

1. Considered March 25 19 81
2. Name of Applicant LeRoy M. Johnson
3. Post Office Address Volin, S.D. 57072
4. Amount of Water Claimed 2.2
5. Source of Water Supply 258' well
6. Water to be used for IRR
7. Acres to be irrigated 154 maximum acre feet
8. Water to be diverted and used in Yankton County
about 1 1/2 N-7W 9 1/2 E miles East of ~~Volin~~ VOLIN
9. PROOF OF PUBLICATION Received (1/14) 3-10-81
Not Received
APPLICATION Approved
Subject to
Not Approved
Action deferred

Priority 1-19-81 Date Received 1/19/81 Application Complete yes X no FEE 250.00

Remarks WATER
QUALITY

Date information and/or
fee or corrected Application received
Period of Annual use March 1 - November 1st

Received yes 3/12/81 no APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes no Remarks

Disapproved Returned Diversion Point ~~SW 1/4~~ Sec. 2-94-55Approx Center of SW 4

Lands to be Irrigated
SW 1/4 2-91-55

x					

WELL
LOGRemarks Driller Wetmore Drilling Licensed yes X no Depth 258 foot well

MAP

Map No. 3845-3 Map located in Water Right ✓ Map file _____

Type of Map Aerial Prepared by Hans Muller

+++++

REVIEWED

This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 3/25/81.

Betty Westlund
(Signed)

+++++

PROTESTS

Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS

Date _____

F.F. & C

Final Decision, including F.F. & C of Law were adopted _____

OF LAW,

Date _____

FINAL

Final Decision mailed to parties and/or parties notified that Final Decision

DECISIONS

ETC.

was adopted _____

Remarks _____

No. 4629-3Map No. 3845-3 Water Division No. 3 VERMILLION RIVER District
Above for Office Use 10170102

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 LeRoy M. Johnson Phone No. 267-2259
 Post Office Address Valin (Street, RR, or Box) (Town) State S. D. 57072 (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT3. Name of diversion work LeRoy M. Johnson4. Amount of water claimed (cubic feet per second) 2.25. Source of water supply WELL6. Location of point of diversion NE 1/4 of SW 1/4 2 94-55
APPROX CENTER.County YANKTON7. Annual period or periods during which water is to be used March 1 - May 18. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION9. For irrigation use, Total number of acres to be irrigated 154

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>SW 1/4 2 94-55</u>	<u>154</u>		

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 2 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Press & OAKMAN

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source

PUMP & PIPE

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

PIPE

C. Works proposed to apply water to beneficial use.

Pivot Type SystemEstimated Total Cost \$ 62,000

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 YANKTON)I, LeRoy M. 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 LeRoy M. JohnsonSubscribed and sworn to before me this 14th day of April 19 21

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4629-3

Le Roy M. Johnson Volin
(Applicant) (Post Office Address)
South Dakota 57072
(State) With the following qualifications.

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 adequate domestic wells or in irrigation wells having prior water rights.

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application JANUARY 19, 1981
Date of return to applicant for correction, amendments or changes required JANUARY 19, 1981
Date of receipt of corrected application FEBRUARY 12, 1981
Approved MARCH 26, 1981, Recorded in Book 22 Page 79

WATER RIGHT PERMIT NO. 4629-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4629-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions

1. The date from which applicant may claim right is JANUARY 19, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 26, 1983
3. The whole of said work is to be completed on or before MARCH 26, 1986
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 26, 1986
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 2.2 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 irrigation purposes said appropriation must be limited to not more than 2 acre feet 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 MARCH 26, 1986 said water to be used during the following described annual period: MARCH 1 - NOVEMBER 1

Witness my hand this 20th day of APRIL, 1981

THE WATER MANAGEMENT BOARD

By John Patek
Chief Engineer Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

