

613-1

1. Considered on 1-10, 1962
2. Name of Applicant John E. Anderson & John W. Anderson
3. Post Office Address Sumner, Ia
4. Amount of water claimed 1.23
5. Source of water supply North Fork Grand River
6. Water to be used for irrigation
Acres to be irrigated 90.7
7. Water to be diverted and used in Parking County about
13.0 7N miles of Sumner
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to approval by National Irrigation Project
Not approved if Bureau irrigation project
Action deferred is completed.
10. Remarks:
See Bureau of Reclamation letter Madison

No. 623-1

Water Division No. 1

GRAND RIVER

(Blanks to be Filled by the Engineer for the W. R. O.)

SOUTH DAKOTA WATER RESOURCES COMM.

1961 JUL 100

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant: JOHN G. AND ANDREW G. JOHNSON
 Postoffice address ROUTE 3, Lemmon, County PERKINS, State SOUTH DAKOTA

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, \$ 7,000.00

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work JOHNSON BROTHERS IRRIGATION PROJECT3. Amount of water claimed 1.3 cubic feet per second4. Source of water supply NORTH FORK OF GRAND RIVER5. Location of point of diversion SEE ATTACHED SHEETon bank County.6. Annual period or periods during which water is to be used SPRING, SUMMER, FALL

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? GRAVITY(a) Number of acres to be irrigated 90.2 acres.(b) Legal subdivisions to be irrigated SEE ATTACHED SHEET

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written and appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) NONE

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

(a) Nature of use NONE
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 524-1

8. Estimated cost of work:

(a) Head Gates, \$200.00 (b) Pumping plant, \$2,000.00
 (c) Fluming, \$ (d) Canal-earth, \$800.00 Rock, \$
 (e) Other structures, \$4,000.00 Total, \$7,000.00

9. (Description of) diversion works:

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

KITCHEN, PORTABLE PUMP, LAND LEVELING

II. Dimensions of works.

(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, 2.0 feet; height, 1.0 feet;

Material, CONCRETE - STEEL

(d) Canal: Total length, 1.51 miles.

	LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
MAIN	LATERAL	1 1/2 feet	V-DITCH	9 feet	10.6 feet
N. S.	FIELD LATERAL	1 1/2 feet	V-DITCH	9 feet	5.3 feet
	At	feet	feet	feet	feet
	At	feet	feet	feet	feet
	At	feet	feet	feet	feet
	At	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work, 3 years.

11. Time required for complete application of water to the proposed beneficial use, 4 years.

12. Choice of newspaper for publication of notice of intention to appropriate, LEMMON LEADER

LEMMON, SOUTH DAKOTA

STATE OF SOUTH DAKOTA

County of PERKINS

I, John G. Johnson & Andrew G. 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, 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

6th

day of

Oct.

1961

Notary Public (or other qualified officer.)
 (M. H. Schmagel, Notary Public)

*Each diversion must have a headgate or measuring device.

7.B AREAS TO BE IRRIGATED:

T21N R14E	ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ S-8	34.4 v
NE $\frac{1}{4}$ NW $\frac{1}{4}$ S-17	5.0
NW $\frac{1}{4}$ NE $\frac{1}{4}$ S-17	8.4
SW $\frac{1}{4}$ SE $\frac{1}{4}$ S-8	32.2 v
NW $\frac{1}{4}$ SE $\frac{1}{4}$ S-8	6.1
SE $\frac{1}{4}$ SE $\frac{1}{4}$ S-8	4.6 v
TOTAL	90.7 ACRES

5. DIVERSION SHALL BE BETWEEN THE POINTS; N 51°10' W AT A DISTANCE OF 2085.0' FROM THE SOUTH $\frac{1}{4}$ CORNER OF SECTION 8 AND THE POINT N 89°00' E AT A DISTANCE OF 1109.0' FROM THE SOUTH $\frac{1}{4}$ CORNER OF SECTION 8, ON THE NORTH BANK OF THE NORTH FORK OF THE GRAND RIVER.

Remarks by State Water Resources Commission:

Flows of the Grand River proposed for use under this permit are included under U.S. Withdrawal 594-1 for storage in Shadow Hill Reservoir. Restrictions on the use of water granted under this permit may be necessary if the Bureau of Reclamation develops the Shadow Hill Unit Irrigation Project as proposed under such withdrawal.

