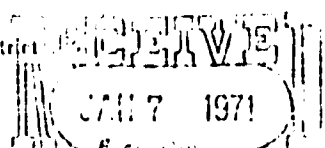


Water Right Number 928-1

1. Considered March 10, 19 71
2. Name of Applicant Charles Wennberg
3. Post Office Address Whitewood, S.D.
4. Amount of Water claimed 2.2
5. Source of Water supply Whitewood Creek
6. Water to be used for irrigation
- Acres to be irrigated 155
7. Water to be diverted and used in Lawrence County
about 1 miles NE of Whitewood.
8. Proof of Publication Received HEF 3-9-71
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 923-1Map No. 773-1 Water Division No. 1 BELLE FOURCHE RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RESOURCES DEPT.

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Charles Wennberg
Postoffice address Whitewood, State South Dakota 57792
If corporation—how date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract & direct labor
3. Name of diversion work Wennberg Irrigation Project #2
4. Amount of water claimed (cubic feet per second) 2.2 cubic feet per second
5. Source of water supply Whitewood Creek
6. Location of point of diversion is from Whitewood Creek between points in SE1/4NW1/4 and NE1/4NW1/4 section 22 township 6N range 4 East
County Lawrence
7. Annual period or periods during which water is to be used March 1 - November 1
8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) sprinkler irrigation
9. For irrigation use. Total number of acres to be irrigated 155

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>Twp. 6N, Range 4E, Section 15</u>		<u>Section 22</u>	
<u>SE1/4NW1/4</u>	<u>3</u>	<u>NE1/4NW1/4</u>	<u>31</u>
<u>NE1/4SW1/4</u>	<u>31</u>	<u>SE1/4NW1/4</u>	<u>11</u>
<u>SE1/4SW1/4</u>	<u>37</u>	<u>SW1/4NE1/4</u>	<u>21</u>
		<u>NW1/4NE1/4</u>	<u>21</u>

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1-3 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Queen City Mail, Spearfish, SD
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Culvert
Headgate
Dozer Work

TOTAL \$ 660.00

B. Works proposed to transport water to place of use.

Aluminum pipe
Cement asbestos pipe
Open ditch

TOTAL 3000.00

C. Works proposed to apply water to beneficial use.

Pump
Distribution lines
Sprinkler system

TOTAL 8800.00
Estimated Total Cost \$12460.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Lawrence) ss.

I, Charles Wennberg, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Charles WennbergSubscribed and sworn to before me this 12th day of December, 1971

Notary Public (or other qualified officer)

By Notary Public Expires 5/15/76

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 928-1
CHARLES WENNBERG WHITEWOOD Rt 1, Box 1
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modifications:
 (State)

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE,
 INCLUDING LIVESTOCK WATERING, AND PRIOR WATER RIGHTS
 MUST BE BY-PASSED

Date of first receipt of application JANUARY 7 19 71
 Date of return to applicant for correction, amendments or changes required JANUARY 21 19 71
 Date of receipt of corrected application JANUARY 25 19 71
 Approved MARCH 10 19 71, Recorded in Book 11 Page 243
 WATER RIGHT PERMIT NO. 928-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 928-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JANUARY 7 19 71
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 10 19 72
3. The whole of said work is to be completed on or before MARCH 10 19 74 78
4. The limit of from proof of beneficial use of water appropriated in accordance herewith is MARCH 10 19 76 80
 (EXTENSION 5-22-75)
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.2 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 10 19 76 80 said water to be used during the following described annual period: MARCH 1 TO NOVEMBER 1

Witness my hand this 12TH day of MARCH 19 71

WATER RESOURCES COMMISSION

By:

[Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued February 26 19 82

Water License Issued February 26 19 82

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 928-1

(1) WHEREAS, On the 7th day of January, A. D. 19 71
Charles Hennberg

made Water Right Application No. 928-1 for a permit to use 2.2 cubic feet per second of the waters of Whitewood Creek and runoff

County of Lawrence, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 10th day of March, A. D. 19 71

Permit No. 928-1, with a date of priority of December 13, 1961 & January 7, 1971*

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 10th day of March, A. D. 19 78 and for the application to beneficial use of said water on or before the 10th day of March, A. D. 19 80

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 2.2 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

to irrigate the following land all in T6N. 34E

Section 15 SE 1/4 NW 1/4 3 acres

NE 1/4 SW 1/4 31 "

SE 1/4 SW 1/4 37 "

Section 22 NE 1/4 NW 1/4 31 "

SE 1/4 NW 1/4 11 "

NW 1/4 NE 1/4 21 "

SW 1/4 NE 1/4 21 "

TOTAL 155 acres

* Water Rights No. 628-1 is incorporated into this Water License

(5) NOW, BEFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Charles Vennberg

of Whitewood, South Dakota
the holder and owner of said permit No. 228-1 a water right, dating from 0.28 cfs from Dec 18, 1961
& 1.92 cfs from Jan 7, 1971 to use of 3.2 cubic feet per second of the waters
of Whitewood Creek

In the County of Laurens and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at a point 2400 feet South and 600 feet west of the
N 1/4 corner of Section 22, T6N, R4E from Whitewood Creek, and from runoff,
S 42°45' E, 185 rods from the NW corner, Section 22, T6N, R4E

and conducted to and upon Portions of Sections 15 and 22, T6N, R4E more fully described
on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 228-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 26th day of February A. D.
Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 928-1

Water Diversion No. 1 Belle Fourche River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Charles Wannberg

_____ the holder _____ of
Permit No. 928-1, issued upon Application No. 928-1, bearing date of priority of _____
December 18, 1961 authorizing the diversion of 2.2 cu. ft. per second of the waters of _____
Whitewood Creek & runoff County of Lawrence, State of South Dakota at _____
a point 2400 feet South and 600 feet west of the N 1/4 corner of Section 22, T6N,
R4E from Whitewood Creek and from runoff S 82°45'E, 145 rods from the NW corner,
Section 22, T6N, R4E, for irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.2 cu. ft. per second of water.

Date February 26, 1982


JOHN HATCH, Chief Engineer
Water Rights Division

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lawrence) ss.

I, Jane Carlstrom hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Queen City Mail

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City of Spearfish

County of Lawrence and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

Feb. 11

Feb. 12

Feb. 25

March 11

Jane Carlstrom
(Signature)

Bookkeeper
(Title)

March 6 - 1971
(Date Signed)

NOTICE OF INTENT TO APPROPRIATE WATER
I, Charles Wennberg, South Dakota 57501,
do hereby give notice that Charles Wennberg whose post office address is
Whitewood, South Dakota, has made an
application in accordance with the pro-
visions of the water laws of South Da-
kota for a permit to appropriate for
beneficial use 3.3 cubic feet of water
per second of time from Whitewood
Creek through the Wennberg Irrigation
Project No. 2 (the point of diversion of
which is to be located between points
in the SE 1/4 NW 1/4 and NE 1/4 NW 1/4 of
Section 22, Twp. 6N, Range 4E, 2nd
water to be used for the purpose of
providing irrigation on portions of the
following described land: SE 1/4 NW 1/4
E1/2 SW 1/4 Section 18, 9 E 1/4 NW 1/4 and
W 1/2 NW 1/4 Section 22, T6N, R4E, 2nd
This application No. 1928-1 will be
considered by the Water Resources
Commission at their office at Pierre
upon the 10th day of March, 1971, at
2:00 P.M. All interested persons may
appear and be heard.
WATER RESOURCES COMMISSION
By: BURTON F. JONES,
Water Rights Specialist
cc: Charles Wennberg, Whitewood, S. D.
(790 - 41, F-11-17-23, M 4)

RECEIVED
MAR 9 - 1971

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Publish first publication, on or before February 11, 19 71

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 26, 19 71

Notice is hereby given that Charles Wennberg

whose post office address is Whitewood, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

2.2 cubic feet of water per second of time from the Whitewood Creek through the Wennberg Irrigation Project #2, the point of diversion of which is to be located in the between points in the SE 1/4 NW 1/4 and NE 1/4 NW 1/4

of Section 22, Twp. 6N, Range 4E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4 NW 1/4, E 1/2 SW 1/4, Section 15; E 1/2 NW 1/4 and W 1/2 NE 1/4, Section 22, T6N, R4E

This application No. 928-1 will be considered by the Water Resources Commission at their office at Pierre upon the 10th day of March, 19 71, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Charles Wennberg, Whitewood, S.D.

