

2896-3

1. Considered 9-20, 1976
2. Name of Applicant LYLE WAGNER
3. Post Office Address VERMILLION
4. Amount of water claimed 2.70
5. Source of water supply 2.20' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 300
7. Water to be diverted and used in UNION County
about 8N, 1N miles of VERMILLION
8. Proof of Publication Received 9-20-76
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:

3796-3
2896-3 ✓
4393-3
3153-3
2868-3

NOTE:

All correspondence on this permit should be directed to:

Wayne Heckathorn, renter
Heckathorn Farms Incorporated
Box 580
Elk Point, SD 57025

Phone: 356-3170 - home
356-2981 - farm

No. 2896-3Map No. 2278-3 Water Division No. 3 BIG SIOUX RIVER District 1
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant LYLE WAGNER
 Postoffice address 931 MADISON, Vermillion State SD, Dak
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT
3. Name of diversion work WAGNER IRRIGATION PROJECT
4. Amount of water claimed (cubic feet per second) 2.7 C.F.S
5. Source of water supply WELL
6. Location of point of diversion 1320' WEST AND 2640 NORTH OF SE CORNER OF SECTION 8 T92N R50W
 County UNION
7. Annual period or periods during which water is to be used JUNE - SEPTEMBER
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION
9. For irrigation use, Total number of acres to be irrigated 300

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW 1/4 NE 1/4 Sec 8	40	NW 1/4 SE 1/4 Sec 8	40
SW 1/4 NE 1/4 Sec 8	40	SW 1/4 SE 1/4 Sec 8	40
NE 1/4 NE 1/4 Sec 8	30	NE 1/4 SE 1/4 Sec 8	40
SE 1/4 NE 1/4 Sec 8	30	SE 1/4 SE 1/4 Sec 8	40

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication UNION CO. LEADER COURIER
12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

CENTER PIVOTEst. mated Total Cost \$ 10,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Union) ss.I, Lyle Wagner the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Lyle WagnerSubscribed and sworn to before me this 10 day of August 1976

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2896-3

LYLE WAGNER
(Applicant)

-921-MARISON, VERMILLION
(Post Office Address)

SOUTH DAKOTA 57069
(State)

With the following modifications:

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.

Date of first receipt of application AUGUST 17 19 76
Date of return to applicant for correction, amendments or changes required — 19 —
Date of receipt of corrected application AUGUST 25 19 76
Approved SEPTEMBER 30 19 76, Recorded in Book 16 Page 32

WATER RIGHT PERMIT NO. 2896-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2896-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is AUGUST 17 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 27 19 79
3. The whole of said work is to be completed on or before SEPTEMBER 29 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 29 19 81
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 2.70 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before SEPTEMBER 29 19 81; said water to be used during the following described annual period: JUNE - SEPTEMBER

Witness my hand this 24TH day of NOVEMBER 19 76

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 6 19 78

Water License Issued FEBRUARY 6 19 78

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

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30 inches, Depth 220 feet
(2) Casing, Type Steel Diameter 12" I.D. Thickness 1/4 inch
(wood, concrete, steel, etc)
(3) Perforated Screen,
Type Perforated, Diameter 12" I.D., Length 40'
(4) Gravel Pack, Thickness 6-9 inches Length of gravel pack 40 feet

E. Dugout Information or Estimates.

- (1) Surface dimensions , Depth

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

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

Character of Water bearing materials WATER BEARING GRAVELS
AND SAND.

Depth to top of water bearing material 180'
Depth to bottom of water bearing material 220'
Thickness of water bearing material 40'
Depth to water (ground surface to water level) 80'

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

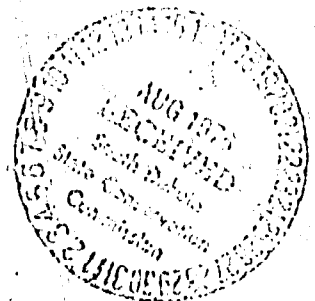
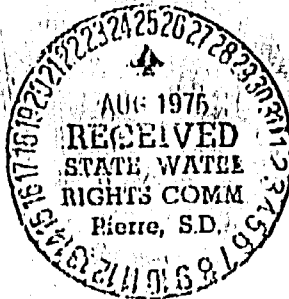
On same owner's property 100 ~~feet~~ feet rds. On property owned by others 160 rds.

G. Water Storage Dams.

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

Lyfe Wagner
Signature of Applicant

August 13, 1976



Lyle Wagner
921 Madison Street
Vermillion, SD 57069

Dear Mr. Wagner:

I am enclosing herewith the original copy of the report of analysis on your water sample 71-306 received here about 10 days ago. The analysis is accompanied by this publication in which a water quality chart on the outside back cover. On this chart I have placed a red cross signifying the approximate utility of this water for irrigation. As you see, it is a poor supply of water being in the upper end of the high salinity bracket. However, it is low in sodium, S. is low, the potassium factor is low. This high salt content means that it carries about 1.5 grams of salt for each acre-foot of water. If you pump this salt water continually stop profitable agricultural unless the salt is leached out of the root zone by the means or another. This means that you have to irrigate in substantial amounts each time you irrigate. Even in small, light applications, such as 1 or 1 1/2 inches, and also applying frequent fert. I would suggest that no more than 2 applications of water be put on in any growing season and each of these applications should be in a sufficient amount so as to completely rewet the entire root zone. This may mean 3-5 inches in an application. This is not compatible with the normal use of a center pivot system, and I recognize this.

Other management techniques which might help you combat the salt problem is the use of fall application to completely refill the root zone. Winter and spring precipitation sometimes will be effective in causing leaching and reduce your salt problem.

A copy of this letter is accompanying the water analysis report and the WI-1 form to the State Conservation Commission in Pierre for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

cc: State Conservation Commission
Robert Schurrer, County Extension Agent
D. Pahl

LCF:jad

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

Submitted by: John J. ...
Address: 101 ...
... 57069

Date Rec'd 11/22, 1976

Sample No. 756416

Identification 234

WATER ANALYSIS

Calcium (Ca)	133	ppm	14.65	me/l**
Magnesium (Mg)	1	ppm	0.04	me/l
Sodium (Na)	102	ppm	4.74	me/l
Potassium (K)	15	ppm	0.47	me/l
Sulfate (SO ₄)	1140	ppm	72.71	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	65	ppm	1.02	me/l
Bicarbonate (HCO ₃ ⁻)	300	ppm	2.92	me/l
Carbonate (CO ₃ ²⁻)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		me/l
Alkalinity (Methyl Orange)	346	ppm (as CaCO ₃)		g-p-g***
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	2166	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.39			
Sodium	16.62	% of cations		
Residual sodium carbonate	0.36	me/l		
pH	7.0			

* ppm=parts per million

[†]me/l = milliequivalents per liter

***g.p.g.=gratis per gallon

COMMENTS: Total claims 23.50 m/1
Total claims 30.45 m/1

By: Michael J. Witt

Service Performed

Amount Due

Information - July 14

450

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 7-904

Amount Enclosed \$

Signed



CONSERVATION
COMMISSION
FORM VI 11

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)

NAME

LYLE WAGNER

ADDRESS

721 M. Adison St. Vermillion S.D. 57069

COUNTY

Clay Co - Residence - Union County - well location

LEGAL DESCRIPTION

1300 feet west of east side
on the dividing line between
NE 1/4 and SE 1/4 of
Sec. 8, T. 92 N. 50 W.
Union County, S.D.

112
V4
59
74

well

1. WELL LOCATION

2. LOCATION OF AREA TO BE IRRIGATED EAST 1/2 of Section 8, T. 92 N. 50 W.
1. NE 1/4 of SE 1/4 Sec. 8, T. 92 N. 50 W.

TYPE OF IRRIGATION

3. GRAVITY

TOWLINE

CENTER PIVOT

GUN

4. CROPS TO BE IRRIGATED

CORN - SOY BEANS

WATER QUALITY

5. SAMPLE NUMBER

76-904

6. SALINITY (EC x 10⁶)

2166 (high)

7. SODIUM (SAR)

1.39 (Low)

8. RESIDUAL SODIUM CARBONATE (meq/l.)

0



I do hereby certify that a chemical analysis of the ground water representative of that
used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from Union County Conservation District,
County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true
and correct.

APPLICANT'S SIGNATURE

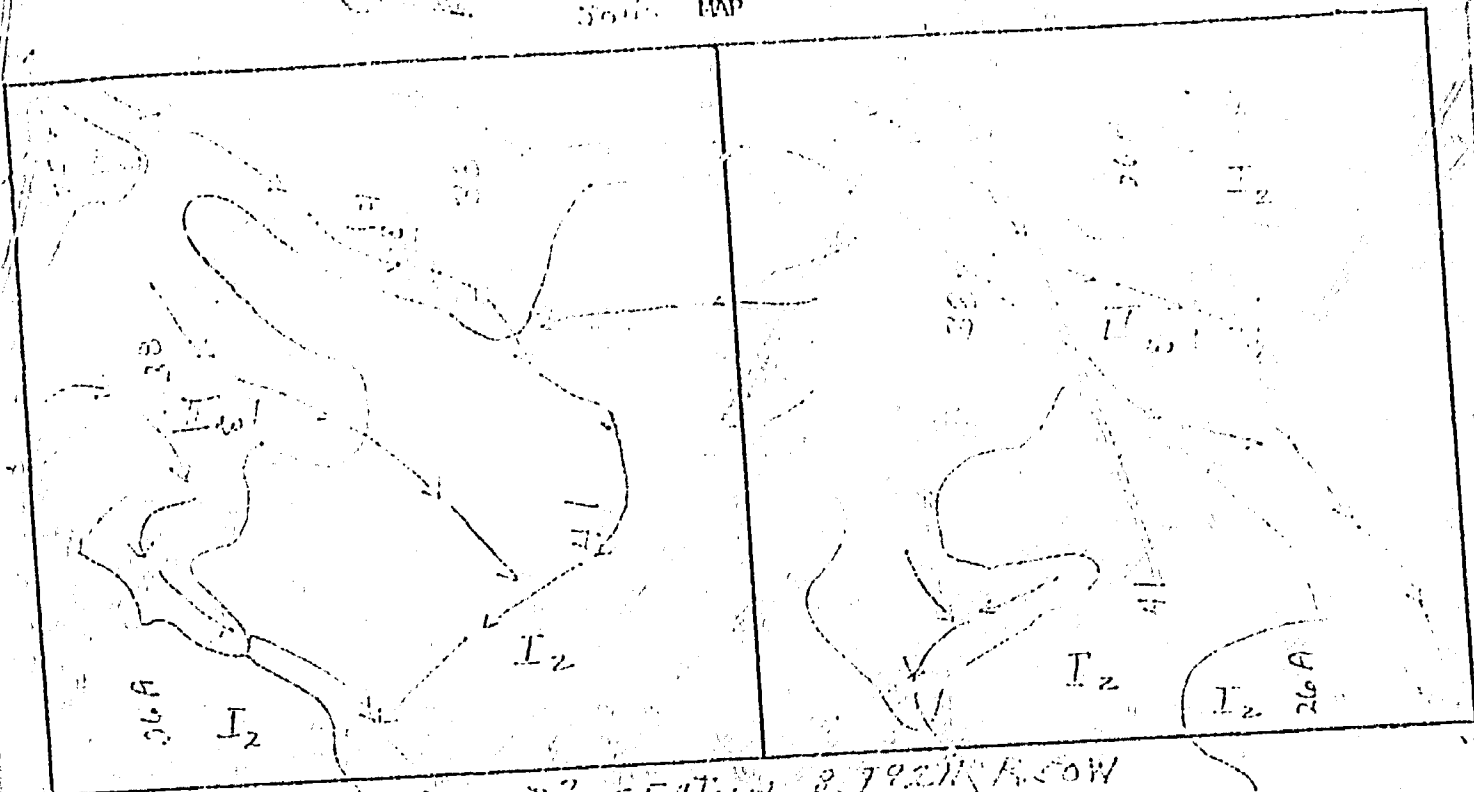
SUBSCRIBED AND SWORN BEFORE ME THIS
DAY OF 1976.

J. B. [Signature]
(TITLE OR SEAL)

APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

3000 MAP



SECTION 8, 792 NW 1/4, ROW

NARRATIVE

2.6 A, 0-2% slope, Class I₂, went worth, silty clay loam - Deep
loamy, well drained soils on nearly level upland slopes.

52, well-sorted, somewhat pebbly, 0-2% slopes, clay. They occupy nearly level to flat slopes or depressions that are ponded. They occupy nearly level to flat slopes or depressions that are ponded. They occupy nearly level to flat slopes or depressions that are ponded.

75. underlying silty clay, brown, a-1 7/8 slope. Class IIa1 = deep, black, clayey
Soils IIa1 = mostly brownish grey, silty clay. Shales of enclosed depressions are
not panned from surface. Brown silty sand slopes
Class IIa2 = (deep

all absent water - mostly off salty clay loams, and to slopes, class 2a - (Group 1)
loamy, well developed soils on mostly level to upland slopes.

WATER LICENSE NO. 2896-3

(1) WHEREAS, On the 17th day of August A. D. 19 76

Lyle Wagner

made Water Right Application No. 2896-3 for a permit to use 2.70 cubic feet per second of the waters

of groundwater

County of Union

State of South Dakota, for Irrigation

purpose; and

(2) WHEREAS, On the 24th day of November A. D. 19 76

Permit No. 2896-3 with a date of priority of August 17, 1976

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 29th day of September A. D. 19 81 and for the

application to beneficial use of said water on or before the 29th day of September A. D. 19 81

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 2.23 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 in section 8, T92N, R50W

NW 1/4 NE 1/4 36 acres

NE 1/4 NW 1/4 32 acres

SW 1/4 NE 1/4 36 acres

SE 1/4 NE 1/4 17 acres

NW 1/4 SE 1/4 36 acres

NE 1/4 SE 1/4 36 acres

SW 1/4 SE 1/4 36 acres

SE 1/4 SE 1/4 36 acres

Total 265 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 Lyle Wagner

_____ of Vermillion
_____ 2896-3 _____ August 17, 1976
the holder _____ and owner _____ of said permit No. _____ a water right, dating from _____
_____ to use of 2.23 _____ cubic feet per second of the waters
of groundwater
in the County of Union and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 1320' N and 2640' W of the SE corner,
Section 8, T92N, R50W

and conduct to and upon portions of Sections 8, T92N, R50W described on the face of this
License.

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2896-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 6th day of February, _____ A. D.
Nineteen Hundred and seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Permit No. — 2896-3 —

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Lyte Wagner

_____ the holder _____ of
Permit No. 2896-3, issued upon Application No. 2896-3, bearing date of priority of August 17,
1976, authorizing the diversion of 2.7 cu. ft. per second of the waters of _____
ground water _____ County of Union _____, State of South Dakota at _____
a point 1320'W and 2640'N of the SE corner, Section 8, T52N, R50W
_____, 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 2.23 cu. ft. per second of water.

Date February 6, 1976

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

No. 2896-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Aster E. Emerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leader Courier

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 at Elk Point

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

September 9 1976

September 16 1976

Aster E. Emerson
(Signature)

Publisher
(Title)

September 17, 1976
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Notice is hereby given that Lyle
Wagner 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
2.7 cubic feet of water per second
of time from ground water throu-
gh the Wagner Irrigation Project,
the point of diversion of which is
to be located in the Center of the
E $\frac{1}{2}$ of Section 8, Twp. 92N, Ran-
ge 50W. Said water to be used
for the purpose of providing irr-
igation on portions of the follow-
ing described land: W $\frac{1}{2}$ of Sec. 8, T92N, R50W
This application No. 2896-3 will
be considered by the Water Rights
Commission at their office at Pi-
erre upon the 29th day of Septem-
ber, 1976, at 10:00 A.M. All in-
terested persons may appear and
be heard.
WATER RESOURCE COMMISS-
ION
By: Burton F. Jones
Water Rights Specialist
(Pub. Sept. 9, 16) Set 32



Publish first publication, on or before September 10, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre South Dakota 57501

August 30, 1976

Notice is hereby given that Lyle Wagner

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

2.7 cubic feet of water per second of time from the ground water through the Wagner Irrigation Project, the point of diversion of which is to be located in the

Center of the E $\frac{1}{2}$

of Section 8, Twp. 92N, Range 50W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:

E $\frac{1}{2}$, Section 8, T92N, R50W

This application No. 2896-3 will be considered by the Water Rights Commission at their office at Pierre upon the 29th day of September, 1976, at 10:00 A. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc:

Lyle Wagner, 921 Madison, Vermillion, S.D. 57069

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office Vermillion, S.D.Date 12-10-76

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2896-3.

Water Right Permit No. 2896-3 states that the diversion system is to be constructed by 9-29, 1981 and that the water is to be put to beneficial use by 9-29, 1981.

The diversion system was completed on 12-2, 1976.
Applying the water to beneficial use was completed on 12-2-76,
19 .

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Lytle Wagon
(Signature)



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Permit No. 2896-3
 Water Division 3 Big Sioux River Water District

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

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Lyle Wagner
 of 921 Madison, Vermillion, S. Dak. 57069 holder
 of Permit No. 2896-3, bearing date of priority of August 17,, 1976
 authorizing the diversion of 2.70 cu. ft. per second of the waters of Ground
 for Irrigation purposes, in Union 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:
Motor - U.S. Electrical - 10" R4981-00-781 R2095030
100 HP - 1770 RPM.
Pump - Fairbanks Morris, Size M, Figure 7000, 7 stage.
Imp. Dia A. Ser# N3A2805644: Pumping 1000 gpm.
- B. Works used to transport water to place of use,
2640 ft of 8" dia P.V.C. Underground Pipeline
- C. Works used to apply water to beneficial use.
Zimmatic Center Pivot - Model 307-410. Ser# 106437
One cp is moved between two pivot points.

The system is in the following condition: Excellent

The point of diversion is located 1320 ft West and 2640 ft North of the SE corner
of Section 8, T92N R50W.

The works are capable of diverting and conveying to the place of use 2.70
 cu. ft. per second of water which is to be used for Irrigation.

Water has been put to beneficial use to the maximum extent as follows: All in Section 8, T92N R50W

NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 36.0 Ac., NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 36.0 Ac., SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 36.0 Ac., SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 17.0 Ac.,
NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 36.0 Ac., NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 36.0 Ac., SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 36.0 Ac., SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 36.0 Ac.

comprising a total of 265 acres of land.

Well data:

Depth - 205 ft

Capacity 1200 gpm.

Pumping 1000 gpm.

Date Dec 3 1977
L. Roy J. McLaughlin
 (Signature)



2896 3

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

W HECKATHORN FARMS-RENTER
RR 2 BOX 108
ELK POINT SD 57025

NOTICE

RE: Violation of Water Permit Nos (2896-3, 3796-3 & 4393-3, 4543-3 and 1991 Irrigation Questionnaire Requirements

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit Nos 2896-3, 3796-3 & 4393-3, 4543-3. The request for the Questionnaires was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2896-3, 3796-3 & 4393-3 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) 4543-3 qualification:

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

The hearing will be held at 9:15 am, March 4, 1992, at the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4543-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2896-3, 3796-3 & 4393-3 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 questionnaires are received in this office before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

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

CC: Lyle Wagner, 1019 Ridgeview, Vermillion, SD 57069



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 10, 1992

Wayne Heckathorn
Heckathorn Farms
RR #2 Box 108
Elk Point, SD 57025

RE: Irrigation questionnaires for Water Permit Nos. 1256-3,
2535-3, 2896-3, 3796-3, 4393-3, 4534-3, and 4543-3

