

1256-3

1. Considered 5-18, 1966
2. Name of Applicant Joe E. Kuthier & Viola Bismar
3. Post Office Address Jafferson
4. Amount of water claimed 2.50
5. Source of water supply Ground water
6. Water to be used for irrigation
Acres to be irrigated 180
7. Water to be diverted and used in Union County about
3 N miles of Jafferson
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☐
Subject to ☐
Not Approved ☐
Action deferred ☐
10. Remarks:

No. 1256-3Water Division No. 3 BIG SIOUX RIVER District FEB 25 1966
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of applicant NOE V. A. THIER - VIOLA A. GIBSON
Postoffice address JEFFERSON, County UNION, 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, \$ adequate

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work
- AUTHIER # 4

3. Amount of water claimed
- 2.5
- cubic feet per second
- 1150 GPM

4. Source of water supply
- well

5. Location of point of diversion
- N 149° 00' - E - 1709 FEET

6. Annual period or periods during which water is to be used
- May thru October

7. To be used for:

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

(a) Number of acres to be irrigated 180 acres.(b) Legal subdivisions to be irrigated N 1/2 - NW 1/4, SE 1/4 NW 1/4 - AND

(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.)

35 - ACRES - SW 1/4 NW 1/4 - 6-90-48 - 180 - acres.

(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 874-3

8. Estimated cost of work:

(a) Head Gates, \$400⁰⁰ (b) Pumping plant, \$850⁰⁰
 (c) Plumbing, \$ (d) Canal-earth, \$2222⁰⁰ Rock, \$
 (e) Other structures 2000 \$1300⁰⁰ Total, \$6550⁰⁰

9. Description of diversion works:

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

Turbine pump - pipe - delivery

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 OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	ACRE-Feet CAPACITY

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

LOCATION BY LOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE 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 3 years.

11. Time required for complete application of water to the proposed beneficial use 5 years.

12. Choice of newspaper for publication of notice of intention to appropriate

Union County Herald - B. Co. Point, So. Dakota.

STATE OF SOUTH DAKOTA

County of Union ss.

I, Joe V. Quicker, 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 Joe V. Quicker

Subscribed and sworn to before me this 23 day of Feb 1966

[Signature]
 Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES

Pierre, South Dakota, MAY 19, 1966

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock
9 a.m. upon the 25TH day of FEBRUARY, 1966

State Water Resources Commission

By:

Burton J. Jones
for Chief Engineer, Executive Officer

Number of permit 1256-3

Date of first receipt of application FEBRUARY 25, 1966

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 FEBRUARY 25, 1966

Approved MAY 18, 1966, Recorded in Book 9 Page 116

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 NOVEMBER 18, 1967

2nd. The whole of said work is to be completed on or before MAY 18, 1969

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

MAY 18, 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 25 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 MAY 18, 1971; said water to be used during the following described annual period:

MAY THRU OCTOBER
Witness my hand this 19TH day of MAY, 1966

State Water Resources Commission

By:

X. C. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 6, 1971

Water License issued JANUARY 6, 1971

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30", Depth 100'

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

Size of casing 16", Thickness of casing

Length of casing 100', If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Lamure 24'

Size of perforated screen 16" (diameter) 100' (length)

Thickness of gravel pack 7, length of gravel pack 100'

(c) Water Bearing Materials

Distance to water 16, Character of water bearing materials Course

Thickness of water bearing material 1/16 - 1/8 - 60'

(d) Pump and Motor

Type of pump Turbine
Western Land Roller
(centrifugal, propeller, mixed flow, etc.)

Name of pump Western Land Roller size 8"

Kind of motor J.D. Electric
(gasoline, electric, diesel, etc.)

Horsepower 40, Name of Motor J.D.

(e) Complete well

Capacity at drawdown of Estimated cost 2000.00

(f) Owner of land upon which well is located Joe H. Gathman,
Name

Jefferson Co. Ark.
Address

(g) Distance to nearest existing wells one and 1/2 miles

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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1256-3

(1) WHEREAS, On the 25th day of February A. D. 19 66
Noe V. Authier and Viola A. Gibson

made Water Right Application No. 1256-3 for a permit to use 2.5 cubic feet per second of the water of ground water

County of Union State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 19th day of May A. D. 19 66
 Permit No. 1256-3, with a date of priority of February 25, 1966

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 18th day of May A. D. 19 69 and for the application to beneficial use of said water on or before the 18th day of May A. D. 19 71

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 2.5 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 6, T90N, R48W

	<u>Acres</u>
<u>NW$\frac{1}{4}$ NW$\frac{1}{4}$</u>	<u>55</u>
<u>NE$\frac{1}{4}$ NW$\frac{1}{4}$</u>	<u>50</u>
<u>SF$\frac{1}{4}$ NW$\frac{1}{4}$</u>	<u>40</u>
<u>SW$\frac{1}{4}$ NW$\frac{1}{4}$</u>	<u>35</u>
<u>Total</u>	<u>180 Acres</u>

(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 _____ Loe V. Authier

_____ of Jefferson, S.D.

the holder _____ and owner _____ of said permit No. 1256-3 a water right, dating from February 25, 1966

_____ to use of 2.5 cubic feet per second of the waters of ground water

in the County of Union and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 1450 ft. South and 860 ft. East of the NW Corner, Section 6, T90N, R48W

and conduct to and upon the NW 1/4, Section 6, T90N, R48W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1256-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 6th day of January A. D.

Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 1256-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Noc V. Authier

_____ the holder _____ of
Permit No. 1256-3, issued upon Application No. 1256-3, bearing date of priority of February 25,
1966 authorizing the diversion of 2.5 cu. ft. per second of the waters of _____
ground water County of Union, State of South Dakota at _____
a point 1450 ft. South and 880 ft. East of the NW Corner, Section 5, T90N, R48W

_____, for irrigation

purposes, has E 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 3.34 cu. ft. per second of water.

Date January 6, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRINES, Executive Officer

on or before April 24, 1966
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., March 29, 1966

Reo V. Authier & Viola A. Gibson

Notice is hereby given that Jefferson whose postoffice address is Jefferson S. Dak., has made an application in accordance with 2.5

the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use xxx ground water through the Authier #4, the point of diversion of which is to be located on the xxxx

xxxxxxx SW NW 6
bank of said stream in the 1/4 of the 1/4 of Section 6
90N 48W
Twp. Range Sald water to be used for the purpose of providing irrigation on the fol-

lowing described land:

NW 1/4 Section 6, T90N, R48W

xxxxxxx and for xxxxxxx purposes

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 18th day of May 1966, 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

CC: Byron Helgeson, Publisher
Leader-Courier
Elk Point, S.D.

By:
BURTON F. JONES
Water Right Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County _____ } ss.

_____Byron Helgerson_____ being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

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

City _____ of Elk Point _____ County of

Union _____ and State of South Dakota; that the said notice was published in said newspaper on the following dates:

_____March 31, 1966_____

_____April 7, 1966_____

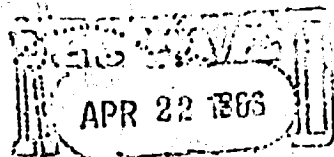
_____April 14, 1966_____

_____April 21, 1966_____

In each and every issue of the full number thereof, the first publication being made on the 31st day of March _____ 1966 and the last publication on the 21st day of April _____ 1966, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was _____ Editor _____ the printer and publisher of the said newspaper.

Byron Helgerson

Subscribed and sworn to before me this 21st day of April _____ A. D. 1966



STATE WATER RESOURCES COM.
 PIERRE, SOUTH DAKOTA

Edith Helgerson

Notary Public _____ Union _____ County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., March 29, 1966.

Notice is hereby given that Nos. V. Authier and Viola A. Gibson whose postoffice address is Jefferson, 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, 2.5 cubic feet of water per second of time from ground water, through the Authier No. 4, the point of diversion of which is to be located in the SW 1/4 of the NW 1/4 of Section 6 Twp. 60N Range 48W. Said water to be used for the purpose of providing irrigation on the following described land:

NW 1/4 Section 6, T98N, R48W. This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 12th day of May, 1966, 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
 (Pub. Mar. 31, Apr. 7, 14, 21)

Permit No. 1256-3Water Division 3 Sioux River Water District

REPORT 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 Noe V. Authier and Viola A. Gibson of Jefferson, S.D. holder of Permit No. 1256-3, bearing date of priority of February 25, 1966 authorizing the diversion of 2.5 cu. ft. per second of the waters of ground water for irrigation purposes, in Union 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, 107 ft. deep, 24 inch concrete casing-bowl setting 50 ft.
Western Land Roller pump - 10 inch, Mod. 10B
Dayton Electric Motor-Heavy Duty - 30 HP

B. Works used to transport water to place of use,
990 ft. 8 inch aluminum main line } This pipe is used jointly for four Water
2700 ft. 8 inch aluminum gated pipe } rights, No's 991-3, 1188-3, 1189-3 and 1256-3.

C. Works used to apply water to beneficial use.
gated pipe
land leveling

The system is in the following condition: Very good

The point of diversion is located 1450 ft. South and 880 ft. east of the NW Corner of Section 6, T90N, R48W

The works are capable of diverting and conveying to the place of use 3.34 cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: all in Section 6, T90N, R48W

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 55 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 50 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 35 acres

comprising a total of 180 acres of land.License should be in the name of Noe V. Authier, onlyDate September 30, 1970

Donald Driscoll
(Signature)
DONALD DRISCOLL, Deputy Chief Engineer
Water Resources Commission

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6302

PIERRE, January 6, 1979

RECEIVED OF Wayne Hecathorn, Elk Point SD 57025

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
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 transfer of Water Right # 1256-2		2.50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL		2.50

WATER RIGHTS COMMISSION

By: *[Signature]*
 Chief Engineer, Executive Officer
 JOHN H. TOLSON
 99

No. 1256-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
 Foss Building
 Pierre, South Dakota 57501

Date: 1-3-78

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

N $\frac{1}{2}$ NW $\frac{1}{4}$ + SE $\frac{1}{4}$ NW $\frac{1}{4}$ and N 35 acres of SW $\frac{1}{4}$
LOT 1 of NW $\frac{1}{4}$ SEC 6, T 90 R 46W 150.38 acres
 formerly owned by NCE C. AUTHIER

has been transferred to WAYNE HECKATHORN
 together with any rights to the beneficial use of water thereon as evidenced by
 Water Right Permit No. 1256-3 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 Rights Commission as
 evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) 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)
) SS.
 County of UNION)

I, WAYNE HECKATHORN 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.

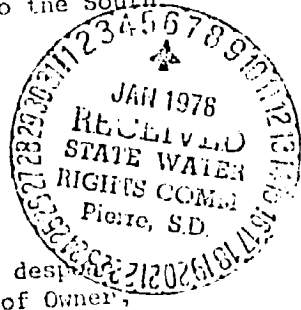
Wayne Heckathorn
 (Signed)

Subscribed and sworn to before me this 1st day of January

19 78.

F. G. STICKNEY, Notary Public
 Union County, S. Dak
 My Commission Expires August 29, 1981

[Signature]
 (Notary Public)





WAYNE HECKATHORN
RR 2 BOX 108
ELK POINT SD 57025

1997-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 1256-3, 2535-3 & 4534-3. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, 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 SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1256-3, 2535-3 & 4534-3 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 before the March 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 10, 1992

Wayne Heckathorn
Heckathorn Farms
RR #2 Box 108
Elk Point, SD 57025

RE: Irrigation questionnaires for Water Permit Nos. 1256-3,
2535-3, 2896-3, 3796-3, 4393-3, 4534-3, and 4543-3

Dear Mr. Heckathorn:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for the above listed water permits. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

If you have any questions, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division

cc: Lyle Wagner, 1019 Ridgeview, Vermillion, SD 57069

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

WAYNE HECKATHORN
RR 2 BOX 108
ELK POINT, SD 57025

4a. Article Number

P 906 552 722

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COT
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

11-29-92

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

Wayne Heckathorn

6. Signature (Agent)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

January 14, 2004

NOTICE

TO: WAYNE HECKATHORN, 31792 473RD AVE, ELK POINT, SD 57025

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. 4543-3, 6000-3 & 6222-3, 1256-3, 2535-3, 2896-3, 4393-3 & 4534-3. 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) 1256-3, 2535-3, 2896-3, 4393-3 & 4534-3 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) 4543-3, 6000-3 & 6222-3 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) 4543-3, 6000-3 & 6222-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1256-3, 2535-3, 2896-3, 4393-3 & 4534-3 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.

cc: LYLE WAGNER, 1019 RIDGECREST, VERMILLION, SD 57069

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.



1256-3

**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 21, 2004

Wayne Heckathorn
31792 473rd Ave
Elk Point SD 57025

Dear Mr. Heckathorn:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1256-3, 2535-3, 2896-3, 4393-3, 4534-3 4543-3, 6000-3 & 6222-3.

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

c: Lyle Wagner, 1019 Ridgecrest, Vermillion SD 57069

McMath, Genny

Subject: FW: [EXT] Change of Address

The message below goes with 1256-3, 2535-3, 2896-3, 4393-3, 4534-3, 4543-3, 6000-3 & 6222-3

From: Risa Hanson <risa@heckseeds.com>
Sent: Wednesday, December 7, 2022 10:43 AM
To: McMath, Genny <Genny.McMath@state.sd.us>
Subject: [EXT] Change of Address

Hi Genny,
We would like to change the address for Wayne Heckathorn so that he can receive the irrigation questionnaires at the office rather than at his home.

His home address is 31792 473rd Ave., Elk Point, SD 57025

The office address is 47663 SD Hwy 50, Elk Point, SD 57025

If you can help us with that, we'd surely appreciate it.

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Risa Hanson
Bookkeeper
Heckseeds