

513-1

1. Considered 12-21, 1968
2. Name of Applicant T. J. Brown Hurst
3. Post Office Address Bella Grande
4. Amount of water claimed 1.78
5. Source of water supply ground water (artesian)
6. Water to be used for irrigation
Acres to be irrigated 145.7
7. Water to be diverted and used in _____ County about
2E miles _____ of Bella Grande
8. Proof of Publication Received ☒
Not Received _____
9. Application Approved ☒
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

ORIGINAL REC'D SEPT 30, 1960

Form 3—Application for Permit to appropriate Water—Original

No. 513-1

NOV 17 1960

\$1.00 am.

Water Division No. 1

BELLE FOURCHE RIVER

(Blanks to be filled by the Engineer for the W. R. C.)

DISTRICT WATER RESOURCES COMM
SOUTH DAKOTA

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

Name of applicant T. J. Broadhurst

Postoffice address Belle Fourche, County Butte, State So. Dak.

I. If a corporation

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

contract

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work The Broadhurst Irrigation Project

3. Amount of water claimed 1.78 cubic feet per second

4. Source of water supply artesian well-Minneluse Formation

5. Location of point of diversion S 34° E 1773' from N $\frac{1}{4}$ Cor. Section 31,
T 8N R 3E on Butte County.

6. Annual period or periods during which water is to be used April 1st thru Dec. 1st.

7. To be used for:

To irrigate 118.7 acres as follows: Gravity overhead sprinkling or combination system? Gravity

Sec. 36, T 8N, R 2E. NW, NE 10 A, NE, NE 30 A,
Sec. 31, T 8N, R 3E. NW, NW 33 A, NE, NW 7A, SW, NW 17.5 A, SW, No, 18.4 Ac.

Plus Supplemental irrigation on 75.0 acres as follows;

Sec. 36, T 8N R 2E. NW, NE 2A, SW, NE 7A, NE, NE 1A, SE, NE 1A.

Sec 31, T 8N R 2E. SW, NW 29 A, SE, NW 11A, SW, NE 7A, the 75.0 acres
as described are a portion of the lands under Water License No. 291-1

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use

Name any of the above uses claimed

(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

MAP NO. 433-1

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$ 1500.00
(c) Fluming, \$..... (d) Canal-earth, \$..... Well Room \$ 8000.00
(e) Other structures \$..... Total, \$ 2500.00

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

...Pumping plant with ditches, gates, flumes, weirs etc.

IX. Dimensions of works. well: see Form 2A

(a) Dam: Height feet; length at bottom feet; length at top feet; thickness at bottom feet; thickness at top feet; slope at front water face; slope at back face
material used in construction:

(b) Reservoir: Capacity when filled acre feet. Surface area at highwater mark acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	FEET	ACRE-FEET CAPACITY

(c)* Head gate: Width feet; height feet;
Material

(d) Canal: Total length miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 2 years.

11. Time required for complete application of water to the proposed beneficial use 2 years.

12. Choice of newspaper for publication of notice of intention to appropriate

Belle Fourche Bee, Belle Fourche, S. Dak.

STATE OF SOUTH DAKOTA

County of Butte ss.

I, T. J. Broadhurst, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Subscribed and sworn to before me this 16 day of November 1960.

