

11. 6 only

1. Considered: 2-2-82, 1982 Water Right No. 1855-3
4060-3
2. Name of Applicant Craig L. Johnson
3. Post Office Address Rt 1, Box 154, Mission Hill, SD 57046
4. Amount of Water Claimed 1.4 maximum acre feet
5. Source of Water Supply existing 220' well (well existing under 327-3)
6. Water to be used for IRR acres to be irrigated 100
7. County Yankton about 1 1/2 miles N of Mission Hill
8. PROOF OF PUBLICATION: Received (187) 2-1-82 Not Received
- APPLICATION: Approved 2/4/82 Subject to WI-IC2
- Not Approved Action Deferred

PRIORITY

Dated Received 12-3-81 Application complete-yes no FEE 225.00

Remarks possibly need new water meter add charge

WATER
QUALITY

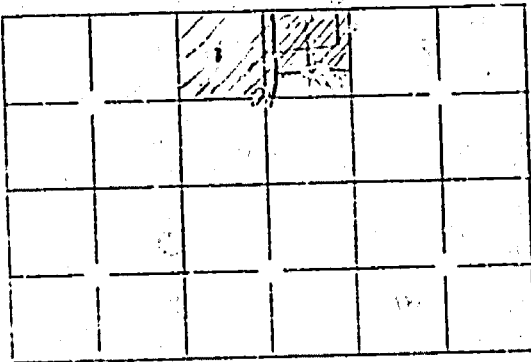
Corrected Application received Period of Annual Use

Received yes (18/81) no APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application-yes no Remarks

Disapproved Returned

Diversion Point SE 1/4 NW 24-94-55



Land to be irrigated N 1/2 NW 24-94-55

WELL LOG

Driller Muskrat Valley Irrigation, Inc. Licensed - yes ✓ no

Depth 220'

Remarks Thompson drilled well in 1976 - well had been drilled in Oct of '76

MAP Map No. 4060-3 Map located in Water Right _____ Map file _____
 Type of Map _____ Prepared by _____

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

1/11/82

Benjamin Young
 (Signed) Benjamin Young

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 was
 DECISIONS adopted _____
 ETC. Remarks _____

No. 4855-3Map No. 4060-3 Water Division No. 3 Mission River District
Above for Office Use 10170101

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 ☒ 3292-3

1. Name of Applicant CRAIG L. JOHNSON Phone No. 665-6764
 Post Office Address 154 MISSION HILL State S.D. 57046
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT3. Name of diversion work CRAIG L. JOHNSON4. Amount of water claimed (cubic feet per second) 1.6 1/4 max. recommended5. Source of water supply WELL

6. Location of point of diversion SE 1/4 of NW 1/4 24 94-55
This source is from an already existing well completed
and in use since 1977 County _____

7. Annual period or periods during which water is to be used APRIL - NOV.8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION9. For irrigation use, _____ Total number of acres to be irrigated 100

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.
<u>NE 1/4 24 94-55</u>	<u>40</u>
<u>E 3/4 NW 1/4 24 94-55</u>	<u>30</u>
<u>N 3/4 SE 1/4 24 94-55</u>	<u>18</u>
<u>N 2 1/2 E 3/4 SW 1/4 24 94-55</u>	<u>12</u>

Land Description	No. Acres Irr.

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 1/2 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Press & DAKOTAN
YANKTON

12. Principal Features of the Proposed Water Supply System

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

PUMP

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

PIPE

C. Works proposed to apply water to beneficial use.

PIVOT TYPE IRRIGATION SYSTEMEstimated Total Cost \$ 30,000

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) ss.

I, Craig L. 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.

X Signed Craig L. JohnsonSubscribed and sworn to before me this 30 day of November, 1981
Carolee Fischer
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 7355-3

Craig Johnson
(Applicant)
South Dakota 57046
(State)

Rt 1, Box 154, Mission Hill
(Post Office Address)

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 DECEMBER 3, 1981

Date of return to applicant for correction, amendments or changes required DECEMBER 7, 1981

Date of receipt of corrected application JANUARY 8, 1982

Approved FEBRUARY 4, 1982, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 4855-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4855-3 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 DECEMBER 3, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before AUGUST 4, 1984
3. The whole of said work is to be completed on or before FEBRUARY 4, 1987
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is FEBRUARY 4, 1991
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 1.4 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 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 FEBRUARY 4, 1991; said water to be used during the following described annual period: APRIL - NOVEMBER 1

Witness my hand this 19TH day of MARCH, 1982

THE WATER MANAGEMENT BOARD

By John Hatch
Clerk Engineer Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____



D Well Information

- (1) Drill Hole, Diameter 20", Depth 220'
- (2) Casing, Type Steel, Diameter 16", Thickness _____
(wood, concrete, steel, etc)
- (3) Screen, Type Steel, Diameter 16", Length _____
- (4) Gravel Pack, Thickness 4", Length of gravel pack 200'

E Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F Fill out for Either a Well or a Dugout

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

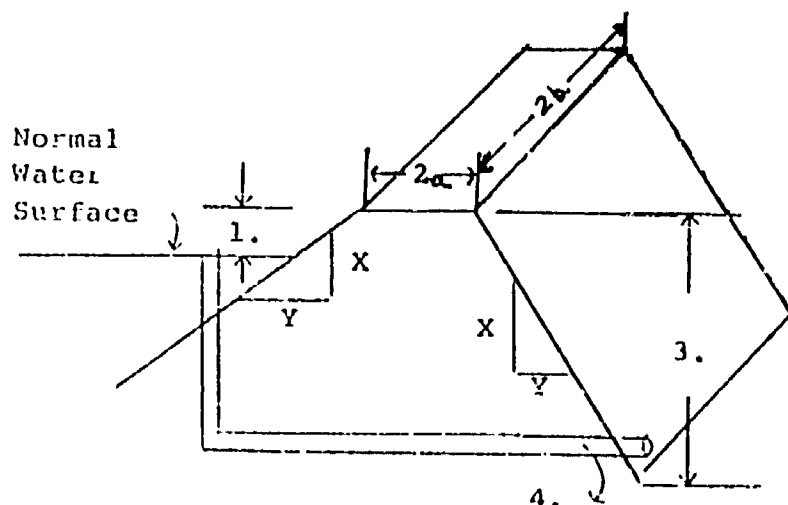
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 20 rds.

