



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

MAY 10 2022

6804C-3

Kyle Jensen
31582 454th Ave
Meckling SD 57069

Dear Mr. Jensen:

Enclosed is Reissued Water License No. 6804C-3. Included with the license is a receipt for the fee you paid for filing an ownership change.

Water License No. 6804A-3 was divided and reissued based on the ownership change you filed for a portion of the acreage. It is our understanding the remaining land is now owned by Mary Heine or in a trust as part of the estate of Daniel Heine. A transfer form will be directed to her for those acres.

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

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,


Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 6804C-3
DIVISION OF NO. 6804A-3 INTO 6804C-3 AND 6804D-3

(1) Daniel Heine, 46067 Timber Rd, Vermillion SD 57069 was issued Water License No. 6804A-3, June 1, 2015, for a water right to divert 4.71 cubic feet of water per second (cfs) from ground water – 2 existing wells (Missouri Elk Point Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 6804A-3, with priority dates of July 18, 1975 and February 5, 2007 was issued to the water right holder based on an ownership change involving Water Right No. 6804-3.

The original water license (6804-3) authorized irrigation of 670.6 acres in portions of Section 21 and 22, T92N, R52W described as “East pivot system”, “Middle pivot system” and “West pivot system”. Based on an ownership change filed in 2015, Water License No. 6804-3 was divided and reissued as Nos. 6804A-3 and 6804B-3. The “east pivot system” is authorized under No. 6804B-3 and the “middle & west pivot systems” are authorized under No. 6804A-3.

Ownership of land described in Water Right No. 6804A-3 has again been transferred. Based on the ownership change filed, Water License No. 6804A-3 is being divided and reissued to reflect separate ownership as follows:

- **No. 6804C-3: Kyle Jensen, 31582 454th Ave., Meckling SD 57069** – authorizing diversion of 2.34 cfs from one well to irrigate 264.5 acres in portions of Section 21 and 22, T92N, R52W (middle pivot).
- **No. 6804D-3: Daniel Heine**, authorizing diversion of 2.37 cfs from one well to irrigate 267.7 acres (west pivot). At the time of reissuance of No. 6804C-3, the land under No. 6804D-3 was in the estate of Daniel Heine and not yet reissued under the new owners name.

(2) It is certified that the water right holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.34 cubic feet of water per second for beneficial use.

The location of the diversion point is:

- 1,946 feet south & 920 feet east of the NW corner of Section 22, T92N, R52W (SW ¼ NW ¼ Sec 22)

(3) The water right holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Middle pivot system (264.5 acres)	
Section 21, T92N, R52W	
NE ¼ NE ¼	14.7 acres
SE ¼ NE ¼	29.7 acres
NE ¼ SE ¼	11.8 acres
Section 22, T92N, R52W	
NW ¼ NW ¼	36.7 acres
NE ¼ NW ¼	28.8 acres
NW ¼ NE ¼	0.3 acre
SW ¼ NW ¼	40.0 acres
SE ¼ NW ¼	40.0 acres
SW ¼ NE ¼	2.5 acres
NW ¼ SW ¼	34.9 acres
NE ¼ SW ¼	25.1 acres

continued

Water License No. 6804C-3

(4) Pursuant to South Dakota Water Law 46-5-30.1 Kyle Jensen, 31582 454th Ave., Meckling SD 57069 the holder and/or owner of Water Right No. 6804C-3 is issued a license to appropriate water, the right to use 2.34 cubic feet of water per second from ground water – one well (Missouri Elk Point Aquifer) with priority dates of July 18, 1975 (2.34 cfs and 129.9 acres) and February 5, 2007 (134.6 acres) from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6804C-3 and subject to the following qualifications:

- The wells authorized under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right 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.
- This water right is approved subject to the irrigation water use questionnaire being submitted each year.



Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

MAY 10 2022

date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 30, 2021

6804A-3

Kyle Jensen
31582 454th Ave
Meckling SD 57069

Dear Mr. Jensen:

Thank you for taking the time to visit with me about ownership of land described in Water Right No. 6804A-3 (copy of water right enclosed).

