

Water Right Number 1944-3

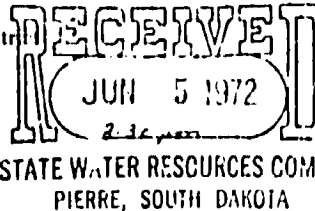
1. Considered JULY 12, 1972
2. Name of Applicant WALLACE E. JOHNSON
3. Post Office Address GEDDES, S.D.
4. Amount of Water claimed 2.14
5. Source of Water supply LOCAL RUNOFF
6. Water to be used for IRRIGATION
Acres to be irrigated 150.00
7. Water to be diverted and used in CHARLES MIX County
about 7 S miles 7 of GEDDES
3. Proof of Publication
Received 7-11-72
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
9. Application
10. Remarks:

No. 1944-3Map No. 1376-3 Water Division No. 3 MISSOURI RIVER District

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

ADVISORY

APPLICATION FOR PERMIT



To Appropriate Water within the State of South Dakota

(NOTE- Draw a line through items not applicable)

1. Name of Applicant Wallace Johnson
Postoffice address Geddes, State SD
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract Direct Labor
3. Name of diversion work Wallace Johnson Irrigation Project
4. Amount of water claimed (cubic feet per second) 214
5. Source of water supply Private Dam
6. Location of point of diversion 1050 South & 50' West of NE Corner Sec 6-T96N, R66W 5th PM
County Charles Mix
7. Annual period or periods during which water is to be used April 1st To Nov 1st
8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 150

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>AG 60 ft. NE 1/4 Sec 6</u>			
<u>T96N, R66W 2nd EPT</u>			
<u>Farmer Stead</u>	<u>150</u>		

Attach sheet if more space is needed

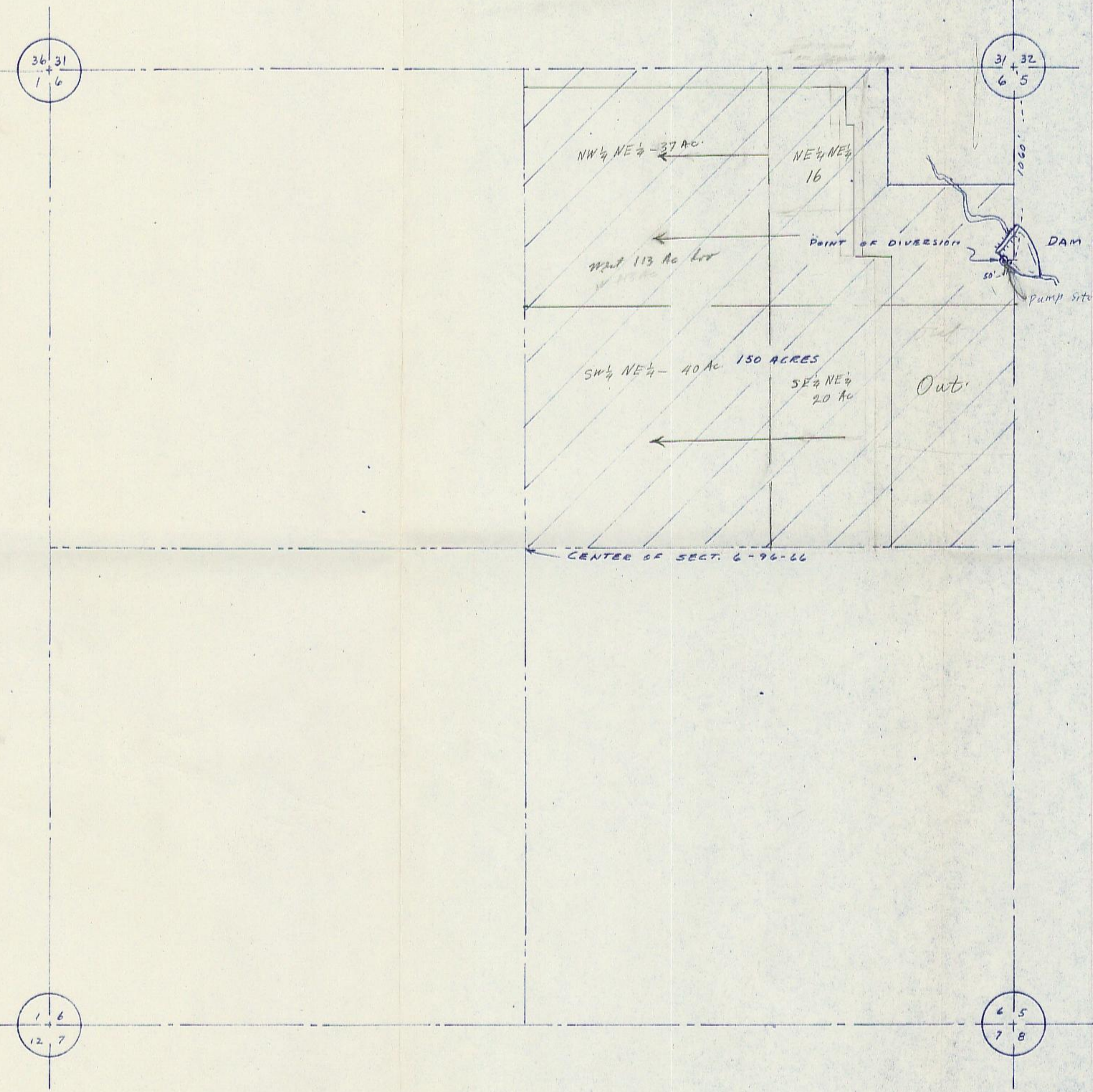
10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Charles Mix Co NEWS
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. Pump, CentrifugalB. Works proposed to transport water to place of use. Aluminum PipeC. Works proposed to apply water to beneficial use. Gravel Aluminum PipeEstimated Total Cost \$ 15,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Charles MixI, Wallace Johnson, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed: Wallace JohnsonSubscribed and sworn to before me this 31st day of May, 1972