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, JANUARY 12, 1962

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock
a.m. upon the 17th day of October, 1961.

State Water Resources Commission

By: Burt J. Jones

Chief Engineer, Executive Officer

Number of permit 623-1

Date of first receipt of application October 17, 1961

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right January 10, 1962

Approved January 10, 1962, Recorded in Book 7 Page 22

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 _____

July 10, 1963

2nd. The whole of said work is to be completed on or before January 10, 1965

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

January 10, 1966

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 1.3 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 January 10, 1966; said water to be used during the following described annual period:

Spring, Summer & Fall
Witness my hand this 12th day of January, 1962.

State Water Resources Commission

By: J. B. Jones

Chief Engineer, Executive Officer

Certificate of Construction Issued JUNE 29, 1971

Water License Issued JUNE 29, 1971

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 623-1

(1) WHEREAS, On the 17th day of October A. D. 19 61
John G. and Andrew G. Johnson

made Water Right Application No. 623-1 for a permit to use 1.3 cubic feet per second of the waters of the Grand River

County of Perkins, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 12th day of January A. D. 19 62

Permit No. 625-1 with a date of priority of October 17, 1961

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 January A. D. 19 65 and for the application to beneficial use of said water on or before the 10th day of January A. D. 19 66

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 1.3 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 in T21N, R14E

Section 8	SE $\frac{1}{4}$ SW $\frac{1}{4}$	36 acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	35 acres
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	6 acres
Section 17	NE $\frac{1}{4}$ NW $\frac{1}{4}$	5 acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	9 acres
Total 91 ACRES		

(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 John G. and Andrew G. Johnson

Lemmon, S.D.

the holder _____ and owner _____ of said permit No. 623-1 a water right, dating from October 17, 1961

_____ to use of 1.3 cubic feet per second of the waters of the Grand River

in the County of Perkins and State of South Dakota, or so much thereof as may be necessary for the purposes hereinafter mentioned, to be diverted at a point North 65° West, 1080' from the S½ Corner, Section 8, T21N, R14E

and to be used to and upon portions of Sections 8 and 17, T21N, R14E described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 623-1 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 June A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer - Executive Officer J.W. GRILES

Permit No. 623-1

Water Diversion No. 1 GRAND RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That John B. and Andrew G. Johnson

Permit No. 623-1, issued upon Application No. 623-1, bearing date of priority of October 17, 1961, authorizing the diversion of 1.3 cu. ft. per second of the waters of Grand River County of Perkins, State of South Dakota at a point North 65° West, 1080' from the S½ Corner, Section 8, T21N, R14E

_____, for _____ irrigation

purposes, has 5 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 4.44 cu. ft. per second of water.

Date June 29, 1971

WATER RESOURCES COMMISSION

 $dy:$

J.W. GRIMES, Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Perkins } ss.

L. B. Boorman

Being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the -----

The Common Leader

----- 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 Lemmon

County of

Perkins and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

November 30-December 7, 1961

December 7, 1961.

December 14, 1961.

December 21, 1961 Jan. 4, 1962

in each and every issue of the full number thereof, the first publication being made on the 30th day of November

1961 and the last publication on the ----- day of

1962, 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.

L. B. Boorman

Subscribed and sworn to before me this 21st day of ----- A. D. 1962

Anna L. Boorman

Notary Public Perkins County, S. D.

Form 8—Notice of Intention to Appropriation of Water No. 6237

Office of State Water Resources Commission, Pierre, S. Dak.

November 22, 1961

Notice is hereby given that John G. and Andrew G. Johnson, whose post-office address is Lemmon, 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 1.3 cubic feet of water per second of time from the Grand River through the Johnson Bros. Irrigation Project the point of diversion of which is to be located on the left bank of said stream between a point in the SW 1/4, SW 1/4, Section 8 and a point in the SE 1/4, of the SE 1/4, of Section 8 Twp. 21 N Range 14 E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4, SW 1/4, W 1/4, SE 1/4, SE 1/4, Section 8, NE 1/4, NW 1/4, NE 1/4, Section 17, all in T 1 N R 14 E.

and for ----- purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of January, 1962, 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 T. JONES
Water Rights Specialist

Rec'd
1-10-62
[Signature]

on or before
(First Publication December 15, 1961)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., November 22, 1961

