

Considered: _____

WATER PERMIT NO. 5639-3

Phone: 624-2405

Name of Applicant: Francis J Heine

Post Office Address: RR 3, Box 21, Vermillion SD 57069

Amount of Water Claimed: 1.5 add'l Total Acres: 105 add'l

Source of Water Supply: groundwater

Water to be used for: irrigation County: Clay

About 2 miles south of Vermillion

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 1-31-92 Fee: \$250 Remarks Covers some
of the same lands as Permit No. 5471-3

Corrected Application Received _____ Period of Annual Use May 1 - Sept 30

WATER QUALITY APPROVAL RECEIVED 3-9-92 APPROVED/CONDITIONAL (Circle one)

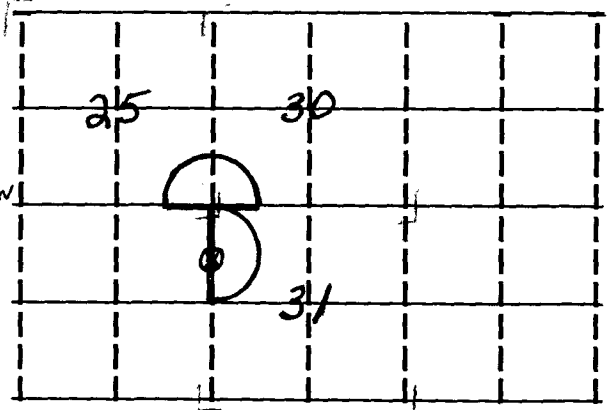
WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: SW 1/4 NW 1/4 Sec 31-T92N-R51W

Land to be Irrigated: SE 1/4 SE 1/4 Sec 25; T92N-R52W

SW 1/4 SW 1/4 Sec 30; W 1/2 NW 1/4 Sec 31;

all in T92N-R51W



Well Log: Driller: Wetmore Drilling Licensed YES X NO _____

Depth of Well: 118' REMARKS _____

Type of Map: aerial PREPARED BY: Gerald Pilker, SCS Reviewed and the Number

Assigned on 3-12-92 By Karen Schlaak

SOUTH DAKOTA
WATER PERMIT No. 5639-3 FOR IRRIGATION

Date of first receipt of application January 31, 1992.
Date Soil/Water Compatibility Permit received April 6, 1992.
Date of return to applicant for corrections, amendments or changes
February 3, 1992.
Date of receipt of corrected application February 25, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5639-3 to Francis J. Heine, RR 3, Box 21, Vermillion SD 57069 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5639-3 appropriates 1.5 cubic feet of water per second (cfs) to irrigate 105 additional acres and to change the location of the well authorized by Water Permit No. 5471-3. Water Permit No. 5471-3 appropriates 0.54 cfs from one well located in the center of the SE 1/4 SE 1/4 Section 25 to irrigate 38 acres located in the SE 1/4 SE 1/4 Section 25; all in T92N-R52W. The well, 118 feet deep (Missouri-Elk Point Aquifer) to be utilized by Water Permit No. 5471-3 and this application is located in the SW 1/4 NW 1/4 Section 31-T92N-R51W. This permit is for irrigation of 105 additional acres located in the SW 1/4 SW 1/4 Section 30; W 1/2 NW 1/4 Section 31; all in T92N-R51W. Water Permit No. 5471-3 and this permit, combined, may not exceed 1 cfs for each 70 acres irrigated.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 - September 30.
3. The date from which applicant may claim right is January 31, 1992.
4. The date of approval of Permit No. 5639-3 is June 3, 1992.
5. One-fifth of the construction is to be completed on or before December 3, 1994.
6. All construction is to be completed on or before June 3, 1997.
7. Water is to be put to beneficial use on or before June 3, 2001.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

(continued)

2. The well authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: _____

Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

NOV 20 1992

date

No. 5639-3 Hydrologic Unit 10170101
Map No. _____ Basin Missouri
Newspaper Plain Talk, Box 256, Vermillion

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. _____☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____1. Name of Applicant Francis J. Heine Phone No. 624-2405Post Office Address R.R.3 Box 21 Vermillion State SD Zip Code 57069(Street, RR or Box) 2.04 cfs total (1.5 cfs add'l) 1432. Amount of water claimed (c.f.s.) 1.250 gal/min Total acres irrigated 143 acres (105 add'l)3. Source of Water supply well4. Location of point of diversion South-180° East of NW corner, Section 31, 92W, 51W on
Section line-1,320 ft. South. (SW 1/4 NW 1/4 Sec 31-T92N-R51W)County Clay5. Counties where water will be used Clay6. Annual period during which water is to be used May 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.
SW of the SW, Sec 30, 92N- 51W	35
NW of the NW, Sec 31, 92N- 51W	35

Land Description	No. Acres Irr.
SW of the NW, Sec 31, 92N- 51W	35
SE 1/4 SE 1/4 Sec 25-T92N-R51W	38
(permitted by 5471-3)	

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)

We will be installing a center pivot irrigation system to irrigate soybeans and corn.

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 CLAY) ssI, Francis Heine 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 JOYCE C. HANSON complete the necessary construction.