Enclosed as we discussed is an updated "Transfer of Ownership" form for filing an ownership change for portions of the water right. You confirmed during our phone conversation the area under No. 6804A-3 known as the "middle pivot" is the land that you own. With that information, I partially filled out a transfer form for you to sign showing only those lands described in the license as the middle pivot.

Please review the form and make any corrections necessary. Once completed, return the form to our office. **No fee is necessary.** You already submitted a filing fee for the ownership change.

Once we get the transfer form back from you, Water Right No. 6804A-3 will be divided and reissued to reflect separate ownership. I have included postage paid envelope for your convenience in returning the transfer form.

If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

NOV 29 2021

Ck# 4240

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

RECEIVED

NOV 29 2021

WATER RIGHTS
PROGRAMWater Right/Permit No. 6804-3Date: 11-23-21I/We request that Water Right/Permit No. 6804-3 formerly owned by:Daniel Heine

be transferred to:

New Owner Name: Kyle JensenAddress: 31582 454th Ave

City, State, Zip

Meckling, SD 57069Telephone No. 605-670-0245

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

SW 1/4 NW 1/4 Section 22-92N-52W

☒ I understand that the validity of Water Right/Permit No. 6804-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Kyle Jensen, the new owner, certify that the above information is true and correct.

Kyle Jensen
(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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date November 29, 2021

RECEIVED OF Kyle/Becky Jensen 31582 454th Ave., Meckling 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>6804-3</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
Em

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

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

FEB 15 2022

WATER RIGHTS
PROGRAM

No. 6804A-3

Date: 2-9-22

I/We request that portions of Water Right No. 6804A-3

formerly owned by: Daniel Heine

be transferred to: (name & address) Kyle Jensen, 31582 454th Ave, Meckling SD 57069

Telephone No. 605 670-0245

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

264.5 acres -portions of NE ¼ NE ¼, SE ¼ NE ¼, NE ¼ SE ¼ Section 21;

NW ¼, W ½ NE ¼ and N ½ SW ¼ Section 22, all in T92N, R52W

I/We understand that the validity of Water Right No. 6804A-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 Kyle Jensen, 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.

Missouri River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, July 24, 2012, made a thorough examination of the water use system constructed by Daniel Heine of Vermillion, SD holder of Permit No. 6804-3, bearing the priority of February 5, 2007 authorizing the diversion of 2.71 cu. ft. per second of the waters of Missouri: Elk Point aquifer for irrigation purposes, in Clay County.

Note: Water Permit No. 6804-3 authorized an additional 144 acres and 2.71 cfs to that authorized by Water Right No. 2315-3, which is 7.00 cfs and 536 acres.

I have to report on the conditions of the same as follows:

A. Works used to divert the water: Three turbine pumps with motors as follows;

	West System	Middle System	East System
Make	U.S. Electric	U.S. Electric	U.S. Electric
Model No.	405 TPWPI	BF6B	BF6B
Horsepower Rating	125	100	100

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

- 1) Type: PVC Mainline
- 2) Size (inches): 12 inch
- 3) Length (feet): West: 15-20 ft., Center: 20-25 ft., East: 15-20 ft.

C. Works used to apply water to beneficial use: **Center Pivots**

	West System	Center System	East System
Make	Valley	Valley	Valley
Overall Length (ft.)	1829	1829	1294
# of Towers	10	10	7
Distance between towers (ft.)	203	203	215
End Gun (Y/N)	Y	Y	Y
High or Low Pressure	Low	Low	Low
Capacity (GPM)	1000	1000	1000

The system is in the following condition good. The points of diversion are located as follows:

All measurements made from the NW corner of Sec 22 T92N-R52W and all wells are in T92N-R52W:

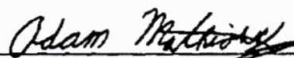
- 1) SW ¼ NE ¼ Sec 22; 2,594 ft. south and 3,953 ft. east; 42.77232° N, 96.96852° W
- 2) SW ¼ NW ¼ Sec 22; 1,946 ft. south and 920 ft. east; 42.77393° N, 96.80002° W
- 3) NW ¼ SE ¼ Sec 21; 3,259 ft. south and 2,534 ft. west; 42.77025° N, 96.99263° W

