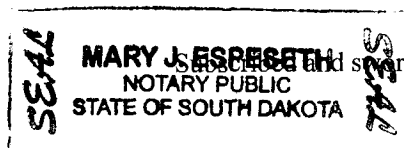
8. Give a description of the project. (Attach sheet if more space is needed)

Irrigation will be by sprinkler and flood, depending on the field.

STATE OF SOUTH DAKOTA) SS
County of Butte

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, Robert A. Christofferson, 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 Robert A. Christofferson

Subscribed and sworn to before me this 24th day of July 20 02

Mary J. Espeseth
Notary Public signature

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 9" Depth 1,000' 6" hole 1000' to 1076'
- b) Casing Type Steel Diameter 7" Thickness 23 lb/ft
- c) Screen Type Completion Diameter _____ Thickness _____
Report
- d) Gravel Pack Attached Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 1030
- f) Depth to Water (ground surface to water level) 1030
- g) Distance to nearest existing domestic well:
On applicants property 2,100 feet On property owned by others 2,800 feet

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

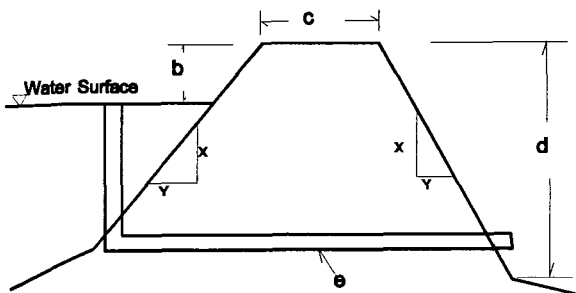
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO. 417255

Pierre, JULY 29, 20 02

RECEIVED OF Bennett Main Bailey & Gubbrud PC, 618 State St., Belle Fourche SD 57717
the following amount in fees for services rendered as provided for by law: Robert A Christofferson

Fee for Application for Permit No. 1776-1 to Appropriate Water, to construct
and to put water to beneficial use _____

250 00

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. 1776-1 _____

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

300 00

By

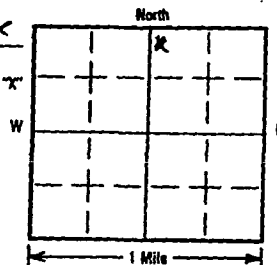
Darland Eide
Chief Engineer
gm

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW 1/4 NE 1/4 Sec. 18 Twp. 7N Rg. 2ECounty Lawrence

Please mark well location with an "X"

Well Completion Date 11-29-99

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.): 1500 ft. from Septic Tank (Identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

POTARY

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>23 LB/FT</u>	<u>7 IN</u>	<u>0 FT</u>	<u>1000 FT</u>	<u>9 IN</u>
<u>LB/FT</u>	<u>IN</u>	<u>FT</u>	<u>FT</u>	<u>IN</u>
<u>LB/FT</u>	<u>IN</u>	<u>FT</u>	<u>FT</u>	<u>IN</u>

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>CEMENT</u>	<u>246</u>	<u>lb./gal</u>	<u>0</u>	<u>ft. 1000 ft</u>
		<u>lb./gal</u>	<u>ft.</u>	<u>ft.</u>

Describe grouting procedure 6 gal water to 1 sack cement
Mixed by CLOVELL Ready Mix
Pumped in pipe by G&P Drilling
Weatherford Check and H&H Burton
Cement Pipe

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information open hole from 1000'
to 1076 FT. 6"WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION:

Was well disinfected upon completion? ☒ YES, How: 19/6/99
_____, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Robert Christofferson

Business Name: _____

Address: 530 State
Speerfish SD 57783

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>SUNDANCE</u>	<u>0</u>	<u>50</u>
<u>RED BEDS</u>	<u>50</u>	<u>900</u>
<u>WHITE CHALKY CLAY</u>	<u>900</u>	<u>1008</u>
<u>RED BEDS</u>	<u>1008</u>	<u>1000</u>
<u>MINNIEUSA</u>	<u>1030</u>	<u>1076</u>

STATIC WATER LEVEL Flowing _____ FeetIf flowing: closed in pressure 32# _____ PSIGPM flow 300 through 7" _____ inch pipeControlled by ☒ Valve ☐ Reducer ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? Yes

WELL TEST DATA:

☐ Pumped Describe: _____
☐ Bailed _____
☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

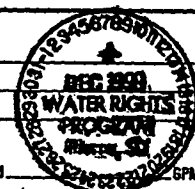
REMARKS has slight self set odor
lots fine sand 48 ft. bed
1/2 portionThis well was drilled under license # 327

And this report is true and accurate.

