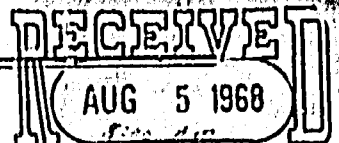


1607-3

1. Considered 9. 24, 1968
2. Name of Applicant MELVIN BENNETT
3. Post Office Address GEDDES
4. Amount of water claimed 2.12
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 148
7. Water to be diverted and used in CHARLES MIX county
about 25 8E miles of LAKE ANDES
8. Proof of Publication Received 191
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1607-3Water Division No. 3 MISSOURI RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Mr. & Mrs. Bennett Wallace Johnson
 Postoffice address Grimes, County Chas Mix, State So. Dak

I. If a corporation

- (a) Name of same _____
 (b) Date and place of Incorporation _____
 (c) Amount of capital stock _____
 (d) Amount paid in _____
 (e) Names and addresses of directors _____

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

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

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

Contract & Labor(b) Cash on hand, \$ None

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Beck's Irrigation project3. Amount of water claimed 2.12 cubic feet per second4. Source of water supply Grimes River5. Location of point of diversion 244 rods from SE corner Sec 13 T9N R17N
N 43° 30' west on East bank Chas Mix County.6. Annual period or periods during which water is to be used April 1st to Nov 1st

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- sprinkles

(a) Number of acres to be irrigated 148 acres.(b) Legal subdivisions to be irrigated Sec 13 T9N R17N

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

(c) Statement as to domestic use (giving location, etc.) _____

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

(a) Nature of use _____
Name any of the above uses claimed

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

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

MAP No. 1159-3

8. Estimated cost of work:

(a) Head Gates, \$-----

(c) Fluming, \$-----

(e) Other structures -----

(b) Pumping plant, \$ 1000⁰⁰-----

(d) Canal-earth, \$-----

Rock, \$-----

Total, \$-----

9. Description of diversion works:

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

II. Dimensions of works.

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

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

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

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

(d) Canal: Total length ----- miles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- years.

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

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

STATE OF SOUTH DAKOTA

County of -----

Charles Miller Bennett

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

Signed *Charles Miller Bennett*

Subscribed and sworn to before me this ----- day of ----- 1908

Notary Public (or other qualified officer.)