Signed

Francis HeineSEAL NOTARY PUBLIC
SOUTH DAKOTA SEAL

Subscribed and sworn to before me this

29

day of

Jan

19

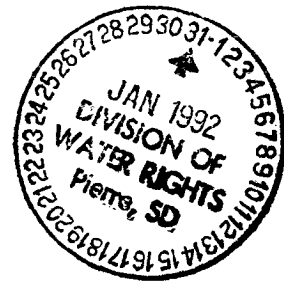
92

My Commission Expires 4-11-94

Joyce C. Hanson
Notary Public for other qualified officers

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 22' Depth 106'
- b) Casing Type PVC Diameter 16" Thickness 1/2"
- c) Screen Type PVC Slotted Diameter 16" Thickness 1/2"
- d) Gravel Pack Thickness 3" Length of Gravel Pack 52'
- e) Depth to Top of Water Bearing Material 3'
- f) Depth to Water (ground surface to water level) 20'
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

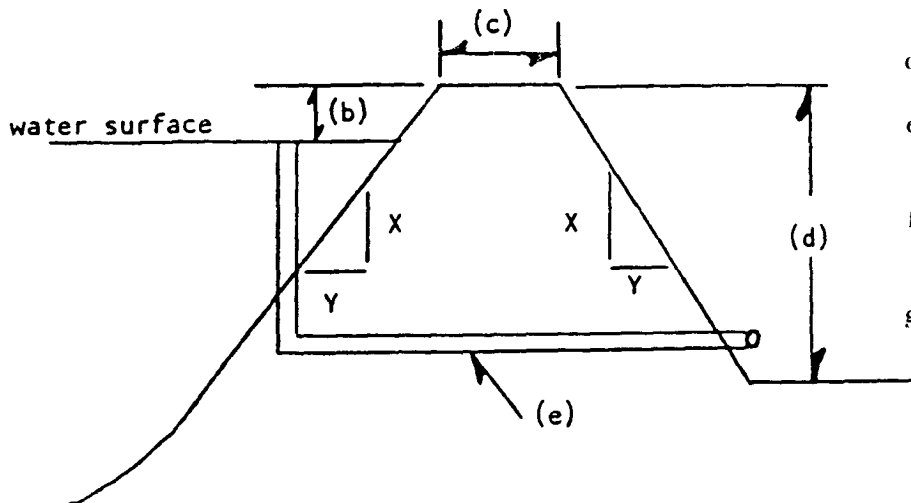
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