ROY E. BRANNENBURG
NOTARY PUBLIC, BUTTE COUNTY, S. D.
My Comm. Expires

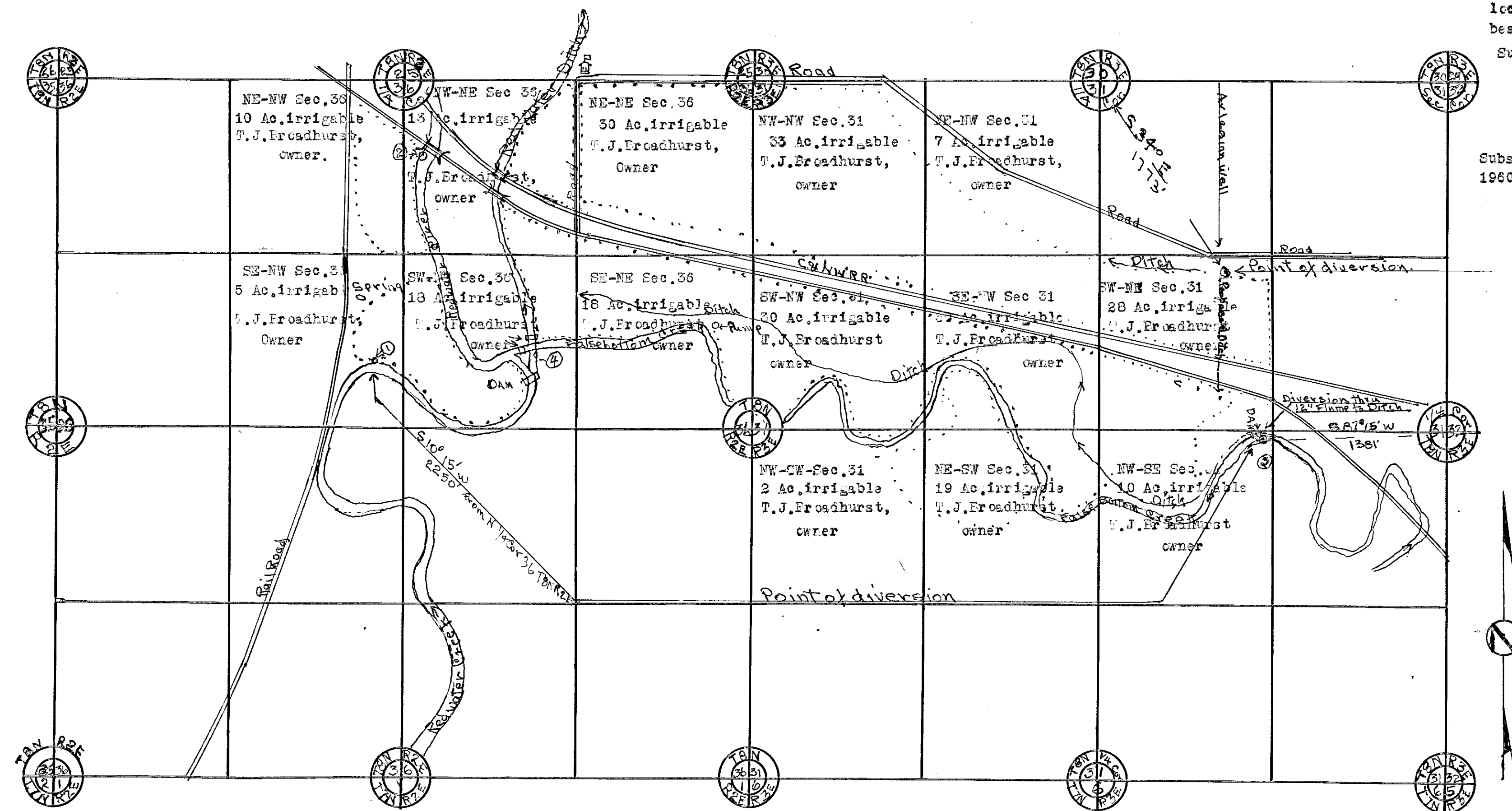
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

ROY E. BRANNENBURG

PLAT
OF
THE BROADHURST ARTHESIAN PROJECT
SECTIONS 36, T.8 N., R.2 E-EMA & 31, T.8 N., R.3 E-ENW
BUTTE COUNTY, SOUTH DAKOTA.
T. J. BROADHURST, OWNER.

SCALE : 1 inch = 660 feet
8 inches = 1 mile.



- SURVEYORS CERTIFICATE -

I, Carl M. Cornell, Licensed Surveyor, in and for the State of South Dakota, do hereby certify that, at the request of T. J. Broadhurst of Belle Fourche, South Dakota, I have made a survey and Prepared this plat of the irrigable areas embraced in his "Application for a Permit to Appropriat Water for Irrigation Purposes" for purpose of furnishing a map, of the said project, to be filed with his said application and an estimate of the irrigable area embraced in said application.

I further certify that the bearings and lengths of all lines shown and their locations, with reference to the Government Land Corners shown, are correct, to the best of my knowledge and belief.

Subscribed and sworn to at Buffalo, South Dakota this 30th day of August 1930.

SIGNED *Carl M. Cornell*
Carl M. Cornell, Licensed Surveyor.
(SEAL)

Subscribed and sworn to before me at Buffalo, South Dakota this 30th day of August 1930.

M. R. Nunn
Notary Public. (SEAL)

MAP No 433-1
(APPL No 513-1)

Remarks by State Water Resources Commission:

THIS WELL MUST BE VALVED & CLOSED WHEN WATER IS NOT STORED FOR IRRIGATION
THIS WELL APPEARS TO BE IN AN ARTESIAN BASIN HAVING LIMITED SUPPLIES AND RESTRICTIONS AS TO FLOW AND TIME OF FLOW MAY BE MADE BY THE COMMISSION TO PROTECT PRIOR WATER RIGHTS.

STATE OF SOUTH DAKOTA

County of HUGHES

Pierre, South Dakota,

DECEMBER 27, 1960

This is to certify that the foregoing application was received by the Commission at 2:00 o'clock

8 a.m. upon the 30th day of SEPTEMBER, 1960.

State Water Resources Commission

By:

William J. Jones
Chief Engineer, Executive Officer

Number of permit 513-1

Date of first receipt of application September 30, 1960

Date of return to applicant for correction, amendments or changes required as follows: 1960

Date of receipt of corrected application November 17, 1960

Date from which applicant may claim right September 30, 1960

Approved DECEMBER 21, 1960, Recorded in Book 6 Page 146

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

DECEMBER 21, 1961

2nd. The whole of said work is to be completed on or before DECEMBER 21, 1962

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

DECEMBER 21, 1962

4th. The water appropriated shall be used for the purpose of irrigation

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 1.78 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 DECEMBER 21, 1962; said water to be used during the following described annual period:

April 1 to November, inclusive

Witness my hand this 27th day of DECEMBER, 1960.

