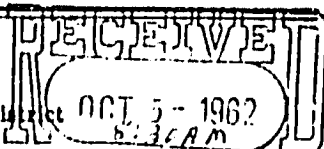


1006-3

1. Considered 11-14, 1962
2. Name of Applicant Robert GARVIS
3. Post Office Address Wenatchee
4. Amount of water claimed 3.0
5. Source of water supply ground water (2 wells)
6. Water to be used for irrigation
7. Acres to be irrigated 210  
Water to be diverted and used in Chase County  
3E 2S miles of Wenatchee
8. Proof of Publication Received 1st  
Not Received \_\_\_\_\_
9. Application Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not Approved \_\_\_\_\_  
Action deferred \_\_\_\_\_
10. Remarks:

No. 1006-3

Water Division No. 3 VERMILLION RIVER  
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

# APPLICATION FOR PERMIT To appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant ROBERT CARLIS DR. FRANCIS M. ARMSTRONG  
125 N. HARVARD  
 Postoffice address VERMILLION, County CLAY, State S. DAK.

- I. If a corporation
- (a) Name of same
  - (b) Date and place of incorporation
  - (c) Amount of capital stock
  - (d) Amount paid in
  - (e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

## II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

CONTRACT

- (b) Cash on hand, \$ 10,000
- (c) Treasury stock, \$
- (d) Bonds to be issued, \$
- (e) Other resources, \$

2. Name of diversion work CARLIS #1
3. Amount of water claimed 3 cubic feet per second
4. Source of water supply WELL
5. Location of point of diversion well #1 7800-SE of RM 2-151 on 1/2 MILE LINE  
well #2 8000-SE of NW COR SEC 37-42-51 on bank County.
6. Annual period or periods during which water is to be used MAY - NOV
7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- GRAVITY

- (a) Number of acres to be irrigated
- 710
- acres.

- (b) Legal subdivisions to be irrigated
- 1/2 NW 1/4, Section of SW 1/4 + NW 1/4 SEC 37-42-51

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.)

## II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use
- 
- Name any of the above uses claimed

- (b) Amount of power to be generated
- horse power.

Amount claimed for engine cooling

- (c) Location of plant

- (d) Method of developing power

- (e) Point where water will be returned to stream

MAP NO 650-3

8. Estimated cost of work:

(a) Head Gates, \$----- (b) Pumping plant, \$-----  
 (c) Fluming, \$----- (d) Canal-earth, \$----- Rock, \$-----  
 (e) Other structures ----- \$----- Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works.

(a) Dam: Height-----feet; length at bottom ----- feet; length at top -----feet; thickness at bottom -----feet; thickness at top -----feet; slope at front water face -----; slope at back face ----- material used in construction -----  
 (b) Reservoir: Capacity when filled -----acre feet. Surface area at highwater mark-----acres.

| DEPTH AT<br>OUTLET-Feet | SURFACE AREA AT EACH<br>DEPTH AT OUTLET--ACRES | FEET | ACRE-Feet<br>CAPACITY |
|-------------------------|------------------------------------------------|------|-----------------------|
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |

(c)\* Head gate: Width-----feet; height -----feet;  
 Material -----  
 (d) Canal: Total length -----miles.

| LOCATION BELOW<br>HEADGATE | DEPTH      | BOTTOM<br>WIDTH | WIDTH AT<br>WATER-LINE | GRADE<br>PER MILE |
|----------------------------|------------|-----------------|------------------------|-------------------|
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |

(Give dimensions where reductions in size are made.)

10. Time required for completion of work -----5----- years.  
 11. Time required for complete application of water to the proposed beneficial use -----10-9----- years.  
 12. Choice of newspaper for publication of notice of intention to appropriate -----PERMISSION-----  
 -----PLAIN TALK-----

STATE OF SOUTH DAKOTA

County of ----- ss.

I, -----Robert Garver-----, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed -----Robert Garver-----

Subscribed and sworn to before me this -----1----- day of -----Oct----- 19-----1912-----

-----Notary Public (or other qualified officer.)