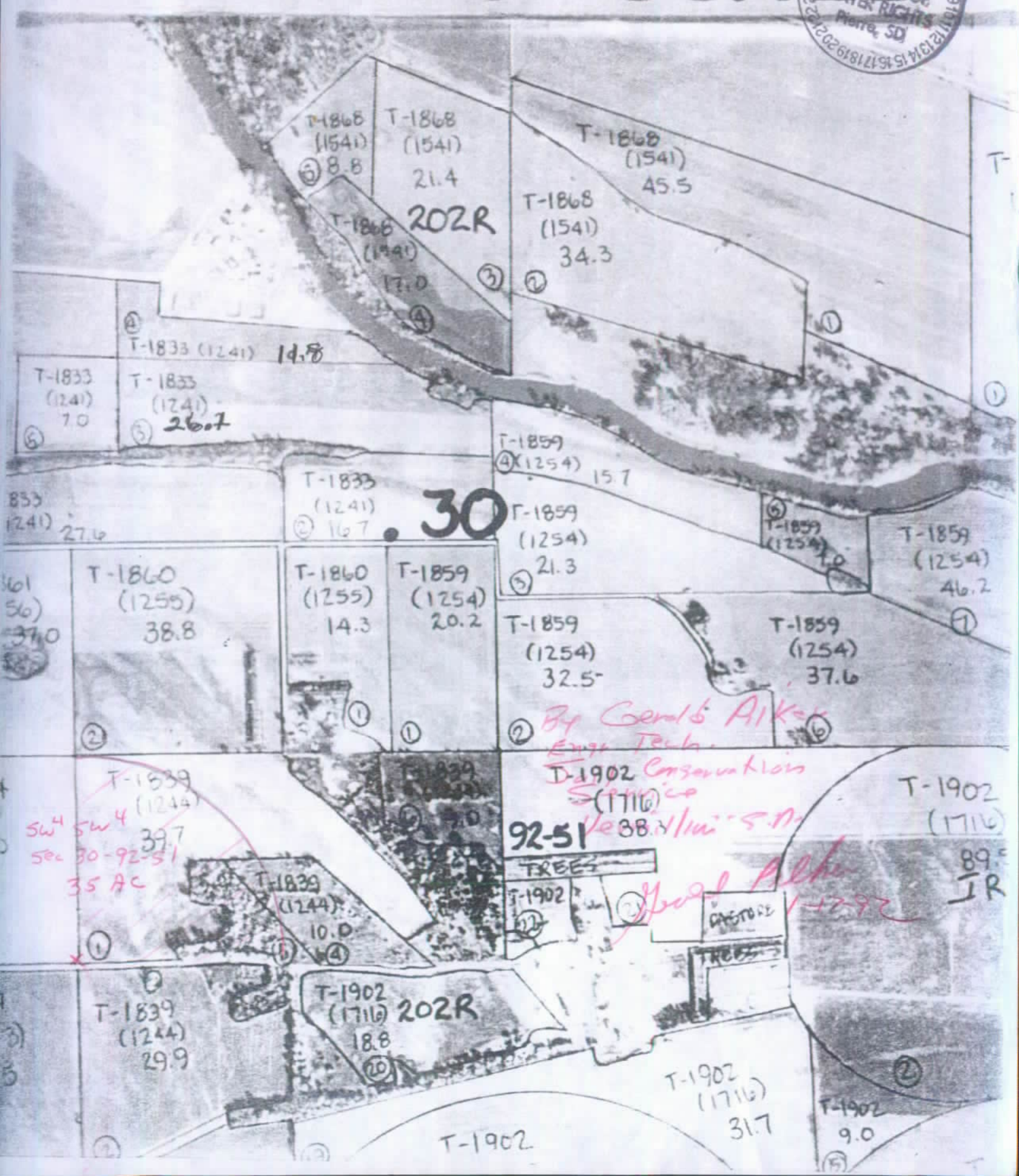
Storage _____ acre feet

Drainage area above dam _____

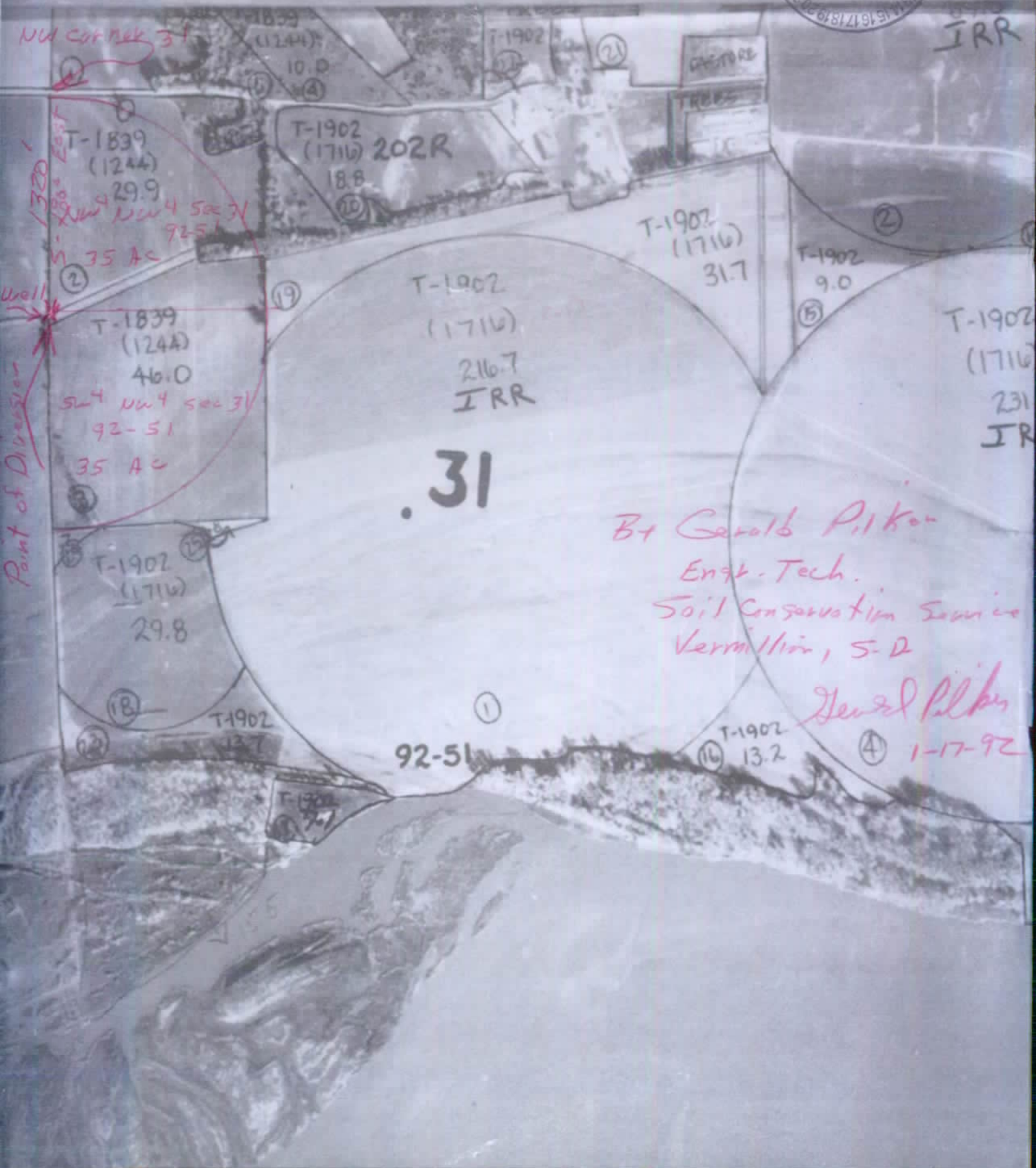


Francis Henne

Signature of Applicant



NOT TO SCALE



By Gerald Pilkon
Eng. Tech.
Soil Conservation Service
Vermillion, S.D.

