

1. Considered: April 7, 19 82 Water Right No. 1181-1A
2. Name of Applicant KEITH AND LELAND JOHNSON
3. Post Office Address Box AB, Spearfish 57783
4. Amount of Water Claimed 0.16 (no additional) maximum acre feet
5. Source of Water Supply 1530 ft. (Change of Diversion)
6. Water to be used for COM IND DOM acres to be irrigated
7. County Lawrence about 7W, 3 miles NORTH of SPEARFISH
8. PROOF OF PUBLICATION: Received (X) 3-25-82 Not Received
- APPLICATION: Approved Subject to
- Not Approved Action Deferred

PRIORITY
9/13/78

Dated Received 2/25-82 Application complete-yes x no FEE 150.00

Remarks Change depth of well from Minnelusa to Madison Formation

Corrected Application received Period of Annual Use continuously

WATER
QUALITY

n/a

Received yes no APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application-yes no Remarks

Disapproved Returned

Diversion Point

SE 1/4 SW 1/4 Sec. 28-T7N-R1E

Land to be irrigated

WELL LOG

Driller Slice and Taylor Licensed - yes xx no

Depth 1530 feet deep

Remarks Madison Formation

Water Right No. _____

MAP Map No. 991-1 Map located in Water Right x Map file _____
Type of Map DRAWN Prepared by Reg. Land Surveyor

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

3/2/82

(Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS
F.F. & C.
OF LAW,
FINAL
DECISIONS
ETC.

Date _____
Final Decision, including F.F. & C. of Law were adopted _____

Date _____
Final Decision mailed to parties and/or parties notified that Final Decision was adopted _____

Remarks _____

No. 1181-1A
 Map No. 991-1 Water Division No. 1 Belle Fourche River District
 Above for Office Use 10170203

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☐ Vested Right ☐ Future Use ☐Change in Diversion ☒ Additional Diversion ☐Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant Keith and Leland Johnson Phone No. 642-57-42 (fee)
 Post Office Address Box AB Spearfish State SD 57783
 (Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) _____

3. Name of diversion work Johnson Well4. Amount of water claimed (cubic feet per second) 0.16 (no additional)5. Source of water supply one well

6. Location of point of diversion 590 feet N and 1980 feet E of the SW corner of Section 28,
T7N, R1E

County Lawrence7. Annual period or periods during which water is to be used continuously8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) industrial, commercial,9. For irrigation use, Total number of acres to be irrigated and residential

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.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system completed years. Additional time required to complete application of water to the proposed beneficial use _____ years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water QUEEN CITY MAIL12. Principal Features of the Proposed Water Supply System. Spearfish SD

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

flowing artesian well

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

underground 2" line to supply tank6" x 4 main return to property

C. Works proposed to apply water to beneficial use.

maintenance shops of suburban housing and commercial use

Estimated Total Cost \$ _____

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)
) ss.
 County of Lawrence)

I, Keith Johnson 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 Keith JohnsonSubscribed and sworn to before me this 23rd day of Feb, 19 82

s/Donald D Thompson

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1181-1A

Keith and Leland Johnson
(Applicant)

Box AB, Spearfish
(Post Office Address)

South Dakota 57783
(State)

With the following qualifications

Priority for this Permit was established under Permit No. 1181-1.

The well approved under this Permit shall be valved and the flow reduced to a minimum when not being used directly. The well shall also be equipped with a pressure gauge and a record of any pressure fluctuations. Such records shall be available to the Board, upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with specifications of the Water Management Board.

This Permit replaces Permit No. 1181-1 which has been cancelled.

