

WATER PERMIT NO. 6942-3

Name of Applicant: **Craig L Johnson**

Address: **30441 447th Ave, Volin SD 57072**

Phone: **605 661-4412**

Amount of Water Claimed: **4.44 cfs**

Total Acres: **315 acres**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **irrigation**

County: **Yankton**

Type of Waste Disposal System:

Location: **5 miles northwest of Volin**

PRIORITY

Date Received: **1-22-08**

Application/License Fee: **\$375**

Corrected Application Received:

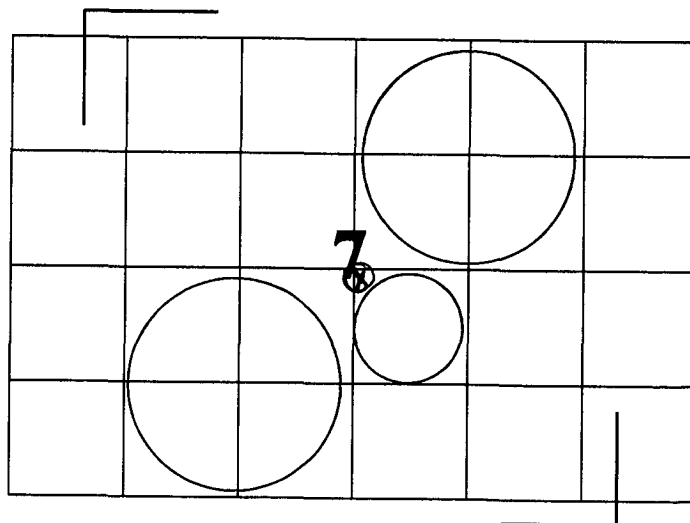
Period of Annual Use: **March 1 – October 31**

Remarks:

Diversion Point: **center of Sec 7-T94N-R54W**

Land to be Irrigated: **NE ¼, SW ¼, NW ¼ SE ¼**

Sec 7-T94N-R54W



Depth of Well: **180 feet deep**

Well Driller:

Remarks:

Type of Map: **aerial**

Prepared by: **Steve Meyer, Yankton Co. NRCS**

Reviewed and the Number Assigned on: **1-22-08**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

Ref ①

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6942-3</u> (office use only) Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>
	Newspaper <u>Press & Dakotan</u> P.O. Box <u>56</u>
	<u>605-665-7811</u> <u>Yankton 57078</u>

RECEIVED
JAN 22 2008
WATER RIGHTS PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

- Name of Applicant Craig L. Johnson Phone 605-661-4412
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 30441 447th Ave Volin State SD 57072
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 4.44*CFS or 2000 **GPM ***AF Total Acreage 315
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Ground water
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Yankton
Approx Center sec 7 T94N R54W
- County or counties where water will be used Yankton
- Annual period during which water is to be used March 1 - Oct. 31
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NE Quarter of NE Quarter of Sec 7-94N-54W	35	NE 1/4 of SW 1/4 Sec 7-94N-54W	35
NW 1/4 of NE 1/4 S 7-94N-54W	35	NW 1/4 of SW 1/4 Sec 7-94N-54W	35
SW 1/4 of NE 1/4 S 7-94N-54W	35	SW 1/4 of SW 1/4 Sec 7-94N-54W	35
SE 1/4 of NE 1/4 S 7-94N-54W	35	SE 1/4 of SW 1/4 Sec 7-94N-54W	35

- Give a description of the project. (Attach sheet if more space is needed)

See page 2

STATE OF SOUTH DAKOTA) SS
County of Yankton

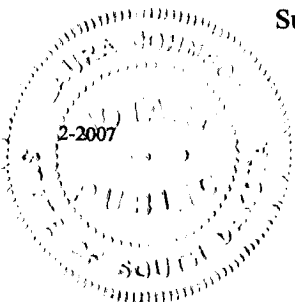
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Craig L. Johnson, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Craig L. Johnson

Subscribed and sworn to before me this 14 day of January 20 08

Lana Johnson
Notary Public signature



FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only) No. _____ Hydrologic Unit _____
	Basin _____
	Newspaper _____

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

1. Name of Applicant Craig L. Johnson Phone 661-4412
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 32441 447th Ave Valin State SD 57072
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed _____ *CFS or _____ **GPM _____ ***AF Total Acreage ¹⁴² 315
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Groundwater
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Yankton
Approx. Center Sec 7
5. County or counties where water will be used Yankton
6. Annual period during which water is to be used _____
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>NE 1/4 of SE 1/4 of Sec 7-94N-54W</u>	<u>35</u>		