On property owned by others 100 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
- 2a Crest width _____, length _____
3. Height of Dam _____
4. Outlet dimensions:
 - Pipe diameter _____
 - Spillway width _____
 - X & Y slope:
 - Upstream _____
 - Downstream _____
 - Surface area of impoundment _____
 - Drainage area above dam _____

Craig G. Palmer
Signature of Applicant

MISSOURI VALLEY IRRIG. INC.
RT. 4 BOX 78
YANKTON, S. DAK. 57078

Craig Johnson
Mission Hill, S. Dak.

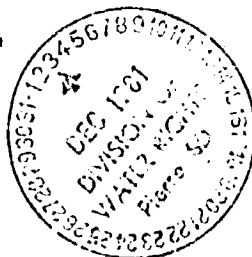
Oct. 4, 76

TEST LOG

0-5	Top Soil
5-20	Clay (brown)
20-40	Clay (brown)
40-60	Clay (brown)
60-80	Clay (blue)
80-95	Clay (blue)
95-100	Fine Sand & Clay
100-120	Clay (blue) with fine sand streaks
120-130	Clay (blue)
130-140	Fine Sand (mixed)
140-150	Fine Sand & Clay
150-160	Fine Sand & Coarse Gravel <u>10</u>
160-180	Coarse Gravel <u>20</u>
180-200	Coarse Gravel <u>20</u>
200-220	Coarse Gravel <u>20</u>

Total 70' of Coarse Gravel

Driller Dennis Wortmann
Roughneck: Philip Olson



December 2, 1981



Craig L. Johnson
Rt. 2, Box 154
Mission Hill, SD 57046

Dear Mr. Johnson:

Enclosed is your copy of the laboratory report of analysis for water sample No. 76-1649.

I have plotted the approximate quality of your water by means of a red cross in the chart located on the back cover of the accompanying AES pamphlet #13.

Sample No. 76-1649 is classified as a high saline, low sodic water. It is marginally suitable as a source for irrigation due to the presence of a substantial amount of calcium-sulfate salt.

Irrigation application rates should exceed crop requirements. This will allow the moderately heavy salt load dissolved in your water to pass through the soil rooting zone (top two feet).

The Clarino-Bonilla loams and the Egan-Kthan-Trent complex found in the NE 1/4 of Section 24-94-55 are compatible with the quality of your water. However, the Egan-Whitewood silty clay loams located along the southern edge of your proposed irrigation development are somewhat poorly drained and may pond for brief periods under irrigation. Persistent wet spots in this area should be kept in grass or a grass/alfalfa mixture.

If a rising water table or a salt build-up occurs, please contact your county extension agent or this office for assistance.

The WI-1, soils information, and a copy of the water analysis are being forwarded to the Division of Conservation for their action.

Sincerely yours,

Michael H. Sanders
Water Quality Lab
Division of Conservation

MB:ickb

Enclosures

cc: Division of Conservation, D. Pahl (Extension Service), Div. of Water Rights

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

Submitted by: Craig L. Johnson Date Rec'd October 20, 1976
 Address: Rt. 1, Box 154 Sample No. 76-1649
Mission Hill, SD 57046 Identification Well
Na, Sec. 24, T 94N, R 55W

WATER ANALYSIS

Calcium (Ca)	240	ppm*	12.00	me/l**
Magnesium (Mg)	64	ppm	5.25	me/l
Sodium (Na)	37	ppm	1.61	me/l
Potassium (K)	10	ppm	0.26	me/l
Sulfate (SO ₄)	520	ppm	12.06	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	3	ppm	0.08	me/l
Bicarbonate (HCO ₃)	476	ppm	7.30	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	390	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1559	micro.mhos per cm at 25° C.		
Sodium Adsorption Ratio		0.55 Adjusted SAR	0.50	
Sodium		8.42% of cations		
Residual sodium carbonate		0.00 me/l		
pH		6.93		

Others:
 *ppm=parts per million
 **me/l=millequivalents per liter

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

COMMENTS: Total cations 19.12 me/l
 Total anions 19.94 me/l

By: Shirley Litten

Service Perform 1

Amount Due

Irrigation analysis

\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-1649

Amount Enclosed \$

Signed

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

4855-3

STATE CONSERVATION COMMISSION

Office Use Only

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

2984

OWNERS NAME: CRAIG L. JENSEN

OWNERS ADDRESS: RR1 Box 154

COUNTY LAND LOCATED IN: Lambton

MISSOURI HILL S.D. 57046

PHONE: 665-6764

TENANT'S NAME AND ADDRESS:

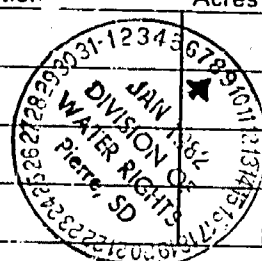
In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, A COPY OF SUCH CONDITIONAL SOIL/WATER COMPATIBILITY PERMIT MUST BE FILED WITH THE COUNTY REGISTER OF DEEDS. THIS ACTION MUST BE TAKEN BY THE HOLDER OF A WATER PERMIT WITHIN 6 MONTHS OF RECEIPT OF SUCH WATER PERMIT.