P.O. Box 577
Elk Point, South Dakota 57025
Phone (605) 356-3272

Name

Address

Date 11-27, 1950

No.	Description	Amount
0 - 3.5	Top soil	
3.5 - 56	clay	
56 - 59	rocks & gravel	
59 - 111	clay	
111 - 123	fine sand	
123 - 258	15 coarse sand	
258 - 262	shale	
James Watson		
Received By		Sub Total Tax TOTAL

Please Pay By Invoice
No Statement Will Be Sent

Received By

Please Pay By Invoice
No Statement Will Be Sent

Sub Total

 $\bar{a}_x$

TOTAL

SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNER'S NAME: Le Roy M. Johnson OWNER'S ADDRESS: Valley, S.D.
COUNTY LAND LOCATED IN: Yankton Co. PHONE: 267-2259
TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.
This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

1. WELL LOCATION OR DIVERSION POINT: NE 1/4 of SW 1/4 2 94-55
2. SURFACE WATER SOURCE: Well
3. LOCATION OF AREA TO BE IRRIGATED: SW 1/4 2 94-55
4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)

TYPE OF IRRIGATION: (Show approximate acres under each type of system)

5. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____ OTHER (Specify) _____
6. CROPS TO BE IRRIGATED: Corn - Soybeans - Pastures - Alfalfa
7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LAND: _____
IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

8. SAMPLE NUMBER: E1-024
9. SALINITY (EC X 10⁶): 1673
10. SODIUM (SAR): 0.85 ADJUSTED (SAR): 2.50 175

RECEIVED

JAN 22 1981

South Dakota
Division of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at 3:15 P.M. on 12/3, 1980, at the following location: NE 1/4 of SW 1/4 2 94-55 by ARNE JOHNSON (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I also hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from Yankton Co. Soil Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
11th DAY OF Nov, 1981.

[Signature]
(NOTARY PUBLIC)

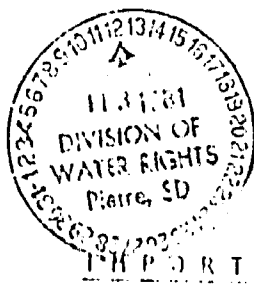
Le Roy M. Johnson
APPLICANT'S SIGNATURE

John McElroy
Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED



IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

In all cases a WATER RIGHT must be obtained from the State Water Rights Commission.

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Leroy J. Johnson

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

RECOMMENDED MANAGEMENT:

Each uninterrupted application should be of at least 3 inches of water.

Heavy fall application of irrigation water is suggested.

The Pon Soils may have to be drained if problems with ponding or traction occur.

Publish first publication, on or before February 17, 1981NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 24, 1981Notice is hereby given that LeRoy M Johnson whose post office

address is Volin, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.2 cubic feet of water per second of time from groundwater

(one well) through the Johnson Irrigation Proj., the point(~~xx~~) of diversion of which is (~~xxxx~~) to be located in the approximate center of the SW1/4

of Section 2, Twp. 94N, Range 56W 5W Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW1/4, Section 2, T94N, R55W

This Application No. 4229-3 will be considered by the Water Management Board at Holiday Inn, Sandy Shore Room, Watertown SD upon the 25th day of March, 1981

at 1:00 P.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: LeRoy M Johnson
Volin SD 57072

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 4629-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Yankton) ss.

2+27A3+6
NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501

February 24, 1981

I, Larry Benson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Yankton Daily Press & Dakotan

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 Yankton of _____

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

February 27, 1981

March 6, 1981

Larry A. Benson
(Signature)

Business Manager
(Title)

3-9-81
(Date Signed)

Notice is hereby given that LeRoy M. Johnson whose post office address is Volin, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8, 46-1-14; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.3 cubic feet of water per second of time from ground-water (one well) through the Johnson Irrigation Proj. the point of diversion of which is to be located in the approximate center of the SW $\frac{1}{4}$ of Section 2, Twp. 24N, Range 36W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SW $\frac{1}{4}$, Section 2, T24N, R36W.