Remarks by State Water Resources Commission:

The well granted under this Permit is located near domestic wells and other irrigation wells which may obtain water from the same aquifer. If the well covered by this Permit depletes the domestic supplies or interferes with prior water rights, restrictions, to the extent necessary, of the capacity of the well or periods of operation or other arrangements may be required to protect these water supplies.

STATE OF SOUTH DAKOTA  
County of HUGHES } ss.

Pierre, South Dakota, NOVEMBER 27, 1962

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock  
a.m. upon the 5<sup>TH</sup> day of OCTOBER, 1962

State Water Resources Commission

By:

Burt Jones  
Chief Engineer, Executive Officer

Number of permit 1006-3

Date of first receipt of application October 5, 1962

Date of return to applicant for correction, amendments or changes required as follows: \_\_\_\_\_, 19\_\_\_\_

Date of receipt of corrected application \_\_\_\_\_, 19\_\_\_\_

Date from which applicant may claim right October 5, 1962

Approved November 14, 1962, Recorded in Book 7 Page 220

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before \_\_\_\_\_

MAY 14, 1965

2nd. The whole of said work is to be completed on or before November 14, 1967

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

November 14, 1971

4th. The water appropriated shall be used for the purpose of irrigation

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 3.0 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 NOVEMBER 14, 1971; said water to be used during the following described annual period:

MAY TO NOVEMBER

Witness my hand this 27<sup>TH</sup> day of November, 1962

State Water Resources Commission

By:

W. C. Quinn  
Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 10, 1969

Water License issued NOVEMBER 10, 1969

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation ..... 36" ..... , Depth ..... 110' .....

Type of casing ..... CONCRETE .....  
(wood, concrete, steel, etc.)

Size of casing ..... 24" ..... , Thickness of casing ..... 3" .....

Length of casing ..... 86' ..... If collection gallery, length, size and depth of  
gallery .....

(b) Screens

Type of perforated screen ..... SLOTTED CONCRETE .....

Size of perforated screen ..... 3 1/4" ..... , ..... 4' .....  
(diameter) (length)

Thickness of gravel pack ..... 6" ..... , length of gravel pack ..... 110' .....

(c) Water Bearing Materials

Distance to water ..... 8' ..... Character of water bearing materials .....

..... COARSE SAND & GRAVEL .....

Thickness of water bearing material ..... 90' .....

(d) Pump and Motor

Type of pump ..... TURBINE .....  
(centrifugal, propeller, mixed flow, etc.)

Name of pump ..... WESTERNLAND ROLLER, size 12" .....

Kind of motor ..... ELECTRIC .....  
(gasoline, electric, diesel, etc.)

Horsepower ..... 2.5 ..... , Name of Motor ..... V.S. .....

(e) Complete well

Capacity ..... 1000 GPM at drawdown of ..... 25' ..... Estimated cost ..... 2500.00 .....

(f) Owner of land upon which well is located ..... ROBERT CARLIS .....  
Name

..... VERMILION S. DAK. ....  
Address

(g) Distance to nearest existing wells

On same owner's property ..... 50 ..... rods. On property owned by others ..... 100 ..... rods

Form 15.

Permit No. 1006-3

Water Diversion No. 3 VERMILLION RIVER Water District

### CERTIFICATE OF CONSTRUCTION

This is to Certify, That Francis M. Armstrong

\_\_\_\_\_ the holder \_\_\_\_\_ of  
Permit No. 1006-3, issued upon Application No. 1006-3, bearing date of priority of October 5,  
1962 authorizing the diversion of 3.0 cu. ft. per second of the waters of \_\_\_\_\_  
ground water County of Clay, State of South Dakota at points  
S. 30° 30' E., 287 rods and S. 1° 50' E., 109 rods from the NW Corner, Section 27,  
T92N, R51W

\_\_\_\_\_, for irrigation

\_\_\_\_\_ purposes, has \_\_\_\_\_ complied with the provisions of the laws of the State of South Dakota relating to proof of  
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory  
condition for diverting and conveying to the place of intended use. 5.0 cu. ft. per second of water.

