

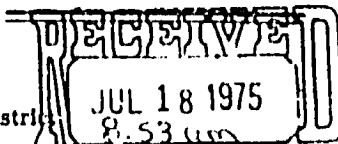
Water Right Number 2315-3

1. Considered SEPTEMBER 10, 1975
2. Name of Applicant DANIEL HIENE
3. Post Office Address VERMILLION
4. Amount of Water claimed 9.9
5. Source of Water supply GROUND WATER (5 WELLS - 100')
6. Water to be used for IRRIGATION
- Acres to be irrigated 692
7. Water to be diverted and used in CLAY County
about 2 1/2 miles of VERMILLION
8. Proof of Publication Received 9-4-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 2315-3Water Division No. 3VERMILLION RIVER District

(Blanks to be filled by the Engineer for the W. & C.)

STATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Daniel Heine
 Postoffice address St-Helena, County Cedar, State Nebraska

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, \$ 150,0002. Name of diversion work Heine3. Amount of water claimed 9.9 cubic feet per second4. Source of water supply Ground5. Location of point of diversion Wells SEE ATTACHMENTon Gray bank Gray County.6. 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 sprink(a) Number of acres to be irrigated 692 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. 1697-3

8. Estimated cost of work:

(a) Head Gates, \$.....

(b) Pumping plant, \$.....

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures *water control system* \$ *150000*

Total, \$.....

9. Description of diversion works:

(a) 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 *3 5* years.
11. Time required for complete application of water to the proposed beneficial use *9* years.
12. Choice of newspaper for publication of notice of intention to appropriate *Vermillion Plain*
Tell

STATE OF SOUTH DAKOTA

County of *Clay*

ss.

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

Signed *Daniel G. Heine*Subscribed and sworn to before me this *20*day of *March*19*25*

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, SEPTEMBER 15, 1975

This is to certify that the foregoing application was received by the Commission at 2:53 o'clock
a.m. upon the 18TH day of JULY, 1975.

State Water Resources Commission

By: [Signature]

for Chief Engineer, Executive Officer

Number of permit 2315-3

Date of first receipt of application JULY 18, 1975

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right JULY 18, 1975

Approved SEPTEMBER 10 1975, Recorded in Book 14 Page 30

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 MARCH 10, 1978

2nd. The whole of said work is to be completed on or before SEPTEMBER 10, 1980

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 10, 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 9.9 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 SEPTEMBER 10 1984, said water to be used during the following described annual period:

MAY - OCTOBER

Witness my hand this 15TH day of SEPTEMBER, 1975.

State Water Resources Commission

By: [Signature]

Chief Engineer, Executive Officer

Certificate of Construction issued July 7, 1980.

Water License issued July 7, 1980.

Legal Description

Well #1 68° SW of the NE corner of Sec. 16-92-52 at a distance of 4240 feet.

21 acres	NW ¹ ₄	SE ¹ ₄	16-92-52
21 acres	NE ¹ ₄	SE ¹ ₄	" " "
31 acres	SW ¹ ₄	SE ¹ ₄	" " "
21 acres	SE ¹ ₄	SE ¹ ₄	" " "
<u>124 acres</u>			

Well #2 57° SW of NE corner of Sec. 22-92-52 at a distance of 2960 feet.

35 acres	SW ¹ ₄	NE ¹ ₄	22-92-52
35 acres	SE ¹ ₄	NE ¹ ₄	" " "
35 acres	NW ¹ ₄	SE ¹ ₄	" " "
35 acres	NE ¹ ₄	SE ¹ ₄	" " "
<u>140 acres</u>			

Well #3 64° SE of NW corner of Sec. 22-92-52 at a distance of 2810 feet.

3 acres	NE ¹ ₄	NW ¹ ₄	22-92-52
3 acres	NW ¹ ₄	NW ¹ ₄	" " "
36 acres	SW ¹ ₄	NW ¹ ₄	" " "
36 acres	SE ¹ ₄	NW ¹ ₄	" " "
29 acres	NE ¹ ₄	SW ¹ ₄	" " "
29 acres	NW ¹ ₄	SW ¹ ₄	" " "
4 acres	SE ¹ ₄	NE ¹ ₄	21-92-52
<u>140 acres</u>			

Well #4 49° SW of NE corner of Sec. 21-92-52 at a distance of 1720 feet.

38 acres	NW ¹ ₄	NE ¹ ₄	21-92-52
34 acres	NE ¹ ₄	NE ¹ ₄	" " "
5 acres	NW ¹ ₄	NW ¹ ₄	22-92-52
28 acres	SW ¹ ₄	NE ¹ ₄	21-92-52
30 acres	SE ¹ ₄	NE ¹ ₄	" " "
5 acres	SW ¹ ₄	NW ¹ ₄	22-92-52
<u>140 acres</u>			

Well #5 55° SE of NW corner of Sec. 21-92-52 at a distance of 3920 feet.

