

WATER PERMIT NO. 1885-1

Name of Applicant: **John T & Veronica Widdoss**

Address: **20072 Bear Ridge Road, Spearfish SD 57783**

Phone: **605 642-4488**

Amount of Water Claimed: **0.11** Total Acres: **22**

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

Water to be used for: **irrigation & domestic use**

County: **Lawrence**

Type of Waste Disposal System:

Location: **8 miles west of Spearfish**

PRIORITY Date Received: **1-8-07**

Application/License Fee: **\$200**

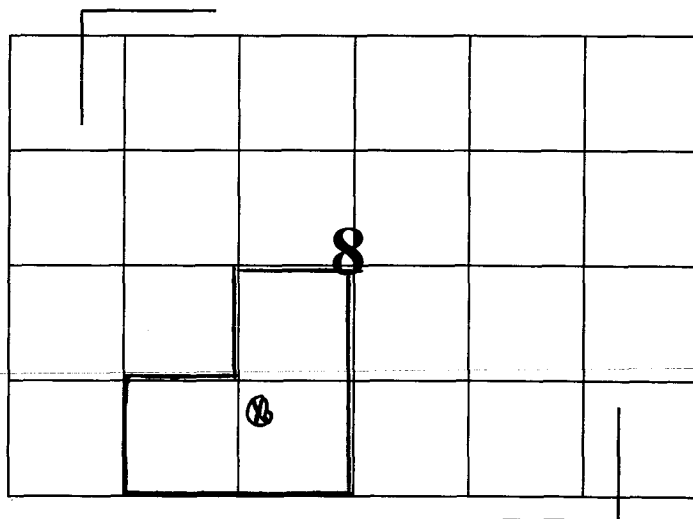
Corrected Application Received: **4-9-07**

Period of Annual Use: **Jan 1 – Dec 31**

Remarks: **for lawn watering, drip irrigation for shelter belts and domestic use**

Diversion Point: **SE ¼ SW ¼ Sec 8-T6N-R1E**

Land to be Irrigated: **22 acres**



Depth of Well: **740 feet deep**

Well Driller: **Dennis V Johnson**

Remarks:

Type of Map: **topo**

Prepared by: **Bradley E Ellis, PE**

Reviewed and the Number Assigned on: **4-9-07**

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>1885-1</u> (office use only) Hydrologic Unit <u>10120203</u>
	Basin <u>Belle Fourche River</u>
	Newspaper <u>Black Hills Pioneer P.O. Box 7</u>
	<u>605-642-2761</u> <u>Spanish 57783</u>

RECEIVED
JAN - 8 2007
 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 John T. & Veronica Widdoss Phone 605-642-4488
 (check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 20072 BEAR RIDGE ROAD, Spanish State SD 57783
 (Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.11 *CFS or 50 **GPM ***AF Total Acreage approximately 22.0
 (*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply 740' MADISON WELL
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County LAWRENCE
1-WELL IN SE4 SW4 of Section 8 - T6N-R1E
- County or counties where water will be used LAWRENCE
- Annual period during which water is to be used 12 MONTHS / YEAR Jan 1 - Dec 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
MAIN RESIDENCE 6000 SF	→	IN SW4 SW4 of Section 8	
2 CABINS = TOTAL 3000 SF	→	IN NE4 SW4 & SW4 SW4 of S8	
LIVESTOCK BARN & PIPELINE (4 TANKS)	→	IN S2SW & NE4 SW4 of SECTION 8	
POND (50'x100'x9') & LAWN IRRIGATION	6+	5900 Trees - Drip Irrigation	15+/-

8. Give a description of the project. (Attach sheet if more space is needed) → in 5 shelterbelts
- A) 2" waterline from well to pond. B) 2 parallel 1 1/4" waterline from well to house. C.) 1 1/4" water line to lawn irrigation (stations on auto-timer).
 D.) 3/4" & 1" to stockwaters (corrals) & 4 tire tanks E.) 1 1/4" lines to treebelts F.) 1 1/4" to cabins.

STATE OF SOUTH DAKOTA) SS
 County of Lawrence

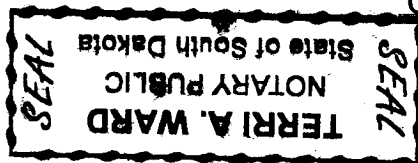
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, John Widdoss, 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 John Widdoss

Subscribed and sworn to before me this 4th day of JANUARY 20 07

Teri A. Ward 2-8-2011
 Notary Public signature



**SOUTH DAKOTA
WATER PERMIT NO. 1885-1**

Date of first receipt of application January 8, 2007.

Date of return to applicant for corrections, amendments or changes January 9, 2007.

Date of receipt of corrected application April 9, 2007.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1885-1 to John T & Veronica Widdoss, 20072 Bear Ridge Road, 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. 1885-1 appropriates 0.11 cubic feet of water per second from one well completed into the Madison Aquifer (740 feet deep) located in the SE 1/4 SW 1/4 Section 8 to irrigate 22 acres of lawn and shelter belts located in portions of the SW 1/4 Section 8; all in T6N-R1E. The water will also be used for domestic use.
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: January 1 – December 31.
3. The date from which applicant may claim right is April 9, 2007.
4. The date of approval of Permit No. 1885-1 is August 13, 2007.
5. One-fifth of the construction is to be completed on or before February 13, 2010.
6. All construction is to be completed on or before August 13, 2012.
7. Water is to be put to beneficial use on or before August 13, 2016.
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. 1885-1 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. 1885-1 may also be cancelled for non-construction, 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.

