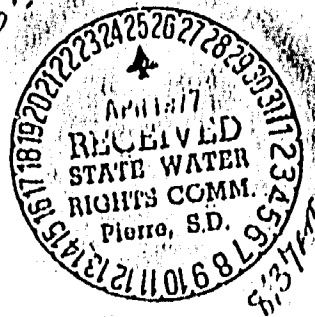


Water Right Number 3930-3

1. Considered 5-25, 19 77
2. Name of Applicant JAMES A. JOHNSON
3. Post Office Address REVILLO
4. Amount of Water claimed 2.5
5. Source of Water supply DRY DRAWS 2 DAMS - 450 AC FT
6. Water to be used for IRRIGATION
- Acres to be irrigated 199
7. Water to be diverted and used in DEUEL County
about 35, 3E miles of REVILLO
8. Proof of Publication Received 1ST 5-25-77
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
9. Application

10. Remarks:

No. 3930-3Map No. 3182-3 Water Division No. 3 MINNESOTA 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 James A. Johnson
 Postoffice address Pooville 57259 State So. Dakota
 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 James A. Johnson Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 2.8
5. Source of water supply 2 dams
6. Location of point of diversion #1 - 2300' N 150° E of NW corner Sec 6-117-48
#2 - 2110' N 150° W of NE corner Sec 6-117-48
- County Dawson
7. Annual period or periods during which water is to be used April through 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 199
 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 1/4 Sec 6-117-48	38	NW 1/4 NE 1/4 Sec 6-117-48	11
NE 1/4 " " " "	25	NE 1/4 " " " "	30
SW 1/4 " " " "	39	SW 1/4 " " " "	7
SE 1/4 " " " "	16	SE 1/4 " " " "	39

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use three years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Waterlaw Public Opinion
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source. contr. gate / pump on dam
- B. Works proposed to transport water to place of use. closed conduit
- C. Works proposed to apply water to beneficial use. center pivot irrigation machines

Estimated Total Cost \$100,000

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 BrinkleyI, James 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.Subscribed and sworn to before me this 14 day of April 1977

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3980-3

JAMES A. JOHNSON
(Applicant)

REVILLO
(Post Office Address)

SOUTH DAKOTA 57259 With the following modifications:
(State)

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE,
INCLUDING LIVESTOCK WATERING, MUST BE BY-PASSED.
APPROVAL OF THIS PERMIT AUTHORIZES STORAGE OF 450 ACRE
FEET OF WATER ANNUALLY.

Date of first receipt of application APRIL 25, 19 77
Date of return to applicant for correction, amendments or changes required _____, 19 ____
Date of receipt of corrected application MAY 4, 19 77
Approved MAY 25, 19 77, Recorded in Book 1B, Page 324

WATER RIGHT PERMIT NO. 3930-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3930-3 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 APRIL 25, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 25, 19 79
3. The whole of said work is to be completed on or before MAY 25, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 25, 19 85
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 2.8 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 which water is actually and beneficially applied for irrigation on or before MAY 25, 19 85; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 2ND day of AUGUST, 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

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 _____ Depth _____
- (2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type _____, Diameter _____, Length _____
- (4) Gravel Pack. Thickness _____, Length of gravel pack _____

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 _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property _____ rds. On property owned by others _____ 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.

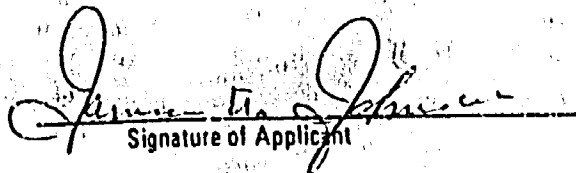
2 dams

Dam # 1

Dam # 2

Height _____ 35'
Max. Water Depth _____ 20'
Surface Area _____ 20 Acres
Storage cap _____ 180 Ac ft when full

Height _____ 25'
Max. Water Depth _____ 20'
Surface Area _____ 30 Acres
Storage cap _____ 370 Ac ft when full


Signature of Applicant

STOCK
W1 #1

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)



NAME James R. Johnson
ADDRESS Reville, S.D.
COUNTY Deuel

LEGAL DESCRIPTION

Sec 6

1. WELL LOCATION Pond - SW 1/4 of NW 1/4 of NE 1/4
2. LOCATION OF AREA TO BE IRRIGATED Tillable land on N 1/2 Sec. 6

TYPE OF IRRIGATION

3. GRAVITY TOWLINE CENTER PIVOT ☒ GUN
4. CROPS TO BE IRRIGATED Alfalfa & Small Grains Corn

WATER QUALITY

5. SAMPLE NUMBER 77-673
6. SALINITY (EC X 10⁶) 592 (Medium)
7. SODIUM (SAR) 0.14 (Low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 10

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 _____ 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.

James R. Johnson
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
28 DAY OF April 19 77.