APPLICATION FOR EXTENSION OF TIME

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Date April 10, 1975

Dear Sirs:

In Water Right Permit No. 928-1 it is specified that the water diversion system is to be completed by March 10, 19 74 and that the water is to be put to the limit of beneficial use by March 10, 19 76.

I hereby request that the date for completing the diversion system be extended to March 10, 19 76 and that the date for putting the water to the limit of beneficial use be extended to March 10, 19 78.

The extension of time for the completion of these works is requested for the following reasons: Not enough time requested in the original application

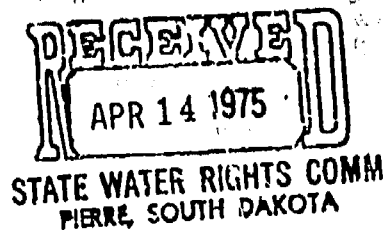
Enclosed herewith is a fee of \$1.00 to pay the cost of filing this request for extension of time.

Charles Wensberg
(Signed)
Holder of Permit No. 928-1

APPROVED: 5-22-75

WATER RESOURCES COMMISSION

By: Arthur Jones





Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division (605) 773-3352

June 10, 1981

Charles Wennberg
Whitewood, SD 57793

Mr. Wennberg:

The rules adopted by the Water Management Board for establishing a water use control area on the Belle Fourche River, Whitewood Creek and Owl Creek requires that the water right holder be assessed a fee of ten dollars for each cubic foot per second or portion thereof of the diversion capability of the diversion works plus twenty-five cents for each acre irrigated as shown by the water rights of record in the Division of Water Rights. These fees are required to be paid to the Division of Water Rights by July 1, 1981.

Permits for which fees have not been paid by July 1, 1981 shall be refused the right to divert water for the remainder of the year. The fees paid will be used to defray the costs of providing water master services within the water use control area. The following is a tabulation of your assessment.

<u>Permit No.</u>	<u>Diversion Rate</u>	<u>Acreage</u>	<u>Fee</u>
✓ 928-1	2.2 cfs	155.0	\$68.75
TOTAL			\$68.75

Please make check or money order payable to the Dept. of Water and Natural Resources and send to the Division of Water Rights, Joe Foss Building, Pierre, SD 57501.

If you have any questions, do not hesitate to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/JW/gy

Equal Opportunity Employer

RECEIPT

WATER RIGHTS COMMISSION

No 4 8365

State of South Dakota

MINNEAPOLIS July 2

81

PIERRE,

19

RECEIVED OF Charles Wenneberg, Whitewood SD 57793

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for Inspecting Construction, and issuing Cert. of Construction No. _____		
Fee for inspecting Beneficial Use, and issuing Water License No. _____		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filling _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for water meter services on WP # 8365-1	68	75
(any other work as provided by law)		
TOTAL	68	75

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (S)

DATE MICROFILMED

Beile Fourche River and Tributaries
Water Use Control Area
Financial Report
1981
Summary of Receipts and Expenditures
June, 1981 - July, 1981

	<u>Receipts</u>	<u>Disbursements</u>	<u>Balance</u>
Collections (Water User's fees)	\$7,379.37	\$ 2,028.62	\$ 5,350.75
Watermaster (Salary and Mileage)	\$7,379.37	\$2,028.62	\$5,350.75

Detailed Report of Receipts

No.	Name	Diversion Rate	Acraage	Receipts (total fee)	Amount Returned
789-1	Louis Budmayr	0.90	95.50	\$ 34.30	\$ 30.10
429-1	Ed Brunner & Son	1.43	106.00	46.50	41.16
429-1A	Mel Pittman	1.07	79.00	40.00	35.41
506-1	Bob Bartels	.23	17.00	14.25	12.61
892-1	Bob Bartels	1.00	70.00	27.50	24.34
417-1A	Quinten & Karen Watson	.53	78.00	29.50	26.11
417-1B	Clarence Anderson	1.43	206.00	64.00	56.65
417-1	Mrs. Eddie(Vivian)Anderson	1.15	69.00	69.50	61.52
531-1	Ruby Dillinger	1.27	89.29	42.50	37.62
1162-1	Charles & Dorothy Shaykett	4.61	324.70	131.00	115.96
1210-1	Charles & Dorothy Shaykett	1.80	128.30	52.00	46.03
1132-1	Ezra Pauley	4.00	285.00	111.25	98.48
1204-1	Art Heitz, Jr.	2.19	153.00	68.25	60.41
1205-1	Harlan H. Schnell	1.88	132.00	53.00	46.91
1215-1	H L & Mildred Brunner	3.00	264.50	96.12	85.08
418-1	Al-x Miller	1.67	117.00	49.25	43.59
1213-1	Robert W Grant	1.43	100.00	45.00	39.83
419-1	Herman Stark	2.50	179.00	74.75	66.17
421-1	Lee Dutton	2.50	175.00	73.75	65.28
1049-1	Thorval Jensen	1.47	103.00	40.75	40.50
1122-1	Thorval Jensen	4.88	324.14	135.75	120.16
1160-1	Thorval Jensen	1.90	133.49	53.50	47.36
1029-1	Homestake Mining	1.39	97.00	44.25	30.17
910-1	Donald Halbmaier	2.50	175.00	73.75	65.28
1165-1	Tom Bowen	2.85	200.00	80.00	70.81
722-1	Edith Anderson & Tom Bowen	2.30	196.00	79.00	69.93
1148-1	Homestake Mining	13.50	948.00	377.00	333.71
430-1	Gerald Wetz	1.65	116.00	49.00	43.37
432-1	Roy Casteel	4.50	307.00	126.75	112.20
414-1	Mary Ann Schummer	3.40	239.00	99.75	88.30
411-1	Edward Poss	5.10	452.00	173.00	153.13
440-1	David A Richards	5.00	416.00	154.00	136.32
1149-1	Homestake Mining	3.20	226.00	96.50	85.42
1150-1	Homestake Mining	7.60	534.00	213.50	188.98
437-1	McNenny Ranch Inc.	5.90	418.00	164.50	145.61
1151-1	Homestake Mining	5.50	390.00	157.50	139.41
821-1	George Levin & Sons	7.00	490.00	192.50	170.40
1136-1	George Levin & Sons	3.07	215.00	93.75	82.98

Detailed Report of Receipts Cont.