8. Give a description of the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA)
County of Yankton SS

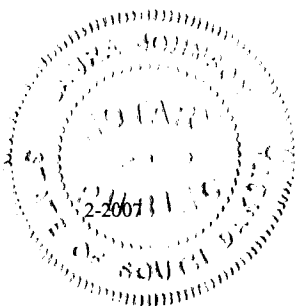
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Craig L. Johnson, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Craig L. Johnson

Subscribed and sworn to before me this 14 day of January 20 08

James Johnson
Notary Public signature



**SOUTH DAKOTA
WATER PERMIT NO. 6942-3**

Date of first receipt of application January 22, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6942-3 to Craig L. Johnson, 30441 447th Ave, Volin SD 57072 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6942-3 appropriates 4.44 cubic feet of water per second from one well to be completed into the Lower James:Missouri Aquifer (approximately 180 feet deep) located in approximate center of Section 7 to irrigate 315 acres located in the NE ¼, SW ¼, NW ¼ SE ¼ Section 7; all in T94N-R54W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: March 1 – October 31.
3. The date from which applicant may claim right is January 22, 2008.
4. The date of approval of Permit No. 6942-3 is March 10, 2008.
5. One-fifth of the construction is to be completed on or before September 10, 2010.
6. All construction is to be completed on or before March 10, 2013.
7. Water is to be put to beneficial use on or before March 10, 2017.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6942-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

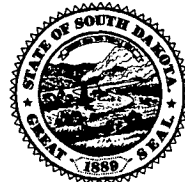
WATER MANAGEMENT BOARD

By: Garland Erbele

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

APR 08 2008

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24" Depth 80'
- b) Casing Type Plastic Diameter 16" Thickness 3/8"
- c) Screen Type Plastic Diameter 16" Thickness 1/4"
- d) Gravel Pack 1/4-3/4" Length of Gravel Pack 65'
- e) Depth to Top of Water Bearing Material ~~100'~~ 100-110'
- f) Depth to Water (ground surface to water level) 100'-110'
- g) Distance to nearest existing domestic well:
On applicants property 2500' On property owned by others 2500'

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

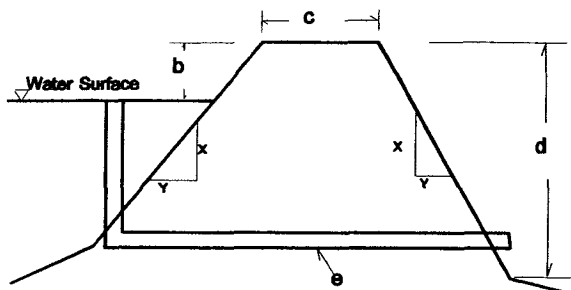
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

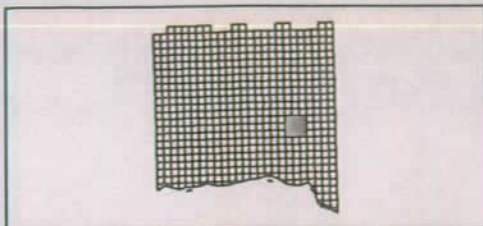


- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



USDA U.S. Dept. of Agriculture
Farm Service Agency

South Dakota Yankton County 7-94N-54W



Legend

- Section-Township-Range
- Common Land Units
- Rangeland
- CRP

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2004 ortho rectified imagery for South Dakota. The producer accepts the data 'as is' and assumes all risks associated with its use. The

February 23, 2006

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/22, 20 08

RECEIVED OF Johnson Excavation 30441 447th Ave Volin SD 57072

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

Fee for Application for Permit No. <u>16942-3</u> to Appropriate Water, to construct and to put water to beneficial use	325	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. <u>16942-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)		
TOTAL	375	00

No.

03094

By

Richard White
Chief Engineer

J



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6942-3, Craig L. Johnson**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6942-3, Craig L. Johnson, 30441 447th Avenue, Volin SD 57072.

The Chief Engineer is recommending APPROVAL of Application No. 6942-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6942-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 11, 2008

REPORT ON WATER PERMIT APPLICATION NO. 6942-3

For Craig L Johnson

February 6, 2008

Application No. 6942-3 proposes to appropriate 4.44 cfs (2,000 gpm) from one well approximately 180 feet deep located in the approximate center of section 7 to irrigate 315 acres located in the NE ¼, SW ¼, NE ¼ SE 1/4 of section 7; all in T94N R54W in Yankton County.

