

Water Right Number 1674-2
To be considered Lat. 27, 1979
County Dakota about 10E, 3 miles
North of Arthur

APPLICATION Name Wayne Johnson Address Yatal, SD
Date _____
Priority Received June 19, 1979 Complete-yes X no _____ reason _____
new discharge + cfs
6-19-79 .57 @ 36 ac
old July 16, 1976
2.0 @ 144 ac
1429-2
Fee Received-yes ✓, amount 150.00 no _____ reason _____
_____ received _____
Map Received-yes ✓ no _____ reason _____
_____ received _____
Log Received-yes X no _____ reason _____
_____ received _____

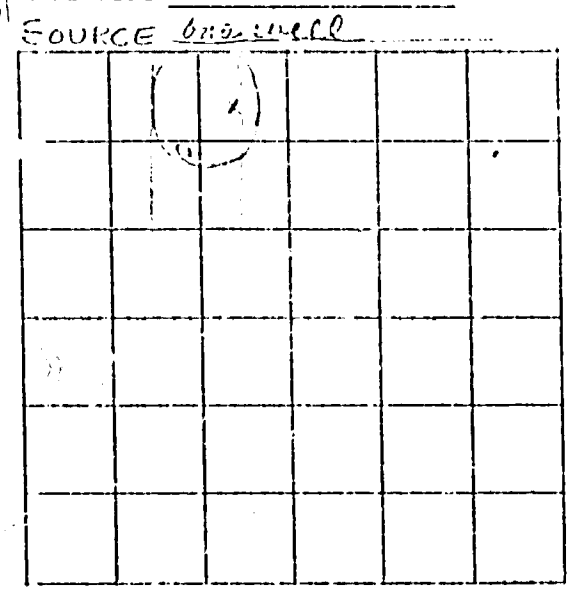
REMARKS Add 36 ac @ .57 cfs on existing permit 1429-2 will incorporate on W/L when an application is made.

WATER QUALITY Date _____
Received June 19, 1979 Approved Conditional (Circle one)
Disapproved date _____ reason _____
Date Disapproved _____
Application returned _____
WI-1 Land Description - same as Application-yes X no _____ remarks _____

APPLICATION INFORMATION

+++++
Use Dom. acres 36 c.f.s. .57 (2.57)

Acre-feet _____ Diversion Location _____



S. 1/4 NE 1 1-37-34
Land to be Irrigated W 1/2 W 1/2 NE 1, W 1/2 NE 1
E 1/2 NW 1, NW 1/4, N 1/2 SE 1
1-27-34

period of annual use April thru October

MAP Type of Map Gr. Scale Map Prepared by C. E. G. G. 1 - H. G. T. R.
Map No. 1211-2 Map located in W/R X Map file _____
LOG Driller Garrett D. S. Licensed in SD-yes X no _____
Depth and Formation 290' well

1674-30

OTHER
INFORMATION
FILED
WITH
WATER RIGHT

REVIEWED

This application was reviewed within 30 days of receipt, accepted as complete, number assigned, and written up for advertisement before the Board on

Sept 27 1979

Substantive
(Signed)

This application was unable to be completed - Reason _____

PUBLICATION

Dates published - 1st 9-22-79 2nd _____

Date _____

Affidavit received 9-27-79 remarks _____

Approved on condition of payment

PROTESTS

Letters/Petitions in file yes _____ no _____ remarks _____

STAFF REC-
COMMENDATIONS

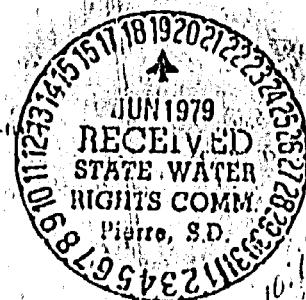
BOARD ACTION

Date Approved 9-27-79 Qualifications will be reviewed

Deferred - date _____ reason _____

Denied - date _____ reason _____

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

No. 1674-2Map No. 1211-2 Water Division No. 2 WHITE RIVER District _____
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Wayne Johnson
 Postoffice address Vetal State South Dakota 57575
 If a corporation show date and place of incorporation _____
 Method of accomplishing work (contract, employment of others, or by direct labor) contract
 Name of diversion work Wayne Johnson Well #1
 Amount of water claimed (cubic feet per second) 2.57 (.57 cfs additional)
 Source of water supply one well
 Location of point of diversion 2270 feet W and 1700 feet S of the NE corner of
Section 1, T37N R34W

County Bennett

7. Annual period or periods during which water is to be used April thru October
 Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 For irrigation use: Total number of acres to be irrigated 180
 List below each forty-acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each:

Section and Description	No. Acres Irr.	Section and Description	No. Acres Irr.
NE 1/4 NW 1/4 T37N R34W	24 ✓	SW 1/4 NE 1/4 T37N R34W	40
SE 1/4 NW 1/4 T37N R34W	33 ✓	SE 1/4 NE 1/4 T37N R34W	17
NW 1/4 NE 1/4 T37N R34W	36	NE 1/4 SW 1/4 T37N R34W	6 ✓
NE 1/4 NE 1/4 T37N R34W	9	NW 1/4 SE 1/4 T37N R34W	14 ✓

Attach sheet if more space is needed NE 1/4 SE 1/4 T37N R34W 1

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
 11. Choice of newspaper for Notice of Intent to Appropriately Use Water publication Bennett County Booster II
 12. Principal Features of the Proposed Water Supply System:

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

High Volume Pump

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

8" Aluminum Pipe

C. Works proposed to apply water to beneficial use:

180 AC Center Pivot

NOTE: This application is for an additional 36 acres and .57 cfs of water to Permit No. 1429-2. Pertinent info from Permit No. 1429-2 is incorporated in this application. Upon approval of this application Permit No. 1429-2 will be cancelled.

Estimated Total Cost \$ _____

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

STATE OF SOUTH DAKOTA

County of BENNETT

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

Signed Wayne JohnsonSubscribed and sworn to before me this 15 day of June 19 79

Notary Public (or other qualified officer)

Reg. of Deeds

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1674-2

WAYNE JOHNSON

VETAL

(Post Office Address)

SOUTH DAKOTA 57575 With the following modifications
(State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

The applicable portions of Permit No. 1429-2 have been incorporated into this Permit No. 1674-2 and Permit No. 1429-2 has been placed in a cancelled status.

Date of receipt of application JUNE 19 1979

Date of return to applicant for correction, amendments or changes required NO

Date of receipt of corrected application NO JULY 18 1979

Approved SEPTEMBER 27 1979 21 Page 40

WATER RIGHT PERMIT NO. 1674-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1674-2 authorizing the construction of the water use system and putting of water to beneficial use as stated in the Application and as modified in the Water Right Application specified subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is 2.0 FROM JULY 26, 1976 AND .57 FROM JUNE 19 1979
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 27 1982
3. The whole of said work is to be completed on or before SEPTEMBER 27 1984
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 27 1986
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 2.57 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before SEPTEMBER 27 1986 said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 22 day of OCTOBER 1979

WATER RIGHTS COMMISSION

By: John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19____

Water License Issued _____ 19____

Signed By _____ Date _____

SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE



OWNERS NAME: Wayne Johnson OWNERS ADDRESS: Vetal, SD
COUNTY LAND LOCATED IN: Bennett Co., PHONE: 685-6996
TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.
This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

1. WELL LOCATION OR DIVERSION POINT: 2270 ft. W. and 1700 ft. S of the NE
2. SURFACE WATER SOURCE Well
3. LOCATION OF AREA TO BE IRRIGATED: NE 1/4 Sec. 1 T 37 N, R 34 W. Portions of E 1/4 of NW 1/4
4. INDICATE NON-IRRIGATED AREAS AND (APPROX. ACRES ON MAP) (Farmstead, shelterbelts, wetlands, etc.)
NE 1/4 of SW 1/4 and NW 1/4 of SE 1/4
- TYPE OF IRRIGATION: (Show approximate acres under each type of system)
5. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____ OTHER (Specify) _____
6. CROPS TO BE IRRIGATED Corn, alfalfa and other forage
7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LAND: _____
IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

9. SAMPLE NUMBER: 77-832
1. SALINITY (EC x 10⁶) 172
10. SODIUM (SAR) 0.9 ADJUSTED (SAR) 1.5

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at _____ A.M./P.M. on _____, 1979, at the following location: _____
by _____ (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I also hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from _____ Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).
Water sample taken by Allen Fisher - Water Right transferred with sale of land.

