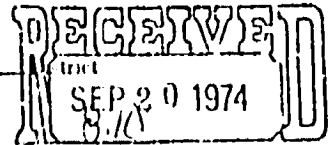


2116-3

1. Considered 3-19, 1975
2. Name of Applicant HEINE FARMS
3. Post Office Address FORDYCE, NEBRASKA
4. Amount of water claimed 1.95
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
- Acres to be irrigated 135
7. Water to be diverted and used in YANKTON county
about 2N, 4E miles of YANKTON
8. Proof of Publication Received 2-21-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

Map No. 1514-3 Water Division No. 3 JAMES RIVER
 (Blanks to be Filled by the Engineer for the W. R. C.)


APPLICATION FOR PERMIT

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

- Name of Applicant Heine Farms
Postoffice address RR 1, Box 80, Fordyce, State Nebraska
If a corporation show date and place of incorporation ---
- Method of accomplishing work (contract, employment of others, or by direct labor) direct labor
- Name of diversion work ---
- Amount of water claimed (cubic feet per second) 3.5
- Source of water supply well
- Location of point of diversion see map 1320' from the N,S,E,W boundry lines in the middle of the 160 acres. This is in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ S2, T93, R55 and the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of S11, T93, R55. County Yankton
- Annual period or periods during which water is to be used May thru September
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
- For irrigation use, --- Total number of acres to be irrigated 135 of 160 acres

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 $\frac{1}{4}$, S2, T93, R55	34		
SE $\frac{1}{4}$ -SW $\frac{1}{4}$, S2, T93, R55	34		
NW $\frac{1}{4}$ -NW $\frac{1}{4}$, S11, T93, R55	34		
NE $\frac{1}{4}$ -NW $\frac{1}{4}$, S11, T93, R55	34		

Attach sheet if more space is needed

- Time required to complete construction of water supply system $\frac{1}{2}$ years. Additional time required to complete application of water to the proposed beneficial use $\frac{1}{2}$ years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Yankton Daily Press & Dakotan
- Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
Well and Pump

B. Works proposed to transport water to place of use.
Pipes

C. Works proposed to apply water to beneficial use.
Sprinkler

Estimated Total Cost \$ 35,000.00

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)
) ss.
County of Yankton)

I, James 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 James HeineSubscribed and sworn to before me this 15 day of October, 1974
Wm. M. Keatinge
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2116-3
HEINE FARMS (Applicant) R.R. #1 Box 80, FORDYCE (Post Office Address)
NEBRASKA 68736 (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 SEPTEMBER 20 19 74
 Date of return to applicant for correction, amendments or changes required SEPTEMBER 23 19 74
 Date of receipt of corrected application JANUARY 22 19 75
 Approved MARCH 20 19 75, Recorded in Book 13 Page 207
 WATER RIGHT PERMIT NO 2116-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2116-3 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 JANUARY 22 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JUNE 20 19 75
3. The whole of said work is to be completed on or before SEPTEMBER 20 19 75
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 20 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 1.95 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 MARCH 20 19 76; said water to be used during the following described annual period: MAY THRU SEPTEMBER

Witness my hand this 21ST day of MARCH 19 75

WATER RIGHTS COMMISSION

Donald J. Dorell
 Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 13 19 77

Water License Issued SEPTEMBER 13 19 77

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 3 1/4", Depth 80
- (2) Casing, Type concrete Diameter 18" I.D. Thickness 2 1/2"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type concrete, Diameter 18", Length 50'
- (4) Gravel Pack, Thickness 6", Length of gravel pack 7.5'

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 Sand & Gravel

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) 1.5'

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

On same owner's property 160 rds. On property owned by others 3200 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.

Hein Funes by Leo Hein
Signature of Applicant

December 12, 1974



Heine Farms
Rural Route 1, Box 80
Fordyce, NE 68736

Dear Sirs:

We have received the WI-1 form pertaining to your proposal for irrigation in Yankton County and also the water sample. The water has been analyzed and a copy of the report is enclosed for your keeping.

The WI-1 form and a copy of this letter and of the water analysis are being forwarded to the State Conservation Commission.

