

January 27, 2025

Regarding Water Right No. 977-2

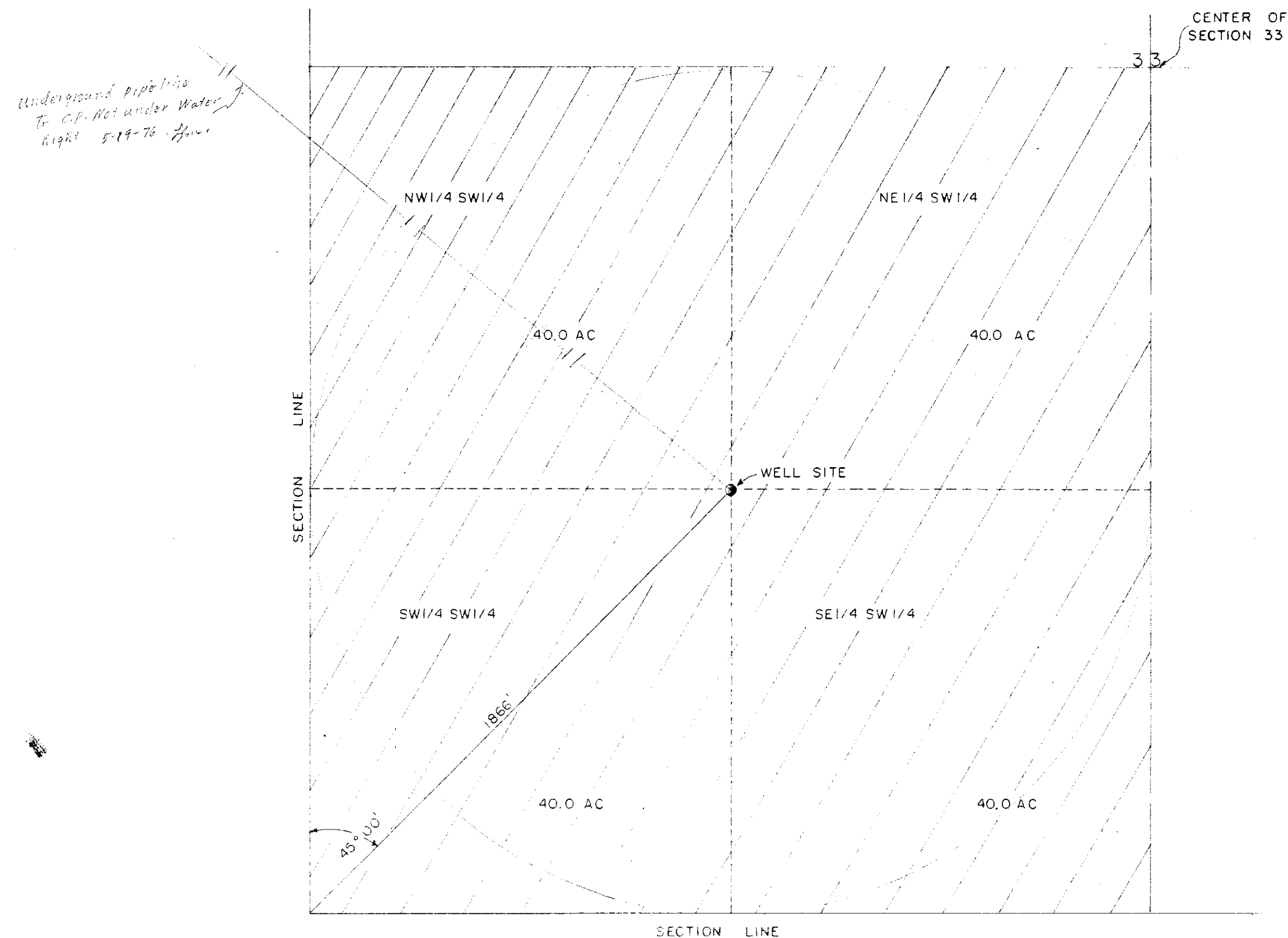
At the time of creation of this PDF, the documents in the file for No. 977-2 matched the documents on the microfilm from which the PDF was created. This was confirmed by looking at the 16mm microfilm reel being held by Records Management.

Unfortunately, an error was made since the documents in the microfilm file for No. 977-2 were duplicates of the documents found in No. 979-2 with the exception of the original maps filed with No. 977-2 and correspondence documents added at a later date.

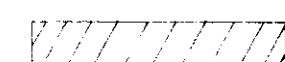
All the documents found in No. 979-2 are being removed from this PDF since they are not pertinent, but can be found in No. 979-2. The only remaining documents in this PDF will be the original maps and later correspondence concerning No. 977-2.

The existence of a water right for No. 977-2 is confirmed by the data in the water rights database and in the irrigation questionnaire database. A water license could be recreated from the databases and completing an inspection to identify the works currently used for placing water to beneficial use.

Ron Duvall, Engineer
SD DANR, Water Rights Program



SCALE 8" = 2640'

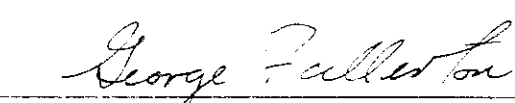
 = LAND TO BE IRRIGATED

LOCATION	SECTION	TWP	RANGE	ACRES
NE 1/4 SW 1/4	33	38 N	34 W	40.0
NW 1/4 SW 1/4	33	38 N	34 W	40.0
SW 1/4 SW 1/4	33	38 N	34 W	40.0
SE 1/4 SW 1/4	33	38 N	34 W	40.0
TOTAL				160.0

ENGINEER'S CERTIFICATE

I, GEORGE FULLERTON, A SOUTH DAKOTA REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR 1121, CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT DELINEATION OF AN IRRIGATION WELL SITE LOCATED IN THE SW 1/4 SEC. 33 T. 38 N. R. 34 W., OF THE 6TH P.M. BENNETT COUNTY, SOUTH DAKOTA, THE ABOVE DESCRIBED LAND BEING OWNED BY LILIAN AND/OR LAWRENCE T. JOHNSON.

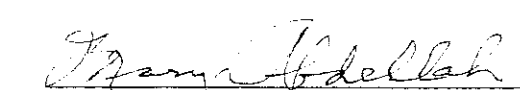
DATED 4-9, 1968.


GEORGE FULLERTON PE - LS - 1121

ACKNOWLEDGEMENT

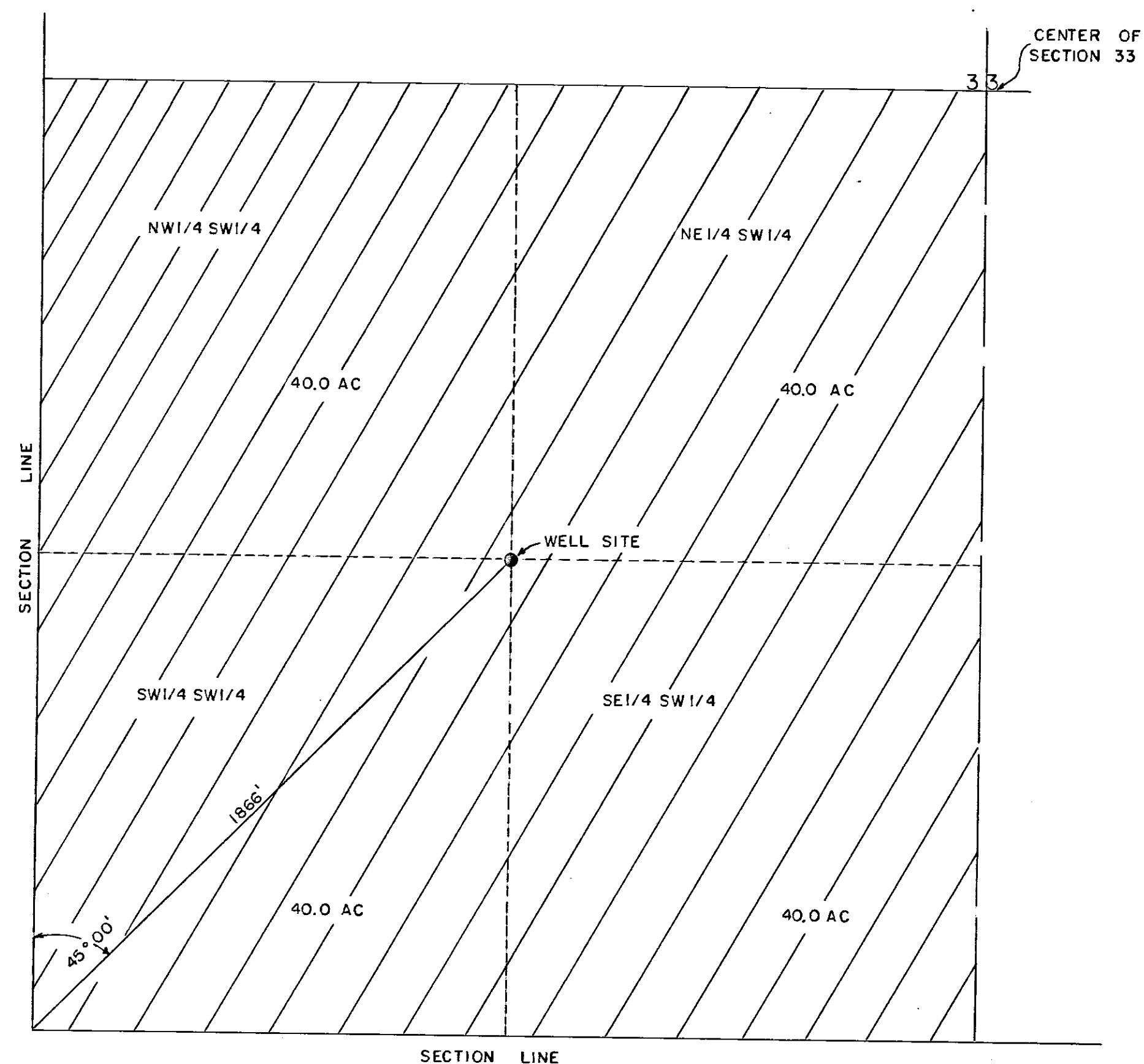
STATE OF NEBRASKA } ss
COUNTY OF CHERRY }

ON THIS 9th DAY OF April, 1968, BEFORE ME, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AND FOR SAID COUNTY, APPEARED GEORGE FULLERTON WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME AND HE ACKNOWLEDGED THE SIGNING OF SAID ENGINEER'S CERTIFICATE TO BE HIS VOLUNTARY ACT AND DEED, WITNESS MY HAND AND OFFICIAL SEAL THE AFORESAID DATE.

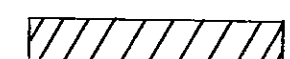

NOTARY PUBLIC

MY COMMISSION EXPIRES: June 21, 1973

MAP N°845-2 APPL N°977-2



SCALE 8" = 2640'



= LAND TO BE IRRIGATED

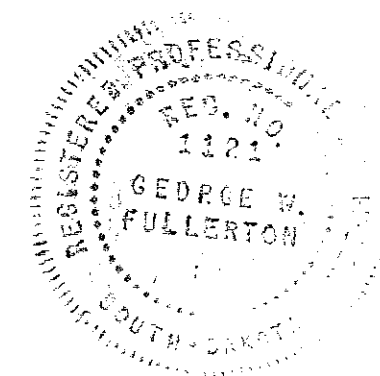
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DATED 4-9, 1968.

George Fullerton
GEORGE FULLERTON PE-LS-1121



ACKNOWLEDGEMENT

STATE OF NEBRASKA) ss
COUNTY OF CHERRY)

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Mary Abdallah
NOTARY PUBLIC

MY COMMISSION EXPIRES: June 21, 1973



977-2
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.



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Current Status

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Your item was delivered at 10:58 am on January 25, 2006 in TUTHILL, SD 57574. The item was signed for by J JOHNSON.

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SIGNATURE CONFIRMATION NUMBER: 596 660 0000 0912 EDE2

JEFF JOHNSON
HC 77 BOX 36
TUTHILL SD 57574

Waiver of Signature ☐ YES ☐ NO

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mailing. ☒ YES ☐ NO

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**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



977-2
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.

977-2

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No FEAR Act EEO Data

FOIA

Signature Confirmation

JEFF JOHNSON
24178 290TH ST
TUTHILL SD 57574

Waiver of Signature ☐ YES ☐ NO

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Access internet web site at
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2303 2160 0000 0802 6227



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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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,

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

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