State Water Resources Commission

By:

William J. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 29, 1973

Water License issued OCTOBER 29, 1973

COPY

DRILLER'S LOG OF WELL

Location of Well: SW 1/4, NE 1/4, Section 31, Township 8 N, Range 3 ERM

Well to be drilled for: T.J. Broadhurst Belle Fourche, So. Dak.
(Name) (Address)

Owner of land (if other than above) _____
(Name) (Address)

Date well drilling started - 8-8-60 finished 9-13-60

Purpose of well - irrigation & stockwater.
(domestic, irrigation, municipal, industrial, other)

Diameter

Ground Surface Elevation: 3190'
(If Available)

	inches	
371 Feet		Shale - whitish
		Dakota 371 Kind and thickness of casing to be installed: Steel Standard gauge or heavier
570		Dakota & Lakota Sand to 570 Size of casing to be installed: 553' feet of 6 5/8 inches diameter 262' feet of 3" inches diameter 900' feet of 4 1/2 inches diameter
570		Morrison to 802' Type of seal between casing sizes:
802'		802' Kind of perforated screen to be installed:
850X 802		Material - None (steel, wood, concrete, etc.) 802
850		Sundance found Size of screen: in some clay & shale to Diameter None inches 840 Length _____ feet Size openings _____ inches
850		
1640		Minnekota at 1640 Depth below ground surface to which water rises in - flowing casing - well flows -
		M at 1800
		1853.

COPY

Form 2A - Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

- (a) Hole and casing
 Size of drill hole or excavation 8", Depth 1853'
 Type of casing Steel
 (wood, concrete, steel, etc.)
 Size of casing 6 5/8 24 1/2, Thickness of casing _____
 Length of casing _____. If collection gallery, length, size and depth
 of gallery _____
- (b) Screens
 Type of perforated screen - None
 Size of perforated screen _____, _____
 (diameter) (length)
 Thickness of gravel pack - None, length of gravel pack _____
- (c) Water Bearing Materials
 Distance to water, 1800, Character of water bearing materials - Sand &
 limestone, Minnesota line & Minnesota River.
 Thickness of water bearing material - 100'
- (d) Pump and Motor
 Type of pump - None
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump _____, size _____
 Kind of motor _____
 (gasoline, electric, diesel, etc.)
 Horsepower _____, Name of Motor _____
- (e) Complete well
 Capacity _____ at drawdown of _____, Estimated cost _____
- (f) Owner of land upon which well is located - Tom Broadhurst, P. O. Box 1

 (address)
- (g) Distance to nearest existing wells
 On same owner's property _____ rods. On property owned by others _____

COPY

DRILLING RECORD

LAWRENCE MATER
EXPLORATION DRILLING

UPTON, WYOMING

DIAL
IN 8 - 2249
IN 8 - 3663

DATE 8/8/80

Bronchurst

TIME		DEPTH		FORMATION	REMARKS
FROM	TO	FROM	TO		
		0	15.70	Topsoil	
		15.70	15.70	8' - 23' gravel and sand	
		31.40	15.70)		
		47.10	15.70)		
		62.80	15.70)		
		78.50	15.75)		
		94.25	15.70)		
		109.95	0.05)		
		115.00	15.70)	SHALE & CLAY	
		130.70	15.73)		
		146.43	15.73)		
		162.16	15.73)		
		177.89	2.80)		
		180.69	15.70)	Ed @ 183	
		190.89	15.70	Lt. Gray Sand	
		212.09	15.73		
		227.62	15.73	Some clay	
		243.58	15.73	KLD Sand 269	
		259.28	15.73	Lt. Gray sand and Brown sand.	
		275.00	12.73	Sand as above with white clay	
		292.73	15.73	Same as above some coal	
		308.49	15.73	Pure white clay (brown-yellow & white sand)	
		324.19	15.73	Red Shale <i>to</i> , Brown Shale-sands	
		339.92	15.73	Yellow Clay & White some red	
		355.65	15.74	Yellow and white sand some pink same as above. Morrison Sand	
		371.30		Pink & White Sand Blood red shale	
				Reddish shale, <i>to some black shale</i>	

COPY

DRILLING RECORD

LAWRENCE MATER
EXPLORATION DRILLING

UPTON, WYOMING

DIAL
IN 8 - 2249
IN 8 - 2063

DATE 8/8/60

Broadhurst

TIME		DEPTH		FORMATION	REMARKS
FROM	TO	FROM	TO		
		381.90	3.40		
		374.73	15.70	Morrison shale	
		390.48	15.70	Reddish Brown Clay	
		404.13	15.73	Trip loss Bit	
		422.93	15.70		
		437.63	15.70		
		453.33	15.70	Gray Clay Bl Shale	
		469.93	15.70		
		484.73	15.70	White Clay Blue Shale	
		500.43	15.70	" " " "	
		516.13	15.75	White Sand Stringers and Gray Clay	
		531.88	15.70	White and Gray Sand and Gray Clay	
		547.38	7.50	White & Gray Sand. Hard Green. Shale	
		555.08	15.70	Green Shale	
		570.78	15.70	Green & Red Shale. Lt. Green & white shale	
		585.48	15.70	White & Lt. green clay & shale a trace of sand	
		602.18	15.70	Lt. gray shale same as above	
		617.88	15.73	Same as above some trace of gray sand	
		633.01	15.70	Same as above.	
		649.21	15.70	Same as above.	
		665.01	15.70	Green Clay	
		670.71	15.70	Green Clay, Gray Shale	
		686.41	15.70	Same as above same white clay	
		702.11	15.75	Same as above	
717.20K		717.06		Gray & Green Clay	