Gerald Pilkon
1-17-92

Lanney Nelson
Lanney Nelson, CED



NOT TO SCALE



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

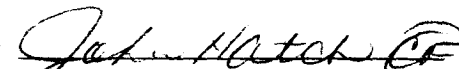
418948

Pierre, _____, February 3, 19⁹²

RECEIVED OF Francis Heine, RR 3, Box 21, Vermillion, SD 57069

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

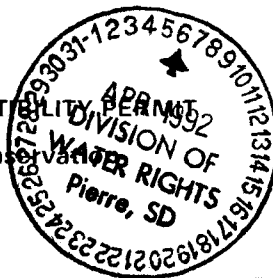
Fee for Application for Permit No. <u>5639-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	250	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for 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	250 00

By John Hatch 
Chief Engineer

5639-3

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation



Office Use Only

4690

WR#

OWNERS NAME: HEINE, FRANCISOWNERS ADDRESS: RR 3 BOX 21VERMILION, SD 57069-9404COUNTY LAND LOCATED IN: CLAY PHONE: 624-2405

LEGAL DESCRIPTION:

☒ Well☐ Surface1. LOCATION (SW 1/4 NW 1/4 31-T92N-R51W)

Depth _____

Legal Description	Acres	Legal Description	Acres
SW 1/4 NW 1/4 30-T92N-R51W	35		
SW 1/4 NW 1/4 31-T92N-R51W	35		
SW 1/4 NW 1/4 31-T92N-R51W	35		
SW 1/4 NW 1/4 25-T92N-R51W	35		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: XX GUN: _____ OTHER: (Specify) _____3. CROPS TO BE IRRIGATED: SOYBEANS AND CORN

WATER QUALITY:

4. WATER SAMPLE NUMBER: 1974 SAMPLE/
STATE LAB

7. ADJUSTED (SAR): _____

5. SALINITY (EC X 10⁶): 11908. PERCENT SODIUM 24.426. SODIUM (SAR): 0.91

Requirements:

Russell J. Lane

Director, Division of Conservation

APR 1, 1992

Date

☒ APPROVED☐ DISAPPROVED☐ WAIVER☐ REQUIREMENTS

Soil/water permits will be recorded by the Department
of Agriculture, with the County Register of Deeds.

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

March 12, 1992

TO: Jim Stukel

FROM: Eric Gronlund *EG*

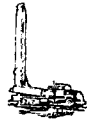
SUBJECT: Amendment to Soil/Water Compatibility Permit for Francis Heine

On August 9, 1990, A Soil/Water Compatibility Permit (S/W Permit) was issued to Francis Heine for irrigation of 40 acres located in the SE1/4 SE1/4 Section 25, T92N, R52W. The legal description of the well was to be in the center of the SE1/4 SE1/4 Section 25, T92N, R52W. A copy of this S/W Permit is attached.

Mr. Heine applied on January 31, 1992 for a new permit to irrigate 105 acres in this vicinity. A copy of the application and maps are attached. This office assumed that this was a new permit and processed it accordingly. We received a letter from Mr. Heine on February 25, 1992 that indicated that the well to be used to irrigate the 105 acres would also be the well used to irrigate the 40 acres in the SE1/4 SE1/4 Section 25. This constitutes a change in the diversion point and since the proposed well is 2,250 feet from the location of the well list on the August 9th S/W Permit, I believe a new S/W Permit is required for this 40 acre parcel.

Please process as necessary and contact if you have any questions.

enclosure



WETMORE DRILLING

P.O. BOX 577 - ELK POINT, SOUTH DAKOTA 57025 - (605) 356-3272



2/6/92

Bud Heine
RR 3 Box 21
Vermillion, SD 57069

Irrigation Well Drilled - 2/6/92

0	- 2'	Topsoil
2	- 6'	Black Clay
6	- 76'	Fine Sand
76	- 118'	Sand and Gravel
118'		Shale

Wetmore Drilling
PO Box 577
Elk Point, SD 57025

S. Wetmore
Shirley Wetmore

SOUTH DAKOTA WATER WELL COMPLETION REPORT

5639-3

07-92

Location SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 30 Twp 92 Rg 51
County Clay

Well Owner: Francis Home

Business Name: _____

Address: Vermillion, SD

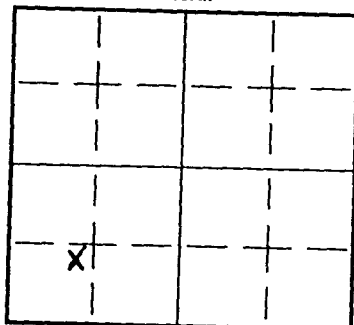
Please mark well location with an "X"

W

E

Well Completion Date

4-26-97



WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Top Soil</u>	<u>0</u>	<u>2</u>
<u>Sand</u>	<u>2</u>	<u>38</u>
<u>clay</u>	<u>38</u>	<u>49</u>
<u>sand & Gravel</u>	<u>49</u>	<u>115</u>

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1000 ft. from Confined Feedlot (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>Sch 40</u> LB/FT	<u>16</u> IN	<u>75</u> FT	<u>0</u> FT	<u>22</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Bent</u>	<u>40</u>	_____ lb./gal	<u>75</u> ft	<u>20</u> ft
<u>Cmt</u>	<u>30</u>	<u>15.5</u> lb./gal	<u>20</u> ft	<u>0</u> ft

Describe grouting procedure Tremie

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 16 IN Length 40 FEET

Material PVC

Slot Size 50 Set From 115 Feet to 75 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: Cl

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

STATIC WATER LEVEL 20 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: _____

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

30 ft. After 24 Hrs. pumped 900 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 900 GPM

REMARKS

This well was drilled under license # 341

And this report is true and accurate.

