

- 2454-3
1. Considered 1-22, 1976
 2. Name of Applicant PAUL A. JOHNSON
 3. Post Office Address PLATTE
 4. Amount of water claimed 3.6
 5. Source of water supply MISSOURI RIVER
 6. Water to be used for IRRIGATION
Acres to be irrigated 254
 7. Water to be diverted and used in CHARLES MIX county
about 75.614 miles of PLATTE
 8. Proof of Publication Received 12-29-75
Not Received _____
 9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
 10. Remarks:

Form 2 - Application for Permit to Appropriate Water-Original (Includes Approval and Permit)

No. _____

Map No. _____ Water Division No. _____ District _____

Above for Office Use

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New _____ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage ☒ Additional Acreage _____

1. Name of Applicant Paul A. Johnson Phone No. _____

Post Office Address RR #2, Platte State South Dakota 57369
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) _____

3. Name of diversion work Johnson #1 and #2

4. Amount of water claimed (cubic feet per second) 3.6 (No additional)

5. Source of water supply Missouri River

6. Location of point of diversion 2300 ft S and 1200 ft W of the NE Cor
of Section 27, T98N R69W

County Charles Mix

7. Annual period or periods during which water is to be used June thru September

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 255

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>see attached sheet</u>			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Completed years. Additional time required to complete application of water to the proposed beneficial use _____ years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Platte Enterprise

12. Principal Features of the Proposed Water Supply System

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

Pump and Engines

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

Pipelines

C. Works proposed to apply water to beneficial use.

Center Pivots and Big Gun

Note: This application is for a change to increase to Permit # 2454-2. Permit information from Permit # 2454-2 will be included in this application. Permit # 2454-2 will be cancelled upon approval of this application.

Paul A Johnson

Acreage To Be Irrigated

The following in Section 23, T78N R69W

NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 27 Ac.
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 33 Ac.
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 24 Ac.
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 32 Ac.
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 6 Ac.
NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 14 Ac. x
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 10 Ac. x
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 4 Ac. x
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 13 Ac. x
SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 18 Ac. x
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 29 Ac.

The following in Section 26, T78N R69W

NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 28 Ac. x
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 17 Ac. x

Total. 255 Ac

Save this
May do not
Destroy

Map No. 1821-3 Water Division No. 3 MISSOURI RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

8.45

To Appropriate Water within the State of South Dakota

(NOTE—Draws for through items not applicable)

- Name of Applicant Paul A. Johnson
Postoffice address Platte, State South Dakota
If a corporation show date and place of incorporation _____ contract
- Method of accomplishing work (contract, employment of others, or by direct labor) _____ contract
- Name of diversion work Johnson #1 & 2
- Amount of water claimed (cubic feet per second) 3.6 cfs
- Source of water supply Lake Francis Co. Missouri River
- Location of point of diversion Diversion #1 NE 1/4 SW 1/4 15-98-69
Diversion #2 NE 1/4 NE 1/4 27-98-69
- Annual period or periods during which water is to be used _____ County Charles Mix
June, July, August, September
- Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
Total number of acres to be irrigated 254
- For irrigation use.

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.
N 1/2 NW 1/4 23-98-69	78.9
SE 1/4 NW 1/4 23-98-69	40.0
SW 1/4 NW 1/4 23-98-69	34.6
NW 1/4 NE 1/4 23-98-69	23.8

Attach sheet if more space is needed

- Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Platte Enterprise
- Principal Features of the Proposed Water Supply System.

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

Turbine Pump

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

Aluminum, Abestos cement and/or Plastic Pipe

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ 127,000

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

STATE OF SOUTH DAKOTA)

County of Charles Mix) ss.
I, Paul A. 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

Paul A. Johnson

Subscribed and sworn to before me this

7th

day of

Nov.