COPY

DRILLING RECORD

LAWRENCE MATER I EXPLORATION DRILLING

UPTON, WYOMING

DIAL

IN 8 - 2240

IN 9 - 2003

DATE 8/11/60

Broadhurst

TIME		DEPTH		FORMATION	REMARKS
FROM	TO	FROM	TO		
		717.30	15.75	Gray & Green Clay	
		733.61	15.70	Gray & Green Clay	
		749.91	15.70	Gray Clay & Shale	
		765.01	15.70	Gray Clay & Shale	
		770.71	15.70	Gray Clay & Shale White conk	
		786.41	15.70	Gray Clay Changing to brown clay	
		802.11	3.40	Red Shale almost brown, some red sand	
		803.51	15.73	Same as above	
		821.24	15.73	Red Sand Clay	
		836.97	15.93	Same as above with white sand clay	
		852.70	15.73	Brown clay to a cream color sand	
		869.48		White chalk sandy clay. Lt. gray clay	

COPY

DRILLING RECORD

LAWRENCE MATER
EXPLORATION DRILLING

UPTON, WYOMING

DIAL
IN 8 - 2240
IN 8 - 2603

DATE Aug 12, 1960

Broadhurst

TIME		DEPTH		FORMATION	REMARKS
FROM	TO	FROM	TO		
		912.47	15.70	Green Shale	
		928.17	15.70	Green Shale	
		943.87	15.70	Same as above with white calcil	
		969.57	15.70	White Calcil gray sand Sundance Sand	
		985.27	2.03	Gray & Pink Sand	
		987.30	15.70	Gray & White Pink and	
		1003.00	15.70	Whiteish pink sand and greenish shale	
		1018.70	15.70	Green Sandy Shale	
		1034.40	15.70	Green Shale Brownish red clay & shale	
		1050.10	15.70	Gyps Springs 1040 red beds 1050	
		1065.50	15.70	Gyp Rock & Red Clay	
		1081.50	15.70		
		1093.30	15.70		
		1099.80	15.70		
		1113.30	15.70		
		1131.00	15.70		
		1146.70	15.70		
		1192.40	15.70		
		1178.10	15.70		
1184.10	→	1184.10	15.70		
		1205.80	15.70		
		1325.50	15.70		
		1241.20	15.70		
		1256.00	15.70		
		1272.80			

Same as above.

COPY

DRILLING RECORD

LAWRENCE MATER EXPLORATION DRILLING

UPTON, WYOMING

DIAL
IN 8 - 2249
IN 8 - 2663

DATE ~~XXXXXX~~ 8/13/60

Broadhurst

TIME		DEPTH		FORMATION	REMARKS
FROM	TO	FROM	TO		
		1272.60	15.70	Red Beds	
		1288.30	15.70		
		1304.00	15.75		
		1310.75	15.70		
		1338.45	15.70		
		1351.15	15.70		
		1366.85	15.70		
		1392.75	15.70		
		1398.25	15.70		
		1413.95	15.75		
		1420.70	15.70	3/16/60	
		1445.40	15.70		
		1461.10	15.70		
6:20		1476.80	15.70		
7:30	8:00	1492.50	15.70		
9:15	10:30	1508.20	15.70		
11:00	1:05	1523.90	15.75		
1:50	2:05	1537.35	15.70		
		1555.35	15.70		
		1571.05	15.70		
		1586.75	15.70	Minakata Lime 1640	
		1602.45	15.70		
		1618.15	15.70		
		1633.85	15.75		
		1649.60	15.70		
		1665.30			

COPY

DRILLING RECORD

LAWRENCE MATER EXPLORATION DRILLING

UPTON, WYOMING

DIAL
IN 8 - 2249
IN 8 - 2663

DATE 8/19/50

Broadhurst

TIME		DEPTH		FORMATION	REMARKS
FROM	TO	FROM	TO		
		1655.30	15.70	White Limestone & Clay	
		1681.00	15.70	White & Gray & Brown Limestone	
		1696.70	15.70	Soft White Lime The opeche @ 1690	
		1712.40	15.70	Red Shale	
		1728.10	15.70	Red Shale	
		1743.80	15.70	Red Shale	
		1759.50	15.70		
		1775.20	15.70		
		1790.90	15.70		
		1806.60	15.70		
		1822.30	15.70		
		1838.00	15.70		
		1853.70			

Trimmed
Minerals @ 1800

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

IV. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 2" Depth 1853'

Type of casing Steel
(wood, concrete, steel, etc.)