3 acres	SW ¹ ₄	NW ¹ ₄	21-92-52
36 acres	SE ¹ ₄	NW ¹ ₄	" " "
8 acres	SW ¹ ₄	NE ¹ ₄	" " "
12 acres	NW ¹ ₄	SE ¹ ₄	" " "
40 acres	NE ¹ ₄	SW ¹ ₄	" " "
25 acres	NW ¹ ₄	SE ¹ ₄	" " "
3 acres	SW ¹ ₄	SW ¹ ₄	" " "
15 acres	SE ¹ ₄	SW ¹ ₄	" " "
6 acres	SW ¹ ₄	SE ¹ ₄	" " "
<u>148 acres</u>			

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 concreteSize of perforated screen 18" (diameter), 34' (length)Thickness of gravel pack 9", length of gravel pack 105'

(c) Water Bearing Materials

Distance to water 30', Character of water bearing materials sandyThickness of water bearing material 105'

(d) Pump and Motor

Type of pump propeller
(centrifugal, propeller, mixed flow, etc.)Name of pump western land roller size 900'Kind of motor Electric
(gasoline, electric, diesel, etc.)Horsepower 75 Hp, Name of Motor

(e) Complete well

Capacity 3000 at drawdown of 20', Estimated cost 50000(f) Owner of land upon which well is located Daniel Heine
Name57 Helena, Nebraska
Address

(g) Distance to nearest existing wells

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

2351-3
~~2351-3~~
2351-3

(1) WELL CONSTRUCTION

Location of well: _____ 1/4 _____ 1/4 SE. Section 21 Township 93 Range 52

Well owner Paul & Dan Heine Commissioner, SD 570669
(Name) (Address)

Date well drilling completed 7/1/75 Purpose of well domestic
(domestic, irrigation, municipal, industrial, other)

WELL LOG

[illegible]

Attach sheet if more space is needed

Depth to top of water producing aquifer 91 ft.

Depth to static water level _____ ft.

Name of producing aquifer (if known) Chalk

Total depth of drill hole 116 ft.

Depth to bottom of casing 96 ft.

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

C-82 22" O.D. Kelly Concrete

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

82-97 22" O.D. Kelly
concrete

If a flowing well, flow of completed well _____ O.P.M.

Empire Drilling Drilling
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump Western Sand Pumps HP. 60

Type of pump turbine Capacity of installed pump 850 G.P.M.

Depth of pump placement 40 ft., Date of pump installation 7/75

(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
Name of Pump Installation Contractor
Inc.

2351-3
205-3-3
2-293-3

(I) WELL CONSTRUCTION

Location of well: 1/4 1/4 SE Section 21 Township 9.2 Range 52

Well owner Paul & Dan Heine Vermillion, SD 57649
(Name) (Address)

Date well drilling completed 7/1/75 Purpose of well Domestic
(domestic, irrigation, municipal, industrial, other)

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	ft.
0-2	top soil		
2-51.7	sandy clay		
7-75	sand & clay		
75-95	sand & gravel		
		Depth to static water level	ft.
		Name of producing aquifer (if known)	gravel
		Total depth of drill hole	95
		Depth to bottom of casing	95
Casing information: In the space below show kind, size, weight, lengths per			

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

0-75 32" O.D. Kelly Concrete

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

75 95' 22" O.D Kelly Concord

If a flowing well, flow of completed well _____ A.P.M.

Attach sheet if more space is needed

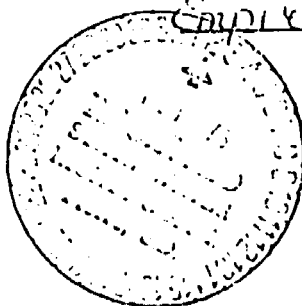
Empire Drilling & Drilling Co. Inc.
Name of Drilling Contractor

(2) PUMP INSTALLATION
Company name and size of pump Western Sand Roller HP. 100
Type of pump turbine Capacity of installed pump 850 G.P.M.
Depth of pump placement 40 ft., Date of pump installation 7/7/75

On some wells an air-tight water surface measuring tube is required: See Section 4C.40B 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



2315

NOTICE OF WELL CONSTRUCTION

farm at
Ulmillion

(1) WELL CONSTRUCTION

Location of well: 1/4 _____ 1/4 _____ Section 20 Township 92 Range 12Well owner Ann & Gene St. Helena NE
(Name) (Address)Date well drilling completed Spring '76 Purpose of well _____
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	ft.
0-2	Top Soil		
2-8	Gravel		
8-76	Gravel		
76-85	Gravel		
85-95	Gravel		

Depth to top of water producing aquifer 76 ft.
 Depth to static water level 79 ft.
 Name of producing aquifer (if known) Sand & gravel
 Total depth of drill hole 89 ft.
 Depth to bottom of casing 89 ft.

Casing information in the space below show kind, size, weight, lengths per diameter, etc. for production casing and surface casing, if used.

0-69' 22" Kelly
Concrete

Screen information in the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

69-89' 22" Kelly
Concrete

If flowing well, flow of completed well _____ G.P.M.

Empire Irrigation Drilling Co. Inc.
Name of Drilling Contractor

(2) PUMP INSTALLATION

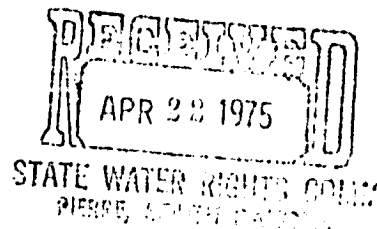
Company name and size of pump Western Pump 10" HP 125Type of pump Electric Capacity of installed pump 1400 G.P.M.Depth of pump placement 70 ft., Date of pump installation 5/4/76

(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
Name of Pump Installation Contractor



April 16, 1975

Mr. Daniel Heine
R. R. 3
Vermillion, S.D. 57069

Dear Mr. Heine:

We have received a copy of the water analysis performed by Mr. D. J. Mitchell, the State Chemist, with respect to your proposed irrigation development on your farm. Although we normally request and require that the water analysis be done by this laboratory, we do honor the analyses made by Mr. Mitchell and will submit copies of this analysis to the State Conservation Commission and to your county agent.

