



1680A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Thomas J White
c/o Paul Young
45142 Union School
Gayville SD 57031

JUN 12 1997

Heine Farms
c/o Ron Heine
55969 897 Road
Fordyce NE 68736

Dear Sirs:

Enclosed are your reissued Water Licenses. Water License No. 1680-3 was divided and reissued to reflect separate ownership.

On March 24, 1997, a portion of Water Right No. 1680-3 was transferred from Thomas J White to Heine Farms. Water Right License No. 1680-3 was divided and reissued to reflect separate ownership as follows:

No. 1680A-3, Thomas J White - authorizing diversion of 2.93 cfs from one well located in the SE 1/4 SE 1/4 Section 17 to irrigate 205.3 acres located in E 1/2 SW 1/4, SE 1/4 Section 17 and N 1/2 NE 1/4 Section 20; T93N-R54W.

No. 1680B-3, Heine Farms - authorizing diversion of 1.74 cfs from one well located in the SW 1/4 SW 1/4 Section 17 to irrigate 121.4 acres located in the SW 1/4 Section 17 and NE 1/4 NW 1/4 Section 20; T93N-R54W.

As long as you use the water beneficially, as stated in Water License No. 1680A-3 and 1680B-3, SD Water Laws provide that you have a continuing right to the use of the water.

If you have any questions concerning your reissued License, please contact us.

Very truly yours,

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

ks

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 1680A-3
DIVISION OF NO. 1680-3 INTO NOS. 1680A-3 AND 1680B-3

(1) Thomas J White, Gayville SD was issued Water License No. 1680-3, September 19, 1969 for a water right to appropriate 4.67 cubic feet of water per second (cfs) from groundwater (two wells), Yankton County, South Dakota for irrigation purposes. Water License No. 1680-3, with a priority date of May 20, 1969 was issued to the applicant for diversion of water with construction of the described water supply system completed.

On March 24, 1997, a portion of Water Right No. 1680-3 was transferred from Thomas J White to Heine Farms. Water Right License No. 1680-3 is being divided and reissued to reflect separate ownership as follows:

No. 1680A-3, Thomas J White - authorizing diversion of 2.93 cfs from one well located in the SE 1/4 SE 1/4 Section 17 to irrigate 205.3 acres located in E 1/2 SW 1/4, SE 1/4 Section 17 and N 1/2 NE 1/4 Section 20; T93N-R54W.

No. 1680B-3, Heine Farms - authorizing diversion of 1.74 cfs from one well located in the SW 1/4 SW 1/4 Section 17 to irrigate 121.4 acres located in the SW 1/4 Section 17 and NE 1/4 NW 1/4 Section 20; T93N-R54W.

(2) It is certified that the permit holder is entitled to divert 2.93 cubic feet of water per second for beneficial use. The location of the diversion point is 1,110 feet north and 1,050 feet west of the southeast corner of Section 17-T93N-R54W (SE 1/4 SE 1/4)

(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 17-T93N-R54W	E 1/2 SW 1/4	10.0 acres
	SE 1/4	119.5 acres
Section 20-T93N-R54W	N 1/2 NE 1/4	75.8 acres
	Total	205.3 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Thomas J White, c/o Paul Young, 45142 Union School, Gayville SD, 57031 the holder and/or owner of Water Right No. 1680A-3 is issued a license to appropriate water, the right to use 2.93 cubic feet of water per second from groundwater (one well) with a priority date of May 20, 1969 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 1680-3 and subject to South Dakota State Law.

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 12 1997

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 26, 2000

1680A-3
3315-3
3846-3

Paul Young
809 James Pl
Yankton, SD 57078-4906

Dear Mr. Young:

Enclosed is a "Notice" dated October 20, 2000 concerning the 2000 irrigation questionnaire. The notice was originally mailed to 810 Birch Rd #2, Yankton, SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



1680A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: PAUL YOUNG, 3103 ALUMAX RD, YANKTON, SD 57078 6433

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

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire(s)

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 1680A-3, 3315-3 & 3846-3. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 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 8:30 am, March 5, 2003, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1680A-3, 3315-3 & 3846-3 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 28, 2003, 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 Genry 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 2003

1680A-3
3315-3
3846-3

Paul Young
3103 Alumax Rd
Yankton SD 57078-6433

Dear Mr. Young:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1680A-3, 3315-3 and 3846-3.

I completed questionnaires for you based on our January 23rd 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,

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

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

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Paul Young, 815 James Place, Yankton SD

DATE: December 5, 2011

TELEPHONE: 661-2111

RE: ownership of water right

COMMENTS:

Mr. Young called to report information for the irrigation questionnaire and indicated that this would probably be the last year he operated this system. The water right is held by Thomas White. Mr. White has passed away and his wife is in a nursing home. The land is still in the family and nothing has changed yet.