Date. November 10, 1969

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

## WATER LICENSE NO. 1006-3

(1) WHEREAS, On the 5th day of October A. D. 19 62  
Robert Garvie

made Water Right Application No. 1006-3 for a permit to use 3.0 cubic feet per second of the waters of ground water

County of Clay, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 27th day of November A. D. 19 62

Permit No. 1006-3 with a date of priority of October 5, 1962

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 14th day of November A. D. 19 67 and for the

application to beneficial use of said water on or before the 14th day of November A. D. 19 71

and, Whereas on the 10th day of November, 1969, the permit was transferred to Francis M. Armstrong, Vermillion, South Dakota,

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 2.9 cubic feet per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating the following land in Section 27, T92N, R51W

|                                   | Acres       |
|-----------------------------------|-------------|
| NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 36.9        |
| SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 39.1        |
| NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 27.7        |
| NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 39.4        |
| NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40.0        |
| SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 17.2        |
| SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 3.9         |
| Total                             | 204.2 Acres |

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota. We hereby grant and confirm to \_\_\_\_\_ Francis M. Armstrong \_\_\_\_\_

\_\_\_\_\_ of Vermillion, South Dakota \_\_\_\_\_

the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 1006-3 a water right, dating from October 5, 1962 \_\_\_\_\_

\_\_\_\_\_ to use of 2.9 \_\_\_\_\_ cubic feet per second of the waters of ground water \_\_\_\_\_

in the County of Clay \_\_\_\_\_ and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at points S. 30° 30' E. 287 rods and S. 1° 50' E. 109 rods from the NW Corner, Section 27, T92N, R51W \_\_\_\_\_

and conduct to and upon portions of Section 27, T92N, R51W, described on the face of this \_\_\_\_\_  
License \_\_\_\_\_

for the purpose of irrigation \_\_\_\_\_

Subject to any limitations listed in Water Right Permit No. 1006-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre South Dakota  
this 10th day of November \_\_\_\_\_ A. D.  
Nineteen Hundred and Sixty-nine \_\_\_\_\_

WATER RESOURCES COMMISSION

By:

\_\_\_\_\_  
Chief Engineer, Executive Officer, J.W. GRIMES

GRIMSHAW DRILLING CO.

5001 West 38th St.  
Sioux Falls, S. Dak.  
Phone ED 2-5041

# DRILLING LOG AND STATEMENT

Chamberlain, S. Dak.  
Phone 3J3

Name Savio Hann

Date 9-5-65

Address . . . . . *Thermonline*

| NO. FT.      | DIA. | RATE  | CASING | TOTAL    |
|--------------|------|-------|--------|----------|
| 100-         | 4"   | 7 5/8 | none   | 7 5/8    |
| 100-         | 4"   | 7 5/8 | none   | 7 5/8    |
| 500-         |      |       |        | 150.00   |
|              |      |       |        |          |
|              |      |       |        |          |
|              |      |       |        |          |
|              |      |       |        |          |
| BALANCE DUE  |      |       |        | \$150.00 |
| DRILLING LOG |      |       |        |          |

# DRILLING LOG

# DRILLING LOG

--- 6 ft. to 20 ft. TOP Soil --- 0 ft. to 9.0 ft. TOP Soil

7.0 ft. to 9.0 ft. CLAY 7.0 ft. to 10.0 ft. CLAY

9.0 ft. to 60.0 ft SAND 10.0 ft. to 50.0 ft SAND MED

62.0 ft. to 78.0 ft. SAND & CLAY LENS 50.0 ft. to 60.0 ft. SAND COURSE

78.0 ft. to 100.0 ft. <sup>LENS</sup> COURSE GRAY-L 60 ft. to 68.0 ft. CLAY

ft. to ft. 180 ft. to 100 ft. S 1/4

..... ft. to ..... ft. water at 8.0

..... ft. to ..... ft. .... ft. to ..... ft.