Mr. Mitchell found that this water would be excellent to good for irrigation and I agree with his diagnosis. The total salt content is in what we call the medium range having an approximate electrical conductivity of about 900 and a sodium adsorption ratio of 1.70. This means that neither the hazard of general salt accumulation nor the hazard of sodium-caused dispersion of clays should be anything to interfere with irrigation or crop production.

I am enclosing a copy of Extension Circular 654 for your use and possible reference. You will note that on the outside back cover I have designated the approximate quality of your water for irrigation purposes by an encircled red cross.

A copy of this letter and of the water analysis and the soils information and the WI-1 form are being sent to the State Conservation Commission.

Sincerely yours,

L. O. Pine
Water Quality Lab

LOF:MRB

Enclosure

cc: State Conservation Commission
Robert Schurrer, Clay County Extension 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: [Signature]
4/5/75

Disapproved: _____

NAME: Daniel
Francis Heine

ADDRESS: R.R. 3, Vermillion, South Dakota 57069

COUNTY: Clay

LEGAL DESCRIPTION

1. WELL LOCATION: Attached
2. AREA TO BE IRRIGATED: Shown on maps

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): C pivot
4. CROPS TO BE IRRIGATED: Corn, beans, alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0-3%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Attached

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: Analyzed by D.J. Mitchell - State Chemist; turned here; copy attached
8. SALINITY: 618 ppm TDS; 620m EC = 970 micromhos (2m - 1/2)
9. SODIUM: 620m SAR = 1.78 (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
Soil Conservation Service

and:

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

Daniel J. Zinke

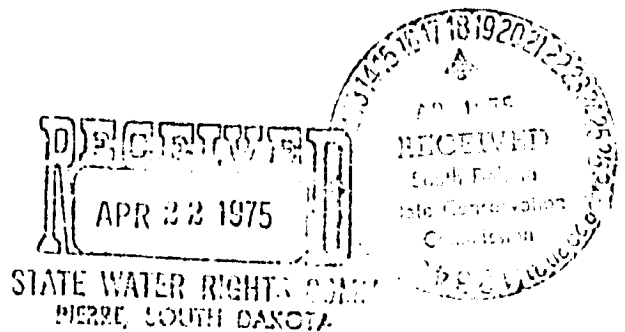
Subscribed and sworn before me this

11 day of April 1975.

Donald J. Zinke

Notary Public

(Title)



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 Daniel Heine

submitted by taken by Inspector You on 2/19/75, 19

Inspector's No. Lab. No. 75-4665 Seller

Manufacturer Distributor

and we find as follows:

FOUND

Total Solids

618 ppm

Hardness

336 ppm

Chloride

NONE

Sulfates

122 ppm =

Calcium

116 ppm

Magnesium

11 ppm

Sodium

75 ppm

Alkalinity as CaCO_3

Phenolphthalein

Methyl Orange

5 ppm

396 ppm

} $\text{H}_2\text{CO}_3 + \text{HCO}_3^-$

Calcium SAR = 1.78; Residual Carbonate = 1.57 (note hardness in this case)

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

D. J. MITCHELL
State Chemist.
SCL-600

SOILS

Haynie Silt Loam - Haynie silt loam, nearly level, has developed in shallow to very shallow, medium-textured (loams and silt loams), calcareous (limy), alluvial sediments. These sediments occur over stratified (layered, calcareous, alluvial sediments.

Slope 0 to 3%

Intake Family 1.0

Onawa Silty Clay - Onawa silty clay, level, has developed in light-colored, calcareous (limy), fine-textured (clay and silty clay, recent slack water sediments that have been deposited over deep, older, moderately coarse-textured (sandy loam) sediments. The Onawa soils occur on level first bottoms (the lowest land level along streams or rivers) of the Missouri River.

Slope 0 to 1%

Intake Family 0.1

Albaton Silty Clay - Albaton silty clay has developed in light-colored, calcareous, fine-textured, recent slack water sediments that have been deposited over deep, older, moderately coarse-textured sediments. The natural surface drainage of this unit is usually poor; however, the internal drainage is moderate.

Slope 0 to 1%

Intake Family 0.1

Albaton Silty Clay (Depressional Areas) - Albaton silty clay, very shallow over sand, level, has developed in very thin deposits of light-colored, calcareous, fine-textured, recent slack water sediments, over deep, older, moderately coarse-textured sediments. This unit differs from the two just previously shown, in being very shallow to the coarse-textured sub-stratum.

Slope 0 to 1%

Intake Family 0.1

Sarry Fine Sandy Loam - Sarry fine sandy loam, nearly level, has developed in moderately coarse (sandy loam) to coarse-textured (sands), calcareous (limy), alluvial sediments. The Sarry soils occur on nearly level Missouri River floodplains and are moderately well-drained. This unit differs from Sarry loamy fine sand, which has a coarser textured surface horizon.

Slope 0 to 3%

Intake Family 3.0

Legal Description

Well #1 68° SW of the NE corner of Sec. 16-92-52 at a distance of 4240 feet.

31 acres	NW $\frac{1}{4}$	SE $\frac{1}{4}$	16-92-52
31 acres	NE $\frac{1}{4}$	SE $\frac{1}{4}$	" " "
31 acres	SW $\frac{1}{4}$	SE $\frac{1}{4}$	" " "
31 acres	SE $\frac{1}{4}$	SE $\frac{1}{4}$	" " "
<u>124 acres</u>			

Well #2 57° SW of NE corner of Sec. 22-92-52 at a distance of 2960 feet.