John L. Johnson
(TITLE OR SEAL)

APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

RANGE SITE DESCRIPTIONS

SILTY:

These are deep, or moderately deep, soils having a very fine sandy loam to silty clay loam surface and subsoil. These are well and moderately well drained soils with a medium to high water-holding capacity and favorable soil-water-plant relationships.

Heaver
Clay
Loam

Climax plant cover is a mixture of the tall and mid grasses characteristic of the true prairie. Big and little bluestem are of major importance, although they do not dominate the site. Cool season grasses such as the decreasers - porcupinegrass and green needlegrass, and the increasers - needleandthread and western wheatgrass are important. Blue and sideoats grama are usually present, also Kentucky bluegrass.

CLAYEY:

These are deep upland soils having silt loam to clay surfaces and silty clay to clay subsoils. Somewhat restrictive horizons of clayey texture occur at depths of less than 14 inches. Dense restrictive horizons, if they occur at all, are at depths of more than 14 inches. Runoff is medium to slow and permeability is moderate to slow.

Climax plant cover is a mixture of the tall and mid grasses characteristic of the northern true prairie. The bluestems, big and little, are important but usually they are no more abundant than the cool season grasses. Green needlegrass is an important cool season decreaser and western wheatgrass is an increaser of major importance. Blue and sideoats grama are a significant part of the composition.

THIN UPLAND:

These are thin soils developed in calcareous parent materials. The thin calcareous surface (A horizon) may be silt loam, loam or clay loam. The relatively unweathered parent material (C horizon) is strongly calcareous, generally soft and very friable. Surface runoff is moderate to rapid. Permeability is moderate to moderately rapid.

Climax plant cover is a mixture of the tall and mid grasses characteristic of the true prairie. Little and big bluestem dominate this site. Needleandthread and sideoats grama are the most important increasers. Blue grama, plains muhly, western wheatgrass and sedges are increasers of less importance.

OVERFLOW:

These soils regularly benefit from more than normal soil moisture because of stream overflow or run-in from higher land. Soils are deep and the texture in surface and subsoil typically varies from loam to silty clay but may include sandy loam.

Water absorbing and holding ability is high. The general fertility level and organic content of these soils is very high. The water table, which may be higher for short periods, is generally five feet, or more, below the surface.

Signed _____

climax plant cover is a stand of tall prairie grasses. Big bluestem is the major dominant. Occasionally green needlegrass or porcupine-grass occur in appreciable amount but they seldom dominate the site. Indiangrass, switchgrass, Canada wildrye and little bluestem may be significant. The principal increasers are western wheatgrass and sideoats grama. Kentucky bluegrass is usually present as a part of the understory.

WET LAND: These soils are characterized by a water table that is within 36 inches of the surface during most of the growing season. The water table may rise above the surface for short periods during the spring but this condition does not persist, as it does on open water marshes. Soils in the surface and subsoil vary from sandy loam to clay. These soils are not saline. Excess water and the resultant poor aeration of the soil, limits the kind of grass that can grow on this site. These soils are too wet and poorly aerated to grow bluestems.

This range site has the potential to produce a luxuriant stand of water tolerant grasses. Prairie cordgrass is the major dominant. Bluejoint and northern reedgrass and reed canarygrass may make up an important part of the composition. Grasses such as switchgrass and Canada wildrye usually occur near the junction of this site with a drier site. Slough sege, a tall and palatable species, may make up 15 to 20 percent of the vegetation. Shrubs and trees are rarely of consequence.

CONSERVATION PLAN MAP

Owner James H. Jones Conservation District 1
 County Greenfield State Ill. Photo Nos.
 Date prepared 7-20-41 Approx. Scale 1" = 1 mile

PREPARED BY U.S. DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE

—N

11 6
 60 4

R 48

COUNTY

S1/4

S1/4

S1/4

S1/4

6

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57006

Submitted by: Jim Johnson
 Address: Box 1
Reville, SD 57259

Date Rec'd: April 27, 1977
 Sample No. 77-673
 Identification pond
NE 1/4, Sec. 6, T R 48N

WATER ANALYSIS

Calcium (Ca)	83	ppm*	4.40	me/l**
Magnesium (Mg)	34	ppm	2.76	me/l
Sodium (Na)	6	ppm	0.26	me/l
Potassium (K)	4	ppm	0.10	me/l
Sulfate (SO ₄)	202	ppm	4.21	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	5	ppm	0.14	me/l
Bicarbonate (HCO ₃)	117	ppm	1.92	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	96	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	592	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.14			
Sodium	3.45	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.67			

*ppm=parts per million

**me/l=miliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 7.52 me/l
 Total anions 6.27 me/l

By: Shirley Pittman

Service Performed

Amount Due

Irrigation analysis

\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 77-673

Form 6 - Notice of Intent to Appropriate Water

No. 3930-3

Publish first publication, on or before May 12, 19 77

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 5, 19 77

Notice is hereby given that James A. Johnson

whose post office address is Revilla, 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, 0 cubic feet of water per second of time from the surface runoff (two Jans) through the

James A. Johnson # 1, the point of diversion of which ^{is} to be located in the _____

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

of Section 6, Twp. 117N, Range 48W. Said water to be used for the purpose of providing irrigation on the following described land:

N $\frac{1}{4}$, Section 6, T117N, R48W

This application No. 3930-3 will be considered by the Water Rights Commission at their office at Pierre upon the 25th day of May, 19 77, at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERTON
Water Rights Specialist

BFJ/bw

cc: James A. Johnson, Revilla, SD 57259

No. 3930-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Deuel) ss.