Drilling firm Wetmore Drilling

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____



10-85

County

Rotary

16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
▲
JAN 1993
DIVISION OF
WATER RIGHTS
Pierre, SD
1 2 3 4 5 6 7 8 9 10 11 12

Date 1-18-93

2/8/93

10-85

Date 1-18-93



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

February 3, 1992

Francis J Heine
RR 3, Box 21
Vermillion SD 57069

Dear Mr. Heine:

In regard to your water permit application received on January 31, 1992, the following information needs to be submitted in order to process your application.

1. A well log or driller's test log signed by a South Dakota licensed well driller must accompany the application.
2. A soils map is required of the land to be irrigated in order to proceed with the Soil/Water Compatibility permit.
3. On the application, Item No. 2 you indicated the amount of water claimed to be 1,250 gallons per minute (gpm). Under State Statutes you are allowed 1 cubic feet of water per second (cfs) for each 70 acres irrigated. This would mean that you are allowed 1.92 cfs for the 135 acres to be irrigated or 869 gpm. Please let us know if you concur with this change.

The water permit application can not be considered until the application is complete and a soil/water permit is obtained from the Department of Agriculture. Upon receipt of the above, further processing of your application will continue.

If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

Sir:

Permit No. 5471-3 is being changed from 38 A to 135 A. The diversion point will be changed to the new point ^{to} as previous papers. This new well will be galloped at 900 G R M. I'm sending the ~~new~~ well log that you asked for.

If you have anymore questions call or write me.

Francis Heine

R3 Box 21

Vermillion, S Daks

57069



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 1992

Francis J Heine
RR 3, Box 21
Vermillion SD 57069

Dear Mr. Heine:

We have received the Soil/Water Compatibility Permit approval from the Division of Conservation. As stated in our February 3, 1992 letter, before further processing of your Application for Permit to Appropriate Water, a well log or driller's test log signed by a South Dakota licensed well driller must be submitted.

Also, on Item No. 2 of the application, you indicated the amount of water claimed to be 1,250 gallons per minute (gpm). Under State Statutes you are allowed 1 cubic feet of water per second (cfs) for each 70 acres irrigated. This would mean that you are allowed 1.92 cfs for the 135 acres to be irrigated or 869 gpm. Please let us know if you concur with this change.

Upon receipt of the above, further processing of your application will continue. If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Natural Resources Analyst
605 773-3352

File No.

Water Rights Division -DWNR
Conversation or File Documentation

NAME OF PERSON OR FILE: Francis Heine

ADDRESS: Vermillion SD

COUNTY: Clay

DATE: 3-11-92

TELEPHONE: 624-2405

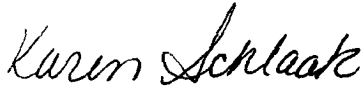
RE: March 10, 1992 letter

COMMENTS:

On March 10, 1992, I sent a letter to Francis Heine stating we hadn't received a well log for his pending application.

On March 11, 1992, Jaci gave me the well log and letter from Mr. Heine dated February 25, 1992.

I called the Heine residence and talked with one of the kids who said he would tell his dad to disregard my letter dated March 10, 1992 and that we would continue processing the application.



Karen Schlaak
Natural Resources Analyst



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 12, 1992

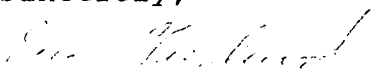
Francis Heine
RR 3, Box 21
Vermillion, SD 57069

Dear Mr. Heine:

I am writing as a follow-up to our recent phone conversation. I have enclosed a copy of your permit application with changes (in red) as we discussed. Please look this over and if I am incorrect on how this application should be processed let me know. Otherwise I will proceed with the processing of your application.

If you have any questions, please let me know.

Sincerely,


Eric Gronlund
Water Rights Division
605 773-3352

enclosure

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Francis Heine

ADDRESS: Vermillion COUNTY: Clay

DATE: 4/16/92 TELEPHONE: 624-2405

RE: Discussion with Mr. Heine regarding the well permitted by WP No. 5471-3

COMMENTS:

I called Mr. Heine regarding how he plans to operate his system. Jim Goodman in preparing his report on Application No. 5639-3 thought the well permitted by WP No. 5471-3 (located in the SE1/4 SE1/4 Section 25, T92N, R52W) was still going to be utilized to irrigate the SE1/4 SE1/4 Section 25, T92N, R52W and the SW1/4 SW1/4 Section 30, T92N, R51W. Mr. Heine stated that this well had been abandoned and plugged because it wasn't producing sufficiently. He stated that the well located in the SW1/4 NW1/4 Section 31, T92N, R51W is the only well that would be used to irrigate the lands under WP No. 5471-3 and WP Application No. 5639-3