This Application No. 4229-3 will be considered by the Water Management Board at Holiday Inn, Sandy Shore Room, Watertown, S.D. upon the 25th day of March, 1981 at 1:00 P.M. The Board is authorized to make a determination of this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

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WATER MANAGEMENT BOARD
BETTY WESTLUND
Water Rights Specialist



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7931

PIERRE, January 19, 1931

RECEIVED OF LeRoy Johnson, RR 1, Box 36, Volin, SD 57072

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

4629-3	
Fee for Application for Permit to appropriate Water No. (examination, processing, recording and filing)	250.00
Fee for inspecting Construction, and issuing Cert. of Construction No.	
Fee for inspecting Beneficial Use, and issuing Water License No.	
Fee for issuing Location Certificate-Dry Draw, No.	
Fee for filing	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for (any other work as provided by law)	
TOTAL	250.00

WATER RIGHTS COMMISSION

By (John Hatch) Chief Engineer, Executive Officer
JOHN HATCH / (St)



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office YOLIN SD

Date _____

TO: Water Rights Commission
Joe Foss Building
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 maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 4629-3.

Water Right Permit No. 4629-3 states that the diversion system is to be constructed by Knutson, and that the water is put to beneficial use by Trimatic Eng Co
Li Roy Johnson

The diversion system was completed on June 22 1981 Applying the water to beneficial use was completed on June 25 1981

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.

Li Roy Johnson
(Signature)

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 3, 1991

1529-3

Leroy M Johnson
RR #1 Box 86
Volin, SD 57072

Dear Mr. Johnson:

Enclosed is your 1991 irrigation questionnaire. In order to calculate how much water you used during 1991, you need to complete the columns titled - 1) # days pumped, 2) Average # hours per day, and 3) Average pump rate (gpm).

Please complete the questionnaire and return it to our office by December 20, 1991. I have enclosed a postage paid envelope for your convenience in returning the form.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

South Dakota

GREAT FACES. GREAT PLACES.

December 3, 1991

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

4629-3

Leroy M Johnson
RR #1 Box 86
Volin, SD 57072

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If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4629-3

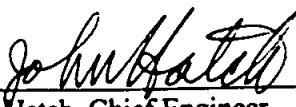
(1) LeRoy M Johnson of RR 1 Box 86, Volin, SD 57072 made Application No. 4629-3, January 19, 1981, for a water permit to appropriate 2.20 cubic feet of water per second from ground water (one well), Yankton County, South Dakota for irrigation purposes. Permit No. 4629-3, with a priority date of January 19, 1981 was approved March 26, 1981 and issued for diversion of water with construction of the described water supply system to be completed on or before March 26, 1986 and for the application to beneficial use of said water on or before March 26, 1986.

(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 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 1860' N 45 degrees E from the SW corner of Section 2, T94N, R55W (SW 1/4 SW 1/4).

(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:

Section 2, T94N, R55W	NE $\frac{1}{4}$ SW $\frac{1}{4}$	38.5 acres
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	38.5 acres
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	38.5 acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	38.5 acres
		154.0 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 LeRoy M Johnson of RR 1 Box 86, Volin, SD 57072 the holder and/or owner of Water Permit No. 4629-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from ground water (one well) with a priority date of January 19, 1981 from the location specified in (2) of this license. The water 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. 4629-3 and subject to South Dakota State Law.



John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 2 1996

date



REPORT ON INSPECTION OF PERMIT NO. 4629-3

DATE OF INSPECTION: August 2, 1995

**DIVERSION POINT LEGAL LOCATION: 1860' N45°E from the SW corner of Sec. 2, T94N-R55W
(NE¼ NE¼ SW¼ SW¼ Sec. 2, T94N-R55W)**

WELL INFORMATION:

- 1) Well Drilling Firm: Wetmore Drilling
- 2) No. of Wells one
- 3) Depth(s) 243 feet
- 4) Well log is available yes (contacted Craig Johnson 3/16/96 and confirmed that Wetmore Drilling log (completion date 7-1-81) is the correct well log and that Wetmore incorrectly located well on the Well Drillers Report)