19 75

Glenn Vandenberg
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2454-3
PAUL A. JOHNSON R.R. #2, PLATTE,
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57369 With the following modifications:
 (State)

Date of first receipt of application NOVEMBER 12, 1975
 Date of return to applicant for correction, amendments or changes required —, 19—
 Date of receipt of corrected application —, 19—
 Approved JANUARY 23, 1976, Recorded in Book 14 Page 212

WATER RIGHT PERMIT NO. 2454.3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2454.3 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 NOVEMBER 12, 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 23, 1978
3. The whole of said work is to be completed on or before JANUARY 23, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 23, 1981
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 3.6 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 JANUARY 23, 1981; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 29TH day of JANUARY, 1976

WATER RIGHTS COMMISSION

By:

John McCall
 Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19—

Water License Issued —, 19—



644

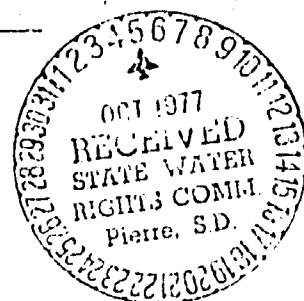
24343 1 unit 1000
37001 Eugene 1000
Hp 200 mpa 22000 Pa
Type F81 413, 417 418, 416
Pump Coroll unbleeding
Pumping 1722 pm 70
10 1100 1800
12 110 6. 1100 1800
37001 120
Post 6 pump 5. 6. 1800
Mile 50 110 3000 1800
Model 5162378M 2000 A.
Ser 7 CND 322439.
Pump Coroll
Model 4WBVM 50-2
Ser 15 E7379 716

over

5 c.p. Hydro-pneumatic
 Storage Model 2
 Ser # 47724445
 Regulating Pressure 120 lbs
 18 ft high
 Booster pump to M.C.P.
 Motor Marshall 75 HP
 Made 36477057603AA V.F.L.
 Ser # FC97345-3/21-3
 Pump Cornell
 Model 5WVBM 75-2
 Ser # E 2416 8 5/8
 8" P.V.C. from Ponds to M.C.P.
 2" P.V.C. from M.C.P. to
 1" P.V.C. from M.C.P. to

24000 S. Johnson Unit
 8-23-79. Water pump - 1000 G.P.M.
 Reg. P.V.C. Pump with a St. Co. of Boston
 Model WW-45-M, Ser # 6933
 Fan Blower 8200, Ser # CC4784
 Nozzle 1 1/2" & 1 1/4" dia
 660 ft. 2" dia. P.V.C.
 1" dia. 1/2" dia. pipe
 Booster pump - 6 cyl. Dwyer
 Dwyer 85 H.P. Type 161912
 Ser # 3532179
 Pump Cornell Model 4H62843
 Ser # 72178 15 1/8

Form 10.



NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE
DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT

DIVISION OF WATER RIGHTS

JOE FOSS BUILDING

PIERRE, SOUTH DAKOTA 57501

Post Office Platte So. D.K.
Date 10-4-77

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

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2454-3

Water Right Permit No. 2454-3 states that the diversion system is to be constructed by July 23, 1978 and that the water is to be put to beneficial use by Jan 23, 1981.

The diversion system was completed on max 15, 1977. Applying the water to beneficial use was completed on July 15, 1977.

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

Paul Johnson
(Signature)

February 7, 1980

Paul A. Johnson
Rt #2
Platte SD 57369

Dear Mr. Johnson:

On August 23, 1979 in the process of making the final inspection of your Permit No. 2454-3, I found that you were irrigating portions of the E $\frac{1}{4}$ of Section 23 and the N $\frac{1}{4}$ of Section 26. Your permit only included areas in the W $\frac{1}{4}$ of Section 23, T98N, R69W. In order to comply with the South Dakota Water Law it will be necessary for you to submit an application to irrigate the areas mentioned above.

Enclosed is a completed Form 2, "Application for Permit" for this change in acreage. You should check over the form and the enclosed map to see if the areas irrigated are correct and make any corrections necessary. You indicated to me the north center pivot covered 140 acres. This would make a circle of 2800 feet in diameter. I plotted the center pivot about where you indicated and I arrived at 116 acres covered. You also indicated the south center pivot covered 110 acres. This would make a circle 2470 feet diameter. I arrived at 92 acres for this center pivot. If these figures do not agree with yours please feel free to make the necessary corrections. We want these to be as accurate as possible.

After you have made the necessary corrections please sign the form and have it notarized and return to this office with a check for \$150.00 to cover the cost of the filing fees.

