

WATER PERMIT NO. 2493-3²

Name of Applicant: Jeff Johnson

Address: HC 77 Box 36, Tuthill SD 57574 Phone: 605 685-6913

Amount of Water Claimed: 2.0 cfs Total Acres: 140

Source of Water Supply: groundwater

Water to be used for: irrigation County: Bennett

Type of Waste Disposal System:

Location: 20 miles northeast of Tuthill

VETAL

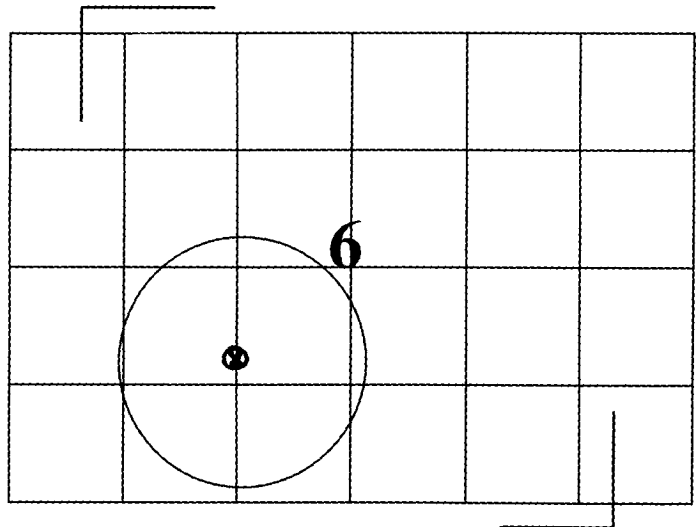
PRIORITY Date Received: 11-26-02 Application/License Fee: \$300

Corrected Application Received: Period of Annual Use: May 1 – September 15

Remarks:

Diversion Point: N ½ SW ¼ Sec 6-T37N-R33W

Land to be Irrigated: SW ¼, S ½ NW ¼, W ¼ SE
¼ Sec 6-T37N-R33W



Depth of Well: approximately 300 feet

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Bennett-Shannon Co. FSA

Reviewed and the Number Assigned on: 11-26-02

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 2493-2**

Date of first receipt of application November 26, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2493-2 to Jeff Johnson, HC 77 Box 36, Tuthill SD 57574 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2493-2 appropriates 2.0 cubic feet of water per second from one well (Ogallala Aquifer) approximately 300 feet deep located in the N ½ SW ¼ Section 6 to irrigate 140 acres located in the SW ¼, S ½ NW ¼, W ½ SE ¼ Section 6; all in T37N-R33W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 15.
3. The date from which applicant may claim right is November 26, 2002.
4. The date of approval of Permit No. 2493-2 is January 27, 2003.
5. One-fifth of the construction is to be completed on or before July 27, 2005.
6. All construction is to be completed on or before January 27, 2008.
7. Water is to be put to beneficial use on or before January 27, 2012.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his 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 well authorized by Permit No. 2493-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 07 2003
date



FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>2493-2</u> (office use only)
	Hydrologic Unit <u>10140202</u>
	Basin <u>White River</u>
	Newspaper <u>Bennett Co. Booster 11, Martin</u>

RECEIVED
NOV 26 2002
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: X New Vested Right Amendment/Correction to Permit No.

(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

1. Name of Applicant Jeff Johnson Phone (605) 685-6913
(check one) X Owner Tenant/lessee
Mailing Address HC 77 Box 36 Tuthill State SD 57574
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 2.0 *CFS or 900 **GPM ***AF Total Acreage 190
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Underground
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
Part NW + SE + SW 6-37-33 (N1/2 SW1/4) County Bennett
5. County or counties where water will be used Bennett
6. Annual period during which water is to be used MAY 1 to Sept 15
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW 1/4 SW 6 - T37N-R33W	40	SW 1/4 NW 6	8
NE 1/4 SW 6	40	SE 1/4 NW 6	8
SW 1/4 SW 6	20	NW 1/4 SE 6	2
SE 1/4 SW 6	20	SW 1/4 SE 6	2