Notary Public (or other qualified official)

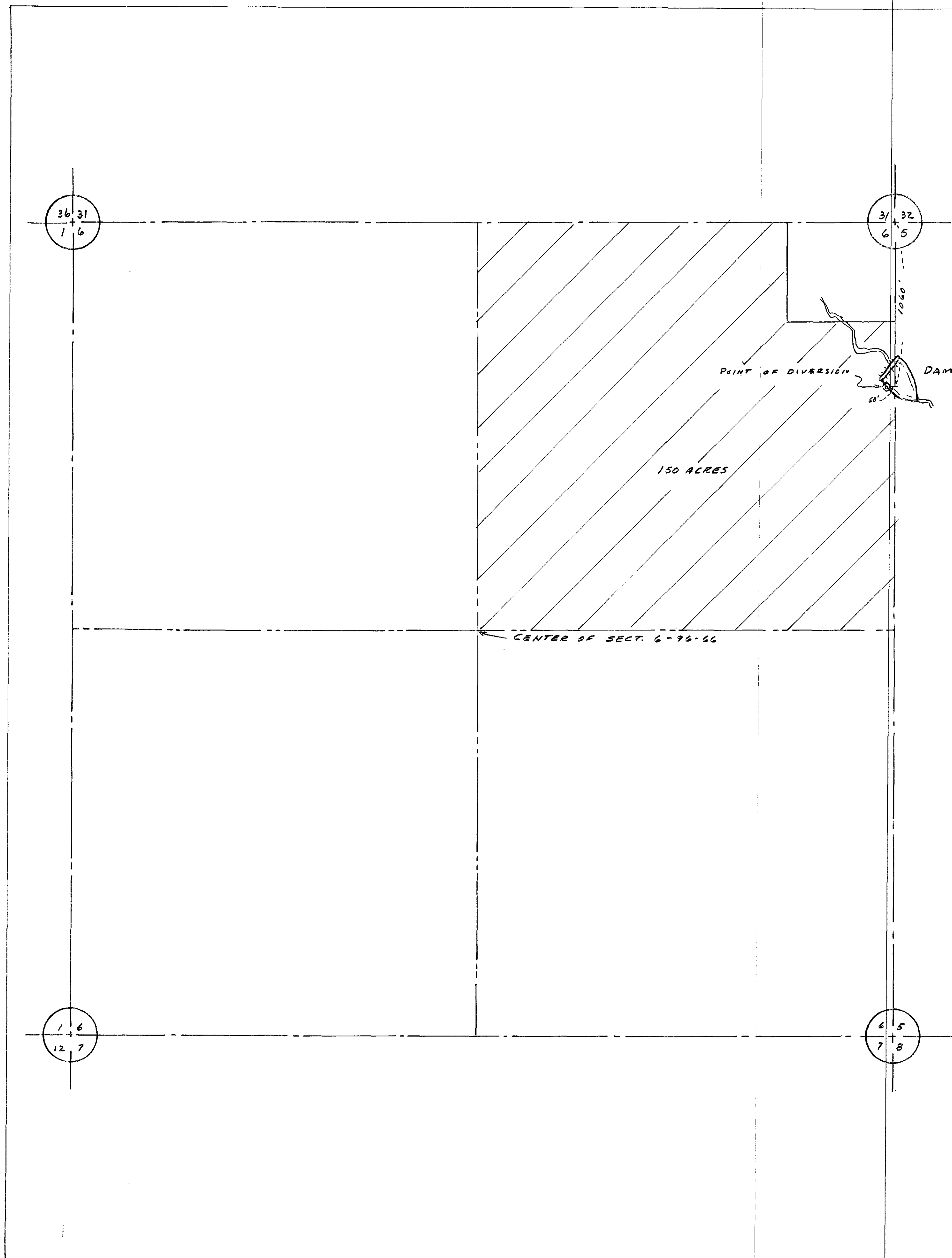


AREA BY LEGAL SUBDIVISION
150 ACRES NE 1/4 SECT 6, T.96N., R.66W. 5TH PM.