Size of casing 6-5/8" Thickness of casing .245 Standard or heavier

Length of casing 1715' If collection gallery, length, size and depth of gallery X X X

(b) Screens None.

Type of perforated screen X X

Size of perforated screen X X (diameter), X X (length)

Thickness of gravel pack None, length of gravel pack X X

(c) Water Bearing Materials

Distance to water 1715' Character of water bearing materials Red shale, and Minnelusa sand.

Thickness of water bearing material 100'

(d) Pump and Motor : None - Well flows.

Type of pump X X (centrifugal, propeller, mixed flow, etc.)

Name of pump X X, size X X

Kind of motor X X (gasoline, electric, diesel, etc.)

Horsepower X X, Name of Motor X X

(e) Complete well

Capacity 800 GPM at drawdown of (Temp. 70°), Estimated cost \$8000.00.

(f) Owner of land upon which well is located T.J. Broadhurst
Name

(SW-NE Sec. 31, T. 8 N. 22. 3 E-BHM) Belle Fourche, S. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property rods. On property owned by others rods

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 513-1

(1) WHEREAS, On the 30th day of September A. D. 19 60
T. J. Broadhurst

made Water Right Application No. 513-1 for a permit to use 1.78 cubic feet per second of the waters of artesian ground water

County of Butte, State of South Dakota, for irrigation

purpose; and

(2) WHEREAS, On the 27th day of December A. D. 19 60

Permit No. 513-1, with a date of priority of September 30, 1960

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 21st day of December A. D. 19 62 and for the application to beneficial use of said water on or before the 21st day of December A. D. 19 62

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 1.11 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,

for irrigating the following land:

		Acrea
T8N, R2E, Section 36	NW $\frac{1}{4}$ NE $\frac{1}{4}$	10.0
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	30.0
T8N, R3E, Section 31	NW $\frac{1}{4}$ NW $\frac{1}{4}$	33.0
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	7.0
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	2.8
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	17.5
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	16.4
Total		118.7 Acres

And for Supplemental irrigation on the following:

Section 36, T8N, R2E: NW $\frac{1}{4}$ NE $\frac{1}{4}$, 2 ac., SW $\frac{1}{4}$ NE $\frac{1}{4}$, 7 ac., NE $\frac{1}{4}$ NE $\frac{1}{4}$, 1 ac., SE $\frac{1}{4}$ NE $\frac{1}{4}$, 18 ac.

Section 31, T8N, R3E: SW $\frac{1}{4}$ NW $\frac{1}{4}$, 29 ac., SE $\frac{1}{4}$ NW $\frac{1}{4}$, 11 ac., SW $\frac{1}{4}$ NE $\frac{1}{4}$, 7 ac.

(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 T. J. Broadhurst

_____ of Belle Fourche, S.D.

the holder _____ and owner _____ of said permit No. 513-1 a water right, dating from September 30, 1960

_____ to use of 1.11 cubic feet per second of the waters of artesian ground water

in the County of Butte and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point South 34° East, 1773 feet from the N½ Corner, Section 31, T8N, R3E

and conduct _____ and upon portions of Section 36, T8N, R2E and Section 31, T8N, R3E more fully described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 513-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 29th day of October A. D.

Nineteen Hundred and Seventy-three

WATER RIGHTS COMMISSION
~~WATER RESOURCES COMMISSION~~

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

Form 15.

Permit No. 513-1

Water Diversion No. 1 BELLE FOURCHE RIVER Water District

CERTIFICATE OF CONSTRUCTION

T.J. Broadhurst

This is to Certify, That _____

_____ the holder _____ of
Permit No. 513-1, issued upon Application No. 513-1, bearing date of priority, of September 30,
1960 authorizing the diversion of 1.78 cu. ft. per second of the waters of _____
artesian ground water County of Butte, State of South Dakota at _____
a point South 34° East, 1773 feet from the N $\frac{1}{2}$ Corner, Section 31, T8N, R3E
_____, 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 1.11 cu. ft. per second of water.

Date October 29, 1973

By:

WATER RIGHTS COMMISSION

DONALD DRISCOLL, Chief Engineer

Permit No. 513-1Water Division 1 BELLE FOURCHE RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USETO: Water ^{Rights} ~~Resources~~ Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by T.J. BROADHURST
 of BELLE FOURCHE holder
 of Permit No. 513-1, bearing date of priority of SEPTEMBER 30
NOVEMBER 17, 1960
 authorizing the diversion of 1.78 cu. ft. per second of the waters of ARTESIAN GROUND WATER
 for IRRIGATION purposes, in BUTTE 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:

1880' DEEP WELL W/ 6" & 4 1/2" CASING

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

1800' OF 6" BURIED CEMENT ASBESTOS PIPE

C. Works used to apply water to beneficial use.

"BIG GUN" IRRIGATOR W/ 660' OF 4" RUBBER HOSE
SUPPLEMENTAL IRRIGATION IS THROUGH EXISTING
DITCHES CONSTRUCTED UNDER WTR # 291-1