It will not be necessary to submit another water sample but it will be necessary to submit a WI-1 Form along with a soils map covering the acreage to the Water Quality Laboratory, Water Resources Research Institute, South Dakota State University, Brookings SD 57007. Indicate you are using Missouri River water. Your County Extension Agent has the proper forms. The soils information can be obtained from the local Soil Conservation District.

If you have any questions please feel free to contact this office.

Sincerely,

LEROY J. HERNAUGH
Water Resources Engineer

August 15, 1980

Paul A. Johnson
RR #2
Platte SD 57369

Dear Mr. Johnson:

On February 7, 1980 we sent you a partially completed application to appropriate no additional cfs of water to irrigate portions of land in the E $\frac{1}{4}$ Section 23 and the N $\frac{1}{4}$ Section 26, T98N, R69W. Your Water Permit No. 2454-3 does not cover these lands.

If you intend to irrigate during the 1981 irrigation season a Water Permit must be acquired for the additional acreage, from the Water Management Board, to comply with the State Water Laws.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

kw

Water Rights Division
605 773-3352

September 4, 1981

Paul A Johnson
RR 2
Platte SD 57369

Dear Mr. Johnson:

In reviewing our files it was discovered you have not brought your water permit No. 2454-3 into compliance with State Laws. You were notified of this February 7, 1980 & August 15, 1980.

Irrigation of lands without a water permit is in violation of State Statutes. The Water Management Board has suspended permits for one year for illegal pumping.

The necessary action to place all lands being irrigated under Permit needs to be completed.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:BW:kw

cc: Martin Gertsonson
State Conservation Comm.

Form 6 - Notice of Intent to Appropriate Water

Publish first publication, on or before January 3, 19 76

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 12, 19 76

Notice is hereby given that Paul A. Johnson
whose post office address is Platte, 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
3.6 cubic feet of water per second of time from the Missouri River through the
Johnson No. 1 & 3, the point of diversion of which is to be located in the
between points in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, and the
NE $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 27, Twp. 08N, Range 69W. Said water to be used for the purpose
of providing irrigation on portions of
the following described land:
NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 23, T08N, R69W

This application No. 2454-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 22nd day of January, 19 76, at 2:30 PM M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Paul A. Johnson, Platte, S. D. 57069

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Charles Mix) ss.

I, Ralph Nachtigal hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Platte Enterprise

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 Platte

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

December 18, 1975

December 25, 1975

Ralph Nachtigal
(Signature)

Publisher
(Title)