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

1. WELL LOCATION: SE 1/4 of NW 1/4 24 94-55

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: Well only

Legal Description	Acres	Legal Description	Acres
NE 1/4 NE 1/4 24 94-55	10		
SE 1/4 NW 1/4 NE 1/4 24 94-55	30		
N 3/4 SE 1/4 NE 1/4 24 94-55	18		
N 3/4 E 1/4 SW 1/4 NE 1/4 24 94-55	12		



3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED

LEGAL DESCRIPTION: None

IN WHAT NAME:

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY: TOWLINE: CENTER PIVOT: OTHER: (Specify)

6. CROPS TO BE IRRIGATED: CORN, SOY BEANS - ALFALFA

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

7. WATER SAMPLE NUMBER: 76-1649

8. SALINITY (EC X 10⁶): 15.59

9. SODIUM (SAR): 0.55

10. ADJUSTED (SAFI): 0.50

I hereby certify that I personally obtained or that I personally observed that 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 instruction sheet) were followed, and that the sample was taken at 10:00 a.m./p.m., on 10/10/81, at the following location: SE 1/4 of NW 1/4 24 94-55 by (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 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

DAY OF MAY, 1981.

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

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 Board of Water Management, Foss Building, Pierre.

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

11255-3

STATE CONSERVATION COMMISSION

Office Use Only

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

2994

OWNERS NAME: CRAIG L. JENSEN

OWNERS ADDRESS: 801 E. 15th

MISSOURI HILL, S.D. 57046

COUNTY LAND LOCATED IN: Yankton

PHONE: 665-6764

TENANT'S NAME AND ADDRESS:

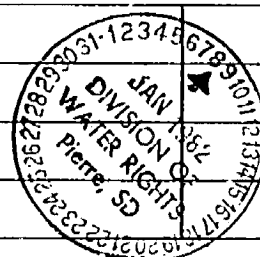
In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, A COPY OF SUCH CONDITIONAL SOIL/WATER COMPATIBILITY PERMIT MUST BE FILED WITH THE COUNTY REGISTER OF DEEDS. THIS ACTION MUST BE TAKEN BY THE HOLDER OF A WATER PERMIT WITHIN 6 MONTHS OF RECEIPT OF SUCH WATER PERMIT.

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

1. WELL LOCATION: SE 1/4 of NW 1/4 24 94-55

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: North Ditch

Legal Description	Acres	Legal Description	Acres
NE 1/4 NE 1/4 24 94-55	10		
E 3/4 NW 1/4 NE 1/4 24 94-55	30		
N 3/4 SE 1/4 NE 1/4 24 94-55	18		
N 3/4 E 3/4 SW 1/4 NE 1/4 24 94-55	12		



3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED

LEGAL DESCRIPTION: None

IN WHAT NAME:

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY: TOWLINE: CENTER PIVOT: GUN: OTHER: (Specify)

6. CROPS TO BE IRRIGATED: Corn, Soy Beans, Alfalfa

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

7. WATER SAMPLE NUMBER: 76-1649

8. SALINITY (EC X 10⁶): 1559

9. SODIUM (SAR): 0.55

10. ADJUSTED (SAR): 0.50

I hereby certify that I personally obtained or that I personally observed that 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 instruction sheet) were followed, and that the sample was taken at 10:00 a.m./p.m., on 10/16/76, at the following location: SE 1/4 of NW 1/4 24 94-55 by (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 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

DAY OF MAY, 1976

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

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 Board of Water Management, Fris Building, Pierre.

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

4955-3
CONDITIONAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Craig Johnson

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 24-94-55; E $\frac{3}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ 24-94-55; N $\frac{3}{7}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ 24-94-55;
N $\frac{3}{7}$ E $\frac{3}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ 24-94-55= 100 acres

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

THE SOIL(S) LISTED BELOW CAN BE IRRIGATED WITH THE FOLLOWING RESTRICTIONS:

EdA - Egan Whitewood = If problems with ponding occur these soils should be kept in permanent vegetation, such as grass or a grass alfalfa mixture. These soils are indicated by red hatch marks.

RECOMMENDED MANAGEMENT

CONS-31A
5/75

SOIL MAP

RECEIVED

Jun 11 1941

Owner Craig Johnson

Operator Craig Johnson

South Dakota
Division of Conservation

County Yankton

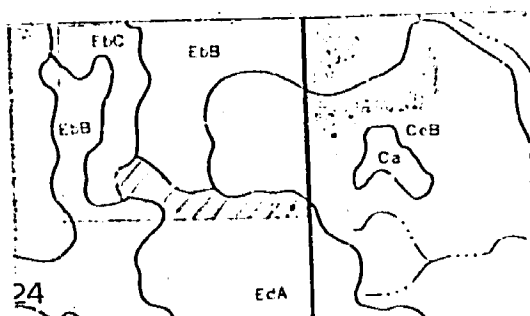
State South Dakota

Soil survey sheet(s) or code No. (s) sheet 32 Approximate scale 3.2



Prepared by U.S. Department of Agriculture, Soil Conservation

Service cooperating with Yankton County Conservation District



NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$

24-94-55

SOIL MAP LEGEND

No. 4855-3

Publish first publication on or before January 22, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota, 57501

January 11, 1982

Notice is hereby given that Craig L. Johnson whose post office

address is Rt 1, Box 154, Mission Hill, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 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, 46-5-25, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 1.4 cubic

feet of water per second of time from groundwater
(one well-existing) through the Craig L.

Johnson, the point(x) of diversion of which is (xxx) ~~xx~~ located in the

SE 1/4 NW 1/4

of Section 24, Twp. 94, Range 22. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE 1/4, Section 24, T44N, R55W (additional acreage on an existing water permit)

This Application No. 4835-3 will be considered by the Water Management Board at Meeting Room #1
Knapp Elder, Church & Illinois, Pierre SD upon the 3rd day of February, 1982

at 10 A.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 Circuit Court and the State Supreme Court as provided by law.