SUBSCRIBED AND SWORN BEFORE ME THIS
15 DAY OF June, 1979

Ray E. Engelbert
(NOTARY PUBLIC)
By of State

Wayne Johnson
APPLICANT'S SIGNATURE
Keith L. Hansen
Director, Division of Conservation
☒ APPROVED
☐ DISAPPROVED
☐ CONDITIONALLY APPROVED

Water sample taken by Allen Fisher - Water Right transferred with sale of land.
77-832

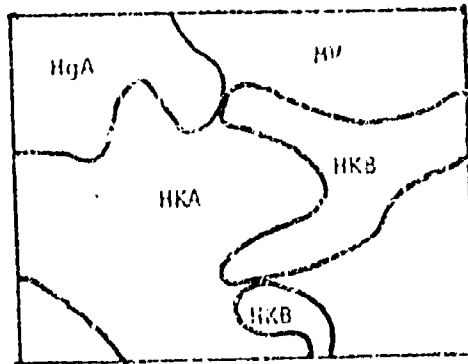
IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

In all cases a WATER RIGHT must be obtained from the State Water Rights Commission.

SOILS INFORMATION

EXAMPLE



- HgA - Highmore - DeGrey silt loams - 0-2% slopes
DeGrey soils have a shallow clay-pan and have slow to very slow permeability generally not suitable for irrigation.
- HKA - Highmore - Eakin silt loams - 0-2% slopes
Soils have a high available water capacity and moderate permeability.
- HKB - Highmore - Eakin silt loams - 2-5% slopes
Same physical composition as HKA - moderate erosion problems.
- Hv - Munjor fine sandy loam - 0-2% slopes
Moderately rapid permeability, moderate or high available water capacity.



Residents of counties with published or up-to-date soil surveys shall contact their local Conservation District for a copy of the soils map for the area to be irrigated and the narrative explanation of the map.

Residents of counties with no up-to-date soil survey information shall contact the Soil Conservation Service or their local Conservation District to obtain the best information available. If soil survey information is not available, the applicant is requested to obtain this information from a private consultant or professional soil classifier.

NOTE: If at all possible, provide information concerning subsoil physical conditions.

MAP

PLEASE READ LEGAL DESCRIPTION #1 THROUGH #4 ON FRONT SHEET BEFORE COMPLETING THIS SECTION.

<i>Section 31-34</i> <i>Section 31-34</i>		<i>Additional Notes</i> <i>Top Right 3-7%</i> <i>Bottom Right 0-5%</i>
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PLEASE USE BACK OF THIS SHEET FOR NARRATIVE
ATTACH SEPARATE SHEET

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: E. Lou Litch

Date Rec'd: July 21, 1976

Address: Yonkers, NY 10575

Sample No.: 76-232

Identification: Cell-300

NY, Dec. 1, T-37H, R-341

WATER ANALYSIS

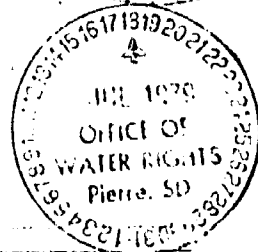
Calcium (Ca)	37	ppm*	1.85	me/l**
Magnesium (Mg)	2	ppm	0.15	me/l
Sodium (Na)	2	ppm	0.09	me/l
Potassium (K)	5	ppm	0.08	me/l
Sulfate (SO ₄)	2	ppm	0.04	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.10	me/l
Bicarbonate (HCO ₃)	176	ppm	2.88	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		ppm
Alkalinity (Methyl Orange)	1.44	ppm (as CaCO ₃)		2.10
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		2.61
Electrical Conductivity	272	micromhos per cm at 25° C.		2.65
Sodium Adsorption Ratio	0.09	.15		2.77
Sodium	4.12	% of cations		1.22
Residual sodium carbonate	0.87	me/l		1.29
pH	7.12			
Others:				

*ppm = parts per million

**me/l = milliequivalents per liter

***g.p.g. = grains per gallon

COMMENTS: Total cations 2.18 me/l
Total anions 3.02 me/l



By: Clayton Litch

Service Performed

Amount Due

Irrigation analysis

3.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-232

Amount Enclosed \$

Signature

REC-MGMT/FORM
12/78

d

APPROVED

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Wayne Johnson, Vetel, South Dakota

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than NA times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least NA inches of water.
3. ☐ Yes ☐ No Surface drainage suggested on _____.
4. ☐ Yes ☐ No Subsurface drainage suggested on _____.
5. ☐ Deep tillage (for the purpose of aiding movement of water through dense subsoils).

COMMENTS:

6. ☐ Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application Pivot.

GENERAL COMMENTS:

Slopes in excess of 6% should be kept in tame grasses and/or legumes.

Your special consideration should be building up the organic matter on the areas that have been subject to blowing.

Copy to applicant
Copy to Water Rights
Copy on File

RECEIPT

WATER RIGHTS COMMISSION

No 4 6940

State of South Dakota

PIERRE, June 19 1979

RECEIVED OF Wayne Johnson, Vetal SD 57575

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

Fee for Application for Permit to Appropriate Water No. 1574-2 (examination, processing, recording and filing)	150	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

JOHN HATCH klw

NO. 1674-2

Publish first publication, on or before August 31, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 14, 1979

Notice is hereby given that Wayne Johnson whose post office address is Vetal, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14, 46-2-9 thru 46-2-11, 46-2-13, 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-5-10, 46-6-14 and Board Rules ARSD 52:01:01-01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.57 cubic feet of water per second of time from ground water to add additional acreage on an existing permit (one existing well) through the Wayne Johnson Well #1 / the point(x) of diversion of which is (are) to be located in the FW# NE#

of Section 1, Twp. 37N, Range 34W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

W1/2 NE1; W1/2 NE2; E1/2 NW1; NE1 SW1; NW1 SE1 in Section 1-T37N, R34W

This Application No. 1674-2 will be considered by the Water Management Board at the Community Room, City Hall

222 E. Dakota, Pierre, SD upon the 27th day of September, 1979

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

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

BETTY WESTLUND,
Water Rights Specialist

cc: Wayne Johnson, Vetal, SD 57575

No. 1674-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bennett) ss.

I, Mary E. Long hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Bennett County Booster II

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 Martin of _____

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

August 23, 1979

August 30, 1979

Mary E. Long
(Signature)

Owner
(Title)

9-26-79
(Date Signed)

No. 1674-2
NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
August 14, 1979

Notice is hereby given that Wayne Johnson, whose post office address is Velal, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-4, 46-1-14, 46-2-9 thru 46-2-13, 46-5-1 thru 46-5-8, 46-5-9 thru 46-5-22, 46-5-41, 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.57 cubic feet of water per second of flow from ground water (one existing well) through the Wayne Johnson Well No. 1 to add additional acreage on an existing permit, the point of diversion of which is to be located in the SW 1/4 NE 1/4 of Section 1, T. 37N, Range 34W. Said water to be used for the purpose of providing irrigation on portions of the following described land: W 1/2 W 1/2 NE 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4 in Section 1-T37N, R34W.