The water quality is very much the same as the Missouri River and should give you no problems with respect to dispersion or salt accumulation in the soils which you propose to irrigate. I do caution you, however, to watch for water table rise in both the Carr and Sarpy soils, because this can occur with a combined over irrigation and excess rain and/or rise in the river level.

The approximate quality of the water is designated by an encircled red cross on the back cover of Extension Circular 654, which is enclosed for your use. Please read this circular and be guided by the information contained therein.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:lil

Enclosures

CC: State Conservation Commission
Vane Miller, Yankton County Agent
Darrel Pahl

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY
Irrigation System: _____
Water Quality: _____
Soils Capability: _____
Approved: Alvin J. M.
Disapproved: _____

NAME: Heine Farms

ADDRESS: R R 1, Box 80, Fordyce, Nebraska

COUNTY: Deodar

LEGAL DESCRIPTION

1. WELL LOCATION: see map, 1320' from the N,S,E,W boundry lines in the middle of the 160 acres
2. AREA TO BE IRRIGATED: The South Half of the Southwest Quarter of Section 2 and the North Half of the Northwest Quarter of Section 11, all in Township 93 North, Range 55, West of the 5th P.M., Yankton County, SD
- TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Sprinkler
4. CROPS TO BE IRRIGATED: Corn, Soybeans

LAND CAPABILITY FOR IRRIGATION see additional papers

5. PERCENTAGE OF SLOPE: 0-6 %
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: SM soil Carr-Sarpy complex
SANDY loam soil

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 74-476
8. SALINITY: EC = 723 (medium)
9. SODIUM: SAR = 2.19 (low)

I do hereby certify that a chemical analysis of the ground water to be acquired for irrigation from South Dakota State University and; the land capability for irrigation information has been acquired from

and:

that the legal description for the location of the well and land to be irrigated is true and correct.

Hennie Farms
by Harry J. Hennie

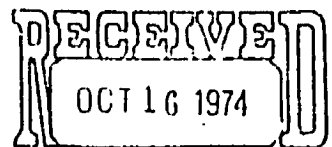
Subscribed and sworn before me this

11 day of Nov 19 74.

Sharon M. Kautzinger

Notary Public

(Title)



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57006

Submitted by: Heino Karna
 Address: Box 67
Ordway, Nebraska
68736

Date Rec'd: December 3, 1974
 Sample No.: 74-776
 Identification: 111-

WATER ANALYSIS

Calcium (Ca)	66	ppm*	2.30	me/l**
Magnesium (Mg)	23	ppm	1.29	me/l
Sodium (Na)	81	ppm	3.52	me/l
Potassium (K)	6	ppm	0.14	me/l
Sulfate (SO ₄)	202	ppm	4.20	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	12	ppm	0.34	me/l
Bicarbonate (HCO ₃)	238	ppm	3.90	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	195	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	723	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	2.19			
Sodium	39.77	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.52			
Others:				

*ppm=parts per million
 **me/l=milliequivalents per liter

***g.p.g.= grains per gallon

COMMENTS: Total cations 8.35 me/l
 Total anions 8.44 me/l

By: Shirley Hutton

Service Performed	Amount Due
Irrigation Analy. 1	16.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-776 Amount Enclosed \$ _____
 Signed _____

WATER LICENSE NO. 2116-2

(1) WHEREAS, On the 20th day of September A.D. 1976

Heine Farms

made Water Right Application No. 2116-2 for a permit to use 1.95 cubic feet per second of the waters of ground water

County of Yankton, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 20th day of March A.D. 1976

Permit No. 2116-2 with a date of priority of September 20, 1974

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 20th day of March A.D. 1976 and for the application to beneficial use of said water on or before the 20th day of March A.D. 1976

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 1.90 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 a 132 acre circle in the NE1/4, Section 2,

and NW1/4, Section 11, T93N, R55W

(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 Heine Farms

_____ of Ordyce, Nebraska
the holder _____ and owner _____ of said permit No. 2116-2 a water right, dating from September 20, 1974
_____ to use of 1.9 cubic feet per second of the waters
of ground water
in the County of Yankton and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at _____
a point 1330 feet E of the SW corner, Section 2, T93N, R55W

_____ and conduct to and upon _____ portions of Sections 2 and 11, T93N, R55W,
described on the face of this license

_____ for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2116-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 13th day of September A. D.
Nineteen Hundred and seventy-seven

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Form 15.