The works are capable of diverting and conveying to the place of use 6.69 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

<u>East System</u>	<u>Middle System</u>	<u>West System</u>
<u>Sec 22 T92N-R52W</u>	<u>T92N-R52W</u>	<u>Sec 21 T92N-R52W</u>
NW¼ NE¼-1.2 ac	NE¼ NE¼ Sec 21-14.7 ac	SW¼ NW¼-4.4 ac
NE¼ NE¼-1 ac	SE¼ NE¼ Sec 21-29.7 ac	SE¼ NW¼-36.3 ac
SW¼ NE¼-36.1 ac	NE¼ SE¼ Sec 21-11.8 ac	SW¼ NE¼-35.4 ac
SE¼ NE¼-35.9 ac	NW¼ NW¼ Sec 22-36.7 ac	SE¼ NE¼-7.3 ac
NW¼ SE¼-32.9 ac	NE¼ NW¼ Sec 22-28.8 ac	NW¼ SW¼-14.2 ac
NE¼ SE¼-31.3 ac	NW¼ NE¼ Sec 22-0.3 ac	NE¼ SW¼-40 ac
	SW¼ NW¼ Sec 22-40 ac	NW¼ SE¼-40 ac
	SE¼ NW¼ Sec 22-40 ac	NE¼ SE¼-21.5 ac
	SW¼ NE¼ Sec 22-2.5 ac	SW¼ SW¼-1.9 ac
	NW¼ SW¼ Sec 22-34.9 ac	SE¼ SW¼-27.7 ac
	NE¼ SW¼ Sec 22-25.1 ac	SW¼ SE¼ -32.1 ac
		SE¼ SE¼-6.9 ac

comprising a total of 670.6 acres of land and the license should be issued for 6.69 cfs. Applicable permit qualifications have been complied with Yes. Exceptions to compliance are: none.

Date: August 23, 2012


Adam Mathiowetz
Natural Resources Engineer
DENR Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 6804-3

DATE: 7/24/12

Other permit(s) associated with the project:

DIVERIONS POINT LEGAL LOCATION: All measurements made from the NW corner of Sec 22 T92N-R52W and all wells are in T92N-R52W:

- 1) SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 22; 2,594 ft. south and 3,953 ft. east
- 2) SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 22; 1,946 ft. south and 920 ft. east
- 3) NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 21; 3,259 ft. south and 2,534 ft. west

WELL INFORMATION:

- 1) Well Drilling Firm: West and East Wells: Empire Irrigation Drilling Company, Center Well: Hammond-Wetmore Drilling
- 2) No. of Wells 3
- 3) Depth(s) feet West: 89 ft., Center: 90 ft., East: 100 ft.
- 4) Well Log is available Y/N Only for the Center well
- 5) Comments:

Casing:

The wells at the West and East Pivots are the wells that were there during the licensing of 2315-3. The Center well is the replacement well that has a well log in the Water Right file.

	West Pivot	Center Pivot	East Pivot
Diameter (in)	18	16	18
Length (ft.)	89	72	100
Type	Concrete	PVC	Concrete

Screen:

	West Pivot	Center Pivot	East Pivot
Type	Unknown	PVC	Unknown
Length (ft.)	20		
Static Water Level (ft.)	20		

Pump:

All three pumps are turbine pumps

Motor:

	West Pivot	Center Pivot	East Pivot
Make	U.S. Electric	U.S. Electric	U.S. Electric
Model No.	405 TPWPI	BF6B	BF6B
Horsepower Rating	125	100	100

DISTRIBUTION LINES OR CANALS:

- 1) Type: PVC Mainline
- 2) Size (inches): 12 inch
- 3) Length (feet): West: 15-20 ft., Center: 20-25 ft., East: 15-20 ft.