Notice is hereby given that John S. & Andrew S. Johnson whose postoffice address is Lemmon 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 1.3 cubic feet of water per second of time from the Grand River through the Johnson Bros. Irrigation Project the point of diversion of which is to be located on the left bank of said stream in the SE 1/4 of the SE 1/4 of Section 8, and a point in the SE 1/4 of the SE 1/4 of Section 8 Twp. 21N Range 14E said water to be used for the purpose of providing irrigation on the following described land:

SE 1/4 SW 1/4, W 1/2 SE 1/4, SE 1/4 SE 1/4, Section 8; NE 1/4 SW 1/4, NE 1/4 NE 1/4, Section 17, all in T21N R14E.

and for _____ purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of January, 1962, 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

c.o. L. B. Boorman - Publisher
Lemmon Leader
Lemmon, South Dakota

By:

Chief Engineer, Executive Officer

Permit No. 623-1Water Division 1 GRAND RIVER Water District

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

TO: Water 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 Johnson Brothers
of Lemmon, South Dakota holder
of Permit No. 623-1, bearing date of priority of October 17, 19 61
authorizing the diversion of 1.3 cu. ft. per second of the waters of Grand River
for irrigation purposes, in Perkins 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:

Fairbanks - Morse pump 10" x 8", Fig. M.552J
Allis Chambers Electric pump 20 H.P., Type G

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

3/4 mile of temporary ditch 3' x 1 1/2'
80' 8" pipe

C. Works used to apply water to beneficial use.

75 two inch siphon tubes
land leveling

The system is in the following condition: Excellent
The point of diversion is located North 65° West, 1080 feet from the S 1/2 Corner, Sec. 8,
T21N, R14E

The works are capable of diverting and conveying to the place of use 4.44
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: all in T21N, R14E

Section 8		Section 17	
SE 1/4 SW 1/4	36 acres	NE 1/4 NW 1/4	5.0 acres
SW 1/4 SE 1/4	35 acres	NW 1/4 NE 1/4	9.0 acres
SE 1/4 SE 1/4	6 acres		

comprising a total of 91 acres of land.

Address: Johnson Brothers, Route 2, Lemmon, S.D. 57638

Date June 11, 1971

Donald Driscoll
(Signature)

DONALD DRISCOLL, Deputy Chief Engr. W.R.C.

62-3-1

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

September 4, 1980

You are hereby ordered to cease pumping water from the North Fork of the Grand River from the North Dakota - South Dakota border to the tailwaters of the Shadehill Reservoir, for the remainder of the year, unless written notice is received indicating otherwise. Apparently there was some misunderstanding with the order issued July 15, 1980 and this order is issued to clarify any misunderstanding.

This order is issued in accordance with the South Dakota Water Laws which require the Water Management Board to control and regulate all waters of the State to assure water for domestic supplies and prior water rights.

All the permits above the Shadehill contain the qualification that low flows as needed for downstream domestic use, including livestock watering must be bypassed.

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JH/gy

Equal Opportunity Employer

South Dakota Department of
Water & Natural Resources

Joe Foss Building Division of Water Rights (605) 773-3352
Pierre, South Dakota 57501

623-1

September 8, 1980

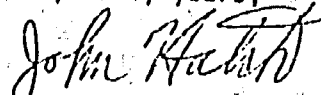
623-1
John G. & Andrew G. Johnson
RR #3
Lemmon, SD 57638

This letter will revoke the order dated September 4, 1980 shutting off irrigation pumping from the North Fork of the Grand River between Shadehill Reservoir and the North Dakota border.

In an effort to provide more local control of the pumping from the North Fork of the Grand River, we are going to allow the local Irrigators Association to attempt to regulate themselves to better utilize the limited flows in the North Fork. The primary requirement will be that water for livestock use will need to be made available for downstream use.

We expect that someone from this office will be in the area this week.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH/gy

Equal Opportunity Employer

NR-101-9/79

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

**South Dakota Department of
Water & Natural Resources**

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

February 16, 1988

623-1
822-1

John G Johnson
HCR 82 Box 83
Lemmon, SD 57638

Dear Mr. Johnson:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 623-1 and 822-1. Please check over the forms and sign in the presence of a notary public. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The water rights will then be transferred to your name.