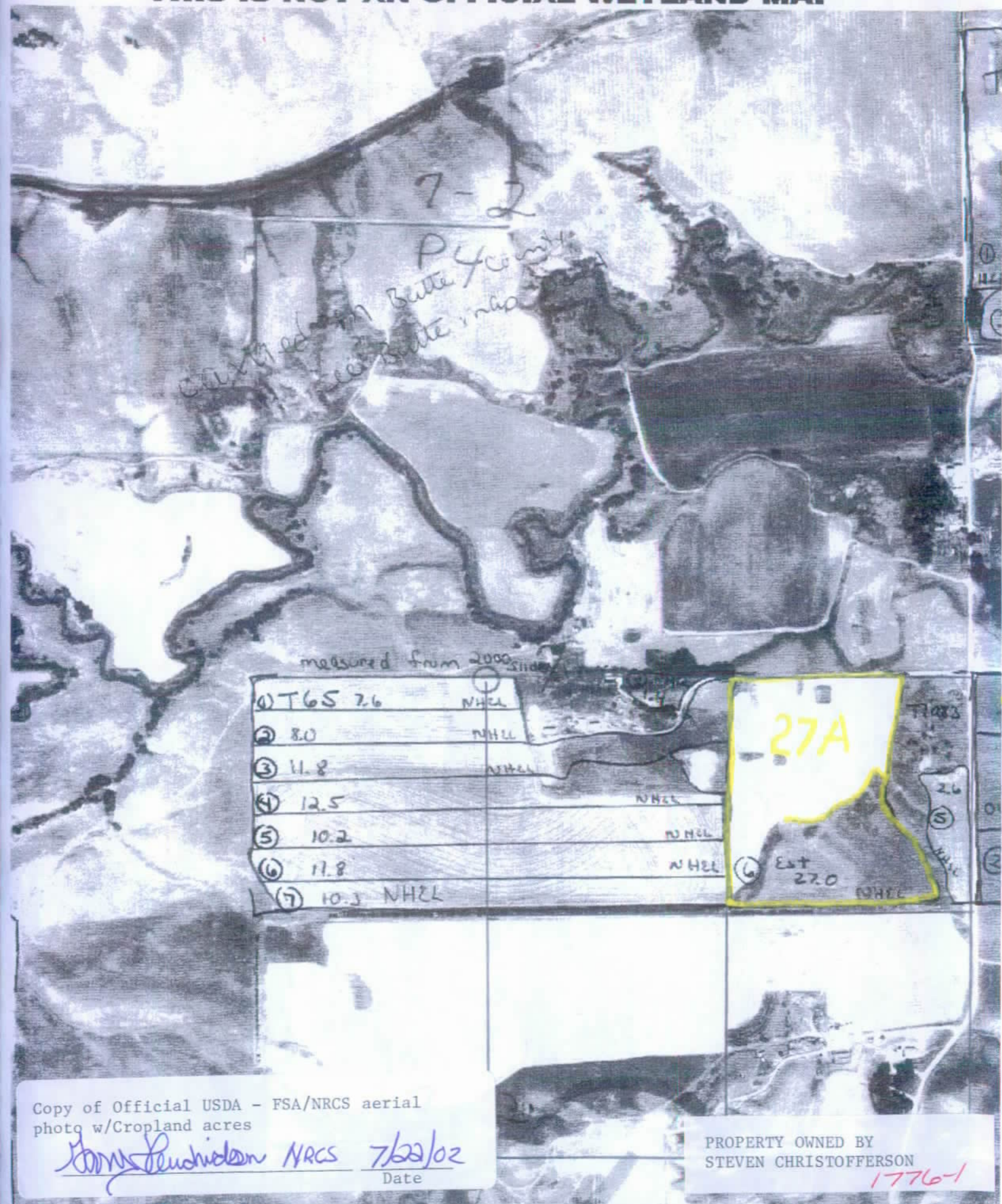
Drilling firm G&P Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 11-30-99

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



Copy of Official USDA - FSA/NRCS aerial
 photo w/Cropland acres

Thomas Lewandowski NRCS 7/22/02
 Date

PROPERTY OWNED BY
 STEVEN CHRISTOFFERSON

1776-1

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



Copy of Official USDA - FSA/NRCS aerial
photo w/ Cropland acres.

Bob Christofferson NRCS 7/22/02
Date

PROPERTY OWNED BY
ROBERT CHRISTOFFERSON 177601



BLACK HILLS SURVEYING, INC.