Static Water Level 7 ft.

ft. to ft.

## Driller

Nº 2710

on or before  
(First Publication October 18, 1962)

# APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., October 9, 1962

Notice is hereby given that Robert Garvis whose postoffice address is Vermillion S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.00 cubic feet of water per second of time from the ground water through the Garvis #1 <sup>are</sup> the points of diversion of which ~~are~~ to be located on the point #1 in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , and point #2 bank of cold stream in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 27 Twp. 92N Range 51W. Said water to be used for the purpose of providing irrigation on the following described land:

W $\frac{1}{2}$  NW $\frac{1}{4}$ , the portion of the SW $\frac{1}{4}$  and the portion of the W $\frac{1}{2}$  SE $\frac{1}{4}$  lying north of the Chicago, Milwaukee and St. Paul Railroad, all in Section 27, T92N, R51W

~~XXXXXX~~

purpose~~x~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 14th day of November, 1962, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

BURTON F. JONES  
Water Right Specialist

CC: William S. Gibson, Publisher  
Vermillion Plain Talk  
Vermillion, South Dakota

## PROOF OF PUBLICATION

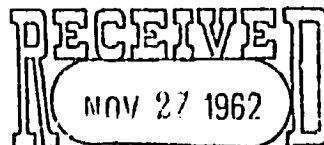
STATE OF SOUTH DAKOTA }  
County Clay } ss.B. A. Schooley being duly sworn, deposes and says the annexed printed copy of Noticeof Intention to Appropriate Water was taken from the \_\_\_\_\_  
Vermillion Plain Talk a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the \_\_\_\_\_  
City of Vermillion, County of Clay and State of South Dakota; that the said notice was published in said newspaper on the following dates:Oct 18Oct 25Nov. 1Nov 8.in each and every issue of the full number thereof, the first publication being made on the 18<sup>th</sup> day of Oct 1962 and the last publication on the 8<sup>th</sup> day of Nov 1962 upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Legal Adm. Mgr. the printer and publisher of the said newspaper.B. A. SchooleySubscribed and sworn to before me this 9<sup>th</sup> day of November A. D. 1962Ida M. MilletteNotary Public Clay County, S. D.APPROPRIATION OF WATER  
Office of State Water Resources  
Commission, Pierre, S. Dak., October  
9, 1962.Notice is hereby given that Robert Garvis whose postoffice address is Vermillion, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.00 cubic feet of water per second of time from ground water through the Garvis No. 1, the points of diversion of which are to be located point No. 1 in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , and point No. 2 in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 27 Twp. 32N Range 51W. Said water to be used for the purpose of providing irrigation on the following described land: W $\frac{1}{2}$  NW $\frac{1}{4}$ , the portion of the SW $\frac{1}{4}$  and the portion of the W $\frac{1}{2}$  SE $\frac{1}{4}$  lying north of the Chicago, Milwaukee and St. Paul Railroad, all in Section 27, T32N, R51W. This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 14th day of November, 1962, at 2 p.m. All interested persons may appear and be heard. Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By: BURTON F. JONES

Water Right Specialist.

(Oct. 18, 25, Nov. 1, 8)

STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

## NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission  
State Office Building No. 2  
Pierre, South Dakota 57501

Date October 31, 1969

This is to notify you that title to the lands described as follows:

formerly owned by ROBERT GARVIShas been transferred to FRANCIS ARMSTRONG

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 1006-3 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

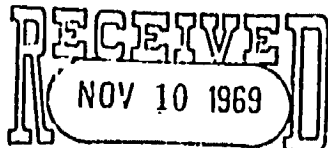
STATE OF SOUTH DAKOTA )  
County of CLAY ) ss.

I, FRANCIS M. ARMSTRONG 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 I know of my own personal knowledge that the information herein stated is true.