Casing:

- 1) Diameter 16 inches
- 2) Length ? feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length ? feet
- 3) Static water level 132 feet

Pump:

- 1) Make Fairbanks Morse Pump
- 2) Model Figure 7000, Size 1M inch
- 3) Size 8", 6 stage
- 4) Capacity 800 GPM @ 80 PSI

Motor:

- 1) Make General Electric
- 2) Model No. 5K6257XM501C
- 3) Serial No. DTJ401362 C404TP16
- 4) Horsepower rating 100 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type Aluminum
- 2) Size 8 inches
- 3) Length 8 feet

SYSTEM TYPE:

Center pivot:

- 1) Make Zimmatic Model 410 307 (Serial No. L14795)
- 2) Overall length 1545.5 feet, (1288' system plus 257.5' corner system)
- 3) Number of towers 9 plus corner system (tower span = 126' for first 3 sections, 146.5' for next 5 sections and 177.5' for last section)
- 4) End gun Nelson PC100HP Big Gun (electric centrifugal booster pump on end gun)
- 5) High or low pressure High (80psi operating)
- 6) Capacity 800 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

Permit No. 4629-3
Vermillion River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, August 2, 1995, made a thorough examination of the water use system constructed by LeRoy M. Johnson (currently operated by Craig Johnson) of Rt. 1, Box 81, Volin SD, 57672 holder of Permit No. 4629-3, bearing the priority of January 19, 1981 authorizing the diversion of 2.2 cu. ft. per second of the waters of groundwater for irrigation purposes, in Yankton County.

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

A. Works used to divert the water:

Water is diverted from a 16-inch diameter well 243 feet deep located 1860' N45°E from the SW corner of Sec. 2, T94N-R55W, (NE¼ NE¼ SW¼ SW¼ Sec. 2, T94N-R55W). The well uses an 8 inch diameter, 6 stage, Fairbanks Morse Pump, powered by a 100 HP General Electric motor.

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

Water is transported from the well to a center pivot located in the center SW¼ Sec. 2, T94N-R55W, through 8 feet of 8 inch diameter Aluminum pipe.

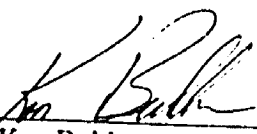
C. Works used to apply water to beneficial use:

Water is applied to beneficial use through a 9 tower Zinnmatic, high pressure center pivot system with a corner system and a "Nelson PC 100HP Big Gun" end gun.

The system is in the following condition good. The point of diversion is located 1860' N45°E from the SW corner of Sec. 2, T94N-R55W, (NE¼ NE¼ SW¼ SW¼ Sec. 2, T94N-R55W). The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

<u>NE¼ SW¼ Sec. 2, T94N-R55W</u>	<u>38.5 acres</u>
<u>NW¼ SW¼ Sec. 2, T94N-R55W</u>	<u>38.5 acres</u>
<u>SW¼ SW¼ Sec. 2, T94N-R55W</u>	<u>38.5 acres</u>
<u>SE¼ SW¼ Sec. 2, T94N-R55W</u>	<u>38.5 acres</u>

comprising a total of 154 acres of land and the license should be issued for 1.78 cfs.
 Applicable permit qualifications have been complied with: yes


 Ken Buhler
 Natural Resources Engineer
 DENR, Water Rights Program

3/13/96
 Date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 9, 1996

4629-3

LeRoy M. Johnson
Rt 1, box 81
Volin, SD 57072

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. 4629-3, 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

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

4629-3

LeRoy M. Johnson
RR 1, Box 86
Volin, SD 57072

Dear Mr. Johnson:

Enclosed is Water License No. 4629-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414909 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4629-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Very truly yours,

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

gm
enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

4629-3
414909

Pierre, _____ April 17, 19 96

RECEIVED OF LeRoy M. Johnson, Rt 1, Box 86, Volin, SD 57072

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. <u>4629-3</u>		
Fee for Filing Transfer Form _____	50	00
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total	50	00

By John Hatch
Chief Engineer



4629-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2004

NOTICE

TO: LEROY M JOHNSON, 30443 446TH AVE, VOLIN, SD 57072 6002
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4629-3. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4629-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a 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) 4629-3 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.