8. Give a description of the project. (Attach sheet if more space is needed)
Agricultural use

STATE OF SOUTH DAKOTA) SS
County of BENNET

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, JEFF JOHNSON, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Jeff Johnson

Subscribed and sworn to before me this 25th day of November 20 02

Pamela K. Ives
Notary Public signature

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 28 inches Depth 300ft Approx.
- b) Casing Type PVC SDR-26 Diameter 16" diam. Thickness .622
- c) Screen Type PVC SDR-26 Diameter 16" diam. Thickness .622
- d) Gravel Pack APack Length of Gravel Pack 300' - 20' BGL
- e) Depth to Top of Water Bearing Material 80' approx
- f) Depth to Water (ground surface to water level) 80' approx
- g) Distance to nearest existing domestic well:
- On applicants property 1500ft On property owned by others 2000ft

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

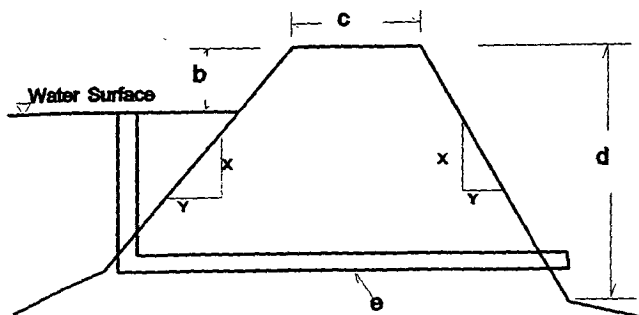
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
 Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
 If pipe, diameter _____
- f) Secondary Spillway Capacity _____
 Spillway Width _____
- g) X & Y Slope _____
 Upstream _____
 Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

NOT TO SCALE

T1386

3-70R

1m321

Putnam Ranch

1250
340

1a T233

Proposed
Well
Site

420
200

32.7
16

25.3
10

271505

W. Johnson

MARTIN, SOUTH DAKOTA 57551-9710
BENNETT SHANNON COUNTY
HC 2 BOX 4

133

T1420

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date Jeff November 25, 2002

RECEIVED OF Jeff or Lonna Johnson, HC 77 Box 36, Tuthill SD 57574

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

Fee for Application for Permit No. <u>2493-2</u> to Appropriate Water, to construct and to put water to beneficial use	250	00
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>2493-2</u>	50	00
Fee for Filing Transfer Form _____		
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	300.00

No.

000369

By

Darland White
Chief Engineer *gm*

SOUTH DAKOTA WATER WELL COMPLETION REPORT

2493-2

07-92

Location SW 1/4 SW 1/4 Sec 6 Twp 37 Rg 33County Bennett (new)

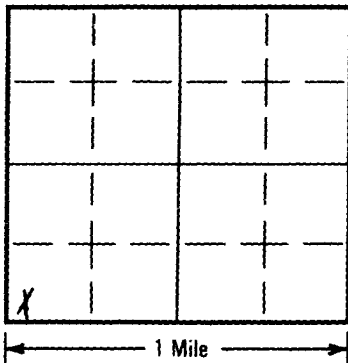
North

Please mark well location with an "X"

W

E

Well Completion Date

04-02-03

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 2500 ft. from feed lot (identify source).

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse RotaryCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>16.151 LB/FT</u>	<u>16 IN</u>	<u>166 FT</u>	<u>165 FT</u>	<u>30 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>cement</u>	<u>23</u>	<u>15.5 lb./gal</u>	<u>0 ft</u>	<u>20 ft</u>
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure _____

SCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 16 IN Length 140 FEETMaterial PVCSlot Size .057 Set From 165 Feet to 305 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

____ YES, How: _____

☒ NO, Why Not? NA

Laboratory sent to for water quality analysis _____

Well Owner: Jeff JohnsonBusiness Name: 1Address: HC 77 Box 36
Tuthill SD 57574

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Coarse pepper sand & clay layer</u>	<u>0</u>	<u>60</u>
<u>med pepper sand & sandstone</u>	<u>60</u>	<u>103</u>
<u>hard sandstone</u>	<u>103</u>	<u>296</u>
<u>Red Rock</u>	<u>296</u>	<u>320</u>

STATIC WATER LEVEL 104 FeetIf flowing: closed in pressure NA PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ PumpedDescribe: Rawhide Pumping☐ Bailed☐ Other _____

Pumping Level Below Land Surface

1250 ft. After 2 Hrs. pumped 1250 GPM180 ft. After _____ Hrs. pumped 11 GPMIf pump installed, pump rate 900 GPM

REMARKS

RECEIVED

JUL 21 2003

This well was drilled under license # 189

WATER RIGHTS PROGRAM

And this report is true and accurate.