South Dakota Water Law 46-54-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Sincerely,

Genny McMath

GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3191

January 29, 1988

JOHN G & ANDREW JOHNSON
HCR 82 BOX 83
LEMMON, SD 57638

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

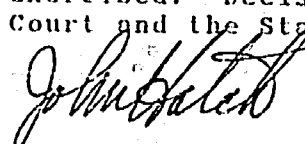
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 623-1 822-1. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be 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). 623-1, 822-1 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

623-1
822-1

John Johnson
HCR 82, Box 83
Lemmon SD 57638

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit Nos. 623-1 & 822-1 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

NO. 623-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

91 acres - SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 8; NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T21N, R14E

formerly owned by John G & Andrew G Johnson, Lemmon, SD

has been transferred to John G Johnson, HCR 82 Box 83, Lemmon, SD 57638

(please include complete mailing address)

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

Water Right Permit No. 623-1 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 Div. 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 ^{NORTH}~~SOUTH~~ DAKOTA)
County of ADAMS) ss.

I, JOHN G 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.

John G Johnson
(Signed)

Subscribed and sworn to before me this 3rd Day of MARCH, 1983.

T. L. SECREST
(Notary Public)

T. L. SECREST
MY COMMISSION EXPIRES:
9-8-92

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411155

Pierre, March 2, 1922

RECEIVED OF John G. Johnson, RCR 42 Box 83, Laramie, South Dakota 57630

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>523-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH (MS)

No. 623-1

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

March, 17, 1988

John G. Johnson
HCR 82, Box 83
Lemmon, South Dakota 57638

Dear Mr. Johnson:

Enclosed is receipt No. 411165 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 623-1.

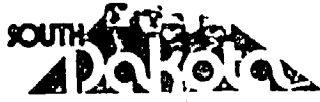
Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

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

May 26, 1988

John G Johnson
HCR 82, Box 83
Lemmon, SD 57638

Dear Mr. Johnson:

I am writing in regard of our review of irrigation questionnaire records. No irrigation has been reported ~~for~~ the last five irrigation seasons under Permit No(s). 623-1, 822-1.

South Dakota Codified Laws state that when any person fails to use water for the purpose for which it was appropriated for a period of three years, or abandons the use of the water, such unused water shall revert to the public. An exception to the law is when there is legal excuse for nonuse of water. Examples of legal excuse for nonuse of water are when water is not available or legal proceedings which prevent the use of water.

Since your permit(s) has (have) not been used for five years, the permit(s) may be subject to cancellation by the Water Management Board unless there is a legal reason for not using water. Please advise by June 17, 1988 if you still want to keep your water right and if there is a reason why water has not been used. Let us know, if you have any questions.

Very truly yours,

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



Permit No. 623-1

_____ Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by John Johnson
 _____ of HCR 82, Box 83, Lemmon S.D. 57638 holder of
 Permit No. 623-1, bearing the priority of October 17, 1961 authorizing
 the diversion of 1.39 cu. ft. per second of the waters of North Fork Grand River
 for Irrigation purposes, in Perkins County.

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

- A. Works used to divert the water:
 A Fairbank Pump, 800 gallons per minute capacity.

An Allis Chambers motor, 20 horse power

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

8 inch Aluminum pipe, 300 feet long.

- C. Works used to apply water to beneficial use:

water is used for flood irrigation system.

The system is in the following condition Good

The point of diversion is located approximately 530 feet north, 1540 feet east from the Southwest
corner of Section 8, T21N-R14E.-SE1/4 SW1/4

The works are capable of diverting and conveying to the place of use 1.78
 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: All in T21N-R14ESection 8Section 17SE1/4 SW1/4 36.0 ac.NE1/4 NW1/4 5.0 ac.SW1/4 SE1/4 35.0 ac.NW1/4 NE1/4 9.0 ac.comprising a total of 85.0 acres of land and the license should be issued for 1.21 c.s.Applicable permit qualifications have been complied with X Yes NoExceptions to compliance are: _____ Date 6/8/88

(signature)

MZ4 hadi

LICENSE FOR PERMIT NUMBER 623-i

1. Legal location of wells: NA

dams & structures: Diversion point: SE 1/4 SW 1/4 Section 8, T21N-R14E

2. Well Information: Well Drilling Firm NA

Completion Report Yes No No. of Wells Depth

Casing a) diameter Screen a) type

b) length b) length

c) type Static Water Level

Pump a) make Fairbank Motor a) make Allis Chambers

b) model b) model No.

