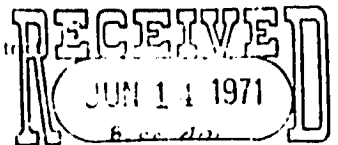


Water Right Number 1879-3

1. Considered July 14, 1911
2. Name of Applicant Alphorse Heine
3. Post Office Address Fordyce, Nebraska
4. Amount of water claimed 11.43
5. Source of water supply ground water
6. Water to be used for irrigation
Acres to be irrigated 800.00
7. Water to be diverted and used in Yankton County
about 2 1/2 Miles 1 1/2 of Yankton
8. Proof of Publication
Received 1st
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

Map No. 1332-3 Water Division No. 3 JAMES RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To Appropriately Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Alphonse Heine
Postoffice address Fordyce State Nebr. 68736
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Heine Irrigation
4. Amount of water claimed (cubic feet per second) 11.43
5. Source of water supply Wells
6. Location of point of diversion 4 well centered with center pivot irrigation as
per map County Yankton
7. Annual period or periods during which water is to be used April--November
8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use: Total number of acres to be irrigated 800

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ Sect. 14 T93 R56		Gov. Lot 1 & 2 Sect 23 T 93 R 56	
SE $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ " " "		Gov. Lot 2, 3, 4, " 22 93 56	
SE $\frac{1}{4}$, SW $\frac{1}{4}$ " " "		Lot 4, 5, 6, 7 Shore Estates	
		Total Acres irrigated	800

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Yankton P & D
12. Principal Features of the Proposed Water Supply System.

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

B. Works proposed to transport water to place of use. Wells located at center of center pivot irrigation fields

C. Works proposed to apply water to beneficial use. Four center pivot irrigation systems
One in 1971; remainder in future
Estimated Total Cost \$100,000.00

Attachments. Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map.
(See instructions concerning preparation.)

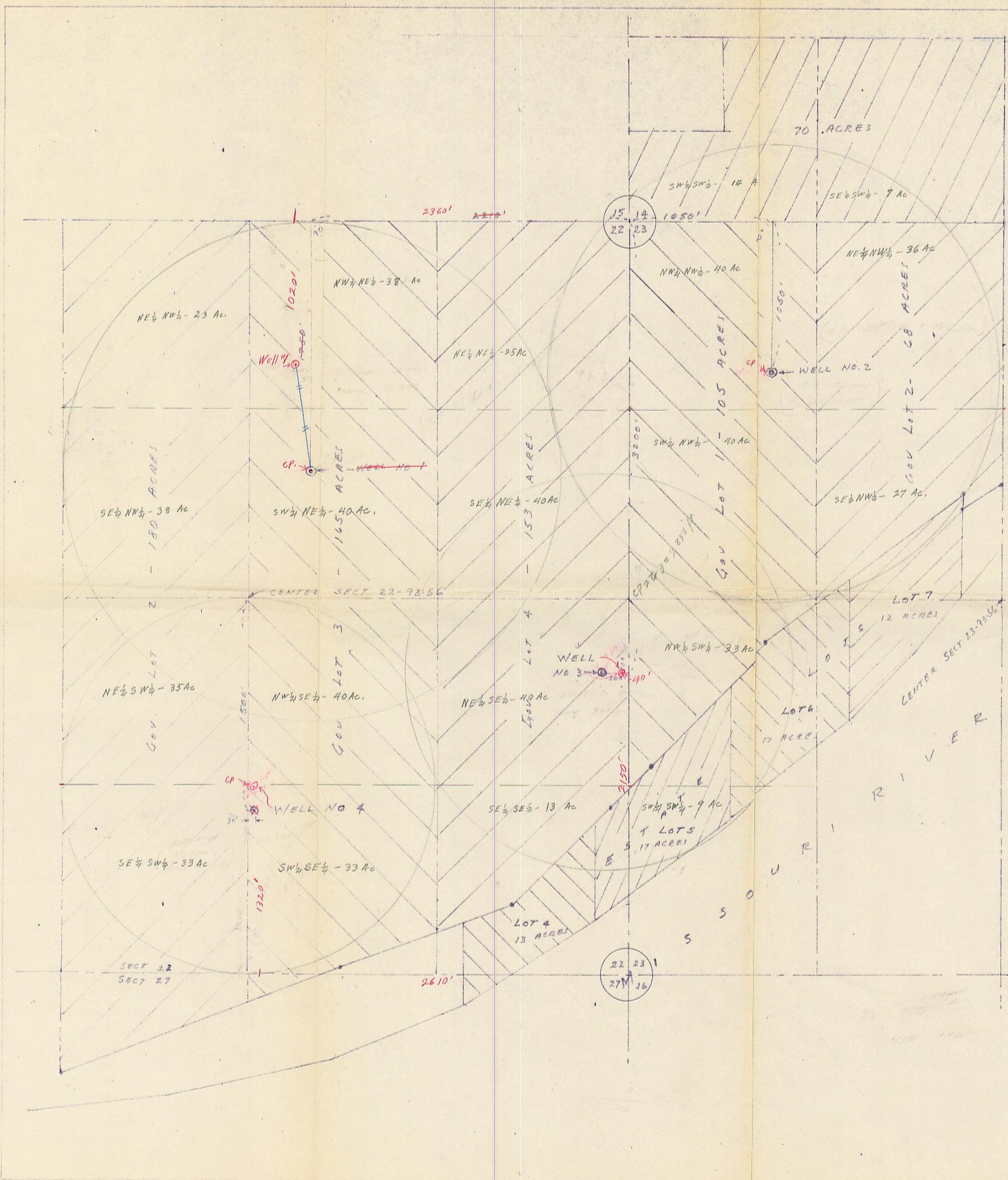
STATE OF SOUTH DAKOTA

County of Yankton

I, Alphonse Heine the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Alphonse Heine
Subscribed and sworn to before me this 11 day of June 19 71
William J. Don
Notary Public (or other qualified officer)