SURVEYOR'S CERTIFICATE
STATE OF SOUTH DAKOTA) SS
COUNTY OF BEADLE)
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF WALLACE JOHNSON,
SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON MAY 5, 1972 FOR WHICH
APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
WITNESS MY HAND AND SEAL THIS 5TH DAY OF MAY 1972

Harlan W. Meyer
REG. L.S. #495

WALLACE JOHNSON IRRIGATION PROJECT NO. 1	
SHOWS AREA TO BE IRRIGATED & POINT OF WATER DIVERSION -- FOR PERMIT TO APPROPRIATE WATER	
OWNER	WALLACE JOHNSON
SURVEYOR	HARLAN W. MEYER
MAY 1972	



AREA BY LEGAL SUBDIVISION
150 ACRES NE 1/4 SECT 6, T. 96 N., R. 66 W. 5TH RM.

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) SS
COUNTY OF BEADLE)

I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF WALLACE JOHNSON,
SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON MAY 5, 1972 FOR WHICH
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SHOWS AREA TO BE IRRIGATED & POINT OF WATER DIVERSION -- FOR PERMIT TO APPROPRIATE WATER	
OWNER	WALLACE JOHNSON
SURVEYOR	HARLAN W. MEYER
MAY 1972	

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1944-3

WALLACE E. JOHNSON
(Applicant)

GERDES
(Post Office Address)

SOUTH DAKOTA
(State)

With the following modifications:

Date of first receipt of application JUNE 5, 1972

Date of return to applicant for correction, amendments or changes required —, 19—

Date of receipt of corrected application —, 19—

Approved JULY 12, 1972, Recorded in Book 12 Page 128

WATER RIGHT PERMIT NO. 1944-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1944-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JUNE 5, 1972
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 12, 1974
3. The whole of said work is to be completed on or before JULY 12, 1975
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 12, 1977
5. The water appropriated shall be used for the purpose of IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed 2.14 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JULY 12, 1977; said water to be used during the following described annual period: APRIL 1 TO NOVEMBER 1

Witness my hand this 14TH day of JULY, 1972

WATER RESOURCES COMMISSION

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 12, 1982

Water License Issued FEBRUARY 12, 1980

Permit No. 1944-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Wallace E. Johnson

_____ the holder _____ of
Permit No. 1944-3, issued upon Application No. 1944-3, bearing date of priority of _____
June 5, 1972 authorizing the diversion of 2.14 cu. ft. per second of the waters of a
private dam County of Charles Mix, State of South Dakota at _____
a point 1030 feet South and 50 feet West of the NE Corner, Section 8,
T 96N - R66W
_____, for irrigation

purposes, has _____ 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 February 12, 1980



JOHN HATCH, Chief Engineer
Water Rights, WMD

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1944-3

(1) WHEREAS, On the 5th day of June A. D. 19 72

Wallace E. Johnson

made Water Right Application No. 1944-3 for a permit to use 2.14 cubic feet per second of the waters of a private dam

County of Charles Mix, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 12th day of July A. D. 19 72

Permit No. 1944-3, with a date of priority of June 5, 1972

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 12th day of July A. D. 19 75 and for the application to beneficial use of said water on or before the 12th day of July 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 1.61 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,

to irrigate the following lands

all in Section 6 - T96N - R66W ACRES

NW 1/4 NE 1/4 37

NE 1/4 NE 1/4 16

SW 1/4 NE 1/4 40

SE 1/4 NE 1/4 20

113

(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 _____

Wallace E. Johnson

_____ of _____

Geddes, SD

the holder _____ and owner _____ of said permit No. 1944-3 a water right, dating from _____

June 5, 1972

to use of 1.51

_____ cubic feet per second of the waters of _____

a private dam

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 at a point 1060 feet South and 50 feet West of

the NE Corner, Section 6 - T96N - R66W

and conduct to and upon portions of land all in Section 6 -- T96N - R66W more fully
described on the face of this License.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1944-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 12th day of February A. D.

Nineteen Hundred and Eighty

Board of Water Management

By:

John Hatch

Chief Engineer

JOHN HATCH

1744-3 Waller 8 ft. 0 in.

2-18-17. Sample 800 ppm.

Dam Right 20 ft. March 20, 1917

Surf Ac. 11 ft. Stage 172.4 ft.