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
1152-1	Homestake Mining	6.60	462.00	\$ 185.50	\$ 164.20
449-1	George Wurnig	5.00	365.00	171.25	151.59
1153-1	Homestake Mining	6.10	428.00	177.00	156.68
311-1	Lester Clark	16.61	1,163.60	461.00	408.06
310-1	Lester Clark	6.76	473.20	188.50	166.85
248-1	Lawrence Burke	0.90	64.00	26.00	23.01
1077-1	Charles M Arneson	1.44	131.00	52.75	46.69
165-1	Trigg Ranches Inc.	4.30	301.00	275.00	245.42
122-1	Trigg Ranches Inc.	3.75	263.00		
1146-1	Trigg Ranches Inc.	1.89	336.00		
928-1	Charles Wennberg	2.20	155.00	68.75	60.86
912-1	Gilbert Alan	1.46	101.80	45.50	40.28
926-1	Donald Berger	2.04	143.00	65.75	58.20
1176-1	Arthur J Gdekoven	2.30	163.00	70.75	62.63
1190-1	Neil Shuck	3.53	247.00	101.75	90.07
611-1	Alex Miller	3.35	235.00	98.75	87.41
569-1	Ramona McFarland	0.97	68.00	27.00	23.90
810-1	Eugene C Bishop	0.70	49.00	22.25	19.70
401-1	Kenneth & Dorothy Aker	1.88	132.00	53.00	46.91
135-1	Walter Hoffman	3.11	220.00	95.00	84.09
408-1	James A Mickelson	3.10	218.00	94.50	83.65
469-1	Raymond Garness	1.30	91.00	42.75	37.84
1218-1	William Dillinger	.40	42.70	20.75	18.37
1222-1	John Ismay (Norman)	1.11	79.00	39.75	35.19
1154-1	Homestake Mining	4.50	319.00	129.75	114.85
285-1	Edgar Colin Smart	1.42	150.00	67.50	---
331-1	Anna Stetta (Louis Budmayr)	1.87	131.00	52.75	---
472-1	Timothy Reich	2.00	167.84	62.00	---
275-1	John Durr	1.90	133.00	53.25	---
271-1	Herbert Clarkson	.06	43.00	20.75	---
296-1	Robert Helmer	2.50	179.00	74.75	---
308-1	Lewis Bertolotto	.64	45.00	21.25	---
282-1	James Jeffrey	1.05	73.70	38.50	---
1182-1	George Louch	1.60	108.00	47.00	---
228-1	Thornton Vallery	.72	54.17	23.75	---
290-1	Thornton Vallery	5.50	386.00	156.50	---
264-1	Thornton Vallery	.22	15.30	14.00	---
321-1	Clarence & Lawrence Foos	1.64	115.00	48.75	---
962-1	Ione A Shevling	3.00	251.00	92.75	---
960-1	Thornton & Gwenivere Vallery	.50	35.00	18.75	---
277-1	Thornton & Gwenivere Vallery	1.02	75.00	38.75	---
273-1	Ruben & Esther Kling	.46	32.60	18.25	---
273-1A	Ruben & Esther Kling	1.54	108.40	47.25	---
1177-1	Ruben & Esther Kling	3.30	231.00	97.75	---
416-1	Creta & Leslie Miner	2.66	198.00	79.50	---
865-1	Solomon Stark	2.14	150.00	67.50	---
287-1	David G Rathbun	2.20	154.00	68.50	---
1126-1	John Lewis	3.11	339.00	124.75	---

DIRECT VOUCHER

AGENCY VOUCHER No.	DATE

PAYEE • Charles Wennberg
Whitewood SD 57793

DEPT. • DWR, Water Rights Division
Joe Foss Bldg.
Pierre SD 57501

AGENCY •

ADDRESS •

Agency	Fund	Sub Fund	Prog. Act.	Obj. Sub. Obj.	Agency Coding	Amount	Contract No.
200301	699	01	0000	0801		60.86	1
							2
							3
							4
							5
							6
							7
							8
							9
							10
TOTAL						22 60.86	

Warrant # 82079274
ac # 077375
date 11/10/81

NOTE: Vendors invoice must be attached.

Invoice No.(s)	Date Delivered	QUAN.	DESCRIPTION OF SERVICE OR COMMODITY	UNIT PRICE	AMOUNT	MEMO
			Refund of unexpended funds collected from the Belle Fourche River and tributaries Water Use Control Area Permit Owners			
			928-1 Charles Wennberg		60.86	
TOTAL					60.86	

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereafter relating to nondiscrimination in federally assisted programs.

Charles Wennberg

Claimant Signature

Date

11-5-81

AGENCY VERIFICATION

I hereby certify that this claim has been examined by me, and to the best of my knowledge and belief is in all things true and correct and the same is hereby approved.

John A. Roval

DIVISION AD. ROVAL

11-5-81

DATE

APPROVAL SIGNATURE

DATE

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8650

PIERRE, January 12, 1982

RECEIVED OF Charles A. Venzberg, RR#1, Box 1, White Sulphur, SD 57793

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.	12	00
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy o		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By J. L. Hatch
Chief Engineer, Executive Officer
John Hatch/ms

Permit No. 928-1
Water Division 1 Belle Fourche River Water District
101.20.202

REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Charles
Weinberg of Rt #1 Box 1, Whitewood, S. Dak. 57773 holder *
28 cfs from Dec. 13, 1961
of Permit No. 928-1, bearing date of priority of January 7, 1971
authorizing the diversion of 2.2 cu. ft. per second of the waters of Whitewood Creek
for Irrigation purposes, in Lawrence County.
I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

Rock Dam with Culvert and Gate and measuring
wier in Whitewood Creek.

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

Main supply ditch to fields to be irrigated
900 ft of 8" dia. Aluminum Pipe.

C. Works used to apply water to beneficial use.

Booster pump to apply water to area above ditch.
Crabapple pump series 622. Tractor power Take-off.
1350 ft 10" Gated pipe

The system is in the following condition. Good.

The point of diversion is located 240 ft S and 60 ft W of the NW corner
of section 22, T6N R4E

The works are capable of diverting and conveying to the place of use 10.0 (est)
cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: The following in Section 15

T6N R4E. SE 1/4 NW 1/4 - 3 Ac. NE 1/4 SW 1/4 - 31 Ac.

SE 1/4 SW 1/4 - 37 Ac.

The following in Section 22

T6N R4E. NE 1/4 NW 1/4 - 31 Ac. SE 1/4 NW 1/4 - 11 Ac.

NW 1/4 NE 1/4 - 21 Ac. SW 1/4 NE 1/4 - 21 Ac.

comprising a total of 155 acres of land.

* Note: Permit # 628-1 is incorporated into this permit.

license for 2.2 cfs.