AQUIFER – LOWER JAMES MISSOURI (LJM)

The Lower James Missouri is a buried outwash (sand and gravel) that can be encountered either under artesian or water table conditions in Yankton County. Even though technically the aquifer may be considered under artesian conditions the behavior of the water levels mimics water table conditions in this area. The aquifer underlies 92,500 acres and contains an estimated 2.08 million acre-feet of recoverable water in storage in Yankton County (Hedges, 1982). The aquifer extends into Hutchinson County to the north, blends into the Missouri Elk Point aquifer to the south and blends into the Lower James Missouri Scotland aquifer to the west (also extending into Bon Homme County). The aquifer appears to be hydraulically connected to the James River over portions of Yankton County. Bugliosi in the Yankton County Study divided the Lower James Missouri aquifer into the northern and southern areas which roughly coincide with the Lower James Missouri and Missouri Elk Point aquifer as mapped by Hedges. The aquifer is prolific and well yields from the Lower James Missouri aquifer can be expected to be at least 500 gpm (Bugliosi, 1986).

No test wells were drilled for this application. The estimate of 180 feet may not be sufficient to penetrate the entire thickness of the aquifer. In order to develop a prolific irrigation well in this area more than likely the entire thickness of sand and gravel would need to be penetrated. A test well needs to be drilled to determine if the site chosen has sufficient water for development for irrigation. The county study indicates the aquifer does underlie this area. Other irrigation and domestic wells and observation wells all indicate irrigation potential for this area. Also this area as mapped should have less than 100 feet of saturated thickness in the aquifer (Bugliosi, 1986). While it is certainly possible that one well at this site could yield 2,000 gpm, more than likely this will not be the case and the applicant may want to consider additional wells and other locations.

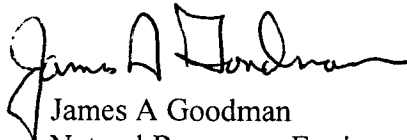
The Water Rights Program monitors five observation wells within three miles of this application. Observation well YA-78E which is located about one and one-half miles west and observation well YA-78F which is located about one and one-half miles to the east are the closest observation wells from this proposed well site. Water levels for these wells show good response to climatic conditions. The water levels rise during wet years (recharge) and gradually decline during dry years. In general the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2007). Hydrographs for these observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing Water Permit is application No. 6937-3 (1.78 cfs, irrigation of 135 acres, 180 feet deep well) with the this well located about three-fourths mile to the north of this proposed site. Drawdown created by pumping at this distance is not expected to be significant. This is shown by the observation well hydrographs for YA-78E and YA-78F. Interference is not expected to be a concern.

CONCLUSIONS

1. Water is available from the Lower James Missouri aquifer.
2. Drawdown created by pumping is not expected to be significant. Interference is not a concern.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. Further testing is required to determine if the aquifer is capable of producing 2,000 gpm from a single well in this area. It would not appear to me that the applicant would want to design the system in this manner.