c) size c) horsepower rating 20

d) capacity 800 gpm

e) turbine pump - no. of stages

f) operating PSI

3. Distribution lines or canals

a) size 8 inches

b) type Aluminum

c) length 300 feet

4. Dam Information:

a) height to crest m) Outlet tubes:

b) height to primary spillway 1) diameter

c) height to secondary spillway 2) type

d) crest width 3) valved (Y/N)

e) crest length 4) valve type

f) spillway length 5) location on structure

g) spillway width

h) approx. storage n) Category of Dam

i) approx. storage to crest

j) date constructed

k) inspection sheet completed (Y/N)

l) Name of Contractor

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) end gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) capacity (GPM) _____

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
___	NA___	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
__X__	___	2. Special qualifications to permit being abided by?
__X__	___	3. All structures, wells and lands on map?
__X__	___	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
___	__X__	5. Is chemigation used?
___	___	6. If yes, does equipment comply with chemigation rules?

REMARKS:

683-1

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

July 15, 1988

Joe Butler
Attorney at Law
Box 2670
Rapid City, SD 57709

Dear Mr. Butler:

I am writing in response to our telephone conversation on July 13, 1988. I have enclosed copies of the reports of examination of works prepared by Rassool Ahadi, Natural Resources Engineer, for the irrigation of John Johnson on the North Fork of the Grand River. We are proposing to reissue the water licenses to reflect the actual acreage capable of being irrigated. As we discussed by telephone on July 13, 1988, this will reduce the acreage allowed to be irrigated by Mr. Johnson on the two water rights No. 623-1 and No. 822-1 from 750 acres to 160 acres which is presently developed. The diversion rate will be reduced from a total of 10.7 cfs to 2.28 cfs.

Let us know if you have any additional questions.

Very truly yours,



James Winterton
Natural Resources Engineer
605 773-3352

enclosure



STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 623-1

(1) John G and Andrew G Johnson of Lemmon, SD were issued Water License No. 623-1, June 29, 1971 for water right to appropriate 1.30 cubic feet of water per second from the North Fork Grand River, Perkins County, South Dakota for irrigation purposes. Water License No. 623-1, with a priority date of October 17, 1961 was issued to applicants for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Right No. 623-1 was transferred March 4, 1988 to John G Johnson.

Water License No. 623-1, issued June 29, 1971, authorized irrigation of 91 acres. Based upon a June 8, 1988 inspection of the water use system, the license is being reissued to reflect what is actually being irrigated.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.21 cubic feet of water per second for beneficial use. The location of the diversion point(s) is: approximately 530 feet N, 1540 feet E from the SW corner of Section 8, T21N, R14E.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land in T21N, R14E:

Section 8	SE 1/4 SW 1/4	36.0 acres
	SW 1/4 SE 1/4	35.0 "
Section 17	NE 1/4 NW 1/4	5.0 "
	NW 1/4 NE 1/4	<u>9.0</u> "

Total 85.0 acres

(4) Pursuant to Section 46-5-30.1 John G Johnson of HCR 82, Box 83, Lemmon SD the holders and/or owners of Water Right No. 623-1 are issued a license to appropriate 1.21 cubic feet of water per second from the North Fork Grand River with a priority date of October 17, 1961 from the location specified in (2) of this license. The water is to be used for the purpose of irrigation. This license is subject to any limitations, conditions or qualifications listed in Water Permit No. 623-1 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources

APR 6 1990



Department of Water & Natural Resources

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

APR 6 1990

623-1
822-1

John G Johnson
Lemmon SD 57638

Dear Mr. Johnson:

Enclosed are Water License Nos. 623-1 and 822-1. The water licenses have been reissued to the extent of what is actually being used. The relicenses are based on a June 8, 1988 inspection of your water use systems.

If you have any questions concerning the enclosed water licenses, please contact us.

Very truly yours,

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

enclosure

NOTE: (No. 822-1) Your pump capacity is 4.45 cfs (2000 gpm) and based upon the acreage actually irrigated you are entitled to only divert 1.07 cfs (480 gpm). Any diversion in excess of 1.07 cfs would be a violation of your Water Right.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☒ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: *1023-1*

JOHN G JOHNSON
HCR 82 BOX 83
LEMMON SD 57638

4a. Article Number

P 837 692 524

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

ECJ. 2-17-94

PS Form 3811, December 1991

☆ U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



February 16, 1994

JOHN G JOHNSON
HCR 82 BOX 83
LEMMON SD 57638

NOTICE

RE: Violation of Requirement to Submit 1993 Irrigation Questionnaire

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 623-1 & 822-1. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 623-1 & 822-1 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 April 1, 1994, your name will be deleted from the Board agenda.