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

For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-806A-10/81 Notice of Intent to Appropriate Water
GROUNDWATER

11-21-28
NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

For The Water Management Board
BETTY WESTLUND
Water Rights Specialist



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8566

PIERRE, December 3, 1981

RECEIVED OF Craig L. Johnson, Mission Hill, SD 57046

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

Fee for Application for Permit to Appropriate Water No. 4855-3 (examination, processing, recording and filing) -----	22.00
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	22.00

WATER RIGHTS COMMISSION

By *(Signature)*
Chief Engineer, Executive Officer
JONIC HATCH (cc)

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

Post Office Pierre, S.D.
Date 7-26-82

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. 4555-3.

Water Right Permit No. 4555-3 states that the diversion system is to be constructed by Aug 4-1984, and that the water is put to beneficial use by Feb 4, 1991.

The diversion system was completed on 4-20-82. Applying the water to beneficial use was completed on 7-26-82.

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

Arvid G. Rasmussen
(Signature)





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501
March 22, 1983

Water Rights Division
605 773-3352

4855-3
Craig L. Johnson
Rt 1 Box 154
Mission Hills SD 57046

Dear Sir:

Water Permit No. 4855-3 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks
enclosure

**South Dakota Department of
Water & Natural Resources**

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

March 23, 1987

CRAIG L JOHNSON
RT 1 BOX 211
MISSION HILL, SD 57046

NOTICE

Re: Violation of Water Permit(s) 4855-3 and 1986 Irrigation
Questionnaire Requirements.

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4855-3. The request for the questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4855-3 qualification:

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

The hearing will also be to determine if Permit No(s). 3292-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

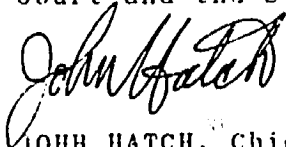
The hearing(s) will be at 2:00 pm, May 6, 1987, in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

Following the hearings(s), the Water Management Board can:

1. Suspend Permit No(s). 4855-3 until either the 1986 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s). 3292-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

A handwritten signature in cursive script, appearing to read "John Hatch".

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

NOTE: If the questionnaire(s) are received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



Department of Water & Natural Resources

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

April 15, 1987

3292-3
~~4855-3~~

Craig L. Johnson
RR #1 Box 211
Mission Hill, SD 57046

Dear Mr. Johnson:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 3292-3 and 4855-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

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

**South Dakota Department of
Water & Natural Resources**

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

January 29, 1988

CRAIG L JOHNSON
RT 1 BOX 211
MISSION HILL, SD 57046

NOTICE

Re: Violation of Water Permit No(s). 4855-3 and 1987 Irrigation Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4855-3. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4855-3 qualification:

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

The hearing will also be to determine if Permit No(s) 3292-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 9:00 am, March 2, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, South Dakota.

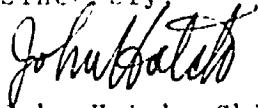
The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 4855-3 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 3292-3 also held by CRAIG L JOHNSON to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Hatch".

John Hatch, Chief Engineer
Water Rights Division

Note: If the questionnaire(s) are received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

**South Dakota Department of
Water & Natural Resources**

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

March 14, 1988

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: CRAIG L JOHNSON
RT 1 BOX 211
MISSION HILL, SD 57046

FROM: John Hatch, Chief Engineer
Water Rights Division
605-773-3352



SUBJECT: One Year Suspension Of Water Permit No(s). 4855-3

Pursuant to the provisions of the notice dated January 29, 1988, and following the hearing of March 2, 1988, the Water Management Board has ordered:

That Water Permit No(s). 4855-3 be **SUSPENDED** until December 31, 1988.

Suspension of a permit means water may not be pumped during the 1988 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

● SENDER: Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. <u>The return receipt fee will provide you the name of the person delivered to and the date of delivery.</u> For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)	
CRAIG L JOHNSON RT 1 BOX 211 MISSION HILL. SD 57046	4. Article Number P 501 738 982 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED.
X <i>Craig L Johnson</i> 6. Signature - Agent X 7. Date of Delivery 3-15-88	8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1987

• U.S.G.P.O. 1987-178-268

DOMESTIC RETURN RECEIPT

 **Department of
Water & Natural Resources**

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

March 31, 1988

4855-3

Craig Johnson
Mission Hill SD 57046

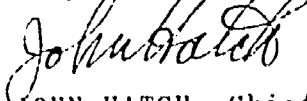
Dear Mr. Johnson:

I am writing to acknowledge receipt of your 1987 irrigation questionnaire. The Water Management Board took action to suspend your water permit at their March 2, 1988 meeting. This action was taken since the questionnaire data was not in our office prior to the hearing.

The questionnaire has been received, however, it does not change the Board's action to suspend your permit. If you want to petition the Water Management Board to rescind the suspension, you will need to submit a letter to our office requesting time on the agenda for the Water Management Board Meeting to be held May 11, 1988 in Pierre. The letter should include your reasons for not returning your irrigation questionnaire prior to the March Board Meeting.

If you have any questions, please contact us.

Very truly yours,



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

John Hatch Chief Engineer
Water Rights Division &
Water Management Board

Craig L. Johnson
Rt 1 Box 211
Mission Hill, S.D.
57046



Board Members.

This letter is in regards to
the suspension of my water permit #
4855-3.

I did mail the questionnaire when
I received the second notice what happened
to it I do not know. That is why
I was shocked to receive the suspension
notice.

My wife and I farm 1100+ acres of
land, custom farm 60 acres & run
a gas station/coffee shop just to make
the payments that are due. I would
very much appreciate if you would
give us a second chance on the
suspension of permit # 4855-3.

I ~~was~~ would like to meet with you
but I ~~cannot~~ do not have the time.
If it would be possible to have this letter
read at the next meeting in our place.
It would be much appreciated.