Drilling firm GROSEN IrrigationSignature of License Representative: Walter PCASignature of Well Owner or Equitable Property Holder: Jeff JohnsonDate: 7-18-03

REPORT ON WATER PERMIT NO. 2493-2

For Jeff Johnson
December 2, 2002

Application No. 2493-3 proposes to appropriate 2.0 cfs (898 gpm) from one well approximately 300 feet deep located in the N $\frac{1}{2}$ SW $\frac{1}{4}$ of section 6 to irrigate 140 acres located in the SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ of section 6 all in T37N R33 W in Bennett County.

AQUIFER – OGALLALA (OG)

The Ogallala aquifer consists of silts, sands and some clay and is under water table conditions in this area. Area irrigation wells indicate as much as 300 feet of Ogallala present with about 200 feet of saturated thickness. The Ogallala also overlies the Arikaree Group that is also considered an aquifer and is hydraulically connected to the Ogallala aquifer. The Ogallala underlies approximately 280,960 acres and contains and estimated 2.809 million acre-feet of recoverable water in storage in Bennett County (Allen, 1984). Recharge is accomplished through rainfall and snowmelt directly infiltrating into the aquifer. Recharge has been estimated to be about 1.3 to 1.8 inches per year (Kolm, 1983). This would amount to a volume of recharge ranging from 30,400 acre-feet to 42,000 acre-feet annually.

The Water Rights Program monitors six observation wells completed into the Ogallala aquifer within five miles of this application. One of these observation wells, BT-78K, is located within one-half mile of this application. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet periods (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2002). A hydrograph for this observation well is included with this report. The hydrograph clearly shows the relatively minor effect of pumping as shown by the annual fluctuation of one to two feet and the overall affect of recharge to the aquifer as shown by the gradual rise in water levels over the last ten years.

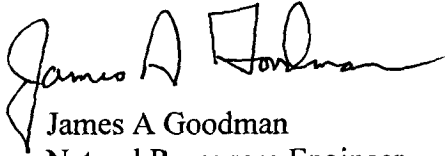
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is irrigation in the area. There are two existing irrigation wells one located about one-half mile west and the other about one-half mile south of the proposed well for this application. Interference is not expected to be a concern. Drawdown created by pumping apparently does not extend very far from individual production wells. This is shown by the observation well hydrograph.

CONCLUSIONS

1. Water is available from the Ogallala aquifer.

2. The aquifer is under water table conditions in this area. Drawdown created by pumping does not appear to extend very far from individual production wells. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