Date of first receipt of application February 25, 19 82

Date of return to applicant for correction, amendments or changes required , 19

Date of receipt of corrected application , 19

Approved April 7, 19 82, Recorded in Book Page

WATER RIGHT PERMIT NO. 1181-1A

The Water Management Board hereby grants and issues this Water Right Permit No. 1181-1A authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is September 13, 1978
2. The equivalent of at least one-fifth of the work above specified is ~~to be completed on or before~~ , ~~19~~
3. The whole of said work is ~~to be completed on or before~~ , ~~19~~
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is ~~completed~~ , ~~19~~
5. The water appropriated shall be used for the purpose of industrial, commercial & residential
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 0.16 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 irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-fourth (1/4) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied~~ used for industrial, commercial & residential purposes ~~for irrigation on or before~~ this date, 19 ; said water to be used during the following described annual period: continuously

Witness my hand this 8th day of April, 19 82

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights

JOHN HATCH

Certificate of Construction Issued June 14, 19 82

Water License Issued June 14, 19 82

JOHNSON BROTHERS CO.

3/11/80

Lawrence

Spearfish

1700 FMD 1400 FSL

DN-IE-7N

1530' total depth

150 GPM

28' 10" casing

5x7 lead packer

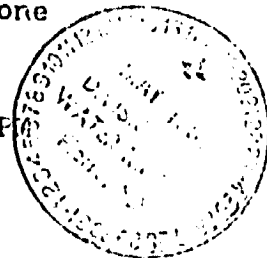
592' 7" casing

62 PSI @ well head

401' 4 1/2" ID casing

0-27	gravel & boulders & water	
27-180	red shale	
180-266	red siltstone	
266-304	minnelusa limestone	Minnelusa
304-310	purple shale	Opella
310-335	red siltstone	
335-397	red & gray siltstone	
397-400	yellow limestone	
400-425	yellow sandstone loose	Missouri
425-570	loose sandstone w/hard limestone layers	Minnelusa
over		

570-590	hard limestone	
590-630	red & pink limestone	
630-655	purple & red shaley limestone	
655-728	purple & red limestone & sandstone	
728-790	pink & purple limestone & sandstone	
790-810	gray dolomite	
810-842	gray & purple limestone	
842-852	limestone w/red orange shale layers on black	
852-872	pink & purple sandstone	
872-940	multi colored limestone	
940-945	green & black shale	
945-952	gray dolomite	Madison
952-970	gray & pink & yellow limestone	
970-1080	pink & gray limestone	
1080-1090	red limestone	
1090-1430	yellow & white limestone	
1430-1450	red & gray limestone -120 GPM	
1450-1530	red & gray limestone	



Drilled by Loggins
Rapid City - Coiled
3/2/82 BW

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1181-1A

(1) WHEREAS, On the 25th day of February A. D. 19 82
Keith & Leland Johnson

made Water Right Application No. 1181-1A for a permit to use 0.16 cubic feet per second of the waters of groundwater (one flowing well)

County of Lawrence, State of South Dakota, for Industrial, commercial and residential purposes; and

(2) WHEREAS, On the 7th day of April A. D. 19 82

Permit No. 1181-1A, with a date of priority of September 13, 1978
 was issued to said applicant for the diversion of said water, and recognized the completion of construction of the water supply system therein described on or before the day of April 19 and for the application to beneficial use of said water on or before the day of April 19

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 0.16 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,
water to be used for industrial, commercial and residential purposes.

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Keith and Leland Johnson

_____ of Spearfish, South Dakota

the holder _____ and owner _____ of said permit No. 1181-1A a water right, dating from September 13, 1978

_____ to use of 0.16 cubic feet per second of the waters of groundwater (one flowing well)

in the County of Lawrence and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 592'N and 1980'E of the SW Corner of Section 28, T7N, R1E.

and conducted ~~to and upon~~ through the development's distribution system

for the purpose of Industrial, commercial and residential use

Subject to any limitations listed in Water Right Permit No. 1181-1A and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 14th day of June A. D.
Nineteen Hundred and Eighty-Two

WATER MANAGEMENT BOARD

By.

Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 1181-1A

Water Diversion No. 1 Belle Fourche River Water District
10120203

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Keith & Leland Johnson

_____ the holder _____ of
Permit No. 1181-1A, issued upon Application No. 1181-1A, bearing date of priority of _____
September 13, 1978 authorizing the diversion of 0.16 cu. ft. per second of the waters of _____
groundwater (one flowing/well) County of Lawrence, State of South Dakota at _____
a point 590'N and 1980'E of the SW Corner of Section 28, T7N, R1E
_____, for industrial, commercial and residential

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 were found in satisfactory
condition for diverting and conveying to the place of intended use .27 cu. ft. per second of water.

Date June 14, 1982


JOHN HATCH, Chief Engineer
Water Rights Division

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1181-1A

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Laurens) ss.

I, Oliver F. Hermann hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Laurens 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

Laurens City Mail of Spearfish

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

March 17 - 24 - 1982

Oliver F. Hermann
(Signature)

Bookkeeper
(Title)

March 24 - '82
(Date Signed)

Cost of Printing: \$22.07

WNR-808-7/79
Proof of Publication



No. 1181-1A
NOTICE OF HEARING ON
APPLICATION
TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 2, 1982

Notice is hereby given Keith & Leland Johnson whose post office address is Box AB, Spearfish, South Dakota, have made an application in accordance with the provisions of SDCL, 45-1-1 thru 45-1-9; 45-1-12 thru 45-1-14; 45-2-9 thru 45-2-11; 45-2-13; 45-3-1 thru 45-3-4; 45-5-10 thru 45-5-22; 45-5-25; 45-5-41; 45-5-3 thru 45-5-5; 45-5-8.1; 45-5-10; 45-5-13; 45-5-14; and Board Rules ARSD 74:02:01; 74:02:01 thru 74:02:01:15, for a permit to appropriate for beneficial use no additional cubic feet of water per second of time from ground water (existing water) within the Jeanes Well to change the status of

(divers) which is located in the SE 1/4 NW 1/4 of Section 28, Twp. 7N, Range 1E. Said water to be used for purpose of providing water supplies for commercial, industrial and residential use.

This Application No. 1181-1A will be considered by the Water Management Board at Meeting Room #1, Knapp Bldg. Church & Illinois, Pierre SD upon the 7th day of April, 1982 at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board
BETTY WESTLUND,
Water Rights Specialist
(11-26c 88 lines)

No. 1181-1A

Publish first publication, on or before March 17, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 2, 1982

Notice is hereby given Keith & Leland Johnson

whose post office

address is Box AB, Spearfish, :, South Dakota, has made an appli-
cation in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru
46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22,
46-5-25, 46-5-41 (ground) 46-6-3 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14,
~~(future use) 46-6-18, 46-6-19, 46-6-20, 46-6-21, 46-6-22, 46-6-23 thru 46-6-25~~ and Board Rules ARSD
74:02:01:01 thru 74:02:01:15, ~~(future use) 74:02:01:16 thru 74:02:01:25~~ (10,000 Acre)
~~74:02:01:26 thru 74:02:01:28~~, for a permit to appropriate for beneficial use

no additional cubic feet of water per second of time from groundwater (existing well) through the Johnson Well to change the points of diversion which is located in the SE 1/4 SW 1/4

of Section 24, Twp. 7N, Range 1E. Said water to be used for purpose of providing ~~irrigation on portions of the following described land:~~

~~water supplies for commercial, industrial and residential use~~

This Application No. 1181-1A will be considered by the Water Management Board at Meeting Room #1, Kneip Bldg. Church & Illinois, Pierre SD upon the 7th day of April, 1962.

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

WNR-806-2/82

BETTY WESTLUND, Water Rights Specialist

Permit No. 1181-1Water Division 1 Belle Fourche River Water District

**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 Keith + Leland Johnson of Box AB Spearfish, S.Dak. 57783 holder of Permit No. 1181-1, bearing date of priority of September 13, 1978 authorizing the diversion of 1.16 cu. ft. per second of the waters of one well for Industrial, Residential + Commercial 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:

Artesian well with 42 PSI. 1530 ft deep.
Has shut off valve. Max open discharge 120 + gpm

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

Main lines to housing development. Shops etc
for the Construction Co.