35 acres	SW $\frac{1}{4}$	NE $\frac{1}{4}$	22-92-52
35 acres	SE $\frac{1}{4}$	NE $\frac{1}{4}$	" " "
35 acres	NW $\frac{1}{4}$	SE $\frac{1}{4}$	" " "
35 acres	NE $\frac{1}{4}$	SE $\frac{1}{4}$	" " "
<u>140 acres</u>			

Well #3 64° SE of NW corner of Sec. 22-92-52 at a distance of 2810 feet.

3 acres	NE $\frac{1}{4}$	NW $\frac{1}{4}$	22-92-52
3 acres	NW $\frac{1}{4}$	NW $\frac{1}{4}$	" " "
36 acres	SW $\frac{1}{4}$	NW $\frac{1}{4}$	" " "
36 acres	SE $\frac{1}{4}$	NW $\frac{1}{4}$	" " "
29 acres	NE $\frac{1}{4}$	SW $\frac{1}{4}$	" " "
29 acres	NW $\frac{1}{4}$	SW $\frac{1}{4}$	" " "
4 acres	SE $\frac{1}{4}$	NE $\frac{1}{4}$	21-92-52
<u>140 acres</u>			

Well #4 49° SW of NE corner of Sec. 21-92-52 at a distance of 1720 feet.

38 acres	NW $\frac{1}{4}$	NE $\frac{1}{4}$	21-92-52
34 acres	NE $\frac{1}{4}$	NE $\frac{1}{4}$	" " "
5 acres	NW $\frac{1}{4}$	NW $\frac{1}{4}$	22-92-52
28 acres	SW $\frac{1}{4}$	NE $\frac{1}{4}$	21-92-52
30 acres	SE $\frac{1}{4}$	NE $\frac{1}{4}$	" " "
5 acres	SW $\frac{1}{4}$	NW $\frac{1}{4}$	22-92-52
<u>140 acres</u>			

Well #5 55° SE of NW corner of Sec. 21-92-52 at a distance of 3920 feet.

3 acres	SW $\frac{1}{4}$	NW $\frac{1}{4}$	21-92-52
36 acres	SE $\frac{1}{4}$	NW $\frac{1}{4}$	" " "
8 acres	SW $\frac{1}{4}$	NE $\frac{1}{4}$	" " "
12 acres	NW $\frac{1}{4}$	SE $\frac{1}{4}$	" " "
40 acres	NE $\frac{1}{4}$	SW $\frac{1}{4}$	" " "
25 acres	NW $\frac{1}{4}$	SE $\frac{1}{4}$	" " "
3 acres	SW $\frac{1}{4}$	SW $\frac{1}{4}$	" " "
15 acres	SE $\frac{1}{4}$	SW $\frac{1}{4}$	" " "
6 acres	SW $\frac{1}{4}$	SE $\frac{1}{4}$	" " "
<u>148 acres</u>			

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 Daniel Heine

submitted by
taken by Inspector You on 2/19/75, 19

Inspector's No , Lab. No. 75-4665 Seller

Manufacturer Distributor

and we find as follows:

	FOUND
Total Solids	618 ppm
Hardness	336 ppm
Chloride	NONE
Sulfates	122 ppm
Calcium	116 ppm
Magnesium	11 ppm
Sodium	75 ppm
Alkalinity as CaCO_3	5 ppm
Phenolphthalein	396 ppm
Methyl Orange	

Calcim. 5 A R = 1.78; Resid Carbonator = 1.37 (not a hazard in this case)

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

L.O.7

9 me. $\text{CO}_3 + \text{HCO}_3$

D. J. MITCHELL
State Chemist.
SCL-600

SOILS

Haynie Silt Loam - Haynie silt loam, nearly level, has developed in shallow to very shallow, medium-textured (loams and silt loams), calcareous (limy), alluvial sediments. These sediments occur over stratified (layered, calcareous, alluvial sediments).

Slope 0 to 3%

Intake Family 1.0

Onawa Silty Clay - Onawa silt/clay, level, has developed in light-colored, calcareous (limy), fine-textured (clay and silt/clay, recent slack water sediments that have been deposited over deep, older, moderately coarse-textured (sandy loam) sediments. The Onawa soils occur on level first bottoms (the lowest land level along streams or rivers) of the Missouri River.

Slope 0 to 1%

Intake Family 0.1

Albaton Silty Clay - Albaton silty clay has developed in light-colored, calcareous, fine-textured, recent slack water sediments that have been deposited over deep, older, moderately coarse-textured sediments. The natural surface drainage of this unit is usually poor; however, the internal drainage is moderate.

Slope 0 to 1%

Intake Family 0.1

Albaton Silty Clay (Depressional Areas) - Albaton silty clay, very shallow over sand, level, has developed in very thin deposits of light-colored, calcareous, fine-textured, recent slack water sediments, over deep, older, moderately coarse-textured sediments. This unit differs from the two just previously shown, in being very shallow to the coarse-textured sub-stratum.

Slope 0 to 1%

Intake Family 0.1

Sarpy Fine Sandy Loam - Sarpy fine sandy loam, nearly level, has developed in moderately coarse (sandy loam) to coarse-textured (sands), calcareous (limy), alluvial sediments. The Sarpy soils occur on nearly level Missouri River floodplains and are moderately well-drained. This unit differs from Sarpy loamy fine sand, which has a coarser textured surface horizon.