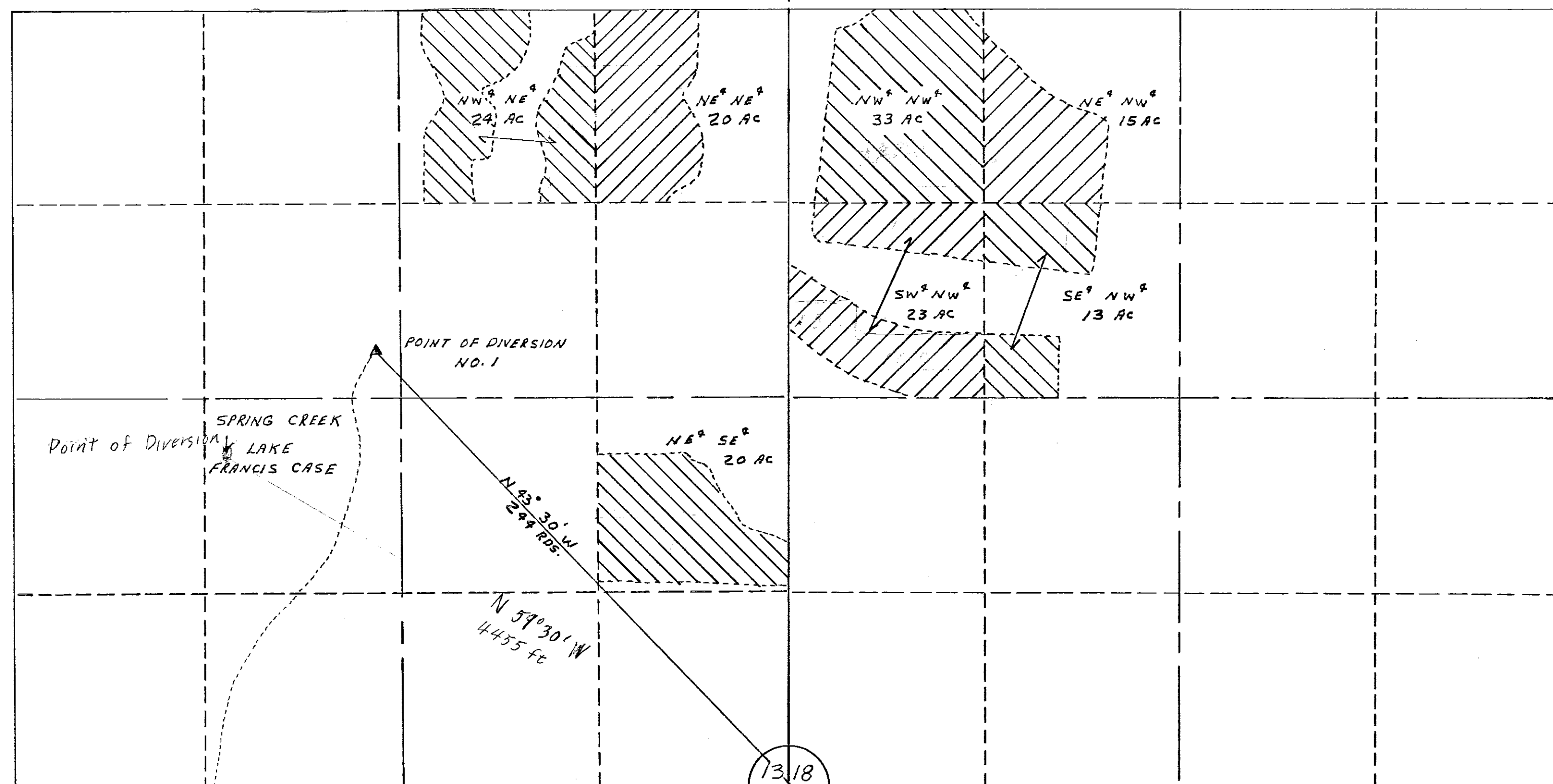
AREAS BY LEGAL SUBDIVISION

NW ¹	NE ¹	SEC. 13	T. 96 N	R. 67 W
NE ¹	NE ¹	SEC. 13	T. 96 N	R. 67 W
NE ¹	SE ¹	SEC. 13	T. 96 N	R. 67 W
NW ¹	NW ¹	SEC. 18	T. 96 N	R. 66 W
NE ¹	NW ¹	SEC. 18	T. 96 N	R. 66 W
SW ¹	NW ¹	SEC. 18	T. 96 N	R. 66 W
SE ¹	NW ¹	SEC. 18	T. 96 N	R. 66 W

AREA

24 AC
20
20
33
15
23
13

TOTAL 148 AC



SURVEYORS CERTIFICATE

STATE OF SOUTH DAKOTA SS
COUNTY OF CHARLES MIX

I MAYNARD C. SOMMER, REGISTERED LAND SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF MELVIN BENNETT, SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDARIES ON APRIL 1968 FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP IS A TRUE REPRESENTATION THEREOF.
WITNESS MY HAND AND SEAL THIS 22nd DAY OF APRIL 1968.

Maynard C. Sommer
REG. LAND SURVEYOR

STATE OF SOUTH DAKOTA SS
COUNTY OF CHARLES MIX

ON THIS DAY BEFORE ME, THE UNDER SIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MAYNARD C. SOMMER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYORS CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.
WITNESS MY HAND AND SEAL THIS 22nd DAY OF APRIL 1968.

MY COMMISSION EXPIRES: January 19th, 1975

R. B. Schnell
NOTARY PUBLIC

SCALE: 8 inches = 1 mile

SHOWING AREA & DIVERSION POINTS WHERE WATERS WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

MELVIN BENNETT OWNER
MAYNARD C. SOMMER SURVEYOR

MAP NO 1159-3 (APPL. NO 1607-3)

Remarks, State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of HUGHES ss.

Pierre, South Dakota, OCTOBER 1, 1968

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
on 5TH day of AUGUST, 1968

State Water Resources Commission

By:

Burton Jones
for Chief Engineer, Executive Officer

Number of permit 1607-3

Date of first receipt of application AUGUST 5, 1968

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right AUGUST 5, 1968

Approved SEPTEMBER 24, 1968, Recorded in Book 10 Page 262

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

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 24, 1970

2nd. The whole of said work is to be completed on or before SEPTEMBER 24, 1973

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 24, 1973

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

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 2.12 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before SEPTEMBER 24, 1973; said water to be used during the following described annual period:

APRIL 1 TO NOVEMBER 1
1ST day of OCTOBER, 1968

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 21, 1976

Water License Issued APRIL 21, 1976

WATER LICENSE NO. 1607-3

(1) WHEREAS, On the 5th day of August A. D. 1968
~~Melvin Bennett~~ WALLACE JOHNSON
made Water Right Application No. 1607-3 for a permit to use 2.12 cubic feet per second of the waters of the Missouri River
County of Charles Mix, State of South Dakota, for irrigation

purposes; and
(2) WHEREAS, On the 1st day of October A. D. 1968
Permit No. 1607-3, with a date of priority of August 5, 1963
was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 24th day of September A. D. 1973 and for the application to beneficial use of said water on or before the 24th day of September A. D. 1977

and:
(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.42 cubic feet per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating the following described land		
Section 18, T96N, R66W	NW¼ NW¼	25.0 acres
	NE¼ NW¼	15.0 acres
	SW¼ NW¼	19.0 acres
	SE¼ NW¼	9.0 acres
Section 13, T96N, R67W	NW¼ NE¼	7.0 acres
	NE¼ NE¼	13.0 acres
	NE¼ SE¼	12.0 acres
Total		100.0 Acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Melvin Bennett

_____ of Geddes, S.D.

the holder _____ and owner _____ of said permit No. 1607-3 a water right, dating from August 5 1968

_____ to use of 1.42 cubic feet per second of the waters of the Missouri River

in the County of Charles Mix and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted to: _____

a point North 59° 30' West, 4455 feet from the SE Corner, Section 13, T96N, R67W

and conduct to and upon portions of Section 18, T96N, R66W and Section 13, T96N, R67W, more fully described on the face of this License

_____ irrigation
for the purpose of _____

Subject to any limitations listed in Water Right Permit No. 1607-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 21st day of April A. D.
Nineteen Hundred and Seventy-six

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 1607-3

1

Water Diversion No. 3 ~~MISSOURI RIVER~~ Water District

CERTIFICATE OF CONSTRUCTION

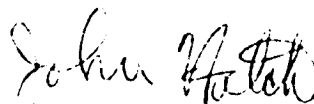
This is to Certify, That ~~Melvin Bennett~~ WALLACE JOHNSON

_____ the holder _____ of
Permit No. 1607-3, issued upon Application No. 1607-3, bearing date of priority of August 5,
1968 authorizing the diversion of 2.12 cu. ft. per second of the waters of
the Missouri River County of Charles Mix, State of South Dakota at
a point North 59° 30' West, 4455 feet from the SE. Corner,
Section 13, T96N, R67W
_____, for irrigation

_____, has S complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.78 cu. ft. per second of water.

Date April 21, 1976

By: WATER RIGHTS COMMISSION



JOHN HATCH, Chief Engineer

Charles Mix County News

Geddes, S. Dak.