James A Goodman
Natural Resources Engineer

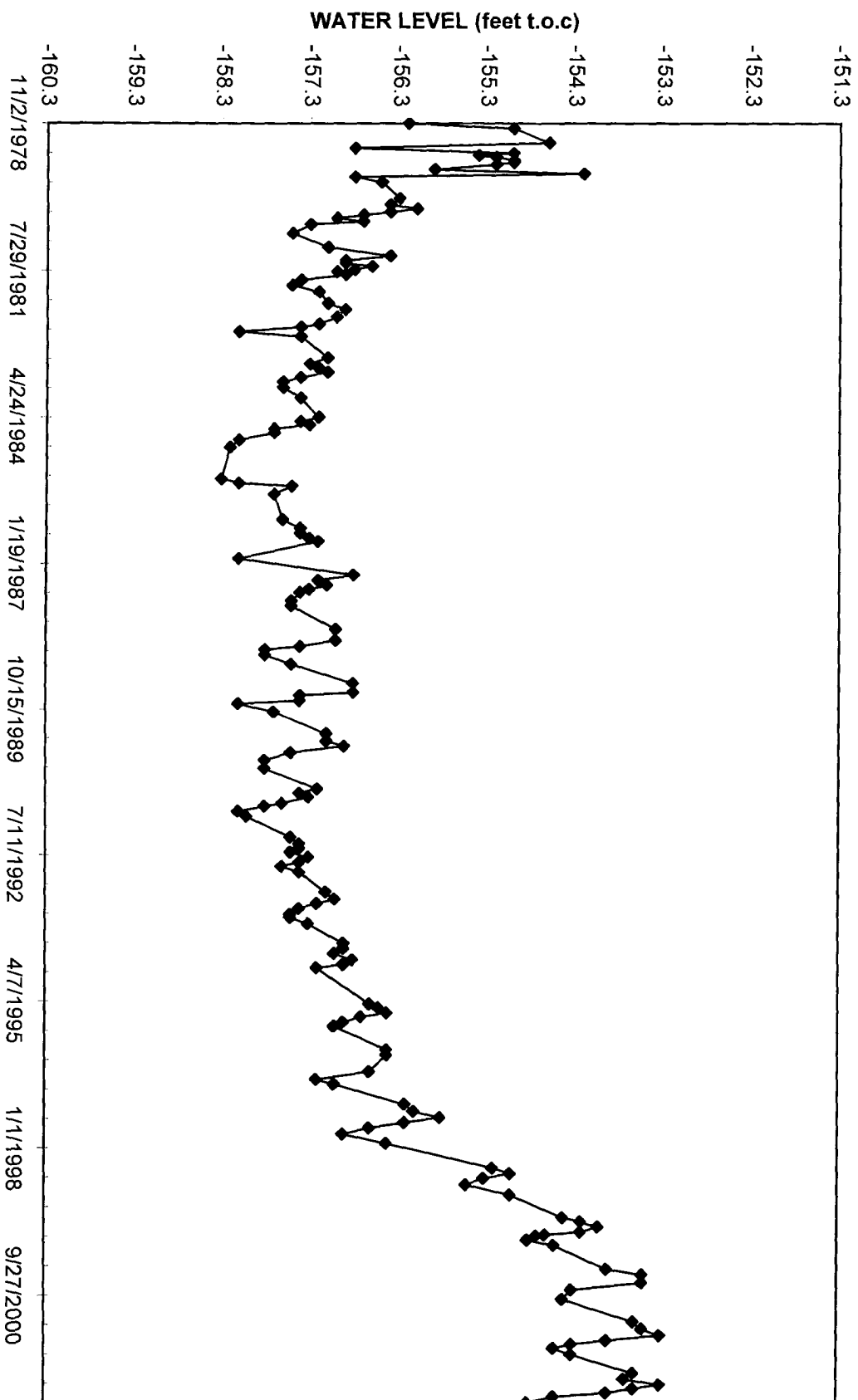
BIBLIOGRAPHY

Allen, J.C., D. Iles, A. Petres, 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Kolm, K.E., H. Case, 1983, A Two-Dimensional, Finite-Difference Model of the High Plains Aquifer in Southern South Dakota, USGS WRI 83-4175.

Water Rights, 2002, Unpublished Observation Well Data for Bennett County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
BT-78K





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2493-2, Jeff Johnson**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 2493-2, Jeff Johnson, HC 77 Box 36, Tuthill SD 57574.

The Chief Engineer is recommending APPROVAL of Application No. 2493-2 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) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his 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 well authorized by Permit No. 2493-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
December 12, 2002

Affidavit of Publication

State of South Dakota

County of Bennett

ss.

Tim Huether

being duly sworn, says: the Bennett County Booster II is, and during all the times herinafter mentioned was, a weekly legal newspaper as defined in SDCL 17-2-2, as amended published at Martin, Bennett County, South Dakota; that affiant is and during all of said times was, an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is attached, was

published in said newspaper for 2 successive issues, bearing the following dates:

January 8, 2003

January 15, 2003

20

20

20

20

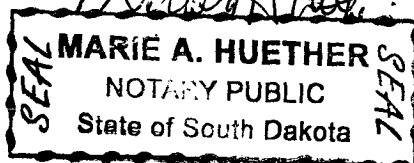
that the full amount of the fee charged for publishing

the same, to-wit, the sum of \$ 39.78, inures solely to the benefit of the publisher of said newspaper; that no agreement or understanding for the division of the fee has been made with any person, and that no part of the fee has been agreed to be paid to any other person.