This Application No. 1674-2 will be considered by the Water Management Board at the Community Room, City Hall, 222 E. Dakota, Pierre, SD, upon the 27th day of September, 1979, at 10 a.m. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-25 may notify the Board in writing prior to the hearing or orally at the hearing. This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Water Management Board
Nelly Westlund,
Water Rights Specialist

FORM 9 - Forwarding Permit to Appropriate Water

No. 1674-2

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

October 10, 1979

Wayne Johnson
Vetrol SD 57576

Dear Mr. Johnson:

Enclosed herewith is your Water Right Permit No. 1674-2 as approved by the Board of Water Management, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 1674-2.

Also enclosed is FORM 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Board of Water Management when you have completed the system and/or have put the water to beneficial use. The Board can then schedule an inspection so that your Certificate of Construction and/or Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH:jm

enclosure

P.S. The applicable portions of Permit No. 1492-3 have been incorporated into this Permit No. 1674-2 and Permit No. 1492-2 has been placed in a cancelled status.

Equal Opportunity Employer

Form 10.

No. 1674-2



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Petal, S.D.

Date Nov 13, 1979

TO: Water Rights [REDACTED]
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. ¹⁴²⁹⁻²~~1674-2~~ ¹⁶⁷⁴⁻² 1674-2.

Water Right Permit No. ¹⁴²⁹⁻²~~1674-2~~ ¹⁶⁷⁴⁻² states that the diversion system is to be constructed by Sept 27, 1979 and that the water is to be put to beneficial use by Sept 27, 1979.

The diversion system was completed on Sept, 1979.
Applying the water to beneficial use was completed on Sept, 1979.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

[Signature]
(Signature)

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 12, 1985

Wayne Johnson
Vetal SD 57575

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 1674-2. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 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 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

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). 1674-2 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.

Sincerely,


John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.

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

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

June 12, 1985

Notice or Amendment to Water Permit(s)

To: Wayne Johnson
Vetal, SD 57575

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352 *John Hatch*

SUBJECT: Amendment to Water Permit No(s). 1674-2.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1674-2 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.



Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 1674-2

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1674-2 to add the following qualification:

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



Department of Water & Natural Resources

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

March 26, 1986

NOTICE

Wayne Johnson
Vetzel, SD 57575

Re: Violation of Water Permit No(s). 1674-2

Our records indicate that the 1985 Irrigation Questionnaire has not been received for Water Permit No(s). 1674-2. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1674-2 qualification:

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

The hearing(s) will be at 2:00 p.m., May 14, 1986, Joe Foss Building, Room 216, Pierre, South Dakota. The hearing(s) 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. Suspend Permit No(s). 1674-2 until either the 1985 Questionnaire is submitted or for a period of up to one 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.

Sincerely,

John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

SOUTH DAKOTA Department of
Water & Natural Resources

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

May 16, 1986

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: Wayne Johnson
Vetal,
South Dakota 57575

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

*John Hatch
by Hel Brong*

SUBJECT: One Year Suspension of Water Permit No(s). 1674-2
If the 1985 Irrigation Questionnaire Is Not Received By
June 1, 1986

Pursuant to the provisions of the notice dated March 26, 1986 and following the Hearing May 14, 1986, the Water Management Board ordered:

That Water Permit No(s). 1674-2 be suspended until December 31, 1986, unless the required 1985 Irrigation Water Use Questionnaire is received by June 1, 1986.

Suspension of a permit means water may not be pumped during the 1986 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

Equal Opportunity Employer

 **Department of
Water & Natural Resources**

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

March 23, 1987

WAYNE JOHNSON
VETAL, SD 57575

NOTICE

Re: Violation of Water Permit No(s). 1674-2

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 1674-2. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1674-2 qualification:

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

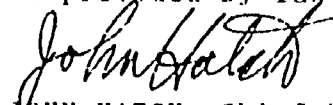
The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) 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. Suspend Permit No(s). 1674-2 until either the 1986 Questionnaire is submitted or for a period of up to one 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 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

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

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

May 14, 1987

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: WAYNE JOHNSON

VETAL, SD 57575

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352



SUBJECT: One Year Suspension Of Water Permit No(s). 1674-2 If
The 1986 Irrigation Questionnaire Is Not Received By
June 1, 1987

Persuant to the provisions of the Notice dated March 23, 1987,
and following the Hearing May 6, 1987, the Water Management Board
ordered:

That Water Permit No(s). 1674-2 be **SUSPENDED** until December 31,
1987 unless the required 1986 Irrigation Water Use Questionnaire
is received by June 1, 1987.

Suspension of a permit means water may not be pumped during the
1987 Irrigation Season. Decisions of the Board may be appealed
to the Circuit Court and the Supreme Court as provided by law.

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to: MOYNE JOHNSON METAL, SD 57575	4. Article Number P 576 309 785 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature — Addressee X <i>Wayne Johnson</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent X	
7. Date of Delivery 5-28-87	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

 **Department of
Water & Natural Resources**

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

February 8, 1989

WAYNE JOHNSON

VETAL, SD 57575

NOTICE

RE: Violation of Water Permit No(s). 1674-2

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1674-2. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1674-2 qualification:

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

The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

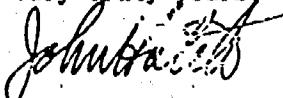
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 1674-2 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire is received in this office before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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



SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the (reverse side). Failure to do this will prevent the card from being returned to you. The return receipt is not valid unless the return address is given. The return receipt is not valid unless the return address is given. The return receipt is not valid unless the return address is given.

1. ☒ **Delivery to whom delivered, date, and addressee's address.** 2. ☐ **Restricted Delivery.**

3. **Article Addressed to:**

WAYNE JOHNSON
VETAL, SD 57575

4. **Postage Number**
P 576 307 525

☒ **Registered** ☐ **Insured** ☐ **Signature Required**

Always attach this receipt to each article or parcel and keep it safe.

5. **Signature - Addressee**
X *Wayne Johnson*

6. **Additional Remarks (if any)**
If requested and fee paid

7. **Date of Delivery**
2-9-89

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

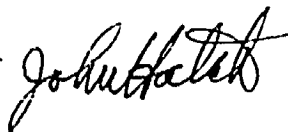
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 9, 1989

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: Wayne Johnson
Vetrol SD 57575

FROM: John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352



SUBJECT: One Year Suspension of Water Permit No(s). 1674-2

Pursuant to the provisions of the notice dated February 8, 1989, and following the hearing of March 1, 1989, the Water Management Board has ordered:

That Water Permit No(s). 1674-2 be **SUSPENDED** until December 31, 1989.

Suspension of a permit means water may not be pumped during the 1989 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

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

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The carrier cannot be held responsible for the return of the card.
 Indicate the date of delivery. For delivery on a day other than the day of mailing, consult
 postmaster for the rate and select service for additional services requested.