AFFIDAVIT OF PUBLICATION

Harold Williams (.....) being duly sworn, deposes and says: That he is a resident of Charles Mix County, and State of South Dakota; that the Charles Mix County News is a weekly newspaper of general circulation, printed and published in the City of Geddes, in said County and State, published once each week, printed in the English language, and has a bona fide circulation of at least 200 copies weekly, has been admitted to the U. S. mail under the second class mailing privilege for at least one year prior to the publication of the annexed notice, and said newspaper is printed either in whole or in part in the office maintained at the above place of publication, that the said newspaper has been published as aforesaid continuously for more than one year last preceding the publication of said notice and is a legal newspaper.

That the affiant is the publisher (.....) of said newspaper, in charge of the advertising department thereof, and has personal knowledge of all the facts stated in this affidavit:

and that the notice and advertisement headed _____

Appropriation of Water, a printed copy of

which is hereto attached, was printed and published in the Charles Mix County News for _____ issues, the first publication being made on

Thursday, the 22nd day of August, A. D. 1968 and the succeeding publications were made severally on

Thursday, the 29th day of August, A. D. 1968

Thursday, the 5th day of September, A. D. 1968

Thursday, the _____ day of _____, A. D. 19____

Thursday, the _____ day of _____, A. D. 19____

Thursday, the _____ day of _____, A. D. 19____

Thursday, the _____ day of _____, A. D. 19____

Thursday, the _____ day of _____, A. D. 19____

and the last publication being made on

Thursday, the 12th day of September, A. D. 1968

That the fee for publishing said notice is the sum of \$ _____

Harold Williams

Subscribed and sworn to before me this 28th day of September, A. D. 1968

W. E. R. Young
Notary Public, in and for Charles Mix Co., S. D.

My commission expires Mar. 18, A. D. 1974

APPROPRIATION OF WATER

Office of State
Water Resources Commission
Pierre, S. D., Aug. 12, 1968

Notice is hereby given that Melvin Bennett, whose post office address is Geddes, South Dakota, has made application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for

beneficial use 2.12 cubic feet of water per second of time from the Missouri River through the Bennetts Irrigation Project No. 2, the point of diversion of which is to be located on the left bank of said stream in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13, Twp. 96N, Range 67W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

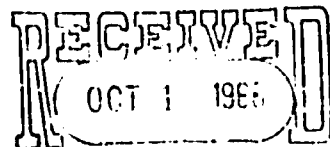
NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, T96N, R67W; NW $\frac{1}{4}$ Sect. 18, T96N, R66W.

This application will be taken up by the Water Resources Commission at their office at Pierre for consideration upon the 24th day of September, 1968, at 2:00 P. M. All interested persons may appear and be heard.

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

State Water Resources
Commission

By: Burton F. Jones,
Water Rights Specialist
Aug. 22, 29, Sept. 5, 12, 1968



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

on or before **August 29**, 19**68**.
(First Publication _____, 19____.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., **August 12**, 19**68**

Notice is hereby given that **Malvin Bennett** whose postoffice address is **Geddes** S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use **2.12** cubic feet of water per second of time from the **Missouri River** through the **Bennetts Irrigation Project #2**, the point of diversion of which is to be located on the **left** bank of said stream in the **SE** $\frac{1}{4}$ of the **NW** $\frac{1}{4}$ of Section **13** portions of Twp. **96N** Range **67W** Said water to be used for the purpose of providing irrigation on the following described land:

N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, T96N, R67W; NW $\frac{1}{4}$, Section 18, T96N, R66W.

~~and/or~~ ~~XXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the **24th** day of **September**, 19**68** at **2:00 P.M.** All interested persons may appear and be heard.

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

State Water Resources Commission

By:

~~Chief Engineer, Executive Officer~~
BURTON F. JONES

Water Rights Specialist**cc: Malvin Bennett, Geddes, S.D.**

NOV 26 1973
STATE WATER RIGHTS
PIERRE, S.D.

APPLICATION FOR EXTENSION OF TIME

TO: **WATER RIGHTS COMMISSION**
State Office Building No. 2
Pierre, South Dakota 57501

Date Nov 19, 73

Dear Sirs:

In Water Right Permit No. 1607-3 it is specified that the water diversion system is to be completed by September 24, 1971 and that the water is to be put to the limit of beneficial use by September 24, 1973.

I hereby request that the date for completing the diversion system be extended to September 24, 1973 and that the date for putting the water to the limit of beneficial use be extended to September 24, 1977.

The extension of time for the completion of these works is requested for the following reasons: System constructed but not all lands irrigated.

Enclosed herewith is a fee of \$1.00 to pay the cost of filing this request for extension of time.

Melvin J. Bennett
(Signed)
Holder of Permit No. 1607-3

APPROVED: 1-17-74

WATER RIGHTS COMMISSION

By: [Signature]

February 11, 1975

Water Resources Commission
State Office Building
Pierre So. Dak.

Dear Sirs:

I would like to change my pumping site on Permit #1607-3, and was informed by Mr. Varilek to advise you as to the location I prefer. Since it will be an electric pumping plant, it will be necessary to move to a location where I am assured of an adequate water supply.

Enclosed are ASCS photos on which both my present and preferred locations are marked. Thank you for your consideration.

Sincerely,

Melvin J. Bennett
Melvin J. Bennett
Geddes So. Dak.

RECEIVED

FEB 12 1975

REC'D

URGENT

February 18, 1975

Melvin J. Bennett
Geddes -
South Dakota 57342

Dear Mr. Bennett:

The change of location of diversion points noted in your letter of February 11th is satisfactory with this office. The change can be taken care of at the time of the final inspection.