C. Works used to apply water to beneficial use.

Households. Shops and Buildings.

The system is in the following condition: Good.

The point of diversion is located 590 ft N and 1980 ft E of the
SW corner of Section 28, T7N R1E

The works are capable of diverting and conveying to the place of use 1.27 (170 gpm)cu. ft. per second of water which is to be used for Industrial, Commercial + Residential purposes

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

Log of well attached to this permit

Leland Johnson
owner of the system

Note: Well has shut off valve

Date May 28, 1981
Leroy J. Merrin
(Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8735

PIERRE, February 15, 1902

RECEIVED OF Johnson Brothers Company, Keith E Leland Johnson, Box AB, Spearfish, SD 577 the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 1181-1A (examination, processing, recording and filing)	150	00
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 filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8839

PIERRE, May 17, 1902

RECEIVED OF JOHNSON BROS, CO. Box AB, Spearfish SD 57783 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. 1181-1A	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 1181-1A		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Mr. T. H.

There is an application
for a change from the themselves
to the Marine foundation.
Check it over and see if it is
open with it.

I checked it out with
Haldane and he said a new
plan was necessary. I
checked with Haldane
to confirm the foundation

H. H. H.

Water Rights Division
605 773-3352

February 22, 1982

Keith & Leland Johnson
Box AB
Spearfish SD 57783

Dear Mr. Johnson:

ATTN: Keith Johnson

On May 5, 1981 I made the final inspection on the well for your Water Right Permit No. 1181-1. On February 2, 1982, I talked to you on the phone regarding the depth and the flow of the well. I then rechecked your permit and it was for a 365 feet deep well which is a Minnelusa well. Your well is 1530 feet deep and you are taking water from the Madison formation. See attached log sheet. When a well is dug into a formation other than what is specified in the original permit, it is necessary to apply for a permit for a change in diversion point. You are now using water from the Madison Formation. This requires a permit to change from the Minnelusa to the Madison Formation.

Enclosed is a completed Form 2, "Application for Permit" which you should check over and make any changes necessary and then sign and have notarized and return both copies to this office with a check for \$150 to cover the cost of the filing fees. Enclosed is an instruction sheet. It is not necessary to send in a map. The one we have from Permit No. 1181-1 is satisfactory.

If you have any questions regarding the matter please feel free to contact this office.

Sincerely,

LEROY J. MERNAUGH
Water Resources Engineer

LJM:ks

enclosures

Dear Mr Hatch

March 22 - 1980

am writing in regards to the application No 1181-1A of Keith + Leland Johnson to change the point of diversion in his deep well known as Johnson well 1181-1. Would like to know how you change point of diversion in a deep well. Does it mean he is changing the formation in which he draws his water? Could you please let me know just what it means?

Johnson made the statement that he would quit pumping from the shallow well on the springs when he drilled his deep well. Do you know if he has done this or is he still using the shallow well he does not have a permit for?

Yours truly
Joe M. Schenk

Water Rights Division
605 773-3352

March 24, 1982

1181-1A

Joe M Schenk
Rt #1, Box 204
Spearfish SD 57783

Dear Mr. Schenk:

Application No. 1181-1A is to deepen the well approved under Permit No. 1181-1. They purpose to go from the Minnelusa formation to the Madison formation.

I am not sure if he is using the shallow well. We will be checking on this as soon as the weather breaks and our field work starts.

If you have further questions feel free to contact this office.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ:ks

SOUTH DAKOTA Department of
Water & Natural Resources
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 605 773-3352

April 21, 1982

Keith & Leland Johnson
Box AB
Spearfish SD 57783

Dear Sir:

Enclosed herewith is your Water Permit No. 1181-1A as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 1181-1A.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount, the final papers will be sent to you.

Very truly yours,

JOPPI HATCH, Chief Engineer
Water Rights Division

JH:
ks

enclosure

NOTE: This Permit replaces Permit No. 1181-1 which has been cancelled.