1. ☒ Show to whom delivered, date, and addressee's address.		2. ☐ Registered Delivery.	
3. Addressee Addressed to:		4. Postage 76¢ 78¢ 89¢	
Wayne Johnson Vetal SD 57575		5. Postage 76¢ 78¢ 89¢	
6. Sender's Address		7. Date of Delivery	
X <i>Wayne Johnson</i>		8. Postage 76¢ 78¢ 89¢	
9. Postage 76¢ 78¢ 89¢		10. Postage 76¢ 78¢ 89¢	

SOUTH DAKOTA Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

No. 1674-2

Division of Water Rights
605 773-3352

April 9, 1985

Wayne Johnson
Vetal, South Dakota 57575

Dear Mr. Johnson:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1674-2 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

ms/

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

DWNR-814 8/83

SECOND NOTICE

Permit No. 1674-2

July 8, 1985

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Wayne Johnson
Votel, South Dakota 57575

Dear Mr. Johnson:

April 9, 1985 you were notified the final inspection fee of \$50.00 is due before Water License No. 1674-2 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-5352

S508.HR



Department of Water & Natural Resources

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

Third Notice
Permit No. 1674-2

February 25, 1986

NOTICE OF ORDER TO STOP DIVERTING WATER
UNDER PERMIT NO. 1674-2 FOR
FAILURE TO SUBMIT WATER LICENSE INSPECTION FEE

Wayne Johnson
Vetal, South Dakota 57575

Dear Mr. Johnson:

April 9, 1985 and July 8, 1985 you were notified the final inspection fee of \$50.00 is due before Water License No. 1674-2 can be issued. To date, the fee has not been received.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Pursuant to SDCL 46-2-17 and 46-2-18, you are ordered to stop diverting any water authorized by Permit No. 1674-2 until the \$50.00 fee is paid.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 775-3352

S52G.WR

Water Rights Division - DWR
Conversation or File Documentation

File No. 167A-2

NAME OF PERSON OR FILE: Wayne Johnson
ADDRESS Box 207 Martin, SD COUNTY Bennett
DATE: May 25, 1989 TELEPHONE _____
RE: Suspended Permit No. 167A-2

COMMENTS:

On May 23, 1989, I talked to Wayne Johnson about the suspension of his permit. He said he sent his Irrigation Questionnaire to us in December. I asked him about the other letters we sent him and he said he did not pay much attention to them since he already sent in the IQ. He also indicated he was planning to irrigate. I told him he could be subject to a fine and/or cancellation if he did irrigate. I told him we would send another IQ to him and he could request the Water Management Board to remove the suspension.

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.

4/82

NAME: Kevin Schaal

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3131

May 25, 1989

Wayne Johnson
Box 202
Martin SD 57551

Dear Mr. Johnson:

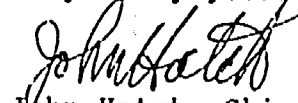
This letter is in response to the conversation you had with Tim Schaal of this office on May 23, 1989 concerning the Water Management Board's suspension of Water Permit No. 1674-2.

We have reviewed our records and do not have the Irrigation Questionnaire for permit No. 1674-2, which you claim to have returned.

Enclosed is another questionnaire form for you to complete and return to us. We suggest that you make a copy for your records. You may petition the Water Management Board to consider removal of the suspension. The Water Management Board will be holding a special meeting on June 8, 1989 in Rapid City. The meeting will be held at the School Board Room-Council Chambers at the City School Administration Building, 300 Sixth Street. You could present your request at 1:15 pm, if you return the completed questionnaire to us by June 5, 1989 along with a letter requesting time on the agenda.

SDCL 46-1-11 provides that failure to comply with the suspension of Water Permit No. 1674-2 is a Class 2 misdemeanor and a civil fine of not more than \$500 per day may be imposed for each day of noncompliance.

Very truly yours,


John Hatch, Chief Engineer
Water Rights Division
605 773-3352

cc: John Haak, Assistant Attorney General



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

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

June 7, 1989

1674-2

Wayne Johnson
Box 202
Martin, SD 57551

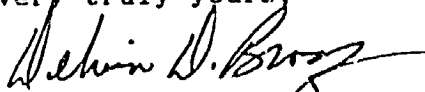
Dear Mr. Johnson:

Your 1988 irrigation questionnaire was received in our office on June 6, 1989. The form was completed properly, however, you did not indicate whether or not you wished to appear before the Water Management Board to request the water permit to be reinstated.

The Water Management Board suspended Water Permit No. 1674-2 for the 1989 irrigation season due to nonreturn of your 1988 irrigation questionnaire. The receipt of your questionnaire on June 6th does not automatically reinstate your permit. You will need to appear before the Board and request them to take action to rescind the suspension.

Our next Water Management Board meeting is July 25 & 26, 1989, in Rapid City, SD. You are not authorized to irrigate. If you intend to irrigate, you will need to send us a letter requesting time on the Board meeting agenda. Under SDCL 46-1-11, a person may be fined up to \$500 per day for violation of Water Right Laws.

Very truly yours,



DELVIN D BROSZ, P.R.
Hydrologist
for JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352



Water Rights Division - DWR

File No. 1674-2

Conversation or File Documentation

NAME OF PERSON OR FILE: Wayne JohnsonADDRESS: Box 202 Martin, SD 57551 COUNTY BurnettDATE: July 5, 1989 TELEPHONE _____

RE: _____

COMMENTS:

On June 22, 1989, I stopped to talk to Mr. Wayne Johnson about his suspended permit No. 1674-2 and our June 7, 1989 letter to him concerning the receipt of his irrigation questionnaire advising him to request the Water Management Board to rescind the suspension. Wayne was not home, but I talked to his father, Wendell Johnson. His father did not know much about the suspension and if Wayne was intending to send us a letter requesting time before the Board. He did not think much about the suspension, thought it was kind of silly to suspend an irrigator during a drought for not returning a questionnaire that is only "at best" a good estimate of water usage. The center pivot for Wayne's permit No. 1674-2 was not running at the time but it was obvious that they had been using it.

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.

4/82

NAME: Kim Schaal

 **Department of
Water & Natural Resources**

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

July 7, 1989

NOTICE OF ORDER

Wayne Johnson
Box 202
Martin, SD 57551

Dear Mr. Johnson:

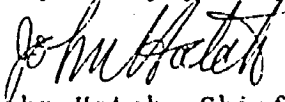
This Notice of Order concerns the Water Management Board's suspension of your Water Permit No. 1674-2. The Water Management Board suspended Water Permit No. 1674-2 for the 1989 irrigation season due to nonreturn of your 1988 irrigation questionnaire.

Our June 7, 1989 letter to you advised that we had received your questionnaire and that submittal of the questionnaire did not automatically reinstate your permit. You will need to request the Board to take action to rescind the suspension.

Tim Schaul from this office met with your father on June 22, 1989 and discussed this with him. He advised your father that the next Water Management Board Meeting is July 25 & 26, 1989, in Rapid City and you may send us a letter requesting the Board to reinstate your permit. He also noticed that you are still irrigating the land described on suspended Permit No. 1674-2.

You are **ORDERED** to stop irrigating lands described on suspended Permit No. 1674-2. Please note that legal action can be initiated and under SDCL 46-1-11, a person may be fined up to \$500 per day for violation of Water Rights Laws.

Very truly yours,


John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

cc: John Haak, Assistant Attorney General



CERTIFICATION

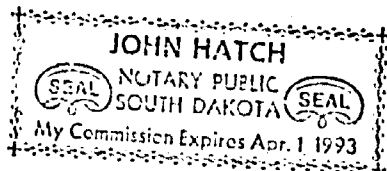
I hereby certify that on July 7, 1989 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Order addressed as follows:

Wayne Johnson
Box 202
Martin, SD 57551

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 10th day of July, 1989.



John Hatch
Notary Public

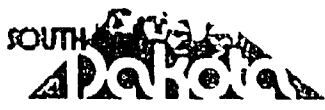
June 20, 1989

Mr. Delvin D. Brosz,

I recieved your June 7 letter.
This is a request to appear before
the Water Management Board so
they can take action on the
Water Permit No. 1674-2 for the
1989 irrigation season. Unless
I hear from you I will be
at the School Board Room - Council
Chambers at the City School Administra-
tion Building, 300 Sixth Street at
1:15 p.m. in Rapid City on July 25.
If the meeting is postponed again,
please let me know by July 24th.