I, Gary DeJong hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Clear Lake Courier

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

town of Clear Lake

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

May 12, 1977

May 19 1977

Gary DeJong
(Signature)

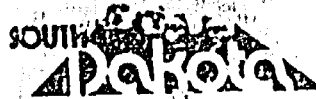
Public
(Title)

May 23 1977
(Date Signed)

NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, S. D. 57501
May 5, 1977
Notice is hereby given that
James A. Johnson whose post
office address is Revillo, 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 2.8 cubic feet of
water per second of time from
surface runoff (two dams) through
the James A. Johnson No. 1, the
points of diversion which are to
be located in the SE 1/4 NW 1/4 and
NW 1/4 NE 1/4 of Section 6, Twp.
117N, Range 48W. Said water to be
used for the purpose of providing
irrigation on portions of the
following described land:
N 1/2, Section 6, T117N, R48W
This application No. 3930-3 will
be considered by the Water Rights
Commission at their office at
Pierre upon the 25th day of May,
1977, at 10:00 a.m. All interested
persons may appear and be heard.
WATER RIGHTS COMMISSION
BY: JAMES WINTERTON
Water Rights Specialist
May 12 & 19





Department of Water & Natural Resources

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

August 22, 1990

3930-3

James A Johnson
RR #1 Box 347
Reville, SD 57259

Dear Mr. Johnson:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 3930-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

Water Rights Division - DVNR
Conversation or File Documentation

File No. 3970-3

NAME OF PERSON OR FILE: FARMER, JOHNSON

ADDRESS: _____ COUNTY Denver

DATE: 5/29/90 TELEPHONE 623-4310

RE: Meeting at Johnson's Farm

COMMENTS:

I CALLED THE JOHNSON'S CONCERNING THE
POSITIONING OF THE TOWABLE CANAL THAT IN
MR. JOHNSON'S OPINION THAT THE POSITIONING
OF THIS CANAL WAS SUCH THAT THE CANALS
IRRIGATED WERE NOT LOCATED UNDER THE PLANT

ON 8/15/90 I STOPPED AT THE JOHNSON'S FARM
TO DETERMINE THE PLACEMENT OF THE TOWABLE SYSTEM
THERE IS APPROXIMATELY 4 ADDITIONAL ACRES IRRIGATED IN
THE SW 1/4 & SE 1/4 THAN WHAT WAS ANTICIPATED FOR.

File in Permit or other file as necessary. Use to document conversations and
what the other party was told; why action or decision was made.

NAME: Mark J. [Signature]

Permit No. 3930-FMINNESOTA RIVER Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by JAMES A JOHNSON of REXILCO, SD holder of Permit No. 3930-3, bearing the priority of APRIL 25 1977 authorizing the diversion of 2.8 cu. ft. per second of the waters of SURFACE WATER for IRRIGATION purposes, in DEUEL County.

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

- A. Works used to divert the water: A BERKLEY PUMP WITH A 550 gpm CAPACITY POWERED BY A 30 hp ELECTROL MOTOR
- B. Works used to transport water to place of use: 1200 FT OF 8 INCH PVC PIPE AND 1100 FT OF 6 INCH PVC PIPE
- C. Works used to apply water to beneficial use: A 716 FOOT CENTER PIVOT AND A 183 FOOT TOWABLE CENTER PIVOT

The system is in the following condition FAIRThe point of diversion is located FROM NE CORNER OF SECTION 6-T117N-R48W 1850' WEST AND 850' SOUTHThe works are capable of diverting and conveying to the place of use 1.22 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: ALL LANDS LOCATED IN SECTION 6-T117N-R48W

NW 1/4 NE 1/4 - 2ac

NE 1/4 NE 1/4 - 17ac

SE 1/4 NE 1/4 - 28ac

SW 1/4 NE 1/4 - 11ac

comprising a total of 58 acres of land and the license should be issued for 0.83 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date 4/17/78

M. D. [Signature]
 [Signature]
 [Signature]

LICENSE FOR PERMIT NUMBER 3930-3

1. Legal location of wells: DAM IS LOCATED IN THE S 1/2 NW 1/4 NE 1/4
OF SECTION 6 - T117N - R45W. POINT OF DIVERSION LOCATED FROM THE NE
CORNER OF SECTION 6, 1850 WEST AND 850 FEET SOUTH

2. Well Information: Well Drilling Firm _____

Completion Report Yes ___ No ___ No. of Wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level _____