Slope 0 to 3%

Intake Family 3.0

WATER LICENSE NO. 2315-3

(1) WHEREAS, On the 18th day of July A. D. 1975 Daniel Helne

made Water Right Application No. 2315-3 for a permit to use 9.9 cubic feet per second of the waters of ground water (three wells) County of Clay, State of South Dakota, for Irrigation

purposes; and (2) WHEREAS, On the 10th day of September A. D. 1975 Permit No. 2315-3, with a date of priority of July 18, 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 10th day of September A. D. 1980 and for the application to beneficial use of said water on or before the 10th day of September A. D. 1984

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 7.0 cubic feet per second of water for beneficial use and;

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

for irrigating the following land all in T92N, R52W

Section 21	SW¼ NW¼	5 acres	Section 22	NW¼ NW¼	4 acres
	SE¼ NW¼	32 "		NE¼ NW¼	3 "
	SW¼ NE¼	32 "		SW¼ NW¼	34 "
	SE¼ NE¼	9 "		SE¼ NW¼	33 "
	NW¼ SW¼	15 "		NW¼ SW¼	34 "
	NE¼ SW¼	40 "		NE¼ SW¼	32 "
	SW¼ SW¼	4 "		NW¼ NE¼	4 "
	SE¼ SW¼	28 "		NE¼ NE¼	3 "
	NW¼ SE¼	40 "		SW¼ NE¼	34 "
	NE¼ SE¼	19 "		SE¼ NE¼	33 "
	SW¼ SE¼	28 "		NW¼ SE¼	34 "
	SE¼ SE¼	4 "		NE¼ SE¼	32 "
			TOTAL		536 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 Daniel Helne

_____ of Veradillon, SD

the holder _____ and owner _____ of said permit No. 2315-3 a water right, dating from July 18, 1975

_____ to use of 7.0 cubic feet per second of the waters

of ground water (three wells)

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 points all from NW $\frac{1}{4}$, Section 22, T92N, R52W, #1- N123⁰E, 4820'; #2- N155⁰E, 2935'; #3- N1220⁰E, 3410'

and conducted to and upon portions of land in Sections 21 and 22, T92N, R52W more fully described on the face of this license

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2315-3 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

Permit No. 2315-3

Water Diversion No. 3 Vermillion River Water District

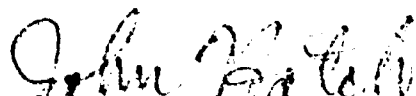
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Daniel Heine

_____ the holder _____ of
Permit No. 2315-3, issued upon Application No. 2315-3, bearing date of priority of
July 18, 1975 authorizing the diversion of 9.9 cu. ft. per second of the waters of
ground water (three wells) County of Clay, State of South Dakota at
points all from NW $\frac{1}{4}$ Section 22, T92N, R52W, #1-N123 $^{\circ}$ E, 4820'; #2-N155 $^{\circ}$ E, 2935';
#3-N220 $^{\circ}$ E, 3410'
_____, 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 7.0 cu. ft. per second of water.

Date July 7, 1980



JOHN HATCH, Chief Engineer
Water Rights, WMD

Form 6. - Notice of Intent to Appropriate Water

No. 2315-3

Publish first publication, on or before

August 28, 1975

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 13, 1975

Notice is hereby given that Daniel 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 9.9 cubic feet of water per

second of time from ~~the~~ ground water through the

Dan Heine #1, the point of diversion of which ~~are~~ is

be located in the

NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22; Center NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21, Center SE $\frac{1}{4}$

of Section 16, Twp. 92N, Range 52W. Said water to be used for the purpose of providing irrigation on the following described land:
portions of

SE $\frac{1}{4}$, Section 16; SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21; NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22,

T92N, R52W

This application No. 2315-3 will be considered by the Water Rights

Commission at the Burgundy Room at the Skyline Motel, Yankton, South Dakota

upon the 10th day of September, 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:

Daniel Heine, R.R. #3, Vermillion, S.D. 57069

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Clay) ss.

I, Maryetta Brose hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Vermillion Plain Talk

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 Vermillion, SD of Clay

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

Aug 21, 1975

Aug. 28, 1975

Maryetta Brose
(Signature)

Mgr.
(Title)

Aug. 30, '75
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
August 13, 1975
Notice is hereby given that
Daniel Heine whose post office ad-
dress is Vermillion, South Dakota,
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 9.8 cubic feet of water per
second of the ground water
through the Den. Survey No. 1, the
points of diversion at which are to
be located in the NW 1/4 SE 1/4
SW 1/4 NW 1/4 Section 22; Cen-
ter NE 1/4 NW 1/4 SE 1/4 Section
21; Center SE 1/4 of Section 18,
Twp. 82N, Range 52W. Said water
to be used for the purpose of
providing irrigation on portions of
the following described land: SE
1/4 Section 18; SW 1/4 SE 1/4
NE 1/4 Section 21; N 1/2 SW 1/4
NW 1/4 S 1/2 NE 1/4 N 1/2 SE
1/4 Section 22, T82N, R52W, S15
This application No. 12315-3 will
be considered by the Water Rights
Commission at the Burgundy Room
at the Skyline Motel, Yankton,
South Dakota upon the 10th day of
September, 1975, at 2:30 P.M. All
interested persons may appear and
be heard.
WATER RIGHTS COMMISSION
By: Burton F. Jones
Water Rights Specialist
Pub.: August 21, 28, 1975.