Thank you.
Wayne Johnson
Box 202
Martin SD 57551





Department of Water & Natural Resources

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

July 12, 1989

NOTICE

TO: Wayne Johnson, Box 202, Martin, SD 57551

FROM: DELVIN D BROSZ, PE *Delvin D. Brosz*
Hydrologist
for JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Notice of Hearing to Consider request for
Reconsideration of Suspended Water Permit No. 1674-2

The hearing on your request to the Water Management Board to reconsider suspension of Water Permit No. 1674-2 has been scheduled for 8:50 am, July 26, 1989, in the Deerfield Room, Hilton Inn, 445 Mt Rushmore Rd, Rapid City, SD.

After all evidence is taken at the hearing, the Board may issue a decision to rescind the suspension of your permit, defer action or taken no action. The hearing is an adversary proceeding and any party has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Any decision rendered by the Board may be appealed to the Circuit Court or to the State Supreme Court as provided by law.

cc: John Haak, Assistant Attorney General



CERTIFICATION

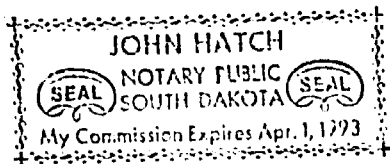
I hereby certify that on July 12, 1989 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Hearing to Consider Request for Reconsideration of Suspended Water Permit No. 1674-2 addressed as follows:

Wayne Johnson
Box 202
Martin SD 57551

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) ss
COUNTY OF HUGHES)

Sworn to, before me, this 17th day of July, 1989.



Notary Public

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

July 28, 1989

NOTICE

TO: Wayne Johnson, Box 202, Martin, SD 57551

FROM: Delvin D Brosz, PE *Delvin D. Brosz*
Hydrologist
for John Hatch
Chief Engineer
Water Rights Division

SUBJECT: Reinstatement of Suspended Water Permit No. 1674-2

The Water Management Board following the July 26, 1989, hearing passed the following motion:

"That Water Permit No. 1674-2 is reinstated following payment of the \$50.00 inspection fee and submission of future irrigation questionnaires."

This notice also acknowledges receipt of the \$50.00 inspection fee. The reinstatement of Water Permit No. 1674-2 is effective immediately.

If you have any questions, please contact Genny McMath, 773-3352.



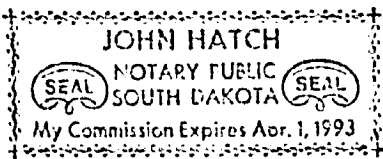
CERTIFICATION

I hereby certify that on July 28, 1989 I have personally deposited with the U.S. Mail a postage prepaid envelope containing a Notice on Reinstatement of Suspended Water Permit No. 1674-2 addressed as stated on the notice.

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 31st day of July, 1989.



John Hatch
Notary Public

 **Department of
Water & Natural Resources**

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

August 17, 1989

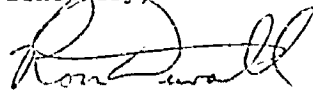
Wayne Johnson
Box 202
Martin SD 57551

Dear Mr. Johnson:

The original notice of hearing for Water Permit No. 1674-2 was published with an error. Therefore, the notice of hearing needs to be readvertised to correct the error. A notice of hearing has been sent to the Publisher of the Bennett Co. Booster II printed at Martin SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the readvertisement are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Division of Water Rights. Please contact us if you have any questions.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures



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

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

August 17, 1989

Bennett Co. Booster II
Box 610
Martin SD 57551

Dear Sir:

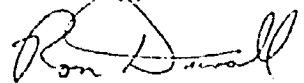
Enclosed is a Readvertisement of Notice of Hearing on Permit No. 1674-2 to be published twice. Please publish the first notice on or before August 23, 1989 with the second publication 7 days later.

Please bill the Water Rights Division for the cost of the advertisement.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO: Ron Duvall
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Readvertisement of Notice of Hearing to Appropriate Water by Permit No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____



REDUCED COPY
DATE MICROFILMED
CAMERA OPERATOR

Instruction to Newspaper - Publish first Notice on or before August 23, 1989 with 2nd publication 7 days later.

Readvertisement of Notice of Hearing for Water Permit No. 1674-2 to Appropriate Water

Notice is given that Wayne Johnson, Box 202, Martin SD 57551 filed an application for a water permit on June 19, 1979. Water Permit No. 1674-2 appropriates 2.45 cubic feet of water per second from one well, 287 feet deep, located in the SW 1/4 NE 1/4 Section 1-T37N-R34W to irrigate 180 acres. Readvertisement of the original notice of hearing published on August 23 and 30, 1979 is needed to correct the legal description of the irrigated acreage. The original notice omitted 13 irrigated acres in the E 1/2 NE 1/4 Section 1-T37N-R34W. This readvertisement does not authorize any increase in the number of acres irrigated or any increase in the water appropriation.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of readvertised No. 1674-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This readvertisement will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on September 27, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this readvertisement based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 15, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the readvertisement, the petitioner's reasons for opposing or supporting the readvertisement and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this readvertisement or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by September 15, 1989.

This readvertisement is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County DeWitt) ss.

I, John W. Jones
certify that the attached printed notice was taken
from the DeWitt County Record

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 DeWitt

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

August 22, 1989

August 30, 1989

John W. Jones
(Signature)

DeWitt County
(Title)

John W. Jones
(Date Signed)

Cost of Printing: \$41.00

READVERTISEMENT OF NOTICE
OF HEARING FOR WATER PERMIT
NO. 1674-2 TO APPROPRIATE WATER

Notice is given that Wayne Johnson, Box 202, Martin, SD 57551 filed an application for a water permit on June 19, 1979. Water Permit No. 1674-2 appropriates 2.45 cubic feet of water per second from one well, 287 feet deep, located in the SW 1/4 NE 1/4 Section 1-T37N-R34W to irrigate 180 acres. Readvertisement of the original notice of hearing published on August 23 and 30, 1979 is needed to correct the legal description of the irrigated acreage. The original notice omitted 19 irrigated acres in the E 1/2 NE 1/4 Section 1-T37N-R34W. This readvertisement does not authorize any increase in the number of acres irrigated or any increase in the water appropriation.

Pursuant to SDCL 45-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of readvertised No. 1674-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This readvertisement will be considered by the Water Management Board in Room 215, Joe Foss Building, 523 E. Capitol, Pierre SD on September 27, 1989 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this readvertisement based on the facts presented at the public hearing.

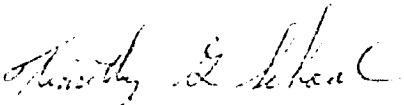
Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 15, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605-773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the readvertisement, the petitioner's reasons for opposing or supporting the readvertisement and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this readvertisement or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by September 15, 1989.

This readvertisement is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.
21-12

REPORT FOR READVERTISEMENT OF
WATER PERMIT NO. 1674-2
WAYNE JOHNSON
AUGUST 4, 1989

Water permit No. 1674-2 appropriates 2.45 cubic feet of water per second from one well, 287 feet deep, located in the SW 1/4 NE 1/4 of Section 1-T37N-R34W to irrigate 180 acres. Readvertisement of the original notice of public hearing published on August 23 and 30, 1979 is needed to correct the legal description of the irrigated acreage. The original notice omitted 19 irrigated acres in the E 1/2 NE 1/4 Section 1-T37N-R34W. This readvertisement does not authorize any increase in the number of acres irrigated or any increase in the water appropriation.



Timothy G. Schaal, P.E.
Water Resources Engineer

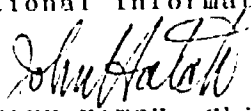
RECOMMENDATION OF CHIEF ENGINEER FOR READVERTISED
WATER PERMIT NO. 1674-2, Wayne Johnson

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Readvertised Water Permit No. 1674-2, Wayne Johnson, Box 202, Martin SD.

