

WATER PERMIT NO. 1842-1

Name of Applicant: ^C~~Tom~~ **Davis**

Address: **11022 Davis Rd, Belle Fourche SD 57717**

Phone: **605 892-2217**

Amount of Water Claimed: **0.44 cfs**

Total Acres: **330**

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

Water to be used for: **irrigation**

County: **Butte**

Type of Waste Disposal System:

Location: **9 miles north of Belle Fourche**

PRIORITY

Date Received: **4-5-05**

Application/License Fee: **\$300**

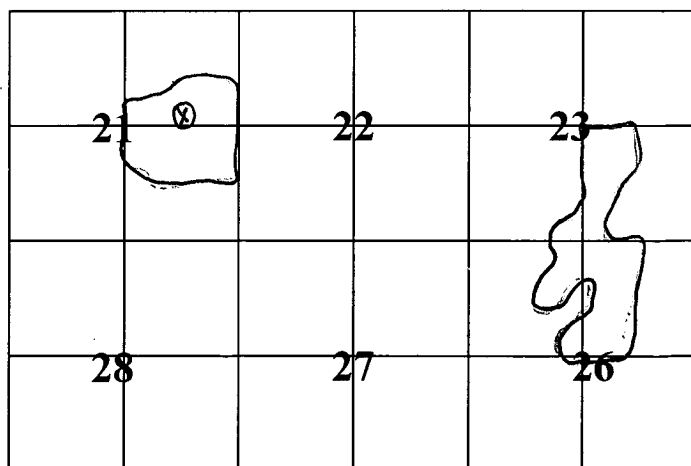
Corrected Application Received:

Period of Annual Use: **June 1 – August 31**

Remarks:

Diversion Point: **SE ¼ NE ¼ Sec 21-T10N-R2E**

Land to be Irrigated: **S ½ NE ¼, N ½ SW ¼, Sec 21, W ½ SE ¼, SE ¼ SW ¼ Sec 23, N ½ NW ¼, W ½ NE ¼ Sec 26; all in T10N-R2E**



Depth of Well: **4181 feet deep**

Well Driller: **Tyvo, LLC**

Remarks:

Type of Map: **aerial**

Prepared by: **Thomas G Quinn, NRCS**

Reviewed and the Number Assigned on: **4-6-05**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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>1842-1</u>	(office use only) Hydrologic Unit <u>10120202</u>
	Basin <u>Belle Fourche River</u>	
	Newspaper <u>Belle Fourche Bee/Post</u>	

RECEIVED
APR - 5 2005
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.) _____

- Name of Applicant Tom C. Davis Phone 605-892-2217
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 11022 Davis Rd., Belle Fourche State SD 57717
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.44 *CFS or 200 **GPM ***AF Total Acreage 330
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Deep Well into Madison aquifer
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Well in SE 1/4 of NE 1/4 Section 21-T10N-R2E
County Butte
- County or counties where water will be used Butte
- Annual period during which water is to be used June¹ - August 31
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>S 1/2 NE 1/4 21-10N-2E</u>	<u>80</u>		
<u>N 1/2 SW 1/4 21-10N-2E</u>	<u>80</u>		
<u>W 1/2 SE 1/4 23-10N-2E SE 1/4 SW 1/4</u>	<u>70</u>		
<u>SE 1/4 NW 1/4 and W 1/2 NE 1/4 26-10N-2E</u>	<u>100</u>		

8. Give a description of the project. (Attach sheet if more space is needed) This application is to use water from an existing Madison aquifer well, for irrigating hay and pasture on identified areas. Current use of well is for livestock water only. If approved, irrigation would be with traveling gun.

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, Tom C Davis, 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 Tom C Davis

Subscribed and sworn to before me this 22 day of June 20 04

Donna Webb
Notary Public signature
mycommissionexpires 9-33-2009.

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 4½" - 9⅞" Depth 4181'
- b) Casing Type steel Diameter 2⅞" - 7" Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 3750'
- f) Depth to Water (ground surface to water level) Flowing well
- g) Distance to nearest existing domestic well:
- On applicants property 2 mi. On property owned by others _____

2. Wastewater Disposal System Information

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

3. Dugout Information

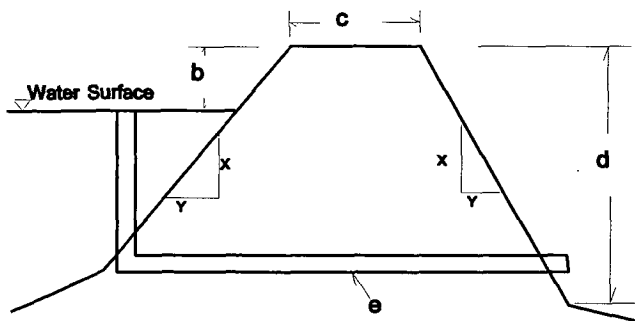
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