SYSTEM TYPE:**Center pivot:**

	West Pivot	Center Pivot	East Pivot
Make	Valley	Valley	Valley
Overall Length (ft.)	1829	1829	1294
# of Towers	10	10	7
Distance between towers (ft.)	203	203	215
End Gun (Y/N)	Y	Y	Y
High or Low Pressure	Low	Low	Low
Capacity (GPM)	1000	1000	1000

Gun:

Not Applicable

Towline:

Not Applicable

Sideroll:

Not Applicable

Siphons:

Not Applicable

DAM INFORMATION:

Not Applicable



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: KYLE JENSEN, 31582 454TH AVE, MECKLING, SD 57044

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6804A-3, 6804C-3, 7621-3, 7622-3 & 7847-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6804A-3, 6805C-3, 7621-3, 7622-3 & 7847-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** 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) 6804A-3, 6804C-3, 7621-3, 7622-3 & 7847-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** 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: <https://danr.sd.gov/iq> using this password: JGLBJY**

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 AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 1, 2023

Kyle Jensen
31582 454th Ave
Meckling SD 57044

RE: Water Permit or Right Nos. 6804A-3, 6804C-3, 7621-3, 7622-3 and 7847-3

Dear Mr. Jensen:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Permit or Right Nos. 6804A-3, 6804C-3, 7621-3, 7622-3 and 7847-3. 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
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

Note: I still have not received the ownership changes from Mrs. Heine in Centralia WA. I have sent a couple letters to her with transfer forms and postage paid envelopes and have not received any response. The water rights are still listed under Daniel Heine (7847-3 & 6804A-3).



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 19, 2024

NOTICE

TO: KYLE JENSEN, 31582 454TH AVE, MECKLING, SD 57069

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4628-3, 6601-3, 6804A-3, 6804C-3, 7621-3, 7622-3 & 7847-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4628-3, 6601-3, 6804A-3, 6804C-3, 7621-3, 7622-3 & 7847-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 at 9:30 am (Central Time)** 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) 4628-3, 6601-3, 6804A-3, 6804C-3, 7621-3, 7622-3 & 7847-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2024** 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: LPJCAM**

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 AGRICULTURE
and NATURAL RESOURCES**

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

February 2, 2024

4628-3, 6601-3, 6804A-3
6804C-3, 7621-3, 7622-3 & 7847-3

Kyle Jensen
31582 454th Ave
Meckling SD 57069

Dear Mr. Jensen:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 4628-3, 6601-3, 6804A-3, 6804C-3, 7621-3, 7622-3 & 7847-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

cc: DANIEL HEINE, 3213-6 ZENKNER VALLEY RD, CENTRALIA WA 98531

6804C-3

PAID

AUG 02 2024

NOTICE OF TRANSFER OF OWNERSHIP

Ck# 4345

For assistance call (605) 773-3352

Rec't#

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 6804C-3

Date: 7-31-24

I/We request that Water Right/Permit No. 6804C-3 formerly owned by:

Kyle Jensen

be transferred to:

New Owner Name: Scott Heine
Address: 56368 886 Rd mobile: 402-640-1999
City, State, Zip: Havlington, NE 68139 email:

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

Jensen Tract 1 in the NE 1/4 of the NW 1/4, and in government lots 1, 2 and 3, and in Lot "A" to Section 22, Township 92 North, Range 52 West of the 5th P.M., Clay County, South Dakota.

* called Scott to discuss legals + compare to LC 6804C-3. He confirmed that they were the same legals as the property he purchased AD

☒ I understand that the validity of Water Right/Permit No. 6804C-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Scott Heine, 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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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.

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date August 13th, 2024

RECEIVED OF Scott & Jennifer Heine

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 #6804C-3	\$50.00
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	\$50.00

By Eric Gronlund
Chief Engineer

SK



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 13, 2024

6804C-3

Scott Heine
56368 886th Rd
Harlington NE 68739

Dear Mr. Heine:

I have received your "Notice of Transfer of Ownership" form and the required fees. Enclosed is a receipt of payment for your records, along with a copy of License No. 6804C-3.

Water Right No. 6804C-3 previously owned by Kyle Jensen is now listed under yourself. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Water Right, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the water right will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: SCOTT HEINE, 56368 886TH RD, HARLINGTON, NE 67839

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6804C-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6804C-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** 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) 6804C-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, 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 Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: PGFXIN**

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 AGRICULTURE
and NATURAL RESOURCES**

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

February 20, 2025

6804C-3

Scott Heine
56368 886th Rd
Harlington NE 67839

Dear Mr. Heine:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 6804C-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us