ACRES	SECTION	TOWNSHIP	RNG
70	S 1/2, SW 1/4 - 14	93 N	56 W
180	GOV LOT 2, W 1/2 - 22 & 27	93 N	56 W
165	GOV LOT 3, E 1/2 - 22 & 27	93 N	56 W
153	GOV LOT 4, E 1/2 - 22	93 N	56 W
105	GOV LOT 1, W 1/2 - 23	93 N	56 W
68	GOV LOT 2, W 1/2 - 22	93 N	56 W
13	ESTATE LOT 4, E 1/2 - 22 & 27	93 N	56 W
17	ESTATE LOT 5, E 1/2 - 22 - W 1/2 23	93 N	56 W
17	ESTATE LOT 6, W 1/2 23	93 N	56 W
12	ESTATE LOT 7 W 1/2 23	93 N	56 W
800 TOTAL			



SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA)
COUNTY OF BEADIE) ss

I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF ALPHONSE HEINE, SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDARIES ON JUNE 8, 1971 FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THIS MAP IS A TRUE REPRESENTATION OF THE SAME.

WITNESS MY HAND AND SEAL THIS 8TH DAY OF JUNE 1971

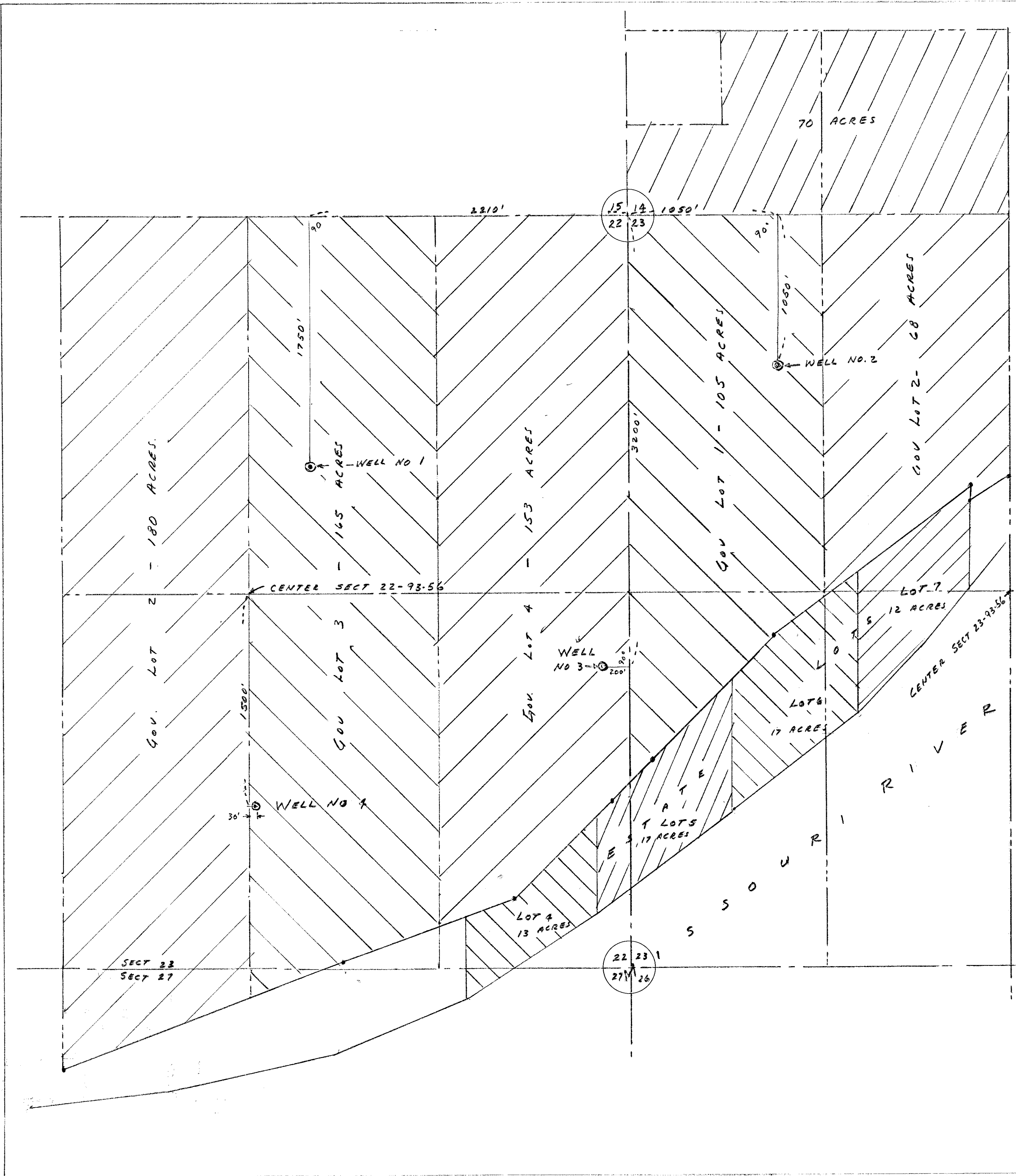
Harlan W. Meyer
REGISTERED LAND SURVEYOR #485