Date May 14, 1981
Li. Roy J. Munnach
(Signature)

RHE

SE $\frac{1}{4}$ NW $\frac{1}{4}$

3A

15

Irrigate A.L.
That is Colored

NE $\frac{1}{4}$ SW $\frac{1}{4}$

Pump site to irrigate
Area above the pump

SE $\frac{1}{4}$ SW $\frac{1}{4}$

37A

3 PHASE POWER LINE

SW $\frac{1}{4}$ NE $\frac{1}{4}$

21A

SE $\frac{1}{4}$ NW $\frac{1}{4}$

SW $\frac{1}{4}$ NE $\frac{1}{4}$

21A

22

Pump

Rock Dam - Pipe
with gate to

divert water from
creek to upper
ditch. Has a

1. DIVERSION

2. DIVERSION (Doubtful - ROCK PROBLEM)

928-1

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

December 15, 1987

Mr. Charles Wennberg
RR #1 Box 1
Whitewood, SD 57793

Dear Mr. Wennberg,

This correspondence is in response to your letter to the Department of Water & Natural Resources (DWR) and our subsequent phone conversation on 12/15/87 regarding the water quality of Whitewood Creek and how it relates to irrigation.

Please find enclosed a short report put out by the Department of Agriculture entitled "Irrigation: your water, your soil, and their compatibility." The article describes which parameters to be tested for to ensure safe irrigation waters.

South Dakota regulation ARSD 74:03:02:30 establishes certain beneficial uses of public waters and sets surface water quality standards. Two parameters (conductivity and sodium adsorption ratio) have limitations which must be met to ensure safe irrigation waters. The limit for conductivity is 2,500 micromhos/cm at 25 degrees C. The limit for sodium adsorption ratio (SAR) is 10. Please refer to the enclosed article for a description of these two parameters.

You indicated that you appropriate water from Whitewood Creek approximately 1 mile north of I-90 for irrigation. As you know, there are considerable amounts of mine tailings deposited in the alluvium at that area. The main pollutant from these tailings posing an environmental concern is arsenic. Mr. Kim Goddard of the USGS in Rapid City informed me that the USEPA has established a limit for crop uptake of 100 micrograms/liter arsenic. Mr. Goddard further stated that anytime the water in Whitewood Creek is stirred-up and becomes murky, as after a rainstorm, arsenic levels can exceed this limit. Thus, I would recommend not irrigating during times when the water appears to have a high suspended solid content.

There are quite a few detailed reports dealing with the Whitewood Creek tailings deposits and associated water quality. I have included a list of references at the end of this letter that you may be interested in obtaining.

I was unable to locate water quality data for the stretch of Whitewood Creek 1 mile north of I-90. However, reports indicate that water quality can vary from place to place along Whitewood Creek. Therefore, I strongly recommend that you have a water sample analyzed

by Travis Labs in Rapid City. I recommend that the standard conductivity and SAR be done, along with testing for metals. Labs can supply you with the appropriate sample bottles and preservatives required. The USEPA, South Dakota DWR, and Homestake Mining Company selected the following suite of Target Substances which allow effective evaluation of the nature and potential environmental impact of the tailings on public health and beneficial use of land and water resources: arsenic, chromium, sulfate, silver, cadmium, manganese, selenium, nickel, iron, mercury, copper, lead, zinc, and cyanide. Fox (1984) has extensive data on numerous groundwater monitoring wells that were constructed in the alluvial aquifer along Whitewood Creek from Whitewood to the Belle Fourche River. Target metal concentrations have been detected above background levels in most of the alluvial wells but, in general, the levels were not considered to be critical for irrigation and stock watering purposes. Enclosed table 9-7 gives the irrigation water standards for most of the above mentioned parameters.

When the creek is high, for a few weeks in the spring, there is a temporary reversal of groundwater flow from the creek into the alluvium as bank storage, and in-stream dissolved arsenic concentrations are lowest. As bank storage is released from the alluvium and flows back into the creek in late spring and early summer, in-stream arsenic concentrations are highest. Thus, you may want to consider this when sampling and also when irrigating. A sample taken in late spring or early summer will probably represent the worse case scenario.

If you decide to have the water tested (Travis can quote you a price) and have any questions regarding the results, I recommend contacting the Plant Science Extension at SD State University (688-5121) and ask for Bob Hall, since different crops can uptake higher levels of certain elements than others without negative results.

Thank you for your concern. If I can be of further assistance, please don't hesitate to contact me.

Sincerely,

Thomas V. Durkin

Thomas V. Durkin
Hydrologist
Exploration & Mining Program
Telephone: (605) 773-4201

Enclosure

✓ cc: John Hatch

REFERENCES:

- 1) Cherry, JA, Morel, FMM, Rouse, JV, Schnoor, JL, & Wolman, MG, 1984, Hydrogeochemistry of the groundwater and vadose zones in the Whitewood Creek study area, SD, with emphasis on arsenic, Draft study agreement with EPA, State of SD, and Homestake Mining Company, 77pp.
- 2) Fox Consultants, Inc., 1984, Whitewood Creek Study, Phases I-III, Report to SDDWNR, Fox Consultants, Denver, Colorado.
- 3) Goddard, Kim, personal communication, 1987, Geologist, USGS, Rapid City, SD.
- 4) USEPA, October 1981, Process Design for Land Treatment of Municipal Wastewater: USEPA, Center for Environmental Research Information, Cincinnati, Ohio 45268.
- 5) Wuclo, R., 1986, Laboratory studies of arsenic adsorption in alluvium contaminated with gold-mine tailings along Whitewood Creek, Black Hills, South Dakota, Unpublished MS Thesis, SDSM&T, 166pp.

OCTOBER, 1987

sheet for recording 1987 irrigation estimates.

For Dept. use only

LA/BF

928-1
CHARLES WENNBERG
RR 21 BOX 1
WHITEWOOD
SD 57793

SURFACE WATER
GROUNDWATER

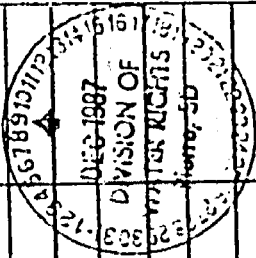
(check one)

Number of acres actually irrigated

If you did not irrigate during 1987-check this box

If your system has not been constructed-check this box

Type of Power	No. acres irrigated	Month	# days pumped	Average # hours per day	Average pump rate (gpm)	Acres of Crop Irrigated and Estimate		Water Use	
						Crop	Acres	Water Used	Water Used
1. Electric		April							
2. Gravity									
3. Gasoline		May							
4. Nat. Gas pipeline									
5. Diesel		June							
6. Propane		July							
7. Other									
Type of System		August							
		Sept.							
		Oct.							
		Oct.-Months							



Season Static Water Level: beginning _____ ft. end _____ ft. (groundwater only)

Complete and return to: WATER MANAGEMENT BOARD
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

COMMENTS:

Did not use any water this year. Did repair work on structures for irrigation after I have. Concerns about water quality for irrigation after leaving a report from B & S.

Owner or address change, if any:

The question is: is Whitewood Creek water safe to use at all times to irrigated with.

There is talk of tailings cleanups on the creek to improve water quality.

My question would be: has the department address water quality for irrigation when there are extra tailings in the water?

928-1

We ran water for 6 days in April and then then we were rained out.

After the hay was off in June we started irrigating again. The extreme dry conditions with gated pipe or flooding made it almost impossible to get water accross a field.

We had taken a water sample in April and in June and then in July.

Our July sample came back with a sodium absorption ratio of 1.85 and conductitive of 1300 .WE were concerned about those readings so we shut are irrigation down and had the county agent write the irrigation specialists at Brookings but due to his heavy work *and* we did not get any input until Sept..

One of the problems on water testing has been the, turn around time of up to 15 days.

For your information we are sending copies of ~~your~~ water tests and we welcome any input of anything that should be added.