Tim Huether

Subscribed and sworn to before me this 22 day

of January, 2003.



My Commission Expires
July 6, 2007

NOTICE OF APPLICATION NO. 2493-2 to Appropriate Water

Notice is given that Jeff Johnson, HC 77 Box 36, Tuthill, SD 57574, has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well (Ogallala Aquifer) approximately 300 feet deep located in the N1/2SW1/4 Section 6 to irrigate 140 acres located in the SW1/4, S1/2NW1/4, W1/2SE1/4 Section 6; all in T37N-R33W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2493-2 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre, SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by January 27, 2003.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. 2tc-1/15

RECEIVED

JAN 27 2003

WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 13, 2002

Bennett Co. Booster II
PO Box 610
Martin SD 57551-0610

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2493-2 to Appropriate Water to be published twice. Please publish the first notice on January 8, 2003 with the second publication 7 days later.

The applicant must verify to you that the notice is to be published, before you make the first publication **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Jeff Johnson, HC 77 Box 36, Tuthill SD 57574 (Ph # 605-685-6913).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 2493-2

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of December 13, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 2493-2 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper

Instruction to Newspaper - Publish first Notice on January 8, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2493-2 to Appropriate Water

Notice is given that Jeff Johnson, HC 77 Box 36, Tuthill SD 57574 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well (Ogallala Aquifer) approximately 300 feet deep located in the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 6 to irrigate 140 acres located in the SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 6; all in T37N-R33W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2493-2 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

December 13, 2002

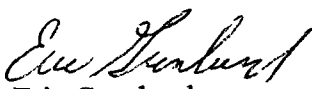
Jeff Johnson
HC 77 Box 36
Tuthill SD 57574

Dear Mr. Johnson:

Water Permit Application No. 2493-2 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Bennett Co. Booster printed at Martin, SD (Ph # 605-685-6866). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

FEB 07 2003

Jeff Johnson
HC 77 Box 36
Tuthill SD 57574

Dear Mr. Johnson:

Enclosed is Water Permit No. 2493-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Permit No. 2493-2
White River - Water District

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

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have these days, **October 25, 2005**, made a thorough examination of the water use system constructed by **Jeff Johnson, HC 77, Box 36, Tuthill SD 57574** holder of Permit No. **2493-2**, bearing the priority of **November 26, 2002** authorizing the diversion of **2.0** cu. ft. per second of the waters from the **Ogallala Aquifer** 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:

A 320 feet deep well completed into the Ogallala Aquifer

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

An 8" underground pipeline conveys water from the well to the center pivot aluminum

C. Works used to apply water to beneficial use:

One 7 tower Valley center pivot .

The system is in the following condition **excellent**. The point of diversion is located **approximately 650 feet north and 460 feet east of the SW corner (SW 1/4 SW 1/4) of Section 6, T37N, R33W (Lat/Lon N43.292179 W-101.274759)**. The works are capable of diverting and conveying to the place of use **2.00** 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:

Legal	Acres	Legal	Acres
SW¼ NW¼ Sec. 6 T37N R33W	11 acres	NE¼ SW¼ Sec. 6 T37N R33W	39 acres
SE¼ NW¼ Sec. 6 T37N R33W	11 acres	SW¼ SW¼ Sec. 6 T37N R33W	20 acres
NW¼ SW¼ Sec. 6 T37N R33W	39 acres	SE¼ SW¼ Sec. 6 T37N R33W	20 acres

comprising a total of **140** acres of land and the license should be issued for **2.0 cfs**.

Applicable permit qualifications have been complied with: **Yes**

Date Report Completed: **October 26, 2005**


 Eric Gronlund
 Natural Resources Engineer
 DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 2493-2

DATE OF INVESTIGATION:	October 25, 2005
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Jeff Johnson HC 77, Box 36 Tuthill SD 57574
NAME & ADDRESS OF PERMIT HOLDER	Same

DIVERSION POINT LEGAL LOCATION: approximately 650 feet north and 460 feet east of the SW corner (SW 1/4 SW 1/4) of Section 6, T37N, R33W (Lat/Lon N43.292179 W-101.274759).