P.O. BOX 408
SPEARFISH, SD 57783
PHONE (605)642-8133

WELL LOCATION EXHIBIT

PREPARED FOR: BOB CHRISTOFFERSON

DATE: 4-20-01

SCALE: 1"=1000 FEET

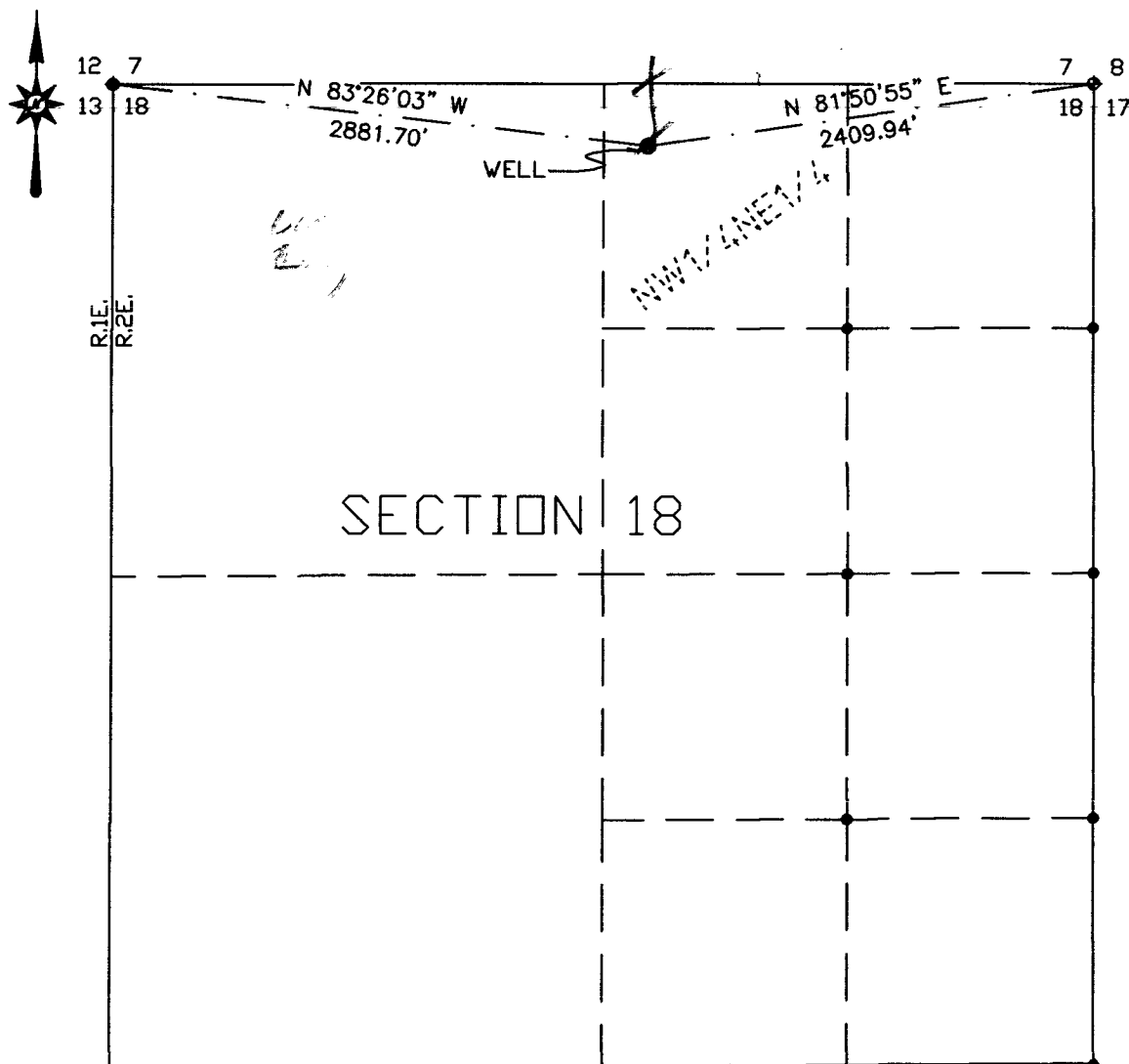
DRAWN BY: VKP

JOB NO: 01-1090

DWG: WELL.DWG

LEGAL:

NW1/4NE1/4 SECTION 18,
TOWNSHIP 7 NORTH, RANGE 2 EAST,
BLACK HILLS MERIDIAN,
LAWRENCE COUNTY, SOUTH DAKOTA.



1776-1

LAW OFFICES OF
BENNETT, MAIN & GUBBRUD
A PROFESSIONAL CORPORATION
618 STATE STREET
BELLE FOURCHE, SOUTH DAKOTA 57717-1489
TEL (605) 892-2011
FAX (605) 892-4084
Email: bellelaw@bellelaw.com

MAX S. MAIN*
DWIGHT A. GUBBRUD

*ALSO LICENSED IN WYOMING

RETIRED
DONN BENNETT

July 26, 2002

RECEIVED
JUL 29 2002
WATER RIGHTS
PROGRAM

Dept. of Natural Resources & Conservation
Water Rights Program
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

**RE: Christofferson Application for Permit to Appropriate Water for
Irrigation; Our File #3895.001002.**

Dear Water Rights Program:

Enclosed please find the following filed on behalf of Robert A. Christofferson
for a permit to appropriate water for irrigation:

1. Form 2, Application for Permit to Appropriate Water for Irrigation;
2. Form 2A, Supplemental Information;
3. Well Location Exhibit;
4. South Dakota Water Well Completion Report;
5. Copy of USDA-FSA/NRCS aerial photo showing property owned by Steven Christofferson;
6. Copy of USDA-FSA/NRCS aerial photo showing property owned by Robert Christofferson; and
7. Our check in the amount of \$300 for the filing fee.

If you need additional information to process this application, please advise.
Thank you for your assistance.

Sincerely,

BENNETT, MAIN & GUBBRUD, P.C.



Mary J. Espeseth, Legal Assistant

MM/mje

Encs.

cc: Client (letter only)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

December 14, 1999

Robert Christofferson
530 State
Spearfish SD 57783

Dear Mr. Christofferson:

A well drillers report filed with us by Graf Drilling states you have recently completed a new well. We are writing to provide you with general information.

1. Any flowing well must be controlled by the owner to produce only the amount of water needed and to prevent waste.
2. Following completion of any new well for domestic use, a water quality sample must be collected and submitted to a laboratory approved by the department. If the well flows or if the well driller installs the pump, the well driller is required to collect and submit the water quality sample. If the pump is not installed by the well driller, the owner must collect and submit the water sample. At a minimum, the water sample needs to be analyzed for nitrate, coliform bacteria, sodium, conductivity and sulfate. Other contaminants may be analyzed for at the option of the well owner or driller. The completed analysis must be submitted to the department within thirty days after the submittal of a well completion report. The owner or well driller pays for the cost of all analyses.
3. A water permit must be obtained for any water use except for reasonable, private domestic use. Reasonable domestic use is defined as use of less than 25,920 gallons per day, with a maximum rate not to exceed 25 gallons per minute. Households, farms and ranches that exceed reasonable domestic use require a water permit.