The system is in the following condition: GOOD

The point of diversion is located S 34° E, 1773' FROM THE
N 1/4 CORNER, SECTION 31, T8N, R3E

The works are capable of diverting and conveying to the place of use 1.11cu. 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:

SECTION 36, T8N, R2E; NW 1/4 NE 1/4 10 AC., NE 1/4 NE 1/4 30 AC.SECTION 31, T8N, R3E; NW 1/4 NW 1/4 33 AC., NE 1/4 NW 1/4 7 AC., SW 1/4 NW 1/4 2.8 AC.SE 1/4 NW 1/4 17.5 AC., SW 1/4 NE 1/4 18.4 AC. = 118.7 AC.SUPPLEMENTAL IRRIGATION ON FOLLOWING

comprising a total of 193.7 acres of land.
SECTION 36, T8N, R2E; NW 1/4 NE 1/4 2 AC., SW 1/4 NE 1/4 7 AC.
NE 1/4 NE 1/4 1 AC., SE 1/4 NE 1/4 18 AC.

SECTION 31, T8N, R3E; SW 1/4 NW 1/4 29 AC., SE 1/4 NW 1/4 11 AC.,
SW 1/4 NE 1/4 7 AC.

Date SEPTEMBER 25, 1973

Durton Jones
 (Signature)

WATER RIGHT SPECIALIST
 WATER RESOURCES
 RIGHTS COMMISSION

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Butte ss.Laurence W. Wagon being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the Belle Fourche Bee 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 Belle Fourche County of Butte and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Nov 25, 1960Dec 2, 1960Dec 9, 1960Dec 16, 1960

in each and every issue of the full number thereof, the first publication being made on the 25 day of Nov 1960 and the last publication on the 16 day of Dec 1960, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the printer and publisher of the said newspaper.

Laurence W. WagonSubscribed and sworn to before me this 16 day of December A. D. 1960By: L. KennedyNotary Public Butte County, S. D.

Notary Public, Butte County, So. Dak.
My Commission Expires Sept. 29, 1966

No. 513-1
APPROPRIATION OF WATEROffice of State Water
Resources Commission
Pierre, S. Dak.

November 18, 1960

Notice is hereby given that T. J. Broadhurst whose post-office address is Belle Fourche, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.78 cubic feet of water per second of time from artesian ground water through the Broadhurst Irrigation Project, the point of diversion of which is located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 31, Twp. 8N Range 3E. Said water to be used for the purpose of providing irrigation on portions of the following described land.

N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 36, T 8N R 2E, and NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31, T 8N R 2E, and to provide supplemental waters on lands described under Water License No. 291-1.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 21st day of December, 1960, at 2 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources
Commission

By: Burton F. Jones
Water Right Specialist
Bdt 11/25 12/2-9-16

(First Publication on or before Nov. 24th 1960)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., November 18, 1960

Not. is hereby given that T. J. Broadhurst whose postoffice address is Belle Fourche S. Dak., has made an application in accordance the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.78 cubic feet of water per second of time from the xxx artesian ground water through the Broadhurst Irrigation Project the point of diversion of which is to be located on the xxxx ~~xxxxxxx~~ In the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 31 Twp. 8N Range 3E Said water to be used for the purpose of providing irrigation on portions of following described land:

N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 36, T 8N R 2E, and NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 31, T 8N R 2E,

and xxx to provide supplemental waters on lands described under Water License of xxxxx 291-1

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 21st day of December, 1960 at 2 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

cc: **Laurence Weyler-Publisher**
Belle Fourche Bee
Belle Fourche, South Dakota

By:

Chief Engineer, Executive Officer
xxxxxxxxxxxxxxxxxxxx
Burton F. Jones
Water Right Specialist

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

WATER RIGHTS DIVISION
(605) 773-3352

291-1
513-1

February 3, 1983

Doug Johnson
E. Hwy 34
Belle Fourche, South Dakota 57717

Dear Mr. Johnson:

This letter is in regard to Water Right Nos. 291-1 and 513-1 listed in the name of T.J. Broadhurst. In a telephone conversation with Mr. Tom Broadhurst, Mr. Broadhurst indicated that the land covered under these water rights had been sold to you in 1975.

In order to keep our records up-to-date, it will be necessary for you to file a Notice of Transfer with each of the water rights. Enclosed please find two Form 20's, Notice of Transfer of Water Permit. Please check over, date, sign, have notarized and return them to this office with a \$2.50 filing fee for each (\$5.00 total). The Water Rights can then be transferred to your name. If you do not own the land, please contact this office.

Enclosed, for your information, are copies of each of the Water Rights. If you have any question, please advise.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc.

Water Rights Division - DWR

File No. 513-1
291-1

Conversation or File Documentation

NAME OF PERSON OR FILE: Jim Broadhurst (son)ADDRESS: Spearfish

COUNTY

DATE: Feb 3, 1983TELEPHONE 642-4340RE: Status of Water Right Nos 291-1 and 513-1 (T.J. Broadhurst)

COMMENTS:

Mr. Broadhurst indicated they sold that
portion of their farm (Sec 31 & 36, T8N, R3E) in
1975 to Doug Johnson, E Hwy 34, Belle Fourche
As far as he knew, Mr. Johnson has continued
irrigating since that time.