Craig L. Johnson

 **Department of
Water & Natural Resources**

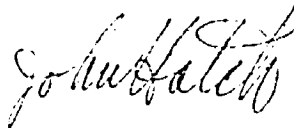
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 13, 1988

NOTICE

TO: Craig Johnson
Mission Hill SD 57046

FROM: John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352



SUBJECT: Reinstatement of Suspended Water Permits and Notice of
One Year Suspension Without Reinstatement for Future
Irrigation Questionnaire Violations

The Water Management Board, following the May 12, 1988, hearing
passed the following motion:

"That the owners of Water Permits No. 1068-1, (Lawrence Walker) and 4855-3 (Craig Johnson) have now submitted the 1987 irrigation questionnaires for these permits, that a 60 day suspension period has been completed and that these permits are reinstated effective immediately. The owners of the permits are also NOTIFIED that failure to submit future required irrigation questionnaires will result in a one year suspension without reinstatement."

If you have any questions, please contact us.

cc: Water Management Board



CERTIFICATION

I hereby certify that on May 13, 1988 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing Notice of Reinstatement of Suspended Water Permits addressed as follows:

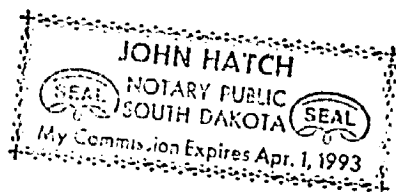
Craig Johnson, Mission Hill SD 57046

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 16th day of May, 1988.

John H. [Signature]
Notary Public



STATE OF SOUTH DAKOTA
WATER LICENSE NO. 4855-3

(1) Craig L. Johnson of RR 1 Box 21, Volin, SD 57072 made Application No. 4855-3, December 3, 1981, for a water permit to appropriate 1.40 cubic feet of water per second from ground water (one existing well), Yankton County, South Dakota for irrigation purposes. Permit No. 4855-3, with a priority date of December 3, 1981 was approved February 4, 1982 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 4, 1987 and for the application to beneficial use of said water on or before February 4, 1991.

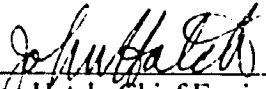
Water Permit No. 4855-3 was obtained to authorize irrigation of additional land using a well developed under Water Permit No. 3292-3. The applicable portions of Water Permit No. 3292-3 are incorporated into this Water License No. 4855-3. Priority dates, as they pertain to the acreage irrigated are described in (3) of this license.

(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 1900' S49°E from the NW corner of Section 24, T94N, R55W (NE 1/4 NW 1/4) Section 24, T94N, R55W.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate 206 acres - all in Section 24, T94N, R55W, described below:

Priority date: November 15, 1976 (3292-3)		Priority date: December 3, 1981 (4855-3)	
Pivot 1		Pivot 2	
NE 1/4 NW 1/4	26.0 acres	NE 1/4 NE 1/4	30.0 acres
NW 1/4 NW 1/4	30.0 acres	NW 1/4 NE 1/4	23.0 acres
SW 1/4 NW 1/4	33.0 acres	SE 1/4 NE 1/4	8.0 acres
SE 1/4 NW 1/4	36.0 acres	SW 1/4 NE 1/4	11.0 acres
NW 1/4 NE 1/4	4.5 acres		
SW 1/4 NE 1/4	4.5 acres		

(4) Pursuant to South Dakota Water Law 46-5-30.1 Craig L. Johnson of RR #1 Box 21, Volin, SD 57072 the holder and/or owner of Incorporated Water Permit No. 4855-3 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 priority dates of November 15, 1976 and December 3, 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 Incorporated Water Permit No. 4855-3 and subject to South Dakota State Law.


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

JUN 27 1996
date



Permit No. 3292-3 and 4855-3
James 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 Frank Johnson of RR1 Box 154, Mission Hill, SD 57046 holder of Permit No. 3292-3 and Permit No. 4855-3, bearing the priority of November 15, 1976 and December 3, 1981 respectively authorizing the diversion of 2.5 cu. ft. per second and 1.4 cu. ft. per second respectively 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 14" diameter well 189 feet deep. The well uses an 8 inch diameter, 3 stage, Layne Bowler Well Line Pump, powered by a 75 HP U.S. Electric motor.

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

Water is transported through 20' of 8" diameter steel pipe from the well to pivot point 1 (located in the NW¼ NW¼ SE¼ NW¼ Sec. 24, T94N-R55W), or through 2600' of 8" diameter PVC pipe and 8' of 8" diameter aluminum pipe to pivot point 2 (located in the NW¼ SW¼ NE¼ NE¼ Sec. 24, T94N-R55W).

C. Works used to apply water to beneficial use:

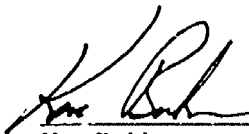
Water is applied to beneficial use through a 10 tower, Olson, high pressure center pivot system, with a Neslon 200 end gun, located in the NW¼ NW¼ SE¼ NW¼ Sec. 24, T94N-R55W; and through a 5 tower, Zimmatic, high pressure center pivot system, with a Neslon PC100HD end gun, located in the NW¼ SW¼ NE¼ NE¼ Sec. 24, T94N-R55W

The system is in the following condition good. The point of diversion is located 1900' S49°E from the NW corner of Sec. 24, T94N-R55W, (SW¼ SW¼ NE¼ NW¼ Sec. 24, T94N-R55W). The works are capable of diverting and conveying to the place of use 1.78 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: ~~acres~~

<u>NE¼ NE¼ Sec. 24, T94N-R55W</u>	<u>30 acres</u>
<u>NW¼ NE¼ Sec. 24, T94N-R55W</u>	<u>27.5 acres</u>
<u>NE¼ NW¼ Sec. 24, T94N-R55W</u>	<u>26 acres</u>
<u>NW¼ NW¼ Sec. 24, T94N-R55W</u>	<u>30 acres</u>
<u>SW¼ NW¼ Sec. 24, T94N-R55W</u>	<u>33 acres</u>
<u>SE¼ NW¼ Sec. 24, T94N-R55W</u>	<u>36 acres</u>
<u>SW¼ NE¼ Sec. 24, T94N-R55W</u>	<u>12.5 acres</u>
<u>SE¼ NE¼ Sec. 24, T94N-R55W</u>	<u>11 acres</u>

comprising a total of 206 acres of land and the license should be issued for 1.78 cfs.