Permit No. 2116-3

Water Diversion No. 2 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Heine Farms

_____ the holder _____ of
Permit No. 2116-3, issued upon Application No. 2116-3, bearing date of priority of September 20
1974 authorizing the diversion of 1.95 cu. ft. per second of the waters of _____
ground water _____ County of Yankton, State of South Dakota at _____
a point 1330 feet E of the SW corner, Section 2, T93N, R55W
_____, 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 2.0 cu. ft. per second of water.

Date September 13, 1977

By: John Hatch
WATER RIGHTS COMMISSION
JOHN HATCH, Chief Engineer

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County _____) ss.

I, Harry L. Space hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Yankton Daily Press & Dakotan

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 Yankton

County of Yankton and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

February 12, 1975

February 19, 1975

[Signature]
(Signature)

[Title]
(Title)

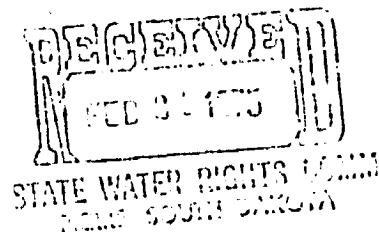
2/19/75
(Date Signed)

2-12419
NOTICE INTENT TO
APPROPRIATE WATER

Notice is hereby given that
Heine Farms whose post office
address is Fordyce, Nebraska
has made an application in ac-
cordance with the provisions of
the water laws of South Dakota
for a permit to appropriate for
beneficial use 1.95 c. bic feet of
water per second of time from
the ground water through the
Heine Well, the point of diversion
of which is to be located in the
SW $\frac{1}{4}$ of Section 2, Twp. 93N,
Range 55W. Said water to be used
for the purpose of providing
irrigation on the following
described land: N $\frac{1}{2}$ NW $\frac{1}{4}$,
Section 11 and S $\frac{1}{4}$ SW $\frac{1}{4}$, Section
2, T93N, R55W.

This application No. 2116-3 will
be considered by the Water
Resources Commission at their
office at Pierre upon the 19th
day of March, 1975, at 2:30 p.m.
All interested persons may ap-
pear and be heard.

WATER RESOURCES COM-
MISSION
By BURTON F. JONES
Water Rights Specialist



Publish first publication, on or before March 6, 1975NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 3, 1975

Notice is hereby given that Heine Farms
whose post office address is Box 500, 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
1.95 cubic feet of water per second of time from the ground water through the
Refine Well, the point of diversion of which is to be located in the _____

SW $\frac{1}{4}$
of Section 2, Twp. 93N, Range 55W. Said water to be used for the purpose
of providing irrigation on the following described land:

N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 11 and S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 2, 1934, R55W

This application No. 2116-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 19th day of March, 1975, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFS/lw

cc: Cary Heine, Heine Farms, R.R. #1, Box 50, Fordyce, Neb. 68736

2116-3

25/11/2011

Handwritten signature

6-25-15

Serialized in duplicate of Dec 24th 1960.

9.4.11. 43-55. 9.4.11. 43-55.