In a phone conversation with Jim Goodman, engineer with this office, you indicated you may use this well for irrigation. Enclosed are application forms and an instruction sheet to apply for a water permit

If you have any questions, please contact Jim Goodman or me. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

WATER PERMIT APPLICATION NO. 1776-1
ROBERT A CHRISTOFFERSON
SEPTEMBER 24, 2002

Water Permit Application No. 1776-1 proposes to appropriate 0.67 cubic feet of water per second (cfs) from one well (Minnelusa Formation) 1076 feet deep located in the NW¼ NE¼ Sec. 18, T7N-R2E. The water will be used to irrigate 141.2 acres located in the N ½ NE¼, NE¼ NW¼ Sec. 18; S ½ SE¼, NE¼ SE¼, SE¼ SW¼ Sec. 7; all in T7N-R2E.

AQUIFER: Minnelusa aquifer (MNLS)

GENERAL:

The Minnelusa Formation consists of alternating beds of sandstone and dolomitic limestone with lesser amounts of shale and chert, approximately 500 feet thick in this area (Carter and Redden, 1999a; Carter and Redden, 1999b). The Minnelusa Formation outcrops approximately six miles south of this site (Strobel and others, 1999) and the top of the formation is reported to be 1030 feet below grade at this well. The porous portions of the formation form the Minnelusa aquifer. Well sorted sand lenses have porosity's approaching 25%, but generally the sands have porosity's of 10%. The average porosity of the Minnelusa is estimated to be 10% and the effective porosity is assumed to be 5% (Rahn, 1979). The Minnelusa formation underlies virtually all of western South Dakota and the Minnelusa aquifer contains over 755 million acre-feet of recoverable water in storage (Allen, 1984). The Minnelusa aquifer underlies approximately 199,680 acres of Lawrence County and contains an estimated 5,591,040 acre-feet of recoverable water in storage in the county (Allen, 1984). Ground water movement in the aquifer is probably toward the north and east (Strobel, 2000). There is no aquifer-test data available for the Minnelusa aquifer at this site; therefore, the aquifer transmissivity and storage coefficient values are unknown. Estimates from regional studies of the aquifer indicate the aquifer transmissivity may range from 30 to 1000 ft²/d, and the storage coefficient ranges from 6.6×10^{-5} to 2×10^{-4} (Kyllonen, 1987). The water quality of the aquifer is generally good near the outcrop but deteriorates considerably with distance from the recharge area. The aquifer is under artesian conditions and this well reportedly flows 300 gpm and has a shut in pressure of 32 psi.

WATER AVAILABILITY:

The availability of unappropriated water from an aquifer can be evaluated by considering SDCL 46-6-3.1. This statute requires that an application to appropriate groundwater can not be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of average estimated annual recharge.

Recharge to the Minnelusa aquifer is primarily from infiltration of precipitation on the outcrop and stream flow losses. Average annual recharge from 1931-1998 is estimated to be approximately 112,000 acre-feet per year (Carter and Driscoll, 2001a).

There are reports of declines of the potentiometric surface of the Minnelusa aquifer in this area since the first wells were completed. Although Cox, (1962), alluded to poor well

construction as one reason some wells were experiencing decreased flow and/or pressure, he did report that "a serious overdraft" [withdrawals exceed recharge] of the Minnelusa aquifer exists in the Spearfish-Belle Fourche area.

The Water Rights Program monitors 23 observation wells completed into the Minnelusa aquifer in the Black Hills area. Water Rights Observation Well LA-62A is located approximately three miles east of this well. The hydrograph for this well, figure 1, shows the aquifer responds to climatic conditions, and that for the period of record withdrawals have not exceeded recharge.

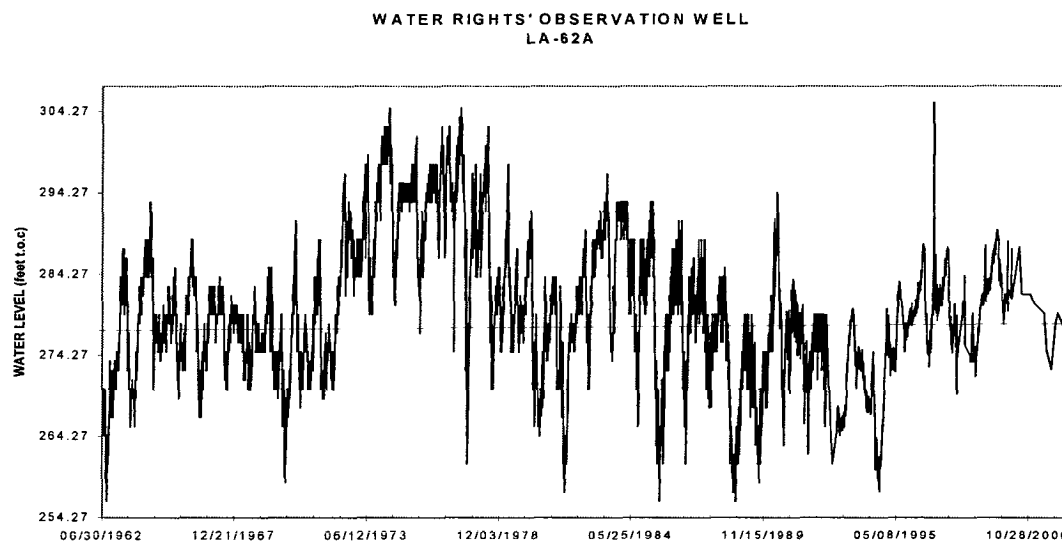


Figure 1. Hydrograph of Water Right's Observation Well LA-62A located approximately three miles east of the well to be used by 1776-1

Measurements taken from Water Rights' Observation wells suggest the system has established local equilibrium, as indicated by relatively constant water levels since 1963 (Water Rights, 2002c). Long term water-level declines are not apparent from hydrographs of any of these observation wells. The observation well data suggests that at the existing level of development, the aquifer is capable of sustaining additional withdrawals.