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:

NA



- 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

**SOUTH DAKOTA
WATER PERMIT NO. 1842-1**

Date of first receipt of application April 5, 2005.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1842-1 to Tom C. Davis, 11022 Davis Rd, Belle Fourche SD 57717 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. 1842-1 appropriates 0.44 cubic feet of water per second from one existing well completed into the Madison aquifer (4181 feet deep) located in the SE ¼ NE ¼ Section 21 to irrigate 330 acres located in the S ½ NE ¼, N ½ SE ¼, Section 21, SE ¼ SW ¼, W ½ SE ¼ Section 23, N ½ NW ¼, W ½ NE ¼, SE ¼ NW ¼ Section 26; all in T10N-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: June 1 – August 31.
3. The date from which applicant may claim right is April 5, 2005.
4. The date of approval of Permit No. 1842-1 is July 11, 2005.
5. One-fifth of the construction is to be completed on or before January 11, 2008.
6. All construction is to be completed on or before July 11, 2010.
7. Water is to be put to beneficial use on or before July 11, 2014.
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. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1842-1 is issued for a 20-year term. Pursuant to SDCL 46-2A-21, the 20-year term may be deleted at any time during the 20-year period or following its expiration. If the 20-year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 1842-1 may also be cancelled for nonconstruction, forfeiture, abandonment, or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1 and ARSD 74:02:01:37.
2. 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.
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

JUL 29 2005

date



SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NE 1/4 NE 1/4 Sec 21 Twp 10N Rg 2ECounty Butte

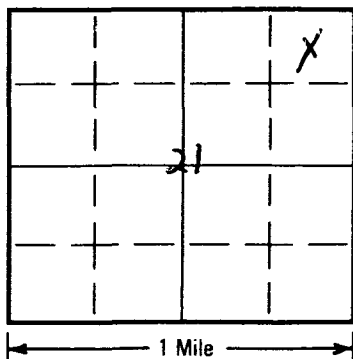
North

Please mark well location with an "X"

W

E

Well Completion Date

12-15-03

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? _____ ft. from _____ (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

ROTARYCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>20 LB/FT</u>	<u>7 IN</u>	<u>0 FT</u>	<u>985 FT</u>	<u>9 7/8 IN</u>
<u>15.5 LB/FT</u>	<u>5.5 IN</u>	<u>985 FT</u>	<u>3765 FT</u>	<u>7 7/8 IN</u>
<u>6.5 LB/FT</u>	<u>2 7/8 IN</u>	<u>3685 FT</u>	<u>4181 FT</u>	<u>4 1/2 IN</u>

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>LITE</u>	<u>550</u>	<u>12.8 lb./gal</u>	<u>_____ ft.</u>	<u>_____ ft.</u>
<u>G</u>	<u>110</u>	<u>15.7 lb./gal</u>	<u>3765 ft.</u>	<u>1150 ft.</u>
<u>G</u>	<u>360</u>	<u>15.7</u>	<u>1134</u>	<u>0</u>

Describe grouting procedure

PRESSURE METHODSCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 2 7/8 TB6 IN Length 3685 - 4181 FEETMaterial STEELSlot Size _____ Set From 4055 Feet to 4080 FeetOther information Jet perforated ISPPWAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

YES, How: _____

Laboratory sent to for water quality analysis

X NO, Why Not? FlowingWell Owner: Tom Davis

Business Name: _____

Address: HCR 64 Box 38
Belle Fourche, SD 57717

WELL LOG:

DEPTH

FORMATION

FROM

TO

Minnehaha32233265Minnelusa3367MADISON3750See Electric log

STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure 240 PSIGPM flow 200 through VAIVE on 7" inch pipeControlled by ☒ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? YES

WELL TEST DATA:

☐ PumpedDescribe: Flow Test☐ BailedOpen Flow☒ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

JAN 05 2004

This well was drilled under license # 205 WATER RIGHTS PROGRAM

And this report is true and accurate.