WELL INFORMATION:

- 1) Well Drilling Firm: Grosch Irrigation
- 2) No. of Wells 1
- 3) Depth(s) 320 feet
- 4) Well log is available yes
- 5) Comment: well logs states 900 gpm.

Casing:

- 1) Diameter 16 inches
- 2) Length 165 feet
- 3) Type

Screen:

- 1) Type PVC
- 2) Length 140 feet
- 3) Static water level 104 feet

Pump on Well

- 1) Make not readily available
- 2) Size
- 3) Capacity 900 gpm

Motor

- 1) Make US Motor
- 2) Model No 404TP
- 3) Horsepower rating 60 hp

DISTRIBUTION LINES OR CANALS: from well to center pivot

1) Type aluminum 2) Size 8 inches 3) Length 1,400 feet

SYSTEM TYPE:

Center pivot:

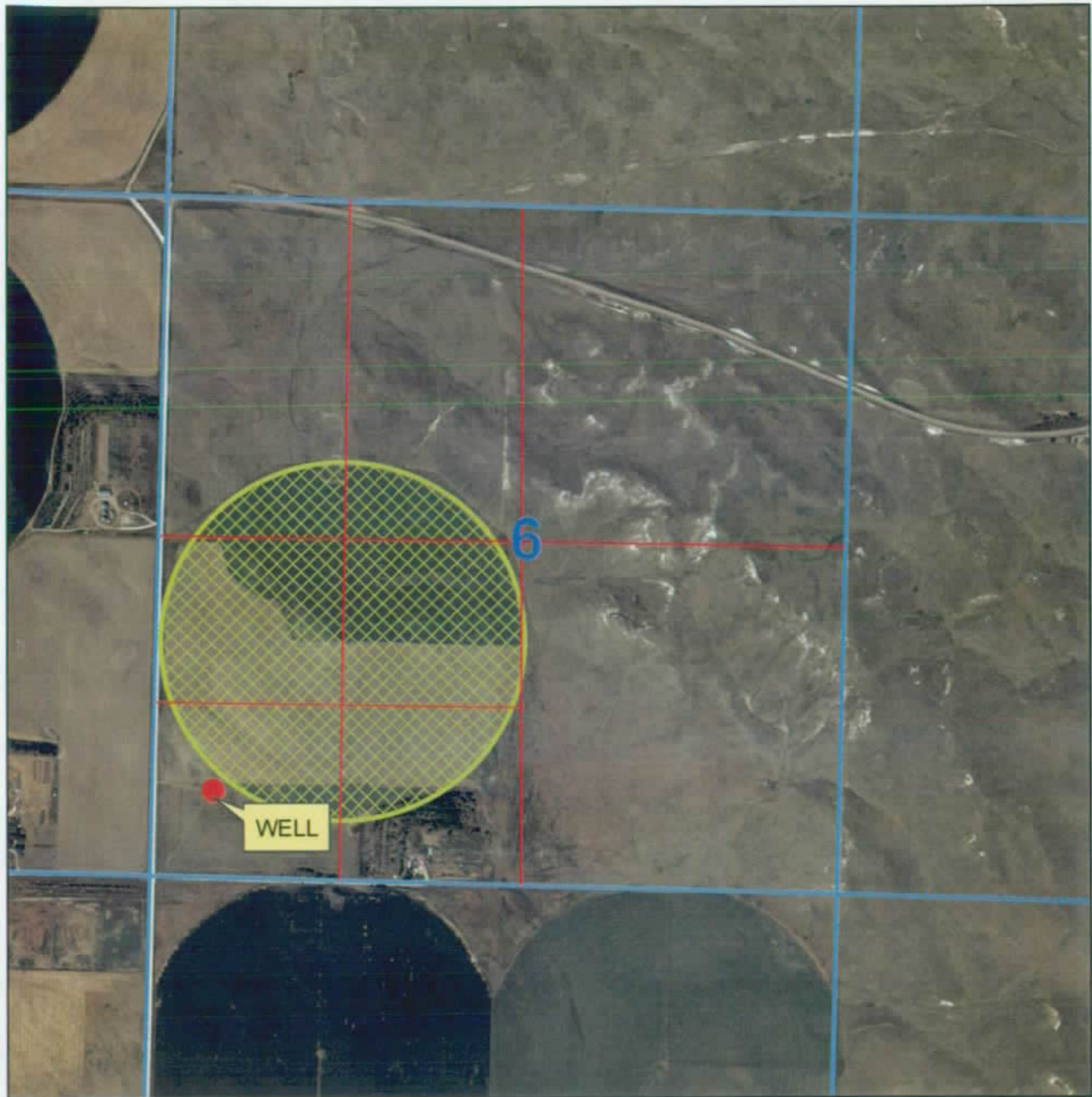
- 1) Make Valley
- 2) Overall length 1,398 feet
- 3) Number of towers 7
- 4) Distance between towers 185 feet
- 5) End gun Yes
- 6) High or low pressure medium
- 7) Capacity 900 GPM