The Chief Engineer is recommending APPROVAL of Readvertised No. 1674-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The irrigation well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The irrigation well owner under this Permit shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The applicable portions of Permit No. 1429-2 have been incorporated into this Permit No. 1674-2 and Permit No. 1429-2 has been placed in a cancelled status.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
August 11, 1989

NOTE: Past Board actions to place incorporated permits in cancelled status have meant that any abandoned or forfeited portions of a permit have been cancelled with the remaining applicable portions of the permit incorporated into another permit. There has been no intent to decrease or eliminate valid water rights.

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

November 8, 1989

Wayne Johnson
Box 202
Martin SD 57551

Dear Mr. Johnson:

On September 28, 1989, the Water Management Board approved the readvertisement of Water Permit No. 1674-2 as recommended by the Chief Engineer with the following qualifications. This readvertisement does not authorize any increase in water appropriation or number of acres irrigated.

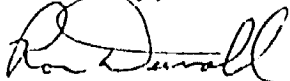
QUALIFICATIONS

1. The irrigation well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The irrigation well owner under this Permit shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The applicable portions of Permit No. 1429-2 have been incorporated into this Permit No. 1674-2 and Permit No. 1429-2 has been placed in cancelled status.

NOTE: Past Board actions to place incorporated permits in cancelled status have meant that any abandoned or forfeited portions of a permit have been cancelled with the remaining applicable portions of the permit incorporated into another permit. There has been no intent to decrease or eliminate valid water rights.

Place this document with your file for No. 1674-2.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

 **Department of
Water & Natural Resources**

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

November 8, 1989

Wayne Johnson
Box 202
Martin SD 57551

Dear Mr. Johnson:

This letter is to notify you that a qualification on Water Permit No. 1674-2 was omitted in my previous letter dated November 8, 1989. Permit No. 1674-2 was amended by the Water Management Board on May 15, 1985 to include qualification No. 3 (Irrigation Questionnaire). Listed below are all of the qualifications on Permit No. 1674-2. This document should be placed with your file for No. 1674-2.

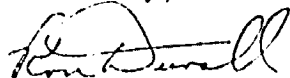
QUALIFICATIONS

1. The irrigation well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The irrigation well owner under this Permit shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The applicable portions of Permit No. 1429-2 have been incorporated into this Permit No. 1674-2 and Permit No. 1429-2 has been placed in cancelled status.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

NOTE: Past Board actions to place incorporated permits in cancelled status have meant that any abandoned or forfeited portions of a permit have been cancelled with the remaining applicable portions of the permit incorporated into another permit. There has been no intent to decrease or eliminate valid water rights.

Please contact me if you have any questions.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

Wayne Johnson

LICENSE FOR PERMIT NUMBER 1674-2

1. Legal location of wells: County of Mono, State of California
Section 36, T12N, R10E, S1E

dams & structures: _____

2. Well Information: Well Drilling Firm Sargent

No. of wells 1 Depth 27'

Casing a) diameter 4" Screen a) type steel
b) length _____ b) length _____
c) type steel Static Water Level 15'

Pump a) make Sargent Motor a) make HS Electric
b) model 15379 b) model no. R9981-02-624
c) size 12.5A c) horsepower rating 100 HP
d) capacity 100 GPM d) motor efficiency rating _____
e) turbine pump
no. of stages 3

3. Distribution lines:

a) size of lines 6"
b) type Ac
c) length 15'

4. Dam Information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

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 _____

b) towline:

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

WELL DRILLERS REPORT
SOUTH DAKOTA WATER RIGHTS COMMISSION

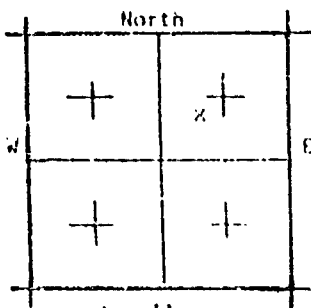
4-78

Well Owner:

Name W. A. Johnson

Address Vetal, South Dakota

Well Location:



Mark location
with an "x"

County Bennett

NE & SW NE & Sec. 1 Twp. 37 Rq. 31

Proposed Use:

☐ Domestic ☐ Municipal ☐ Test
Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

☐ Forward Rotary ☐ Bored ☐ Jetted
☒ Reverse Rotary ☐ Cable ☐ Other

Well Construction:

Diameter of Hole 12

Depth 287

Casing ☒ Steel ☐ Concrete

☐ Plastic ☐ Other

If other, specify _____

Was casing end left open No

Was a well screen installed Yes

Describe Well Screen

Diameter 16" Material Steel

Slot size 3" x .150

Was well gravel packed Yes

Was well grouted No

Was water sample taken No

Remarks:

cs - coarse sand
m sand - med sand
ss - sandstone
chunk. ss - chunky sandstone
trace c - trace of clay
m-cs - med to coarse sand

Water Level Information:

Static water level 103 below land surface

If flowing, closed in pressure PSI

rate of flow gpm

Controlled by:

☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Well Test Data:

☒ Pumped _____

☐ Bailed Describe: _____

☐ Other _____

Pumping Level Below Land Surface

140 ft. After 1 Hrs. pumped 1272 GPM

145 " " 15 " " 1260 "

155 " " 1 " " 1512 "

Well Log:

Formation	Depth	
	From	To
top soil & sand	0	10
hard white mag	10	23
white mag, hard	23	30
cs & clay	30	45
m sand, ss, some clay	45	60
m sand, chunk ss, trace c	60	72
white mag	72	75
clay, mag, some sand	75	86
coarse sand	86	98
cs, clay, some ss	98	105
m-cs & ss	105	120
med to coarse sand	120	135
cs 2' clay & 147'	135	150
good coarse sand	150	165

(Use Back If Necessary)

Date Completed: May 29, 1979

Driller:

Sargent Irrigation Co. 273
Driller's or Firm's Name License NO.
Box 70
Bassett, Nebraska
Address

5-10-79
Signed By [Signature] Date

Permit No. 1674-2

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 Wayne
Johansen of Vestal SD holder of
 Permit No. 1674-2 bearing the priority of 7-26-76 & 6-19-79 19____ authorizing
 the diversion of 2.0 & .57 cu. ft. per second of the waters of groundwater
 for irrigation purposes, in Bennett County.

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

A. Works used to divert the water:

The system has one well developed by Sargent having a depth of 287 ft with
 16" steel casing. The pump is a Sargent having 3 stages and a size of 125A.
 The motor is an U.S. Electric with a rating of 100 HP.

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

The distribution pipeline is an 8" steel pipeline 15 ft. long.

C. Works used to apply water to beneficial use:

The pivot is a Valley CP having 10 towers and a span of 180 ft between
 towers. The pivot has an end gun, operates at 70 psi with 1100 GPM.

The system is in the following condition GoodThe point of diversion is located 1720' S & 2370' W of NE corner of section 1T37N R34WThe works are capable of diverting and conveying to the place of use 2.45cu. 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: NE¹NW¹ 1- 25.9c, SE¹NW¹ 1- 37Ac,
NE¹SW¹ 1- 8.1c, NW¹NE¹ 1- 39Ac, SE¹NE¹ 1- 40Ac, NW¹SE¹ 1- 16Ac, NE¹NE¹ 1- 5Ac
SE¹NE¹ 1- 14Ac all of T37N R34W NE¹SE¹ 1- 10c;

comprising a total of 180 acres of land and the license should be issued for 2.45 cfsApplicable permit qualifications have been complied with Yes NoExceptions to compliance are: _____ Date 4-9-85

[Signature]
 (PRINT NAME)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, July 27, 1939

RECEIVED OF Wayne Johanson, Box 202, Martin, SD 57551-0202

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. <u>Water Right No. 1074-2</u>	50	00
Fee for Filing Transfer Form _____		
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	50 00

By John Hatch (mra)
Chief Engineer John Hatch/mra

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1674-2

(1) Wayne Johnson of Box 202, Martin SD 57551 made Application No. 1674-2, June 19, 1979 for a water permit to appropriate 2.57 cubic feet of water per second from groundwater (one well), Bennett County, South Dakota for irrigation purposes. Permit No. 1674-2 with priority dates of July 26, 1976 and June 19, 1979 was approved September 27, 1979 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before September 27, 1984 and for the application to beneficial use of said water on or before September 27, 1986.