Mr. Young said that it wouldn't be too long and the land would either be irrigated by another family member or sold. Mr. Young indicated he would get back in touch with us as soon as things changed. He plans on removing his irrigation equipment from the property at such time as the land changes hands.



Genny McMath
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 15, 2015

1680A-3

Ron Heine
Heine Farms
617 Applewood Dr
Yankton SD 57078

Dear Mr. Heine:

I am contacting you in regard to the ownership change needed for Water Right No. 1680A-3.
I have included a copy of the water right for your records.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

enclosures

RECEIVED

FEB 12 2015

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1680A-3

Date: 2-4-15

I/We request that Water Right No. 1680A-3

formerly owned by: Thomas J White

be transferred to: (name & address) Heine Farms, PO Box 586, Yankton SD 57078

Telephone No. _____

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

205.3 acres - E ½ SW ¼, SE ¼ Section 17 and N ½ NE ¼ Section 20, T93N, R54W

I/We understand that the validity of Water Right No. 1680A-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 Ron Heine, the new owner, certify that the above information is true and correct.

Ron Heine
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/12, 20 15

RECEIVED OF Ronald B Heine 617 Applewood Dr Yankton SD 57078

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1680A-3</u>		
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	50 00

No. 07264

By Jeanne Handman
Chief Engineer

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Ron Heine, 617 Applewood Dr, Yankton SD

DATE: February 12, 2015

TELEPHONE: 605 661-5971

RE: transfer of ownership on Water Right No. 1680A-3

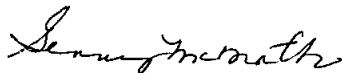
COMMENTS:

Mr. Heine submitted an ownership change for Water Right No. 1680A-3, listed in the name of Thomas White. The portion of the transfer form stating "*to be transferred to: (name & address)*" was left blank.

I called Mr. Heine to find out what name he wanted in the blank and he felt it should be listed as follows:

**Heine Farms
PO Box 586
Yankton SD 57078**

I typed this information onto the form and processed the ownership change accordingly.



Genny McMath
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 2015

1680A-3

Ron Heine
Heine Farms
617 Applewood Dr
Yankton SD 57078

Dear Mr. Heine:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership of Water Right No. 1680A-3.

The ownership change has been completed. Water Right No. 1680A-3 formerly held by Thomas J White is now listed in the name of "**Heine Farms, PO Box 586, Yankton SD**"

For informational purposes, we have an address on file for the rest of Heine Farms as "PO Box 477, Yankton SD". Do you have two separate addresses for official business or should I change them all to PO Box 586?

Enclosed for your records is Receipt No. 07262 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please contact me.

Sincerely,

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

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

enclosure

McMath, Genny

From: McMath, Genny
Sent: Monday, March 30, 2015 8:53 AM
To: 'arlene heine'
Subject: RE:

Arlene,

I can change the address to PO Box 477 however the name submitted for the ownership change listed only "Heine Farms" and not "Heine Farms SD LLC".

Thanks for the update on the address though and I will make that change right away.

Genny

From: arlene heine [<mailto:heinecattle3395@hotmail.com>]
Sent: Friday, March 27, 2015 9:50 AM
To: McMath, Genny
Subject:

RE: WATER RIGHT NO. 1680A-3

In response to your letter on February 13, 2015, the address should be listed under HEINE FARMS S.D., L.L.C.
POST OFFICE BOX 477 YANKTON, SD 57078.

Thank you!
Arlene Heine



1680A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PMB 2020
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www.state.sd.us/denr

January 15, 2016

NOTICE

TO: GARY HEINE, 617 APPLEWOOD DR, YANKTON, SD 57078

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaires

Our records indicate your 2015 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 1680A-3, 1680B-3, 2116-3 & 3722-3 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) 1879-3, 3964-3, 4621-3, 5449-3, 5816-3, 6114-3, 6254-3 & 7340-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1879-3, 3964-3, 4621-3, 5449-3, 5816-3, 6114-3, 6254-3 & 7340-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1680A-3, 1680B-3, 2116-3 & 3722-3 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 questionnaire(s) is (are) received in this office before the **March 3, 2016** hearing you will no longer be in violation of your permit and your name will be removed 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 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

January 26, 2016

Gary or Ron Heine
Heine Farms
617 Applewood Dr
Yankton SD 57078

RE: Water Permit or Right Nos. 1680A-3, 1680B-3, 1879-3, 2116-3, 3722-3, 3964-3, 4621-3,
5449-3, 5816-3, 6114-3, 6254-3 & 7340-3

Dear Sirs:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for the above listed water permits or water rights. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us