CHEMIGATION EQUIPMENT: Chemigation take was at well site but chemigation was not hooked up (at the time of the licensing investigation)

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Yes
- 2) All structures, wells and lands on map Yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

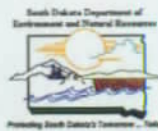
COMMENTS: The well was moved from its originally intended location – see attached report.



0 500 1,000 2,000 3,000 4,000 Feet

Well located approximately 650 feet north and 460 feet east of the SW corner
(SW 1/4 SW 1/4) of Section 6, T37N, R33W

Lat/Lon N43.292179 W-101.274759



Eric Gronlund
Eric Gronlund
Water Rights Program, DENR
Licensing Investigation - October 25, 2005

Change of Diversion Point

NAME: Jeff Johnson

ADDRESS: HC 77 Box 36, Tuthill SD 57574

DATE: October 26, 2005 **COUNTY:** Bennett County

BACKGROUND:

Water Permit No. 2493-2 appropriates 2.0 cubic feet of water per second from one well completed into the Ogallala Aquifer to irrigate 140 acres located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ Section 6, T37N, R33W. The well was to be located in the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 6, T37N, R33W

A licensing investigation found one well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6. This is approximately 1,400 feet south west of the originally intended location as depicted on the map submitted with the application.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The well authorized under Water Permit No. 2493-2 is constructed into the Ogallala Aquifer at a depth of approximately 320 feet.

No additional appropriation of water is requested. Water Permit No. 2493-2 appropriates 2.0 cfs from the Ogallala Aquifer. Based on the licensing investigation for Water Permit No. 2493-2, the change in the location of the well must be authorized prior to the licensing of Water Permit No. 2493-2.

- **Review of Existing Diversions**

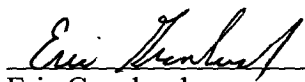
There are domestic and irrigation wells in the neighboring sections. This change in the diversion point is to describe the correct developed location of the well authorized by Water Permit No. 2493-2. The well is located approximately 1,400 feet southwest of its originally proposed location. This change does present a significant change in the location that was analyzed when the application was originally filed. The well was completed in April of 2003 and no problems have arisen..

CONCLUSION

- This change of well location does not appropriate additional water.
- The well was constructed into the Ogallala which is the same water source as the original well authorized by Water Permit No. 2493-2.
- Existing domestic wells and water rights will not be adversely impacted by authorizing this replacement well.
- The well was constructed in the spring of 2003 and there have been no complaints.
- Authorization of the developed location of the well will allow licensing of Water Permit No. 2493-2.

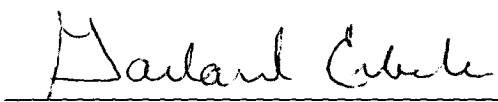
RECOMMENDED ACTION

Based on the above criteria, it is recommended that the change in the well location be authorized for Water Permit No. 2493-2.


Eric Gronlund
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in the well location will not increase the potential for adverse effects to existing diversions.