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Lundberg

REPORT ON APPLICATION NO. 5639-3
for Francis J. Heine
April 15, 1992

Application No. 5539-3 proposes to appropriate 1.5 cfs to irrigate 105 acres and to change the location of the well authorized by Water Permit No. 5471-3. Water Permit 5471-3 appropriates 0.54 cfs from one well located in the center of the SE 1/4 SE 1/4 of section 25 to irrigate 38 acres located in the SE 1/4 SE 1/4 of section 25; all in T92N R52W. The well approximately 118 feet deep to be used by Water Permit No. 5471-3 and this application will be located in the SW 1/4 NW 1/4 of section 31, T92N R51W in Clay County. This application is for irrigation of 105 additional acres located in the SW 1/4 SW 1/4 of section 30; W 1/2 NW 1/4 of section 31; all in T92N R51W. Water Permit No. 5471-3 and this application, combined, may not exceed 1 cfs for each 70 acres irrigated.

AQUIFER - MISSOURI-ELK POINT (M-EP)

The Missouri Elk Point aquifer is an alluvium mantled outwash (sand and gravel) under predominantly water table conditions in this area. The Missouri Elk Point underlies 74,500 acres and 1.12 million acre feet of recoverable in storage in Clay County. The aquifer is hydraulically connected to the Vermillion and Missouri Rivers, the Lower Vermillion Missouri aquifer to the north and also extends to the east into Union County and to the west into Yankton County.

The driller's log submitted with this application indicates that fine sand was encountered at 6 feet to 76 feet below land surface and sand and gravel from 76 feet to 118 feet below land surface. There is no legal description on the log to determine if it is applicable and the Form 2A indicates the well will be 106 feet deep.

The Division of Water Rights monitors an observation well CL-80C which is located about 1/4 mile west of this proposed diversion point. Water level records are available since 1957. Water levels do not fluctuate very much annually. There is a response to climatic conditions, that is rising water levels during wet years and gradually declining water levels during dry years. The effects of pumping are not obvious but the water levels have declined gradually since 1985. This can be attributed to dry weather and to pumping in the area (Water Rights, 1992).

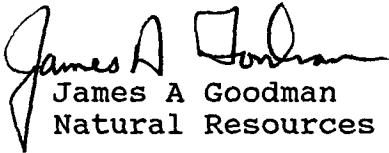
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are five existing irrigation wells within one mile of this application. Interference is not expected to be a concern. Pumping from existing wells does not appear to cause significant drawdown very far from the production well. This is shown by the observation well hydrograph which is included with this report.

CONCLUSIONS

1. Water is available from the Missouri Elk Point aquifer.

2. Interference is not expected to be a problem.
3. Water levels have gradually declined in this area. This is not significant because of the great saturated thickness and the large areal extent of the aquifer. This condition is reflective of the recent drought years and the pumping in the area.
4. Approval of this application will authorize a total diversion of 2.04 cfs for irrigation of 143 acres. This permit authorizes a total diversion of 2 acre-feet per acre. The priority date for 0.54 cfs authorized by Water Permit No. 5471-3 can be transferred to the new diversion point with no adverse effects.
5. The well authorized by this application must be drilled in accordance with SD Well Construction Standards.
6. The test well log submitted with this application does not give a legal description. The information on the log fits the geology of the area but then it would also fit for Yankton and Union Counties.
7. Any well drilled for Water Permit No. 5471-3, which has been abandoned, must be plugged pursuant to SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