There are 175 Water Rights/Permits that appropriate water from the aquifer in South Dakota. There are 50 permits/rights appropriating water from the Minnelusa aquifer in Lawrence County (Water Rights, 2002c), where the aquifer is used primarily for suburban housing development, commercial, municipal and irrigation use. There are 23 irrigation permits/rights from the Minnelusa Aquifer in Lawrence County; most of these are located just north of Spearfish. Since 1987, the average annual pumpage reported for irrigation has been about 1,500 acre-feet per year. As much as 2,591 acre-feet in 1988 and as little as 579 acre-feet in 1993 was pumped from the Minnelusa in Lawrence County (Water Rights, 2002b). This irrigation usage may explain the atypical highs and lows on area observation well hydrographs. In addition, Future Use Permit No. 969-1, Black Hills State University, reserves 96 acre-feet annually. There are a number of domestic wells completed into the Minnelusa aquifer on file with the Water Rights Program (Water Rights, 2002a).

There are four Water Rights appropriating water from the Minnelusa aquifer within two miles of this well site. The nearest appropriation, Water Right No. 660-1, John/Brenda Swanson is approximately three quarters of a mile west of this site. Although there may be interference between these two wells, the impact of pumping should not be adverse or an unlawful impairment of the existing water right.

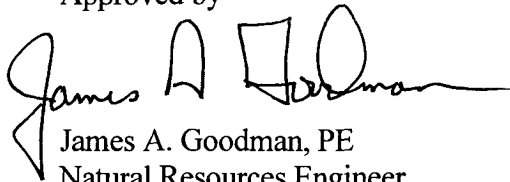
CONCLUSIONS:

1. The Minnelusa Aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. The Minnelusa is under artesian conditions and drawdown due to this diversion can be expected. This drawdown is not expected to adversely affect adequate wells in the area.
3. The Completion Report submitted with this application indicates the existing well has been constructed in compliance with the SD Well Construction Standards.
4. This is a flowing well that must be valved and controlled to the amount of water needed to prevent waste.



Ken Buhler
Natural Resources Engineer

Approved by



James A. Goodman, PE
Natural Resources Engineer

REFERENCES:

- Allen, J.C., Iles, D.L., and Petres, A.K., 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, Task 3 and 4: Groundwater Resource Inventory: South Dakota Department of Water and Natural Resources,
- Carter, J.M., and Driscoll, D.G., 2001, Estimated Recharge to the Madison and Minnelusa Aquifers in the Black Hills Area, South Dakota and Wyoming, Water Years 1931-98: U.S. Geological Survey Water-Resources Investigations Report 00-4278

- Carter, J.M., Redden J.A., 1999a, Altitude of the Top of the Minnelusa Formation in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-744-C,
- Carter, J.M., Redden J.A., 1999b, Altitude of the Top of the Madison Limestone in the Black Hills Area, South Dakota: U.S. Geological Survey: Hydrologic Investigations Atlas HA-744-D,
- Cox, E.J., 1962, Artesian Water, Minnelusa and Pahasapa Formations, Spearfish-Belle Fourche Area: South Dakota Geological Survey, Special Report 19,
- Kyllonen, D.P., Peter, K., 1987, GeoHydrology and Water Quality of the Inyan Kara, Minnelusa, and Madison Aquifers of the Northern Black Hills, South Dakota and Wyoming, and Bear Lodge Mountains, Wyoming: U.S. Geological Survey, Water Resources Investigations Report 86-4158
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, US Army Corps of Engineers, Draft Report-Final
- Strobel, M.L., Jarrell, G.J., Sawyaer, J.F., Schleicher, J.R., Fahrenbach, M.D., 1999, Distribution of Hydrogeologic Units in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-744-C
- Strobel, M.L., Galloway, J.M., Hamade, G.R., Jarrell, G.J., Potentiometric Surface of the Minnelusa Aquifer in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-745-C
- Water Rights Program, 2002a, "Domestic Well Log Files" DENR-Water Rights Program,
- Water Rights Program, 2002b, "Irrigation Report by County" DENR-Water Rights Program,
- Water Rights Program, 2002c, "Observation Well Files" DENR-Water Rights Program
- Water Rights Program, 2002d, "Water Permit Files" DENR-Water Rights Program,



**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. 1776-1, Robert A. Christofferson**

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. 1776-1, Robert A. Christofferson, 530 State, Spearfish SD 57783.

The Chief Engineer is recommending APPROVAL of Application No. 1776-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

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 approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
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
October 1, 2002



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

October 2, 2002

Robert A Christofferson
530 State
Spearfish SD 57783

Dear Mr. Christofferson:

Water Permit Application No. 1776-1 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 Black Hills Pioneer printed at Spearfish, SD (Ph # 605-642-2761). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

cc: Max Main

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

October 2, 2002

Black Hills Pioneer
PO Box 7
Spearfish SD 57783-0007

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 1776-1 to Appropriate Water to be published twice. Please publish the first notice on October 9, 2002 with the second publication 7 days later.