Drilling firm TYVO, LLC

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder:

Tom C DavisDate: 12-18-03

1-7-04

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 5, 2005

RECEIVED OF Tom Davis, 11922 Davis Rd., Belle Fourche SD 57717

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

Fee for Application for Permit No. <u>1842-1</u> 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. <u>1842-1</u>	50	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	300.00

No. 001800

By Darland Ebeli

Chief Engineer gm



1842-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 6, 2003

Tim Barritt
TYVO, LLC
PO Box 500
Upton, WY 82730

Dear Mr. Barritt:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well for Tom Davis, HCR 64, Box 38, Belle Fourche, SD prior to approval of a water permit. The test well is to be completed into the Madison aquifer in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, T10N-R2E. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

A SD Water Permit must be obtained before water from this well can be used. Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application; and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit.

Very truly yours,

JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for GARLAND ERBELE, Chief Engineer
Water Rights Program
(605) 773-3352

TYVO, LLC
PO Box 500
Upton, WY 82730
Telephone: 307-686-1125
Fax: 307-686-1158

September 29, 2003

Mr. Ken Buhler
Department of Environmental & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

RECEIVED
OCT - 3 2003
WATER RIGHTS
PROGRAM

Dear Mr. Buhler:

I would like to request, on behalf of Mr. Tom Davis, whose address is:

HCR 64 Box 38
Belle Fourche, SD 57717

permission to construct a Madison Formation Test Well under SD74:02:04:21. We would expect that after testing, a permanent water right application would be filed with your office. The well will be located NE NE Section 21, T10N, R2E on lands owned by Tom Davis in Butte County.

We appreciate your assistance and if you have further questions or need additional information, please give me a call at 307-686-1125.

Sincerely,

TYVO, LLC



Tim Barritt
President



Map prepared by:
Thomas D. Quinn
District Conservationist
USDA - NRCS
Belle Fourche, SD



**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 27, 2004

Tom Davis
HCR 64 Box 38
Belle Fourche SD 57717

Dear Mr. Davis:

A well driller's report filed by Tyvo, LLC shows that they recently completed a new well for you. The form indicates the proposed use is domestic/stock and irrigation. Based on the information in the report, it appears you may need a water permit for irrigation use. I have reviewed your existing water rights and found they are from surface water sources.

1. 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. Irrigation of more than one acre requires obtaining a water permit.
2. Also, as a new well owner, you need to be aware of some of your responsibilities. Enclosed is a copy of "Well Owner Responsibilities". Please review these responsibilities to ensure you are complying with all of the requirements.

Enclosed are application forms and an instruction sheet to apply for a water permit for irrigation. The completed forms with the application fee and map can be returned to the "Water Rights Program, 523 E Capitol, Pierre SD 57501. Please return by March 1, 2004.

If you believe your water use does not require a water permit or that you have an existing permit, or if help is needed completing the application forms, please contact Eric Gronlund or me at (605) 773-3352. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak
Karen Schlaak
Water Rights Program

enclosures

WATER PERMIT APPLICATION NO. 1842-1

TOM C. DAVIS

JUNE 6, 2005

Water Permit Application No. 1842-1 proposes to appropriate 0.44 cubic feet of water per second (cfs) from one existing well completed into the Madison aquifer (4,181 feet deep), located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21, T10N-R2E. The water is to be used to irrigate 330 acres located in the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 21, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec.23, N $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26; all in T10N-R2E, Butte County.

AQUIFER: Madison aquifer (MDSN)

AQUIFER CHARACTERISTICS:

The Madison Limestone, locally known as the Pahasapa Limestone, is a fine to medium crystalline, cavernous limestone and dolomite. The Madison underlies approximately 1,440,000 acres of Butte County and contains an estimated 57,600,000 acre-feet of recoverable water in storage in the county (Allen and others, 1985). The Madison extends into the counties adjacent to Butte County, and in fact underlies much of the Western United States. The Madison is estimated to be approximately 750 feet thick (Allen and others, 1985) in this area. The top portion of the Madison Limestone is karstic, therefore it contains randomly distributed zones of secondary porosity and permeability formed by weathering of exposed surfaces, groundwater solution and fracturing, and is considered the Madison aquifer. The Madison outcrop is located over twenty miles south of this proposed well site (Strobel and others, 1999), and the top of the Madison limestone is reported to be about 3,750 feet below grade at this well site. The completion report submitted with this application indicates this well flows 200 gallons per minute and has a shut in pressure of 240 psi.