Pump a) make BERKLEY Motor a) make GF

b) model BPE 2CM b) model No. 3600

c) size 4" c) horsepower rating 30

d) capacity 550 gpm

e) turbine pump -- no. of stages _____

f) operating PSI 70

3. Distribution lines or canals

a) size 8" $\frac{1}{2}$ 6"

b) type PVC

c) length _____

4. Dam Information:

a) height to crest 24' m) Outlet tubes: N/A

b) height to primary spillway 21' 1) diameter _____

c) height to secondary spillway 22' 2) type _____

d) crest width 15' 3) valved (Y/N) _____

e) crest length 250' 4) valve type _____

f) spillway length 75' 5) location on structure _____

g) spillway width 18" DIAMETER

h) approx. storage 50 ac-ft n) Category of Dam 3

i) approx. storage to crest 180 ac-ft

j) date constructed 1965

k) inspection sheet completed (Y/N) N

l) Name of Contractor TOWIN ANNETT

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of
sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make VALLEY WATER DRIVE
- 2) number of towers 6
- 3) distance between towers _____
- 4) overall length 716'
- 5) end gun (Y/N) Y
- 6) high or low pressure H
- 7) make & size of nozzles
RAINBIRD, NELSON
- 8) capacity (GPM) 550

g) siphons

- 1) size _____
- 2) number _____

NOTE:

For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
<u>X</u>	___	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>A</u>	___	2. Special qualifications to permit being abided by?
<u>X</u>	___	3. All structures, wells and lands on map?
<u>X</u>	___	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
___	<u>X</u>	5. Is chemigation used?
___	<u>NA</u>	6. If yes, does equipment comply with chemigation rules?

REMARKS:

LICENSE FOR PERMIT NUMBER 3930-3 CONTINUED

1. Legal location of well: _____
_____ dams & structures: _____

2. Well Information: Well Drilling Firm _____

Completion Report	Yes _____ No _____	No. of Wells _____	Depth _____
Casing	a) diameter _____	Screen	a) type _____
	b) length _____		b) length _____
	c) type _____	Static Water Level	_____
Pump	a) make _____	Motor	a) make _____
	b) model _____		b) model No. _____
	c) size _____		c) horsepower rating _____
	d) capacity _____ gpm		
	e) turbine pump - no. of stages _____		
	f) operating PSI _____		

3. Distribution lines or canals

a) size _____
b) type _____
c) length _____

4. Dam Information:

a) height to crest _____	m) Outlet tubes:
b) height to primary spillway _____	1) diameter _____
c) height to secondary spillway _____	2) type _____
d) crest width _____	3) valved (Y/N) _____
e) crest length _____	4) valve type _____
f) spillway length _____	5) location on structure _____
g) spillway width _____	
h) approx. storage _____	n) Category of Dam _____
i) approx. storage to crest _____	
j) date constructed _____	
k) inspection sheet completed (Y/N) _____	
l) Name of Contractor _____	

5. System Type a) sideroll.

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of
sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make Valley Little Fowler Towable
- 2) number of towers 1
- 3) distance between towers _____
- 4) overall length 183'
- 5) end gun (Y/N) Y
- 6) high or low pressure HIGH
- 7) make & size of nozzles
RAINBIRD, NELSON
- 8) capacity (GPM) 420

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
---	---	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
---	---	2. Special qualifications to permit being abided by?
---	---	3. All structures, wells and lands on map?
---	---	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
---	---	5. Is chemigation used?
---	---	6. If yes, does equipment comply with chemigation rules?

REMARKS:

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3930-3

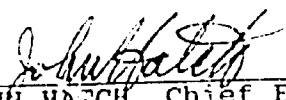
(1) James A. Johnson of RR #1 Box 347, Revillo SD 57259 made Application No. 3930-3, April 25, 1977 for a water permit to appropriate 2.8 cubic feet of water per second from two dry draw dams, Deuel County, South Dakota for irrigation purposes. Permit No. 3930-3 with a priority date of April 25, 1977 was approved May 25, 1977 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before May 25, 1982 and for the application to beneficial use of said water on or before May 25, 1985.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.83 cubic feet of water per second for beneficial use. The location of the diversion point is: 1850'W and 850' S of the NE corner of Section 6, T117N R48W (the dam has a storage capacity of 180 acre feet).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T117N, R48W Section 6 NW1/4 NE1/4	2 acres
NE1/4 NE1/4	17 "
SE1/4 NE1/4	28 "
SW1/4 NE1/4	11 "
Total	58 acres

(4) Pursuant to Section 46-5-30.1 James A. Johnson of RR #1 Box 347, Revillo SD 57259 the holder(s) and/or owner(s) of Water Permit No. 3930-3 is issued a license to appropriate water, the right to use 0.83 cubic feet of water per second from a dry draw dam with a priority date of April 25, 1977 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 3930-3 and subject to South Dakota State Law.