James A Goodman
Natural Resources Engineer

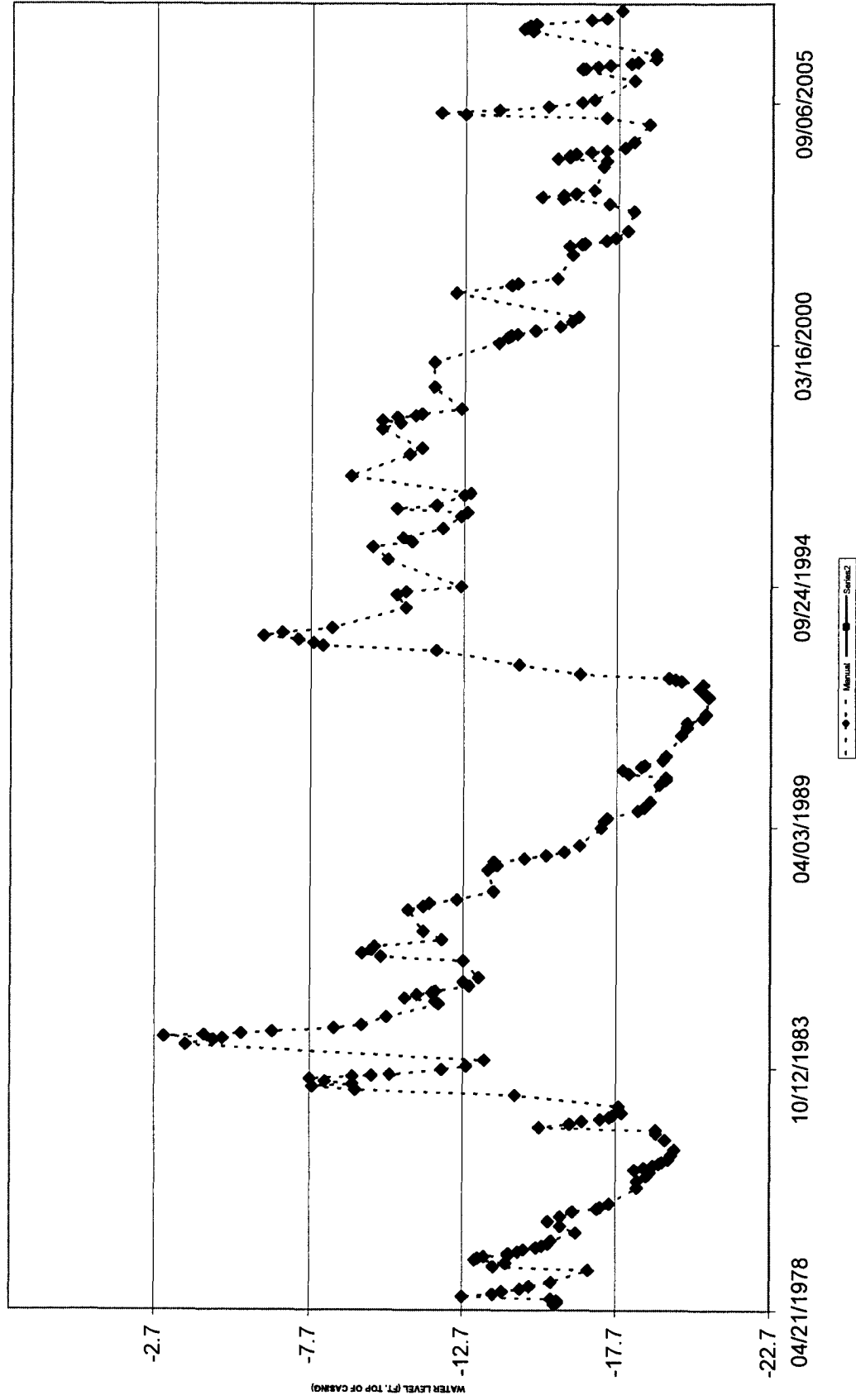
BIBLIOGRAPHY

Bugliosi, E.F., 1986, Water Resources of Yankton County, South Dakota, Water-Resources Investigations Report 84-4241, USGS, Huron, SD, 57350.