The applicant must verify to you that the notice is to be published, before you make the first publication **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Robert A. Christofferson, 530 State, Spearfish SD 57783 (Ph # 605-642-3340).

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. 1776-1

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

Date _____

We are in receipt of your letter of October 1, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 1776-1 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on October 9, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1776-1 to Appropriate Water

Notice is given that Robert A. Christofferson, 530 State, Spearfish SD 57783 has filed an application for a water permit to appropriate 0.67 cubic feet of water per second from one well (Minnelusa Formation) 1076 feet deep located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18 to irrigate 141.2 acres located in the N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18; S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7; all in T7N-R2E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1776-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 28, 2002.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Lawrence) SS

I, Shirley Rehm

certify that the attached printed Notice was taken

from the Black Hills Pioneer

printed and published in Spearfish

County of Lawrence and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

October 9, 2002

October 16, 2002

Cost of Printing \$ 37.80

Shirley Rehm
 (Signature)

Accts Receivable Clerk
 (Title)

10/16/02
 (Date Signed)

NOTICE OF
 APPLICATION
 NO. 1776-1 to
 Appropriate Water

Notice is given that Robert A. Christofferson, 530 State, Spearfish SD 57783 has filed an application for a water permit to appropriate 0.67 cubic feet of water per second from one well (Minnelusa Formation) 1076 feet deep located in the NW 1/4 NE 1/4 Section 18 to irrigate 141.2 acres located in the N 1/2 NE 1/4, NE 1/4 NW 1/4 Section 18; S 1/2 SE 1/4, NE 1/4 SE 1/4, SE 1/4 SW 1/4 Section 7; all in T7N-R2E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1776-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building,

523 E Capitol, Pierre SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 28, 2002.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

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

#657
 Oct. 9, 16

RECEIVED

OCT 17 2002

WATER RIGHTS
 PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Robert A Christofferson
530 State
Spearfish SD 57783

Dear Mr. Christofferson:

Enclosed is Water Permit No. 1776-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

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

Sincerely,

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

enclosures



1776-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2007

NOTICE

TO: ROBERT A CHRISTOFFERSON, 530 STATE ST, SPEARFISH, SD 57783

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1776-1. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1776-1 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1776-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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

1776-1

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Label/Receipt Number: **2301 3460 0000 8516 2395**Status: **Delivered**

Your item was delivered at 1:19 PM on January 27, 2007 in SPEARFISH, SD 57783. The item was signed for by C CHRISTOFFERSON.

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SIGNATURE CONFIRMATION NUMBER: 2301 3460 0000 8516 2395	P		ROBERT A CHRISTOFFERSON		P.	
	530 STATE ST					
	SPEARFISH SD 57783					
		Walver of Signature		☐ YES	☐ NO	
		Postmark Here				
				POSTAL CUSTOMER: Keep this receipt. For inquiries: Access internet web site at www.usps.com or call 1-800-222-1811		
				CHECK ONE (POSTAL USE ONLY)		
				☐ Priority Mail®		
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PS Form 3847, July						



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www.state.sd.us/denr

January 31, 2007

1776-1

Robert A Christofferson
530 State St
Spearfish SD 57783

Dear Mr. Christofferson:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Permit No. 1776-1.

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

If you have any questions, please contact me.

Sincerely,

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

Permit No. 1776-1

X 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, **29 August 2007**, made a thorough examination of the water use system constructed by **Robert A. Christofferson** of **530 State, Spearfish, SD. 57783** holder of Permit No. **1776-1**, bearing the priority of **29 July 2002** authorizing the diversion of **0.67** cu. ft. per second of the waters of **the Minnelusa Formation** for **irrigation** purposes, in **Lawrence** County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Graf Drilling**
- 2) No. of Wells **1**
- 3) Depth **1076** feet
- 4) Well log is available **Y**
- 5) Comment: **Well is producing water under artesian conditions**

Casing:

- 1) Diameter **7** inches
- 2) Length **1000** feet
- 3) Type **steel**

Screen:

- 1) Type **none**
- 2) Static water level **0** feet

Pump:

- 1) Make **Berkeley**
- 2) Model **B3JRMBMCW**

Motor:

- 1) Make **Chrysler**
- 2) Model No. **G4403745150**

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

- 1) Type **Aluminum**
- 2) Size **6** inches

C. Works used to apply water to beneficial use:

Alternates between a sprinkler system and flood system depending on which field Mr. Christofferson is irrigating

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: none

The system is in good condition with the point(s) of diversion located as follows: NW ¼ NE ¼ Sec18-T7N-R2E, approximately 2371 feet west and 240 feet south of the northeast corner of Sec18-T7N-R2E, N 44.57516 Latitude and W -103.91976 Longitude. The works are capable of diverting and conveying to the place of use 0.67 cu. ft. per second of water of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

All in T7N-R2E

NE ¼ NW ¼ Section 18	3.9 acres
NW ¼ NE ¼ & NE ¼ NW ¼ Section 18	27 acres
SE ¼ SW ¼ & SW ¼ SE ¼ Section 7	60 acres
SE ¼ SE ¼ Section 7 & NE ¼ NE ¼ Section 18	23.3 acres
NE ¼ SE ¼ Section 7	27 acres

comprising a total of 141.2 acres of land and the license should be issued for 0.67 cfs.