Business Phone 605-341-7284
Home Phone 605-341-2456
Hours 8:00 — 4:30 M — F

Travis Laboratories

COAL — ORES — ENVIRONMENTAL WATERS — FEEDS — SOILS

1854 Lombardy Dr
Rapid City, South Dakota 57701

JAMES H. TRAVIS
Laboratory Director

REPORT DATE: 5-10-88

COMPANY: Charles Wennberg

ADDRESS: Rt 1 Box 1

CITY-STATE: Whitewood, SD 57793

SAMPLE #: Water

SAMPLE DATE-TIME: 4-19-88

LABORATORY #: 1884

METALS:

Tot ____ Tot Rec ____ Diss ____ EP Tox ____

Antimony (Sb), mg/l	
Aluminum (Al), mg/l	
Arsenic (As), mg/l	0.016
Barium (Ba), mg/l	

PARAMETER -- Minerals	RESULT	
Alkalinity (CaCO ₃), mg/l		
Bicarbonate (HCO ₃), mg/l		
Carbonate (CO ₃), mg/l		
Chloride (Cl), mg/l		
Fluoride (F), mg/l		
Sulfate (SO ₄), mg/l		
Calcium (Ca), mg/l	56	
Magnesium (Mg), mg/l	26	
Potassium (K), mg/l		
Sodium (Na), mg/l	40	
Major Anions, MEQ/L		
Major Cations, MEQ/L		
Cation - Anion Balance, %		
PARAMETER -- MISCELLANEOUS		
pH, Units		
✓ Conductivity, umhos/cm.		
Cyanide, Total, mg/l		
Cyanide, WAD, mg/l		
Cyanide, Free, mg/l		
Hardness (CaCO ₃), GPG: mg/l		
Oil & Grease, mg/l		
Solids, Dissolved, mg/l		
Solids, Suspended, mg/l		
Turbidity, NTU		
Sodium Absorption Ratio	1.11	

Beryllium (Be), mg/l	
Boron (B), mg/l	
Cadmium (Cd), mg/l	
Chromium (Cr), mg/l	
Cobalt (Co), mg/l	
Copper (Cu), mg/l	
Gold (Au), mg/l	
Iron (Fe), mg/l	
Lead (Pb), mg/l	
Lithium (Li), mg/l	
Manganese (Mn), mg/l	
Mercury (Hg), mg/l	
Molybdenum (Mo), mg/l	
Nickel (Ni), mg/l	
Selenium (Se), mg/l	
Silicon (Si), mg/l	
Silver (Ag), mg/l	
Strontium (Sr), mg/l	
Vanadium (V), mg/l	
Zinc (Zn), mg/l	
PARAMETER -- Nutrients	
Nitrogen, Ammonia, mg/l	
Nitrogen, Nitrate, mg/l	
Nitrogen, Nitrite, mg/l	
Nitrogen, Total Kjeldahl, mg/l	
Phosphorus, Ortho, mg/l	
Phosphorus, Total, mg/l	

Business Phone 605-341-7284
Home Phone 605-341-2458
Hours 8:00 -- 4:30 M -- F

Travis Laboratories

COAL -- ORES -- ENVIRONMENTAL WATERS -- FEEDS -- SOILS

154 Lombardy Dr
Sioux Falls, South Dakota 57701

JAMES H. TRAVIS
Laboratory Director

REPORT DATE: 7-7-85
COMPANY: Charles Wennberg
ADDRESS: Rt 1 Box 1
CITY-STATE: Whitewood, SD 57793
SAMPLE #: #1
SAMPLE DATE-TIME: 6-22-88

LABORATORY #: 3334

METALS:

Tot X Tot Rec Diss EP Tox

PARAMETER -- Minerals	RESULT
Alkalinity (CaCO ₃), mg/l	
Bicarbonate (HCO ₃), mg/l	
Carbonate (CO ₃), mg/l	
Chloride (Cl), mg/l	
Fluoride (F), mg/l	
Sulfate (SO ₄), mg/l	
Calcium (Ca), mg/l	90
Magnesium (Mg), mg/l	42
Potassium (K), mg/l	
Sodium (Na), mg/l	11
Major Anions, MEQ/L	
Major Cations, MEQ/L	
Cation - Anion Balance, %	
PARAMETER -- MISCELLANEOUS	
pH, Units	
Conductivity, umhos/cm	
Cyanide, Total, mg/l	
Cyanide, WAD, mg/l	
Cyanide, Free, mg/l	
Hardness (CaCO ₃), GPG: mg/l	
Oil & Grease, mg/l	
Solids, Dissolved, mg/l	
Solids, Suspended, mg/l	
Turbidity, NTU	
Sodium Absorption Ratio	0.24

Antimony (Sb), mg/l	
Aluminum (Al), mg/l	
Arsenic (As), mg/l	0.037
Barium (Ba), mg/l	
Beryllium (Be), mg/l	
Boron (B), mg/l	
Cadmium (Cd), mg/l	
Chromium (Cr), mg/l	
Cobalt (Co), mg/l	
Copper (Cu), mg/l	
Gold (Au), mg/l	
Iron (Fe), mg/l	
Lead (Pb), mg/l	
Lithium (Li), mg/l	
Manganese (Mn), mg/l	
Mercury (Hg), mg/l	
Molybdenum (Mo), mg/l	
Nickel (Ni), mg/l	
Selenium (Se), mg/l	
Silicon (Si), mg/l	
Silver (Ag), mg/l	
Strontium (Sr), mg/l	
Vanadium (V), mg/l	
Zinc (Zn), mg/l	
PARAMETER -- Nutrients	
Nitrogen, Ammonia, mg/l	
Nitrogen, Nitrate, mg/l	
Nitrogen, Nitrite, mg/l	
Nitrogen, Total Kjeldahl, mg/l	
Phosphorus, Ortho, mg/l	
Phosphorus, Total	

Business Phone 605-341-7284
 Home Phone 605-341-2458
 Hours 8:00 - 4:30 M - F

Travis Laboratories

COAL — ORES — ENVIRONMENTAL WATERS — FEEDS — SOILS

JAMES H. TRAVIS
 Laboratory Director

1854 Lombardy Dr
 Rapid City, South Dakota 57701

REPORT DATE: 7-25-88
 COMPANY: Charles Wennberg
 ADDRESS: Rt 1 Box 1
 CITY-STATE: Whitewood, SD 57793
 SAMPLE #: Water
 SAMPLE DATE-TIME: 7-14-88

LABORATORY #: 3832

PARAMETER -- Minerals	RESULT	METALS:
Alkalinity (CaCO3), mg/l		Tot ____ Tot Rec ____ Diss ____ EP Tox ____
Bicarbonate (HCO3), mg/l		Antimony (Sb), mg/l
Carbonate (CO3), mg/l		Aluminum (Al), mg/l
Chloride (Cl), mg/l		Arsenic (As), mg/l
Fluoride (F), mg/l		Barium (Ba), mg/l
Sulfate (SO4), mg/l		Beryllium (Be), mg/l
Calcium (Ca), mg/l	95	Boron (B), mg/l
Magnesium (Mg), mg/l	51	Cadmium (Cd), mg/l
Potassium (K), mg/l		Chromium (Cr), mg/l
Sodium (Na), mg/l	90	Cobalt (Co), mg/l
Major Anions, MEQ/L		Copper (Cu), mg/l
Major Cations, MEQ/L		Gold (Au), mg/l
Cation - Anion Balance, %		Iron (Fe), mg/l
PARAMETER -- MISCELLANEOUS		Lead (Pb), mg/l
pH, Units		Lithium (Li), mg/l
Conductivity, umhos/cm	1300	Manganese (Mn), mg/l
Cyanide, Total, mg/l		Mercury (Hg), mg/l
Cyanide, WAD, mg/l		Molybdenum (Mo), mg/l
Cyanide, Free, mg/l		Nickel (Ni), mg/l
Hardness (CaCO3), GPG: mg/l		Selenium (Se), mg/l
Oil & Grease, mg/l		Silicon (Si), mg/l
Solids, Dissolved, mg/l		Silver (Ag), mg/l
Solids, Suspended, mg/l		Strontium (Sr), mg/l
Turbidity, NTU		Vanadium (V), mg/l
Sodium Absorption Ratio	1.85	Zinc (Zn), mg/l
		PARAMETER -- Nutrients
		Nitrogen, Ammonia, mg/l
		Nitrogen, Nitrate, mg/l
		Nitrogen, Nitrite, mg/l
		Nitrogen, Total Kjeldahl, mg/l
		Phosphorus, Ortho, mg/l
		Phosphorus, Total, mg/l

Business Phone 605-341-7284
Home Phone 605-341-2458
Hours 8:00 -- 4:30 M -- F

Travis Laboratories

COAL — ORES — ENVIRONMENTAL WATERS — FEEDS — SOILS

1854 Lombardy Dr.
Rapid City, South Dakota 57701

JAMES H. TRAVIS
Laboratory Director

REPORT DATE: 9-12-88
COMPANY: Charles Vennberg
ADDRESS: Rt 1, Box 1
CITY-STATE: Whitewood, SD 57793
SAMPLE #: Trigate Water
SAMPLE DATE-TIME: 8-30-88

LABORATORY #: 4730

METALS:

Tot Tot Rec Diss EP Tox

Antimony (Sb), mg/l	
Aluminum (Al), mg/l	
Arsenic (As), mg/l	0.037
Barium (Ba), mg/l	
Beryllium (Be), mg/l	
Boron (B), mg/l	
Cadmium (Cd), mg/l	
Chromium (Cr), mg/l	
Cobalt (Co), mg/l	
Copper (Cu), mg/l	
Gold (Au), mg/l	< 0.005
Iron (Fe), mg/l	
Lead (Pb), mg/l	
Lithium (Li), mg/l	
Manganese (Mn), mg/l	
Mercury (Hg), mg/l	
Molybdenum (Mo), mg/l	
Nickel (Ni), mg/l	
Selenium (Se), mg/l	
Silicon (Si), mg/l	
Silver (Ag), mg/l	
Strontium (Sr), mg/l	
Vanadium (V), mg/l	
Zinc (Zn), mg/l	
PARAMETER --Nutrients	
Nitrogen, Ammonia, mg/l	
Nitrogen, Nitrate, mg/l	
Nitrogen, Nitrite, mg/l	
Nitrogen, Total Kje'dahl, mg/l	
Phosphorus, Ortho, mg/l	
Phosphorus, Total, mg/l	

PARAMETER -- Minerals	RESULT
Alkalinity (CaCO ₃), mg/l	
Bicarbonate (HCO ₃), mg/l	
Carbonate (CO ₃), mg/l	
Chloride (Cl), mg/l	
Fluoride (F), mg/l	
Sulfate (SO ₄), mg/l	
Calcium (Ca), mg/l	97
Magnesium (Mg), mg/l	46
Potassium (K), mg/l	
Sodium (Na), mg/l	55
Major Anions, MEQ/L	
Major Cations, MEQ/L	
Cation - Anion Balance, %	
PARAMETER -- MISCELLANEOUS	
pH, Units	
Conductivity, umhos/cm	1010
Cyanide, Total, mg/l	
Cyanide, WAD, mg/l	
Cyanide, Free, mg/l	
Hardness (CaCO ₃), GPG: mg/l	
Oil & Grease, mg/l	
Solids, Dissolved, mg/l	
Solids, Suspended, mg/l	
Turbidity, NTU	
Sodium Absorption Ratio	1.15



twin city testing
corporation

Returned with 1989 questionnaire

928-1
Business Phone 605-341-7284
Hours 8 00 - 5 00 - M-F



COAL — ORES — ENVIRONMENTAL WATERS — FEEDS — SOILS

1854 Lombardy Dr
Rapid City, South Dakota 57701

Job # PAID

JAMES H. TRAVIS
Laboratory Manager

REPORT DATE: 9/7/89

COMPANY: Wennberg Ranch

ADDRESS: RR-1 Box-1

CITY-STATE: Whitewood, S.D. 57793

SAMPLE #: Irrigation Test 8/24/89

SAMPLE DATE-TIME: 8/24/89

DATE RECEIVED:

LABORATORY #: 4660

METALS:

Tot Tot Rec Diss EP Tox

Antimony (Sb), mg/l	
Aluminum (Al), mg/l	
Arsenic (As), mg/l	0.024
Barium (Ba), mg/l	
Beryllium (Be), mg/l	
Boron (B), mg/l	
Cadmium (Cd), mg/l	
Chromium (Cr), mg/l	
Cobalt (Co), mg/l	
Copper (Cu), mg/l	
Gold (Au), mg/l	
Iron (Fe), mg/l	
Lead (Pb), mg/l	
Lithium (Li), mg/l	
Manganese (Mn), mg/l	
Mercury (Hg), mg/l	
Molybdenum (Mo), mg/l	
Nickel (Ni), mg/l	
Selenium (Se), mg/l	
Silicon (Si), mg/l	
Silver (Ag), mg/l	
Strontium (Sr), mg/l	
Vanadium (V), mg/l	
Zinc (Zn), mg/l	
PARAMETER -- Nutrients	
Nitrogen, Ammonia, mg/l	
Nitrogen, Nitrate, mg/l	
Nitrogen, Nitrite, mg/l	
Nitrogen, Total Kjeldahl, mg/l	
Phosphorus, Ortho, mg/l	
Phosphorus, Total, mg/l	

PARAMETER -- Minerals	RESULT
Alkalinity (CaCO ₃), mg/l	
Bicarbonate (HCO ₃), mg/l	
Carbonate (CO ₃), mg/l	
Chloride (Cl), mg/l	
Fluoride (F), mg/l	
Sulfate (SO ₄), mg/l	
Calcium (Ca), mg/l	106
Magnesium (Mg), mg/l	55
Potassium (K), mg/l	
Sodium (Na), mg/l	54
Major Anions, MEQ/L	
Major Cations, MEQ/L	
Cation - Anion Balance, %	
PARAMETER -- MISCELLANEOUS	
pH, Units	
Conductivity, umhos/cm	1500
Cyanide, Total, mg/l	
Cyanide, WAD, mg/l	
Cyanide, Free, mg/l	
Hardness (CaCO ₃), GPG mg/l	
Oil & Grease, mg/l	
Solids, Dissolved, mg/l	
Solids, Suspended, mg/l	
Turbidity, NTU	
SAR	1.06

REVIEWED BY



Retest with 1990 7d
twin city testing
corporation

928-1
Business Phone 605-341-7284
Hours 8:00 — 5:00 — M-F

COAL -- GRES -- ENVIRONMENTAL WATERS -- FEEDS -- SOILS

11154 Lombardy Dr
Rapid City, South Dakota 57701

Job # 6110-90-87.12 Paid

JAMES H. TRAVIS
Laboratory Manager

REPORT DATE: 9/7/90

COMPANY: Wenaberg Ranch (Charles)

ADDRESS: RR1 Box 1

CITY-STATE: Whitewood, SD 57793

SAMPLE #: Whitewood Cr water

SAMPLE DATE-TIME: 8/26/90

DATE RECEIVED: 8/28/90

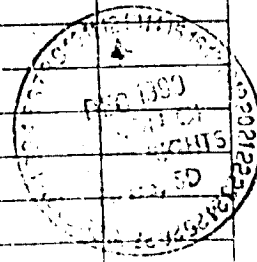
LABORATORY #: 6380

METALS:

Tot X Tot Rec Diss EP Tox

PARAMETER -- Minerals	RESULT	
Alkalinity (CaCO ₃), mg/l		Antimony (Sb), mg/l
Bicarbonate (HCO ₃), mg/l		Aluminum (Al), mg/l
Carbonate (CO ₃), mg/l		Arsenic (As), mg/l
Chloride (Cl), mg/l		Barium (Ba), mg/l
Fluoride (F), mg/l		Beryllium (Be), mg/l
Sulfate (SO ₄), mg/l		Boron (B), mg/l
Calcium (Ca), mg/l	52	Cadmium (Cd), mg/l
Magnesium (Mg), mg/l	28	Chromium (Cr), mg/l
Potassium (K), mg/l		Cobalt (Co), mg/l
Sodium (Na), mg/l	35	Copper (Cu), mg/l
Major Anions, MEQ/L		Gold (Au), mg/l
Major Cations, MEQ/L		Iron (Fe), mg/l
Cation - Anion Balance, %		Lead (Pb), mg/l
PARAMETER -- MISCELLANEOUS		Lithium (Li), mg/l
pH, Units		Manganese (Mn), mg/l
Conductivity, umhos/cm	700	Mercury (Hg), mg/l
Cyanide, Total, mg/l		Molybdenum (Mo), mg/l
Cyanide, WAD, mg/l		Nickel (Ni), mg/l
Cyanide, Free, mg/l		Selenium (Se), mg/l
Hardness (CaCO ₃) GPG, mg/l		Silicon (Si), mg/l
Oil & Grease, mg/l		Silver (Ag), mg/l
Solids, Dissolved, mg/l		Strontium (Sr), mg/l
Solids, Suspended, mg/l		Vanadium (V), mg/l
Turbidity, NTU		Zinc (Zn), mg/l
SAR	0.97	PARAMETER -- Nutrients
		Nitrogen, Ammonia, mg/l
		Nitrogen, Nitrate, mg/l
		Nitrogen, Nitrite, mg/l
		Nitrogen, Total Kjeldahl, mg/l
		Phosphorus, Ortho, mg/l
		Phosphorus, Total, mg/l

Reviewed by: *[Signature]*





928-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: CHARLES WENNBURG, 20164 WHITEWOOD VALLEY RD, WHITEWOOD, SD 57793

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 928-1. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 2, 2005, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No. 928-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 is received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, please contact Genny McMath at (605) 773-3352.

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.



928-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 1992

Your item was delivered at 3:11 pm on January 21, 2005 in WHITEWOOD, SD 57793. The item was signed for by C WENMBER.

[Shipment Details >](#)

Notification Options

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2667 9159 0000 0460 1992

CHARLES WENNBERG
20164 WHITEWOOD VALLEY RD
WHITEWOOD SD 57793

Waiver of Signature ☐ YES ☐ NO

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PS Form 153, July 2001



**DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

February 14, 2005

928-1

Charles Wennberg
20164 Whitewood Valley Rd
Whitewood SD 57793

Dear Mr. Wennberg:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 928-1.

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

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

NOTICE OF SHUTOFF ORDER

July 20, 2012

TO: CHARLES WENNBERG
20164 WHITEWOOD VALLEY RD
WHITEWOOD SD 57793

FROM: GARLAND ERBELE, Chief Engineer
SD DENR Water Rights Program *Garland Erbele*

SUBJECT: Shutoff Order for Whitewood Creek Water Rights

Shutoff Order for Water Right Nos. 928-1

Flow in Whitewood Creek has dropped to the point where domestic use of water, which includes livestock watering from the river, has become a concern. Therefore to protect domestic use, the department is issuing shutoff orders for Whitewood Creek. Effective immediately, no diversions of water from Whitewood are authorized under your water rights.

This order will be rescinded as soon as conditions improve. If conditions do not improve, this order will remain in effect until **December 31, 2012**.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

<http://waterdata.usgs.gov/sd/nwis/rt>

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the creek.

If you have any questions, please contact Mark Rath (605- 773-3352) or Aaron Tieman (605-394-2229) with the Water Rights Program. Thank you.

CERTIFICATION

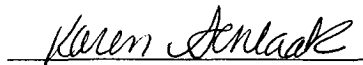
I hereby certify that on July 20, 2012, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated July 20, 2012 regarding shutoff orders on Whitewood Creek addressed as stated below:

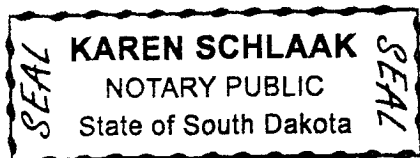
PERMIT_NO	PNO_2	LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
1176-1	1176A-1	ELLSBURY	LARRY & DEBBIE	327 FARRALL RD	SUNDANCE	WY	82729
611-1	1190-1	SHUCK	NEIL & FAITH	19269 SHUCK RD	VALE	SD	57788
912-1		ALAN	COREY	20044 WHITEWOOD VALLEY RO	WHITEWOOD	SD	57793
926-1		BERGER	ROLAND/MARY ANN	19688 ASPEN PLACE	WHITEWOOD	SD	57793
928-1		WENNBERG	CHARLES	20164 WHITEWOOD VALLEY RD	WHITEWOOD	SD	57793


Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 20th day of July, 20 12.


Karen Schlaak
Notary Public
My Commission expires April 1, 2013



928-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 2017

928-1

Charles Wennberg
302 Village Ln
Spearfish SD 57783-6309

Dear Mr. Wennberg:

Enclosed is a "Notice" dated October 20, 2017 concerning the 2017 irrigation questionnaire.

The notice was originally mailed to 20166 Whitewood Valley Rd, Whitewood 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,

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

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

enclosures



928-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

January 26, 2018

NOTICE

TO: CHARLES WENNBURG, 302 VILLAGE LN, SPEARFISH, SD 57783 6309

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Permit No(s) 928-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 928-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.

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MONDAY

29 JANUARY 2018 ⓘ by 8:00pm ⓘ

✓ Delivered

January 29, 2018 at 10:23 am
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 SPEARFISH, SD 57783

Get Updates ✓

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Tracking History

Product Information

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Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$	
☐ Return Receipt (electronic) \$	
☐ Certified Mail® Restricted Delivery \$	
☐ Adult Signature Required \$	
☐ Adult Signature Restricted Delivery \$	
CHARLES WENNBERG 302 VILLAGE LN SPEARFISH SD 57783 6309	
PS Form 3800, April 2015 PSN 7530-02-000-6047 See Reverse for Instructions	

See Less ^

How can I help you?

CERTIFICATION

928-1

I hereby certify that on March 8, 2018, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 8, 2018 regarding Water Management Board action taken March 7, 2018 for Irrigation Questionnaire violations addressed as stated below:

Amendments:

Water Right No. 410-2: John Anthony DeRungs, 11684 Indian Canyon Rd, Edgemont SD 57735
 Water Right No. 4309B-3: Ronald J Gorder, PO Box 185, Estelline SD 57234-0185
 Water Right No. 394-1: Larry B Reinhold, Lonetree Ranch, 14666 Lonetree, Sturgis SD 57785
 Water Right No. 2350-3: Bill Boyer, River Valley Farms, PO Box 486, Alcester SD 57001

One Year Suspensions:

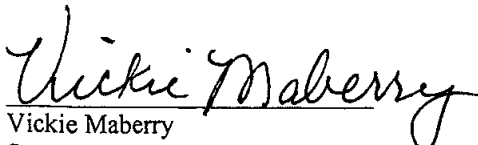
Water Right No. 4472-3, Darrell Biddle, 37461 287th St, Geddes SD 57342
 Water Right No. 635-2: Tom Lauing, Dakota Hills Inc., 14129 Ringneck Rd, Oral SD 57766
 Water Permit No. 8019-3: Mark Hohn 40455 266th St, Ethan SD 57334
 Water Right No. 1213B-1: Charles & Cathy Kimbril, 19027 137th Ave, Vale SD 57788
 Water Right No. 1233-1: Ed & Kathy Kling, 12345 Vallery Rd, Nisland SD 57762-9717
 Water Permit Nos. 6961-3, 6962-3, 6963-3 & 7233-3, Norman Kramer, 31105 436th Ave., Yankton SD 57078
 Water Permit Nos. 7265-3 & 7265A-3: Leigh Leesman, Leesman Ranch, 30729 206th St, Pierre SD 57501
 Water Right No. 5441-3, Water Permit Nos. 6408A-3 & 7118-3: Barry Little, 45696 SD Hwy 22, Castlewood SD 57223-5220
 Water Right No. 5735-3: Mark McCloud, 33670 183rd St, Highmore SD 57345
 Water Permit No. 1923-1: Jim Montieth, PO Box 1238, Spearfish SD 57783 8502
 Water Right No. 962B-1: Steve Olinger, 12241 Vallery Rd, Nisland SD 57762-7600
 Water Right No. 2074-2: Tamara Rogers, Prairie Gardens Inc., 13979 Cobb Rd, Hermosa SD 57744-5415
 Water Right Nos. 1612-3 & 1997-3: Brandon Vostad, Prairie Winds Golf Club, 555 S Lake Dr, Watertown SD 57201
 Water Right No. 2106-2: Stuart Rice, 2300 Skyline Ranch Rd., Rapid City SD 57701
 Water Right No. 2696-3A: Danny Schmidt, 18684 421st Ave., Willow Lake SD 57278
 Helen M Schmidt, 19053 427th Ave., Willow Lake SD 57278
 Water Right No. 4292-3: Stanley S Schulz, 41300 SD Hwy 20, Conde SD 57434
 Water Right No. 1554A-1/Water Permit No. 1935-1: Donald J Stange, 2807 Gamble Ct, Mitchell SD 57301-6411
 Water Permit Nos. 8164-3, 8165-3 & 8166-3: Todd Swenson, 38770 235th St., Wessington Springs SD 57382
 Water Right No. 2954-3: Lane Tekrony, 47840 180th St, Clear Lake SD 57226-5405

Second violation - Three year suspensions:

Water Right No. 495-2: Harlan Eisenbraun, 21362 Creighton Rd, Wall SD 57790
 Water Right No. 1530-2, Viola Keszler, 30317 289th St, Clearfield SD 57580

Third violation - Cancellation:

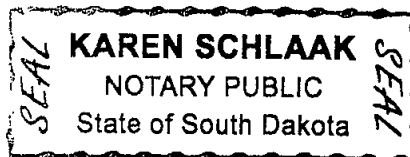
Water Right No. 3937-3: Wendell Schubloom, 20608 Hwy 25, DeSmet SD 57231


 Vickie Maberry
 Secretary
 Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 8th day of March, 20 18.


 Karen Schlaak
 Notary Public
 My Commission expires April 1, 2019





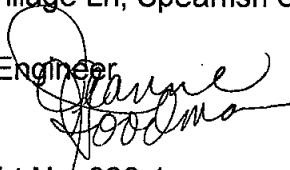
928-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

March 8, 2018

NOTICE OF ENTRY OF ORDER TO AMEND WATER RIGHT

TO: Charles Wennberg, 302 Village Ln, Spearfish SD 57783
FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 
SUBJECT: Amendment to Water Right No. 928-1

On March 7, 2018, the Water Management Board amended Water Right No. 928-1 to add the following qualification:

"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

This action was taken for your failure to return the 2017 irrigation questionnaire. The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

Please contact Genny McMath (605) 773-3352, if you have any questions.



DEPARTMENT of ENVIRONMENT
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PIERRE SOUTH DAKOTA 57501-3182
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December 19, 2018

928-1

Ted Thompson
20265 Superior Pl
Whitewood SD 57793

RE: Water Right No. 928-1 – Charles Wennberg

Dear Mr. Thompson:

I am writing in follow-up to our phone conversation concerning the water right listed in the name of Charles Wennberg. The water right authorizes diversion of water per second from Whitewood Creek and runoff to irrigate 155 acres located in portions of W ½ Section 15 and the N ½ Section 22, all in T6N, R4E.

It is my understanding that the land in Section 15 is currently held by the Wennberg Family Trust and you own the land in Section 22. Water Right No. 928-1 will need to be divided and reissued to reflect separate ownership.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

I have enclosed a copy of the water right for your review. I made notations next to the legal descriptions to show how the water right will be divided once the ownership changes have been completed. If you have any questions, please contact me.

Sincerely,

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

enclosures

FILE DOCUMENTATION FOR WATER RIGHT NO. 928-1

Water Right No. 928-1 authorizes diversion of 2.22 cubic feet of water per second (cfs) from runoff and Whitewood Creek located in the N ½ Section 22, T6N, R4E to irrigate 155 acres located in the W ½ Section 15 and N ½ Section 22, T6N, R4E.

On December 26, 2018, Ted or Coy Thompson filed an ownership change for the land in Section 22, T6N, R4E. Based on the ownership change, the water right was divided and reissued to reflect separate ownership.

- **No. 928A-1, (Charles Wennberg) Shirley Wennberg, Wennberg Family Trust, PO Box 729, Belle Fourche SD 57717** authorizing diversion of 1.01 cfs from runoff and Whitewood Creek located in the N ½ Section 22, T6N, R4E to irrigate 71 acres located in portions of the W ½ Section 15, T6N, R4E.
- **No. 928B-1, Ted or Coy Thompson, 20265 Superior Place, Whitewood SD 57793** authorizing diversion of 1.19 cfs from runoff and Whitewood Creek located in the N ½ Section 22, T6N, R4E to irrigate 84 acres located in portions of the N ½ Section 22, T6N, R4E.

No. 928A-1 was not officially transferred. A letter was received January 16, 2019 from Shirley Wennberg, Wennberg Family Trust in Belle Fourche SD indicating she wished to relinquish the water right.