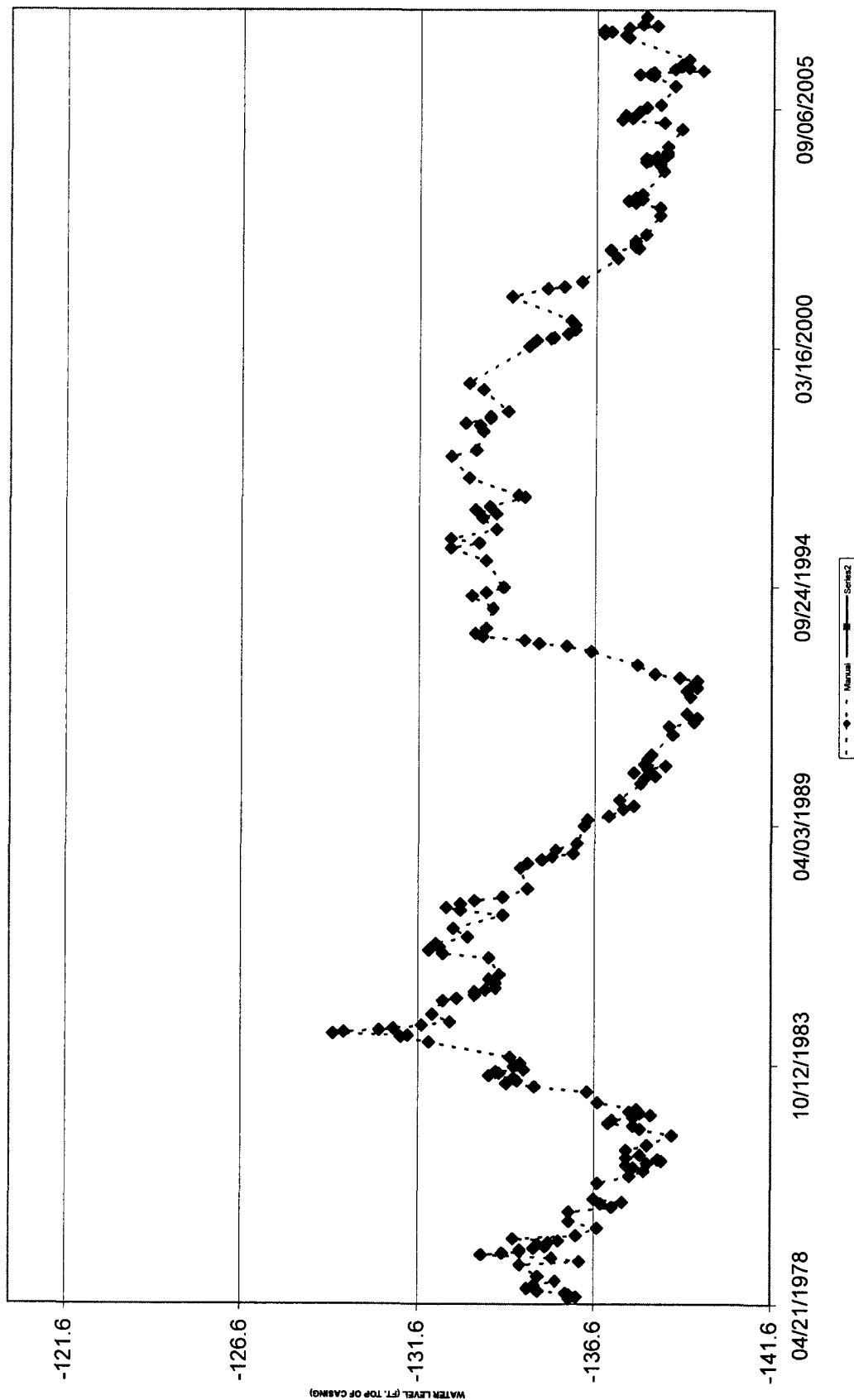
Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River South Dakota and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2007, Unpublished Observation Well Records for Yankton County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
YA-78F**



**WATER RIGHTS' OBSERVATION WELL
YA-78E**



AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

RECEIVED

MAR - 3 2008

WATER RIGHTS
PROGRAM

DENR
Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre, SD 57501-3181

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT HE IS THE MANAGING EDITOR OF THE YANKTON
PRINTING COMPANY, A CORPORATION, THE PRINTER AND THE
PUBLISHER OF THE YANKTON DAILY PRESS AND DAKOTAN, A LEGAL
DAILY NEWSPAPER PRINTED AND PUBLISHED IN THE CITY OF YANKTON,
SAID COUNTY AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF
THE SAID COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE
ANNEXED Notice of Application No.6942-3 to Appropriate Water

TAKEN FROM THE PAPER IN WHICH IT WAS PUBLISHED IN THE
NEWSPAPER ON THE 29th DAY OF February 2008
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$39.56 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 2/22, 2/29

FILED ON: 2/29/2008

SUBSCRIBED AND SWORN TO BEFORE ME THIS 29th DAY OF February, 2008

NOTARY PUBLIC, SOUTH DAKOTA
MY COMMISSION EXPIRES 8/19/2009

2+22+29

NOTICE OF APPLICATION NO.
6942-3 to Appropriate Water

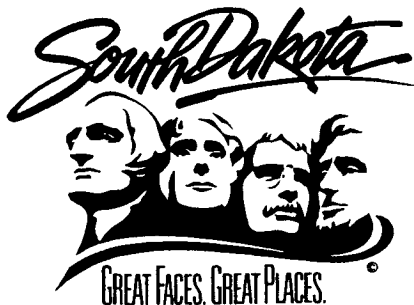
Notice is given that Craig L. Johnson, 30441 447th Ave, Volin SD 57072 has filed an application for a water permit to appropriate 4.44 cubic feet of water per second from one well to be completed into the Lower James-Missouri Aquifer (approximately 180 feet deep) located in approximate center of Section 7 to irrigate 315 acres located in the NE 1/4, SW 1/4, NW 1/4 SE 1/4 Section 7; all in T94N-R54W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends

APPROVAL of Application No. 6942-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 10, 2008.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



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 11, 2008

Press & Dakotan
PO Box 56
Yankton SD 57078

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6942-3 to Appropriate Water to be published twice. Please publish the first notice on February 22, 2008 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Craig L Johnson, 30441 447th Ave, Volin SD 57072 (Ph # 605-661-4412).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 6942-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of February 11, 2008 enclosing Notice to Appropriate Water by Application No. 6942-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

