

Water Right Number 2293-3

1. Considered JULY 24, 19 75
2. Name of Applicant PAUL HEINE
3. Post Office Address VERMILLION
4. Amount of Water claimed 2.57
5. Source of Water supply 105' DEEP WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 180
7. Water to be diverted and used in CLAY County
about SE, 4.5 miles of VERMILLION
8. Proof of Publication Received 7-15-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 2293-3Water Division No. 3 VERMILLION RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

319

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

1. Name of applicant Paul Heine
Postoffice address Vermillion, County Blair, State S. D.

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

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

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

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

Direct Labor

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

2. Name of diversion work Paul Heine Irrigation3. Amount of water claimed 2.57 MAXIMUM ALLOWABLE cubic feet per second4. Source of water supply Ground WATER5. Location of point of diversion Section 12, T40N, R5W on CLAY County.
NW CORNER6. Annual period or periods during which water is to be used May-Oct.

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Center Pivot Sprinkler(a) Number of acres to be irrigated 160 Acres.(b) Legal subdivisions to be irrigated Attached

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

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

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

(a) Nature of use
Name any of the above uses claimed(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

MAP NO 1680-3

8. Estimated cost of work:

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

9. Description of diversion works:

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

II. Dimensions of works.

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

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

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

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

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

STATE OF SOUTH DAKOTA

County of.....

I,....., being first duly sworn,
do hereby depose and say: That my relation to the above described undertaking is that of owner, that I have
read the above foregoing statement, examined the map accompanying the same, and that I know of my own
personal knowledge that the matters therein stated and shown are true.

Signed.....
Subscribed and sworn to before me this.....day of.....1925
Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

----- The irrigation well approved under this Permit is located near domestic 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.

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, AUGUST 1, 1975

This is to certify that the foregoing application was received by the Commission at 8:19 o'clock
a.m. upon the 30TH day of MAY, 1975.

State Water Resources Commission

By:

Burton J. Jones
for Chief Engineer, Executive Officer

Number of permit 2293-3

Date of first receipt of application MAY 30, 1975

Date of return to applicant for correction, amendments or changes required as follows: JUNE 4, 1975

Date of receipt of corrected application JUNE 16, 1975

Date from which applicant may claim right MAY 30, 1975

Approved JULY 24, 1975, Recorded in Book 13 Page 350

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

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 24, 1978.

2nd. The whole of said work is to be completed on or before JULY 24, 1980

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

JULY 24, 1984

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

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 2.57 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before JULY 24, 1984; said water to be used during the following described annual period:

MAY - OCTOBER

Witness my hand this 25TH day of AUGUST, 1975.

State Water Resources Commission

By:

Allen W. Butler
Chief Engineer, Executive Officer

Certificate of Construction Issued July 7, 1980

Water License issued July 7, 1980

Area to be irrigated:

2 Acres	SE $\frac{1}{4}$ SE $\frac{1}{4}$	2-91-51
4 Acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1-91-51
20 Acres	NE $\frac{1}{4}$ NE $\frac{1}{4}$	11-91-51
40 Acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$	12-91-51
13 Acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$	12-91-51
30 Acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$	11-91-51
40 Acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$	12-91-51
12 Acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$	12-91-51
2 Acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$	11-91-51
7 Acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$	12-91-51

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36", Depth 105'

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

Size of casing 18", Thickness of casing 3"

Length of casing 105' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen CONCRETE

Size of perforated screen 18"
(diameter) (length)

Thickness of gravel pack 9", length of gravel pack

(c) Water Bearing Materials

Distance to water 20 Character of water bearing materials Sandy

Thickness of water bearing material 105'

(d) Pump and Motor

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

Name of pump Western Land Raker size 900'