Sending transfer forms to Mr. Johnson.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Sunny Young

RECEIPT
WATER RIGHTS COMMISSION
State of South Dakota

No 4 9198

RECEIVED OF False Bottom Livestock, c/o George D. Johnson, Box 42B, St. Onge, SD 57779
the following amount in fees for services rendered as provided for by law:

PIERRE, March 12, 1983

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.	2	50
Fee for filing <u>TRANSFER OF WR# 513-1</u>		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION
By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH/ms

NO. 513-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 3-17-83

This is to notify you that the title to the lands described as follows:

193.7 acres-N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 36, T8N, R2E; NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, T8N, R3E

formerly owned by T. J. Broadhurst

has been transferred to False Bottom Livestock, Box 42R, St. Onge, SD 57779

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 513-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of BUTTE) ss.

I, George A. Johnson being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

False Bottom Livestock
By George A. Johnson (Signed) Pres.

Subscribed and sworn to before me this 17th Day of MARCH, 1983.

Steve Kallman
(Notary Public)



No. 291-1
513-1

 **Department of
Water & Natural Resources**
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

March 18, 1983

False Bottom Livestock
c/o George D. Johnson
Box 42B
St. Onge, South Dakota 57779

Gentlemen:

Enclosed is receipt No. 4-9197 & 4-9198 in the amount of \$2.50 each, which you paid for transfer of Water Right No. 291-1 & 513-1.

Our records now show you as the owner of this Water Right.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc.

WNR-821-7/79
Receipt & Notice of filing of Transfer of Water Right



Department of Water & Natural Resources

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

January 29, 1988

FALSE BOTTOM LIVESTOCK -George D Johnson, Pres.
BOX 42B
ST ONGE, SD 57779

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). (513-1) 291-1. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 513-1, 291-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

February 5, 1988

291-1
513-1

False Bottom Livestock
Box 42B
St. Onge SD 57779

Dear Sir:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit Nos. 291-1 & 513-1 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352




GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 1, 1991

FALSE BOTTOM LIVESTOCK
RR BOX 72
BELLE FOURCHE SD 57717

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 291-1, 513-1. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

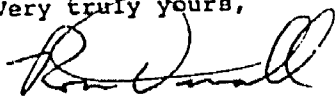
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 291-1, 513-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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 received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,



Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 15, 1991

291-1
513-1

False Bottom Livestock
RR, Box 72
Belle Fourche, SD 57717

Dear Sir:

I am writing to acknowledge receipt of your 1990 irrigation questionnaires for Water Right Nos. 291-1 and 513-1. You may disregard the February 1, 1991. Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaires, your name has been deleted from the February Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



513-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: FALSE BOTTOM LIVESTOCK, GEORGE JOHNSON, RR 2 BOX 2630, BELLE FOURCHE,
SD 57717

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

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 291-1 & 513-1. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 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 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 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) 291-1 & 513-1 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 on/or before March 8, 2002, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), 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.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

FALSE BOTTOM LIVESTOCK
GEORGE JOHNSON
RR 2 BOX 2630
BELLE FOURCHE SD 57717

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X *George Johnson*☐ Agent ☐ AddresseeD. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express☐ Registered ☐ Return Receipt for Merchandise☐ Insured Mail ☐ C.O.D.4. Restricted Delivery? (Extra Fee) ☐ Yes

2 A

7001 2510 0004 4797 5323



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 31, 2002

291-1
513-1

George Johnson
False Bottom Livestock
RR 2 Box 2630
Belle Fourche, SD 57717

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 2001 irrigation questionnaires. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right Nos. 291-1 and 513-1.

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

You mentioned on one of your questionnaires that your son is taking over the operation. If ownership of the land will be transferred, let me know and I can send you the appropriate forms to have the water rights transferred. If he will only be operating the systems for you, give me a call with his name and address and I can forward the yearly questionnaires to him.

If you have any questions, please contact me.

Sincerely,

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



513-1

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 24, 2006

NOTICE

TO: FALSE BOTTOM LIVESTOCK, GEORGE JOHNSON, 11179 SD HWY 34, BELLE
FOURCHE, SD 57717

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire has not been submitted for Permit No(s) 291-1 & 513-1. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 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 10:30 am, March 2, 2006, 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) 291-1 & 513-1 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 on/or before **February 24, 2006**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), 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.



513-1

Track & Confirm

Current Status

You entered 2303 2160 0000 0799 4121

Your item was delivered at 12:04 pm on January 25, 2006 in BELLE FOURCHE, SD 57717. The item was signed for by G JOHNS.

[Shipment Details >](#)

Notification Options

- ▶ Track & Confirm by email [What is this?](#) [Go >](#)
- ▶ Request Proof of Delivery [What is this?](#) [Go >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)
Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 4121

FALSE BOTTOM LIVESTOCK
GEORGE JOHNSON
11179 SD HWY 34
BELLE FOURCHE SD 57717

is mailing.