of 1/2 inch - 75 - 100 - 150 - 200 - 250 - 300 - 350 - 400 - 450 - 500 - 550 - 600 - 650 - 700 - 750 - 800 - 850 - 900 - 950 - 1000 - 1050 - 1100 - 1150 - 1200 - 1250 - 1300 - 1350 - 1400 - 1450 - 1500 - 1550 - 1600 - 1650 - 1700 - 1750 - 1800 - 1850 - 1900 - 1950 - 2000 - 2050 - 2100 - 2150 - 2200 - 2250 - 2300 - 2350 - 2400 - 2450 - 2500 - 2550 - 2600 - 2650 - 2700 - 2750 - 2800 - 2850 - 2900 - 2950 - 3000 - 3050 - 3100 - 3150 - 3200 - 3250 - 3300 - 3350 - 3400 - 3450 - 3500 - 3550 - 3600 - 3650 - 3700 - 3750 - 3800 - 3850 - 3900 - 3950 - 4000 - 4050 - 4100 - 4150 - 4200 - 4250 - 4300 - 4350 - 4400 - 4450 - 4500 - 4550 - 4600 - 4650 - 4700 - 4750 - 4800 - 4850 - 4900 - 4950 - 5000 - 5050 - 5100 - 5150 - 5200 - 5250 - 5300 - 5350 - 5400 - 5450 - 5500 - 5550 - 5600 - 5650 - 5700 - 5750 - 5800 - 5850 - 5900 - 5950 - 6000 - 6050 - 6100 - 6150 - 6200 - 6250 - 6300 - 6350 - 6400 - 6450 - 6500 - 6550 - 6600 - 6650 - 6700 - 6750 - 6800 - 6850 - 6900 - 6950 - 7000 - 7050 - 7100 - 7150 - 7200 - 7250 - 7300 - 7350 - 7400 - 7450 - 7500 - 7550 - 7600 - 7650 - 7700 - 7750 - 7800 - 7850 - 7900 - 7950 - 8000 - 8050 - 8100 - 8150 - 8200 - 8250 - 8300 - 8350 - 8400 - 8450 - 8500 - 8550 - 8600 - 8650 - 8700 - 8750 - 8800 - 8850 - 8900 - 8950 - 9000 - 9050 - 9100 - 9150 - 9200 - 9250 - 9300 - 9350 - 9400 - 9450 - 9500 - 9550 - 9600 - 9650 - 9700 - 9750 - 9800 - 9850 - 9900 - 9950 - 10000 - 10050 - 10100 - 10150 - 10200 - 10250 - 10300 - 10350 - 10400 - 10450 - 10500 - 10550 - 10600 - 10650 - 10700 - 10750 - 10800 - 10850 - 10900 - 10950 - 11000 - 11050 - 11100 - 11150 - 11200 - 11250 - 11300 - 11350 - 11400 - 11450 - 11500 - 11550 - 11600 - 11650 - 11700 - 11750 - 11800 - 11850 - 11900 - 11950 - 12000 - 12050 - 12100 - 12150 - 12200 - 12250 - 12300 - 12350 - 12400 - 12450 - 12500 - 12550 - 12600 - 12650 - 12700 - 12750 - 12800 - 12850 - 12900 - 12950 - 13000 - 13050 - 13100 - 13150 - 13200 - 13250 - 13300 - 13350 - 13400 - 13450 - 13500 - 13550 - 13600 - 13650 - 13700 - 13750 - 13800 - 13850 - 13900 - 13950 - 14000 - 14050 - 14100 - 14150 - 14200 - 14250 - 14300 - 14350 - 14400 - 14450 - 14500 - 14550 - 14600 - 14650 - 14700 - 14750 - 14800 - 14850 - 14900 - 14950 - 15000 - 15050 - 15100 - 15150 - 15200 - 15250 - 15300 - 15350 - 15400 - 15450 - 15500 - 15550 - 15600 - 15650 - 15700 - 15750 - 15800 - 15850 - 15900 - 15950 - 16000 - 