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

Horsepower 75 HP Name of Motor

(e) Complete well

Capacity 2000 at drawdown of 20' Estimated cost 50000

(f) Owner of land upon which well is located Carl Meier
Name

St. Helena, Nevada
Address

(g) Distance to nearest existing wells

On same owner's property 160 rods. On property owned by others 160 rods

NOTICE OF WELL CONSTRUCTION

~~2-53-3~~
2293-3

(1) WELL CONSTRUCTION

Location of well: 1/4 1/4 Section 1 Township 51 Range 91
Well owner Paul Thine (Name) Union City, SD 57169 (Address)
Date well drilling completed 7/1/75 Purpose of well Irrigation
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	
0-2	top soil	6'7"	ft.
2-10	clay & sand	5	ft.
10-50	sand, clay & gravel	Name of producing aquifer (if known) <u>gravel</u>	
50-86	sand & gravel	Total depth of drill hole <u>86</u>	ft.
		Depth to bottom of casing <u>86</u>	ft.
		Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.	
		<u>0-55 22" O.D. Kelly Concrete</u>	
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.	
		<u>55-86 22" O.D. Kelly Concrete</u>	
		If a flowing well, flow of completed well _____ G.P.M.	

Attach sheet if more space is needed

Empire Irrigation Drilling Co. Inc.
Name of Drilling Contractor

(2) PUMP INSTALLATION

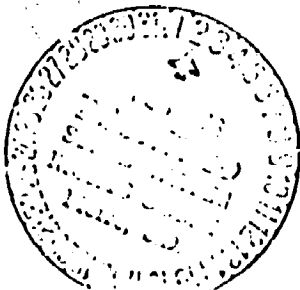
Company name and size of pump Western Sand Pump HP 100
Type of pump turbine Capacity of installed pump 1000 G.P.M.
Depth of pump placement 40 ft., Date of pump installation 7/1/75

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required. See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Empire Irrigation Drilling Co. Inc.
Name of Pump Installation Contractor



April 4, 1975

Mr. Paul Heine
R.F.D.
Vermillion, S.D. 57069

Dear Mr. Heine:

The report of analysis done by Mr. Don Mitchell, the State Chemist, on your sample for irrigation has been transmitted to us. We have also received the WI-1 form for submittal to the State Conservation Commission. It and a copy of this letter and the water analysis report are being sent to the State Conservation Commission.

The water quality is apparently satisfactory for irrigation. The conductivity estimated is about 1200 micromhos from the total salts value of 724 parts per million. The sodium content is moderately low, but there is some residual sodium carbonate expected from this water due to the precipitation of calcium and magnesium by the high bicarbonate content. This may be a problem on the Onawa soils and may cause dispersion of clays. You should observe this soil carefully each year to see if there is a change in the physical structure. If the structure begins to deteriorate, you should advise us so suggest remedial measures or cease irrigating this Onawa soil.

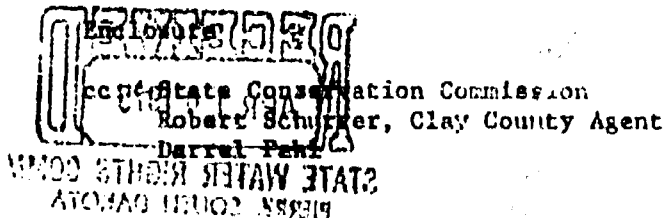
A copy of this letter, the WI-1 form and a copy of Mr. Mitchell's analysis are being sent to the State Conservation Commission as indicated above. I wish you success in your irrigation venture.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOFIMRB



Conservation
Commission
Form WI #1

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: [Signature]

Disapproved: _____

NAME: Paul Heine

ADDRESS: RFD, Vermillion

COUNTY: Clay

LEGAL DESCRIPTION

1. WELL LOCATION: 1400 feet & 75° SE of S¹ corner of 1-91-51
2. AREA TO BE IRRIGATED: 180 acres-attached sheet

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Center pivot
4. CROPS TO BE IRRIGATED: Corn, Beans, Alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: Average 1%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: _____

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: Analyzed by D.J. Mitchell, State Chemist, Vermillion
8. SALINITY: Estimated EC 1200 μ mhos 724 ppm TDS
9. SODIUM: SAR = 1.53

Estimated "residual carbonate"
of 2.21 me/100 g - may be
a hazard on Okauch Sods.

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

Soil Conservation Service

and:

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

Paul W. Lee

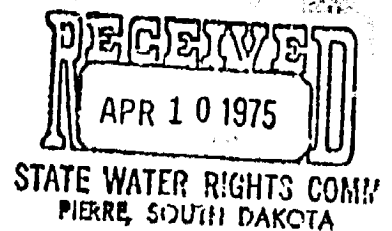
Subscribed and sworn before me this

24th day of March 1975.

Paul W. Lee

Notary Public

(Title)



Paul Heine

Soils information prepared by the Soil Conservation Service Vermillion, S. Dak.

Onawa silty clay capability unit IIw3 Deep, somewhat poorly drained soils having slowly and very slowly permeable upper horizons and moderately slow to very slowly permeable silty clay loam or silty clay subsoils; seasonal water table. Intake family is 0.1. County Publication number 100

Onawa silty clay, very shallow over sand same intake family and general classification as a above. County Publication number 102

Haynie silt loam capability unit II Deep, loamy, well and moderately well drained soils on bottom lands that sometimes receive beneficial overflow. They have few or no limitations in use. Haynie is in the 1.0 intake family. County Publication number 301

Sarpy fine sandy loam capability unit IIIs5, Deep, moderately well drained, nearly level (0 - 2%) soils with moderately sandy surface layers and light colored, very limy, sandy subsoils. They having a fluctuating water table and severe wind erosion hazard. County Publication number 400. Intake family 3.0.

Albaton silty clay capability unit IIIw small acreage

Area to be irrigated:

2 Acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2-91-51
4 Acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1-91-51
20 Acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ 11-91-51
40 Acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ 12-91-51
13 Acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ 12-91-51
30 Acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ 11-91-51
40 Acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ 12-91-51
12 Acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ 12-91-51
2 Acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ 11-91-51
7 Acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ 12-91-51



STATE CHEMICAL LABORATORY

VERMILLION, S. D.

Francis Heine

Vermillion, S.D.

Date 3/12/75

We have examined the sample of Water for Irrigation Analysis Paul Heine

submitted by You on 2/19, 1975
taken by Inspector

Inspector's No. Lab. No. 75-4666 Seller

Manufacturer Distributor

and we find as follows:

FOUND

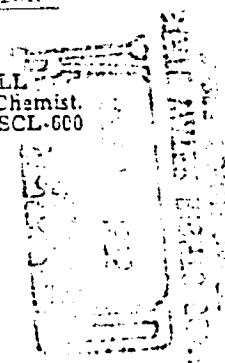
Total Solids	724 ppm
Hardness	338 ppm
Chloride	NONE
Sulfates	125 ppm
Magnesium	4 ppm
Sodium	75 ppm
Calcium	129 ppm
Alkalinity as CaCO_3	NONE
Phenolphthalein	480 ppm
Methyl Orange	

Handwritten notes:
Total Solids = 724 ppm
Hardness = 338 ppm
SAR = 1.83

WE WOULD CONSIDER THIS WATER EXCELLENT-TO GOOD FOR PURPOSES OF IRRIGATION

Handwritten note:
2.2 / estimated residual
Carbonate + bicarbonate

D. J. MITCHELL
State Chemist
SCL-600



Permit No. 2293-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Paul Helne

_____ the holder _____ of
Permit No. 2293-3, issued upon Application No. 2293-3, bearing date of priority of May 30, 1975
_____ authorizing the diversion of 2.57 cu. ft. per second of the waters of _____
ground water (one well) County of Clay, State of South Dakota at _____
a point S 19°E, 1450' from the NW corner of Section 12, T91N, R51W

_____, for Irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.22 cu. ft. per second of water.

Date July 7, 1980



JOHN HATCH, Chief Engineer
Water Rights, WND

WATER LICENSE NO. 2293-3

(1) WHEREAS, On the 30th day of May A. D. 19 75

Paul Haine

made Water Right Application No. 2293-3 for a permit to use 2.57 cubic feet per second of the waters of groundwater (one well)

County of Clay, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 24th day of July A. D. 19 75

Permit No. 2293-3, with a date of priority of July 24, 1975

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 24th day of July A. D. 19 80 and for the application to beneficial use of said water on or before the 24th day of July A. D. 19 84

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 2.22 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 the following lands all in T91N, R51W

Section 1 SW $\frac{1}{4}$ S $\frac{1}{4}$ 4 acres

Section 2 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 2 "

Section 11 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 30 "

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 30 "

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2 "

Section 12 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 "

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 "

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 13 "

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 12 "

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 7 "

TOTAL 180 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Paul Helne

_____ of Vermillion, SD

the holder _____ and owner _____ of said permit No. 2293-3 a water right, dating from May 30, 1975

_____ to use of 2.22 cubic feet per second of the waters of ground water (one well)

in the County of Clay and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point S 19°E, 1450' from the NW corner,

Section 12, T91N, R51W

and conducted to and upon portions of land in Sections 1, 2, 11 and 12, T91N, R51W
more fully described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2293-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 7th day of July A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer **JOHN HATCH**

No. 2293-3

Publish first publication, on or before

July 10, 1975

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 24, 1975

Notice is hereby given that Paul Heine

whose post office address is Vermillion, 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 7.51 cubic feet of water per

second of time from the ground water through the

Paul Heine #1, the point of diversion of which is to

be located in the

SW $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 12, Twp. 91N, Range 51W. Said water to be used for the purpose of providing irrigation on the following described land:
portions of

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2; E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11; NW $\frac{1}{4}$ and

NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, all in T91N, R51W

This application No. 2293-3 will be considered by the Water Rights

Commission at the North Lounge, Sunbuck Center, S.D. School of Mines at Rapid City, S.D.

upon the 24th day of July 1975 at 2:30 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc:

~~W. F. Jones, 400 S. 4th St., Pierre, S.D. 57501~~

Paul Heine, Route #1, Vermillion, S.D. 57069

No. 2293-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Clay) ss.

I, Narlene Battagione hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Vermillion Plain Tract

A newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the _____

City of Vermillion, SD

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

July 3, 1975
July 10, 1975

Narlene Battagione
(Signature)

Mar.
(Title)

July 10, 1975
(Date Signed)

NOTICE OF INTENT
TO
APPROPRIATE WATER

Notice is hereby given that Paul Heine, whose post office address is Vermillion, 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 2.57 cubic feet of water per second of time from ground water through the Paul Heine No. 1, the point of diversion of which is to be located in the SW1/4 NW1/4 of Section 12, Twp. 91N, Range 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

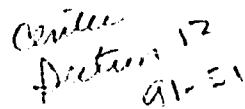
SW1/4, SW1/4, Sec. 1; SE1/4, SE1/4, Sec. 2; E1/2 NE1/4, NE1/4, SE1/4, Sec. 11; NW1/4 and NW1/4 SW1/4, Sec. 12, all in T91N, R51W.

This application No. 2293-3 will be considered by the Water Rights Commission at the North Lounge, Surbeck Center, S.D. School of Mines at Rapid City, S.D. upon the 24th day of July, 1975, at 2:30 p.m. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By Burton F. Joner,
Water Rights Specialist
Publish July 3, 10, 1975

↑
N



Permit No. 2293-3Water Division 3 VERMILLION RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / BOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by PAUL HEINE_____ of VERMILLION _____ holder _____of Permit No. 2293-3, bearing date of priority of MAY 30, 1975authorizing the diversion of 2.57 cu. ft. per second of the waters of GROUNDWATERfor IRRIGATION purposes, in CLAY County.

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

The Water Use System consists of,

A. Works used to divert the water:

97' DEEP WELL WITH 18" ID CONCRETE CASING
 WESTERN LAND ROLLER 10" PUMP # KB1515Z - 4 STAGE - 12 KWH BOWLS
 POWERED BY 3208 CATERPILLAR DIESEL
 HOLLOSHAFT GEAR HEAD @ 1750 GPM

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

100' OF 10" MAINLINE TO CENTER PILOT

C. Works used to apply water to beneficial use.

10 TOWER ELECTROGATOR CENTER PILOT - MODEL N^o 555
 WITH END GUN #100

The system is in the following condition: GOOD

The point of diversion is located S 19° E, 1450' FROM THE NW CORNER,
SECTION 12, T9N, R51W

The works are capable of diverting and conveying to the place of use 2.22cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN T9N, R51W

SECTION 1	SW ⁴ SW ⁴ 4 AC	SECTION 11	NE ⁴ SE ⁴ 2 AC
SECTION 2	SE ⁴ SE ⁴ 2 AC	SECTION 12	NW ⁴ NW ⁴ 40 AC
SECTION 11	NE ⁴ NE ⁴ 30 AC		SW ⁴ NW ⁴ 40 AC
	SE ⁴ NE ⁴ 30 AC		NE ⁴ NW ⁴ 13 AC
			SE ⁴ NW ⁴ 12 AC
			NW ⁴ SW ⁴ 7 AC

comprising a total of 180 acres of land.

Date MAY 7, 1980
Dustin J. Green
 (Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7559

PIERRE, July 2, 1930

RECEIVED OF Paul Heine, Rt. 1. Vermillion, SD 57060

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and issuing Cert. of Construction No.	50	00
Fee for Inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By [Signature]
Chief Engineer, Executive Officer
/JOHN ATCH / bt



Department of Water & Natural Resources

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

2293-3

NOTICE

September 13, 1983

TO: Paul Helne
RR #1
Vermillion, South Dakota 57069

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

Re: Violation of Permit No(s). 4718-3
by Failure to Submit Required 1982 Irrigation Questionnaire

The Water Management Board has directed that hearing(s) be held to determine what action the Board should take for violation of the Water Permit No(s). 4718-3 qualification that requires the Irrigation Water Use Questionnaire to be submitted each year.

The hearing(s) will also be to determine if Permit No(s). 2293-3 should be amended to require the Questionnaire to be submitted each year.

The hearing(s) will be at 2:30 p.m., October 5, 1983, Civil Defense Room, Basement, State Capitol Building, Pierre, South Dakota. Water Rights Division records do not show that the 1982 Irrigation Questionnaire for Permit No(s). 4718-3 has been received. The questionnaire was requested on the following dates:

1. September 1982 Initial request
2. December 1982 follow-up request
3. March 22, 1983 Notice that submittal of questionnaire is a qualification to water permit.
4. August 1983 Notice that Board had directed owners of permits not in compliance with the Irrigation Questionnaire qualification be given until August 30, 1983 to submit the 1982 questionnaire with any permit owner in violation after August 30 to be given notice for hearing before the Board.

Equal Opportunity Employer

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). 4718-3 until either the 1982 Questionnaire is submitted or for a period of up to one year;
2. Amend Permits No(s). 2293-3 also held by Paul Helne to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

These hearing(s) are 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.



Department of Water & Natural Resources

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

April 15, 1985

Paul Helne
RR 1 Box 174
Vermillion SD 57069

NOTICE

Re: Violation of Water Permit No(s). 4718-3 and 1984 Irrigation Questionnaire Requirements.

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 4718-3. The request for the questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4718-3 qualification:

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

The hearing will also be to determine if Permit No(s) 2293-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 10:30 a.m., May 15, 1985, in the Civil Defense Room, Basement, State Capitol 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. Suspend Permit No(s). 4718-3 until either the 1984 Questionnaire is submitted or for the period or up to one year;
2. Amend Permits No(s). 2293-3 also held by Paul Helne to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;

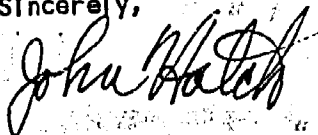
Paul Heine

April 15, 1985

Page 2

4. 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
Phone: (605) 773-3352

NOTE: If the questionnaire(s) are received in this office before the May 15th 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.

A40408KS.wr



Department of Water & Natural Resources

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Paul Heine
RR #1, Box 174
Vermillion, SD 57069

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

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

SUBJECT: Amendment to Water Permit No(s). 2293-3.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2293-3 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.



Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 2293-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 2293-3 to add the following qualification:

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



Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Department of Water & Natural Resources

Division of Water Rights
605 773-3352

No. 4718-3

2293-3

February 28, 1986

Ken Holmes
Omaha National Bank
P.O. Box 1399
Omaha, NE 68102

Dear Mr. Holmes:

copies

Please find enclosed ~~a copy~~ of ~~a~~ Notice of Transfer of Water Permit forms. These forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 for each transfer, total of \$5.00.

Upon receipt of the enclosed forms and the \$2.50 filing fee for each permit, the permits will be transferred to the proper name. South Dakota Water Law 46-5-30.3 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.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

ms/

NOTE: Also enclosed are the 1985 Irrigation Questionnaires, please have them completed and returned to us as soon as possible.

DWNR-820A-8/83

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: March 5, 1986

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

180 Acres - SW1SW1 Section 1; SE1SE1 Section 2; E1NE1, NE1SE1, Section 11;
NW1, NW1SW1 Section 12; all in T91N, R51W

formerly owned by Paul Heine, RR 1, Box 174, Vermillion, SD

has been transferred to Omaha National Bank, P.O. Box 1399, Omaha, NE 68102

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2293-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

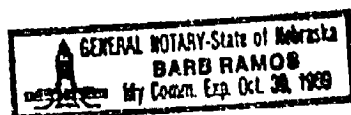
STATE OF Nebraska)
County of Douglas) ss.

I, John A. Ostrowski, V. President being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

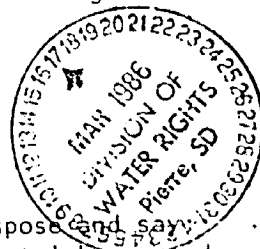
OMAHA NATIONAL BANK

BY: [Signature]
ITS: [Signature] (Signed)

Subscribed and sworn to before me this 14 Day of March, 1986.



[Signature]
(Notary Public)



RECEIPT

410332

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

Pierre, March 17, 1986

RECEIVED OF Omaha National Bank, P.O. Box 1292, Omaha, NE 68102

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

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 2293-2

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

2 50

By

Chief Engineer

John Hatch
JOHN HATCH/15

No.

2293-3

4718-3



Department of Water & Natural Resources

Joe Foss Building

Water Rights Division

Pierre, South Dakota 57501

Phone (605) 773-3352

March 18, 1986

Omaha National Bank
P.O. Box 1399
Omaha, Nebraska 68102

Dear Sir:

Enclosed ^{are} ~~is~~ receipt Nos. 410362 & 410363 in the amount of \$ 2.50 each which you paid for transfer of Water Right Nos. 2293-3 and 4718-3.
Our records now show ^{Omaha National Bank these} ~~you~~ as the owner of ~~the~~ Water Rights.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.



Department of Water & Natural Resources

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

January 29, 1988

OMAHA NATIONAL BANK-John Ostrowski, Vice Pres.
PO BOX 1399
OMAHA, NE 68102

NOTICE

Re: Violation of Water Permit No(s). 4718-3, (2293-3)

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 4718-3, 2293-3. 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 hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4718-3, 2293-3 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, D.

