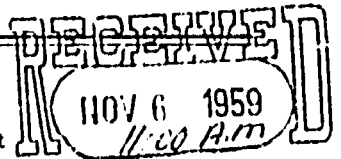


1. Considered 1-26, 1960 Appl. No. 671-3
2. Name of Applicant A.A. Cotton
3. Post Office Address Vermillion
4. Amount of water claimed 3.5 cfs.
5. Source of water supply ground water
6. Water to be used for irrigation
Acres to be irrigated 243
7. Water to be diverted and used in Clay County about
 miles of
8. Proof of Publication Received 10h
Not Received
9. Application Approved V 878
Subject to
Not approved
Action deferred

10. Remarks:

No. 671-3
 Water Division No. 3 Vermillion River District
 (Blanks to be Filled by the Engineer for the W. R. C.)



STATE WATER RESOURCES COMMISSION
 PIERRE, SOUTH DAKOTA

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

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

1. Name of applicant A. A. Cotton
 Postoffice address Vermillion, County Clay, State South Dakota

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

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

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

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

- (b) Cash on hand, \$ 25,000.00 (c) Treasury stock, \$ _____
 (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work A. A. Cotton Irrigation Project # 1.
 3. Amount of water claimed 3.4 max & 3.5 cubic feet per second
 4. Source of water supply 2 Wells
 5. Location of point of diversion Well # 1-7 1/2 rods due north of the SW corner of Sect 21-22-51.
Well # 2-6 7 rods S80° East of the same point as above.
 _____ on _____ bank _____ County.
 6. Annual period or periods during which water is to be used Whenever needed for crops.
 7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? _____

- (a) Number of acres to be irrigated 243 acres.
Pt SE 1/4 SW 1/4-20, Pt SW 1/4 SW 1/4, Pt SE 1/4 SW 1/4-21, NE 1/4 NW 1/4, NW 1/4 NW 1/4,

(b) Legal subdivisions to be irrigated NE 1/4, Pt SW 1/4 NW 1/4-28, Pt NE 1/4 NE 1/4, Pt SE 1/4 NE 1/4-29-92-51.
 (NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.) Used only for crops.

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

- (a) Nature of use _____
 Name any of the above uses claimed
 (b) Amount of power to be generated _____ horse power.
 Amount claimed for engine cooling _____
 (c) Location of plant _____
 (d) Method of developing power _____
 (e) Point where water will be returned to stream _____

Map NE 514-3

8. Estimated cost of work:

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

(b) Pumping plant, \$1,000.00 each

(c) Fluming, \$-----

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

Rock, \$100.00 each

(e) Other structures ----- \$-----

Total, \$1100.00 each well.

9. Description of diversion works:

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

II. Dimensions of works:

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top ----- feet; slope at front water face -----; slope at back face ----- material used in construction -----

(b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater mark ----- acres.

DEPTH AT OUTLET- FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE- FEET CAPACITY

(c)* Head gate: Width ----- feet; height ----- feet; Material -----

(d) Canal: Total length ----- miles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- Five years.

11. Time required for complete application of water to the proposed beneficial use ----- 4 years.

12. Choice of newspaper for publication of notice of intention to appropriate -----

Dakota RepublicanVermillion Plain Talk

STATE OF SOUTH DAKOTA

County of Clay

ss.

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

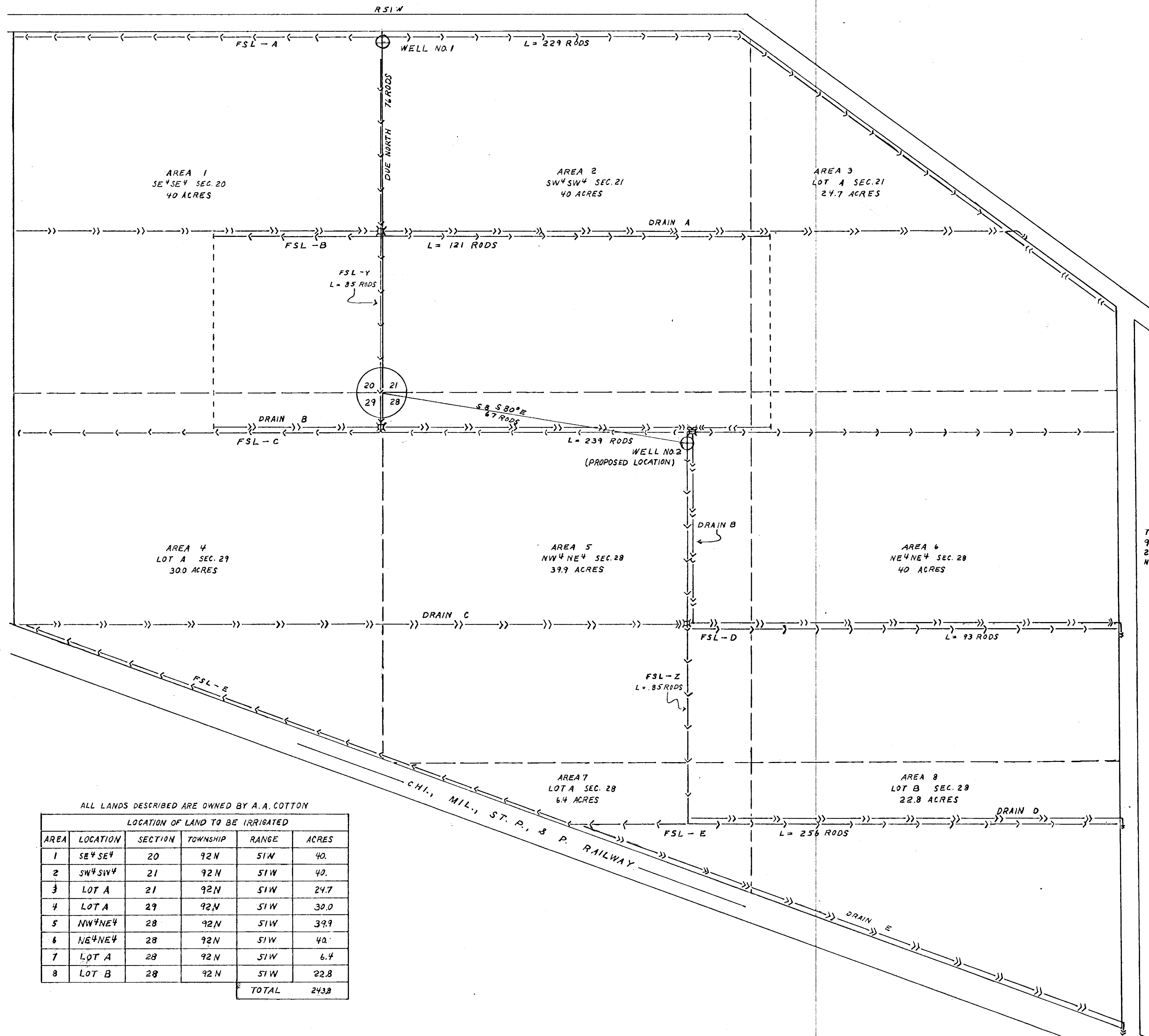
Signed

A. A. Cotton

Subscribed and sworn to before me this 3rd day of November 1959.

Norm G. Johnson
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device



ALL LANDS DESCRIBED ARE OWNED BY A. A. COTTON

LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	SE ⁴ SE ⁴	20	92N	51W	40.
2	SW ⁴ SW ⁴	21	92N	51W	40.
3	LOT A	21	92N	51W	24.7
4	LOT A	29	92N	51W	30.0
5	NW ⁴ NE ⁴	28	92N	51W	39.9
6	NE ⁴ NE ⁴	28	92N	51W	40.
7	LOT A	28	92N	51W	6.4
8	LOT B	28	92N	51W	22.8
TOTAL					243.8

SURVEYOR'S CERTIFICATE

I, DAVID A. BREITUNG DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE A. A. COTTON IRRIGATION PROJECT NUMBER 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE CLAY SOIL CONSERVATION DISTRICT.

SIGNATURE: David A. Breitung
 TITLE: AGRICULTURAL ENGINEER
U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 4th DAY OF November, 1953, A.D.

Robert R. Smith
 NOTARY PUBLIC
 MY COMMISSION EXPIRES May 27, 1961

SCALE
 0 100 500

A. A. COTTON
 IRRIGATION PROJECT
 NUMBER 1

CLAY COUNTY, SOUTH DAKOTA

U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE

Designed <u>David A. Breitung</u>	Date	Approved by
Drawn		Title
Traced		Title
Checked		Sheet No. 1 of 1

Drawings No. Map No 514-3
 (App'l No 671-3)
 FCS-314 (November 1955)

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, January 29, 1960

This is to certify that the foregoing application was received by the Commission at 11:00 o'clock
A.m. upon the 6th day of November, 1959

State Water Resources Commission

By:

W. L. G. G. G.
Chief Engineer, Executive Officer

Number of permit 671-3

Date of first receipt of application November 6th, 1959

Date of return to applicant for correction, amendments or changes required as follows: November 9, 1959

Date of receipt of corrected application December 14, 1959

Date from which applicant may claim right November 6, 1959

Approved January 26, 1960, Recorded in Book 5 Page 309

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

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

July 26, 1962

2nd. The whole of said work is to be completed on or before January 26, 1965

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

January 26, 1969

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

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

6th. The amount of the appropriation herein granted shall not exceed 3.4 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before January 26, 1959; said water to be used during the following described annual period:

whenever needed during growing season

Witness my hand this 29th day of January, 1960

State Water Resources Commission

By:

W. L. G. G. G.
Chief Engineer, Executive Officer

Certificate of Construction Issued AUGUST 5, 1960

Water License Issued AUGUST 5, 1960

3. (Continued)

II. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36 inch, Depth 93 feet

Type of casing Concrete
(wood, concrete, steel, etc.)

Size of casing 18 inch, Thickness of casing 2 1/2 inches

Length of casing 4 feet If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen concrete

Size of perforated screen 18 inches (diameter), 4 feet (length)

Thickness of gravel pack 7 inches, length of gravel pack 93 feet

(c) Water Bearing Materials

Distance to water 15 feet Character of water bearing materials
sand and gravel

Thickness of water bearing material 60 feet

(d) Pump and Motor

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

Name of pump Western Lard roller co., size 8 inch

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

Horsepower, Name of Motor

(e) Complete well \$ 1200.00 cu.

Capacity at drawdown of Estimated cost

(f) Owner of land upon which well is located A. A. Cotton
Name
322 Forest Avenue, Vermillion, South Dakota.
Address

(g) Distance to nearest existing wells 3 miles
On same owner's property rods. On property owned by others rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 671-3

WHEREAS, On the 6th day of November A. D. 1959
A. A. Cotton

of Vermillion County of Clay and State of
South Dakota duly made application (No. 671-3) to us for a permit to use 3.4
cubic feet per second of the waters of ground water
County of Clay, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 29th day of January A. D. 1960
Permit No. 671-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 26th day of
January 65 A. D. 1965 and for the application to beneficial use of said
water on or before the 26th day of January A. D. 1969
and,

WHEREAS, On the 26th day of July A. D. 1966
the holder of said permit duly made proof of the completion of adequate works for the diversion of 5.0
cubic feet per second of said waters, as evidenced by our Certificate No. 671-3
dated August 5, 1966 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 5.0 cubic feet per second of water, with date of
priority of November 6, 1959 and,

WHEREAS, On the 26th day of July A. D. 1966
proof was duly made of the application to beneficial use of 3.4 cubic feet per second of said water
for irrigating 243.8 acres in portions of Sections 20, 21, 28, and 29, T92N, R51W

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 A. A. Cotton

of Vermillion the holder and owner of said permit No. 671-3

a water right, dating from November 6, 1959 to the use of 3.4

curtain second of the waters of ground water

In the County of Clay and State of South Dakota, or so much thereof as may be

necessray for the purposes hereinbelow mentioned, to be diverted at a point 76 rods N and a point 67

rods east and 80 feet S of the SW corner, Section 21, T92N, R51W

and conducted to and upon portions of Sections 20, 21, 28, and 29, T92N, R51W, more

specifically described in the Certificate of Completion of Works

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 5th day of August A. D. Nineteen
Hundred and Sixty-Six

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. -----

To -----

Source of Supply -----

County -----

c. f. s. -----

Point of Diversion -----

Place of Use -----

Purpose -----

Date of Priority -----

Recorded -----

In Book ----- of ----- Page -----

Permit No. 671-3

Water Division No. 3 Vermillion River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:
This is to Certify, That A. A. Cotton

of Vermillion, County of Clay, and State of South Dakota, the holder of Permit No. 671-3, issued upon Application No. 671-3, bearing date of priority of November 6, 1959, authorizing the diversion of 3.4 cu. ft. per second of the waters of ground water County of Clay, State of South Dakota, at point 76 rods N, and at a point 67 rods E and 80 feet south of the SW corner, Section 21, T92N, R51W, for irrigation

purposes, has fully 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 5.0 cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: all in T92N, R51W

Section 20	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 acres
Section 21	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 "
	Lot 3	24.7 "
Section 28	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 "
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	39.9 "
	Lot A	6.4 "
	Lot B	22.8 "
Section 29	Lot A	30.0 "
	Total -	243.8 "

Witness my hand this 5th day of August, 1966 A. D.

State Water Resources Commission
By: J. W. ORMES
Chief Engineer, Executive Officer

(First Publication ~~on or before~~ January 19, 60)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., December 15, 1959

Notice is hereby given that A.A. Cotton whose postoffice address is Vermillion S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.5 cubic feet of water per second of time from ~~the~~ ground water through the A.A. Cotton Irrigation Project #1 are the point of diversion of which is to be located on the ~~back of a stream~~ in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21 and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 28 Twp. 22N Range 51W said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 22; SW $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot A, Sec 21; Lot A Sec 29; and NE $\frac{1}{4}$ NE $\frac{1}{4}$ and Lots A and B, Sec 21, all in T. 22N, R. 51W

~~XXXXXX~~ purposes

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 26th day of January, 1960, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

~~Chief Engineer~~ ~~Executive Officer~~
Burton F. Jones,
Water Rights Specialist

CC: William S. Gibson—Publisher
Plain Talk
Vermillion, South Dakota

DATE MICROFILMED

CANADA DEPARTMENT OF WATER RESOURCES

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA } ss.

County of ClayBernice A. Schooley being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the _____

Vermillion Plain Talk a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theCity of Vermillion of Vermillion County of Clay

and State of South Dakota

that the said notice was published in said newspaper on the following dates:

Dec 24, 1959Dec 31, 1959Jan 7, 1960Jan 14, 1960in each and every issue of the full number thereof, the first publication being made on the 24th day of Dec1959 and the last publication on the 14th day ofJan 1960, upon which days or timesof publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he, W. S. Nelsonwas publisher the printer and publisher of the said newspaper.Bernice A. SchooleySubscribed and sworn to before me this 16th day of January A. D. 1960Lawrence J. GibsonNotary Public Clay County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., December 15, 1959.

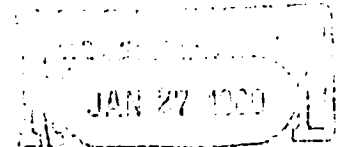
Notice is hereby given that A. A. Cotton, whose post office address is Vermillion S. Dak. has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.5 cubic feet of water per second of time from ground water through the A. A. Cotton Irrigation Project No. 1, the points of diversion of which are to be located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21 and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28, Twp. 92N Range 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; SW $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot A, Sec. 21; Lot A Sec. 29; and NW $\frac{1}{4}$ NE $\frac{1}{4}$ and Lots A and B, Sec. 28, all in T 92N, R 51W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 26th day of January, 1960, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission
By: Burton F. Jones,
Water Rights Specialist.
(Dec. 24, 31, Jan. 7, 14)



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Permit No. 671-3
3 VERMILLION
 Water Division No. 3 RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____
 19____, I have this day made a thorough examination of the diversion works constructed by _____
A.A. COTTON of VERMILLION
CLAY County, South Dakota, holder of Permit No. 671-3, issued
 upon Application No. 671-3, bearing date of priority of NOVEMBER 6, 1959, authorizing the
 diversion of 3.4 cu. ft. per second of the waters of GROUND WATER for IRRIGATION
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 2 WELLS 112' & 114' DEEP, BOTH
WITH WESTERN LAND ROLLER 10" PUMPS, TYPE 1-14C-HC,
POWERED BY U.S. 30HP ELECTRIC MOTORS TYPE HU.
3000' OF 10" GATED PIPE W/ 40" GATES.

and the system is in the following condition: EXCELLENT

The points of diversion ^{ARE} located AS SHOWN ON APPLICATION

The works are capable of diverting and conveying to the place of use 5.0 cu. ft. per second of water,
 which is to be used for IRRIGATION

The legal subdivisions to be irrigated are: AS SHOWN ON APPLICATION

_____ comprising a total of 243 acres of land.
 The domestic use intended comprises _____

The utilization for power, mining, or other beneficial uses comprises: _____

Witness my hand, this 26TH day of JULY, A. D. 1966

—SEAL—

Burton J. [Signature]
 Examining Engineer
 OFFICER

Member: National Association of State Aviation Officials

COMMISSIONERS

DUANE L. CORNING
CHAIRMAN
RAPID CITY

KEITH B. MONTGOMERY
HURON

ROLAND E. PARCEL
ABERDEEN

CHARLES N. ROZUM
MITCHELL

DOIN DeVRIES
SIOUX FALLS



RICHARD F. KNEIP, Governor

**SOUTH DAKOTA
AERONAUTICS COMMISSION**

STATE OFFICE BUILDING # 1

PIERRE, SOUTH DAKOTA 57501

TELEPHONE 224-3574

September 19, 1972

STAFF

LYNDON V. HANSON
DIRECTOR

MONT E. SCHNEIDER
CHIEF AIRPORT ENGINEER

DONALD J. ACHTIE
CHIEF PILOT

HOWARD W. ICE
CHIEF AVIATION SAFETY

JOHN K. ROBINSON
CHIEF SPECIAL SERVICES

Mr. Joe Grimes
Chief Engineer
Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Subject: Madison Municipal Airport
Madison, South Dakota

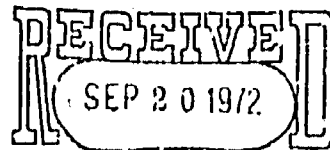
Dear Mr. Grimes:

In the very near future we will be submitting to the Federal Aviation Administration and the State Clearinghouse an Environmental Impact Statement to accompany a Request for Aid for a new airport facility at Madison, South Dakota. The project will consist of:

Land and clear zone acquisition; strengthening of the existing runway, taxiway and apron; widening of the existing runway; construction of the runway extensions and turnarounds; road relocation; installation of a Medium Intensity Runway Lighting System along with a VASI system; fencing; seeding; and tree clearing.

Enclosed for your information is the airport sketch with the project description and the vicinity map.

We ask that you write this office a letter indicating whether this project will have an adverse effect on the ground water in the area, keeping in mind that the extension to the northwest will be constructed through a slough area. The proposed method of construction of the initial embankment to above water line will be to doze material into the standing water constructing a hydraulic fill.



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

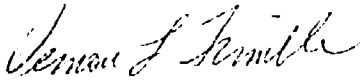
Mr. Joe Grimes

Page 2

September 19, 1972

Thank you for your cooperation.

Sincerely,

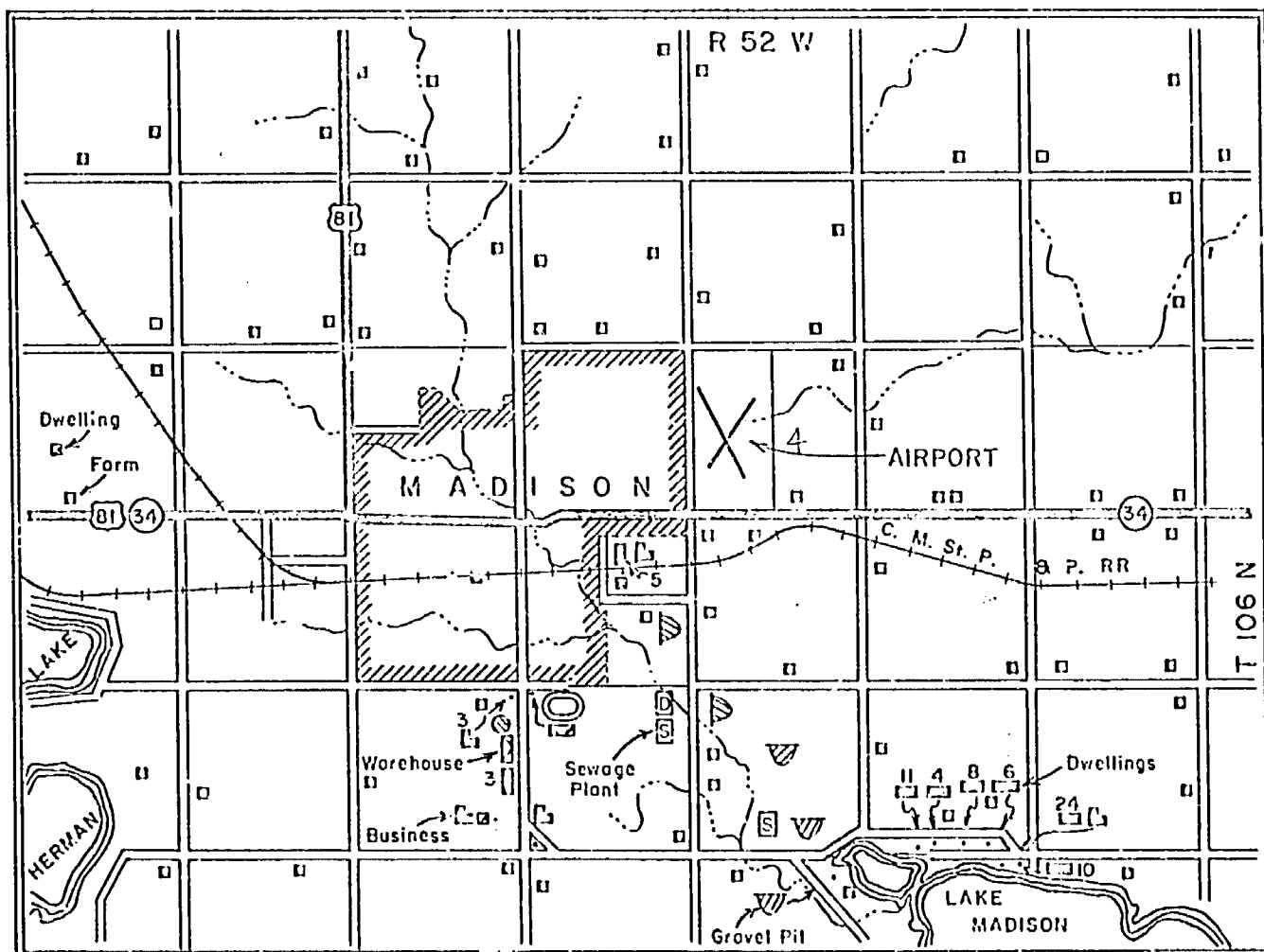


Vernon L. Trimble
Assistant Airport Engineer

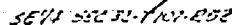
bev

Enclosures

SCALE : 1" = 1 Mile



- 54274 5:233-T107-252



34-0 CLEAR ZONE WITH
7:0 TRANSITIONS FOR
ULTIMATE 2200' RUNWAY

SCALE:
1" = 600'
SEPTEMBER 5, 1972

TYPE AIRCRAFT - GENERAL UTILITY

SKETCH TO SUPPORT
FAR FORM 5100-5
EXHIBIT "D"
PROPOSED IMPROVEMENTS
MADISON MUNICIPAL AIRPORT
PREPARED BY
J. T. RANNEY AND ASSOCIATES, INC.
AIRPORT CONSULTANTS
BIRMINGHAM, GEORGIA 35203



Department of Water & Natural Resources

Joe Foss Building

523 East Capitol

Pierre, South Dakota 57501-3181

WATER RIGHTS DIVISION

(605) 773-3352

November 6, 1985

Marilyn Horst
983 Crestview
Vernillion, South Dakota 57059

Carroll Anderson
RR#1, Box 39
Meckling, South Dakota 57044

Dear Sirs:

I am contacting you regarding ownership of lands covered under Water Right No. 671-3 listed in the name of A. A. Cotton. The Clay County Assessor's Office has indicated to our office that you now own the lands described in Water Right No. 671-3. The lands are as follows: All in T92N-R51W

Section 20	SE $\frac{1}{4}$ SE $\frac{1}{4}$	4.1 Acres
Section 21	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40 Acres
	Lot 3	24.7 Acres
Section 28	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 Acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	39.9 Acres
	Lot A	6.4 Acres
	Lot B	22.8 Acres
Section 29	Lot A	30.0 Acres

TOTAL 243.8 ACRES

Water Rights for irrigation remain appurtenant to the land and since Mr. Cotton no longer owns the above lands, the water right needs to be transferred to the current owner(s). The water right can be transferred two ways. Number 1, it can be split into two parts numbered 671-3A and 671-3B with specific lands owned by each of you designated under the A and B number. Number 2, the water right can be left as is with both your names listed as owner.

Enclosed are two "Notice of Transfer" forms. If the water right is to be split, please complete both forms listing which lands are owned by who. If the water right is to remain the same, complete one form and include all lands showing both of you as owners. The form(s) need to be signed and notarized before returning them to our office with a \$2.50 filing fee (\$5.00 if both transfer forms will be used).

If you no longer own the land, or if you own, but do not irrigate, please notify this office. If you no longer own the land, please forward to us the name(s) of the new owner(s).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, conveyance, lease or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Sincerely,

Equal Opportunity Employer

Genny McMath
Natural Resources Analyst

Conversation or File Documentation

NAME OF PERSON OR FILE: Marilyn HorstADDRESS: 983 Crestview, Vermillion COUNTY ClayDATE: 11-20-85 TELEPHONE 624-8243RE: transfer of W/eight

COMMENTS:

Mrs. Horst called and indicated the transfer
form should be completed with her name only.
Carol Anderson owns some of the lands, but
Mrs. Horst handles all the irrigation.

Mrs. Anderson now lives at 833 Hanover Rd, Rt 4,
Box 50957, Deland, Florida, 32720.

Mrs. Horst indicated she would complete
transfer form & mail it in to us.

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

RECEIPT

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

No 4 16245

Pierre, November 25, 1965

RECEIVED OF Marilyn Horst, 983 Crestview, 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 works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 671-5 _____	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)		
Total	2	50

By John Hatch
Chief Engineer JOHN HATCH (S)

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 11-20-85

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

Section 20, SE $\frac{1}{4}$ SE $\frac{1}{4}$, 40 Acres; Section 21, SW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 Acres, Lot 3, 24.7 Acres;
Section 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$, 40.0 Acres; NW $\frac{1}{4}$ NE $\frac{1}{4}$, 39.9 Acres; Lot A, 6.4 Acres; Lot B,
22.8 Acres; Section 29, Lot A, 30.0 Acres TOTAL = 243.8 Acres

formerly owned by A. A. Cotton

has been transferred to Marilyn Horst, 983 Crestview, Vermillion, S.D. 57069

(please include complete mailing address)

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

Water Right Permit No. 671-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Day) ss.

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

Marilyn Horst
(Signed)

Subscribed and sworn to before me this 20 Day of November, 1985

Kenneth J. Berger
(Notary Public)

No. _____
671-3

 **Department of
Water & Natural Resources**
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

December 31, 1985

Marilyn Horst
893 Crestview
Vermillion, South Dakota 57069

Dear Mrs. Horst:

Enclosed is receipt No. 4 10245 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 671-3.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

WATER RIGHTS DIVISION
(605) 773-3352

January 14, 1986

Marilyn Horst
983 Crestview
Vermillion, South Dakota 57069

Dear Ms. Horst:

Enclosed is the 1985 irrigation questionnaire pertaining to Water Right No. 671-3. The yearly questionnaires are usually mailed out in November; however, since the water right was just recently transferred to you, a questionnaire was not mailed earlier.

Please complete the questionnaire with any irrigation information from 1985. If you did not irrigate, please check the appropriate box.

The questionnaire should be returned to our office by January 31, 1986. Your assistance in this matter will be appreciated. A postage paid envelope is enclosed for your convenience.

If you have any questions, please contact this office.

Sincerely,

Genny McMath
Natural Resources Analyst

GJ:ms
Enc.

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

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

March 23, 1987

MARILYN HORST
983 CRESTVIEW
VERMILLION, SD 57069

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

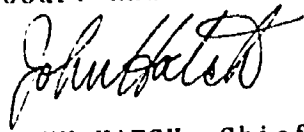
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 671-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

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

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

1. Amend Permit No(s). 671-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

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



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

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

SOUTH DAKOTA
Department of
Water & Natural Resources

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

April 24, 1987

671-3

Marilyn Horst
983 Crestview
Vermillion, SD 57069

Dear Ms. Horst:

This will acknowledge receipt of your 1986 Irrigation Questionnaire. The questionnaire was returned by Berwyn Svoboda. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Right No. 671-3 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

cc: Berwyn Svoboda, RR #1 Box 11B, Burbank, SD 57010



Department of Water & Natural Resources

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

April 8, 1988

671-3

Bili Remmes
Box 528
Vermillion SD 57069

Dear Mr. Remmes:

Enclosed is a copy of Water Right No. 671-3, copies of Irrigation Questionnaires from 1983-1987 and a partially completed "Notice of Transfer".

You indicated during our April 7, 1988 telephone conversation that the land covered under this Water Right was in the process of being sold. At such time as the sale is completed, please have the new owner complete the transfer and return it to our office with a \$2.50 transfer fee.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions concerning the enclosed information, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMATH".

GENNY MCMATH
Natural Resource Analyst
605 773-3352

enclosures

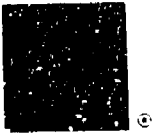
671-3

LIFE INVESTORS INSURANCE COMPANY OF AMERICA

WILLIAM H. REMMES
General Agent



624 Catalina Avenue
Vermillion, SD 57069
Phone 605/624-4062
April 29, 1988



South Dakota Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-5181

Re: Irrigation Permit #671-3
Marilyn Horst, Land owner
Berwyn Svoboda, Tenant

Attn: Genny McMath

Dear Ms. McMath:

The land covered under Water Right Permit #671-3 has been sold. The permit is currently in the name of Marilyn Horst. I would appreciate it if you would send to me a Notice of Transfer form so that the permit can be transferred to the new owner.

Thank you for your cooperation.

Sincerely,

W. H. Remmes



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

671-3

May 4, 1988

William H. Remmes, General Agent
Life Investors Insurance Co.
624 Catalina Avenue
Vermillion, South Dakota 57069

Dear Mr. Remmes:

Enclosed, as you requested, is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 671-3. The water right is currently listed under the name of Marilyn Horst.

The new owner should complete the transfer form, and sign in the presence of a Notary Public. Upon completion of the form, please return it to our office with a required filing fee of \$2.50. Water Right No. 671-3 can then be transferred to the proper name (s).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.



Department of Water & Natural Resources

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

June 23, 1988

671-3

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

Dear Mr. Heine:

I am contacting you in regard to the "Notice of Transfer" you submitted for filing an ownership change on Water Right No. 671-3. The form was completed properly, however, the transfer can not be filed for record without the required filing fee of \$2.50.

Please remit \$2.50 as soon as possible. Upon receipt of this fee, Water Right No. 671-3 will be transferred to your name. If you have any questions, please contact us.

Sincerely,

GENNY MCMATH
Natural Resources Analyst



NO. 671-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____



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

243.8 acres - SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 3 Section 21, N $\frac{1}{2}$ NE $\frac{1}{4}$ and

Lots A & B Section 28, Lot A Section 29, all in T92N, R51W.

formerly owned by Marilyn Horst

has been transferred to Francis J. Heine, RR #3, Box 21, Vermillion, SD 57069

(please include complete mailing address)

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

Water Right Permit No. 671-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Clay) ss.

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

Francis Heine
(Signed)

Subscribed and sworn to before me this 22 Day of JUNE, 1988.

Jack C. Hancock
(Notary Public)
4-11-94

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, August 3, 1938

RECEIVED OF Francis J. 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. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Permit No. 671-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

By

John Hatch
Chief Engineer

JOHN HATCH (S)



**Department of
Water & Natural Resources**

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

Phone (605) 773-3352

August 8, 1988

Francis J. Heine
RR 3, Box 21
Vermillion, South Dakota 57069

Dear Mr. Heine:

Enclosed is receipt No. 411341 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 671-3.

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

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.



671-3
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.

671-3

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3; Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

FRANCIS HEINE
1014 E 320TH
VERMILLION SD 57069

2. Article Number (Copy from service label)

2227670304

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-1A-1789

COMPLETE THE FOLLOWING CONDITIONS

A. Received by (Please Print Clearly) B. Date of Delivery

Doris Heine 1-15-00

C. Signature ☐ Agent ☐ Addressee

x Doris Heine

D. Is delivery address different from Item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes



671-3
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



671-3
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.

671-3



**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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

No. 671-3

August 6, 2015

Francis J Heine
412 Sterling
Vermillion SD 57069

Dear Mr. Heine:

A staff member from the Clay County Highway Department recently observed overspray from the irrigation system located in Sections 20-T92N-R51W onto the adjacent road (see attached photo). This irrigation system is covered by Water Right No. 671-3. I have attempted to call you regarding this matter but have not been able to reach you.

It is common for center pivots to have stops which can be engaged to shut off the operation of the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes end gun overspray upon land not authorized by the water right. Continued overspray can result in the Department of Environment and Natural Resources (DENR) taking enforcement action.

If you don't believe this irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

enclosure

c: Clay County Highway Dept.



03/06/2004

Gronlund, Eric

From: Rod <clayhwysupt@cedarwb.net>
Sent: Tuesday, August 04, 2015 1:27 PM
To: Gronlund, Eric
Subject: Fw: Message from "RNP0026736F5B05"
Attachments: 20150804132151640.pdf

I went back down and looked and I drew it in on your map where I think it is located. It is not on your map, but there are also two irrigation rigs on the south side of the road that do not show up on this map either. The rig I had the complaint about is 1075 ft. (+ or -) west of the section line between 21 & 20 north side of the road right up against the Bluff. Let me know if you need more Info.

Thank You for your time!!

-----Original Message-----

From: clayhwybkkkr@cedarwb.net
Sent: Tuesday, August 04, 2015 12:21 PM
To: Rod
Subject: Message from "RNP0026736F5B05"

This E-mail was sent from "RNP0026736F5B05" (Aficio MP C2051).

Scan Date: 08.04.2015 13:21:51 (-0400)
Queries to: clayhwybkkkr@cedarwb.net

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. 671-3

Date:

I/We request that Water Right No. 671-3

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:

243.8 acres – SE ¼ SE ¼ Section 20, SW ¼ SW ¼, Lot 3 Section 21, N ½ NE ¼, Lots A & B Section
28, Lot A, Section 29, all in T92N, R51W

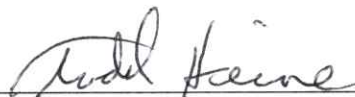
I/We understand that the validity of Water Right No. 671-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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.

1020 E 320th St



(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

671-3

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>671-3</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

tn



**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
Genny.mcmath@state.sd.us

enclosures