Applicable permit qualifications have been complied with: yes.


Ken Buhler

3/7/96
Date

Natural Resources Engineer
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 3292-3 and 4855-3

DATE OF INSPECTION: August 2, 1995

Other permit(s) associated with the project: 3292-3 and 4855-3

**DIVERSION POINT LEGAL LOCATION: 1900' S49°E from the NW corner of Sec. 24, T94N-R55W,
(SW¼, SW¼, NE¼, NW¼ Sec. 24, T94N-R55W)**

WELL INFORMATION:

- 1) Well Drilling Firm: Verley Well Drilling
- 2) No. of Wells one
- 3) Depth(s) 189 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 14 inches
- 2) Length 159 feet
- 3) Type steel

Screen:

- 1) Type stainless steel
- 2) Length 30 feet
- 3) Static water level 109 feet

Pump:

- 1) Make Layne Bowler Well Line
- 2) Model Head 8WL18 No. 81447K
- 3) Size 8 inch, 3 stage 12KHM
- 4) Capacity 800 GPM, 60 PSI

Motor:

- 1) Make General Electric
- 2) Model No. 5K6255XM501A, Frame C365TP16
- 3) Horsepower rating 75 hp

DISTRIBUTION LINES OR CANALS:

- A. 1) Type Steel 2) Size 8 inches 3) Length 20 feet (From well to Pivot 1)
- B. 1) Type PVC 2) Size 8 inches 3) Length 2600 feet (buried from well to Pivot 2)
- C. 1) Type Aluminum 2) Size 8 inches 3) Length 8 feet (above ground at Pivot 2)

SYSTEM TYPE:

Center Pivot 1:

- 1) Make Olson
- 2) Overall length 1220 feet
- 3) Number of towers 10 (120' between towers plus 20' overhang)
- 4) End gun Nelson 200 (can shut off all sprinklers and use as a "Big Gun")
- 5) High or low pressure High (60 psi without end gun, 70 psi end gun alone)
- 6) Capacity 800 GPM

Center Pivot 2:

- 1) Make Zimmatic
- 2) Overall length 910 feet
- 3) Number of towers 5 (1- Model 307 4", 1-Model 507 3.5", 3- Model 507 4")
- 4) End gun Nelson PC 100HD
- 5) High or low pressure High (55 psi)
- 6) Capacity 617 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 9, 1996

Permit No. 4855-3

Craig L. Johnson
RR 1, Box 21
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 Nos. 3292-3 and 4855-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 3292-3 will be incorporated into 4855-3.

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

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,

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

JUN 27 1996

4855-3

Craig L. Johnson
RR 1, Box 21
Volin, SD 57072

Dear Mr. Johnson:

Enclosed is Water License No. 4855-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414942 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. 4855-3, 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

NOTE: The applicable portions of Water Permit No. 3292-3 are incorporated into this Water License No. 4855-3.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

4855-3
414942

Pierre, _____ May 6, 19 96

RECEIVED OF Craig L. or Cindy Johnson, Rt 1, Box 21, 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>4855-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By *John Hatch* 
Chief Engineer



8833-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

March 14, 2000

4506-3

4855-3

Karl M Schenk
44352 308th St
Mission Hill, SD 57046

Dear Mr. Schenk:

Enclosed, as you requested, are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change with Water Right Nos. 4506-3 and 4855-3. No. 4506-3 is currently listed in the name of David Helgersen and No. 4855-3 is listed in the name of Craig Johnson.

Please review the transfer forms and complete as needed. Upon completion, please sign the forms in the presence of a notary public and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the filing fees can be made payable to the Water Rights Program.

I am including a copy of each of the water rights for your records. If you have any questions concerning the water rights or with completion of the transfer forms, please contact me.

Sincerely,

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

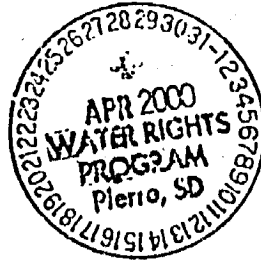
enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4855-3

Date: 3-27-00



I/We request that Water Right No. 4855-3

formerly owned by: Craig L. Johnson

be transferred to: (name & address) Karl Schenk, 44352 30th Street

Mission Hill, SD 57046 Telephone No. 605-665-6113

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

206 acres in the N 1/4 Section 24, T94N, R55W

I/We understand that the validity of Water Right No. 4855-3 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.

STATE OF SOUTH DAKOTA)

County of Yankton)

I/We Karl Schenk being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Karl Schenk
(Signed)

Subscribed and sworn to before me this 27th day of March, 2000.

Betsy Petersen
(Notary Public)
My Comm. Exp.: 5-18-2004

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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.



May 5, 2000

4855-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

4506-3

4855-3

Karl M Schenk
44352 308th St
Mission Hill, SD 57046

Dear Mr. Schenk:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms you submitted for filing an ownership change with Water Right Nos. 4506-3 and 4855-3.

The forms were completed properly, however can not be recorded without the filing fee for each one. My first letter may not have been clear with respect to payment of the filing fees. Please remit a total of \$5.00 (\$2.50 each). The check or money order can be made payable to the "Water Rights Program".

Thank you in advance for your help. If you have any questions, please contact me.