STATE OF SOUTH DAKOTA
WATER RIGHTS COMMISSION
1975

Permit No. 2315-3Water Division 3 VERMILLION RIVER Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

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

I have this day made a thorough examination of the water use system constructed by DANIEL
HEINE of RT #3, VERMILLION NB. SD.
ST. HELENA, NB holder
 of Permit No. 2315-3, bearing date of priority of JULY 18, 1973
 authorizing the diversion of 9.9 cu. ft. per second of the waters of GROUNDWATER
 for 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:

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

C. Works used to apply water to beneficial use.

SEE ATTACHED SHEET

The system is in the following condition: VERY GOODThe point of diversion is located SEE ATTACHMENTThe works are capable of diverting and conveying to the place of use 7.0cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: SEE ATTACHMENTcomprising a total of 536 acres of land.Date MAY 7, 1980

Dustin Jones
 (Signature)

WELL #1 - 100' DEEP WITH 18" CONCRETE CASING

WESTERN LAND ROLLER 8" PUMP #8M-12KBH - 5 STAGE

POWERED BY 3208 CATERPILLAR DIESEL ENGINE

20' OF 10" MAINLINE TO *ELECTROSATOR 8 TOWER CENTER

PIVOT WITH #200 END GUN - PUMPS AT 400 G.P.M.

WELL #2 100' DEEP WITH 18" CONCRETE CASING

WESTERN LAND ROLLER 8" PUMP #8M-12KBH - 5 STAGE

POWERED BY 3208 CATERPILLAR DIESEL ENGINE

25' OF 10" MAINLINE TO CENTER PIVOT. * SAME CENTER

PIVOT SYSTEM USED & TOWED BETWEEN WELLS.

WELL #3 89' DEEP WITH 18" CONCRETE CASING

WESTERN LAND ROLLER 12" PUMP #12M-12CH - 4 STAGE

POWERED BY 3208 CATERPILLAR DIESEL ENGINE WITH
INJECTION

A SUPERCHARGER. 40' OF 12" MAINLINE TO GIFFORD-HILL

14 TOWER CENTER PIVOT 1776' LONG WITH #100 END GUN.

LOCATION OF WELLS, ALL FROM NW⁴, SECTION 22, T92N, R52W

#1 - N 123° E, 4820'

#2 - N 155° E, 2935'

#3 - N 220° E, 3410'

LANDS IRRIGATED: ALL IN T92N, R52W

SECTION 21			SECTION 22		
SW ⁴ NW ⁴	5 AC.		NW ⁴ NW ⁴	4 AC	
SE ⁴ NW ⁴	32 AC		NE ⁴ NW ⁴	3 AC	
SW ⁴ NE ⁴	32 AC		SW ⁴ NW ⁴	34 AC	
SE ⁴ NE ⁴	9 AC		SE ⁴ NW ⁴	33 AC	
NW ⁴ SW ⁴	15 AC		NW ⁴ SW ⁴	34 AC	
NE ⁴ SW ⁴	40 AC		NE ⁴ SW ⁴	32 AC	
SW ⁴ SW ⁴	4 AC		NW ⁴ NE ⁴	4 AC	
SE ⁴ SW ⁴	28 AC		NE ⁴ NE ⁴	3 AC	
NW ⁴ SE ⁴	40 AC		SW ⁴ NE ⁴	34 AC	
NE ⁴ SE ⁴	19 AC		SE ⁴ NE ⁴	33 AC	
SW ⁴ SE ⁴	28 AC		NW ⁴ SE ⁴	34 AC	
SE ⁴ SE ⁴	4 AC		NE ⁴ SE ⁴	32 AC	
			TOTAL	536 AC	

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7558

PIERRE, July 1, 1920

RECEIVED OF Daniel Heine, RR 3, Vermillion, SD 68060

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. 2315-3	50	00
Fee for Inspecting Beneficial Use, and issuing Water License No. 2315-3		
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 *W. H. Hatch*
Chief Engineer, Executive Officer
JOHN HATCH

**South Dakota Department of
Water & Natural Resources**

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

February 17, 1989

Daniel Heine
RR 3
Vermillion, SD 57069

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;

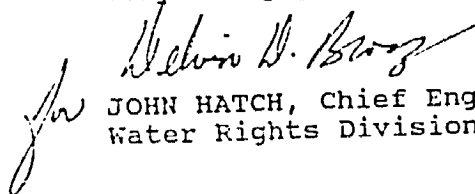


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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.

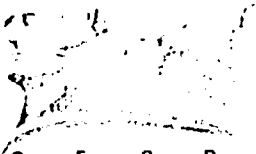
The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone 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 Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

South Dakota



GREAT FACES. GREAT PLACES.

2315-3

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 1, 1991

DANIEL HEINE
RR #3
VERMILLION SD 57069

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 2315-3. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire 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 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, 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) 2315-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

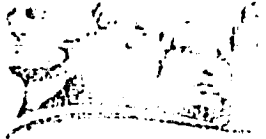
The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided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

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

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

South Dakota



GREAT FACES. GREAT PLACES.

February 1, 1991

DEPARTMENT OF WATER & NATURAL RESOURCES

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3111

2 315-3

DANIEL HEINE
RR 3
VERMILLION, SD 57069

NOTICE

Re: Failure to Report Chemical Use under Water Permit No(s). 2315-3

Our records indicate that the 1990 chemigation report(s) has not been received for Permits No(s) 2315-3. The request for the chemigation report(s) was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 chemigation report(s) be given notice of 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 South Dakota general rule 74:02:09:02(3) requiring chemigation users to report the dates and hours of chemical application.