December 25, 1975
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER

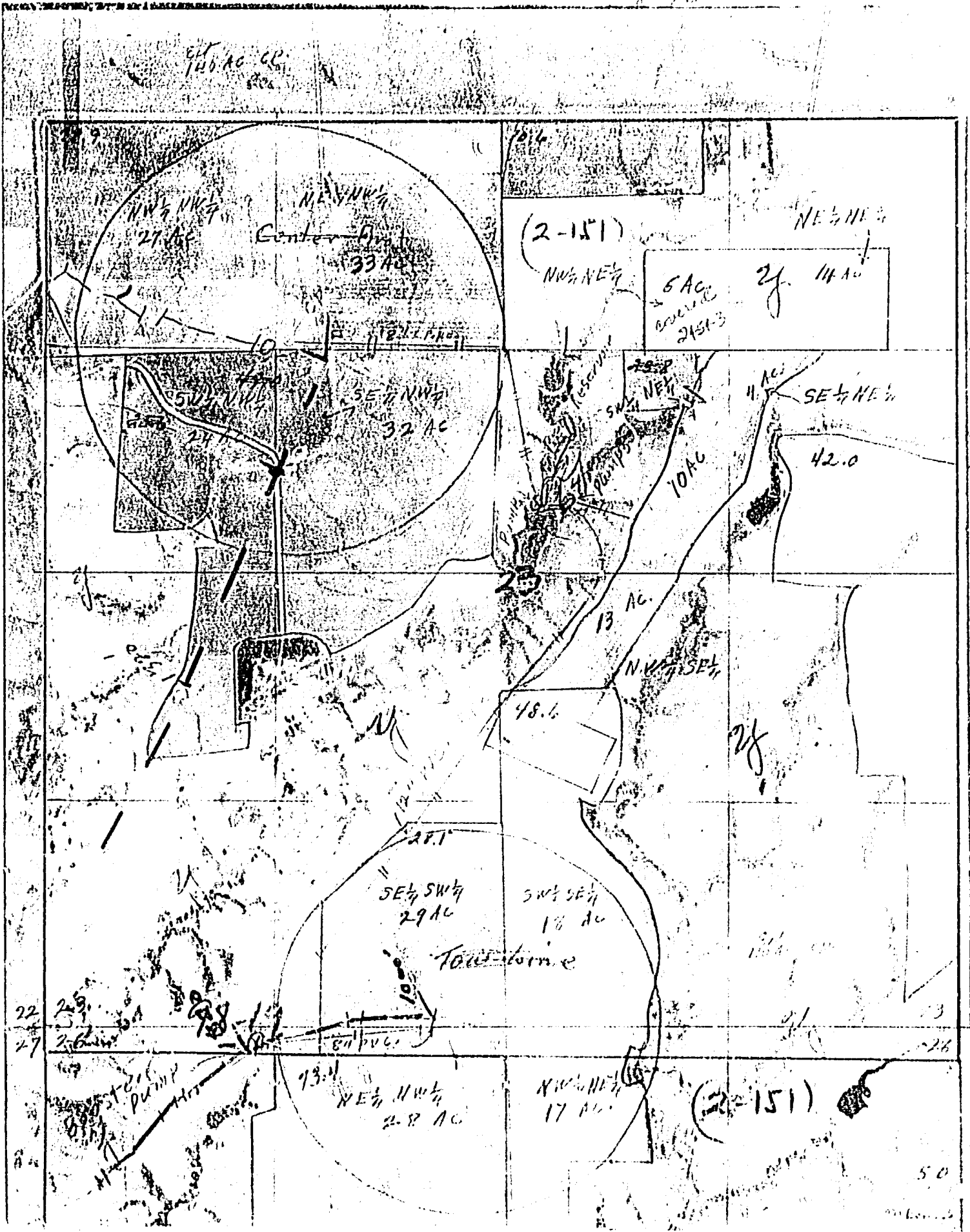
Notice is hereby given that
Paul A. Johnson, whose post
office address is Platte, South
Dakota, has made an applica-
tion in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
3.6 cubic feet of water per
second of time from the
Missouri River through the
Johnson No. 1 and 2, the point of
diversion of which is to be
located in the between points in
the NE 1/4 SW 1/4 Section 15, and
the NE 1/4 NE 1/4 Section 27, Twp.
93N, Range 69W. Said water to
be used for the purpose of
providing irrigation on portions
of the following described land:
NW 1/4 NW 1/4 NE 1/4 W 1/2 SW 1/4
SE 1/4 SW 1/4 Section 25, T98N,
R69W.

This application No. 2454-3
will be considered by the Water
Rights Commission at their
office at Pierre upon the 22nd
day of January, 1976, at 12:30
p.m. All interested persons may
appear and be heard.

WATER RIGHTS
COMMISSION

By BURTON F. JONES
Water Rights Specialist

11-12-18 and 12-25)



Betty

9-7-81

Paul Johnson called
Platte

He says additional ^(Sec. 26) land
is covered by another
permit (Bert Yeager
of Sioux Falls)

Check w/ Le Roy
may be possible
to make changes
w/o permit

Write letter to Johnson
on our decision

JH

Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 73-3352

September 15, 1981

Paul A Johnson
RR 2
Platte SD 57369

Dear Mr. Johnson:

In answer to your phone call to this office, September 9, 1981 regarding the additional acreage being covered by a Mr. Bert Yeager's Water Permit No. 4357-3.

Mr. Yeager's permit covers 73.4 acres in the NW 1/4 and 71.4 acres in SW 1/4, both in Section 26, T98N, R69W. Your Permit No. 2454-3 is for 254 acres in the W 1/2 of Section 23, T98N, R69W.

When our engineer inspected your Permit No. 2454-3 he found you were irrigating the following lands not included in either permit.

Section 23, T98N, R69W	acres
NE 1/4 NE 1/4	14
SW 1/4 NE 1/4	10
SE 1/4 NE 1/4	4
NW 1/4 SE 1/4	13
SW 1/4 SE 1/4	18
Section 26, T98N, R69W	
NW 1/4 NE 1/4	17
TOTAL	76 acres

There is 28 acres in the NE 1/4 NW 1/4 of Section 2, T98N, R69W this acreage is covered by Mr. Yeager's water permit. Do you irrigate this acreage for Mr. Yeager or should it be transferred to your water permit as the owner?

Also as stated in our previous letter it will be necessary to submit a WI-1 form with a soils map covering the transfer of acreage not covered under your permit to the Water Quality Laboratory, Water Resources Research Institute SDSU, Brookings SD 57007, indicating you are using Missouri River water. The soils information can be obtained from the local Soil Conservation District.

Since this involves a transfer of acreage it will have to be advertised for four weeks prior to a Water Management Board meeting. The fee will be \$150, which is the minimum fee for an application to appropriate water. We are enclosing another set of completed forms for your signature.

September 15, 1981
Paul A Johnson
Page 2

If you have any questions, please contact this office.

Sincerely,

BETTY WESTLUND

February 7, 1980

Paul A. Johnson
Plat #3
Plat SD 57369

Dear Mr. Johnson:

On August 23, 1975 in the process of making the final inspection of your Permit No. 2454-J, I found that you were irrigating portions of the $\frac{6}{8}$ of Section 23 and the $\frac{N}{4}$ of Section 26. Your permit only included areas in the $\frac{W}{4}$ of Section 23, T98N, R59W. In order to comply with the South Dakota Water Laws it will be necessary for you to submit an application to irrigate the areas mentioned above.

Enclosed is a completed Form 2, "Application for Permit" for this change in acreage. You should check over the form and the enclosed map to see if the areas irrigated are correct and make any corrections necessary. You indicated to me the north center pivot covered 140 acres. This would make a circle of 2800 feet in diameter. I plotted the center pivot about where you indicated and I arrived at 116 acres covered. You also indicated the south center pivot covered 110 acres. This would make a circle 2470 feet diameter. I arrived at 92 acres for this center pivot. If these figures do not agree with yours please feel free to make the necessary corrections. We want these to be as accurate as possible.

After you have made the necessary corrections please sign the form and have it notarized and return to this office with a check for \$150.00 to cover the cost of the filing fees.

It will not be necessary to submit another water sample but it will be necessary to submit a W-1 Form along with a soils map covering the acreage to the Water Quality Laboratory, Water Resources Research Institute, South Dakota State University, Brookings SD 57007. Indicate you are using Missouri River water. Your County Extension Agent has the proper forms. The soils information can be obtained from the local Soil Conservation District.

If you have any questions please feel free to contact this office.

Sincerely,

LEROY J. NERNAUGH
Water Resources Engineer

Paul H. Johnson

Acceage To Be Irrigated

The following in Section 23, T78N R69W

NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 27 Ac.

NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 33 Ac.

SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 24 Ac.

SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 32 Ac.

NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 6 Ac.

NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 14 Ac. x

SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 10 Ac. x

SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 4 Ac. x

NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 13 Ac. x

SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 18 Ac. x

SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 29 Ac.

The following in Section 26, T78N R69W

NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 28 Ac. x

NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 17 Ac. x

Total. 255 Ac.

Count this
do not
disturb

Form 2 - Application for Permit to Appropriate Water-Original (Includes Approval and Permit)

No.

Map No.

Water Division No.