Sincerely,

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

enclosures

RECEIPT
Water Rights Program
South Dakota Department of Environment and Natural Resources

NC 416511

Pierre, May 10, 2000

RECEIVED OF Karl M. Schenk, 44352 308th St., Mission Hill, SD 57046

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>Water Right No. 4855-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total	2	50

By Harold E. Schenk
Chief Engineer



May 10, 2000

4855-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

4506-3

4855-3

Karl M Schenk
44352 308th St
Mission Hill, SD 57046

Dear Mr. Schenk:

Thank you for following up on the ownership changes for Water Right Nos. 4506-3 and 4855-3. The transfers have been completed and the water rights are now listed in your name.

Enclosed are your Receipt Nos. 416510 and 416511 in the amount of \$2.50 each, which you paid for filing the ownership changes.

If you have any questions concerning the water rights, please contact me.

Sincerely,

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

enclosures



January 14, 2004

4855-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: KARL M SCHENK, 44352 308TH ST, MISSION HILL, SD 57046

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 521-3, 4855-3 & 6233-3, 4506-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4506-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 521-3, 4855-3 & 6233-3 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) 521-3, 4855-3 & 6233-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4506-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires 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 (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.



4855-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2004

521-3
4506-3
4855-3
6233-3

Karl M Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right Nos. 521-3, 4506-3, 4855-3 and 6233-3.

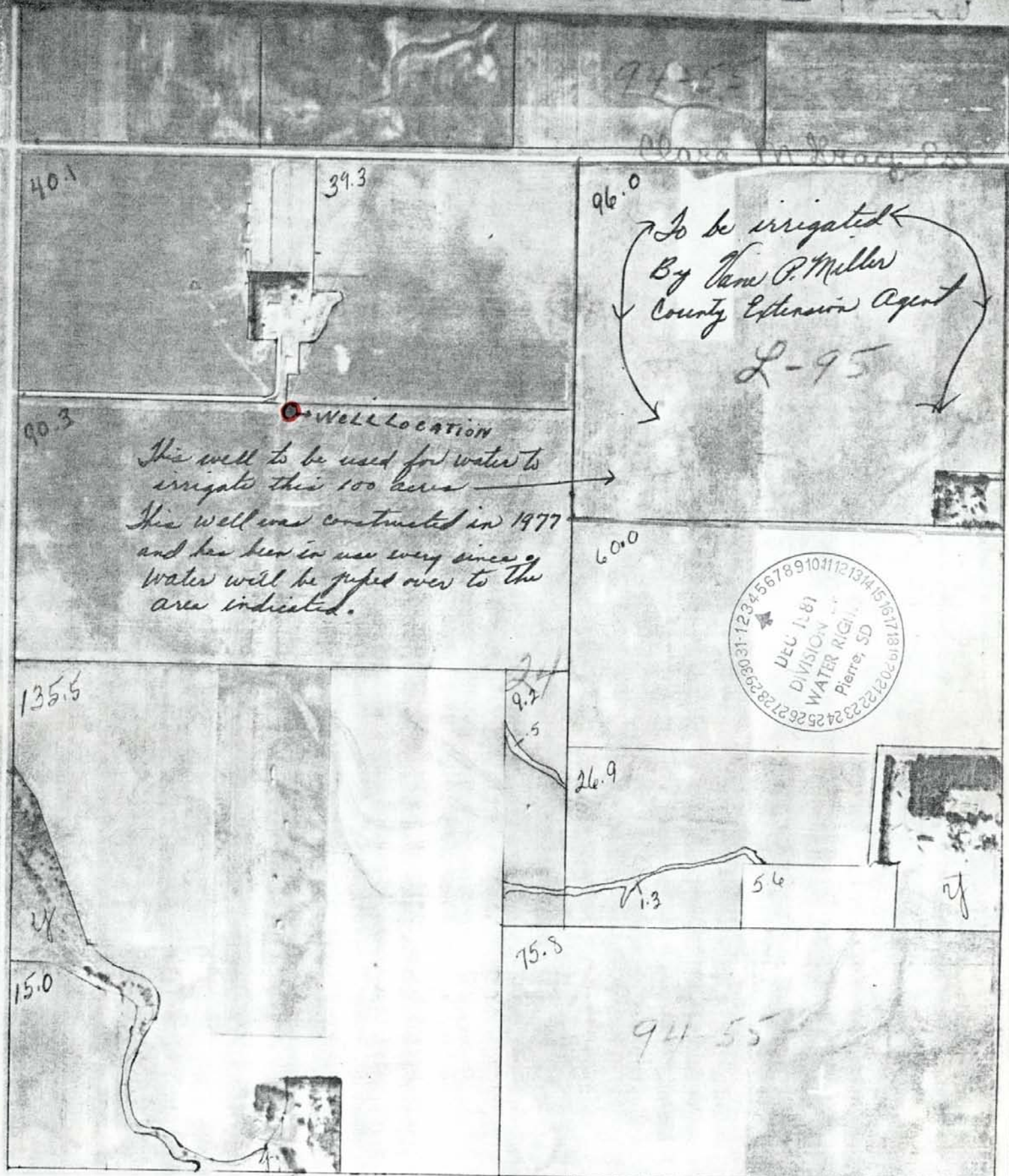
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