The average porosity of the Madison is estimated to be 11% and the effective porosity from which recoverable water can be obtained by wells is assumed to be 5% (Rahn, 1979). The Madison is recharged through infiltration of precipitation falling directly on the outcrop area, possibly upward leakage from the Deadwood aquifer, and from streamflow losses. The estimated average annual recharge for the Madison aquifer in South Dakota ranges from 140,000 to 400,000 acre-feet annually (Woodward Clyde, 1981). Average annual recharge from 1931-1998 is estimated to be approximately 137,000 ac-ft/yr (Carter and others, 2001).

The high cost of Madison wells, except very near the outcrop, and the availability of groundwater from shallower aquifers, has limited domestic development and generally restricted usage from the Madison to those uses which require water rights. There are a total of 137 permits/rights which appropriate water from the Madison aquifer in South Dakota (Water Rights, 2005c). There is also one pending application (No. 1840-1, Apple Creek Development) to appropriate water from the Madison aquifer. In addition, there are two Future Use Permits (1833-2 Weston Heights Home Owners, and 2086-2 The City of Rapid City), that reserve water from the Madison aquifer. The majority of the water rights/permits from the aquifer are from Butte, Lawrence, Meade, Pennington and Fall River Counties.

The Madison supplies water for irrigation, geothermal, industrial, and commercial use. However, by far the major use of the aquifer is for common distribution systems (suburban housing development and municipal use). The cities of Spearfish, Belle Fourche, Sturgis, Rapid City, Box Elder, and Edgemont all depend on water from the Madison aquifer.

If the worst case assumptions are made that (1) permits/rights with an annual withdrawal limitation (ac-ft/yr) will use the maximum allowable; and (2) permits/rights that are limited by a diversion rate only, will use 60% of the maximum allowable (considered reasonable for water distribution systems); the total water use from the Madison would be less than 50,000 acre-feet per year. The actual amount of water used from the Madison is considerably less than this estimate. Withdrawals from wells completed into the Madison aquifer were estimated to be 10,990.2 acre-feet annually from 1987-1996 (Carter and others, 2001). Comparison of the estimated annual recharge to the Madison with the water use estimated from the aquifer indicates unappropriated water is available from the Madison aquifer.

Observation Well Data:

The Water Rights Program monitors 26 observation wells completed into the Madison aquifer in the Black Hills area (Water Rights, 2005b). Records from the observation wells indicate the potentiometric surface of the Madison aquifer fluctuates 30-40 feet per year near the recharge area in response to seasonal and climatic variations. Long-term water level declines are not apparent from any of the hydrographs. Observation well data suggest that at the existing level of development, natural influences dominate the water levels of the aquifer and the effects of pumping as yet are not obvious. The nearest Water Rights' Madison aquifer observation well is located over 20 miles south of this well site.

AFFECTS ON EXISTING RIGHTS:

Groundwater Appropriations:

There are no Water Rights/Permits appropriating groundwater from the Madison aquifer within approximately eight miles of the well this application proposes to use.

Domestic Wells:

The Water Rights Program has record of a number of domestic wells within an eight mile radius of 1842-1. The wells range from less than 20 feet deep to over 4000 feet deep. Only five of these wells appear to be completed into the Madison aquifer, including this well and one other well drilled for Tom C. Davis (Water Rights, 2005a). The nearest existing Madison well on file, completed for Jack Waite, is approximately four miles west of this well. It is unlikely that drawdown from this appropriation will impact existing Madison wells due to the distance between wells.

However, at this time it is not practical to attempt to quantify the specific affect pumping this well will have on area wells since aquifer characteristics have not been determined for this area, and the variability of the hydraulic characteristics has been well documented (Greene, 1993). In addition, Greene concluded that the transmissivity of the Madison is not equal in all directions (anisotropic); therefore the drawdown cone will extend farther in one

direction than another. It is possible that drawdown from a well authorized by this appropriation could be measurable some distance from the well. However, Water Management Board rules 74:02:04 and 74:02:05, which were promulgated pursuant to SDCL 46-6-6.1, provide protection to wells only to the degree necessary to maintain an adequate depth of water in wells that have the ability to produce water independent of artesian pressure. Simply put, the pump placement in a prior appropriator's well is not necessarily protected. In fact, in past action, the Water Management Board it has concluded that if increased cost or decreased production is considered an adverse impact, it could be in conflict with SDCL 46-1-4, which requires South Dakota's water resources to be put to beneficial use to the fullest extent of which they are capable. In this area, the Madison aquifer has around 4300 feet of artesian head pressure.