16050 - 16100 - 16150 - 16200 - 16250 - 16300 - 16350 - 16400 - 16450 - 16500 - 16550 - 16600 - 16650 - 16700 - 16750 - 16800 - 16850 - 16900 - 16950 - 17000 - 17050 - 17100 - 17150 - 17200 - 17250 - 17300 - 17350 - 17400 - 17450 - 17500 - 17550 - 17600 - 17650 - 17700 - 17750 - 17800 - 17850 - 17900 - 17950 - 18000 - 18050 - 18100 - 18150 - 18200 - 18250 - 18300 - 18350 - 18400 - 18450 - 18500 - 18550 - 18600 - 18650 - 18700 - 18750 - 18800 - 18850 - 18900 - 18950 - 19000 - 19050 - 19100 - 19150 - 19200 - 19250 - 19300 - 19350 - 19400 - 19450 - 19500 - 19550 - 19600 - 19650 - 19700 - 19750 - 19800 - 19850 - 19900 - 19950 - 20000 - 20050 - 20100 - 20150 - 20200 - 20250 - 20300 - 20350 - 20400 - 20450 - 20500 - 20550 - 20600 - 20650 - 20700 - 20750 - 20800 - 20850 - 20900 - 20950 - 21000 - 21050 - 21100 - 21150 - 21200 - 21250 - 21300 - 21350 - 21400 - 21450 - 21500 - 21550 - 21600 - 21650 - 21700 - 21750 - 21800 - 21850 - 21900 - 21950 - 22000 - 22050 - 22100 - 22150 - 22200 - 22250 - 22300 - 22350 - 22400 - 22450 - 22500 - 22550 - 22600 - 22650 - 22700 - 22750 - 22800 - 22850 - 22900 - 22950 - 23000 - 23050 - 23100 - 23150 - 23200 - 23250 - 23300 - 23350 - 23400 - 23450 - 23500 - 23550 - 23600 - 23650 - 23700 - 23750 - 23800 - 23850 - 23900 - 23950 - 24000 - 24050 - 24100 - 24150 - 24200 - 24250 - 24300 - 24350 - 24400 - 24450 - 24500 - 24550 - 24600 - 24650 - 24700 - 24750 - 24800 - 24850 - 24900 - 24950 - 25000 - 25050 - 25100 - 25150 - 25200 - 25250 - 25300 - 25350 - 25400 - 25450 - 25500 - 25550 - 25600 - 25650 - 25700 - 25750 - 25800 - 25850 - 25900 - 25950 - 26000 - 26050 - 26100 - 26150 - 26200 - 26250 - 26300 - 26350 - 26400 - 26450 - 26500 - 26550 - 26600 - 26650 - 26700 - 26750 - 26800 - 26850 - 26900 - 26950 - 27000 - 27050 - 27100 - 27150 - 27200 - 27250 - 27300 - 27350 - 27400 - 27450 - 27500 - 27550 - 27600 - 27650 - 27700 - 27750 - 27800 - 27850 - 27900 - 27950 - 28000 - 28050 - 28100 - 28150 - 28200 - 28250 - 28300 - 28350 - 28400 - 28450 - 28500 - 28550 - 28600 - 28650 - 28700 - 28750 - 28800 - 28850 - 28900 - 28950 - 29000 - 29050 - 29100 - 29150 - 29200 - 29250 - 29300 - 29350 - 29400 - 29450 - 29500 - 29550 - 29600 - 29650 - 29700 - 29750 - 29800 - 29850 - 29900 - 29950 - 30000 - 30050 - 30100 - 30150 - 30200 - 30250 - 30300 - 30350 - 30400 - 30450 - 30500 - 30550 - 30600 - 30650 - 30700 - 30750 -

Painted by Mrs. J. H. H. H. H.

No One Left Behind - G.B.P.

Type GP. D-211 7112

Beany R R M 1760

T.D. # 9428-00-D-616

Ergebnis: Mineral. Wasser

4. *apl.* " *mitel* 40-45-0

Mr. P. H. No. 100 - 1940

July 4 - K A 111424

Cont. Bond Lohmood

1932-1934. Lind 516

1907-1908

132 A-

11/16/76 11069/101

1942-43

1. 25 1944

Permit No. 2116-3
 Water Division 3 James 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 Heine Farms
 of RR #1, Box 67, Fordyce, Nebr. 68736 holder
 of Permit No. 2116-3, bearing date of priority of September 20, 1974
 authorizing the diversion of 1.95 cu. ft. per second of the waters of Well
 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:

Pump - Fairbanks Morse, 1760 RPM, ID # Q 9484-00-D-616.
Hollow shaft Gear Drive, Type G.P.
General Motors Diesel Engine - 4 cyl. Model 4030C

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

Aluminum Pipe - 8" dia - 30 ft long.

C. Works used to apply water to beneficial use.

Center Pivot - Lockwood Model 7900-1372 Serial #510
13 Towers 132 Ac.

The system is in the following condition: Good

The point of diversion is located 1330 ft East of SW Corner Sec. 2
T 93 N, R 55 W.

The works are capable of diverting and conveying to the place of use 2.0

... 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.

<u>SW 1/4 - SW 1/4</u>	<u>S 2</u>	<u>T 93 N, R 55 W.</u>	<u>33</u>	<u>Ac.</u>
<u>SE 1/4 - SE 1/4</u>	<u>S 2</u>	<u>T 93 N, R 55 W.</u>	<u>33</u>	<u>Ac.</u>
<u>NW 1/4 - NW 1/4</u>	<u>S 11</u>	<u>T 93 N, R 55 W.</u>	<u>33</u>	<u>Ac.</u>
<u>NE 1/4 - NW 1/4</u>	<u>S 11</u>	<u>T 93 N, R 55 W.</u>	<u>33</u>	<u>Ac.</u>

comprising a total of 132 acres of land.

Well Data:

Depth Est 95 ft.

Depth to water 20 ft.

Capacity 1100 gpm

Date July 21, 1976
LeRoy J. Monrogh
 (Signature)

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-1111

March 23, 1987

GARY HEINE
RR #1 BOX 67
FORDYCE, NE 68736

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

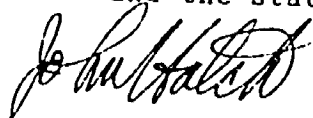
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 2597-3, 2116-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires 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 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

1. Amend Permit No(s). 2597-3, 2116-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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



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

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

South Dakota Department of
Water & Natural Resources

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

April 13, 1987

2116-3
2597-3
3722-3
4621-3

Gary Heine
Heine Farms
RR #1 Box 67
Fordyce, NE 68736

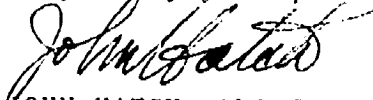
Dear Mr. Heine:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 2116-3, 2597-3, 3722-3 and 4621-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

February 17, 1989

Gary Heine
RR 1, Box 68
Fordyce, NE 68736

Dear Mr. Heine:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

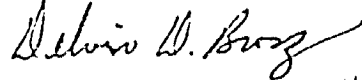


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bower, Water Rights Engineer (603-773-3352).

Very truly yours,



for JOHN HATCH, Chief Engineer
Water Rights Division



January 29, 1993

NOTICE

2116-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE SOUTH DAKOTA 57501-3181

TO: GARY HEINE- HEINE FARMS
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) 2116-3, 2597-3 & 3722-3, 4621-3 and 1992 Irrigation Questionnaire Requirements

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 2116-3, 2597-3 & 3722-3, 4621-3. The request for the Questionnaires 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 be to determine if Permit No(s) 2116-3, 2597-3 & 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) 4621-3 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, at 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) 4621-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2116-3, 2597-3 & 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. 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 questionnaires 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.

2116-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 1993

NOTICE

TC: GARY 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) 2116-3 & 3722-3

The first notice to file chemigation report(s) for Permit No(s) 2116-3 & 3722-3 was dated October 16, 1992. Our records indicate that we have not received the 1992 chemigation report for Permits No(s) 2116-3 & 3722-3. 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). 2116-3 & 3722-3 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.



2116-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 11, 1993

No. 2116-3
3722-3

Gary Heine
RR 1 Box 68
Fordyce, NE 68736

Dear Sir:

I am writing to acknowledge receipt of your phone call concerning the 1992 chemigation questionnaire. You may disregard the January 29, 1993 notice of "Failure To Submit Chemigation Questionnaire." I have filled out the questionnaire with the information you provided in the mail 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



2116-3

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

N
N
YANKTON
COUNTY

SECTIONS $\frac{3}{10}$ $\frac{2}{11}$ 1330 FEET → WELL
T93W-R55W

S²SW⁴ 2-93-55

N²NW⁴ 11 93-55

WELL-LOCATION FOR PLANNED
SPRINKLER IRRIGATION SYSTEM

PLW 50

HEINE FARMS

PLANNING ASSISTANCE BY

Wayne W. Gibson

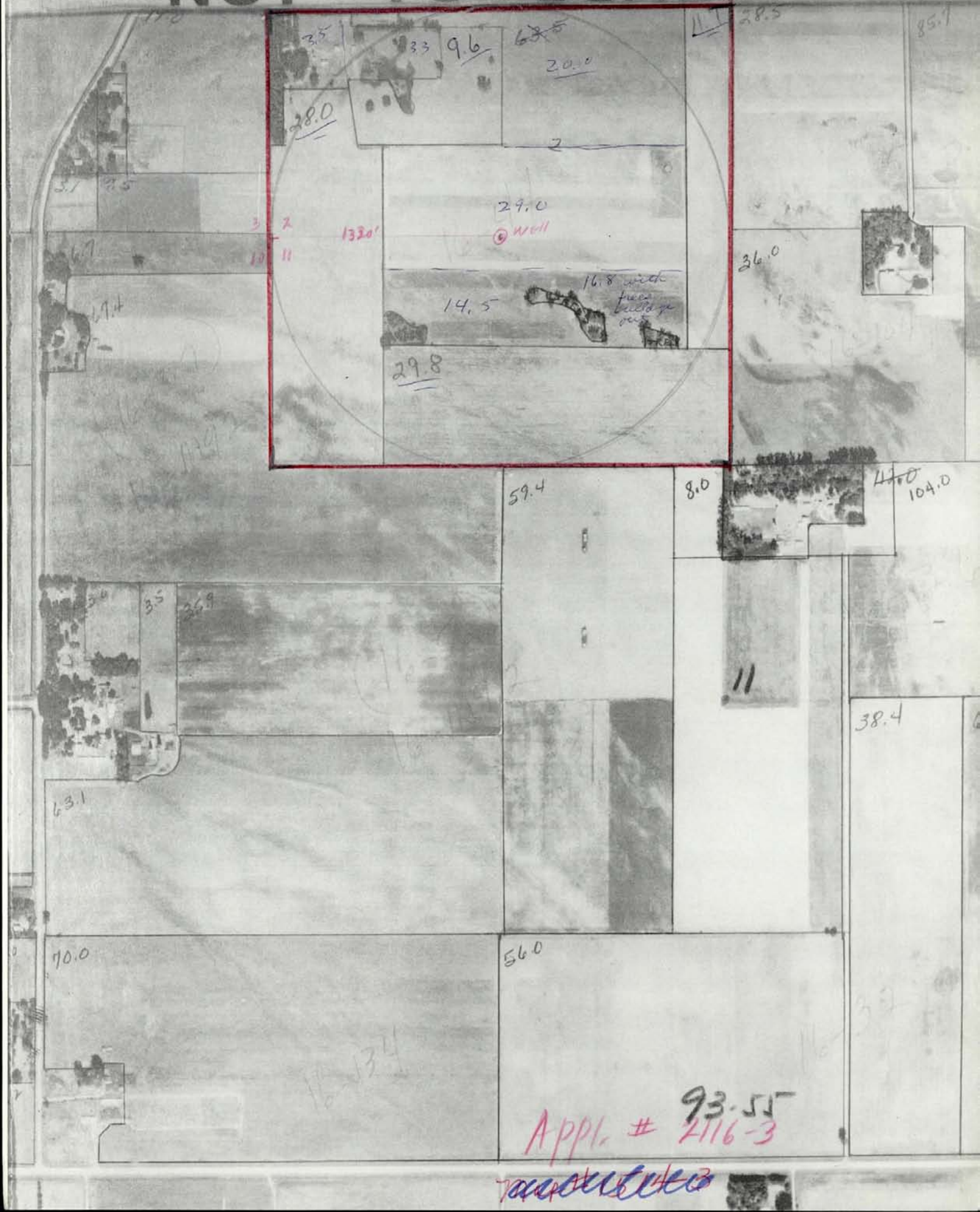
1-17-74
MAP NO 1514-3 (APPL NO 2116-3)

GARY Heine

Heine FARMS

Appl. # 2116-3

NOT TO SCALE





January 26, 2007

NOTICE

2116-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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



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.

2116-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

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 cursive script that reads 'Genny McMath'.

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



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



October 7, 2014

Heine Farms
Gary Heine
617 Applewood Dr.
Yankton SD 57078

Dear Mr. Heine:

I am writing in regard to a well driller's report filed by Grosch Irrigation Co. Inc. The report shows a new well was completed for Heine Farms on April 15, 2014 (copy enclosed).

A review of our files indicates Water Right No. 2116-3 was licensed for 855 gallons per minute (gpm) from one well located on the approximate center line between the SW 1/4 Section 2 and the NW 1/4 Section 11-T93N-R55W for irrigation of 132 acres.

Mr. Heine, is this a replacement well or an additional well which does not increase the total appropriation of 855 gpm? If the authorized diversion rate is increased, a new water permit will need to be obtained. Once we know this information, we can determine what additional action, if any, needs to be taken to ensure the water right accurately reflects your irrigation system.

Please contact Eric Gronlund or me regarding the status of this well or if you have any questions.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
Email: karen.schlaak@state.sd.us

Water Rights Program - File Documentation

NAME: Ron Heine

ADDRESS: Yankton SD

DATE: 2-9-15 **COUNTY:** YA **TELEPHONE:**

RE: Well completion report

COMMENTS:

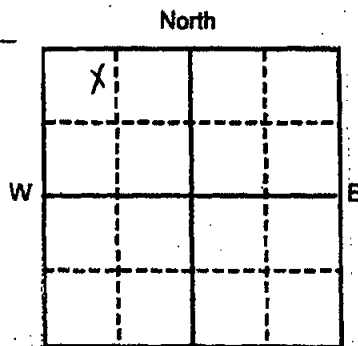
Ron Heine called regarding my letter dated October 7, 2014 about a well completion report. Mr. Heine stated this well is a replacement well. The new well was drilled near the existing well, at approximately the same depth, with no increase in water appropriation.



Karen Schlaak
Water Rights Program

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location 1/4 NW 1/4 Sec 11 Twp 93N Rg 55WCounty YanktonPlease mark well
location with an "X"

Well Completion Date

April 15, 2014Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
ft. from _____ (Identify source) _____

PROPOSED USE:

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

METHOD OF DRILLING:

REVERSE ROTARY

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
20.0 LB/FT	16.00 IN	0.0 FT	100.0 FT	28.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
CEMENT	50	15.5 Lb/gal	20.0 Ft	0.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure _____

SCREEN:

☒ Perforated pipe ☐ Manufactured
Diameter 16.00 Inches Length 80.0 FeetMaterial PVCSlot Size .051 Set From 20.0 Feet to 100.0 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ Yes ☒ No

If so, what material? _____

Describe packer(s) and location _____

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH☐ No, Why/Not? _____

Lab to which water quality sample sent for analysis _____

Well Owner: Heine Farms

Business Name: _____

Address: 55969 897 RdCity, State, Zip: Fordyce NE 68736

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil, Soft, Brown	0	5
Sandy Brown Clay Soft	5	15
Fine Blue Sand Soft	15	25
Coarse Sand Fine Gravel Rocks 40'	25	75
Hard Black Clay	75	80
Coarse Red Gravel Unconsolated	80	90
Hard Tan Clay	90	91
Med / Coarse Red Gravel Unconsol.	91	99
Rocks Hard	99	102

STATIC WATER LEVEL 20.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: _____☐ Bailed☐ Other _____

Pumping Level Below Land Surface

44.0 Ft. After 2.0 Hrs. pumped 1,250.0 GPM36.0 Ft. After 2.0 Hrs. pumped 668.0 GPMIf pump installed, pump rate: 850.0 GPM

REMARKS

RECEIVED

MAY - 2 2014

WATER RIGHTS
PROGRAMThis well was drilled under license # 189 and this report is true and accurate.Drilling firm: GROSCH IRRIGATION CO, INC.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: 5-1-14

5-13-14



2116-3
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 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.



2116-3
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