SCALE 1" = 400'

ALPHONSE HEINE IRRIGATION PROJECT #1
SHOWS AREA TO BE IRRIGATED & WELL LOCATIONS WHERE WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

OWNER
SURVEYOR

ALPHONSE HEINE
HARLAN W. MEYER
JUNE, 1971



AREAS BY LEGAL SUBDIVISION			
ACRES	SECTION	TOWNSHIP	RANGE
70	S 1/2, SW 1/4 - 14	93 N	56 W
180	GOV. LOT 2, W 1/2 - 22 & 27	93 N	56 W
165	GOV. LOT 3, E 1/2 - 22 & 27	93 N	56 W
153	GOV. LOT 4, E 1/2 - 22	93 N	56 W
105	GOV. LOT 1, W 1/2 - 23	93 N	56 W
68	GOV. LOT 2, W 1/2 - 22	93 N	56 W
13	ESTATE LOT 4, E 1/2 - 22 & 27	93 N	56 W
17	ESTATE LOT 5, E 1/2 - 22 - W 1/2 23	93 N	56 W
17	ESTATE LOT 6, W 1/2 23	93 N	56 W
12	ESTATE LOT 7 W 1/2 23	93 N	56 W
300 TOTAL			

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) ss
COUNTY OF BEADLE)

I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF ALPHONSE HEINE,
SOLE OWNER, I HAVE SHOWN THE LAND PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON JUNE 8 1971 FOR WHICH
APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
WITNESS MY HAND AND SEAL THIS 8TH DAY OF JUNE 1971

Harlan W. Meyer
REGISTERED LAND SURVEYOR # 485

SCALE 1" = 400'

ALPHONSE HEINE IRRIGATION PROJECT # 1
SHOWS AREA TO BE IRRIGATED & WELL LOCATIONS WHERE
WATER WILL BE DIVERTED FOR PERMIT TO APPROPRIATE
WATER

OWNER
SURVEYOR

ALPHONSE HEINE
HARLAN W. MEYER
JUNE 1971

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1879-3

ALPHONSE HEINE
(Applicant)

FORDYCE
(Post Office Address)

NEBRASKA
(State) With the following modifications

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application JUNE 14 19 71

Date of return to applicant for correction, amendments or changes required 19

Date of receipt of corrected application 19

Approved JULY 14 19 71 Recorded in Book 12 Page 23

WATER RIGHT PERMIT NO. 1879-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1879-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JUNE 14 19 71
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 14 19 74
3. The whole of said work is to be completed on or before JULY 14 19 76
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 14 19 76
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 11.43 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JULY 14 19 76; said water to be used during the following described annual period: APRIL - NOVEMBER

Witness my hand this 13TH day of AUGUST 19 71

WATER RESOURCES COMMISSION

By [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued 19

Water License Issued 19

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12 Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 36", Depth 112'
- (2) Casing, Type (wood, concrete, steel, etc) Diameter 18" Thickness 2"
- (3) Perforated Screen. Slotted
Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness 2", Length of gravel pack 112'

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Fine sand
Course gravel 30-40'

Depth to top of water bearing material 20'

Depth to bottom of water bearing material 112'

Thickness of water bearing material 40' in course gravel

Depth to water (ground surface to water level) 20'

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

On same owner's property 100 rds. On property owned by others 100 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Alphonse Heine
Signature of Applicant
Alphonse Heine

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1879-3

(1) WHEREAS, On the 14th day of June A. D. 19 71
Alphonse Helne

made Water Right Application No. 1879-3 for a permit to use 11.43 cubic feet per second of the waters
of groundwater (four wells)
County of Wankton State of South Dakota, for irrigation
purposes; and

(2) WHEREAS, On the 14th day of July A. D. 19 71
Permit No. 1879-3 with a date of priority of June 14, 1971

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 July A. D. 19 76 and for the
application to beneficial use of said water on or before the 14th day of July A. D. 19 76

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 8.63 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:

to irrigate portions of the following land all in T93N-R56.					
Section 22	NE $\frac{1}{4}$ NW $\frac{1}{4}$	23 acres	Section 23	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40 acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	38		NE $\frac{1}{4}$ NW $\frac{1}{4}$	36
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	25		SW $\frac{1}{4}$ NW $\frac{1}{4}$	40
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	38		SE $\frac{1}{4}$ NW $\frac{1}{4}$	27
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40		NW $\frac{1}{4}$ SW $\frac{1}{4}$	33
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40		SW $\frac{1}{4}$ SW $\frac{1}{4}$	0
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	35			
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	Section 14	SW $\frac{1}{4}$ SW $\frac{1}{4}$	14
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40		SE $\frac{1}{4}$ SW $\frac{1}{4}$	7
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	33			
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	33		TOTAL	604 acres
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	13			

(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 Alphonse Hains

_____ of Fordyce, Nebraska

the holder _____ and owner _____ of said permit No. 1879-3 a water right dating from June 14, 1971

_____ to use of 8.63 cubic feet per second of the water

of groundwater (four wells)

in the County of Yankton and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinafter mentioned, to be diverted at Well #1 - 2360'W & 1020'S of the NE corner Section 22-

T93N-R65W; Well #2 - 1050'E & 1050'S of NW Corner Section 23-T93N-R55W; Well #3 -

2150' N and 40'W of SE corner Section 22; Well #4 - 2610'W and 1320' N of SE

corner Section 22, both in T93N-R56W

and conduct/ed portions of land in Section 22, 23 and 14 all in T93N-R56W more fully

described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 1879-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 2nd day of August A. D.
Nineteen Hundred and seventy nine