If the questionnaire(s) is(are) received in this office on/or before **February 27, 2004**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



4629-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 9265

Your item was delivered at 11:48 am on January 15, 2004 in VOLIN, SD 57072. The item was signed for by C JOHNSON.

[Shipment Details >](#)

Notification Options

- Track & Confirm by email [What is this?](#) [Go >](#)
► Request Proof of Delivery [What is this?](#) [Go >](#)



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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 9265

LEROY M JOHNSON
30443 446TH AVE
VOLIN SD 57072 6002

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail®
☐ Package Services

PS Form 153, July 2001

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 2004

4629-3

LeRoy M Johnson
30443 446th Ave
Volin SD 57072-6002

Dear Mr. Johnson:

I am writing to acknowledge receipt of the information for your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 4629-3.

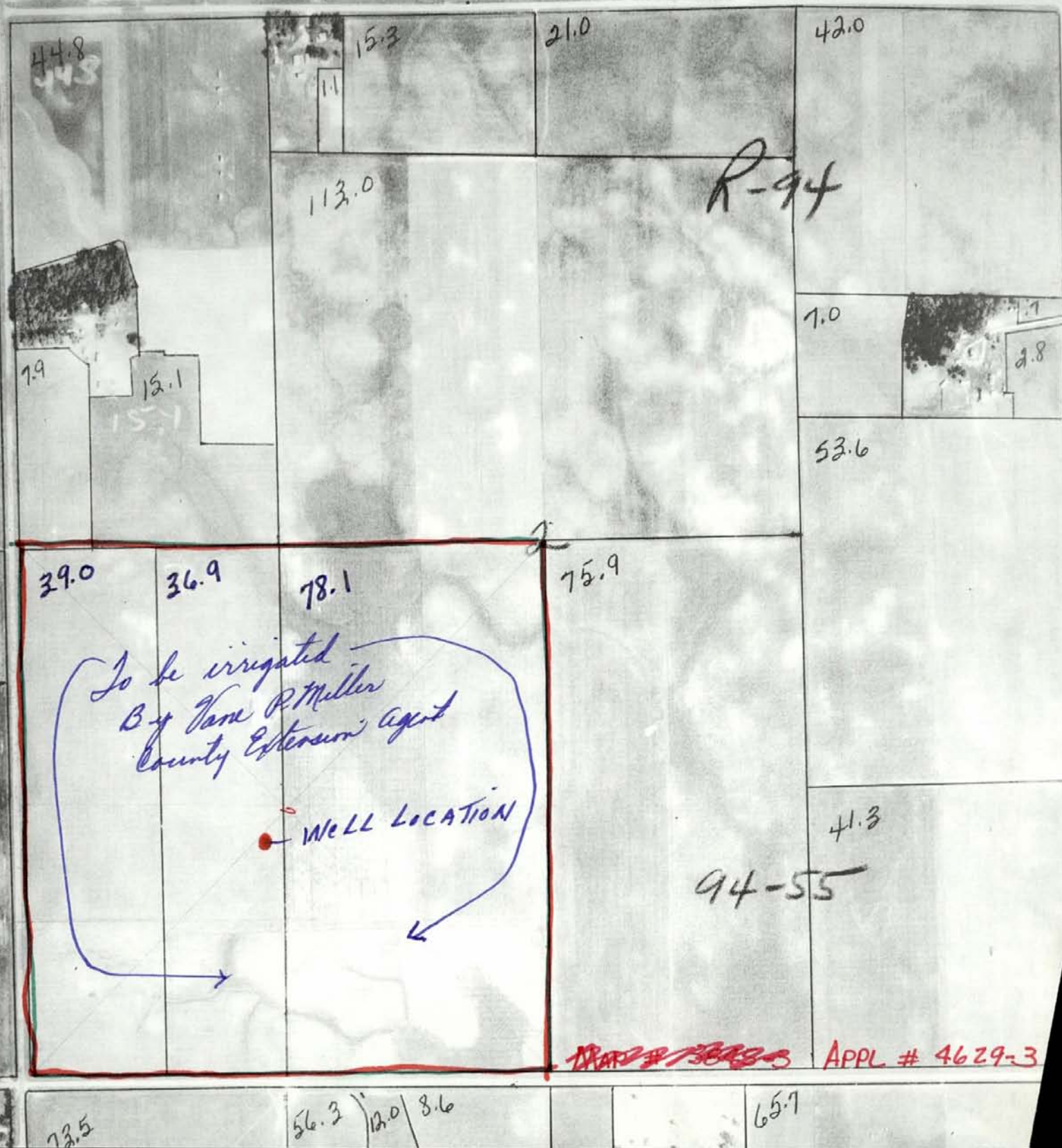
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