NOT TO SCALE



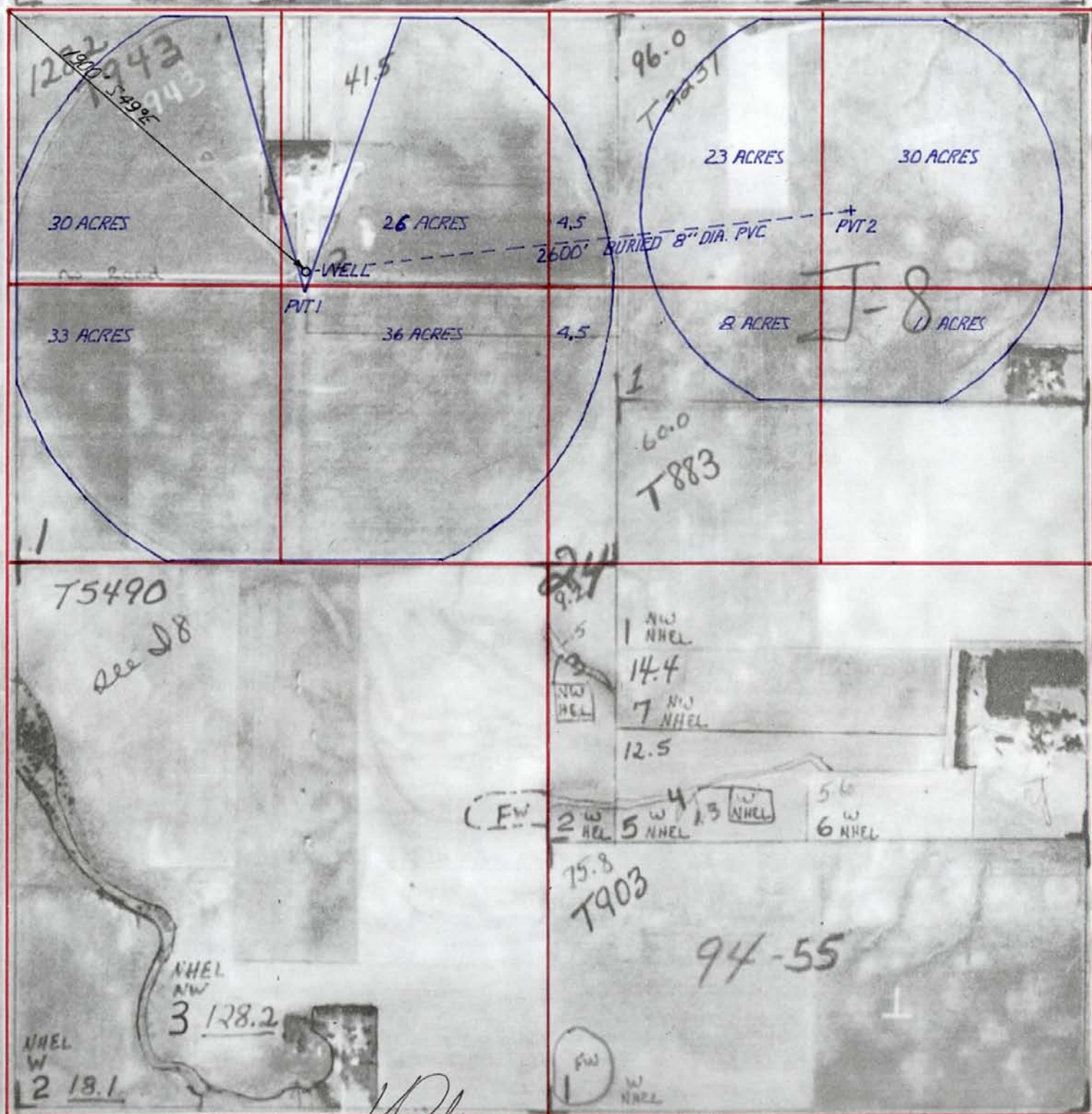
Appl # 4855-3

~~Appl # 4855-3~~

NOT TO SCALE

1995

SEC. 24 T94N-R55W



Ken Buhler
KEN BUHLER
NATURAL RESOURCES ENGINEER
DENR- WATER RIGHTS

W.L.# 4855-3

NOT TO SCALE

40.1

39.3

96.0

Close to Leary Est

*To be irrigated
By Tom P. Miller
County Extension Agent
L-95*

90.3

WELL LOCATION

*This well to be used for water to
irrigate this 100 acres
This well was constructed in 1977
and has been in use every since
water will be piped over to the
area indicated.*

60.0



135.5

9.2

1.5

26.9

1.3

5.6

75.8

94-55

15.0

Appl # 4855-3 ~~704-10603~~



4855-3

**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 24, 2006

NOTICE

TO: KARL M SCHENK, 44352 308TH ST, MISSION HILL, SD 57046

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

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaires

Our records indicate that the 2005 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4506-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 521-3, 4855-3 & 6233-3 qualification:

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

The hearing will be held at 10:30 am, March 2, 2006 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) 521-3, 4855-3 & 6233-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4506-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before **February 24, 2006**, 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 (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.



**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 31, 2006

521-3
4506-3
4855-3
6233-3

Karl M Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Right Nos. 521-3, 4506-3, 4855-3 and 6233-3.

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: KARL M SCHENK, 44352 308TH ST, MISSION HILL, SD 57046

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 4506-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4855-3, 6838-3, 6839-3, 6917-3, 6918-3, 7017-3, 7667-3, 7668-3, 7670-3, 7819-3, 7842-3, 7939-3, 7955-3 & 8816-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** 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) 4855-3, 6838-3, 6839-3, 6917-3, 6918-3, 7017-3, 7667-3, 7668-3, 7670-3, 7819-3, 7842-3, 7939-3, 7955-3 & 8816-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 4506-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaires for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: **ESGTCO****

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 17, 2025

4506-3, 4855-3, 6838-3, 6839-3
6917-3, 6918-3, 7017-3, 7667-3
7668-3, 7670-3, 7819-3, 7842-3
7939-3, 7955-3, 8192-3 & 8816-3

Karl Schenk
44352 308th St
Mission Hill SD 57046

Dear Mr. Schenk:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 4506-3, 4855-3, 6838-3, 6839-3, 6917-3, 6918-3, 7017-3, 7667-3, 7668-3, 7670-3, 7819-3, 7842-3, 7939-3, 7955-3 & 8816-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda. However, the 2024 reporting has not been completed for 8192-3, held by Stop Lock Drop Inc.

Please contact our office to report 2024 irrigation water use for Water Right No. 8192-3, prior to March 5, 2025.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us