Very truly yours,

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

623-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181



623-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

March 3, 1994

623-1 ✓
822-1

John G Johnson
HCR 82 Box 33
Lemmon, SD 57638

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 1993 Irrigation questionnaires. The questionnaires were completed for you based upon a telephone conversation between Mrs. Johnson and Karen Schlaak, of this office. You may disregard the February 16, 1994, Notice of Violation of the Requirement to Submit the 1993 Irrigation Questionnaire.

The questionnaires were completed and on file in 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 Division
(605) 773-3352



022-1
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 22, 1999

NOTICE

TO: JOHN G JOHNSON, HCR 82 BOX 83, LEMMON, SD 57638

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 623-1 & 822-1. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 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 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 623-1 & 822-1 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 1, 1999, 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 Genry McMuth 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.

623-1

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the multiple, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the multiple below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: JOHN G JOHNSON HCR 82 BOX 83 LEMMON SD 57638		4a. Article Number 219141682	
		4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ Return Receipt for Merchandise ☐ COD	
		7. Date of Delivery 1-23-99	
5. Received By: (Print Name) John G Johnson		8. Addressee's Address (Only if requested and fee is paid)	
6. Signature: (Addressee or Agent) X			

Thank you for using Return Receipts Service.



623-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 5, 1999

623-1

822-1

John G Johnson
11026 White Butte Rd
Lemmon, SD 57638

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 1998 irrigation questionnaires. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 623-1 and 822-1.

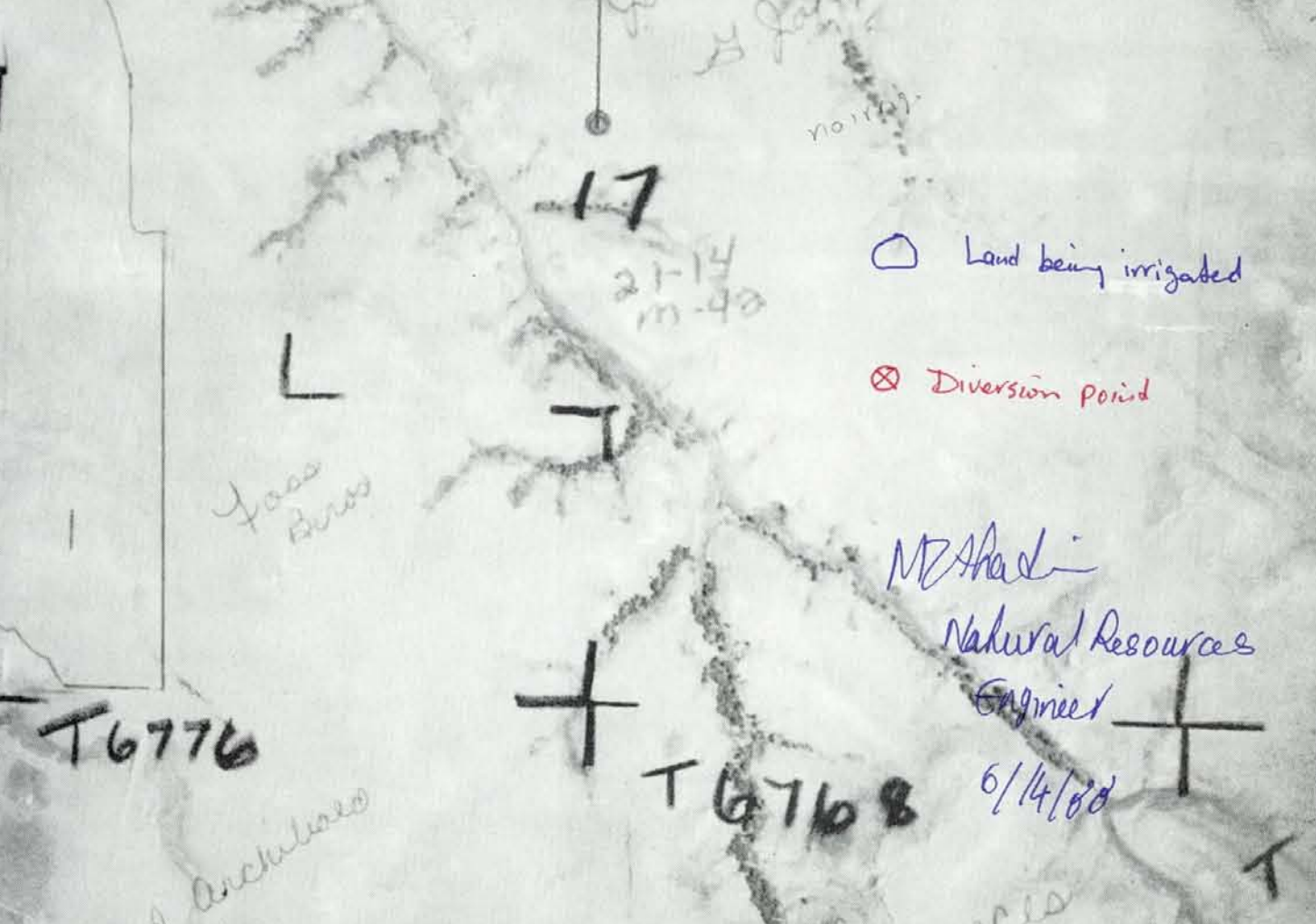
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