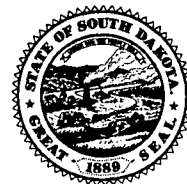
WATER MANAGEMENT BOARD

By: Garland Erbele

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

OCT 17 2007

date



Supplemental Information

(type or print in ink)

Producing formation
is upper Madison
↑

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 3/4" Depth 490' then 5 3/4" to 740 feet
- b) Casing Type PVC SDR17 Diameter 6" Thickness 1/4" +/- .34"
- c) Screen Type Open hole Diameter 5 3/4" Thickness
- d) Gravel Pack None Length of Gravel Pack None
- e) Depth to Top of Water Bearing Material 680'
- f) Depth to Water (ground surface to water level) 285'
- g) Distance to nearest existing domestic well:
On applicants property 100 feet but only in Minnelusa @ 450' with top 125'
On property owned by others over 1/4 mile

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

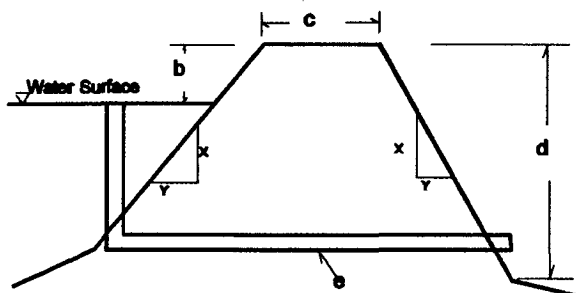
3. Dugout Information - STORAGE/LAWN POND

- a) Surface Dimensions 50' x 100' Depth 9'
- b) Depth to water (ground surface to water level) over 75'

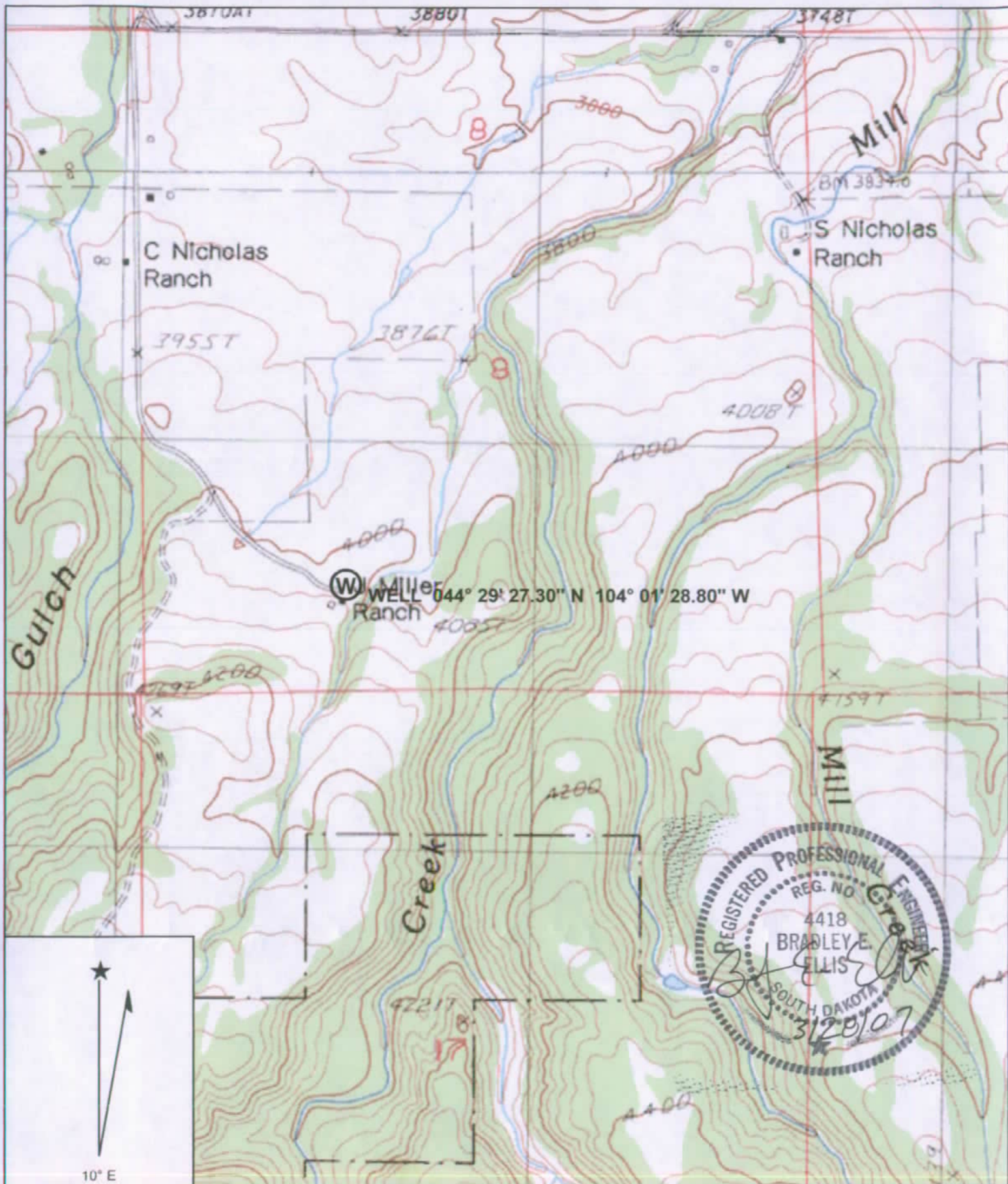
4. Water Storage Dams

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:



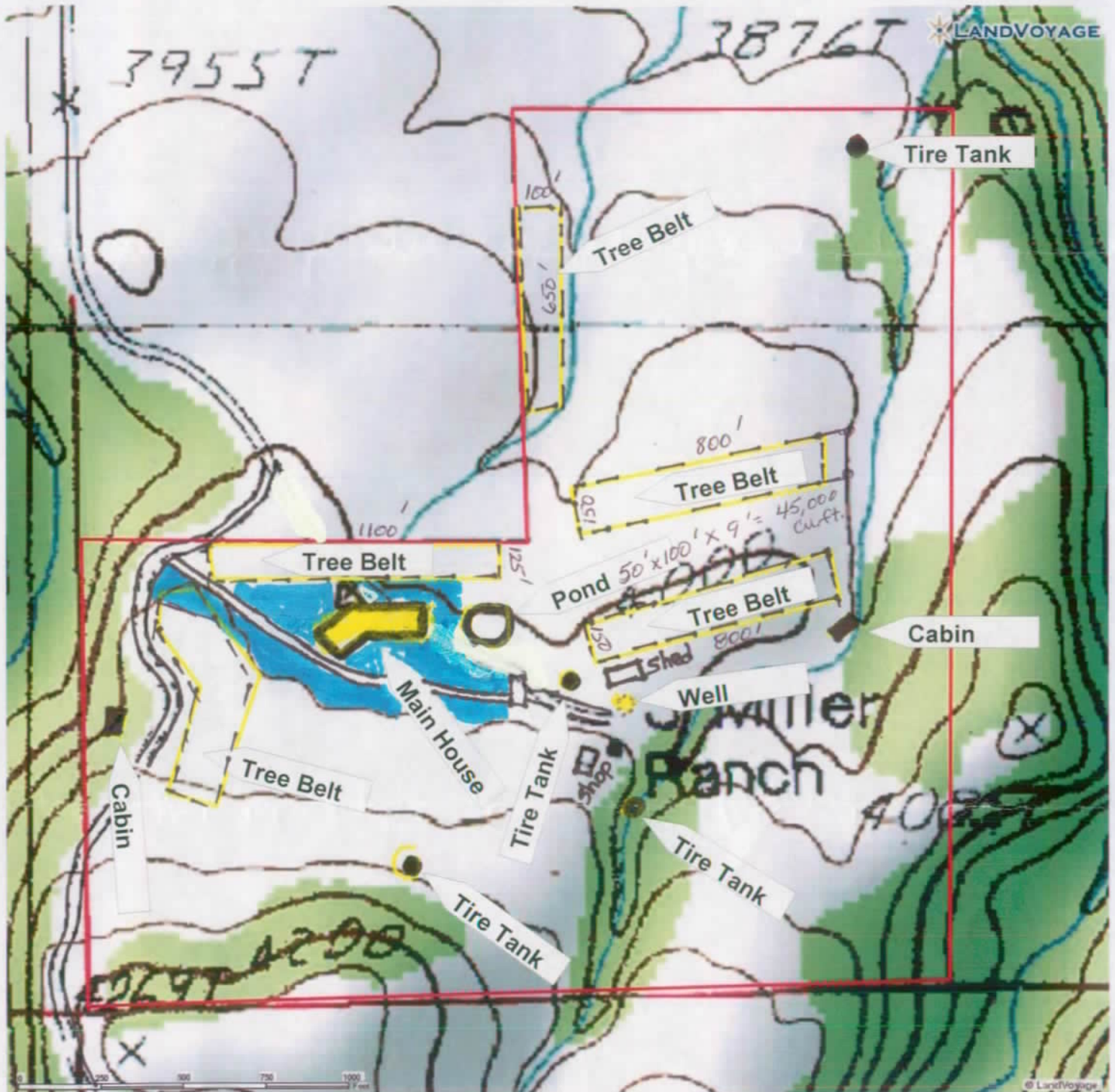
- b) Freeboard
- c) Crest Width
Crest Length
- d) Height
- e) Primary Outlet Capacity
If pipe, diameter
- f) Secondary Spillway Capacity
Spillway Width
- g) X & Y Slope
Upstream
Downstream
- h) Surface Area of Impoundment
- i) Storage Acre Feet
- j) Drainage Area Above Dam Acres



Name: TINTON
 Date: 3/28/2007
 Scale: 1 inch equals 1000 feet

Location: 044° 29' 26.35" N 104° 01' 11.45" W
 Caption: Well in the SE 1/4, SW 1/4, Sec 8, T6N, R1E, BHM

2007 Bear Ridge Road



S²SW⁴ & NE⁴SW⁴ - 8-6-1

■ = IRRIGATED TREES & LAWN } = 6⁺ acres
1" Rigid UNDERGROUND PIPE }

An aerial photograph of a wetland area, likely a marsh or coastal plain. The image is overlaid with various labels and markings. A prominent yellow rectangular highlight is drawn on the left side, encompassing a cluster of labels including 'PRES', 'NHE', and '6-1'. Other labels include '1038' in the upper right, '16.7' in the top right corner, '12.7' and '8.0' in the center-right, and '27.0' in the lower right. The terrain is characterized by dark, irregular shapes representing water or saturated soil, interspersed with lighter, more uniform areas. A network of thin, light-colored lines, possibly roads or ditches, crisscrosses the landscape. The overall appearance is that of a technical or scientific map used for land management or environmental study.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 8, 20 07

RECEIVED OF Hall-Widdoss & Co Inc., 20072 Bear Ridge Rd, Spearfish SD 57783

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

Fee for Application for Permit No. <u>1885-1</u> to Appropriate Water, to construct and to put water to beneficial use	150	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>1885-1</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	200.00

No.

02778

By

Darland Erbe
Chief Engineer
gm

SOUTH DAKOTA WATER WELL COMPLETION REPORT

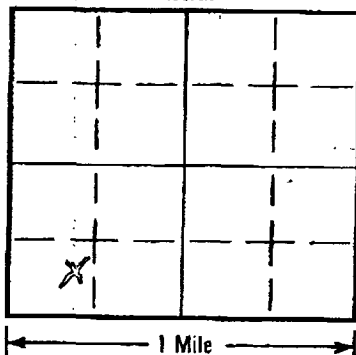
07-92

Location SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec B Twp 6N Rg 1E
 County Lawrence
 North

Please mark well location with an "X"

GPS 44.49088°N104.02521°WGL to 4040'

Well Completion Date

7-26-06Well Owner: John Widdoss

Business Name:

Address: 20072 Bear Ridge Rd.
Spearfish, SD 57783

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>M clay ash</u>	<u>0</u>	<u>6</u>
<u>Pak LS pak</u>	<u>6</u>	<u>42'</u>
<u>Sh ssib rt.</u>	<u>42</u>	<u>125</u>
<u>Pak water SS - gray to pak & 3-115</u>	<u>125</u>	<u>490</u>
<u>Sh streaks</u>		
<u>Dol. gray to pak</u>	<u>490</u>	<u>580</u>
<u>Sh streak</u>		
<u>LS - Dol. gray streak</u>	<u>580</u>	<u>690</u>
<u>Madison</u>	<u>690</u>	<u>700</u>
<u>SS (water)</u>	<u>700</u>	<u>740</u>
<u>SS (water)</u>	<u>740</u>	<u>740</u>

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well,

feed lot, etc.)? None ft. from None (Identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Air rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ OtherIf other describe SDR 17 PVC

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	6" IN	0 FT	490 FT	8 5/8" IN
LB/FT	IN	490 FT	740 FT	5 1/4" IN
LB/FT	IN	FT	FT	IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>bentonite</u>	<u>30</u>	lb./gal	<u>0</u>	<u>470</u>
<u>Cement</u>	<u>4</u>	lb./gal	<u>470</u>	<u>490</u>

Describe grouting procedure Pumped through casingSCREEN: ☐ Perforated pipe ☐ ManufacturedDiameter open hole IN Length 1 FEET

Material

Slot Size Open Set From 490 Feet to 740 Feet

Other information

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: chlorine☒ NO, Why Not? not

Laboratory sent to for water quality analysis

STATIC WATER LEVEL

285' ea

Feet

If flowing: closed in pressure

PSI

GPM flow through

inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced Flowrate

GPM

Can well be completely shut in?

WELL TEST DATA:

☒ PumpedDescribe: Air pumped☐ Bailed☐ Other

Pumping Level Below Land Surface

480 ft. After 1 hr. Hrs. pumped 30-40 GPMft. After 1 hr. Hrs. pumped 30-40 GPM

If pump installed, pump rate

GPM

REMARKS

TD 740' - small rill in
bottom of hole
520 to 740 is 5 5/8" hole

This well was drilled under license # 511

And this report is true and accurate

Drilling firm Dennis V. Johnson

Signature of License Representative:

Dennis V. Johnson

Signature of Well Owner or Equitable Property Holder:

John Widdoss (John Widdoss)Date: 7/31/06

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-FNM-141

4-95

STATE

South Dakota

AGREEMENT/CONTRACT NO.

72-6740-8-89

LOCATION CODE NO.

4230

PAYMENT APPLICATION NO.

1

COUNTY

Lawrence

APPLICATION FOR PAYMENT

Penalty for false statements or entries - fine of not more than \$10,000 or imprisonment of not more than five years, or both (18 USC 1001).

NOTE

This information is used in both the development and implementation of a Conservation plan as the basis for technical assistance and/or cost sharing. The authorities are: 16 USC 590a-1 (Soil Conservation); 16 USC 1301-1311 (Water Bank); 16 USC 590p(b) (Great Plains); 30 USC 1201 et seq. (Rural Abandoned Mines); 33 USC 1288 et seq. (Rural Clean Water); Furnishing this information, INCLUDING disclosure of your Social Security Number (SSN) under P.L. 93-579, Section 7b, is voluntary and will be held confidential; however, it is necessary to obtain services and benefits you are seeking. The SSN is used as an identifier by the Natural Resources Conservation Service to report to the Internal Revenue Service amounts paid under the terms of this agreement/contract. It will also be used in connection with lawful requests by other Federal agencies providing technical assistance under the terms of this agreement/contract.

SPECIFIED CONSERVATION PRACTICES PERFORMED

LINE	FIELD NO.	AGREE/ CONTRACT ITEM NO.	PRACTICE AND IDENTIFIABLE UNIT	PRACTICE UNITS COMPLETED	DATE STARTED	DATE COMPLETED	EXTENT	AVERAGE COST \$	COST SHARE %	AMOUNT EARNED \$
1	3	6	WINDBREAK/SHELTERBELT	380						
2			WEED BARRIER	11480 lf	6/00	6/00	11480 lf	60 lf	50	3444.00
3			shrubs planted	196 rods	6/00	6/00	196 rods	2.50rr	50	245.00
4			trees planted	504 rods	6/00	6/00	504 rods	2.25rr	50	567.00
5	4	7	WINDBREAK/SHELTERBELT	380						
6			weed barrier	10239 lf	6/00	6/00	10239 lf	60 rod	50	3071.70
7			shrubs planted	327 rods	6/00	6/00	327 rods	2.50rr	50	408.25
8			trees planted	290 rods	6/00	6/00	290 rods	2.25rr	50	326.25
9	9	1	WINDBREAK/SHELTERBELT	380						
10			weed barrier	3060 lf	6/00	6/00	3060 lf	60 lf	50	918.00
11			shrubs planted	62 rods	6/00	6/00	62 rods	2.50rr	50	77.50
12			trees planted	123 rods	6/00	6/00	123 rods	2.25rr	50	138.50
13										
14										
TOTAL EARNED										9196.58

DIVISION OF PAYMENT BETWEEN PARTICIPANTS

15. Did the State or Federal Government bear any part of this expense?

YES	NO	HOW MUCH	YES	NO	HOW MUCH
☒	☐		☐	☐	
PARTICIPANT 1			PARTICIPANT 2		
LINE	% SHARE	PAYMENT SHARE	LINE	% SHARE	PAYMENT SHARE
12	100	9196.58			

PARTICIPANT'S CERTIFICATIONS

16. Deductions (NRCS State office or AA)
Authorizations for Materials/Services

17. Debts due the Federal Government

18. State and Federal aid

19. Other

20. Net payments due participant

I (We) certify that the above information is true and correct and that the identifiable unit(s) for which Federal cost share is requested are carried out and performed in accordance with the specifications and provisions of the above-numbered agreement/contract; that if more than one person contributed to the carrying out of the identifiable unit(s), as shown above, the cost share will be divided in proportion of the extent which they contributed to the carrying out of the identifiable unit(s). I (We) also certify that this application contains no duplication of payment under any other program of the U.S. Department of Agriculture.

PARTICIPANT 1

SOCIAL SECURITY NO.

503-60-2225

ADDRESS

NAME

John Widdoss

RR 1 Box 212

Spearfish, SD

57783

SIGNATURE

DATE

7/24/00

CERTIFICATION BY DISTRICT CONSERVATIONIST

I certify that the practice (identifiable unit) specified in the above application has been properly carried out, and meets the standards and specifications of the above-numbered agreement/contract.

SIGNATURE

DATE

PARTICIPANT 2

SOCIAL SECURITY NO.

NAME

ADDRESS

SIGNATURE

DATE

FOR USE BY AA OR ASC COUNTY COMMITTEE ONLY

I certify to the best of my knowledge and belief this application contains no duplication of payment under any program of the U.S. Department of Agriculture administered by ASCS and the participant is not shown on the county claim control record as being indebted to the government except as explained on the reverse side. The participant has filed their required AD-1026 certification of compliance with the highly erodible land and wetland conservation provisions of the FSA of 1983, as amended by Food, Agriculture, Conservation and Trade Act of 1990, and has not been determined to be in violation of these provisions.

SIGNATURE

DATE

8833

892-6189



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 29, 2006

John Widdoss
20072 Bear Ridge Rd
Spearfish SD 57783

Dear Mr. Widdoss:

*Completed after
Pump installed
12-27-06
JAC*

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

1. If your new well was drilled as a replacement well and if you do not plan to use the old well, the old well is considered abandoned. All abandoned wells must be plugged by a licensed well driller. If the old well is not to be abandoned, or will be used, the well must be sealed or capped at the surface.
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. Any flowing well must be controlled by the owner to produce only the amount of water needed and to prevent waste.
4. 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.

If you have any questions regarding SD Water Law, please feel free to contact me at (605)773-3352.

Very truly yours,

RECEIVED
JAN - 8 2007
WATER RIGHTS
PROGRAM

KEN BUHLER

Natural Resources Engineering Specialist
Water Rights Program



January 9, 2007

RECEIVED

APR - 9 2007

WATER RIGHTS
PROGRAM

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

 COPY

John T & Veronica Widdoss
20072 Bear Ridge Road
Spearfish SD 57783

Dear Mr. & Mrs. Widdoss:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation and domestic use. In order to complete the application the following is required.

- Enclosed are the aerial photo maps submitted with the application. The maps must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local NRCS office).

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure

4-6-07
Original map
submitted and similar
map prepared and signed
by Registered Engineer of
the same location with
well location and GPS
coordinates included.
J. Widdoss



**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. 1885-1, John T. & Veronica Widdoss**

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. 1885-1, John T. & Veronica Widdoss, 20072 Bear Ridge Road, Spearfish SD 57783.

The Chief Engineer is recommending APPROVAL of Application No. 1885-1 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. 1885-1 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. 1885-1 may also be cancelled for non-construction, 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
July 12, 2007

REPORT ON WATER PERMIT APPLICATION NO. 1885-1
JOHN & VERONICA WIDDOSS
June 12, 2007

Water Permit Application No. 1885-1 proposes to appropriate 0.11 cubic feet of water per second (cfs), from one well completed into the Madison aquifer (740 feet deep) located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, T6N-R1E. The water is to be used to irrigate 22 acres of lawn and shelter belts located in portions of the SW $\frac{1}{4}$ Section 8, T6N-R1E, Lawrence County.

Water Source: Madison aquifer (MDSN)

Geology and Aquifer Characteristics:

The Madison (Pahasapa) Limestone is a massive limestone and dolomite that underlies much of the Western United States. In this area the Madison Limestone is estimated to be between 400 feet thick (Carter and Redden, 1999a, and Carter and Redden, 1999b) and 600 feet thick (Allen and others, 1985). The top portion of the Madison Limestone 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 is generally considered an excellent aquifer both in terms of quality and quantity, especially near the outcrop (recharge area). The aquifer underlies approximately 30,000 square miles of western South Dakota and contains at least 640 million acre-feet of recoverable water in storage in the State (Allen and others, 1985). The well site proposed by this permit is located about two and one-half miles west-northwest of the Madison outcrop at Crow Peak and about four miles north of the main outcrop (recharge area), (Strobel and others, 1999). The top of the Madison Limestone is reported to be 690 feet below grade at this site.

Recharge to the Madison aquifer occurs through streamflow losses and direct infiltration of precipitation at the outcrop area. Recharge to the Madison aquifer and the overlying Minnelusa aquifer in South Dakota has been estimated to range from 140,000 to 400,000 acre-feet per year (Woodward Clyde, 1981). Average annual recharge to the Madison aquifer from 1931-1998 was estimated to be approximately 137,000 ac-ft/yr (Carter and others, 2001a).

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 149 permits/rights which appropriate water from the Madison aquifer in South Dakota plus one deferred application (Application No. 2585-2 Southern Black Hills Water System). In addition, there are five future use permits (369-1 City of Belle Fourche, 1833-2 Weston Heights Home Owners, 2086-2 The City of Rapid City, 2560-2 Fall River Water User's District, and 2580-2 Southern Black Hills Water System) that reserve 8,202.8 acre-feet of water annually 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 12,163 acre-feet annually from 1987-1996 (Carter and others, 2001b). 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.

This application proposes to appropriate 44 acre-feet of water annually (two acre-feet per year per acre irrigated) from the Madison aquifer. 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.

A water budget is not intended to suggest that all of the water that is in storage in the Madison or that all of the recharge is available for this appropriation, merely to demonstrate that in general the Madison aquifer is an immense resource that is relatively untapped.

The Water Rights Program monitors 26 observation wells completed into the Madison aquifer in the Black Hills area (Water Rights, 2007a). Madison aquifer observation well LA-87A is located approximately two miles north-northeast of this well site. A hydrograph of the observation well is shown in figure 1.

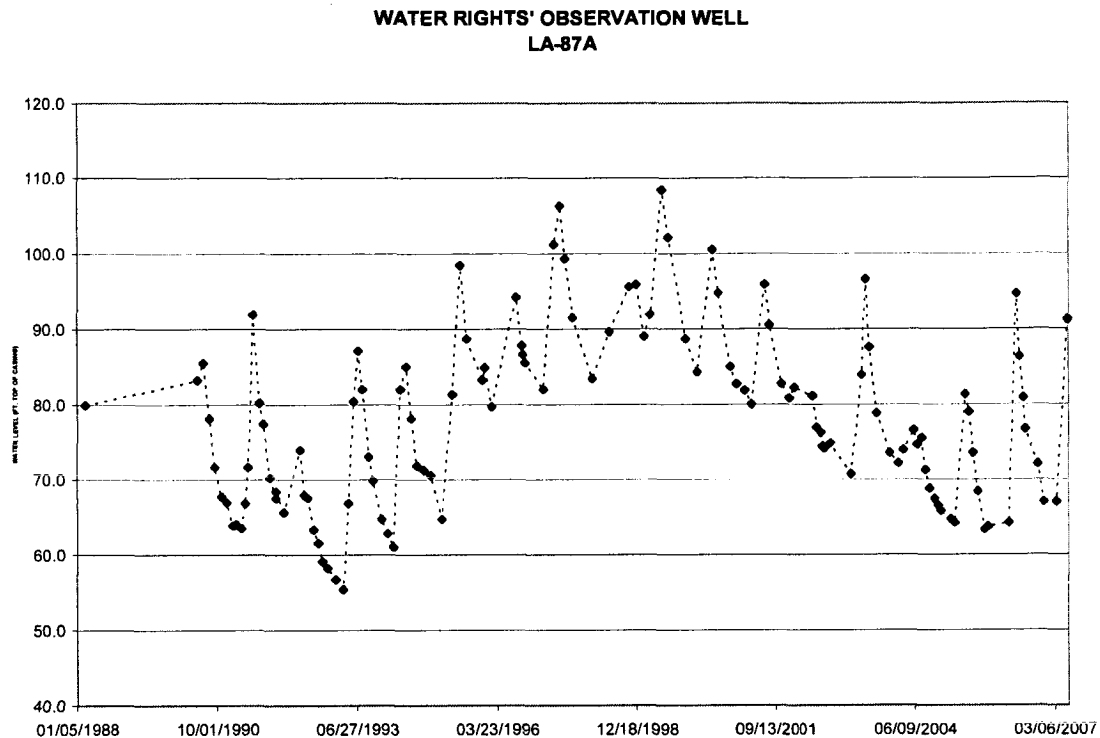


Figure 1. Hydrograph of Water Rights' Observation Well LA-87A, located approximately two miles north-northeast of 1885-1.

The hydrograph documents that the potentiometric surface of the Madison aquifer in this area varies up to 34 feet per year seasonally. The potentiometric surface fluctuated 55 feet from high to low during the period of record, rising during the late 1990's in response to wet climatic conditions and decreasing since about 1999 in response to less recharge. A comparison of this hydrograph with data from Water Rights' observation wells completed into the Madison aquifer that have longer periods of record, suggest the fluctuations represented in figure 1 are representative of climatic conditions instead of pumping from the aquifer. Long-term water level declines are not apparent from the hydrograph. 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. Therefore the observation well data indicates that unappropriated water is available from the Madison aquifer.

Affects on Existing Rights:

Wells, including domestic wells, completed into aquifers other than the Madison aquifer are not expected to be affected by this proposed appropriation since the lower Minnelusa aquifer can be considered a confining bed that isolates the Madison hydraulically from shallower aquifers and the lower Madison can be considered a confining layer for deeper aquifers.

There is only one water right appropriating water from the Madison aquifer within seven miles of this well, it is Water Right No.1181-1A, Keith/Leland Johnson; located about three

and one-quarter miles north-northeast of this well site. Well interference is not expected to be an issue due to the distance between wells and the relatively low diversion rate proposed by this application.

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:

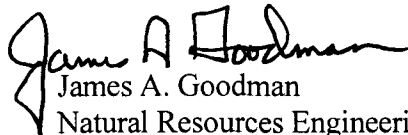
- (1) Sufficient information is available to determine whether any significant adverse hydrologic effects on the supply of water in the Madison formation would result if the proposed withdrawal were approved; and
- (2) The information, whether provided by the applicant or by other means, show that there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

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 approve this application without a 20 year term limit



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., Redden, J.A., 1999a, 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, 2 sheets, scale 1:100,000
- Carter, J.M., Redden, J.A., 1999b, Altitude of the Top of the Deadwood Formation in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-744-E, 2 sheets, scale 1:100,000

- Carter, J.M., Driscoll, D.G., and Hamade, G.R., 2001a, 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, 66 p
- Carter, J.M., Driscoll, D.G., Hamade, G.R., and Jarrell, G.J., 2001b, 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
- 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, 2007a, Observation Well Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights Program, 2007b, Water Permit/Right Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights Program, 2007c, Well Completion Report Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- 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

RECEIVED

AUG - 9 2007

WATER RIGHTS
PROGRAM

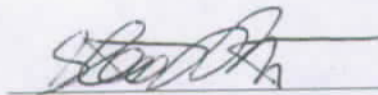
Affidavit of Publication

STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

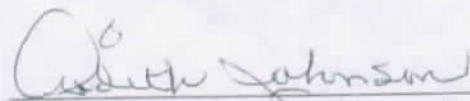
Stewart Huntington of said County and State being first duly sworn, on his oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Stewart Huntington, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and that I, Stewart Huntington, the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice Of Application
No. 1885-1

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive and consecutive weeks, the first publication being made on the 25th day of July, 2007, and the last publication on the 1st day of Aug, 2007, that the full amount of fees charged for publishing same, to-wit: The sum of \$ 39.07, insures solely to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.



Subscribed and sworn to before me this 1st day of Aug, 2007



Notary Public, Lawrence County, South Dakota

My commission expires: 10-24-2010



NOTICE OF APPLICATION NO. 1885-1 to Appropriate Water

Notice is given that John T & Veronica Widdoss, 20072 Bear Ridge Road, Spearfish SD 57783 has filed an application for a water permit to appropriate 0.11 cubic feet of water per second from one well completed into the Madison Aquifer (740 feet deep) located in the SE 1/4 SW 1/4 Section 8 to irrigate 22 acres of lawn and shelter belts located in portions of the SW 1/4 Section 8; all in T6N-R1E. The water will also be used for domestic use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1885-1 for a 20-year term because 1) the proposed diversion can be developed with out unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the 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 this 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 recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's 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 August 13, 2007.

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.

#438

July 25, Aug. 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

July 17, 2007

Black Hills Pioneer
Po Box 7
Spearfish SD 57783

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 1885-1 to Appropriate Water to be published twice. Please publish the first notice on July 25, 2007 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 John T & Veronica Widdoss, 20072 Bear Ridge Rd, Spearfish SD 57783 (Ph # 605-642-4488).

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. 1885-1

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

Date _____

We are in receipt of your letter of July 17, 2007 enclosing Notice to Appropriate Water by Application No. 1885-1 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.

July 17, 2007

John T & Veronica Widdoss
20072 Bear Ridge Rd
Spearfish SD 57783

Dear Mr. & Mrs. Widdoss:

Water Permit Application No. 1885-1 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 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 report on the application is 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 applications.

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.

Instruction to Newspaper - Publish first Notice on July 25, 2007 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1885-1 to Appropriate Water

Notice is given that John T & Veronica Widdoss, 20072 Bear Ridge Road, Spearfish SD 57783 has filed an application for a water permit to appropriate 0.11 cubic feet of water per second from one well completed into the Madison Aquifer (740 feet deep) located in the SE ¼ SW ¼ Section 8 to irrigate 22 acres of lawn and shelter belts located in portions of the SW ¼ Section 8; all in T6N-R1E. The water will also be used for domestic use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1885-1 for a 20-year term because 1) the proposed diversion can be developed with out unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the 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 this 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 recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's 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 August 13, 2007.

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

OCT 17 2007

John T and Veronica Widdoss
20072 Bear Ridge Road
Spearfish SD 57783

Dear Mr. and Mrs. Widdoss:

Enclosed is Water Permit No. 1885-1 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. 1885-1
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, **January 22, 2016**, made a thorough examination of the water use system constructed by **John T. & Veronica Widdoss, 20072 Bear Ridge Road, Spearfish, SD 57783** holder of Permit No. **1885-1** bearing the priority of **April 9, 2007**, authorizes the diversion of **0.11** cubic foot of water per second (cfs), of the waters of the **Madison Aquifer** for **irrigation and domestic use**, in **Lawrence County**.

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

A. Works used to divert the water:

Submersible pump capable of 50 gallons per minute.

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

Water is supplied through 1 & 2 inch PVC distribution lines.

The system is in the following condition **good**. The point of diversion is located **875 feet N and 1600 feet E from the SW corner of Section 8, T6N-R1E (SE¼SW¼), Lat/Lon N44.490924/W-104.025270.** The works are capable of diverting **0.11 cfs** which is to be used for **irrigation and domestic purposes**. Water has been put to beneficial use to the maximum extent as follows:

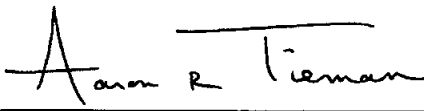
Section 8, T6N-R1E
NW¼ SW¼ - 1.5 acres
NE¼ SW¼ - 4.0 acres
SW¼ SW¼ - 14.5 acres
SE¼ SW¼ - 2.0 acres

Comprising a total of **22.0 acres** and the license should be issued for **0.11 cfs**.

All structures, wells and lands on map **Y**

Exceptions to compliance are: **none**

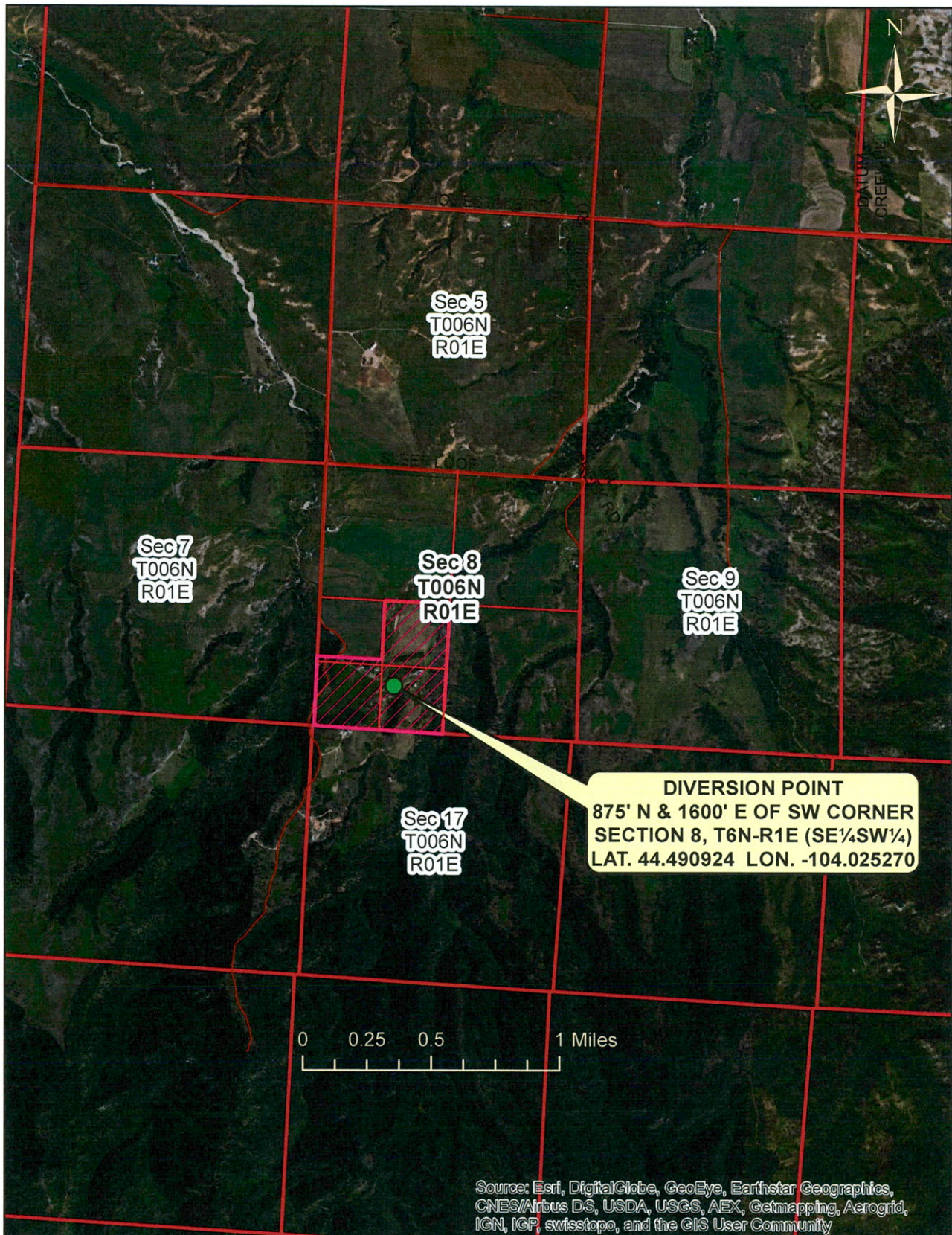
Comments:



Aaron Tieman
Natural Resources Engineer II
DENR Water Rights Program

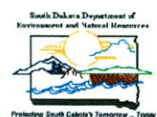
Date Report Completed: **June 29, 2016**

WATER PERMIT NO. 1885-1
JUNE 29, 2016



Aaron R. Tieman

Aaron Tieman
Natural Resources Engineer II
DENR Water Rights Program



**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1885-1**

(1) John T & Veronica Widdoss, 20072 Bear Ridge Road, Spearfish SD 57783 made Application No. 1885-1, January 8, 2007 for a water permit to divert 0.11 cubic feet of water per second from ground water – one well (Madison Aquifer), Lawrence County, South Dakota for irrigation and domestic purposes. Permit No. 1885-1, with a priority date of April 9, 2007 was approved August 13, 2007 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before August 13, 2012 and for the application to beneficial use of said water on or before August 13, 2016.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the water supply system and are entitled to divert 0.11 cubic feet of water per second for beneficial use. The location of the diversion point is 875 feet N and 1,600 feet E of the SW corner of Section 8, T6N, R1E (SE ¼ SW ¼).

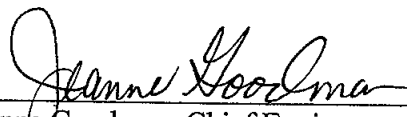
(3) The permit holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 8, T6N, R1E	NW ¼ SW ¼	1.5 acres
	NE ¼ SW ¼	4.0 acres
	SW ¼ SW ¼	14.5 acres
	SE ¼ SW ¼	2.0 acres
	Total	22.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 John T & Veronica Widdoss, 20072 Bear Ridge Road, Spearfish SD 57783 the holders and/or owners of Water Right No. 1885-1 are issued a license to appropriate water, the right to use 0.11 cubic feet of water per second from ground water, one well (Madison Aquifer) with a priority date of April 9, 2007 from the location specified in (2) of this license for irrigation and domestic purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1885-1 and subject to the following qualifications:

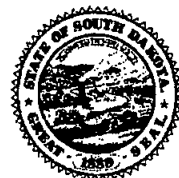
- In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1885-1 is issued for a twenty year term. Pursuant to SDCL 46-2A-21, the twenty year term may be deleted at any time during the twenty year period or following its expiration. If the twenty year term is not deleted at the end of the term, the Permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 1885-1 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 Board Rule 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>

JUL 22 2016

1885-1

John T & Veronica Widdoss
20072 Bear Ridge Rd
Spearfish SD 57783

Dear Mr. & Mrs. Widdoss:

Enclosed is Water License No. 1885-1. 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. 1885-1, 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,

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

enclosures



1885-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

July 18, 2017

1885-1

John & Veronica Widdoss
20072 Bear Ridge Rd
Spearfish SD 57783

Dear Mr. & Mrs. Widdoss:

I am writing in regard to your Water Right No. 1885-1 authorizing diversion of ground water for domestic use and for irrigation of 22 acres in the SW ¼ Section 8, T6N, R1E (copy enclosed).

The water right contains a qualification that requires submission of an annual irrigation water use questionnaire. For some reason, the annual form has never been sent to you. Beginning this year, you will receive a questionnaire to report annual water use. The forms are typically mailed from our office in mid-October and are due back by December 1st.

You do not need to keep track of the water used for domestic purposes. The only information needed annually would be how much water was diverted for irrigation purposes.

As indicated above, the forms for reporting water use will be mailed out to irrigators in October. If you have any questions when you receive the form, please let me know.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: 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: JOHN & VERONICA WIDDOSS, 20072 BEAR RIDGE RD, 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) 1885-1. 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) 1885-1 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) 1885-1 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: VRVAMK**

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 8, 2024

1885-1

John & Veronica Widdoss
20072 Bear Ridge Rd
Spearfish SD 57783

Dear Mr. & Ms. Widdoss:

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). 1885-1. The information was received prior to the March 6, 2024, Water Management Board meeting and this permit number 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