All structures, wells and lands on map Y



Mark Costello
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: 13 September 2007

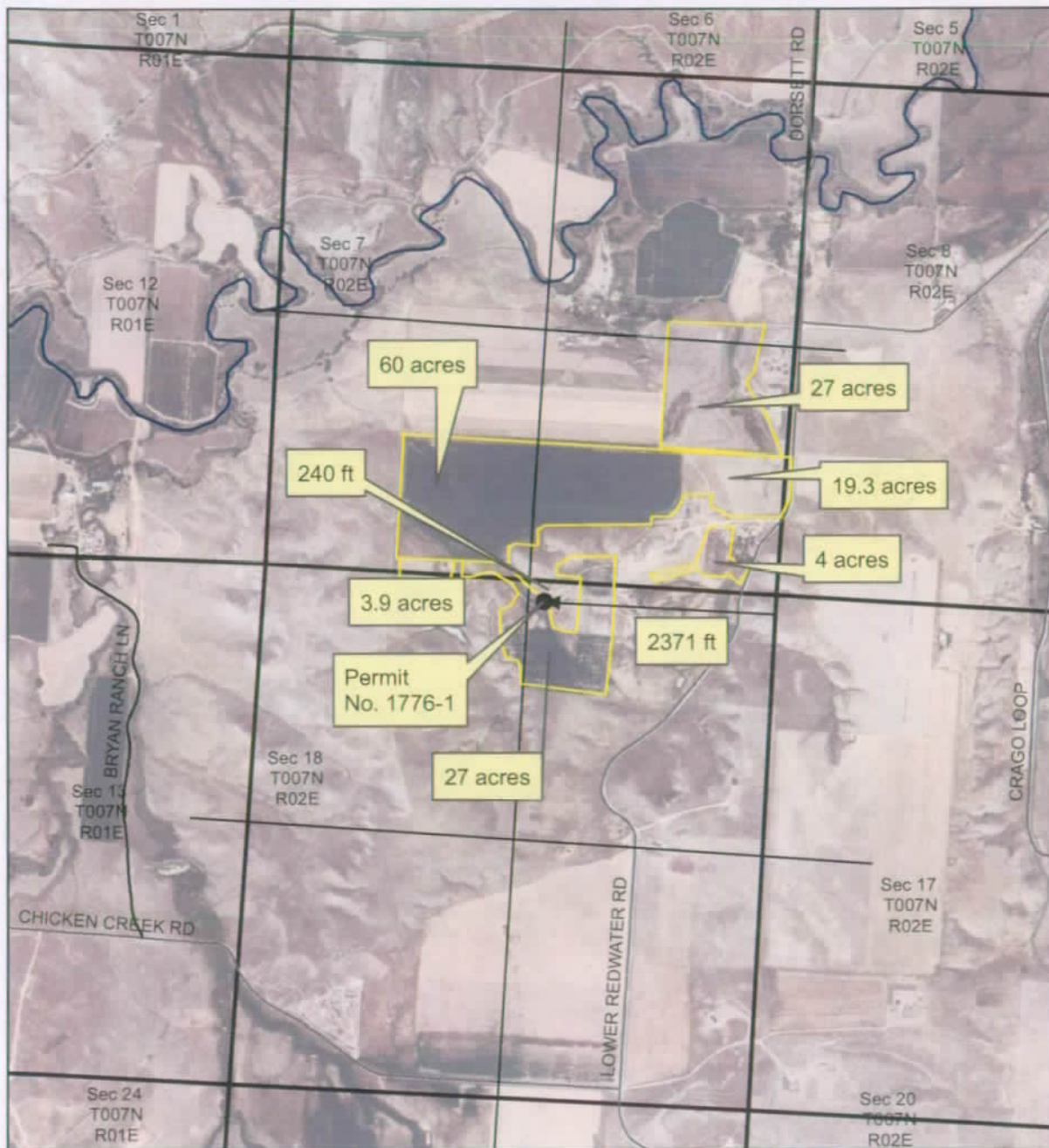


South Dakota

1776-1

Robert Christofferson
530 State
Spearfish, SD. 57783

South Dakota Department of
Environment and Natural Resources



Mark Costello

Mark Costello
Natural Resources Engineer
DENR, Water Rights
13 September 2007

0 500 1,000 2,000 3,000 4,000
Feet

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1776-1**

(1) Robert A Christofferson, 530 State, Spearfish SD 57783 made Application No. 1776-1, July 29, 2002 for a water permit to divert 0.67 cubic feet of water per second from ground water (one well – Minnelusa Formation), Lawrence County, South Dakota for irrigation purposes. Permit No. 1776-1, with a priority date of July 29, 2002 was approved October 28, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 28, 2007 and for the application to beneficial use of said water on or before October 28, 2011.

(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 0.67 cubic feet of water per second for beneficial use. The location of the diversion point is 2,371 feet west and 240 feet south of the NE corner of Section 18, T7N, R2E (NW ¼ NE ¼).