Johnson





623-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 5, 2007

623-1

822-1

Gary Johnson
11028 White Butte Rd
Lemmon SD 57638

Dear Mr. Johnson:

I am contacting you in regard to ownership of land described in Water Right Nos. 623-1 and 822-1. On the 2006 irrigation questionnaires for these water rights, a notation was made on one of the forms that it should be changed to your name.

Enclosed are copies of both water rights. Since I am not sure if one or both of the water rights need to be changed, I am enclosing a "Notice of Transfer of Ownership" form for each one. Please review and complete as needed. Upon completion, please return the transfer forms to our office with a \$2.50 filing fee for each one being transferred (total of \$5.00 for both). The check or money order for the filing fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

RECEIVED

APR 20 2007

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 623-1

Date: 4-10-07

I/We request that Water Right No. 623-1

formerly owned by: John G Johnson

be transferred to: (name & address) Gary Johnson, 11028 White Butte Rd, Lemmon SD 57638

Telephone No. 605-374-3661

Title to the following described land(s)/property has been transferred as described above:

85 acres: SE ¼ SW ¼ & SW ¼ SE ¼ Section 8, NE ¼ NW ¼ & NW ¼ NE ¼ Section 17, all in

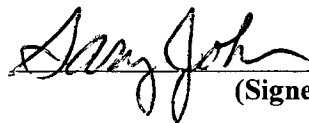
T21N, R14E

I/We understand that the validity of Water Right No. 623-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Gary Johnson, the new owner, certify that the above information is true and correct.



(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/23, 20 07

RECEIVED OF JOHNSON STABLES #1028 WHITE BUTTE RD LEONOR SD 57638

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>623-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

0300

By

L. Michael Erbe
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 23, 2007

623-1

Gary Johnson
11028 White Butte Rd
Lemmon SD 57638

Dear Mr. Johnson:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee you submitted for changing ownership on Water Right No. 623-1. The transfer has been completed. The water right, formerly held by John G Johnson is now listed in your name.

Enclosed is your Receipt No. 03038 in the amount of \$2.50. You may keep this for your records.

I am assuming that since you only submitted an ownership change for Water Right No. 623-1, the other water right held by John will stay in his name. If I can answer any questions for you, please contact me.

Sincerely,

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

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

enclosure



623-1
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 24, 2012

NOTICE

TO: GARY JOHNSON, 11028 WHITE BUTTE RD, LEMMON, SD 57638

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire has not been submitted for Permit No(s) 623-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 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 7, 2012**, 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) 623-1 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 2, 2012**, 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 31, 2012

623-1

Gary Johnson
18101 110th St
Lemmon SD 57638

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 623-1. 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
email: genny.mcmath@state.sd.us



623-1
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 15, 2016

NOTICE

TO: GARY JOHNSON, 18101 110th ST, LEMMON, SD 57638

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire has not been submitted for Permit No(s) 623-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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 **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 623-1 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 3, 2016** 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

February 17, 2016

623-1

Gary Johnson
18101 110th St
Lemmon SD 57638

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 2015 irrigation questionnaire.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Right No. 623-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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