 NOV 7 1990
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources



Department of Water & Natural Resources

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

3930-3

NOV 7 1990

James A. Johnson
RR #1 Box 347
Reville SD 57259

Dear Mr. Johnson:

Enclosed is Water License No. 3930-3. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 412352 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

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

Very truly yours,

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

enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, August 1, 1920

RECEIVED OF James A. Johnson, RR #1 Box 347, Revilla Co SD 57258

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. 3930-3 50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By John A. Johnson

Chief Engineer

NOT TO SCALE

64.4 Mark O Rath

NATURAL RESOURCES ENGINEER II

WATER RIGHTS DIVISION

8/21/90

49.8

T2468

183

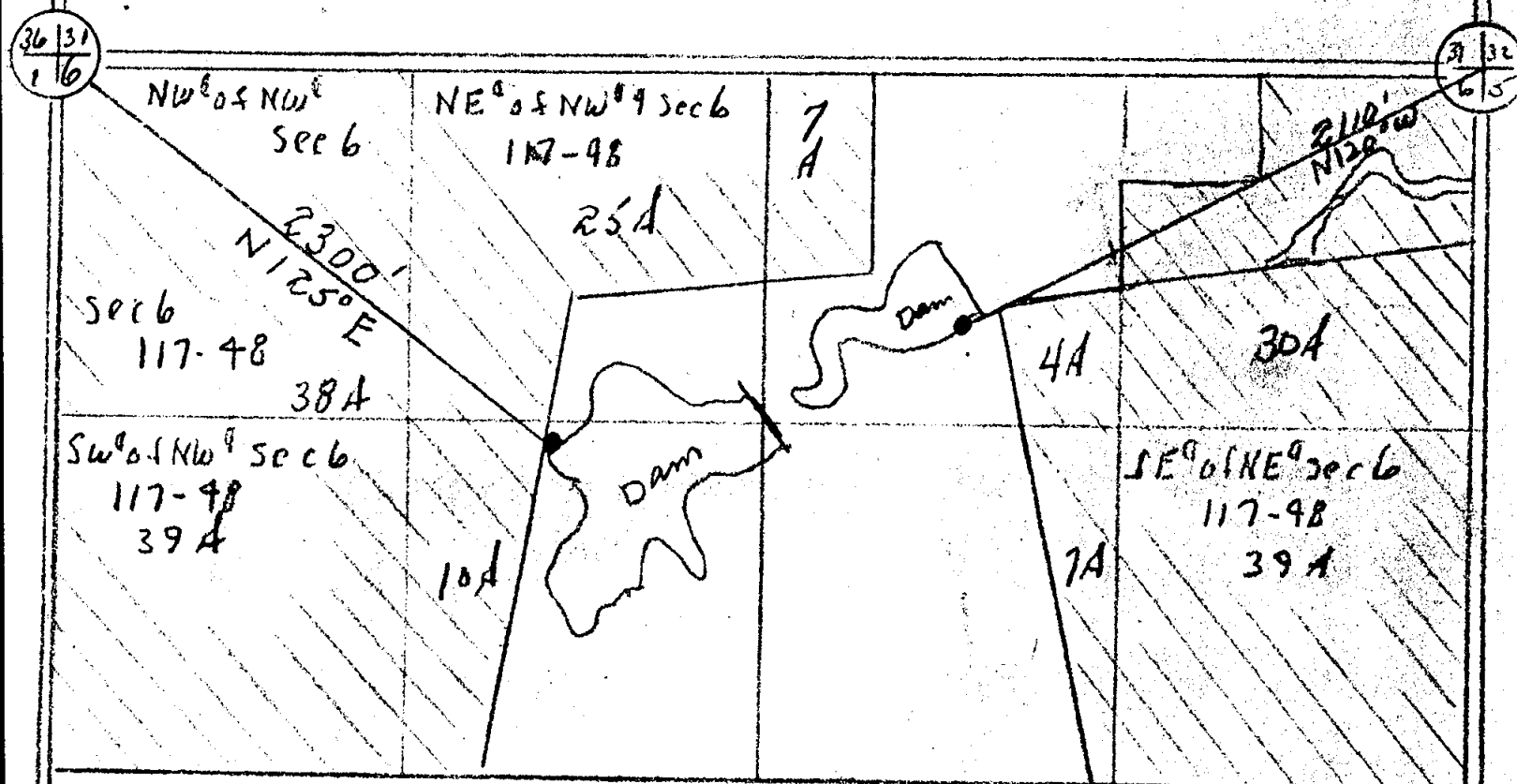
11.96

14.7

1850

117-48

Water Right
3930-3



James A. Johnson

Irrigation Project #1
Reville S Dakota

57259

Acres Irrigated - 199

Water claimed 2.8 cfs

Source of Water - Two dams

MAP NO 5152-3 (APPENDIX 3980-3)

4-15-77
Certified
Correct
John Johnson



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

August 15, 2007

3930-3

Bertha D Johnson
47865 166th St
Reville SD 57259-5112

Dear Mrs. Johnson:

Thank you for taking the time to visit with me concerning Water Right No. 3930-3. I have enclosed a copy of the water right and the map showing the acreage authorized for irrigation.