February 11, 2008

Craig L Johnson
30441 447th Ave
Volin SD 57072

Dear Mr. Johnson:

Water Permit Application No. 6942-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Press & Dakotan printed at Yankton SD (Ph # 605-665-7811). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on February 22, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6942-3 to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6942-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

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The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

APR 08 2008

Craig L Johnson
30441 447th Ave
Volin SD 57072

Dear Mr. Johnson:

Enclosed is Water Permit No. 6942-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet ? *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



6942-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: CRAIG L JOHNSON, 30441 447TH AVE, VOLIN, SD 57072

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

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6942-3. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 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) 6942-3 qualification:

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

The hearing will be held at **10:00 am, March 11, 2009** 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) 6942-3 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 **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

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.

6942-3

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 6937
Status: **Delivered**

Your item was delivered at 10:07 AM on January 24, 2009 in VOLIN, SD 57072. The item was signed for by C JOHNSON.

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 6937

CRAIG L JOHNSON
30441 447TH AVE
VOLIN SD 57072

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

☐ Priority Mail[™] Service
☐ First-Class Mail[®] parcel
☐ Package Services parcel

PS Form 3800, June 2008



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2009

6942-3

Craig L Johnson
30441 447th Ave
Volin SD 57072

Dear Mr. Johnson:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Permit No. 6942-3.

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,

A handwritten signature in cursive script that reads 'Genny McMath'.

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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

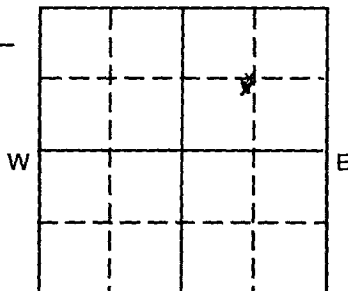
11-02

Location sw $\frac{1}{4}$ ne $\frac{1}{4}$ Sec 7 Twp 94n Rg 54w

County

Yankton

North

Please mark well
location with an "X"

Well Completion Date

6/12/2008

1 Mile

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

>1,800.0 ft. from septic tank (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

direct rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT LB/FT	DIAMETER IN	FROM FT	TO FT	HOLE DIAMETER IN
	16.00	0.0	97.0	22.00

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight Lb/gal	From Ft	To Ft
bent grt	32	9.5	0.0	90.0

Describe grouting procedure
tremie

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 60.0 FeetMaterial pvcSlot Size 0.060 Set From 97.0 Feet to 157.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH tablets
☐ No, Why Not?
Lab sample sent to for
water quality analysisWell Owner: Louis Johnson

Business Name:

Address: 30441 447 AveCity, State, Zip: Volin SD 57072

WELL LOG:

DEPTH

FORMATION	FROM	TO
Clay, brown silty,	0	17
clay, gray, silty, pebbly	17	86
gravel, coarse, sub angular sandy	86	165

STATIC WATER LEVEL 53.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

61.0 Ft. After 1.0 Hrs. pumped 600.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

FEB - 2 2009

WATER RIGHTS
PROGRAMThis well was drilled under license # 666

And this report is true and accurate.

Drilling firm: Hammond Wetmore Drilling

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

12/10/08

**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 6942-3**

I have this day, September 28, 2021, made a thorough examination of the water use system constructed by Craig L. Johnson, 30441 447th Ave., Volin, SD 57072, holder of Permit No. 6942-3, bearing the priority of January 22, 2008 authorizing the diversion of 4.44 cu. ft. per second of the waters of groundwater (Lower James: Missouri Aquifer) for the irrigation of 315 acres located in Yankton County.

Inspection contact: Craig Johnson

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Hammond Wetmore Drilling
- 2) No. of Wells: 1
- 3) Depth(s): 165 feet
- 4) Well log is available: Yes

Casing:

- 1) Diameter: 16 inches
- 2) Length: 97 feet
- 3) Type: Plastic

Screen:

- 1) Diameter: 16 inches
- 2) Length: 60 feet
- 3) Type: PVC
- 4) Static water level: 53 feet

Pump:

- 1) Make: Grundfos
- 2) Model: 800s600
- 3) Capacity: 950 GPM

Motor:

- 1) Make: Grundfos
- 2) Model No.: Unknown
- 3) Horsepower rating: 60 hp

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

- | | | |
|-----------------------|--------------------------|--|
| 1) Type: <u>Steel</u> | 2) Size: <u>8</u> inches | 3) Length: <u>15</u> feet (<u>well to the NE pivot</u>) |
| 1) Type: <u>PVC</u> | 2) Size: <u>8</u> inches | 3) Length: <u>2,020</u> feet (<u>well to the Middle pivot</u>) |
| 1) Type: <u>PVC</u> | 2) Size: <u>8</u> inches | 3) Length: <u>1,960</u> feet (<u>well to the SW pivot</u>) |

C. Works used to apply water to beneficial use:**SW Center Pivot:**

- 1) Make: Valley
- 2) Overall length: 1,278 ft.
- 3) Number of towers: 7
- 4) End gun: Yes
- 5) Capacity: 950 GPM

Middle Center Pivot:

- 1) Make: Zimmatic
- 2) Overall length: 738 ft.
- 3) Number of towers: 4
- 4) End gun: Yes
- 5) Capacity: 950 GPM

NE Center Pivot:

- 1) Make: Valley
- 2) Overall length: 1,278 ft
- 3) Number of towers: 7
- 4) End gun: Yes
- 5) Capacity: 950 GPM

Chemigation Equipment:

- 1) Does chemigate: No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by: Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period: Yes
- 3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows:

The well is 1,330 feet west and 1,340 feet south of the northeast corner of Section 7-T94N-R54W (Latitude 42.97804, Longitude -97.26453 – SW1/4 of the NE1/4).

2. The works are capable of diverting and conveying to the place of use 2.11 cu. ft. per second of water which is to be used for irrigation purposes. Water has been put to beneficial use to the maximum extent as follows:

All in Section 7-T94N-R54W

<u>NW1/4SW1/4</u>	<u>32 acres</u>
<u>NE1/4SW1/4</u>	<u>36 acres</u>
<u>SW1/4SW1/4</u>	<u>30 acres</u>
<u>SE1/4SW1/4</u>	<u>33 acres</u>
<u>NW1/4SE1/4</u>	<u>38 acres</u>

<u>NW1/4NE1/4</u>	<u>33 acres</u>
<u>NE1/4NE1/4</u>	<u>32 acres</u>
<u>SW1/4NE1/4</u>	<u>37 acres</u>
<u>SE1/4NE1/4</u>	<u>21 acres</u>

comprising a total of 292 acres of land and the license should be issued for 2.11 cfs.