TERM LIMITATION:

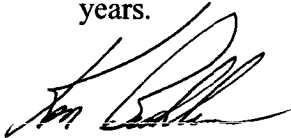
SDCL 46-2A-20 requires that "... no water permit for construction of works to withdraw water from the Madison formation in Butte, Fall River, Custer, Lawrence, Meade and Pennington counties may be issued for a term of more than twenty years, unless the water management board determines, based upon the evidence presented at the hearing that:

- (1) Sufficient information is available to determine whether any significant adverse hydrologic effects on the supply of water in the Madison formation would result if the proposed withdrawal were approved; and
- (2) The information, whether provided by the applicant or by other means, show that there is a reasonable probability that issuance of the proposed permit would not have a significant adverse effect on nearby Madison formation wells and springs."

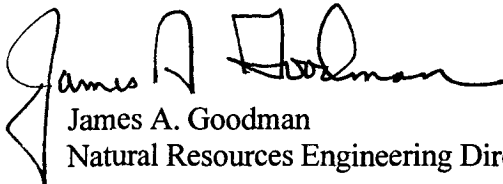
Evidence is not available to justify issuing this permit without a term limitation of 20 years.

CONCLUSIONS:

1. The Madison aquifer is a viable aquifer in this area.
2. This diversion will not adversely impair existing water rights.
3. Information is not available to justify issuing this permit without a term limitation of 20 years.



Ken Buhler
Natural Resources Engineering Specialist
Approved by



James A. Goodman
Natural Resources Engineering Director

REFERENCES:

- Allen, J.C., Iles, D.L., and Petres, A.K., 1985, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, Tasks 3A.B.C. and 4A.B.: Groundwater Resource Inventory: South Dakota Department of Water and Natural Resources
- Carter, J.M., Driscoll, D.G., and Hamade, G.R., 2001, Estimated Recharge to the Madison and Minnelusa Aquifers in the Black Hills Area, South Dakota and Wyoming, Water Years 191-98, Water-Resources Investigations Report 00-4278, 66 p.
- Carter, J.M., Driscoll, D.G., Hamade, G.R., and Jarrell, G.J., 2001, Hydrologic Budgets for the Madison and Minnelusa Aquifers, Black Hills of South Dakota and Wyoming, Water Years 1987-1996, Water-Resources Investigations Report 01-4119, U.S. Department of the Interior, U.S. Geological Survey, Rapid City, SD
- Greene, E.A., 1993, Hydraulic Properties of the Madison Aquifer System in the Western Rapid City Area, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 93-4008, 56 p.
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota: U.S. Army Corps of Engineers, SDSM&T Project #2533
- Strobel, M.L., Jarrell, G.J., Sawyer, J.F., Schleicher, J.R., and Fahrenbach, M.D., 1999, Distribution of Hydrogeologic Units in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-743, 3 sheets, scale 1:100,000
- Water Rights Program, 2005a, "Domestic Well Log Files", South Dakota DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program, 2005b, "Unpublished Observation Well Records", South Dakota DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program, 2005c, "Water Permit/Right Files", South Dakota DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Woodward Clyde Consultants, 1981, Well Field Hydrology Technical Report, for the ETSI Coal Slurry Pipeline Project, U.S. Dept. of the Interior, Bureau of Land Management



**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. 1842-1, Tom Davis**

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. 1842-1, Tom Davis, 11022 Davis Road, Belle Fourche SD 57717.

The Chief Engineer is recommending APPROVAL of Application No. 1842-1 for a 20 year term because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualifications:

1. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1842-1 is issued for a 20-year term. Pursuant to SDCL 46-2A-21, the 20-year term may be deleted at any time during the 20-year period or following its expiration. If the 20-year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 1842-1 may also be cancelled for nonconstruction, forfeiture, abandonment, or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1 and ARSD 74:02:01:37.
2. 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.
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
June 13, 2005

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF BUTTE

Cathy Dabney, being duly sworn, says: That the *Belle Fourche Post* or *Belle Fourche Bee* is, and during all times hereafter mentioned, was a legal newspaper as defined in SDCL 17-2-2, as amended, published at Belle Fourche, Butte County, South Dakota, by Lee Enterprises; that affidavit is and, during all of said times, was employed as an Office Manager by the publisher of such newspaper and has personal knowledge of the facts stated in the affidavit; that the notice, order or advertisement, a printed copy of which is attached, was published in said newspaper for successive issues, bearing the following dates:

JUNE 22	200	5	200
JUNE 29	200	5	200
	200		200
	200		200
	200		200

that the full amount of the fee charged for publishing the same, to-wit, the sum of \$, insures solely to the benefit of the publisher of said newspaper: that no agreement or understanding for the division of the fee has been made with any person, and that no part of the fee has been agreed to be paid to any other person.