A review of the files indicates the land was last irrigated in 1990. Under South Dakota Water Law, water must be applied to beneficial use for the purpose it was appropriated once every three years in order to maintain the water right. The three year period may be waived if legal excuse exists for the years of non-use. Enclosed is a copy of excerpts of the water laws and Water Management Board Rules dealing with these issues.

The water right authorizes diversion of water from a dry draw dam for irrigation purposes. If a decision is made that the irrigation portion of the water right has been abandoned, the storage dam is large enough that a water right needs to be maintained for it. If this is the case, then the irrigation portion would be cancelled and removed from the water right and the license would be reissued for domestic livestock watering.

Please review the enclosed information and let us know if you think legal excuse exists for the years of non-use and whether or not you would be agreeable to cancellation of the irrigation portion of the water right. No matter what decision is made concerning the irrigation part of the water right, it should be transferred to reflect current ownership.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program. When sending in the ownership change and filing fee, please let me know your intent towards the water right. If I can answer any questions for you, please contact me.

Sincerely,

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

RECEIVED

AUG 23 2007

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 3930-3

Date: 8-21-07

I/We request that Water Right No. 3930-3

formerly owned by: James A Johnson

be transferred to: (name & address) Bertha D Johnson, 47865 166th St, Revillo SD 57259-5112

and/or Mark J. Johnson - 47865 166th St Revillo S.D. 57259-5112

Telephone No. 605 623-4370

Title to the following described land(s)/property has been transferred as described above:

58 acres - NE ¼ Section 6, T117N, R48W

I/We understand that the validity of Water Right No. 3930-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Bertha D Johnson, Mark J Johnson, the new owner, certify that the above information is true and correct.

Bertha D Johnson, Mark J Johnson
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date August 23, 20 07

RECEIVED OF James A. Schaefer 47865 166th St. Reville SD 57259

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>3930-3</u>	2	50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)		
TOTAL	2	50

No.

03141

By

James A. Schaefer
Chief Engineer

28



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

August 27, 2007

3930-3

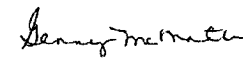
Bertha D Johnson
47865 166th St
Reville SD 57259-5112

Dear Ms. Johnson:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee you submitted for changing ownership on Water Right No. 3930-3. The transfer has been completed. The water right, formerly held by James A Johnson is now listed in the names of Bertha D and/or Mark J Johnson.

Enclosed is your Receipt No. 03141 in the amount of \$2.50. You may keep this for your records. If I can answer any questions for you, please contact me.

Sincerely,


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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 5, 2011

3930-3

Bertha D & Mark J Johnson
47865 166th St
Reville SD 57259-5112

Dear Ms. Johnson & Mr. Johnson:

I am writing in regard to your Water Right No. 3930-3. The water right authorizes diversion of water from a dry draw storage dam for irrigation of 58 acres in the NE ¼ Section 6, T117N, R48W. At the time of licensing, the storage dam had a capacity of 180 acre feet of water.

In preparation for mailing this year's irrigation questionnaire, I found a note in the file concerning last year's questionnaire on which you indicated the use had been abandoned. Typically when an irrigator indicates the use has been abandoned, the water right is scheduled for cancellation consideration. In the case of Water Right No. 3930-3, the storage dam has a capacity which requires continued permitting.

What we can do to eliminate the need for submission of yearly irrigation questionnaires is to schedule the irrigation component of the water right for cancellation and leave authorization to impound water in the storage dam for domestic use. Once this occurs, the water license would be reissued for domestic use and a copy sent to you for your records.

The 2011 irrigation questionnaires will be mailed from our office within the next couple weeks. When returning the form, please make a notation on it verifying that you agree with cancellation of the irrigation component and reissuance of the water right for domestic use.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.gov

October 25, 2011

NOTICE OF CANCELLATION

TO: Bertha D or Mark J Johnson, 47865 166th St, Revillo SD 57259 5112

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

SUBJECT: Cancellation of portions of Water Right No. 3930-3

Water Right No. 3930-3 authorizes diversion of 0.83 cubic feet of water per second from a dry draw storage dam to irrigate 58 acres. The Chief Engineer of the Water Rights Program is recommending cancellation of the irrigation component of Water Right No. 3930-3 due to abandonment. On your 2011 irrigation questionnaire you confirmed that use of water for irrigation has been discontinued and the existing storage dam is used for domestic use only.