The hearing(s) will be held at 9:15 am, on February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing(s) 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 procedures contained in SDCL 1-26.

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

1. Suspend Permit No(s). 2315-3 until either the 1990 chemigation report(s) 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.

Very truly yours,

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

NOTE: If the chemigation report(s) is received in this office before the February 27th 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.

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge)
2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

DANIEL HEINE
RR #3
VERMILLION SD 57069

4. Article Number
P 694 057 300

Type of Service:

☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature — Addressee
X *Daniel J Heine*

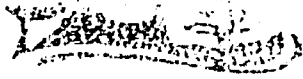
6. Signature — Agent
X

7. Date of Delivery
5-14-91

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

PS Form. 3811, Apr. 1989 • U.S.G.P.O. 1589-233-815

DOMESTIC RETURN RECEIPT



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 14, 1991

2315-3

Daniel Heine
RR 3
Vermillion, SD 57069

Dear Mr. Heine:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire and chemical application data for Water Permit No. 2315-3. You may disregard the February 1, 1991, Notice of failure to submit the 1990 irrigation questionnaire and the Notice of failure to report chemical use. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

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

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



2315-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 20, 2005

NOTICE

TO: DANIEL HEINE, 46067 TIMBER RD, VERMILLION, SD 57069 6970

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

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 2315-3. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 2, 2005, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 2315-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, please contact Genny McMath at (605) 773-3352.

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



2315-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 1510

Your item was delivered at 11:48 am on January 21, 2005 in
VERMILLION, SD 57069. The item was signed for by D HEINE.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)



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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 1510

DANIEL HEINE
46067 TIMBER RD
VERMILLION SD 57069 6970

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail®
☐ Package Services

PS Form 153, July 2001

(See Reverse)



**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 27, 2005

2315-3

Daniel Heine
46067 Timber Rd
Vermillion SD 57069-6970

Dear Mr. Heine:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 2315-3.

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

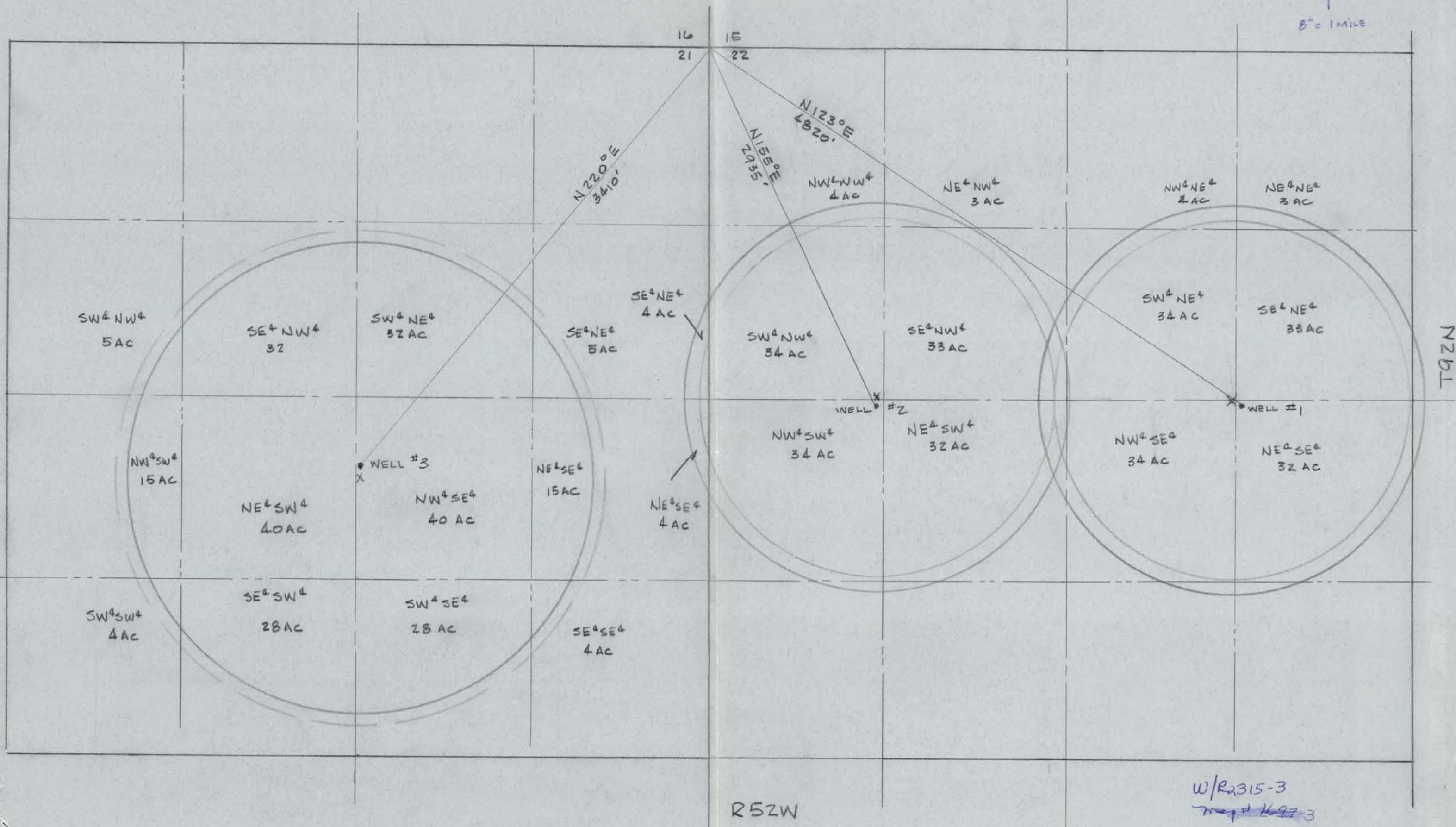
If you have any questions, please contact me.