Garland Erbele, Chief Engineer
Water Rights Program

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date 10-28-05

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED
NOV - 2 2005
WATER RIGHTS
PROGRAM

FROM: Jeff Johnson
(name)
HC 77 Box 36
(address)
Tuthill SD 57574 (605) 685-6913
(city, state, zip) (phone)

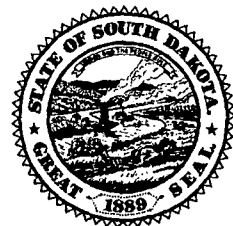
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 2493-2 states that the water use system is to be constructed by
1/27/2008 , and water is to be put to beneficial use by 1/27/2012 .
(date) (date)

The water use system was completed on May 15th 2003 .
(date)

Applying the water to beneficial use was completed on May 20th 2003 .
(date)

~~You may schedule an investigation so that the water license may be issued.~~





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 16 2005

2493-2

Jeff Johnson
HC 77 Box 36
Tuthill SD 57574

Dear Mr. Johnson:

Enclosed is Water License No. 2493-2. This is the final water right document completing your process of obtaining a Water Right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2493-2

(1) Jeff Johnson, HC 77, Box 36, Tuthill SD 57574 made Application No. 2493-2, November 26, 2002 for a water permit to divert 2.0 cubic feet of water per second from groundwater (one well), Bennett County, South Dakota for irrigation purposes. Permit No. 2493-2, with a priority date of November 26, 2002 was approved January 27, 2003 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 27, 2008 and for the application to beneficial use of water on or before January 27, 2012.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on November 2, 2005. The *Notice* stated the diversion system was completed on May 15, 2003 and the water placed to beneficial use on May 20, 2003.

An investigation conducted for licensing purposes found the well under Water Permit No. 2493-2 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.

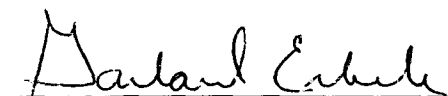
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 2493-2 is issued a license, bearing a priority date of November 26, 2002 to appropriate 2.0 cubic feet of water per second from groundwater (one well) to irrigate 140 acres.

The diversion point is located: approximately 650 feet north and 460 feet east of the southwest corner (SW ¼ SW ¼) Section 6-T37N-R33W. The acres authorized for irrigation are as follows:

Section 6-T37N-R33W	SW ¼ NW ¼	11 acres	NW ¼ SW ¼	39 acres
	SE ¼ NW ¼	11 acres	NE ¼ SW ¼	39 acres
			SW ¼ SW ¼	20 acres
			SE ¼ SW ¼	20 acres
Total 140 acres				

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 2493-2 including the following now applicable qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 2493-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 16 2005

date





2493-2
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: JEFF JOHNSON, HC 77 BOX 36, TUTHILL, SD 57574
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program
SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaires

Our records indicate that the 2005 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 977-2 & 1680-2A should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2398-2 & 2493-2 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. 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) 2398-2 & 2493-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 977-2 & 1680-2A to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before **February 24, 2006**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 25, 2006

977-2
1680-2A
2398-2
2493-2

Jeff Johnson
HC 77 Box 36
Tuthill SD 57574

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right Nos. 977-2, 1680-2A, 2398-2 and 2493-2.

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,

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



2493-2
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, 2009

NOTICE

TO: JEFF JOHNSON, 24178 290TH ST, TUTHILL, SD 57574

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaires

Our records indicate that the 2008 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 977-2 & 1680-2A should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 2398-2, 2493-2, 2599-2 & 2609-2 qualification:

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

The hearing will be held at **10:00 am, March 11, 2009** 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) 2398-2, 2493-2, 2599-2 & 2609-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 977-2 & 1680-2A to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

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



2493-2

**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 27, 2009

Jeff Johnson
24178 290th St
Tuthill SD 57574

RE: 2008 irrigation questionnaires for Water Permit/Right Nos. 977-2, 1680-2A, 2398-2,
2493-2, 2599-2 and 2609-2

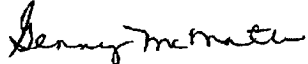
Dear Mr. Johnson:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for the above listed water permits and rights.

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