The Water Management Board will consider cancellation of the irrigation component of Water Right No. 3930-3 at 10:00 a.m., Wednesday, November 30, 2011 at the Chamber of Commerce Building, 800 West Dakota Avenue, Pierre, SD *(the agenda time is an estimate and the actual time of hearing may be later than 10:00 a.m.)*

The recommendation of the Chief Engineer is not final or binding upon the Board. The Board is authorized to 1) cancel, 2) cancel portions of, 3) delay action on, or 4) take no action on Water Right No. 3930-3 based upon facts presented at the public hearing. Our records show you to be the owner of property covered by this water right. If you wish to oppose the cancellation and if you intend to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, you must file a written petition with the Chief Engineer by November 21, 2011. The petition may be informal, but it must include a statement describing the reasons for your opposition to the cancellation, and your signature and mailing address or your legal counsel if legal counsel is obtained.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-1 thru 46-1-10, 46-1-14 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-5-36, 46-5-37, 46-5-37.1; 46-2A-1 thru 46-2A-7; and Board Rules ARSD 74:02:01:36 thru 74:02:01:41. These are contested cases pursuant to procedures contained in SDCL 1-26.

October 25, 2011
Bertha D or Mark J Johnson
Page 2

This hearing may be an adversarial proceeding. Any party 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 State Supreme Court as provided by law.

The time of the hearing will be automatically extended for at least twenty days upon your written request to the Chief Engineer after a petition has been filed to oppose the cancellation. If an extension is requested, the hearing on the cancellation will be continued until the next regular Board Meeting. Any request for extension must be filed with the Chief Engineer by November 21, 2011.

Prior to November 21, 2011, contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) if assistance is needed with the following: 1) further information on the proposed cancellation; 2) to assure access to the meeting room for the handicapped; or 3) to obtain an interpreter for the hearing impaired.

Please note:

According to SDCL 1-26-18.3, parties to a contested case may use the Office of Hearing Examiners to conduct a hearing if either a property right is being terminated or the dollar amount in controversy exceeds \$2,500.00. If you choose to use the Office of Hearing Examiners rather than the hearing procedure described above, then you need to notify the Chief Engineer (Water Rights Program, 523 E. Capitol Avenue, Pierre SD) by November 21, 2011.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

RECOMMENDATION OF CHIEF ENGINEER

FOR WATER RIGHT NO. 3930-3, BERTHA D OR MARK J JOHNSON

Pursuant to SDCL 46-2A-2 and 46-5-37.1, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Right No. 3930-3.

The Chief Engineer is recommending cancellation of the irrigation component of Water Right No. 3930-3 due to abandonment. On the 2010 irrigation questionnaire, the water right holders indicated the use had been abandoned. On the 2011 irrigation questionnaire, additional comments were included indicating agreement by the Johnson's for cancellation of the irrigation component of the water right with continued authorization to impound water in the storage dam for domestic use.

RON DUVALL, Natural Resources Engineer
for Garland Erbele, Chief Engineer
October 25, 2011

Note:

Upon cancellation of the irrigation component of the water right, the water license will be reissued to allow for continued authorization to impound water in the dry draw dam for domestic use.

CERTIFICATION

I hereby certify that on October 25, 2011, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated October 25, 2011 regarding cancellations addressed as stated below:

Bertha D or Mark J Johnson, 47865 166th St., Revillo SD 57259 Water Permit No. **3930-3**

Marvin Post, 21242 461st Ave., Volga SD 57071 Water Permit No. **6928-3**

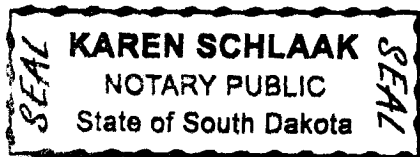
David Diedrich, 7345 Valley View Rd., Brookings SD 57006 Water Permit No. **6976-3**


Gail Jacobson
Secretary, Water Rights

[illegible]

Sworn to, before me, this 25th day of October, 2011.

Karen Schlaak
Karen Schlaak
Notary Public
My Commission expires April 1, 2013





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

December 1, 2011

3930-3

NOTICE

Bertha D & Mark J Johnson
47865 166th St
Reville SD 57259 5112

Dear Ms. Johnson and Mr. Johnson:

This will notify you that the Water Management Board cancelled the irrigation component of your Water Right No. 3930-3 on November 30, 2011. The water right had authorized impoundment of water from a dry draw for irrigation purposes.

The action to cancel the irrigation portion of the water right was taken under the conditions outlined in our notice to you dated October 25, 2011. The water license will now be reissued to authorize continued use of the storage dam for domestic use. The reissued license will be sent to you under separate cover within the next couple weeks.

If you have any questions concerning the Board action, please contact Genny McMath, with our program, at (605) 773-3352.

Sincerely,

A handwritten signature in black ink, appearing to read "Garland Erbele". The signature is fluid and cursive, written over a white background.