A review of the permit file prior to licensing found an error in the original notice of hearing published on August 23 and 30, 1979. The notice omitted 19 irrigated acres in the E 1/2 NE 1/4 Section 1, T37N, R34W. Water Permit No. 1674-2 was readvertised on August 23 and 30, 1989 to correct this error. The readvertisement was approved by the Water Management Board September 28, 1989.

(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 2.45 cubic feet of water per second for beneficial use. The location of the diversion point is: 1720'S and 2370'W of the NE corner of Section 1, T37N, R34W.

(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:

T37N, R34W Section 1	NE 1/4 NW 1/4	25 acres
	SE 1/4 NW 1/4	37 "
	NE 1/4 SW 1/4	8 "
	NW 1/4 NE 1/4	34 "
	SW 1/4 NE 1/4	40 "
	NE 1/4 NE 1/4	5 "
	SE 1/4 NE 1/4	14 "
	NW 1/4 SE 1/4	16 "
	NE 1/4 SE 1/4	1 "
	TOTAL	180 acres

(4) Pursuant to Section 46-5-30.1 Wayne Johnson, Box 202, Martin SD 57551 the holder(s) and/or owner(s) of Water Permit No. 1674-2 is issued a license to appropriate water, the right to use 2.45 cubic feet of water per second from groundwater (one well) with priority dates of 2.0 cfs from July 26, 1976 and 0.45 cfs from June 19, 1979 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 1674-2 and subject to South Dakota State Law.



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

DEC 26 1989



Department of
Water & Natural Resources

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

DEC 26 1989

Wayne Johnson
Box 202
Martin SD 57551

Dear Mr. Johnson:

Enclosed is Water License No. 1674-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is your receipt in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1674-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

enclosures



Department of Water & Natural Resources

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

June 12, 1985

Notice of One Year Suspension of Water Permit

To: Wayne Johnson
Vetal, SD 57575

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352

SUBJECT: Amendment to Water Permit No(s). 1674-2.

Pursuant to the provisions of the notice dated April 15, 1985, and following Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1674-2 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

PS Form 3811, Oct. 1967

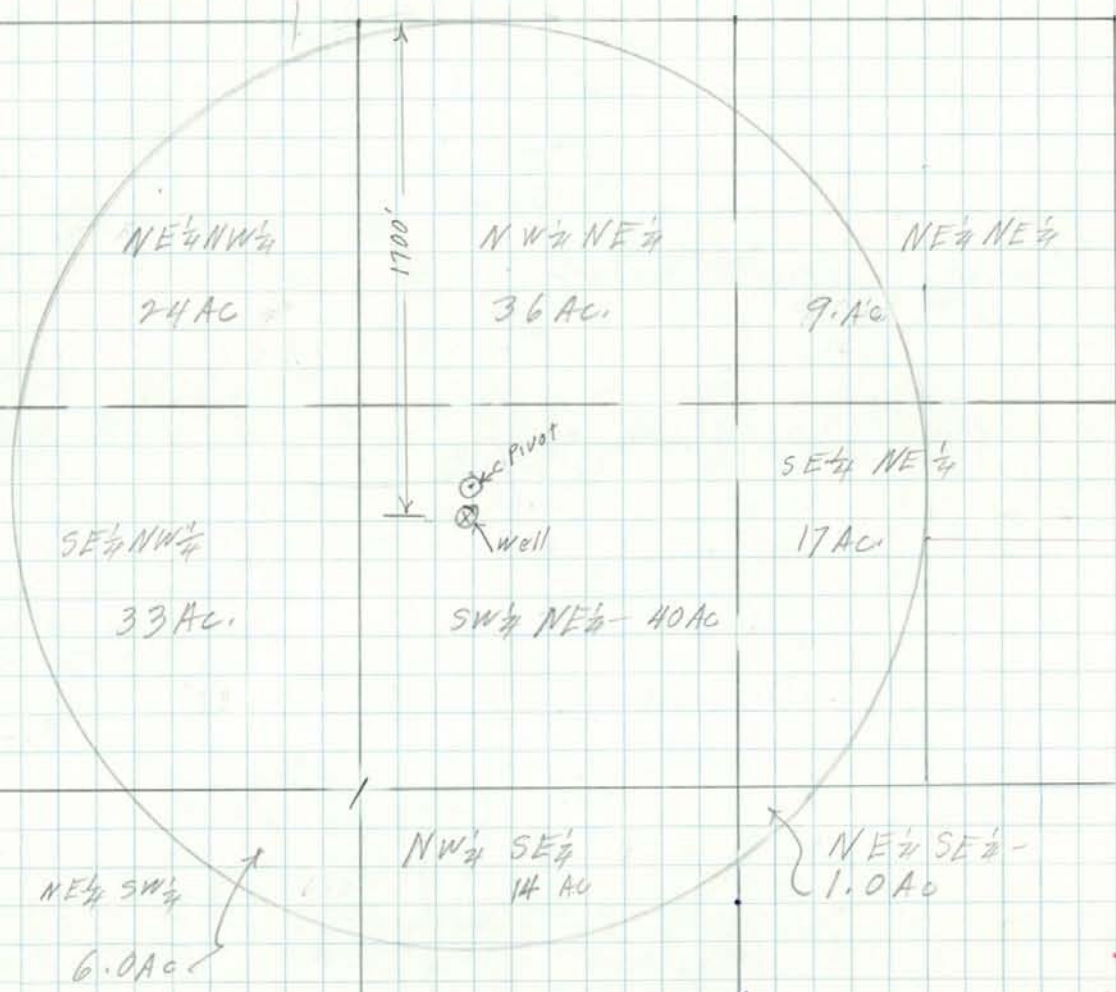
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.	
(CONSULT POSTMASTER FOR FEES)	
1. The following service is requested (check one).	
☒ Show to whom and date delivered — c	
☐ Show to whom, date, and address of delivery.. — c	
2. ☐ RESTRICTED DELIVERY — c (The restricted delivery fee is charged in addition to the return receipt fee.)	
TOTAL \$	
3. ARTICLE ADDRESSED TO: William B. Davis Box 32 Waubay, SD 57273	
4. TYPE OF SERVICE: ☐ REGISTERED ☐ INSURED ☒ CERTIFIED ☐ COD ☐ EXPRESS MAIL	ARTICLE NUMBER 404 786 455
(Always obtain signature of addressee or agent)	
I have received the article described above.	
SIGNATURE ☐ Addressee ☐ Authorized agent <i>Glenn Davis</i>	
5. DATE OF DELIVERY 12-11-85	POSTMARK
6. ADDRESSEE'S ADDRESS (Only if required) Waubay, S.D.	
7. UNABLE TO DELIVER BECAUSE:	7a. EMPLOYEE'S INITIALS TJA

180 AC = 1580' Radius

2270'

N
↑



Section 1, T 37 N R 34 W
scale 1" = 660', 8" = 1 mile.