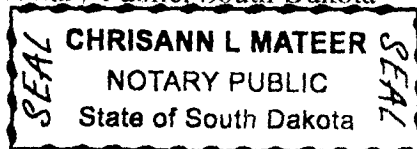
Cathy Dabney
Office Manager

Subscribed and sworn to before me this

7th day of July, 2005
Chrisann L. Mateer

RECEIVED
JUL - 8 2005
WATER RIGHTS
PROGRAM

Notary Public, South Dakota



Account No.

Total Amount

My Commission Expires Nov. 19, 2007

OK

Public Notice

NOTICE OF APPLICATION NO. 1842-1

to Appropriate Water

Notice is given that Tom C Davis, 11022 Davis Rd, Belle Fourche SD 57717 has filed an application for a water permit to appropriate 0.44 cubic feet of water per second from one existing well completed into the Madison aquifer (4181 feet deep) located in the SE 1/4 NE 1/4 Section 21 to irrigate 330 acres located in the S 1/2 NE 1/4, N 1/2 SE 1/4, Section 21, SE 1/4 SW 1/4, W 1/2 SE 1/4 Section 23, N 1/2 NW 1/4, W 1/2 NE 1/4, SE 1/4 NW 1/4 Section 26; all in T4N R05E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1842-1 for a 20 year term pursuant to SDCL 46-1-14 and 46-2A-20 because 1) evidence is not available to justify issuing this permit without a 20 year term limitation, 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. 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 July 11, 2005.

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.

**Publ. June 22, 29, 2005
Belle Fourche Post**

Instruction to Newspaper - Publish first Notice on June 22, 2005 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1842-1 to Appropriate Water

Notice is given that Tom C Davis, 11022 Davis Rd, Belle Fourche SD 57717 has filed an application for a water permit to appropriate 0.44 cubic feet of water per second from one existing well completed into the Madison aquifer (4181 feet deep) located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21 to irrigate 330 acres located in the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 21, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 23, N $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26; all in T10N-R2E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1842-1 for a 20 year term pursuant to SDCL 46-1-14 and 46-2A-20 because 1) evidence is not available to justify issuing this permit without a 20 year term limitation, 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. 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 July 11, 2005.

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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 14, 2005

Belle Fourche Bee/Post
PO Box 400
Belle Fourche SD 57717-0400

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 1842-1 to Appropriate Water to be published twice. Please publish the first notice on June 22, 2005 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 Tom C Davis, 11022 Davis Rd., Belle Fourche SD (Ph # 605-892-2217).

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. 1842-1

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

Date _____

We are in receipt of your letter of June 14, 2005 enclosing Notice to Appropriate Water by Application No. 1842-1 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.

June 14, 2005

Tom C Davis
11022 Davis Rd
Belle Fourche SD 57717

Dear Mr. Davis:

Water Permit Application No. 1842-1 for irrigation use has 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 Belle Fourche Bee/Post printed at Belle Fourche, SD (Ph # 605-892-2528). 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 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

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 29 2005

Tom C Davis
11022 Davis Rd
Belle Fourche SD 57717

Dear Mr. Davis:

Enclosed is Water Permit No. 1842-1 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

Permit Nos. 1842-1
Upper Cheyenne 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 on this day, November 19, 2015, made a thorough examination of the water use system constructed by Tom C. Davis, 11022 Davis Rd, Belle Fourche, SD 57717 holder of Permit No. 1842-1, bearing the priority of April 5, 2005, authorizing the diversion of 0.44 cubic foot of water per second (cfs), of the waters of the Madison Aquifer for irrigation purposes, in Butte County.

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

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: TYVO, LLC
- 2) No. of Wells 1
- 3) Depth(s) 4181 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 7, 5½, 2⁷/₈ inches
- 2) Length 985, 2780, 496 feet
- 3) Type Steel

Screen:

- 1) Type Perforated steel pipe
- 2) Length 495 feet
- 3) Static water level Flowing well with 240 psi shut-in pressure, valve on 7" flowing 200 gpm

B. Works used to transport/apply water to beneficial use:

Water is applied to the irrigated acreage through a 7" pipe to a traveling gun capable of 200 gpm

The system is in the following condition good. The point of diversion is located 2250 feet S and 1130 feet W from the NE corner of Section 21, T10N-R2E (SE¼NE¼), Lat/Lon N44.814906W-103.876855. The works are capable of diverting and conveying to the place of use 0.44 cfs which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.44 cfs. Water has been put to beneficial use to the maximum extent as follows:

Section 21, T10N-R2E
S½ NE¼ - 80.0 acres
N½ SE¼ - 80.0 acres

Section 23, T10N-R2E
SE ¼ SW ¼ - 20.0 acres
W ½ SE ¼ - 50.0 acres

Section 26, T10N-R2E
NW ¼ - 20.0 acres
W ½ NE ¼ - 80.0 acres

Total - 330.0 acres

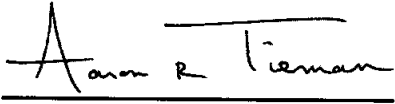
Report of Examination of Works

Permit No. 1842-1

Does permit holder chemigate? N

All structures, wells and lands on map? Y

Exceptions to compliance are none

A handwritten signature in black ink that reads "Aaron Tieman". The signature is written in a cursive style with a horizontal line above the name.

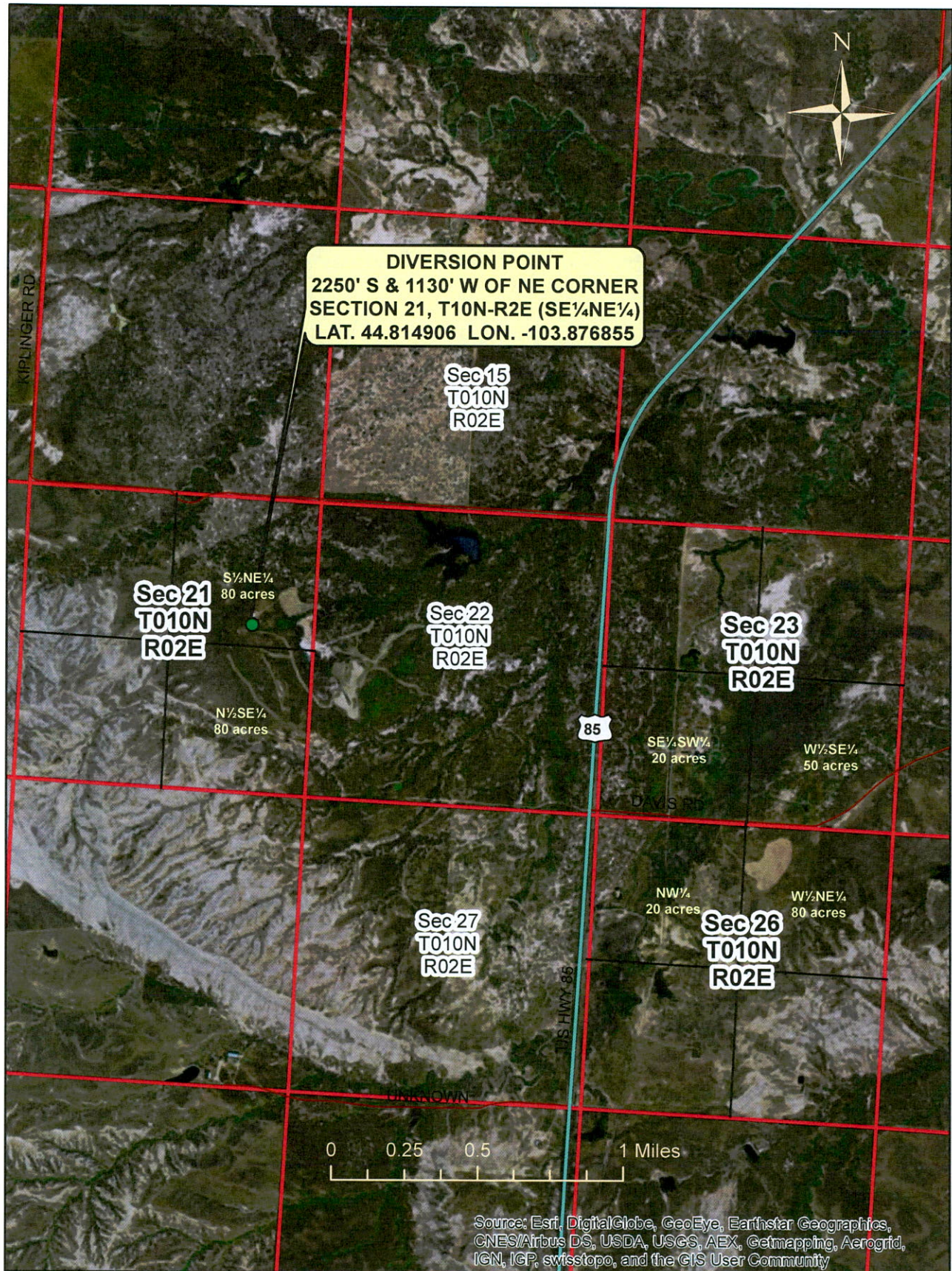
Aaron Tieman

Natural Resources Engineer II

DENR, Water Rights Program

Date report completed: June 23, 2016

WATER PERMIT NO. 1842-1
JUNE 23, 2016



Aaron R. Tieman

Aaron Tieman
Natural Resources Engineer II
DENR Water Rights Program



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1842-1

(1) Tom C Davis, 11022 Davis Rd, Belle Fourche SD 57717 made Application No. 1842-1, April 5, 2005 for a water permit to divert 0.44 cubic feet of water per second from one well - Madison Aquifer, Butte County, South Dakota for irrigation purposes. Permit No. 1842-1, with a priority date of April 5, 2005 was approved July 11, 2005 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 11, 2010 and for the application to beneficial use of water on or before July 11, 2014.

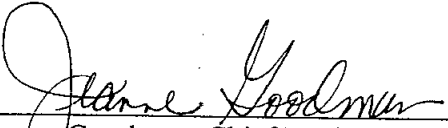
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 1842-1 is issued a license, bearing a priority date of April 5, 2005 to appropriate 0.44 cubic feet of water per second from one well - Madison Aquifer to irrigate 330 acres.

The diversion point is located: 2,250 feet south and 1,130 feet west from the NE corner of Section 21-T10N-R2E (SE 1/4 NE 1/4). The acres authorized for irrigation are as follows:

<u>Section 21-T10N-R2E</u>	<u>Section 23-T10N-R2E</u>	<u>Section 26-T10N-R2E</u>
S 1/2 NE 1/4 80 acres	SE 1/4 SW 1/4 20 acres	NW 1/4 20 acres
N 1/2 SE 1/4 80 acres	W 1/2 SE 1/4 50 acres	W 1/2 NE 1/4 80 acres
Total 330 acres		

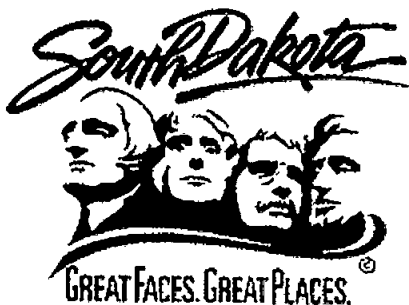
(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1842-1 including the following qualifications:

- In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1842-1 is issued for a 20-year term. Pursuant to SDCL 46-2A-21, the 20-year term may be deleted at any time during the 20-year period or following its expiration. If the 20-year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 1842-1 may also be cancelled for nonconstruction, forfeiture, abandonment, or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1 and ARSD 74:02:01:37.