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

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

CHECK ONE (POSTAL USE ONLY)

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

PS Form 153, May 2002

(See Reverse)



513-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 6, 2006

291-1
513-1

George Johnson
False Bottom Livestock
11179 SD Hwy 34
Belle Fourche SD 57717

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right Nos. 291-1 and 513-1.

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

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

January 18, 2008

NOTICE

TO: FALSE BOTTOM LIVESTOCK, GEORGE JOHNSON, 11179 SD HWY 34, BELLE
FOURCHE, SD 57717

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire has not been submitted for Permit No(s) 291-1 & 513-1. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 11, 2008**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 291-1 & 513-1 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 on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 2008

291-1
513-1

George Johnson
False Bottom Livestock
11179 SD Hwy 34
Belle Fourche SD 57717

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right Nos. 291-1 and 513-1.

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



513-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: FALSE BOTTOM LIVESTOCK, GEORGE JOHNSON, 11179 SD HWY 34, BELLE
FOURCHE, SD 57717

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

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire has not been submitted for Permit No(s) 291-1 & 513-1. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 10, 2010**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 291-1 & 513-1 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 on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq/asp>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2010

291-1
513-1

George Johnson
False Bottom Livestock
11179 SD Hwy 34
Belle Fourche SD 57717

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 291-1 and 513-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

On the irrigation questionnaire for Water Right No. 513-1, you indicated the use had been abandoned. Typically when an irrigator indicates the use is abandoned, they are letting us know they no longer wish to use that particular source for the purpose it was appropriated. Water Right No. 513-1 authorizes use of ground water for irrigation of 191.7 acres.

If you have discontinued irrigation from the ground water source, the water right would be brought before the Water Management Board for cancellation consideration. If this is your intent and you are agreeable to cancellation of the water right, please contact us. You can still use the well for domestic use even if the water right is cancelled.

I have enclosed a postage paid envelope for your reply. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2019

NOTICE

TO: FALSE BOTTOM LIVESTOCK, GEORGE JOHNSON, 11295 SD HWY 34, ST ONGE, SD 57779

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire has not been submitted for Permit No(s) 291-1 & 513-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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 6, 2019 at 10:30 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 291-1 & 513-1 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 6, 2019** 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.



513-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

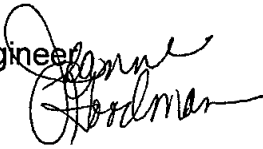
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 7, 2019

NOTICE OF ENTRY OF ORDER TO AMEND WATER RIGHTS

TO: George Johnson, False Bottom Livestock, 11295 SD Hwy 34,
St Onge SD 57779

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: Amendment to Water Right Nos. 291-1 and 513-1

On March 6, 2019, the Water Management Board amended Water Right Nos. 291-1 and 513-1 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 2018 irrigation questionnaires. The addition of this qualification to your water rights means that failure to submit the required irrigation questionnaires 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.

513-1

CERTIFICATION

I hereby certify that on March 7, 2019, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope containing a Notice dated March 7, 2019 regarding Amended Water Rights addressed as stated below:

No. 515-3: Daniel Benson, 45586 US Hwy 18, Hurley SD 57036-6009
Bruce D Peterson, 3600 S Slaten Park Dr, Sioux Falls SD 57103

No. 1175-2: Wayne Bond, 28623 234th Ave, Tuthill SD 57574

No. 577-1: Max & Brenda Bowen, 13525 Wilson Cemetery Rd, Newell SD 57760

Nos. 291-1
513-1 George Johnson, False Bottom Livestock, 11295 SD Hwy 34, St Onge SD 57779

No. 3469-3 Stan Kopfman, PO Box 100, Alpena SD 57312-0100

No. 2983-3 Skip Rau, 12553 309th Ave, Selby SD 57472

Vickie Maberry
Vickie Maberry
Water Rights Program
Environment and Natural Resources

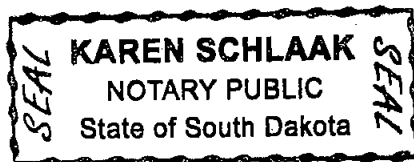
STATE OF SOUTH DAKOTA)

) SS

COUNTY OF HUGHES)

Sworn to, before me, this 7th day of March, 2019.

Karen Schlaak
Karen Schlaak
Notary Public
My Commission expires April 1, 2019



513-1



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

January 22, 2021

NOTICE

TO: FALSE BOTTOM LIVESTOCK, GEORGE JOHNSON, 11295 SD HWY 34, ST ONGE, SD 57779

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 291-1 & 513-1. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 291-1 & 513-1 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 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. 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) 291-1 & 513-1 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 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: JVNIFK**

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.

513-1



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

February 2, 2021

291-1
513-1

George Johnson
False Bottom Livestock
11295 SD Hwy 34
St Onge SD 57779

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right Nos. 291-1 and 513-1. 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,

A handwritten signature in blue ink that reads "Genny McMath".

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