Sincerely,

BURTON F. JONES
Water Rights Specialist

EFJ/bw

1607-3 Melvin Bennett 74 11/10/16

3-9-16 Hally Johnson - Operator

Pump Cornell. 800 9 PM

Model 44B 75-2

Ser # 18159 8 1/4

Motor General Elec. 75 HP

Model 5K364Y 12135

Ser # H.K. 405030

RPM 3333 -

8' Apresun - 8000 ft

8" alum rated 7200 ft 30" spacing

Permit No. 1607-3Water Division 3 Missouri River Water District

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

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Melvin
Bennett of Gaddees, S. Dak holder
of Permit No. 1607-3, bearing date of priority of August 5, 1965
authorizing the diversion of 2.12 cu. ft. per second of the waters of Missouri River
for Irrigation purposes, in Charles Mix County.

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

The Water Use System consists of,

A. Works used to divert the water:

Pump - Cornell - Model 4YAT5-2, Serial # 18159; Imp. 3 $\frac{1}{4}$
500 gpm.
Motor General Electric Model 5K 364 YK135, Serial # K405030
75HP / 3555 RPM

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

Pipe - Aluminum Alloys 6000 ft

C. Works used to apply water to beneficial use.

Pipe Gated 2200 ft, 30 inch spacing

The system is in the following condition: Good

The point of diversion is located 4455 ft from the SE corner of Section 13,
T 96 N, R 17 W, N 59°30' West

The works are capable of diverting and conveying to the place of use 1.73
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: In Section 15, T 96 N, R 16 W
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 25.0 Ac, NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 15.0 Ac, SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 15.0 Ac, SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 9.0 Ac
In Section 17, T 96 N, R 17 W, NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 7.0 Ac, NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 13.0 Ac,
NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 12.0 Ac

comprising a total of 100.0 acres of land.Date Nov 12 1966

LeRoy J. H. H. H.
(Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6813

PIERRE, February 23, 1911

Wallace E. Johnson, Geddick, SD 57342

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing transfer of water VERY right No. 1607-3	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, SD 57501

Date: 2-21-79

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

PORTIONS OF SECTION 18, T96N, R66W AND SECTION 13,
T96N, R67W, DESCRIBED IN PERMIT NO. 1607-3

formerly owned by MELVIN BENNETT, GEDDES

has been transferred to WALLACE JOHNSON, GEDDES

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

Water Right Permit No. 1607-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Hughes) ss.

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

Wallace E. Johnson
(Signed)

Subscribed and sworn to before me this 21st Day of February 1979.

Betty Westlund
(Notary Public)





Department of Water & Natural Resources

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

March 23, 1987

WALLACE E. JOHNSON
RR 2, BOX 22
GEORGETOWN, SD 57342

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 1944-3, 1607-3, 1534-3, 4642-3, 2655-3. 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 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 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 1944-3, 1607-3, 1534-3, 4642-3, 2655-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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

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

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



Department of Water & Natural Resources

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

April 24, 1987

1534-3	1607-3
1944-3	2655-3
4601-3	4642-3

Wallace E Johnson
RR #2 Box 22
Geddes, SD 57342

Dear Mr. Johnson:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 1534-3, 1607-3, 1944-3, 2655-3, 4601-3, and 4642-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-2352



1607-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 2001

NOTICE

TO: WALLACE E JOHNSON, 37489 SD HWY 50, GEDDES, SD 57342

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

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit Nos. 1534-3, 1607-3 & 4642-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 7, 2001, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit Nos. 1534-3, 1607-3 & 4642-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaires are received in this office on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaires, please contact Genny McMath at (605) 773-3352.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2001

1534-3
1607-3
4642-3

Wallace E Johnson
37489 SD Hwy 50
Geddes, SD 57342

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right Nos. 1534-3, 1607-3 and 4642-3.

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

1607-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 28, 2004

1534-3

1607-3

Wallace E Johnson
37489 SD Hwy 50
Geddes SD 57342

Dear Mr. Johnson:

I am writing in regard to your Water Right Nos. 1607-3 and 1534-3 and the 2003 irrigation questionnaires you submitted for these water rights. My understanding of your note is as follows:

- The diversion point on No. 1534-3 (Section 24, T96N, R67W) is no longer used. The land described in both Water Right No. 1534-3 and Water Right No. 1607-3 is irrigated from the diversion point located in SW ¼ Section 13, T96N, R67W (authorized by Water Right No. 1607-3).

I have enclosed a copy of Nos. 1534-3 and 1607-3 for your review. Also included is a map showing a part of Section 18, T96N, R66W and Sections 13 and 24, T96N, R67W. To ensure that your water rights accurately reflect your current irrigation, please mark your diversion point on the map. Mark the lands still being irrigated either on the map or circle them on the copies of the water rights provided.

Please return the enclosed materials with your notations. Since the source of water (the Missouri River) is the same under both water rights, we can reissue Water Right No. 1607-3 to include the applicable portions of No. 1534-3. You would not lose anything in the process and the end result would be having all the land irrigated from one diversion point under one water right. Only one irrigation questionnaire would be required each year for this land rather than the two you currently receive.

Enclosed is a postage paid envelope for your reply. Please contact me if you have any questions.

Sincerely,

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

enclosures

WATER LICENSE NO. 1607-3

RECEIVED
JUL 20 2004
WATER RIGHTS
PROGRAM

(1) WHEREAS, On the 5th day of August A. D. 19 68
Walter Bennett WALLACE JOHNSON
made Water Right Application No. 1607-3 for a permit to use 0.12 cubic feet per second of the waters
of the Missouri River
County of Charles Mix, State of South Dakota, for irrigation
purpose; and
(2) WHEREAS, On the 1st day of October A. D. 19 68
Permit No. 1607-3 with a date of priority of August 5, 1963
was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein, described on or before the 24th day of September A. D. 19 73 and for the
application to beneficial use of said water on or before the 24th day of September A. D. 19 77

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 1.42 cubic feet
per second of water for beneficial use and.

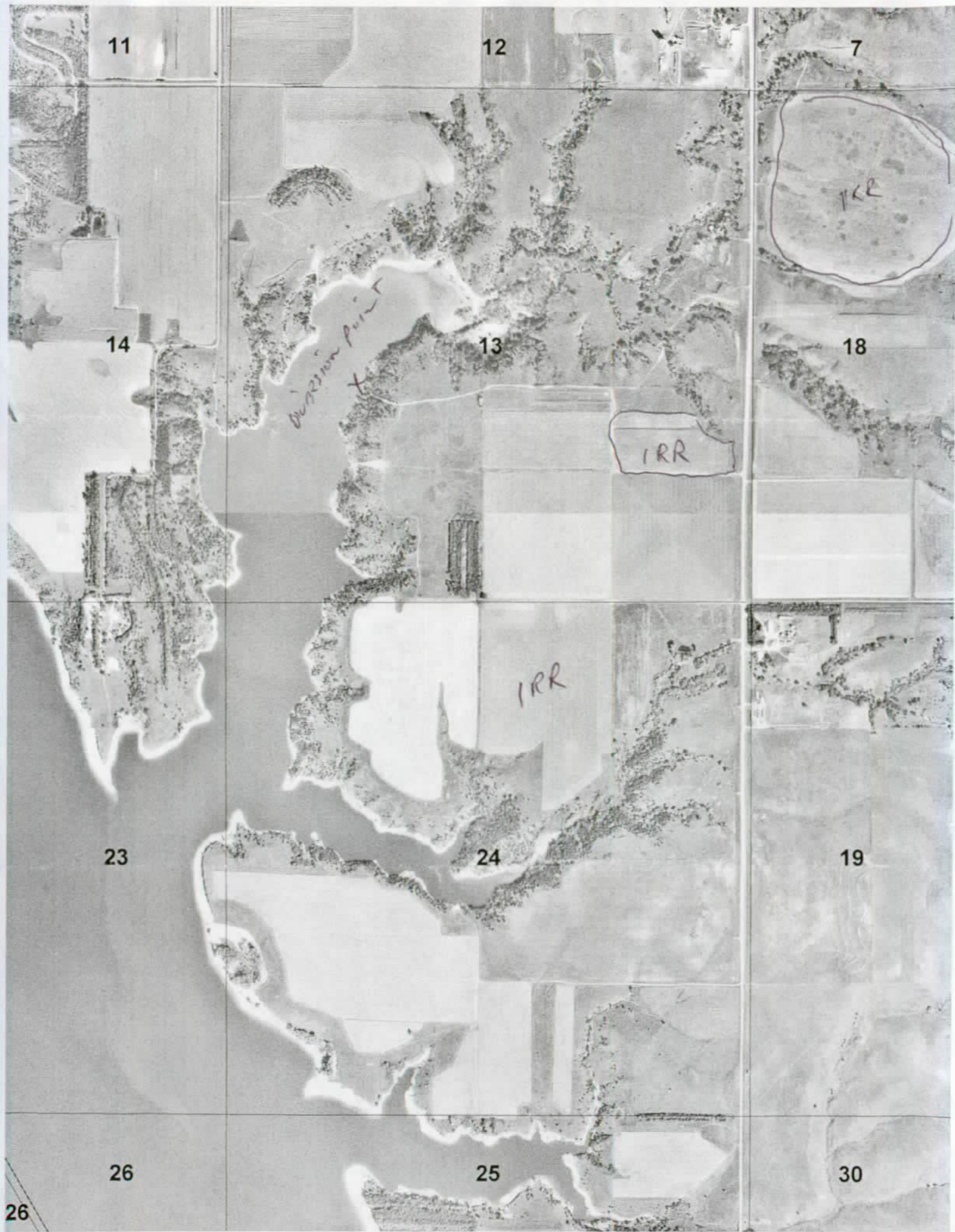
(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent.

for irrigating the following described land

Section 18, T96N, R66W	NW $\frac{1}{4}$ NW $\frac{1}{4}$	25.0 acres
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	15.0 acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	19.0 acres
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	9.0 acres
Section 13, T96N, R67W	NW $\frac{1}{4}$ NE $\frac{1}{4}$	7.0 acres
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	13.0 acres
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	12.0 acres
	Total	100.0 Acres

All This water for

1607-3 & 1534-3 are pumped from this
diversion point mark on enclosures map



1607-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 16 2004

1607-3
1534-3

Wallace Johnson
37489 SD Highway 50
Geddes SD 57342-6811

Dear Mr. Johnson:

Enclosed is Reissued Water License No. 1607-3. The applicable portions of Water Right No. 1534-3 have been incorporated into this license. The license is being reissued since both systems now utilize the same diversion point authorized by No. 1607-3.

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,

A handwritten signature in black ink, appearing to read "Garland Erbele".

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

enclosure

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1607-3

(1) Wallace Johnson, 37489 SD Highway 50, Geddes SD 57342-6811 was issued Water License No. 1607-3, April 21, 1976 for a water permit to divert 1.42 cubic feet of water per second (cfs) from the Missouri River, Charles Mix County, South Dakota for irrigation purposes. Permit No. 1607-3, with a priority date of August 5, 1968 was issued to the permit holder for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

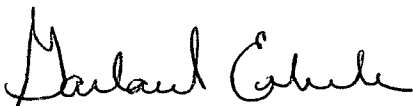
Water Right No. 1534-3 with a priority date of March 11, 1968 authorized 0.85 cfs from the Missouri River to irrigate 60 acres. Both systems now utilize the same Missouri River diversion point authorized by Water Right No. 1607-3. The applicable portions of Water Right No. 1534-3 are incorporated into No. 1607-3

(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 Incorporated Water Right No. 1607-3 is issued a license, bearing a priority dates of March 11, 1968 (0.85 cfs) and August 5, 1968 (1.42 cfs) from the Missouri River to irrigate 160 acres.

The diversion point is located: a point north 59° 30' west, 4,455 feet from the southeast corner of Section 13-T96N-R67W (NE ¼ SW ¼). The acres authorized for irrigation are as follows:

Section 18-T96N-R66W	NW ¼ NW ¼	25 acres
	NE ¼ NW ¼	15 acres
	SW ¼ NW ¼	19 acres
	SE ¼ NW ¼	9 acres
Section 13-T96N-R67W	NW ¼ NE ¼	7 acres
	NE ¼ NE ¼	13 acres
	NE ¼ SE ¼	12 acres
Section 24-T96N-R67W	NW ¼ NE ¼	40 acres
	N ½ SW ¼ NE ¼	20 acres
Total 160 acres		

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit Nos. 1607-3 and 1534-3.



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

AUG 16 2004

date



96-67

25.1

19.0

13.5

29.2

(1-317)

28.4

Present Location



13

103.2

20.7

1200

96-67

~~map 1139-3~~

w/r# 1607-3

-2-

If you have any questions regarding the above, please feel free to contact this office at the above Regulatory Office address, or telephone Thomas A Lowin of my staff, or myself, at (605) 224-8531.

Sincerely,

Steven E. Naylor
Regulatory Program Manager,
South Dakota

Enclosures

cf: Larson; US Fish and Wildlife Service, Pierre
Miller; SD Dept. Environment and Natrl Rsres, Pierre
Williams; SD Dept. Game, Fish & Parks, Pierre
Wilson; Corps of Engineers (CENWO-OD-FR), Pickstown



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
SOUTH DAKOTA REGULATORY OFFICE
28563 POWERHOUSE ROAD, ROOM 118
PIERRE, SOUTH DAKOTA 57501-6174

November 29, 2011

South Dakota Regulatory Office
28563 Powerhouse Road, Room 118
Pierre, South Dakota 57501

Wallace Johnson
37489 SD HWY 50
Geddes, South Dakota 57342

Dear Mr. Johnson:

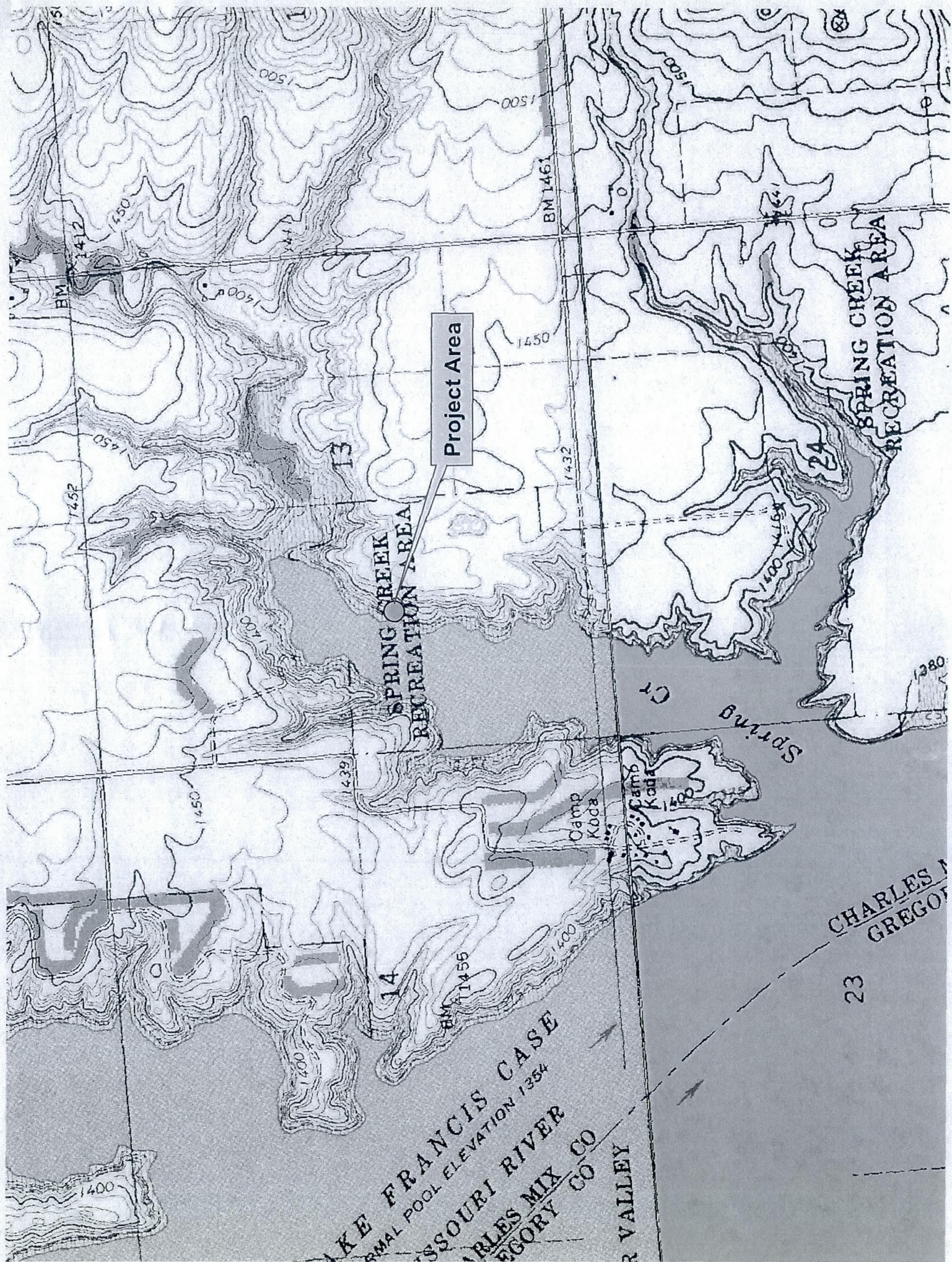
Reference is made to your application for a Department of the Army permit to construct a permanent irrigation intake structure (wet well system) in the Missouri River/Lake Francis Case (Spring Creek) at mile 990.5, in the Southwest 1/4 of Section 13, Township 96 North, Range 67 West, Charles Mix County, South Dakota.

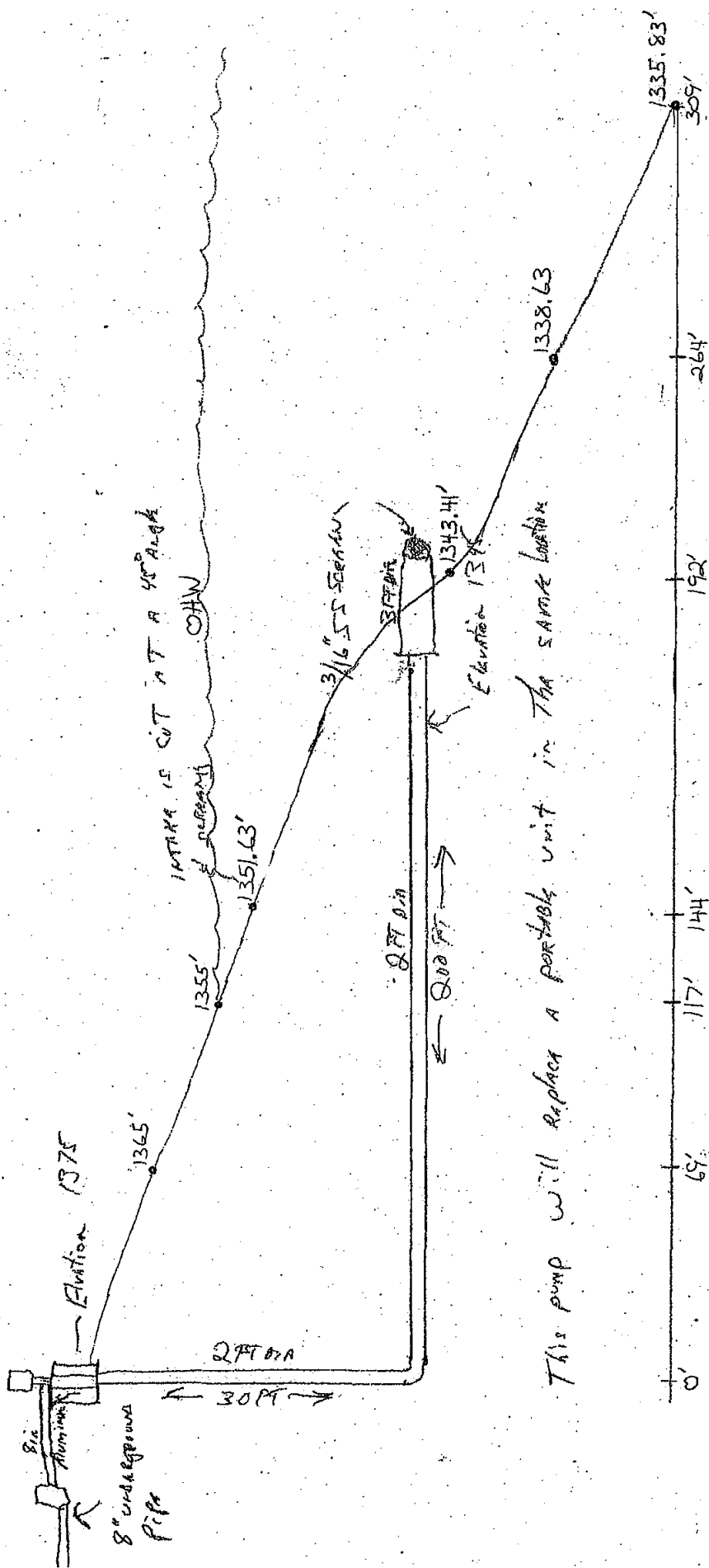
Based on the information submitted, the proposed project construction, as described on the enclosed drawings, meets the criteria established for General Permit 90-04 and has been assigned application number NWO-2012-2422.

Accordingly, for the purposes of Section 10 of the Rivers and Harbor Act (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344), and in accordance with 33 CFR Part 325.5(c)(1), the construction of the intake system is authorized without further processing provided the stipulations, conditions and criteria of General Permit 90-04 (copy enclosed) are strictly adhered to.

Any changes to the size, location or withdrawal rate of this structure from that identified herein may require additional Department of the Army Authorization. **The attached Compliance Certification form must be signed and returned to this office upon completion of the authorized work and any required mitigation.**

NOTE: The above determination does not obviate the requirement to obtain state, tribal or local assent as required by law.