- 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.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.


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

JUL 22 2016
date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 22, 2016

1842-1

Tom C Davis
11022 Davis Rd
Belle Fourche SD 57717

Dear Mr. Davis:

Enclosed is Water License No. 1842-1. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map 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. 1842-1, 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,

A handwritten signature in black ink, appearing to read "Jeanne Goodman". The signature is fluid and cursive, written over a horizontal line.

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

enclosures



1842-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 7, 2022

Tom C Davis
Davis Ranches Inc
17153 Camp Crook Rd
Belle Fourche SD 57717

RE: Water Right Nos. 435-1, 899-1, 1842-1 and 1899-1

Dear Mr. Davis:

Enclosed is a "Notice" dated October 21, 2022 concerning the 2022 irrigation questionnaires.

The notice was originally mailed to 11022 Davis Rd, Belle Fourche SD. The post office notified us that your address has changed, and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



**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: DAVIS RANCHES INC, TOM C DAVIS, 17153 CAMP CROOK RD, BELLE FOURCHE, SD 57717 6200

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaires

Our records indicate your 2022 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 435-1 & 899-1 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1842-1 & 1899-1 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) 1842-1 & 1899-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 435-1 & 899-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires 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 questionnaires 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: CUEDDS**

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 6, 2023

Tom C Davis
Davis Ranches Inc
17153 Camp Crook Rd
Belle Fourche SD 57717-6200

RE: Water Right Nos. 435-1, 899-1, 1842-1 & 1899-1

Dear Mr. Davis:

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

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 435-1, 899-1, 1842-1 & 1899-1. 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