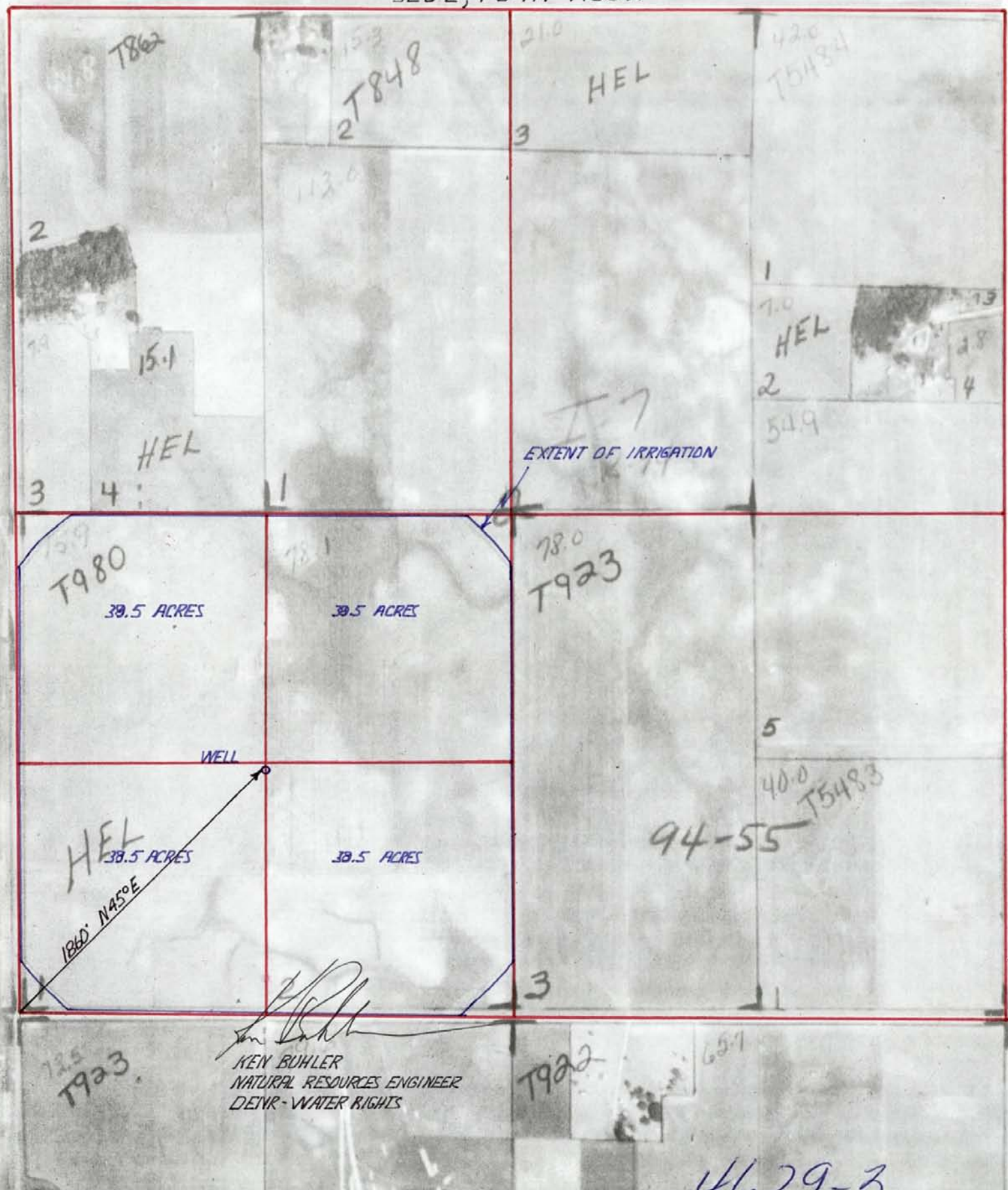
NOT TO SCALE



NOT TO SCALE

1995

SEC 2, T94N-R55W





4629-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

November 4, 2015

Mary Anne Boyd
1004 Mulberry St
Yankton SD 57078

Dear Ms. Boyd:

This letter is regarding Water Right No. 4629-3 held by LeRoy M Johnson, 30443 446th Ave, Volin SD for irrigation of 154 acres located in the SW 1/4 Section 2-T94N-R55W in Yankton County. Each fall we mail questionnaires to all irrigation water right holders. This year the questionnaire was returned undelivered by the post office with a note saying Deceased. Our records show we have received a completed questionnaire every year. There is no indication on the returned forms as to who has been completing and returning them.

The Yankton County Assessor's Office indicates the owners of this acreage as Mary Anne Boyd, Julie Scheel Family Trust and Kenneth Scheel Family Trust.

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 4629-3. The transfer form should be checked over for accuracy and **signed by the new owner(s)**. Upon completion, return the form to our office with a required filing fee of \$50.00.

We are assuming there is an operator or renter that the irrigation questionnaire should be sent to. Please call us with a name and mailing address. The information gathered from the questionnaire is a valuable tool for guiding the Water Rights Program in the protection and beneficial use of the waters of the State.

Your prompt attention to this matter will be appreciated. If you have any questions, please contact Genny McMath or me.

Sincerely,

A handwritten signature in black ink that reads "Karen Schlaak". The signature is written in a cursive, flowing style.

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4629-3