Garland Erbele, Chief Engineer
Water Rights Program

CERTIFICATION

I hereby certify that on December 1, 2011, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated December 1, 2011 regarding cancellations addressed as stated below:

Water Right No. 800-1: Anna Jane Mickelson, PO Box 728, Mobridge SD 57605-0728

Water Right No. 1630-2: Harlan Halverson, Box 39, Kennebec SD 57544

Water Right No. 3930-3: Bertha D & Mark J Johnson, 47865 166th St, Revillo SD 57259 5112

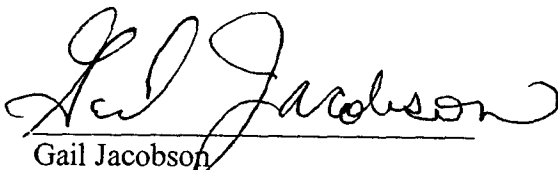
Water Permit Nos. 6464-3 & 6860-3: Cornie Schelling, 525 S Dakota Ave, Corsica SD 57328

Water Permit No. 6716-3, Bob Law Inc, 3812 SD Hwy 314, Yankton SD 57078

Water Permit No. 6755-3, Pete Brandner, Brandner Brothers, 1103 Main St N, Herreid SD 57632

Water Permit No. 6928-3, Marvin Post, 21242 461st Ave, Volga SD 57071

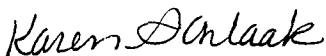
Water Permit No. 6976-3, David Diedrich, 7345 Valley View Rd, Brookings SD 57006



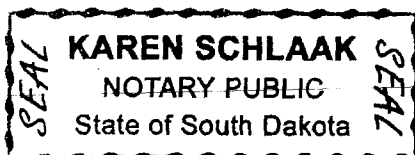
Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 1st day of December, 20 11.



Karen Schlaak
Notary Public
My Commission expires April 1, 2013



Licensing of Irrigation Water Right for Stock Watering

NAME: Bertha D or Mark J Johnson

ADDRESS: 47865 166th St, Revillo SD 57259-5112

DATE: December 12, 2011 **COUNTY:** Deuel

BOARD ACTION:

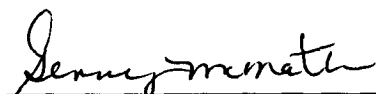
Pursuant to SDCL 46-1-12, on November 30, 2011 the Water Management Board took action to cancel the irrigation component of Water Right No. 3930-3. The action to cancel was based on the 2011 irrigation questionnaire submitted by the water right holders on October 18, 2011. The questionnaire indicated they were not using water for irrigation purposes but were still storing water in the dam for domestic purposes.

AUTHORITY

Pursuant to SDCL 46-5-31.1, if permitted irrigation use from a storage dam is abandoned or forfeited but the storage dam is used for stock watering, stock watering may be added to the license or permit upon the request of the permit or license holder.

RECOMMENDED ACTION

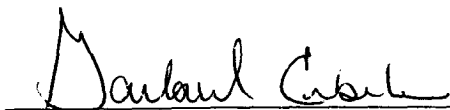
Based on the Board action to cancel the irrigation portion of the water right, it is recommended that the water license be re-issued for stock watering.



Genny McMath
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-31.1 that:

The addition of stock watering does not impair existing water rights and no diversion of water will be made from the storage dams. Licensing of the water right for stock watering may occur without application or publication pursuant to SDCL 46-2A-4.



Garland Erbele, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

DEC 12 2011

3930-3

Bertha D & Mark J Johnson
47865 166th St
Reville SD 57259-5112

Dear Ms. Johnson and Mr. Johnson:

Enclosed is your Reissued Water License No. 3930-3.

On November 30, 2011, the Water Management Board took action to cancel the irrigation component of your Water Right. The enclosed license authorizes impoundment of water in the existing dam for livestock watering purposes.

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

REISSUED WATER LICENSE NO. 3930-3

(1) James A Johnson was issued Water License No. 3930-3, November 7, 1990 for a water right to divert 0.83 cubic feet of water per second from a storage dam on a dry draw, Deuel County, South Dakota for irrigation purposes. Water License No. 3930-3, with a priority date of April 25, 1977 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.

On August 23, 2007, Water Right No. 3930-3 was transferred to Bertha D Johnson and/or Mark J Johnson.

On November 30, 2011, the Water Management Board cancelled the irrigation portion of the water right. The storage dam is still in place and used for domestic livestock watering.

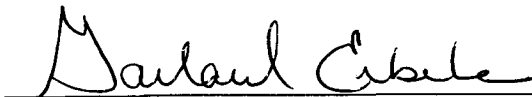
Pursuant to SDCL 46-5-31.1, stock watering may be added as a water use to a license provided no diversion is made from the dam. The Chief Engineer made a finding that the addition of stock watering does not impair existing water rights.

(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 Water Law 46-5-30.1 Bertha D Johnson and/or Mark J Johnson, 47865 166th St, Revillo SD 57259-5112 the holders and/or owners of Water Right No. 3930-3 are issued a license bearing a priority date of April 25, 1977 to impound 180 acre feet of water in a dry draw storage dam for domestic livestock watering purposes.

The storage dam (spillway) is located in the 1,850 feet west and 850 feet south of the NE corner of Section 6, T117N, R48W. Water is impounded in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, T117N, R48W.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 3930-3 and subject to the following qualification:

- Approval authorizes storage of 180 acre feet of water annually.
- Low flows as needed for downstream domestic use, including livestock water and prior water rights must be bypassed.



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

DEC 12 2011
date