3. All structures, wells and lands on map: Yes

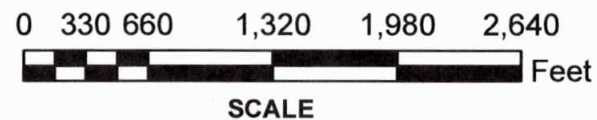
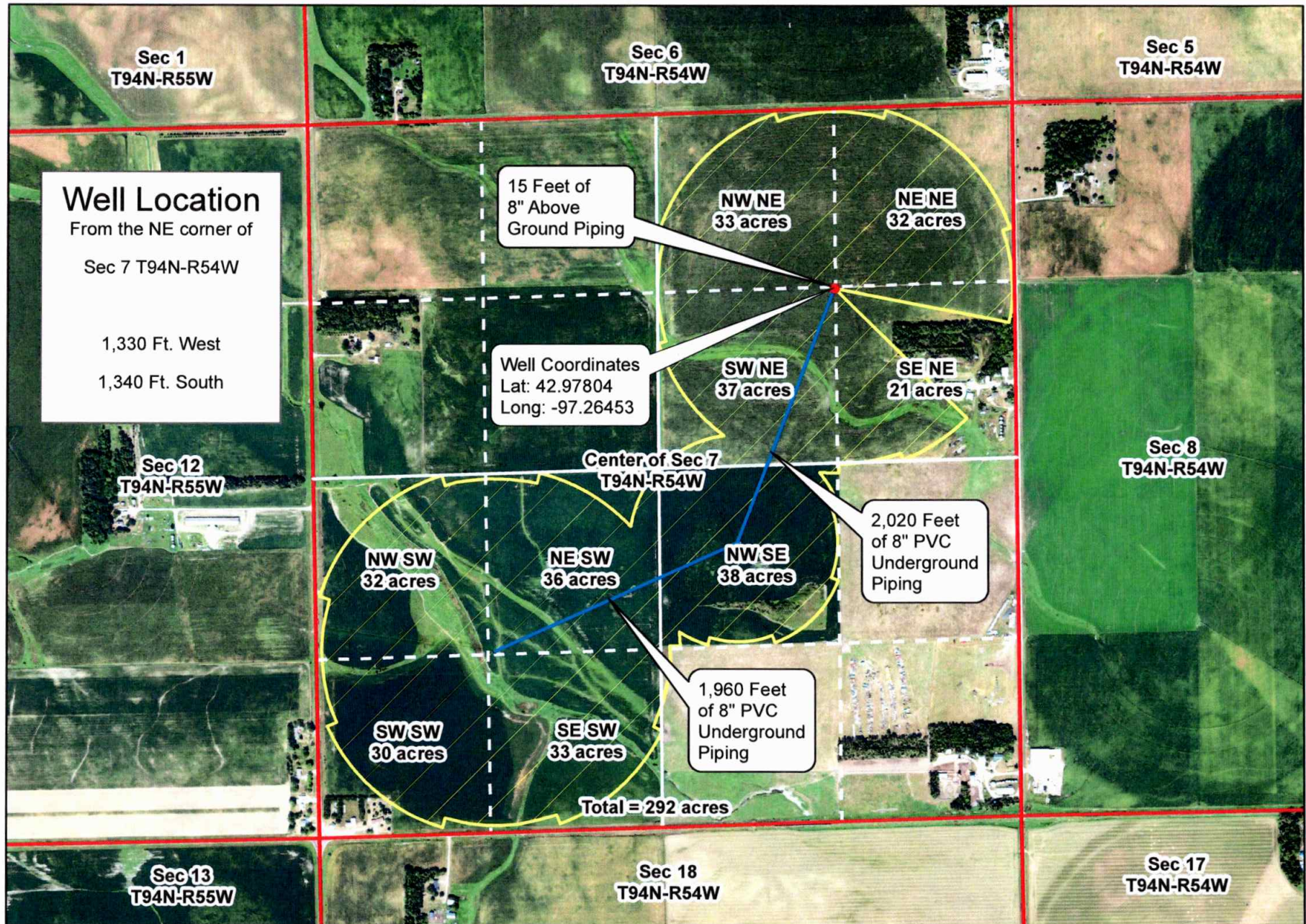
F. Comments or other permit(s) associated with the project: The outside tower of the southwest pivot rolls across the edge of the adjoining landowner's property along the east side of the pivot circle. I visited with Mr. Johnson about this and he will have the end gun shut off when the pivot is over this area. The pump and motor information was obtained from Hammond Wetmore Drilling and Quality Well Service, LLC.

Keith DeJong

Keith DeJong
Water Rights Inspector
DANR, Water Rights Program

Date report completed: October 8, 2021

Water Right No. 6942-3



Keith DeJong
Keith DeJong, PE
Staff Engineer
October 8, 2021



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

OCT 14 2021

6942-3

Craig L Johnson
30441 447th Ave
Volin SD 57072

Dear Mr. Johnson:

Enclosed is Water License No. 6942-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, 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, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6942-3**

(1) Craig L Johnson, 30441 447th Ave., Volin SD 57072 made Application No. 6942-3, January 22, 2008 for a water permit to divert 4.44 cubic feet of water per second from ground water, one well (Lower James Missouri Aquifer), Yankton County, South Dakota for irrigation purposes. Permit No. 6942-3, with a priority date of January 22, 2008 was approved March 10, 2008 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 10, 2013 and for the application to beneficial use of said water on or before March 10, 2017.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 2.11 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,330'W and 1,340'S of the NE corner of Section 7, T94N, R54W (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
Latitude 42.97804, Longitude -97.26453

(3) The permit holder 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 7, T94N, R54W

NW $\frac{1}{4}$ SW $\frac{1}{4}$	32 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$	38 acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$	33 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	36 acres			NE $\frac{1}{4}$ NE $\frac{1}{4}$	32 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$	30 acres			SW $\frac{1}{4}$ NE $\frac{1}{4}$	37 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$	33 acres			SE $\frac{1}{4}$ NE $\frac{1}{4}$	21 acres

Total of 292 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Craig L Johnson, 30441 447th Ave., Volin SD 57072 the holder and/or owner of Water Right No. 6942-3 is issued a license to appropriate water, the right to use 2.11 cubic feet of water per second from ground water, one well (Lower James Missouri Aquifer) with a priority date of January 22, 2008 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6942-3 and subject to the following qualifications:

- The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 6942-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. ***The well was drilled in June 2008 by Hammond Wetmore Drilling. A copy of the well completion report is on file with the Water Rights Program.***

continued

- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

Eric Gronlund

Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

OCT 14 2021

date