(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 **141.2 acres** described below – **all in T7N, R2E**

Section 18	NE ¼ NW ¼	3.9 acres	Section 7	SE ¼ SW ¼	60.0 acres
				SW ¼ SE ¼	
Section 18	NW ¼ NE ¼	27.0 acres			
	NE ¼ NW ¼				
Section 7	SE ¼ SE ¼	23.3 acres	Section 7	NE ¼ SE ¼	27.0 acres
Section 18	NE ¼ NE ¼				

(4) Pursuant to South Dakota Water Law 46-5-30.1 Robert A Christofferson, 530 State, Spearfish SD 57783 the holder and/or owner of Water Right No. 1776-1 is issued a license to appropriate water, the right to use 0.67 cubic feet of water per second from ground water (one well – Minnelusa Formation) with a priority date of July 29, 2002 from the location specified in (2) of this license. The water is used to irrigate the lands described in (3) of this license.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1776-1 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 approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

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

OCT 19 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

OCT 19 2007

1776-1

Robert A Christofferson
530 State
Spearfish SD 57783

Dear Mr. Christofferson:

Enclosed is Water License No. 1776-1. This is the final water right document completing your process of obtaining a Water Right. Included with your water license is a map of the project area prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1776-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

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

enclosures



1776-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: ROBERT A CHRISTOFFERSON, 530 STATE ST, SPEARFISH, SD 57783

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1776-1. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1776-1 qualification:

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

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

1. Suspend or cancel Permit No(s) 1776-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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



1776-1

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Status: **Delivered**

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Signature Confirmation

Signature Confirmation Number: 2303 2160 0000 0802 2694

ROBERT A CHRISTOFFERSON
530 STATE ST
SPEARFISH SD 57783

Waiver of Signature ☐ YES ☐ NO

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Access internet web site at
www.usps.com
or call 1-800-222-1811

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 29, 2008

1776-1

Robert A Christofferson
530 State St
Spearfish SD 57783

Dear Mr. Christofferson:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 1776-1.

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

If you have any questions, please contact me.

Sincerely,

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



1776-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: ROBERT A CHRISTOFFERSON, 530 STATE ST, SPEARFISH, SD 57783

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

A handwritten signature in black ink, appearing to read "Ron Duvall".

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s) .

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1776-1. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1776-1 qualification:

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

The hearing will be held at **10:00 am, March 10, 2010** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1776-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq/asp>

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

[Track & Confirm](#)[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 8603

Service(s): Signature Confirmation™

Status: Delivered

Your item was delivered at 12:09 PM on January 23, 2010 in SPEARFISH, SD 57783. The item was signed for by J CHRISTOFFERSON.

Detailed Results:

- Delivered, January 23, 2010, 12:09 pm, SPEARFISH, SD 57783
- Out for Delivery or Available at PO Box, January 23, 2010, 8:29 am, SPEARFISH, SD 57783
- Sorting Complete, January 23, 2010, 7:59 am, SPEARFISH, SD 57783
- Arrival at Post Office, January 23, 2010, 5:43 am, SPEARFISH, SD 57783

Notification Options

Track & Confirm by email

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

Proof of Delivery

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

Track & Confirm

Enter Label/Receipt Number.

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No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 8603

ROBERT A CHRISTOFFERSON
530 STATE ST
SPEARFISH SD 57783

Waiver of Signature ☐ YES ☐ NOPostmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

PS Form 3823, May 2002

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 2010

1776-1

Robert A Christofferson
530 State St
Spearfish SD 57783

Dear Mr. Christofferson:

I am writing to acknowledge receipt of your 2009 irrigation questionnaire. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 1776-1.

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

If you have any questions, please contact me.

Sincerely,

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



1776-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

December 16, 2021

1776-1

Kyle & Lucy Conklin
811 Saint Joe St
Spearfish SD 57783

Dear Mr. & Mrs. Conklin:

Thank you for sending in the 2021 irrigation questionnaire for Water Right No. 1776-1.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and make any necessary changes. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

As you requested, I am including a copy of the water right and map for your records. If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

1776-1

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date December 22, 2021

RECEIVED OF Lucy/Kyle Conklin 811 Saint Joe St., Spearfish SD 57783

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	\$ _____
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>1776-1</u>	\$ <u>50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	\$ <u>50.00</u>

By Eric Gronlund
Chief Engineer
VM

PAID

DEC 22 2021

Ck# 6094

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

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

DEC 22 2021

WATER RIGHTS
PROGRAM

No. 1776-1

Date: 12/19/21

I/We request that Water Right No. 1776-1

formerly owned by: Robert A Christofferson

RECEIVED

DEC 22 2021

be transferred to: (name & address) Kyle & Lucy Conklin

WATER RIGHTS
PROGRAM

811 Saint Joe St, Spearfish SD 57783

Telephone No. 605 580-6006

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

141.2 acres located in the N ½ Section 18 and S ½ Section 7, T7N, R2E

I/We understand that the validity of Water Right No. 1776-1 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 Kyle and Lucy Conklin, 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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

December 28, 2021

1776-1

Kyle & Lucy Conklin
811 Saint Joe St
Spearfish SD 57783

Dear Mr. & Mrs. Conklin:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 1776-1.

The ownership change has been completed. Water Right No. 1776-1 formerly held by Robert A Christofferson is now listed in your names.

Enclosed is a receipt for the filing fee you paid. If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosure

1776-1



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: KYLE & LUCY CONKLIN, 811 SAINT JOE ST, SPEARFISH, SD 57783
FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1776-1. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1776-1 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1776-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: NBGPJN**

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

1776-1



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 25, 2023

1776-1

Kyle & Lucy Conklin
811 Saint Joe St
Spearfish SD 57783

Dear Mr. & Ms. Conkling:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 1776-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 19, 2024

NOTICE

TO: KYLE & LUCY CONKLIN, 811 SAINT JOE ST, SPEARFISH, SD 57783

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1776-1. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1776-1 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1776-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: TLEVEB**

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



1776-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 22, 2024

1776-1

Kyle & Lucy Conklin
811 Saint Joe St
Spearfish SD 57783

Dear Mr. & Ms. Conklin:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 1776-1. The information was received prior to the March 6, 2024, Water Management Board meeting and your name has been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