Francis M. Armstrong  
(Signed)

Subscribed and sworn to before me this 31st day of October, 1969

Norm Erickson  
(Notary Public)



STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

Permit No. 1006-3Water Division 3 VERMILLION RIVER Water DistrictREPORT OF EXAMINATION OF WORKS  
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by FRANCIS M. ARMSTRONG of VERMILLION holder of Permit No. 1006-3, bearing date of priority of OCTOBER 5, 1962 authorizing the diversion of 3.0 cu. ft. per second of the waters of GROUND WATER for IRRIGATION purposes, in CLAY County.

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

The Water Use System consists of,

## A. Works used to divert the water:

WELL #1 100' DEEP - 24" CONCRETE CASING w/ WESTERN LAND ROLLER 8" PUMP (A1-120-H) P.T.O.

WELL #2 89' DEEP - 24" CONCRETE CASING w/ WESTERN LAND ROLLER 10" PUMP P.T.O. - INTERNATIONAL 660 DIESEL - INTERNATIONAL WDA OR SUPER M INTERNATIONAL

## B. Works used to transport water to place of use, USED TO POWER PUMPS.

HAS 200' OF 10" PIPE TO CONVEY WATER TO 2 1/4 MILES OF MAIN DITCH

## C. Works used to apply water to beneficial use.

360 RODS OF SPREADER DITCHES TO LEVELLED LAND

The system is in the following condition: GOODThe point of diversion is located WELL #1 S30°30'E, 287 P.O.S AND WELL #2 S10°50'E, 109 RODS FROM THE NW CORNER, SECTION 27, T92N, R51WThe works are capable of diverting and conveying to the place of use 5.0cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SEC. 27, T92N, R51W

|                                 |            |                                 |            |
|---------------------------------|------------|---------------------------------|------------|
| NW <sup>4</sup> NW <sup>4</sup> | 36.9 ACRES | NW <sup>4</sup> SE <sup>4</sup> | 40.0 ACRES |
| SW <sup>4</sup> NW <sup>4</sup> | 39.1 "     | SW <sup>4</sup> SE <sup>4</sup> | 17.2 "     |
| NW <sup>4</sup> SW <sup>4</sup> | 27.7 "     | SE <sup>4</sup> SW <sup>4</sup> | 3.9 "      |
| NE <sup>4</sup> SW <sup>4</sup> | 39.4 "     |                                 |            |

comprising a total of 204.2 acres of land.

Date

September 18, 1969Durston J. Jones  
(Signature)WATER RIGHT SPECIALIST  
WATER RESOURCES COMMISSION



# Department of Water & Natural Resources

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

January 29, 1988

DR FRANCIS M ARMSTRONG  
120 N HARVARD  
VERMILLION, SD 57069

## NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation  
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1006-3, 3797-3, 1034-3. 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 hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing 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. Amend Permit No(s). 1006-3, 3797-3, 1034-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. 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.

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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

 **Department of  
Water & Natural Resources**

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

February 18, 1988

1034-3  
1006-3  
3797-3

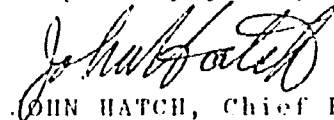
Dr. Francis Armstrong  
120 N Harvard  
Vermillion SD 57069

Dear Dr. Armstrong:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 1034-3, 1006-3, 3797-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



JOHN HATCH, Chief Engineer  
Water Rights Division  
605 773 3352

1006-3



120 N. Harvard  
Vermillion, SD 57069  
January 16, 1997

Water Right Division  
Joe Fass Building  
523 East Capital  
Pierre, SD 57501-3181

Dear Sirs:

I apologize for being delinquent in reporting this. The forms were misplaced, I had shoulder surgery early in December, and we still have over two hundred acres of corn unharvested in the field.

Sincerely,

Thomas M. Armstrong  
by JAC



1006-3

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

January 9, 1998

**NOTICE**

**TO:** DR FRANCIS M ARMSTRONG, 120 N HARVARD, VERMILLION, SD 57069 2227

**FROM:** Ron Duvall, Natural Resources Engineer  
for John Hatch, Chief Engineer  
Water Rights Program

**SUBJECT:** Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 1006-3, 1034-3 & 3797-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, February 25, 1998, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1006-3, 1034-3 & 3797-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



1006-3

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

January 12, 1998

1006-3

1034-3

3797-3

Dr. Francis Armstrong  
120 N Harvard  
Vermillion, SD 57069-2227

Dear Dr. Armstrong:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, Notice concerning reporting requirements for Water Permit No. 1006-3, 1034-3 and 3797-3.

I completed questionnaires for you based on our January 12th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
<http://denr.sd.gov>

November 28, 2018

1006-3

1034-3

7338-3

7987-3

June Armstrong, Trustee  
45567 Timber Rd  
Vermillion SD 57069

Dear Ms. Armstrong:

Enclosed are four 2018 Irrigation Questionnaires. The questionnaires were returned by the post office. It is our understanding Francis Armstrong is deceased. The Clay County Assessor's office gave me this mailing address. Please forward the questionnaires to the owner or operator for completion and return all the forms to our office by **January 1, 2019**. As stated in the October 30, 2018 letter, it is important these forms are completed and returned.

Also included are four partially completed "Notice of Transfer" forms for use in filing an ownership change on each of the water rights/permits.

The transfer forms should be completed, checked over for accuracy, and **signed by the new owner**. Upon completion, return the form to our office with a required filing fee of \$50.00 each.

If you have any questions, please contact me.

Sincerely,

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

enclosures

1006-3



**DENR**  
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

September 28, 2020

1006-3

1034-3

Todd Heine  
1020 E 320<sup>th</sup> St  
Vermillion SD 57069

Dear Mr. Heine:

I am writing in follow-up to our phone conversation concerning ownership changes needed for Water Right Nos. 1006-3 and 1034-3. Both water rights are currently listed under the name of Francis Armstrong.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing ownership changes. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each. The check or money order for the fee can be made payable to the Water Rights Program.

I put a yellow spot on the forms in the areas that need completion. Enclosed are copies of the water rights for your records. As you will see, they are very old copies and some parts are not as legible as they should be.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath".

Genny McMath  
Water Rights Program  
605 773-3352  
[Genny.mcmath@state.sd.us](mailto:Genny.mcmath@state.sd.us)

enclosures

PAID

OCT - 9 2020

NOTICE OF TRANSFER OF OWNERSHIP RECEIVED

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

OCT 09 2020

WATER RIGHTS  
PROGRAM

No. 1006-3

Date: 0 10-6-2020

I/We request that Water Right No. 1006-3

formerly owned by: Francis Armstrong

☒ be transferred to: (name & address) Francis Heine,  
412 Sterling St.  
Vermillion, SD 57069 Telephone No. 605-670-1692

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

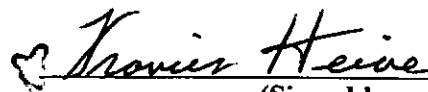
204.2 acres W 1/2 NW 1/4; N 1/2 SW 1/4, SE 1/4 SW 1/4 and W 1/2 SE 1/4 Section 27, T92N, R51W

I/We understand that the validity of Water Right No. 1006-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

**A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.**

☒ I/We Francis Heine, the new owner, certify that the above information is true and correct.

  
(Signed by new owner)

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

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

1006-3

**RECEIPT****WATER RIGHTS PROGRAM**  
South Dakota Department of Environment and Natural ResourcesDate October 9, 2020RECEIVED OF Heine Partnership 1014 E 320 St. Vermillion SD 57069

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>1006-3</u>                                                                     | \$50.00        |
| Fee for _____                                                                                                  | \$             |
| Fee for Issuing New Well Driller's License No. _____                                                           | \$             |
| Fee for Renewal of Well Driller's License No. _____                                                            | \$             |
| Fee for Issuing Well Pump Installer's License No. _____                                                        | \$             |
| Fee for Renewal of Well Pump Installer's License No. _____                                                     | \$             |
| (Any Other Work Provided by Law)                                                                               |                |
| <b>TOTAL</b>                                                                                                   | <b>\$50.00</b> |

By *Eric Gronlund*  
Chief Engineer*vm*

1006-3



**DENR**  
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[denr.sd.gov](http://denr.sd.gov)

October 13, 2020

1006-3

1034-3

Todd Heine  
1020 E 320<sup>th</sup> St  
Vermillion SD 57069

Dear Mr. Heine:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for Water Right Nos. 1006-3 and 1034-3.

The ownership changes have been completed. The water rights formerly held by Francis Armstrong are now listed as follows:

- Water Right No. 1006-3 – Francis Heine
- Water Right No. 1034-3 – Todd Heine

Enclosed are receipts for the filing fees you paid for filing the ownership changes. If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

Genny McMath  
Water Rights Program  
605 773-3352  
[Genny.mcmath@state.sd.us](mailto:Genny.mcmath@state.sd.us)

enclosures

PAID

MAR 27 2023

Ck# 44663

Rec't# \_\_\_\_\_

**NOTICE OF TRANSFER OF OWNERSHIP**

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

No. 1006-3

Date: \_\_\_\_\_

I/We request that Water Right No. 1006-3

formerly owned by: Francis Heine

be transferred to: (name & address) see below

Telephone No. \_\_\_\_\_

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

**204.2 acres W ½ NW ¼; N ½ SW ¼, SE ¼ SW ¼ and W ½ SE ¼ Section 27, T92N, R51W**

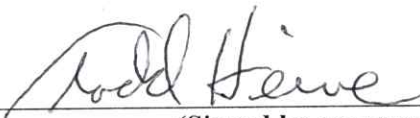
I/We understand that the validity of Water Right No. 1006-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

**A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.**

I/We Todd Heine, the new owner, certify that the above information is true and correct.

Todd Heine  
1020 E. 320th St.  
Vermillion, SD 57069

  
(Signed by new owner)

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

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

RECEIVED

MAR 27 2023

OFFICE OF  
WATER

1006-3

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date March 27, 2023

RECEIVED OF Francis J Doris/Tim, Todd & Nick Heine 412 Sterling St., Vermillion SD 57069

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>1006-3</u>                                                                     | <u>\$50.00</u> |
| Fee for _____                                                                                                  | \$ _____       |
| Fee for Issuing New Well Driller's License No. _____                                                           | \$ _____       |
| Fee for Renewal of Well Driller's License No. _____                                                            | \$ _____       |
| Fee for Issuing Well Pump Installer's License No. _____                                                        | \$ _____       |
| Fee for Renewal of Well Pump Installer's License No. _____                                                     | \$ _____       |
| (Any Other Work Provided by Law)                                                                               |                |
| TOTAL                                                                                                          | <u>\$50.00</u> |

By Eric Gronlund  
Chief Engineer

tm



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

April 14, 2023

Todd Heine  
1020 E 320<sup>th</sup> St  
Vermillion SD 57069

Dear Mr. Heine:

I am writing to acknowledge receipt of the transfer forms and filing fees for all water permits and water rights listed under Francis Heine.

The ownership changes have been completed. Water Permit/Right Nos. 671-3, 977A-3, 977B-3, 1006-3, 1034-3, 1624-3, 2053-3, 2947-3, 5435-3, 5471-3, 5639-3, 6057-3, 6059-3, 6679-3, 6993-3, 6994-3, 7297-3, 7298-3, 7299-3, 7300-3, 7301-3, 7302-3, 7577-3, 7578-3, 7579-3, 7580-3 & 7980-3 are now listed in your name.

Enclosed are receipts for the filing fees you paid. If you have any questions, please let me know.

Sincerely,

Genny McMath  
Water Rights Program  
605 773-3352  
Genny.mcmath@state.sd.us

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