Date: 11/20/15

I/We request that Water Right/Permit No. 4629-3

formerly owned by: LeRoy M Johnson

be transferred to: (name & address) Mary Anne Boyd, Julie and Kenneth
Scheel Family Trust and Susan Johnson Separate Property
Trust of Mary Anne Boyd, 1004 Mulberry St Telephone No. 605-260-8215
Yankton SD 57108

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

154 acres - SW 1/4 Section 2-T94N-R55W

I/We understand that the validity of Water Right/Permit No. 4629-3 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 Fifty Dollars (\$50.00) 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 Mary Anne Boyd, the new owner, certify that the above information is true and
Julie Scheel, Trustee correct.
Susan Johnson, Trustee

Mary Anne Boyd
(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 11/25, 20 15

RECEIVED OF Three Sisters Farms 1004 Mulberry St Yankton SD 57078

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	50	00
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>4629-3</u>		
Fee for _____	50	00
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	50 00

No. 07531

By *James Goodman*
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

November 30, 2015

4629-3

Mary Anne Boyd
1004 Mulberry St
Yankton SD 57078

Dear Ms. Boyd:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for filing an ownership change with Water Right No. 4629-3.

The ownership change has been completed. Water Right No. 4629-3, formerly held by Leroy M Johnson is now listed under **"Mary Anne Boyd, Julie and Kenneth Scheel Family Trust and Susan Johnson Separate Property Trust"**.

Enclosed for your records is Receipt No. 07531 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

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

enclosure