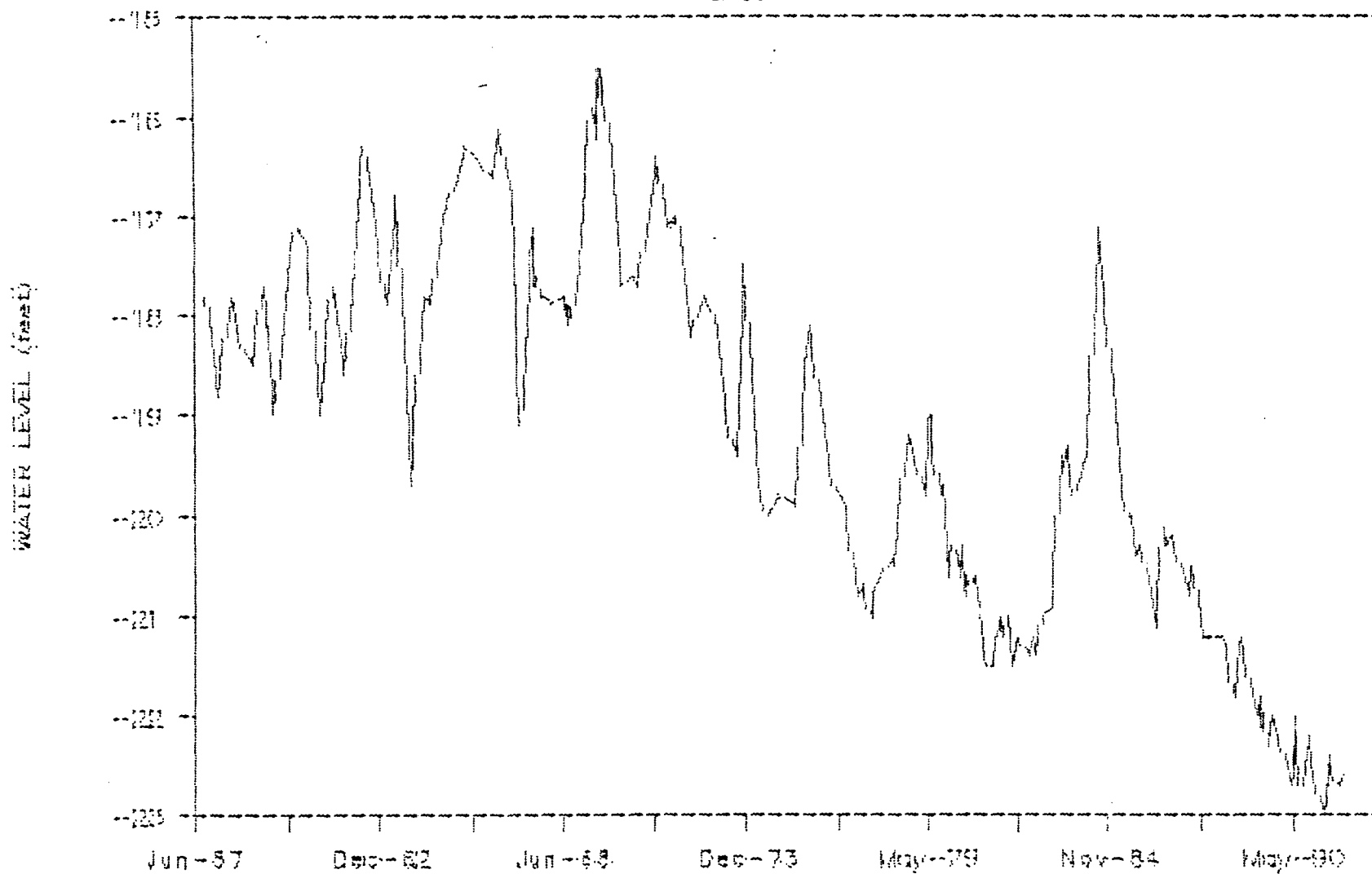
BIBLIOGRAPHY

Hedges, L.S., et al, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1992, Unpublished Observation Well Records for Clay County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

WATER RIGHTS OBSERVATION WELL

CL80C



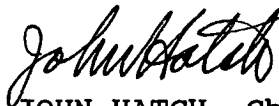
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5639-3, Francis J Heine

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5639-3, Francis J Heine, RR 3 Box 21, Vermillion, SD 57069.

The Chief Engineer is recommending APPROVAL of Application No. 5639-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer
April 20, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

April 29, 1992

Francis J Heine
RR 3 Box 21
Vermillion, SD 57069

Dear Mr. Heine:

Water Permit Application No. 5639-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Plain Talk printed at Vermillion, SD (Ph # 624-2695). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 29, 1992

Plain Talk
Box 256
Vermillion, SD 57069

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5639-3 to be published twice. Please publish the first notice on May 7, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Francis J Heine, RR 3 Box 21, Vermillion, SD 57069 (Ph # 624-2405).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on May 7, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5639-3 to Appropriate Water
and to Amend Water Permit No. 5471-3

Notice is given that Francis J Heine, RR 3 Box 21, Vermillion, SD 57069 has filed an application for a water permit to appropriate 1.5 cubic feet of water per second (cfs) to irrigate 105 additional acres and to change the location of the well authorized by Water Permit No. 5471-3. Water Permit No. 5471-3 appropriates 0.54 cfs from one well located in the center of the SE 1/4 SE 1/4 Section 25, to irrigate 38 acres located in the SE 1/4 SE 1/4 Section 25; all in T92N-R52W. The well, 118 feet deep (Missouri-Elk Point Aquifer) to be utilized by Water Permit No. 5471-3 and this application, is located in the SW 1/4 NW 1/4 Section 31-T92N-R51W. This application is for irrigation of 105 additional acres located in the SW 1/4 SW 1/4 Section 30; W 1/2 NW 1/4 Section 31; all in T92N-R51W. Water Permit No. 5471-3 and this application, combined, may not exceed 1 cfs for each 70 acres irrigated.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5639-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 26, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5639-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for June 3, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the June 3, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The June 3, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by May 26, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
 County Clay)

I, Kristin Cownie

certify that the attached printed Notice 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 Broadcaster Press

City of Vermillion

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

5-7-92

5-14-92

Kristin Cownie
 (Signature)

Receptionist
 (Title)

5-14-92
 (Date Signed)

Cost of Printing: \$61.63



person opposing the application. The request for an automatic delay must be filed by May 26, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Publish: May 7 & 14, 1992

NOTICE OF HEARING on Application No. 5639-3 to Appropriate Water and to Amend Water Permit No. 5471-3