Sincerely,

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

AS BUILT PERMIT N° 2315-3
 TRACED FROM AERIAL PHOTOS AT
 CLAY CO ASCS OFFICE

N
 5" = 1 MILE



W/R2315-3
 Map # 1697-3



37.4

(6-1148)

28.6

(12-111)

16.4

well location
68° SW of
NE corner
sec. 16-92-52
Distance 4240 feet

27.7

center of
sec
16

41.8

(2-117)

20.5

(12-41)

63.0

(12-42)

12.8

(12-117)

42.7

(12-111)

19.7

well #1

1220'

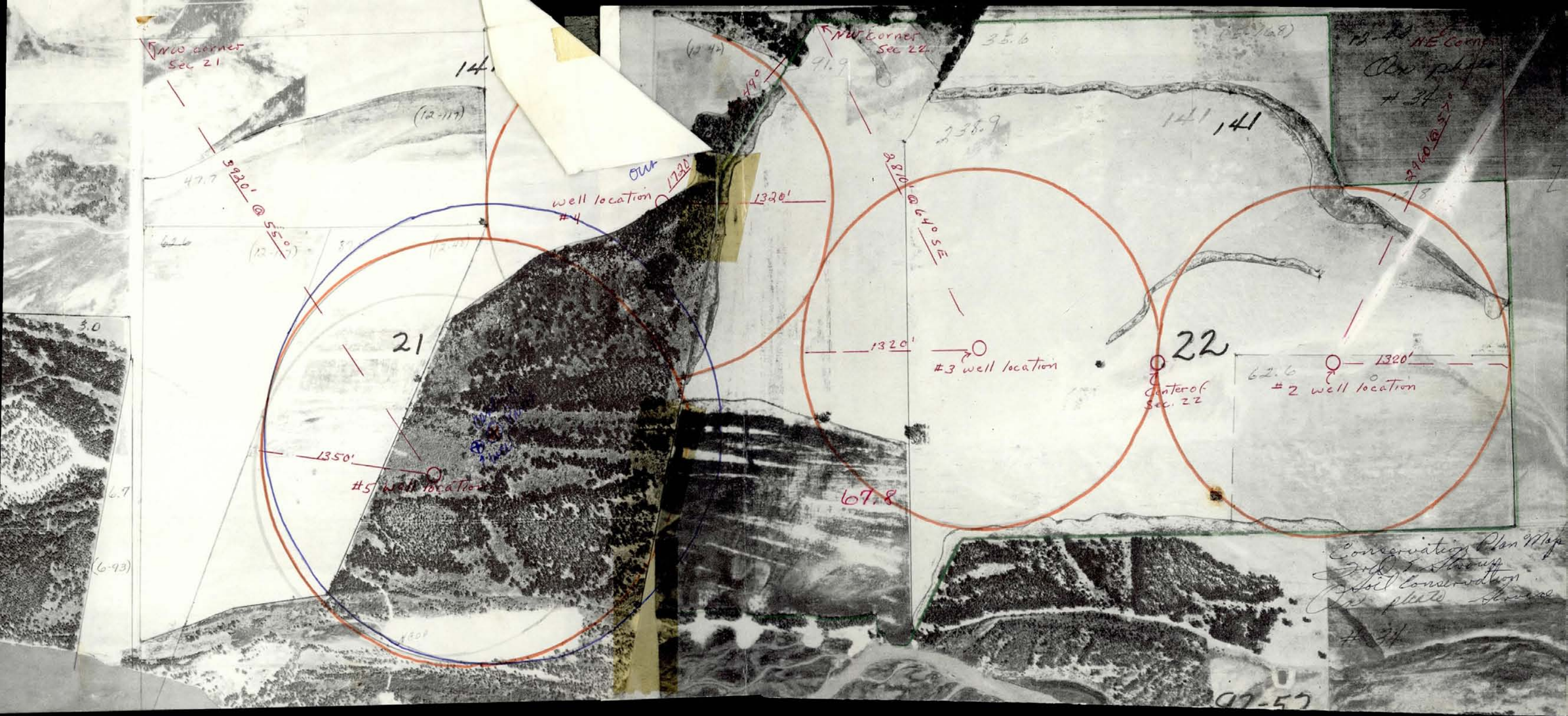
46.0

(2-117)

92-52

Conservation Plan Map
Fred S. Stroup
Soil Conservation Service

21-92-52





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: DANIEL HEINE, 46067 TIMBER RD, VERMILLION, SD 57069 6970
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) 2315-3 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) 6804-3 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) 6804-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2315-3 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.



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February 1, 2008

2315-3
6804-3

Daniel Heine
46067 Timber Rd
Vermillion SD 57069-6970

Dear Mr. Heine:

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 No. 6804-3 and Water Right No. 2315-3.

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

2315-3



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<http://denr.sd.gov>

SEP 14 2012

2315-3
6804-3

Daniel Heine
46067 Timber Rd
Vermillion SD 57069

Dear Mr. Heine:

Enclosed is Water License No. 6804-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6804-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

The applicable portions of Water Right No. 2315-3 were incorporated into Water License No. 6804-3. As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures