

Mail to: Water Rights Div.
DWNRR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

No. 307-38 Hydrologic Unit 10140101
Map | to. Same Basin Missouri
Newspaper Lake Andes Wave Box 216 Wed.

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

New ☒ Vested ☐ Right ☐ Future Use ☐

☐ Application to amend Permit No. _____ with old priority date retained

☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐

☒ Application to: ☐ Change use ☐ Change diversion point(s) ☒ Add diversion point(s)

☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. 307-3A

☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____

Name of Applicant De Haan Livestock + Grain Farming Inc Phone No. 605-307-3474

Post Office Address Platte & D. RR #2 Box 59 State S.D. Zip Code 57369
(Street, RR or Box)

2. Amount of water claimed (c.f.s) No add'l Total acres irrigated covered by No. 307-3

3. Source of Water supply Missouri River

4. Location of point of diversion NW 1/4 Section 1, T96N, R68W both sides of the bay

County Charles Mix

5. Counties where water will be used same

6. Annual period during which water is to be used April 1 to September 30

7. 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.
Covered by #307-3			

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Permit will allow pumping from either side of the bay.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA
County of Charles Mix

I, De Haan Livestock + Grain Farming Inc the applicant, certify that I have read the foregoing application, 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 Andy De Haan per

Subscribed and sworn to before me this 24th day of April 1985

VICKI L. BERG, Notary Public
In and for the State of South Dakota
My Commission Expires April 1, 1991

Vicki L. Berg
Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 307-3B
DeHaan Livestock & Grain RR 2 Box 59 Platte
(Applicant) (Post Office Address)
South Dakota 57364 With the following qualifications.
(State) (Zip Code)

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application April 25, 1985.

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

Date of receipt of corrected application _____, 19____. Approved July 10, 1985.

The Water Management Board hereby approves this Water Permit No. 307-3B authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is September 24, 1956.
2. One-fifth of the work is to be completed on or before _____, 19____.
3. The whole of said work is ~~to be~~ completed on or before _____, 19____.
4. The time limit for proof of beneficial use of water is _____, 19____.
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed No add'l 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. For irrigation purposes said appropriation must be limited to not more than 2 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 _____; said water to be used during the following described annual period: April 1 to September 30

WATER MANAGEMENT BOARD

By: Johanna Chief Engineer

Division of Water Rights
 Dept. of Water and Natural Resources

SEP 11 1985, 19____

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4-10025-

Pierre,

April 30

1985

RECEIVED OF DeHaan Livestock & Grain Farms, Inc., RR#2, Box 59, Platte, SD 57369
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>307-1B</u> to Appropriate Water, to construct works and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for _____ (Any Other Work Provided by Law)	Total	50 00

By

John Hatzhams
Chief Engineer: JOHN HATZHAMMS

Considered: _____

WATER PERMIT NO. 307-3B

MAP No. same

Name of Applicant De Haan Livestock & Grain

Post Office Address RR 2 Box 59 Platte

Amount of Water Claimed No add'l Total Acres see 307-3

Source of Water Supply Missouri River

Water to be used for IRR County Charles Mix

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received 6-19-85 Not Received _____

APPLICATION: Approved 7-10-85 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received 4-25-85 Fee \$50.00 Remarks app. is to

9-24-86 allow pumping from either side of Bay (see map)

Corrected Application Received _____ Period of Annual Use 4/1 to 9/30

WATER QUALITY APPROVAL RECEIVED N.A. APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point NW4 sec. 1 T96N-R68W

Land to be Irrigated covered by 307-3

Well Log: Driller N.A. Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map AWN PREPARED BY From permit #307-3 Reviewed and the Number assigned May 10, 1985 By Kevin C. Yarron

REPORT ON APPLICATION NO. 307-3B

DEHAAN LIVESTOCK & GRAIN FARMS, INC.

May 20, 1985

Application No. 307-3B proposes to relocate existing diversion points on water license 307-3A. No additional flows will be diverted and all lands to be irrigated are covered by water license No. 307-3A. The license specifies a diversion rate of 4.69 cfs from the Missouri River to irrigate 328.38 acres located in Section 1, T96N, R68W and Section 36, T87N, R68W.

Existing rights on the Missouri River will not be impaired. Approval of Application No. 307-3B is recommended.

Ron Duvall /k

RON DUVALL
Water Resources Engineer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER
PERMIT APPLICATION NO. 307-3B, DeHaan Livestock &
Grain Farms, Inc.

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 307-3B, DeHaan Livestock & Grain Farms, Inc. RR #2, Box 59, Platte SD.

The Chief Engineer is recommending APPROVAL of Application No. 307-3B because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
May 22, 1985

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

Water Rights Division
605 773-3352

SEP 11 1987

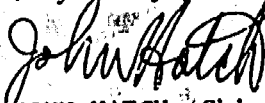
DeHaan Livestock & Grain
RR 2, Box 59
Platte SD 57369

Dear Sir:

Enclosed is your Water Permit No. 307-3B as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosure

Equal Opportunity Employer

No. 307-3B

Instruction to Newspaper - Publish first publication of the following Notice on or before May 29, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

**NOTICE OF HEARING on Application No. 307-3B to ~~Appropriate Water~~
~~and/or to Amend Water Permit or Water Rights No. 307-3A~~**

Notice is hereby given that DeHaen Livestock & Grain whose mailing address is RR 2, Box 59, Platte Dakota has made an application for a permit

to change points of diversion for Water Right No. 307-3B to allow diversion of water from either side of the bay located on the Missouri River in NW 1/4 Section 1-T96N-R68W. This permit application does not change the diversion rate or lands irrigated as authorized by water right No. 307-3.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 307-3B because 1) ~~unappropriated water is available,~~
2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and
3) is in the public interest.

This application will be considered by the Water Management Board at Civil Defense
Room in basement of Capitol Building, Pierre, SD, July 10, 1985 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by June 28, 1985. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12, thru 46-1-15; 46-2-3.1, 46-2-3.2, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) 46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35, (10,000 AFA) 46-5-30.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15.02 thru 74:02:01:15.05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 / 3-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by June 28, 1985.

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

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Charles Mix) ss.

I, Pam Woods hereby

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

Water was taken from the Lake Andes Uave

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

City of Lake Andes

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

May 29, 1985

June 5, 1985

Pam Woods
(Signature)

Publisher
(Title)

6-19-85
(Date Signed)

Cost of Printing: \$39.56

WNR-808-7/79
Proof of Publication

NOTICE OF HEARING
on Application No. 307-3B to Amend
Water Rights No. 307-3A
Notice is hereby given that
DeHaan, Livestock & Grain, whose
mailing address is RR2, Box 69,
Platte, South Dakota, has made an
application for a permit to change
points of diversion for Water Right
No. 307-3B to allow diversion of
water from either side of the bay
located on the Missouri River in
NW 1/4 Section 1-T93N-R68W. This
permit application does not change
the diversion rate or lands irrigated
as authorized by water right No.
307-3.
Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water Rights
Division recommends APPROVAL
of Application No. 307-3B because 1)
will be no unlawful impairment of
existing rights, 2) is beneficial use of
ware and 3) is in the public interest.
This application will be considered
by the Water Management Board at
Civil Defense Room in basement of
Capitol Building, Pierre, SD, July
10, 1985 at 10:00 a.m.
The recommendation of the Chief
Engineer is not final or binding upon
the Board, and the Board is
authorized to make a determination
on this application after it reaches a
conclusion based upon facts
presented at the public hearing. Any
interested person who may be
affected by a Board decision and who
intends to participate in the hearing
before the Board, and present
evidence or cross-examine witnesses,
according to SDCL 1-26, must file a
written petition with BOTH the
Applicant and the Chief Engineer by
June 28, 1985. The petition may be
informal, but it must include a
statement describing the petitioner's
interest in the application, the
reason for the petitioner's opposition
to or support of the application, and
the signature and mailing address of
the petitioner or his legal council. If
legal council is obtained, the
applicant need not file a petition.
This application is made pursuant
to the provisions of SDCL 46-1 thru
46-1-9, 46-1-12 thru 46-1-15,
46-2-3, 46-2-9, 46-2-11, 46-2-15,
46-2-17, 46-5-1 thru 46-5-19, 46-5-24,
46-5-25, 46-5-30.2, 46-5-31, 46-2A-1
thru 46-2A-10, 46-2A-12, and Board
Rules ARSD 74:02:01:01 thru
74:02:01:01 thru 74:02:01:15.
This hearing is an adversary
proceeding. The applicant or any
person, after filing a petition, has the
right to be presented or to be
represented by a lawyer. These and
other due process rights will be

appealed to the Circuit Court and the
State Supreme Court as provided
by law.

Any person wishing a copy of the
Chief Engineer's recommendation,
further information on this
application or to assure access to the
hearing by the handicapped, can
contact the Water Rights Division,
DWRN, Joe Foss Bldg., Pierre SD
(605 773-5352) for assistance prior to
the hearing date. The time of the
hearing will be automatically
extended for at least twenty days
upon written request of the
applicant or any person who has filed
a petition to oppose or support the
application. The request for
extension must be filed with the
Chief Engineer by June 28, 1985.

Water & Natural Resources

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

March 23, 1987

DEHAAN LIVESTOCK & GRAIN CO, Andy Dehaan
RR 2 BOX 59
PLATTE, SD 57369

NOTICE

Re: Violation of Water Permit(s). 4630-3, 307-3B and 1986
Irrigation

Questionnaire Requirements.

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 4630-3, 307-3B. The request for the questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4630-3, 307-3B qualification:

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

The hearing will also be to determine if Permit No(s). 2999-3, 2326-3, 307-3, and 307-3A should be amended with the qualification to require the Questionnaire to be submitted each year.

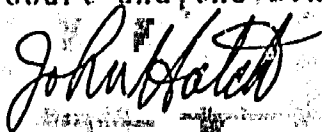
The hearing(s) will be at 2:00 pm, May 6, 1987, in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

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

Following the hearings(s), the Water Management Board can:

1. Suspend Permit No(s). 4630-3, 307-3B until either the 1986 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s). 2999-3, 2326-3, 307-3, and 307-3A to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

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



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

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

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

April 13, 1987

307-3

307-3A

307-3B

2326-3

2999-3

4630-3

Dehaan Livestock & Grain Co
RR #2 Box 59
Platte, SD 57369

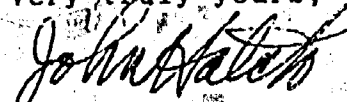
Dear Sir:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 307-3, 307-3A, 307-3B, 2326-3, 2999-3 and 4630-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

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

If you have any questions, please contact us.

Very truly yours,



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



307-3B

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 12 1997

5795-3

DeHaan Livestock and Grain Farms, Inc.
%Dennis DeHaan
RR 2, Box 60
Platte, SD 57369-9343

Dear Mr. DeHaan:

Enclosed is Water License No. 5795-3 and Receipt No. 414454 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 5795-3 is the final document which completes the process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

gm
enclosures

NOTE: The applicable portions of Water Right Nos. 307-3, 307-3A and Water Permit Nos. 307-3B, 2326-3, 2999-3 and 4630-3 have been incorporated into this Water License No. 5795-3.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.
January 27, 1992

DEHAAN LIVESTOCK & GRAIN FARM
RR 2 BOX 59
PLATTE SD 57369

NOTICE

RE: Violation of Water Permit Nos 307-3, 307-3A, 2326-3 & 2999-3, 307-3B & 4630-3 and 1991 Irrigation Questionnaire Requirements

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit Nos 307-3, 307-3A, 2326-3 & 2999-3, 307-3B & 4630-3. 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) 307-3, 307-3A, 2326-3 & 2999-3 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) 307-3B & 4630-3 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) 307-3B & 4630-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 307-3, 307-3A, 2326-3 & 2999-3 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



307-3B

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

February 10, 1992

Dennis DeHaan
DeHaan Livestock & Grain Farm
RR #2 Box 59
Platte, SD 57369

RE: Irrigation Questionnaires for Water Permit Nos. 307-3,
307-3A, 307-3B, 2326-3, 2999-3 and 4630-3

Dear Mr. DeHaan:

I am writing to acknowledge receipt of your 1991 irrigation questionnaires for Water Permit Nos. 307-3, 307-3A, 307-3B, 2326-3, 2999-3 and 4630-3. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaires were completed after your telephone conversation with Ron Duvall of this office. You indicated you irrigated the "same as last year". Since they were received prior to the Water Management Board meeting, your name was deleted from the agenda.

The 1992 irrigation questionnaires will be mailed out in October, 1992. It will not be acceptable to call in and request them to be filled out "the same as last's years".

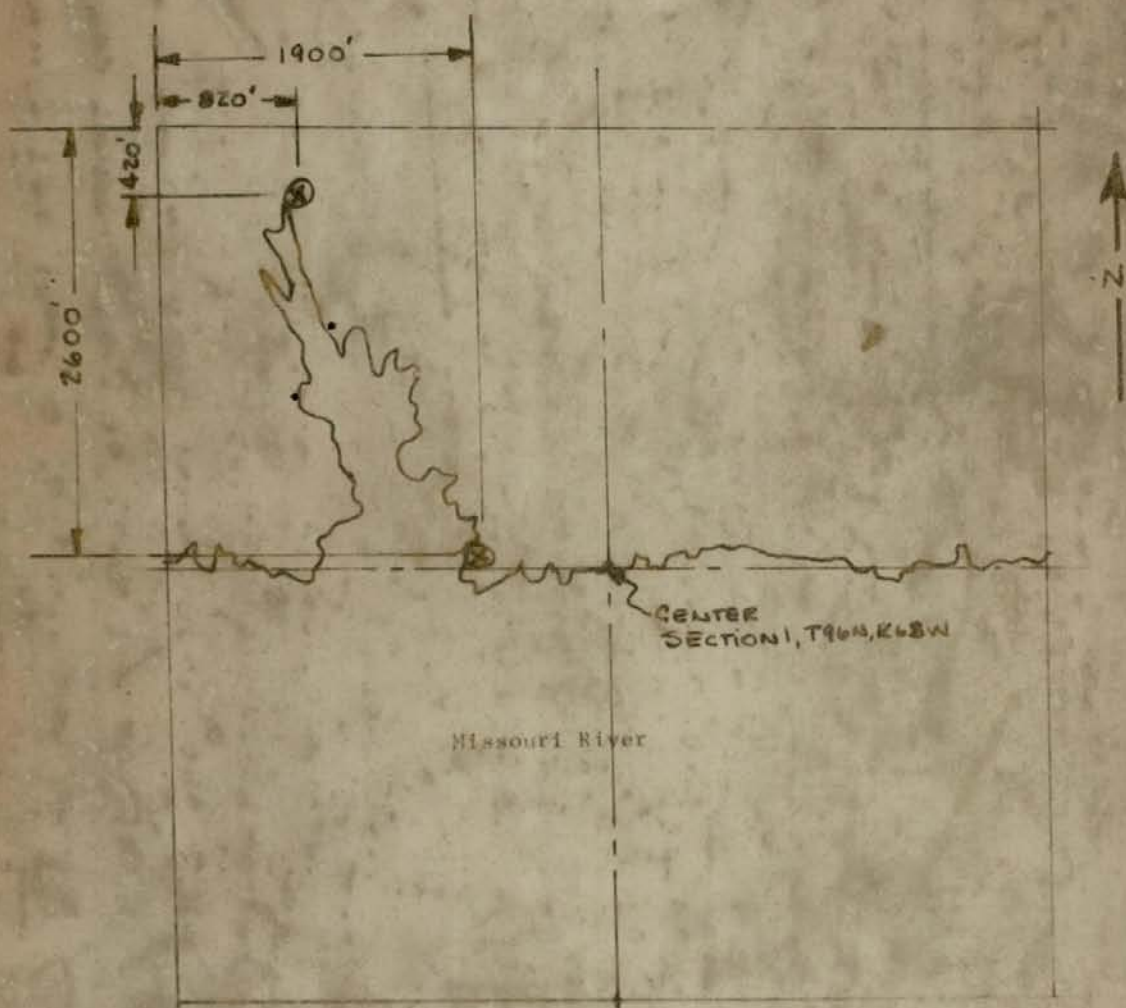
If you have any questions, please contact me at (605) 773-3352.

Sincerely,

Genny McMath
Genny McMath
Natural Resources Analyst
Water Rights Division

307-3B

The location of diversion point for water diversion permit 307-3 is to be between a point 820' south and 820' east of the NW corner of Section 1, T96N, R68W and a point 2600' south and 1900' east of the NW corner of Section 1, T96N, R68W.



AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 25% / ROLL NO 21 DATE MICROFILMED 3-31-82 Division Polaris CAMERA OPERATOR

307-3B