Dear Mr. Heckathorn:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for the above listed water permits. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division

cc: Lyle Wagner, 1019 Ridgeview, Vermillion, SD 57069

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

W HECKATHORN FARMS-RENTER
RR 2 BOX 108
ELK POINT, SD 57025

4a. Article Number

P 906 557 601

4b. Service Type

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

7. Date of Delivery

01.29.92

5. Signature (Addressee)

Wm. Heckathorn

6. Signature (Agent)

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

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Lyle Wagner
1012 Ridgeview
Vermillion SD 57063

4a. Article Number

P 906 557 846

4b. Service Types

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

7. Date of Delivery

1-29-92

5. Signature (Addressee)

6. Signature (Agent)

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

2876-3



9 July, 1996

Ron:

I have three systems with underground pipe for which I am requesting variance on the equipment required.

Their permit numbers are 1. 2896-3; 2. 4393-3; 3. 4543-3

1. 2896-3 has approximately 1300' of 8" underground pipe from the well to the pivot.

2. 4393-3 has approximately 600' of 8" underground pipe from the well to the pivot.

3. 4543-3 has approximately 1200' of 8" underground pipe from the well to the pivot.

I have enclosed a sketch of the systems which are nearly identical except for the length of the underground pipe.

I do not believe it is possible for any fertilizer to enter the well given the four to five foot drop underground of the Z pipe. The length of the pipe and volume of water contained in the pipe will prevent any possibility of any fertilizer backfeeding into the well. The two 2" air relief valves at the well prevent not only any negative pressure on the underground pipe which could collapse it, but it also prevents any water in the pipe from being pulled up by the suction of the negative pressure. This effectively prevents the possibility of any fertilizer which may be in solution at the pivot end of the underground pipe from entering the well.

This proposed placement of the fertilizer will also place the fertilizer storage tank next to the pivots at 600 to 1300 feet respectively which will eliminated any point source pollution possibility.

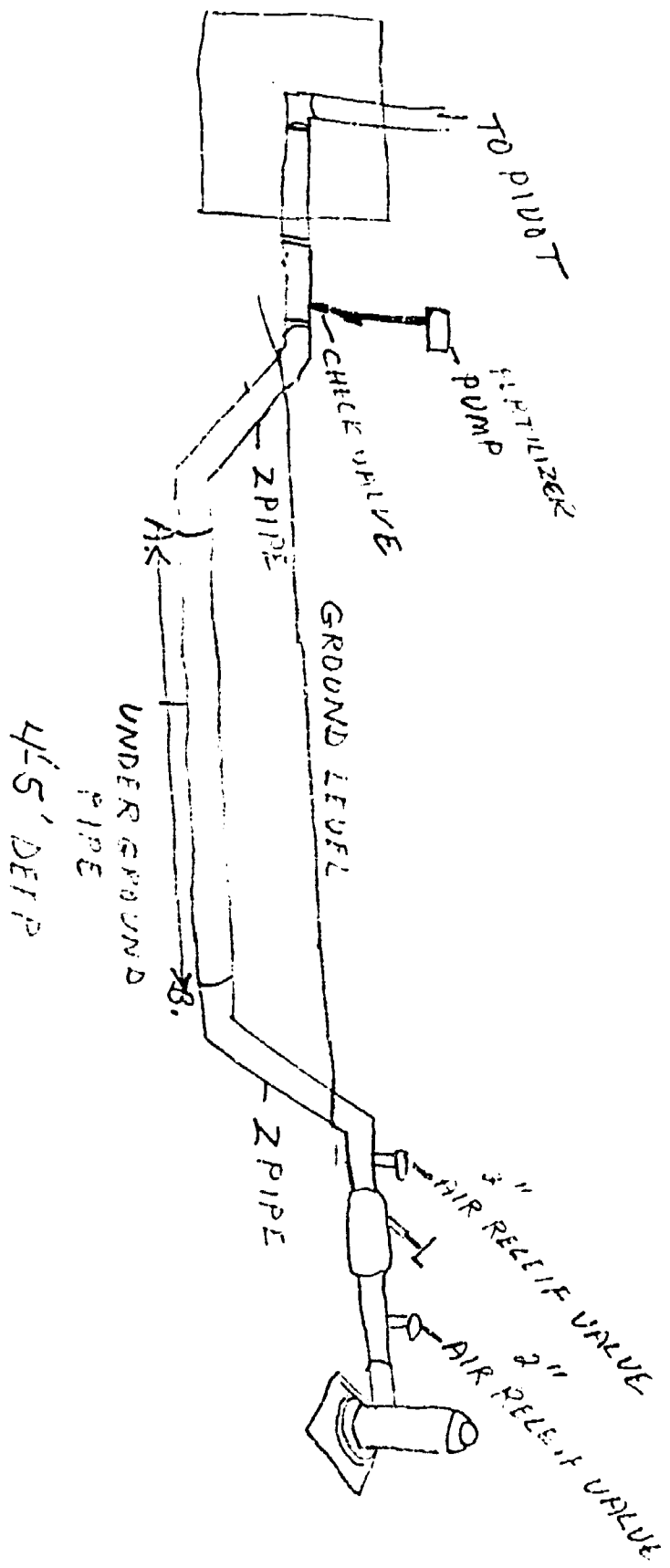
I would still be using the required check valve at the pivot and the required fertilizer pump shut off so it will stop with the pivot.