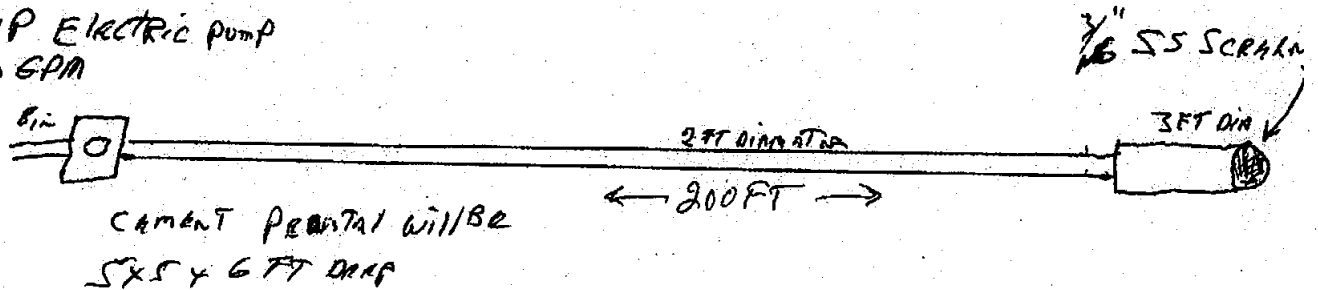


This pump will replace a portable unit in the same location

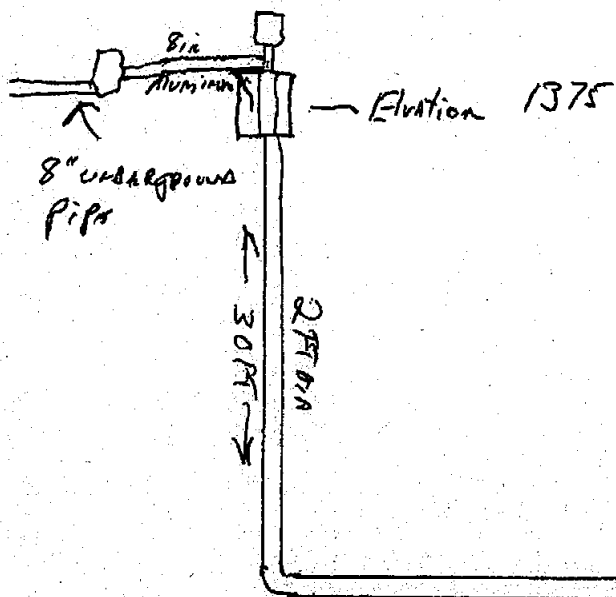
WALLACE JOHNSON EXHIBIT DACW45-2-75-6204
(Spring Creek)

NO SCALE

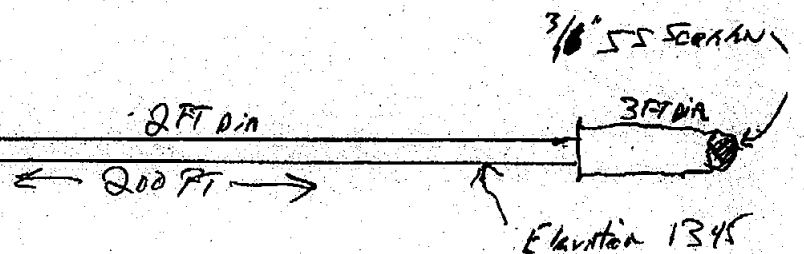
100HP Electric pump
800 GPM



DIRT will be dug with EXCAVATOR & replaced
& packed AT THE SAME slope AS ORIGINAL



INTAKE IS CUT AT A 45° angle
& SURFACING



This pump will replace a portable unit in the same location

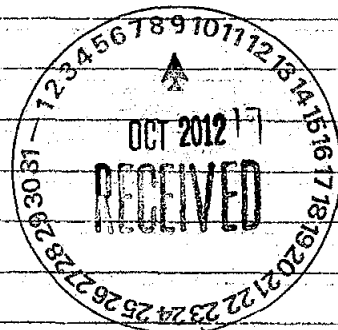
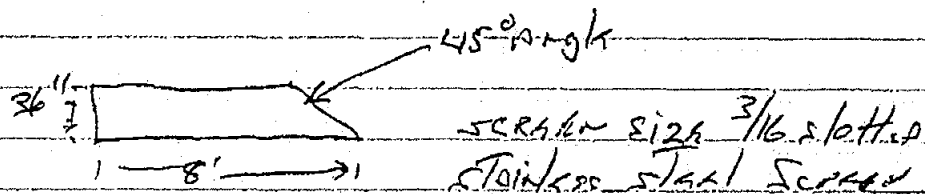
18- NATURE OF Activity

Excavate approximately 10' wide by 30' deep
Trench to install wet well & intake pipe.

Excavated material will be side cast along
open trench.

~~Then~~ Upon installation of wet well system
Excavated material will be replaced in
original location.

INTAKE SCREEN





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 17, 2025

684-3
1607-3

Jay Johnson, Manager
37501 SD Hwy 50
Geddes SD 57342

Dear Mr. Johnson:

I write to you today in response to the 2025 Irrigation Questionnaire information submitted online for Water Right Nos. 684-3 & 1607-3.

Water Right No. 684-3, held in the name of Elinor Bridges, authorized diversion of 1.3 cfs (approx. 585 gpm) from the Missouri River for irrigation of 95 acres located within portions of the NE $\frac{1}{4}$ Section 14-T96N-R67W.

On this year's questionnaire for Water Right No. 684-3 you reported the irrigation of 190 acres.

Water Right No. 1607-3, held in the name of Wallace Johnson, authorizes diversion of 2.27 cfs (approx. 1,020 gpm) from the Missouri River for irrigation of 160 acres located within portions of the NW $\frac{1}{4}$ Section 18-T96N-R66W, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13-T96N-R67W, and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 24-T96N-R67W.

On this year's questionnaire for Water Right No. 1607-3 you reported irrigation of 280 acres.

Whether additional acres have been developed, which would require new permits to be obtained, or this was simply an error in reporting, I would ask that you contact me via email or telephone to discuss the 2025 Irrigation Questionnaires for Water Right Nos. 684-3 & 1607-3.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
Amanda.Dewell@state.sd.us
(605) 773-3352

cc: Wallace Johnson, 37489 SD Hwy 50, Geddes SD 57342
Elinor Bridges, 37396 284th St, Geddes SD 57342