Notice is given that Francis J. Heine, RR 3 Box 21, Vermillion, SD 57069 has filed an application for a water permit to appropriate 1.5 cubic feet of water per second (cfs) to irrigate 106 additional acres and to change the location of the well authorized by Water Permit No. 5471-3. Water Permit No. 5471-3 appropriates 0.54 cfs from one well located in the center of the SE 1/4 SE 1/4 Section 25, to irrigate 38 acres located in the SE 1/4 SE 1/4 Section 25; all in T92N-R52W. The well, 118 feet deep (Missouri-Elk Point Aquifer) to be utilized by Water Permit No. 5471-3 and this application, is located in the SW 1/4 NW 1/4 Section 31-T92N-R51W. This application is for irrigation of 106 additional acres located in the SW 1/4 SW 1/4 Section 30; W 1/2 NW 1/4 Section 31; all in T92N-R51W. Water Permit No. 5471-3 and this application, combined, may not exceed 1 cfs for each 70 acres irrigated.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5639-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605-773-3362)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 26, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 5639-3 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for June 3, 1992, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre, SD. If this application is opposed or the recommendation is contested, the June 3, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The June 3, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 20 1992

Francis J. Heine
RR 3 Box 21
Vermillion, SD 57069

Dear Mr. Heine:

Enclosed is Water Permit No. 5639-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



5639-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 14, 2000

NOTICE

TO: FRANCIS HEINE, 1014 E 320TH, VERMILLION, SD 57069
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaires

Our records indicate that the 1999 Irrigation Questionnaires have not been submitted for Permit Nos. 5435-3, 5471-3, 5639-3, 6057-3, 6058-3 & 6059-3, 671-3 & 2053-3. The request for the Questionnaires was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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) 671-3 & 2053-3 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) 5435-3, 5471-3, 5639-3, 6057-3, 6058-3 & 6059-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in 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 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) 5435-3, 5471-3, 5639-3, 6057-3, 6058-3 & 6059-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 671-3 & 2053-3 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 28, 2000, 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.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 20, 2000

Francis (Bud) Heine
1014 E 320th
Vermillion, SD 57069

RE: Water Permit/Right Nos. 671-3, 2053-3, 5435-3, 5471-3, 5639-3, 6057-3, 6058-3 & 6059-3

Dear Mr. Heine:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit/Right Nos. 671-3, 2053-3, 5435-3, 5471-3, 5639-3, 6057-3, 6058-3 & 6059-3.

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



56393

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: FRANCIS HEINE, 412 STERLING, VERMILLION, SD 57069

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 671-3, 977A-3, 977B-3, 1624-3 2053-3 & 2947-3 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) 5435-3, 5471-3, 5639-3, 6057-3, 6059-3, 6679-3, 6993-3, 6994-3, 7297-3, 7298-3, 7299-3, 7300-3, 7301-3, 7302-3, 7577-3, 7578-3, 7579-3, 7580-3 & 7980-3 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 4, 2015** 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) 5435-3, 5471-3, 5639-3, 6057-3, 6059-3, 6679-3, 6993-3, 6994-3, 7297-3, 7298-3, 7299-3, 7300-3, 7301-3, 7302-3, 7577-3, 7578-3, 7579-3, 7580-3 & 7980-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 671-3, 977A-3, 977B-3, 1624-3 2053-3 & 2947-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

February 24, 2015

Francis Heine
412 Sterling
Vermillion SD 57069

RE: Water Permit and Water Right Nos. 671-3, 977A-3, 977B-3, 1624-3 2053-3, 2947-3,
5435-3, 5471-3, 5639-3, 6057-3, 6059-3, 6679-3, 6993-3, 6994-3, 7297-3, 7298-3, 7299-3,
7300-3, 7301-3, 7302-3, 7577-3, 7578-3, 7579-3, 7580-3 & 7980-3

Dear Mr. Heine:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires for the above listed water permits and water rights.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for your water permits and water rights. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

PAID

MAR 27 2023

Ck# 44663

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DANR
523 E. Capitol
Pierre, SD 57501-3181

No. 5639-3

Date: _____

I/We request that Water Permit No. 5639-3

formerly owned by: Francis Heine

be transferred to: (name & address) see below

Telephone No. _____

Title to the following described land(s)/property has been transferred as described above:

105 acres – SW ¼ SW ¼ Section 30; W ½ NW ¼ Section 31, all in T92N, R51W

I/We understand that the validity of Water Permit No. 5639-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Todd Heine
1020 E. 320th St.
Vermillion, SD 57069, the new owner, certify that the above information is true and correct.



(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIVED

MAR 27 2023

OFFICE OF
WATER

5639-3

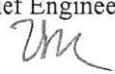
RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date March 27, 2023RECEIVED OF Francis J Doris/Tim, Todd & Nick Heine 412 Sterling St., Vermillion SD 57069

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>5639-3</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
 Chief Engineer




**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

April 14, 2023

Todd Heine
1020 E 320th St
Vermillion SD 57069

Dear Mr. Heine:

I am writing to acknowledge receipt of the transfer forms and filing fees for all water permits and water rights listed under Francis Heine.

The ownership changes have been completed. Water Permit/Right Nos. 671-3, 977A-3, 977B-3, 1006-3, 1034-3, 1624-3, 2053-3, 2947-3, 5435-3, 5471-3, 5639-3, 6057-3, 6059-3, 6679-3, 6993-3, 6994-3, 7297-3, 7298-3, 7299-3, 7300-3, 7301-3, 7302-3, 7577-3, 7578-3, 7579-3, 7580-3 & 7980-3 are now listed in your name.

Enclosed are receipts for the filing fees you paid. If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
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enclosures