If this is OK it will save us both work and expense.

Thank you for your consideration.

W. A. P. C.

INLET AND DISCHARGE ELEVENTEEN FEET ABOVE GROUND
 APPROXIMATELY THE SAME. (BOD SKETCH 11)
 FERTILIZER PUMP OPERATES BY PIVOT PRESSURE AND WILL STOP FERTILIZER
 PUMP IF PIVOT STOPS.



A TO B =

←	600'	→	4393-3
←	1200'	→	4543-3
←	1300'	→	2896-3

2896-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 22, 1996

Wayne Heckathorn
RR 2, Box 108
Elk Point SD 57025

Dear Mr. Heckathorn:

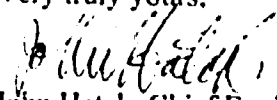
I am writing in response to your letter received on July 12, 1996 concerning use of chemigation under Permit Nos. 2896-3, 4393-3, and 4543-3. Thank you for your inquiry about the possibility of obtaining a variance.

After reviewing your sketch and description of the irrigation systems, I have determined that the variance can not be granted. According to Chemigation rule 74:02:09:16, a variance may only be granted when the substitute equipment provides protection equivalent to equipment required by the chemigation rules. I do not believe equivalent protection is provided even though parts of your setup are excellent such as placement of the fertilizer storage tanks, fertilizer line check valve, and use of an electrical interlock between pumps.

I believe water containing fertilizer may flow back down the wells when the pivots stop running since the water/fertilizer in the pivots is higher in elevation than the wellheads. The air relief valves serve to equalize pressure in the water line by allowing air to enter the pipeline to replace the space vacated by the water which is flowing back down the well. Depending on the length of the pivot, approximately 1,200 plus feet of water/fertilizer mixture in the pivot must reach the same elevation as the wellhead in order for water to stop flowing. I understand that the water in the pipeline from the well to the pivot will serve to further dilute the fertilizer, but the potential still exists for some fertilizer to enter the ground water source. The intent of the chemigation rules is to prevent any chemicals from entering the water source.

Again, thank you for your attention to this important matter. If you have any further questions, please contact Ron Duvall at (605) 773-3352.

Very truly yours,


John Hatch, Chief Engineer
Water Rights Program



January 14, 2004

2896-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: WAYNE HECKATHORN, 31792 473RD AVE, ELK POINT, SD 57025

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 4543-3, 6000-3 & 6222-3, 1256-3, 2535-3, 2896-3, 4393-3 & 4534-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 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) 1256-3, 2535-3, 2896-3, 4393-3 & 4534-3 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) 4543-3, 6000-3 & 6222-3 qualification:

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

The hearing will be held at 8:30 am, March 3, 2004 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) 4543-3, 6000-3 & 6222-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1256-3, 2535-3, 2896-3, 4393-3 & 4534-3 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 questionnaires are received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

cc: LYLE WAGNER, 1019 RIDGECREST, VERMILLION, SD 57069

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.