Board of Water Management

By:

John Hatch
Chief Engineer JOHN HATCH

Form 15

Permit No. 1879-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify That Alphonse Helne

_____ the holder _____ of
Permit No. 1879-3, issued upon Application No. 1879-3, bearing date of priority of June 14, 1971
_____ authorizing the diversion of 11.43 cu. ft. per second of the waters of _____
_____ groundwater (four wells) County of Yankton, State of South Dakota at _____
Well #1 - 2366'N & 1625'S of the NE corner Section 22-T93N-R56W; Well #2 - 1056'N
& 1050'S of NW corner Section 22-T93N-R56W; Well #3 - 2150'N and 460'W of SE corner
Section 22; Well #4 - 2610'N and 1320'W of SE corner Section 22, both in T93N-
R56W 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 8.78 cu. ft. per second of water

Date August 2, 1979

John Hatch
JOHN HATCH, Chief Engineer
Water Rights, WMD

Form 6 - Notice of Intent to Appropriate Water

1879-3

Publish first publication, on or before June 21 1971

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 15, 1971

Alphonse Heine

Notice is hereby given that _____
whose post office address is Fordyce, Nebraska, ~~South Dakota~~, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
11.43 cubic feet of water per second of time from ~~the~~ ground water through the
Heine Irrigation Project are, the point of diversion of which ~~is~~ to be located in ~~the~~ _____

lot 1, Section 23 and in lots 3 and 4

of Section 22, Twp. 93N, Range 56W. Said water to be used for the purpose
all or portions of
of providing irrigation on the following described land:

8 1/2 SW 1/4, Section 14, lots 2, 3 and 4, Section 22; lots 1 and 2, Section 23;
and Estate Lots 4, 5, 6 and 7, in Sections 22, 23 and 27, all in T93N, R56W

This application No. 1879-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 14th day of July, 1971, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Alphonse Heine, Fordyce, Nebr. 68736

AFFIDAVIT OF PUBLICATION

Affidavit of Publication

STATE OF SOUTH DAKOTA

COUNTY OF YANKTON

SS.

Colin D. Monfore being first duly sworn says: That he is the publisher of the Yankton Daily Press and Dakotan, a corporation, the printer and publisher of the Yankton Daily Press and Dakotan, a daily newspaper of general circulation, printed and published in the City and County of Yankton, South Dakota; that he has personal knowledge of all the facts stated in this affidavit; and that the advertisement captioned Notice Intent to

Appropriate Water

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement, once each week for 4 successive weeks, the first publication being made on the 21st day of June, 19 71, and the last publication being made on the 12th day of July, 19 71.

The first publication being made on the 21st day of June

The second publication being made on the 28th day of June

The third publication being made on the 6th day of July

The fourth publication being made on the 12th day of July

The fifth publication being made on the day of

The sixth publication being made on the day of

The seventh publication being made on the day of

The eighth publication being made on the day of

The ninth publication being made on the day of

The tenth publication being made on the day of

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies daily and has been published in the English language within the said County of Yankton for more than one year next prior to the first publication of said notice, and is printed in Yankton in an office maintained in Yankton, South Dakota, the place of publication of said newspaper. That the full amount of the fee paid for the publication of the annexed notice is \$ 16.13, which inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever.

Subscribed and sworn to before me this 12th day

of July, 19 71

Notary Public, South Dakota

6-21&28&7-6&12
NOTICE INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
June 15, 1971

Notice is hereby given that Alphonse Heine whose post office address is Fordyce, Nebraska, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 11.43 cubic feet of water per second of time from ground water through the Heine Irrigation Project, the points of diversion of which are to be located in Lot 1, Section 23 and in Lots 3 and 4 of Section 22, Twp. 93N, Range 56W. Said water to be used for the purpose of providing irrigation on the following described land: S1/2 S.W.1/4, Section 14, Lots 2, 3 and 4, Section 27; Lots 1 and 2, Section 23; and Estate Lots 4, 5, 6 and 7, in Sections 22, 23 and 27, all in T93N, R56W.

This application No. 16793 will be considered by the Water Resources Commission at their office at Pierre upon the 14th day of July, 1971, at 2:00 P.M. All interested persons may appear and be heard.

WATER RESOURCES
COMMISSION
By: Burton F. Jones,
Water Rights Specialist

RECEIVED
STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Publication Fees \$

Received Payment,

11/11/74

Went to the [unclear]

Age - 35 (21)

SN - V7 11 34 563

Went to the [unclear] 11/11/74. Captain [unclear]
pump 750 gpm



Permit No. 1577-3Water Division 3 James 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 Alphonse
Heine of Fordyce, Nebraska holder
of Permit No. 1577-3, hearing date of priority of June 14, 1971
authorizing the diversion of 11.43 cu. ft. per second of the waters of Wells
for Irrigation purposes, in Yankton 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 - Pump - Fairbanks M-52, Figure 7000,
Size 12" 4 Stage Imp Dia. 8.5" Serial # N 3A 2807279 X
Pumping 1150 gpm
Motor - US Electrical, ID # R-9481-00-779-R2095337, 20 HP 1770 RPM
Well #2 - Pump Worthington Pumping 1150 gpm
Motor - Fairbanks Alcoris Electrical, Type RZKV-3, No 50316081,
1750 R PM, 100 HP.
- B. Works used to transport water to place of use, 1750 R PM, 100 HP.
Well #1 - Underground Pipeline - 8" dia PVC pipe 732 ft long
Well #2 Aluminum Pipeline - 8" dia - 30 ft long
- C. Works used to apply water to beneficial use.
Well #1 Valley Centerpivot Model 4071, Ser # 19571,
1667' long, 150' end gun, Electric Drive - 200 AC.
Well #2 Valley C.P. Model 1060, Ser # 6508, Water drive,
150' + 150' end gun, 180 AC coverage

The system is in the following condition: GoodThe point of diversion is located Well #1 - 2360 ft West and 1020 ft South of the NE
corner of Sec 22, T93N, R56W.The works are capable of diverting and conveying to the place of use 8.78cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: In Sec 22, T93N, R56W

NE 1/4 NW 1/4 - 23 Ac; NW 1/4 NE 1/4 - 35 Ac; NE 1/4 NE 1/4 - 25 Ac; SE 1/4 NW 1/4 - 38 Ac;
SW 1/4 NE 1/4 - 40 Ac; SE 1/4 NE 1/4 - 40 Ac; NE 1/4 SW 1/4 - 35 Ac; NW 1/4 SE 1/4 - 40 Ac.
NE 1/4 SE 1/4 - 40 Ac; SE 1/4 SW 1/4 - 33 Ac; SW 1/4 SE 1/4 - 33 Ac SE 1/4 SE 1/4 - 13 Ac.
(See back of sheet)

comprising a total of 604 acres of land = 8, 63 1/2

Well Data:

Well #1

Depth 90 ft
Capacity 1150 gpm

Well #2

Depth 90 ft
Capacity 1150 gpm

Well #3

Depth 55 ft
Capacity 850 gpm

Well #4

Depth 47 ft
Capacity 750 gpmDate July 26, 1976
Leroy J. Wernau
(Signature)

(over)

The Water Use Systems consist of: (Cont)

- A- Well #3 - Pump - Fairbanks Morse, Size 11 inch, Figure 7000
4 Stage, Imp. dia A Serial "N 3A 2807276X" - Pumping 550 gpm
Motor - General Electric Model 5 K6257X H1A, 60 HP, 1770 RPM.
Well #4 - Pump - Worthington, Size 38 12N, SN VTP 34553
Motor - US Electrical, Hollow shaft Frame 3647P, 60 HP, 1765 RPM.

- B. Well #3 - 8' dia Pipe from well to CP
Well #4 - 8' dia Pipe from well to CP

- C Well #3 - Valley CP Model 4171 Ser # 17848. Electrical drive
1300 ft lon + 150' end gun 132 Ac coverage

Point of diversion is located: Well #2 - 1050 ft East and
1050 ft South of the NW corner of Sec 23, T93N, R56W
Well #3 - 2150 ft North and 40 ft west of the SE corner
of Sec. 22, T93N, R56W.
Well #4 - 2610 ft West and 1320 ft North of the SE
corner of Sec 22, T93N, R56W.

Acre. Irrigated: (Cont).

In section 23, T93N R56W, NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 Ac;
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 36 Ac; SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 Ac; SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 27 Ac;
NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 33 Ac; SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 9 Ac;
In section 14, T93N R56W; SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 14 Ac;
SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 7 Ac.

Conversation or File Documentation

NAME OF PERSON OR FILE: Alphonse Heine (deceased)ADDRESS: Fordyce NE COUNTY DATE: March 7, 1985 TELEPHONE RE: status of permit

COMMENTS:

Allen Heine (son of Alphonse) called office and indicated that his
father had deceased and that the permit should be listed as an Estate
or in Trust, since no ownership change has been made as yet. He
indicated that he would complete the yearly irrigation questionnaires
for this system, since he operates it.

I indicated to Mr. Heine that when an ownership change is made, and the
Estate settled, to notify our office so that a transfer could be filed
with the permit. He said he would.

Send questionnaire to: Allen Heine, Box 77, Fordyce, NE 68736
(telephone: 402-357-3378)

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Lenore McMahon

1879-3
3964-3
4491-3
4492-3

May 23, 1986

Allen J. Heine
Box 77
Fordyce, Nebraska 68736

Dear Mr. Heine:

I am contacting you in follow-up to our telephone conversation of May 22, 1986. I have completed irrigation questionnaires for you with the data you gave over the phone.

Your water permit files now show that 1985 irrigation questionnaire data has been received and is on file with our office.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms

DON C. PFEIL & ASSOCIATES, INC.

P.O. BOX 220

WAUSA, NEBRASKA 68786

PHONE 586-2277



June 4, 1986

Water & Natural Resources
Signard Anderson Building
Pierre, South Dakota 57501

Re: Irrigation well information request

We are currently preparing an appraisal report on an irrigated tract of land just southwest of Yankton, S.D., on the river. On our subject property, there are four irrigation wells which I am requesting information on. I have enclosed a map showing the approximate location of the wells.

Please send me information on depth, gpm rating and completion date at your earliest possible convenience. I have enclosed a self-addressed, stamped return envelope for your use.

Sincerely,

A handwritten signature in cursive script, appearing to read "Frank Weberg".

Frank Weberg

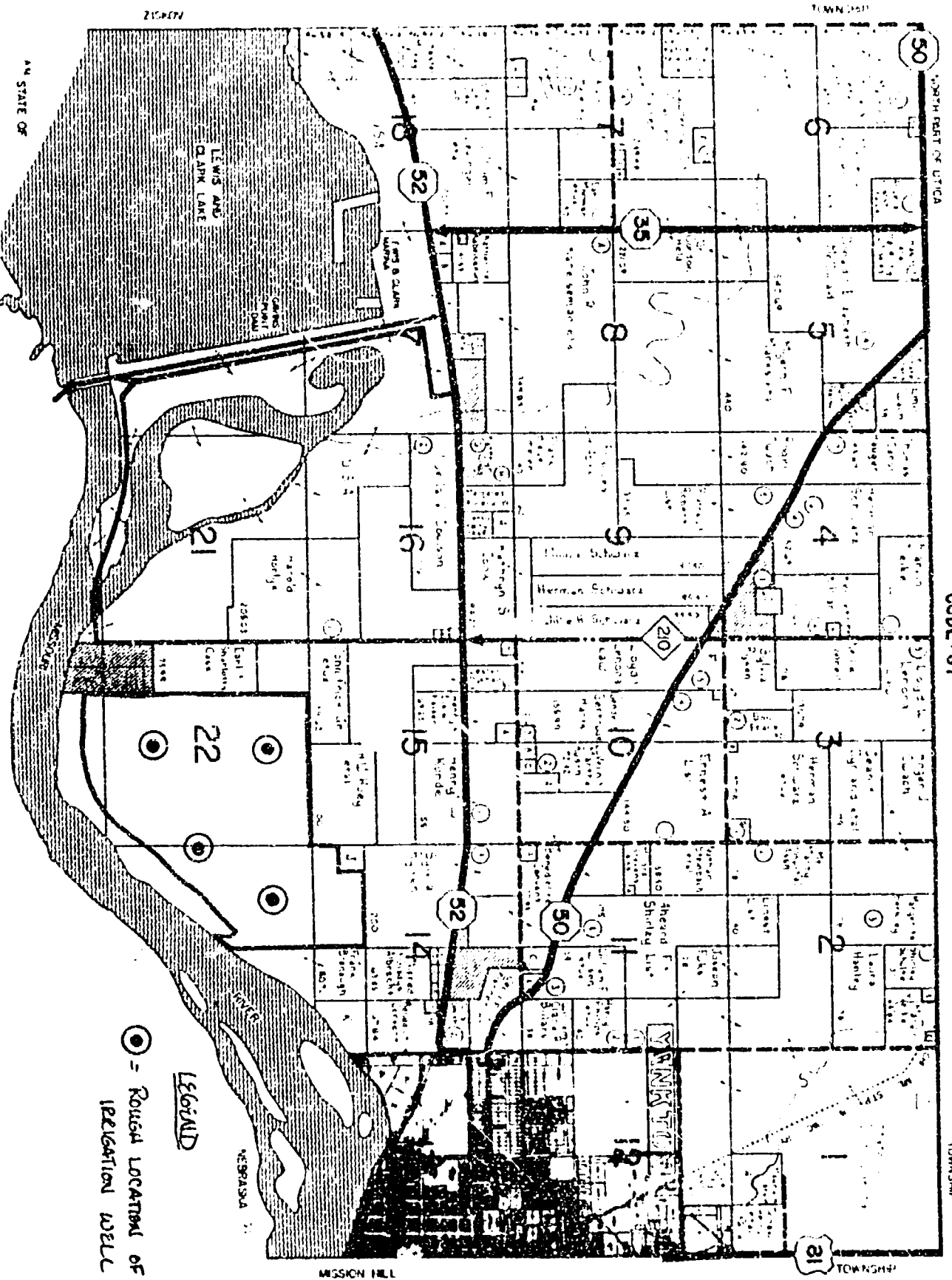
Don C. Pfeil & Associates, Inc.

Encl: 2

FOUO/CONFIDENTIAL - 03 H

CONF:117

THANKS



⊙ = Rough location of
irrigation well

1879-3

WATER RIGHTS DIVISION
(605) 773-3352

June 9, 1986

Frank Weberg
Don C. Pfiel & Associates, Inc.
P.O. Box 220
Wausa, Nebraska 68786

Dear Mr. Weberg:

I have checked our permit files, in reference to your request dated June 4, 1986 and found the water right which authorizes the wells you were concerned with. Water Right No. 1879-3 listed in the name of Alphonse Heine Estate authorizes use of four wells within Sections 22 and 23, T93N-R56W. I have enclosed a copy of the water license which specifies the exact legal description of the wells (see page 2).

Also enclosed is a partial copy of the water right map. The locations of the wells are outlined in red. The well depths and pumping capacities are listed beside each well. We do not have records pertaining to completion of the wells. The permit stated they were to be constructed by July 14, 1976. The permit was licensed in August, 1971.

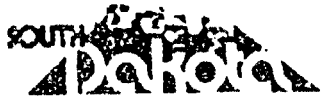
As a matter of information to you, all correspondence concerning this water right is directed to: Allen Heine, Box 77, Fordyce, Nebraska.

If you have any questions or need additional data, please contact us.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.



Department of Water & Natural Resources

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

March 31, 1986

Allen J. Helne
Box 77
Fordyce, NE 68736

Notice

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 1879-3, 4491-3, 3964-3, and 4492-3. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 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 2:00 p.m., May 14, 1986 in Room 215, Joe Foss Building, Pierre, South Dakota.

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

1. Amend Permit No(s). 1879-3, 4491-3, 3964-3, and 4492-3 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.

Sincerely,

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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(s)

To: Allen Heine
Box 77
Fordyce NE 68736

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



SUBJECT: Amendment to Water Permit No(s). 1879-3, 4492-3, 3964-3
& 4491-3

Pursuant to the provisions of the notice dated March 31, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 1879-3, 4492-3, 3964-3 & 4491-3 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

Equal Opportunity Employer



Department of Water & Natural Resources

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

Attachment to Water Permit No. 1879-3

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 1879-3 to add the following qualification:

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

Equal Opportunity Employer



Department of Water & Natural Resources

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

January 29, 1988

ALLEN HEINE, FOR ALPHONSE HEINE ESTATE
BOX 77
FORDYCE, NE 68736

NOTICE

Re: Violation of Water Permit No(s). 1879-3

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 1879-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1879-3 qualification:

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

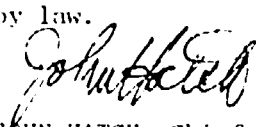
The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

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

1. Suspend Permit No(s). 1879-3 until either the 1987 Questionnaire is submitted or for a period of up to one 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
605-773-2352

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

 **Department of
Water & Natural Resources**

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

February 29, 1988

1879-3
3964-3
4491-3
4492-3

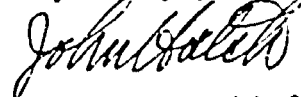
Allen J Heine
Box 77
Fordyce NE 68736

Dear Mr. Heine:

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. 1879-3, 3964-3, 4491-3, 4492-3 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

 **Department of
Water & Natural Resources**

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

1879-3
3964-3
4491-3
4492-3

February 25, 1988

Allen J Heine
Box 77
Fordyce, NE 68736

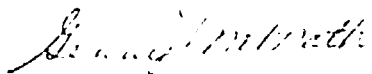
Dear Mr. Heine:

Enclosed are partially completed "Notice of Transfer" forms for use in filing ownership changes on Water Right No. 1879-3 and Water Permit Nos. 3964-3, 4491-3 and 4492-3. The forms need to be signed in the presence of a notary public by the new owner. The completed forms should be returned to our office with a required filing fee of \$2.50 each (total of \$10.00). The water right and water permits will then be transferred to the new owner.

South Dakota Water Law 46-54-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl

GOETZ, HIRSCH & KLIMISCH

ATTORNEYS AT LAW

311 WEST THIRD STREET, P.O. BOX 708

YANKTON, SOUTH DAKOTA 57078

605/665 9495

JAMES T. GOETZ
ROBERT W. HIRSCH
WILLIAM J. KLIMISCH



April 26, 1988

Water Rights
Foss Building
Pierre, SD 57501

Re: Notice of Transfer of Water Permit Nos. 3964-3, 1879-3,
4491-3, and 4492-3

Dear Sirs:

Please find enclosed herewith four Notices of Transfer of Water Permit as referenced as above including our check in the amount of \$10.00 which is \$2.50 per Notice. These are being filed with you pursuant to 1967 SDCL 46-5-30.3.

Very truly yours,


William J. Klimisch
FOR THE FIRM

lj

Enclosures

A circular ink stamp from the Division of Water Rights in Pierre, South Dakota. The stamp features a five-pointed star in the center. The text "APR 1938" is printed in a bold, sans-serif font across the middle. Below the date, "DIVISION OF" and "WATER RIGHTS" are printed in a similar font. At the bottom, "Pierre, SD" is written in a smaller font. The outer edge of the stamp contains a series of numbers: 5, 26, 27, 28, 29, 30, 31, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12. The stamp is slightly tilted and shows some wear.

A circular ink stamp from the Division of Water Rights in Pierre, South Dakota. The stamp features a five-pointed star in the center. The text "APR 1938" is printed in a bold, sans-serif font across the middle. Below the date, "DIVISION OF" and "WATER RIGHTS" are printed in a similar font. At the bottom, "Pierre, SD" is written in a smaller font. The outer edge of the stamp contains a series of numbers: 5, 26, 27, 28, 29, 30, 31, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12. The stamp is slightly tilted and shows some wear.

Date: 4/18/89

S¹/₂S¹/₄ Section 14, T93N, R56W

(please include complete mailing address)

Water Right Permit No. 1879-3 as provided for in SDCL 46-5-32 and 46-5-33.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

1. Mara Hime, Executive of
the National Home Bank 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 infor-
mation herein stated is true.

Charles H. Smith
(Signed)

Subscribed and sworn to before me this 18th Day of April, 1998.

Brenda J. Dene 11/16 Brenda J. Hlavac.
(Notary Public)

My Commission Expires: 09/26/94

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

Pierre, April 23, 1938

RECEIVED OF Goetz, Hirsch & Klimisch PO Box 708 Yankton SD 57078 For Cary, Steven & Ronald
the following amount in fees for services rendered as provided for by law: Gene Heine Rt 1 Box 68 Fordyce NE
68736

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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>1879-3</u>		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH (15)



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

April 29, 1988

Goetz, Hirsch & Klimisch
PO Box 708
Yankton, South Dakota 57078

RE: Transfer of Water Permit Nos. 3964-3, 1879-3, 4491-3 & 4492-3.

Dear Sir:

Enclosed are receipt Nos. 411220, 411221, 411222 and 411223 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 4492-3, 4491-3, 1879-3 and 3964-3.

Our records now show Gary, Steven, Gene and Ronald B. Heine as owner of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms
Enc.



1879-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TO: GARY/STEVEN/GENE/RONALD HEINE
RR 1 BOX 68
FORDYCE NE 68736

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Water Permit No(s) 1879-3, 3964-3, 4491-3 & 4492-3

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 1879-3, 3964-3, 4491-3 & 4492-3. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1879-3, 3964-3, 4491-3 & 4492-3 qualification:

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

The hearing will be held at 9:30 am, March 3, 1993, 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. 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, 4491-3 & 4492-3 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.



1879-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

January 29, 1993

NOTICE

TO: RON HEINE
RR 1 BOX 68
FORDYCE, NE 68736

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Failure to Report Chemical Use under Water Permit No(s) 1879-3; 4621-3;
2597-3; 3964-3; 5449-3; & 4491-3

The first notice to file chemigation report(s) for Permit No(s) 1879-3; 4621-3; 2597-3; 3964-3; 5449-3; & 4491-3 was dated October 16, 1992. Our records indicate that we have not received the 1992 chemigation report for Permits No(s) 1879-3; 4621-3; 2597-3; 3964-3; 5449-3; & 4491-3. The Water Management Board has directed that owners of water permits who have not submitted the 1992 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 3, 1993, at the Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 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 or up to three years for the 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; 4621-3; 2597-3; 3964-3; 5449-3; & 4491-3 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. Prior to February 22, 1993, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to the March 3, 1993 hearing, you will no longer be in violation and your name will be deleted from the Board agenda.



1879-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 12, 1993

No. 1879-3
2597-3
4621-3
5449-3

Ron Heine
RR 1 Box 68
Fordyce, NE 68736

Dear Sir:

I am writing to acknowledge receipt of your 1992 chemigation questionnaires. You may disregard the January 29, 1993 notice of "Failure To Submit Chemigation Questionnaire." I have filed the forms and your name is deleted from the Water Management Board agenda.

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

Sincerely,

Barry A. McLaury
Natural Resources Analyst
Water Rights Division



1879-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 16, 1993

Ron Heine
RR #1 Box 68
Fordyce, NE 68736

RE: Water Permit Nos. 1879-3, 2116-3, 2597-3, 3722-3, 3964-3,
4491-3, 4492-3, 4621-3, and 5449-3

Dear Mr. Heine:

I am writing to acknowledge receipt of your 1992 irrigation questionnaires for the above listed permits. You may disregard the January 29, 1993 Notices of Violation of Water Permits and Violation of Irrigation Questionnaire Requirements.

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.

Sincerely,

Genny McMath
Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352



**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 26, 2007

NOTICE

TO: GARY HEINE, PO BOX 477, YANKTON, SD 57078

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaires

Our records indicate that the 2006 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 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) 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 qualification:

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

The hearing will be held at 10:30 am, March 7, 2007 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 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 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 on/or before March 1, 2007, 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/E0455V5-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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2007

Gary Heine
Heine Farms
PO Box 477
Yankton SD 57078

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

Dear Mr. Heine:

I am writing to acknowledge receipt of your "2006" irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right/Permit Nos. 1680B-3, 1879-3, 2116-3, 3722-3, 3964-3, 4621-3, 5449-3, 5816-3, 6114-3 & 6254-3.

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

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 2008

NOTICE

TO: GARY HEINE, PO BOX 477, YANKTON, SD 57078

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaires

Our records indicate that the 2007 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 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) 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 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, 2008** 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 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 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 on/or before **March 3, 2008**, 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/E0455V6-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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2008

Gary or Ron Heine
Heine Farms
PO Box 477
Yankton SD 57078

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

Dear Sirs:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1680B-3, 1879-3, 2116-3, 3722-3, 3964-3, 4621-3, 5449-3, 5816-3, 6114-3 & 6254-3.

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



1879-3
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 24, 2012

NOTICE

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

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

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaires

Our records indicate that the 2011 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 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) 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 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 7, 2012** 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 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 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 on/or before **March 2, 2012**, 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.

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February 6, 2012

Ron Heine
617 Applewood Dr
Yankton SD 57078

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

Dear Mr. Heine:

I am writing to acknowledge receipt of your 2011 irrigation questionnaires.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for the above listed 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,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



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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.



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DEPARTMENT of ENVIRONMENT
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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

1879-3

SD EForm - 1621LD V1

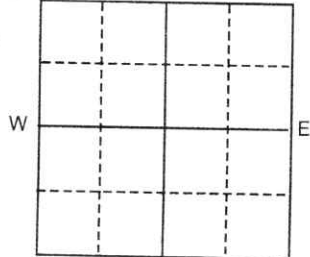
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ SW ¼ Sec 22 Twp 93 Rg 56County Yankton ☒

North

Please mark well location with an "X"



Well Completion Date

10-7-22

← 1 Mile →

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
150 ft. from Septic (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Straight Mud Rotary

CASING DATA:

If other describe ☐ Steel ☐ Plastic ☐ Other

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	5 IN	0 FT	30 FT	10 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite	5	Lb/gal	0 Ft	30 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☒ Perforated pipe ☐ ManufacturedDiameter 4.5 Inches Length 10 FeetMaterial PVCSlot Size .025 Set From 30 Feet to 40 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?☐ No, Why Not?

Lab to which water quality sample sent for analysis

Well Owner: Ron Olsen

Business Name:

Address: 108 SunSetCity, State, Zip: Yankton ☒ SD ☒ 57078

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Topsoil	0	3
Sand	3	24
Med Sand	24	40
Bad Rocks	40	45

STATIC WATER LEVEL

15 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: Airlifted 50 GPM
☐ Bailed
☒ Other

Pumping Level Below Land Surface

Ft. After Hrs. pumped GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

42°51'21.20" N

97°27'15.06" W

This well was drilled under license # 773 and this report is true and accurate.Drilling firm: Quality Well Service LLC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 12-2-22

RECEIVED

DEC 05 2022

OFFICE OF
WATER