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). 4718-3, 2293-3 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
605 773-3352

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 9, 1988

2293-3
4718-3

John Ostrowski, Vice President
Omaha National Bank
PO Box 1399
Omaha NE 68102

Dear Sir:

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. 2293-3 & 4718-3 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

cc: Farmers National Co.
Box 361
Vermillion SD 57069



Department of Water & Natural Resources

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

February 8, 1989

JOHN OSTROWSKI, VICE-PRESIDENT
OMAHA NATIONAL BANK
PO BOX 1399
OMAHA, NE 68102

NOTICE

RE: Violation of Water Permit No(s). 2293-3, 4718-3

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 2293-3, 4718-3. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 2293-3, 4718-3 qualification:

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

The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City 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, the Water Management Board can:

1. Suspend Permit No(s). 2293-3, 4718-3 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

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

If the questionnaire is received in this office before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

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

March 3, 1989

2293-3
4718-3

John Ostrowski, Vice President
Omaha National Bank
PO Box 1399
Omaha, NE 68102

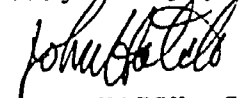
Dear Mr. Ostrowski:

I am writing in regard to the 1988 irrigation questionnaires for Water Right No. 2293-3 and Water Permit No. 4718-3. Mr. Roger Lechtenberg contacted our office on March 1, 1989, and indicated Omaha National Bank no longer owns the land described in Water Right No. 2293-3 and Water Permit No. 4718-3.

You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. George Donnelly, Elk Point, SD will be contacted concerning transfer of the water rights and the 1988 questionnaires.

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

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

March 3, 1989

2293-3

4718-3

George Donnelly
RR #2 Box 46
Elk Point, SD 57025

Dear Mr. Donnelly:

Roger Lechtenberg has notified our office that you now own the land described in Water Right No. 2293-3 and Water Permit No. 4718-3. No. 2293-3 and No. 4718-3 are currently listed in the name of Omaha National Bank. Enclosed are copies for your review.

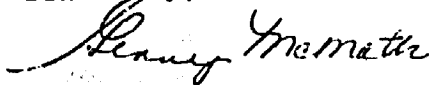
Also enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right No. 2293-3 and Water Permit No. 4718-3. Please check over the forms and sign them in the presence of a notary public. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 each (total of \$5.00).

South Dakota Water Law 46-5-30.3 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.

A 1988 irrigation questionnaire will need to be completed for each permit and returned to us as soon as possible. I have enclosed the questionnaires and a postage paid envelope for your convenience in returning the forms.

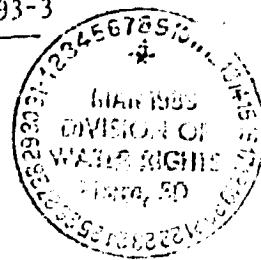
If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 3-6-1989

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

180 acres - SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11,

NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, T91N, R51W

formerly owned by Omaha National Bank

GEORGE DONNELLY

RT. 2 Box 46

Elk Point, SD 57025

has been transferred to

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2293-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

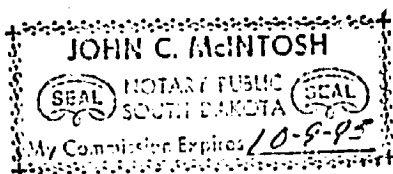
STATE OF SOUTH DAKOTA)
County of Union) ss.

I, George Donnelly being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

George Donnelly
(Signed)

Subscribed and sworn to before me this 6th Day of March, 1989

John C. McIntosh
(Notary Public)



RECEIPT

Division of Water Rights

411686

South Dakota Department of Water and Natural Resources

Pierre, March 8, 1989

RECEIVED OF George Donnelly, Rte 2, Box 46, Elk Point, SD 57025

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

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 Water Right Permit No. 2293-3

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 / mro
Chief/Engineer



Department of Water & Natural Resources

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

March 16, 1989

George Donnelly
RR #2, Box 46
Elk Point, SD 57025

Dear Mr Donnelly:

Enclosed is Receipt Nos. 411665 and 411666 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 4718-3 and 2293-3.

Our records now reflect you as the owner of this Water Right.

Sincerely,

A handwritten signature in cursive script that reads "Marie R. Arthur".

Marie R. Arthur
Secretary
Water Rights Division