2896-3

**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 21, 2004

Wayne Heckathorn
31792 473rd Ave
Elk Point SD 57025

Dear Mr. Heckathorn:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1256-3, 2535-3, 2896-3, 4393-3, 4534-3 4543-3, 6000-3 & 6222-3.

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

c: Lyle Wagner, 1019 Ridgecrest, Vermillion SD 57069

~~4-mil6~~

$$(4-3)$$

75.3

12.9	40.1
------	------

106 (1-22)

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 36.0 AC

NE $\frac{1}{4}$ ME $\frac{1}{4}$ - 32.0 AC

SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 36.0 Ac.

5/27 ME-4-17.PAC

61.9 (4-98)

85.8

157.6

(44-166) underground
pvc pipe loca

LOCATION of well

NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 36.0 AC

NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 36.0 AC

~~CP. Point~~

By MARSHAL Bohine

Union Co. SCS

SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 36.0 AC

SE 4 SE 4 - 36.0 AC

92-50

64.7 (4-130)

74.4 (4-M185)

(1-22)

146

(4.44)

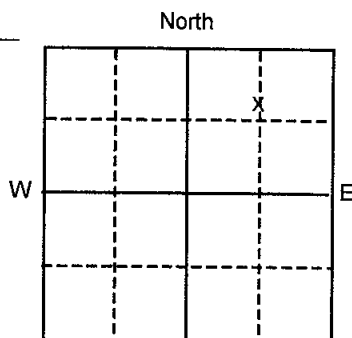
145 ac.

MAR 22 2228-3 APR 12 2896-3

File Folder copy of map

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW 1/4 NE 1/4 Sec 8 Twp 92N Rg 50WCounty UnionPlease mark well
location with an "X"

Well Completion Date

May 30, 2018

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?

1,300.0 ft. from Septic Tank (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	160.0 FT	22.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite	53	9.5 Lb/gal	0.0 Ft	150.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
Tremie

SCREEN:

☒ Perforated pipe ☐ Manufactured
Diameter 16.00 Inches Length 60.0 FeetMaterial PVCSlot Size 0.085 Set From 160.0 Feet to 220.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? HTH Tablets
☐ No, Why Not?
 Lab to which water
 quality sample sent for analysis
Well Owner: Lyle Wagner

Business Name:

Address: 1019 Ridgecrest DrCity, State, Zip: Vermillion SD 57069

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top soil	0	2
Gray clay	2	104
Sand and fine gravel	104	129
Gray clay with some gravel	129	137
Coarse sand and fine gravel	137	146
Clay	146	149
Sand and gravel	149	204
Gray clay	204	206
Fine gravel	206	220

STATIC WATER LEVEL 92.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

127.0 Ft. After 1.0 Hrs. pumped 800.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

Elevation: 1217' asl

42°48'2.82"N

96°46'16.47"W

Replacement Well - 2896-3

This well was drilled under license # 810 and this report is true and accurate.Drilling firm: Heine Electric & Irrigation

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

RECEIVED

Date: 8-14-18

SEP 13 2018

WATER RIGHTS
PROGRAM

McMath, Genny

Subject: FW: [EXT] Change of Address

The message below goes with 1256-3, 2535-3, 2896-3, 4393-3, 4534-3, 4543-3, 6000-3 & 6222-3

From: Risa Hanson <risa@heckseeds.com>
Sent: Wednesday, December 7, 2022 10:43 AM
To: McMath, Genny <Genny.McMath@state.sd.us>
Subject: [EXT] Change of Address

Hi Genny,
We would like to change the address for Wayne Heckathorn so that he can receive the irrigation questionnaires at the office rather than at his home.

His home address is 31792 473rd Ave., Elk Point, SD 57025

The office address is 47663 SD Hwy 50, Elk Point, SD 57025

If you can help us with that, we'd surely appreciate it.

--

Risa Hanson
Bookkeeper
Heckseeds