Wayne Johnson
Bennett Co.

copy

MAP # 1211-2 APPL. 1674-2

Map # 1211-2

APPL. # 1674-2



BENNETT COUNTY, SOUTH DAKOTA NO. 50

Land division corners are approximately positioned on this map.

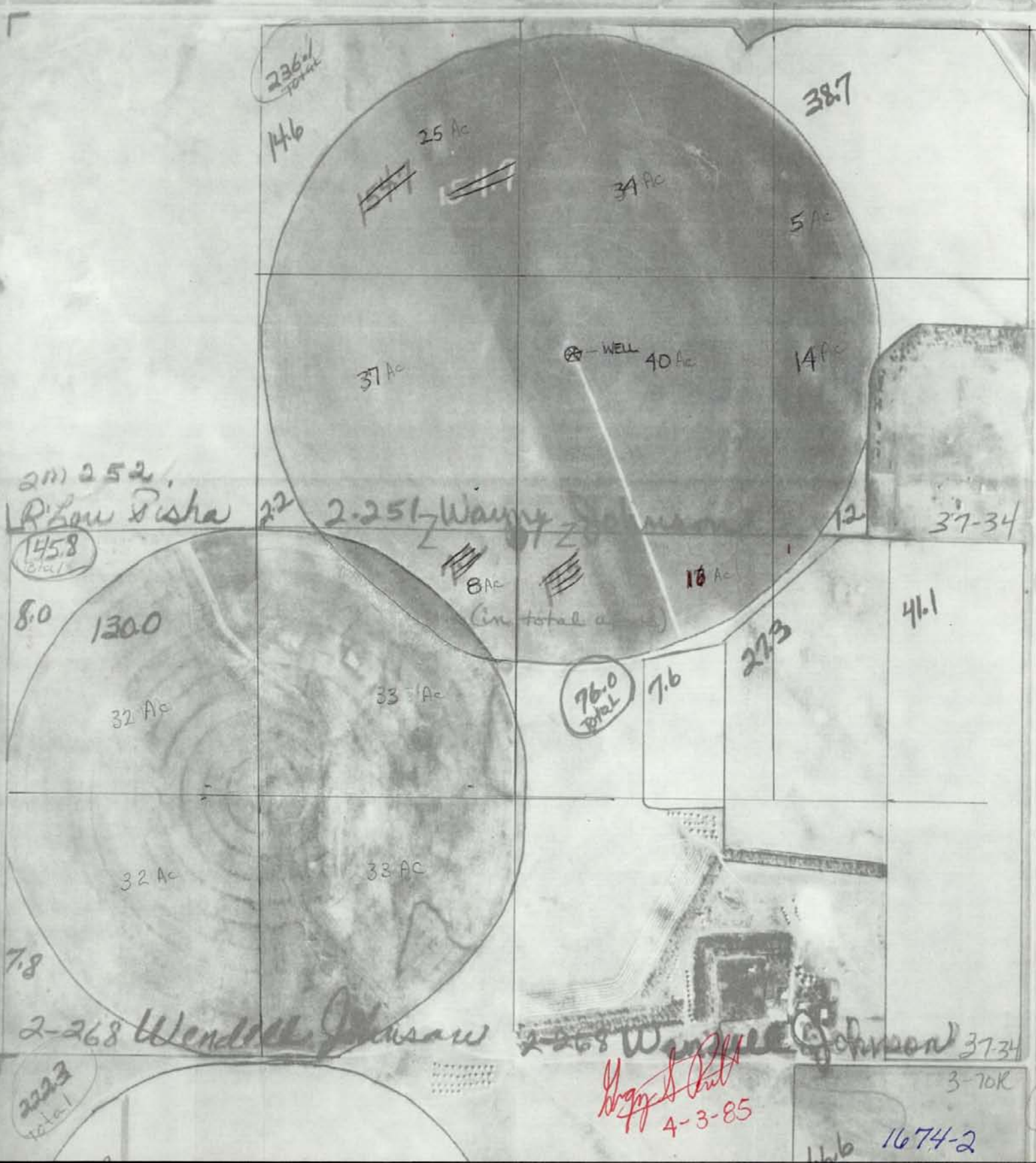
Plane coordinate projection, 1927 North American datum.
5,000-foot grid ticks based on South Dakota coordinate system,
south zone. Mosaic compiled from 1961 aerial photographs.

Plane coordinate projection. 1927 North American datum.
5,000-foot grid ticks based on South Dakota coordinate system,
south zone. Mosaic compiled from 1961 aerial photographs.

MAP N° 1211-Z APPL N° 1429-Z

NOT TO SCALE

3-70R





1674-2
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 30, 2006

1674-2
2354-2

Wayne Johnson
9320 Sheridan Lake Rd
Rapid City SD 57702-9060

Dear Mr. Johnson:

Enclosed is a "Notice" dated October 20, 2006 concerning the 2006 irrigation questionnaire. The notice was originally mailed to PO Box 202, Martin SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures

1674-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 3, 2016

1674-2
2354-2

Barry Wolff
90714 N Eli Rd
Valentine NE 69201 8706

Dear Mr. Wolff:

I am writing in follow-up to our phone conversation concerning water rights held by Wayne Johnson. Mr. Johnson notified our program that he rented the land described in his water rights to you.

Each year we mail out irrigation questionnaires to irrigators in South Dakota to gather information on how much water is used from a particular water source. The information reported to us each year by the irrigators is very valuable. We use it as a management tool to assess how much water is being used and whether additional water is available for new water permits. State law requires us to protect water availability for existing water users before we issue new water permits.

Enclosed as I discussed with you are copies of the water rights and the maps that go with them. They will outline what is authorized for irrigation. I also included the 2014 and 2015 irrigation questionnaires pertaining to each water right. This will give you an idea of the type of information needed and how to complete the forms.

Please review the information and then complete the yellow irrigation questionnaires included in the packet. These need to be completed and returned to our office by December 1st. If you have any questions, please contact me.

Sincerely,

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

enclosures



1674-2
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 23, 2020

NOTICE

TO: BARRY WOLFF, RENTER, 90714 N ELI RD, VALENTINE, NE 69201 8706

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

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1674-2 & 2354-2. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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) 1674-2 & 2354-2 qualification:

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

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1674-2 & 2354-2 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 **February 26, 2020** 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: OMEDDR**

c: WAYNE JOHNSON, 9320 SHERIDAN LAKE RD, RAPID CITY SD 57702

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.

1674-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 27, 2020

1674-2
2354-2

Barry Wolff
90714 N Eli Rd
Valentine NE 69201-8706

Dear Mr. Wolff:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right Nos. 1674-2 and 2354-2. 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 black ink, appearing to read 'Genny McMath', is written over a horizontal line.

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

c: Wayne Johnson



1674-2

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

November 2, 2021

1674-2
2354-2

Wayne Johnson
9320 Sheridan Lake Rd
Rapid City SD 57702

Dear Mr. Johnson:

Enclosed are the two irrigation questionnaires and cover letter returned by your former renter for land covered under Water Right Nos. 1674-2 and 2354-2.

Please complete and return the forms by **December 3, 2021**. I have changed the records to indicate Mr. Wolff no longer farms the land.

If you have any questions, please let me know.

Sincerely,

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

enclosures



1674-2

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2026

NOTICE

TO: WAYNE JOHNSON, 9320 SHERIDAN LAKE RD, RAPID CITY, SD 57702

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1674-2 & 2354-2. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 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) 1674-2 & 2354-2 qualification:

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

The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1674-2 & 2354-2 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 4, 2026** 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 Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: WNWHR**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 3, 2026

1674-2

2354-2

Wayne Johnson
9320 Sheridan Lake Rd
Rapid City, SD 57702

Dear Mr. Johnson,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). 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,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us