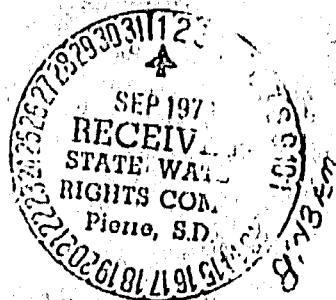


Water Right Number 30-38-3

1. Considered 10-21, 1970
2. Name of Applicant Juleson Bros. Inc.
3. Post Office Address Centerville
4. Amount of water claimed 1.9
5. Source of water supply 200' deep well
6. Water to be used for irrigation
- Acres to be irrigated 134
7. Water to be diverted and used in Clay County
about 13N, 4W Miles of Vermillion
8. Proof of Publication Received 1ST
Not received
9. Application Approved
Subject to
Not approved
Action deferred
10. Remarks:

No. 3038-3Map No. 2362-3 Water Division No. 3 VERMILLION RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Johnson Brothers Incorporated
Postoffice address Centerville State South Dakota
If a corporation show date and place of incorporation July 22, 1970
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work NA JOHNSON BR. #1
4. Amount of water claimed (cubic feet per second) 1.9 CFS
5. Source of water supply ground water
6. Location of point of diversion 1/4 Sec 34 45° E, 115 RODS FROM THE NW CORNER, SECTION 8, T94N, R51W
County Clay
7. Annual period or periods during which water is to be used May-October
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 131

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.
NW 1/4 NW 8-94-51	33		
SW 1/4 NW 8-94-51	33		
NE 1/4 NW 8-94-51	34		
SE 1/4 NW 8-94-51	34		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Plain Talk
12. Principal Features of the Proposed Water Supply System.
A. Works proposed to divert water from its natural source.
well
B. Works proposed to transport water to place of use.
well near center of pivot
C. Works proposed to apply water to beneficial use.
center pivot
- Estimated Total Cost \$ 40,000

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 ClayI, Reg. 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.Subscribed and sworn to before me this 9th day of October, 1976

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3038-3
JOHNSON BROTHERS, INC. CENTERVILLE
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57014 With the following modifications:
 (State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.

*Incorporated
into Water License
3571-3*

Date of first receipt of application SEPTEMBER 1, 1976
 Date of return to applicant for correction, amendments or changes required 19
 Date of receipt of corrected application OCTOBER 4, 1976
 Approved OCTOBER 21, 1976 Recorded in Book 16 Page 141
 WATER RIGHT PERMIT NO. 3038

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3038-3 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 SEPTEMBER 1, 1976
2. The equivalent of at least one fifth of the work above specified is to be completed on or before APRIL 21, 1979
3. The whole of said work is to be completed on or before OCTOBER 21, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is OCTOBER 21, 1985
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 19 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 OCTOBER 21, 1985; said water to be used during the following described annual period: MAY - OCTOBER

Witness my hand this 15th day of DECEMBER, 1976

WATER RIGHTS COMMISSION

By: John H. Helt
 Chief Engineer, Executive Officer

Certificate of Construction Issued 19
 Water License Issued 19

REPRODUCTION: REDUCTION 25%
 ROLL NO. 11
 DATE MICROFILMED
 CAMERA OPERATOR

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 18", Depth 200'
(2) Casing, Type Steel (wood, concrete, steel, etc.) Diameter 12' I.D. Thickness 1/2"
(3) Perforated Screen, Type Johnson Slotted, Diameter 12' I.D. Length 40'
(4) Gravel Pack, Thickness 2 1/2", Length of gravel pack 50'

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Medium Sand
143' - 200'

Depth to top of water bearing material 143'
Depth to bottom of water bearing material 200'
Thickness of water bearing material 57'
Depth to water (ground surface to water level) 195'

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 80 rds. On property owned by others 9 1/2 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Johnson Bros. Inc.
Signature of Applicant Roy E. Johnson

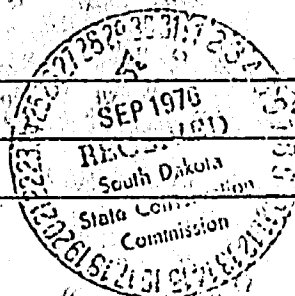
STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME Johnson Brothers Incorporated

ADDRESS Jenterville, South Dakota

COUNTY Clay



LEGAL DESCRIPTION

1. WELL LOCATION 115 rod and 150' NE of the SE corner of Section 5-04-51

2. LOCATION OF AREA TO BE IRRIGATED Sec 5-04-51

TYPE OF IRRIGATION

3. GRAVITY TOWLINE CENTER PIVOT X GUN

4. CROPS TO BE IRRIGATED Corn and beans

WATER QUALITY

5. SAMPLE NUMBER 76 1278

6. SALINITY (EC X 10⁶) 3.8 (very high)

7. SODIUM (SAR) 1.16 (mod)

8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from Clay County Soil Conservation District,
County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true and correct.

Ray Johnson
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
4 DAY OF July 19 76

Charles D. Peterson
(TITLE OR SEAL)

Alfred A. Zeller
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Office Building Number 2, Pierre, South Dakota 57501

Phone 605/224-3151

December 2, 1976

Johnson Brothers, Inc.
Centerville, SD 57014

Gentlemen:

Enclosed herewith is your Water Right Permit No. 3038-3 & 3039-3 as approved by the Water Rights Commission, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 3038-3 & 3039-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Rights Commission when you have completed the system and/or have put the water to beneficial use. The Commission can then schedule an inspection so that your Certificate of Construction and/or your Water License may be issued to you, thus completing your acquisition of a Water Right.

Respectfully,
WATER RIGHTS COMMISSION

JOHN HATCH
Chief Engineer

JH/BJJ/bk
Encl: As stated

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County MINNEHAHA) ss.

I, JOHN K. KOLL hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the SIOUX FALLS ARGUS LEADER

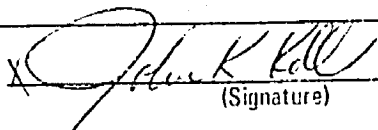
A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

CITY of SIOUX FALLS

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

TUESDAY OCTOBER 19, 1976

TUESDAY OCTOBER 26, 1976

X 
(Signature)

JOHN K. KOLL, CONTROLLER
(Title)

OCTOBER 26, 1976
(Date Signed)



No. 3038-3

Publish first publication, on or before October 12, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 5, 1976

Notice is hereby given that Johnson Brothers, Inc.

whose post office address is Centerville, 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

1.9 cubic feet of water per second of time from the ground water through the Johnson Bros. #1, the point of diversion of which is to be located in the

Center of the NW 1/4

of Section 8, Twp. 94N, Range 51W. Said water to be used for the purpose of providing irrigation on the following described land:
NW 1/4, Section 8, T94N, R51W

This application 3038-3 will be considered by the Water Rights Commission at their office at Pierre upon the 21st day of October, 1976, at 1:00 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFA/bw
cc: Johnson Brothers Inc., Centerville, S.D. 57014

October 10, 1980

Johnson Bros, Inc.
Centerville,
South Dakota 57014

Dear Sirs:

In writing up the water license on your Water Permit Nos. 3038-3 and 3571-3 it was discovered that you do not have the soil/water compatibility permit approval on Permit No. 3571-3 for the SW $\frac{1}{4}$, Section 5, T94N, R51W from the State Conservation Commission.

On Permit No. 3038-3, the soil/water compatibility permit approval has been received for the NE $\frac{1}{4}$, Section 8, T94N, R51W.

The Water License which will incorporate both permits cannot be issued until the soil/water compatibility approval has been received from the State Conservation Commission.

Your original WI-1 for the SW $\frac{1}{4}$ of Section 5 to irrigate from a well in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 5, T94N, R51W was disapproved. Since you are now irrigating the SW $\frac{1}{4}$ of Section 5 from the same well in Section 8, as under Permit No. 3038-3 for the NE $\frac{1}{4}$, a water sample will have to be sent in to Brookings with the WI-1. Contact Wynn Sudtelgte, State Conservation Commission, Anderson Building, Pierre SD (Phone 773-3259).

Upon receipt of the soil/water compatibility permit approval for the SW $\frac{1}{4}$, Section 5, T94N, R51W from the State Conservation Commission your Permits will be in compliance with the South Dakota State Laws and the Water License will be sent to you.

If you have any questions, please contact this office.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:BW:law

cc: Wynn Sudtelgte, State Conservation Commission



No. 3571-3

3038-3

Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

DEC 20 1985

Johnson Brothers, Inc.
c/o Gordon P. Johnson
RR#1, Box 89A
Centerville, South Dakota 57014

Dear Sir:

Enclosed herewith is, Water License No. 3571-3. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:MS

Enclosures

NOTE: Applicable portions of Water Permit No. 3038-3 have been incorporated into this License.

LAND USE MAP

Clay County Conservation District

Owner

Johnson Brothers Incorporated

State

S. Dak. County *Clay*

Approx. scale *8" per mile*

Prepared by U.S. Department of Ag.

Soil Conservation Service