District

Above for Office Use

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☐ Vested Right ☐ Future Use ☐

Change in Diversion ☐ Additional Diversion ☐

Change in Acreage ☒ Additional Acreage ☐

Permit # 2454-3

1. Name of Applicant Paul A. Johnson Phone No. _____

Post Office Address RR #2, Platte State South Dakota 57369
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) _____

3. Name of diversion work Johnson #1 and #2

4. Amount of water claimed (cubic feet per second) 13.6 (No additional)

5. Source of water supply Missouri River

6. Location of point of diversion 2300 ft. and 1200 ft. W of the NE cor. of Section 27, T98N R69W

County Charles Mix

7. Annual period or periods during which water is to be used June thru September

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 255

List below each forty acre subdivision, a 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>See attached sheet</u>			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Completed years. Additional time required to complete application of water to the proposed beneficial use _____ years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Platte Enterprise

12. Principal Features of the Proposed Water Supply System

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

Pump and Engine

B. Works proposed to transport water to place of use

Pipelines

C. Works proposed to apply water to beneficial use

Center Pivots and Big Gun

~~NOTE: This application is for a change to Permit # 2454-2. Permit # 2454-2 will be cancelled as this application is approved.~~

August 15, 1980

Paul A. Johnson
RR #2
Platte SD 57369

Dear Mr. Johnson:

On February 7, 1980 we sent you a partially completed application to appropriate an additional cfs of water to irrigate portions of land in the E $\frac{1}{2}$ Section 23 and the N $\frac{1}{2}$ Section 26, T98N, R69W. Your Water Permit No. 2454-3 does not cover these lands.

If you intend to irrigate during the 1981 irrigation season a Water Permit must be acquired for the additional acreage, from the Water Management Board, to comply with the State Water Laws.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

kw

Water Rights Division
605 773-3352

September 4, 1981

Paul A Johnson
RR 2
Platte SD 57369

Dear Mr. Johnson:

In reviewing our files it was discovered you have not brought your water permit No. 2454-3 into compliance with State Laws. You were notified of this February 7, 1980 & August 15, 1980.

Irrigation of lands without a water permit is in violation of State Statutes. The Water Management Board has suspended permits for one year for illegal pumping.

The necessary action to place all lands being irrigated under Permit needs to be completed.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:EH:kw

cc: Martin Gertner.
State Conservation Comm.



Department of Water & Natural Resources

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

February 17, 1989

Paul A. Johnsor

Platte, SD 57369

Dear Mr. Johnsor:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

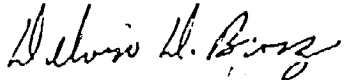


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,


for JOHN HATCH, Chief Engineer
Water Rights Division

South Dakota Department of
Water & Natural Resources

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

February 3, 1990

PAUL A JOHNSON

PLATTE, SD 57369

NOTICE

RE: Violation of Requirement to Submit 1989 Irrigation Questionnaire

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 2454-3. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted 1989 Irrigation Questionnaire 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 8:30 am, March 7, 1990 at the Howard Johnson's, Jefferson-Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

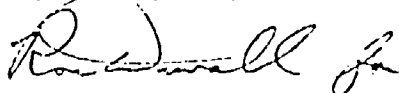
The hearing will be conducted pursuant to the provisions of SDCI. 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 2454-3 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.

If the questionnaire(s) is received in this office before the March 7th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,



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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 16, 1990

2454-3

Paul A Johnson
Platte SD 57369

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 2454-3. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall/KS

RON DUVAL
Natural Resources Engineer
Water Rights Division

2454-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 1993

NOTICE

TO: PAUL A. JOHNSON
PLATIE, SD 57369

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Failure to Report Chemical Use under Water Permit No(s) 2454-3

The first notice to file chemigation report(s) for Permit No(s) 2454-3 was dated October 16, 1992. Our records indicate that we have not received the 1992 chemigation report for Permits No(s) 2454-3. The Water Management Board has directed that owners of water permits who have not submitted the 1992 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 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 or up to three years for the 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). 2454-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 3, 1993 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.

2454-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: PAUL A JOHNSON
PLATTE SD 57369

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 2454-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 3, 1993, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2454-3 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, your name will be deleted from the Board agenda.

is your RETURN?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

PAUL A JOHNSON
PLATTE SD 57369

is your RETURN?

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991

U.S.G.P.O. : 1992-307-530

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

4a. Article Number

2454-3 | PAOL 540024

1b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandising

7. Date of Delivery

02-03-93

8. Addressee's Address (Only if requested and fee is paid)

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



2454-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 1, 1993

2454-3

Paul A Johnson
RR #2 Box 80
Platte, SD 57369

Dear Mr. Johnson:

I am writing to acknowledge receipt the 1992 irrigation questionnaire and chemical reporting form for Water Permit No. 2454-3. You may disregard the January 29, 1993, Notices of Violation of the Requirement to Submit the 1992 Irrigation Questionnaire and Failure to Report Chemical Use.