Dye 75 mile - 8' 1/2 ft. 1917

Surf. Station 74.1 ft. 1917

Net 1 ft. 213 ft. B. D. 1917 - 2400 ft. 1917

Surf. Station 74.1 ft. 1917

Net 1 ft. 6 1/2 ft. 1917

74.1 ft. 1917

1917 - 1917

1917

Permit No. 1944-3Water Division 3 Missouri River Water District

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

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Wallace E. Johnson of Geddes, South Dakota 57342 holder of Permit No. 1944-3, bearing date of priority of June 5, 1972, authorizing the diversion of 2.14 cu. ft. per second of the waters of Private Dam 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:
Motor: Marathon, 7 1/2 HP, 1770 RPM, Model FB25T0DR70
48ADW COW NFI
Pump: Berkeley Ser # 741912
model: 5WP 6 1/2" Imp dia. Pumping 500 gpm.
- B. Works used to transport water to place of use,
3/4 mile 8" pipe. Some gated
- C. Works used to apply water to beneficial use.
Gated pipe

The system is in the following condition: GoodThe point of diversion is located 1060 + S 150 ft W of the NE Cor.
Sec. 6, T96N R66WThe works are capable of diverting and conveying to the place of use 1.75'
cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Sec. 6, T96N R66W
NE 1/4 NE 1/4 - 32 Ac, NE 1/4 NE 1/4 - 16 Ac, SW 1/4 NE 1/4 - 40 Ac
SE 1/4 NE 1/4 - 20 Ac.comprising a total of 113 acres of land.

113 = 40 + 16 + 20 + 37
40 + 16 + 20 + 37 = 113

Date September 18, 1979
P. R. J. Mernagh
 (Signature)

Form 6 - Notice of Intent to Appropriate Water

1974-75

Publish first publication, on or before June 15, 1972

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

June 8, 1972

Notice is hereby given that Wallace E. Johnson

whose post office address is Gedden, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

2.14 cubic feet of water per second of time from the local runoff through the

Johnson Irrigation Project, the point of diversion of which is to be located in the _____

NE 1/4 NE 1/4

of Section 6, Twp. 96N, Range 66W. Said water to be used for the purpose

of providing irrigation on the following described land:

NE 1/4, Section 6, T96N, R66W

This application No. 1974-3 will be considered by the Water Resources Commission at their office at Pierre upon the 1st day of July, 1972, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JOHNS

Water Rights Specialist

cc: Wallace E. Johnson, Gedden, S.D. 57362

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Charles Mix ss.

I, Harold Wallerius hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Charles Mix County

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the City

of Geddes of _____

County of Charles Mix and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

June 15, 1972

June 22, 1972

June 29, 1972

July 6, 1972

Harold Wallerius
(Signature)

Editor
(Title)

July 7, 1972
(Date Signed)

RECEIVED
JUL 11 1972

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

NOTICE OF INTENT TO
APPROPRIATE WATER
No. 1944-3

Pierre, S. Dak. 57501
June 8, 1972

Notice is hereby given that
Wallace E. Johnson, whose post
office address is Geddes, S. Dak.
has made application in acc-
ordance with the provisions of
the water laws of South Dakota
for a permit to appropriate for
beneficial use 2.14 cubic feet of
water per second of time from
local runoff through the Johnson
Irrigation Project, the point of
diversion of which is to be lo-
cated in the NE 1/4 NE 1/4 of Sec-
tion 6, Twp. 96N. Range 66W.
Said water to be used for the
purpose of providing irrigation
on the following described land:
NE 1/4, Section 5, T96N R66-
W.

This application No. 1944-3
will be considered by the Water
Resources Commission at their
offices at Pierre upon the 12th
day of July, 1972, at 2:00 P.M..
All interested persons may be
heard.

Water Resources Commission,
By:

Burton F. Jones,
Water Rights Specialist

Publish June 15-22-29-July 6, 72

RECEIPT.

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7312

PIERRE, February 11, 1980

RECEIVED OF Wallace E. Johnson, Geddes SD 57342

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. 1944-3)	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 1944-3)		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

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

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
GEDDES, 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.

SOUTH DAKOTA
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
Rn #2 Box 22
Geddes, SD 57342

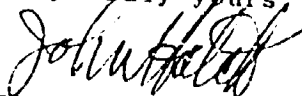
Dear Mr. Johnson:

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,



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



1999-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 16 1994

4642-3

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

Dear Mr. Johnson:

Enclosed is Water License No. 4642-3 and Receipt No. 414236 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 4642-3 is the final document which completes the 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.

Very truly yours,

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

ks
enclosures

NOTE: The applicable portions of Water License No. 1944-3 and Water Permit Nos. 2655-3 and 4601-3 have been incorporated into this Water License No. 4642-3.