The questionnaire and chemical reporting form were received 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
Natural Resources Analyst
Water Rights Division
(605) 773-3352



2454-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

PAUL A JOHNSON
PLATTE SD 57369

NOTICE

RE: Violation of Requirement to Submit 1993 Irrigation Questionnaire

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 2454-3. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2454-3 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 questionnaire(s) is(are) received in this office on/or before April 1, 1994, your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☒ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

PAUL A JOHNSON
PLATTE SD 57369

24543

4a. Article Number

1837-692 543

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-17-94

5. Signature (Addressee)

6. Signature (Agent)

Paul A Johnson

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 ☆ U.S.G.P.O. : 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



2454-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 28, 1994

2454-3

Paul Johnson
RR #2 Box 80
Platte, SD 57369

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 1993 irrigation questionnaire. You may disregard the February 16, 1994, Notice of Violation of the Requirement to Submit the 1993 Irrigation Questionnaire.

The questionnaire 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 Division
(605) 773-3352



2454-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 4, 1995

5783-3

2454-3

Paul Johnson
RR #2 Box 80
Platte, SD 57369

Dear Mr. Johnson:

On April 26, 1993, an inspection of your water use system and chemigation equipment was conducted. The inspection found that portions of the chemigation equipment did not meet chemigation standards. You were made aware of the problems at the time of inspection and then by letter dated June 15, 1993 (copy enclosed) were sent a copy of the chemigation rules. To date, we have not heard from you on this matter.

The purpose of this letter is to inquire whether or not the problems encountered during the inspection have been remedied. If these items were corrected and the equipment is now in compliance with the chemigation standards, the inspection report can be updated and the water license processed. Please contact our office as to whether or not you have made the improvements to your chemigation system.

Thank you for your time and consideration in this matter. If you need assistance or have any questions, please contact either myself, or Barry McLaury of this office.

Sincerely,

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

enclosures



2454-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 6 1995

5783-3

Paul A. Johnson
RR 2, Box 80
Platte, SD 57369

Dear Mr. Johnson:

Enclosed is Water License No. 5783-3 and Receipt No. 414185 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 5783-3 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

gm
enclosures

NOTE: The applicable portions of Water Permit No. 2454-3 have been incorporated into this Water License No. 5783-3.

2454-3

Irrigation Plan Map

98 *John L. Cook D.C.*

11-5-75

*alt. main Div
not used*

Diversion
No. 1

015

98-69

~~MAP N21021-3~~ APPL N^o 2454-3

98-69

2300 ft

Diversion
Alt. 2

1200'

Pump
Site

027

98-69

11.6

4.5

Est
140 AC CP

78.9

10.6

NW $\frac{1}{4}$ NW $\frac{1}{4}$
27 AC

NE $\frac{1}{4}$ NW $\frac{1}{4}$
Center Pivot
33 AC

(2-151)

NW $\frac{1}{4}$ NE $\frac{1}{4}$

5 AC
covered
245+3

NE $\frac{1}{4}$ NE $\frac{1}{4}$

2 of 14 AC

SW $\frac{1}{4}$ NW $\frac{1}{4}$
24 AC

SE $\frac{1}{4}$ NW $\frac{1}{4}$
32 AC

SW $\frac{1}{4}$ NE $\frac{1}{4}$

4 AC

42.0

10 AC

13 AC

NW $\frac{1}{4}$ SE $\frac{1}{4}$

48.6

SE $\frac{1}{4}$ SW $\frac{1}{4}$
29 AC

SW $\frac{1}{4}$ SE $\frac{1}{4}$
18 AC

low time

Est
110 AC CP

22 23

27 26

23

26

73.4

NE $\frac{1}{4}$ NW $\frac{1}{4}$
28 AC

NW $\frac{1}{4}$ NE $\frac{1}{4}$
17 AC

(2-151)

5.0

on Boundary

NOT TO SCALE

