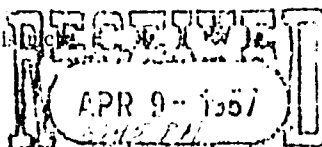


1. Considered Aug 15, 1957
2. Name of Applicant Edward E. Wilson & Son #296
3. Post Office Address Holla Fenchle, S. Dak.
4. Amount of water claimed 4.5 cfs
5. Source of water supply Holla Fenchle River
6. Water to be used for Timothy
Acres to be irrigated 319
7. Water to be diverted and used in Butte County about
5 miles west of Butte.
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to _____
Not approved ☐
Action deferred ☐
10. Remarks:

No. 296-1

Water Division No. 1 Belle Fourche River DISTRICT 1
(Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable.) 3500 1-24-72
ROBERT L. HELMER

1. Name of applicant Edward E. Wilson & Son

Postoffice address Belle Fourche, County Butte, State So. Dak.

I. If a corporation X X X X

(a) Name of same X X X X

(b) Date and place of incorporation X X X X

(c) Amount of capital stock X X X X

(d) Amount paid in X X X X

(e) Names and addresses of directors X X X X

(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)

X X X X

(b) Cash on hand, \$ X X

(c) Treasury stock, \$ X X

(d) Bonds to be issued, \$ X X

(e) Other resources, \$ X X

2. Name of diversion work Edward E. Wilson & Son Irrigation Project

3. Amount of water claimed 4.5 cubic feet per second

Source of water supply Belle Fourche River

Location of point of diversion From a point S 53° 30' E 372 ft. from the N 1/4 cor. Sec. 3 to a point 50 ft. W of the SE Cor, Sec. 3 T 8N, R. 3 E on both banks

6. Annual period or periods during which water is to be used April 1st thru Nov. 15th

7. To be used for:

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

(a) Number of acres to be irrigated 319 acres.

SW 1/4 - NW 1/4 - 7 Ac., NW 1/4 - SW 1/4 - 37 Ac., SW 1/4 - SW 1/4 - 37 Ac., Sec. 2
NW 1/4 - NE 1/4 - 37 Ac., SW 1/4 - NE 1/4 - 33 Ac., SE 1/4 - NE 1/4 - 35 Ac., NE 1/4 - NE 1/4 - 14 Ac., NW 1/4 - SE 1/4 - 30 Ac.,
NE 1/4 - SE 1/4 - 39 Ac., SW 1/4 - SE 1/4 - 31 Ac., SE 1/4 - SE 1/4 - 29 Ac. Sec. 3, T. 8 N., R. 3 E. BHM
Total irrigable 319 Ac.

(a) Nature of use None
Name any of the above uses claimed

(b) Amount of power to be generated None horse power.

Amount claimed for engine cooling None

(c) Location of plant XXXXXXXXXXXXXXXXXXXX

(d) Method of developing power None

(e) Point where water will be returned to stream Thru percolation

Map No. 249-1

DATE MICROFILMED

1. The first group of people who are interested in the study of the history of the United States are the people who are interested in the history of the United States.

Approx. 2500.00

300.00

7817.00

[illegible]

(d) Canal: Total length 1 1/2 miles.

[illegible]

10. Time required for completion of work _____ 2 _____ years.

11. Time required for complete application of water to the proposed beneficial use 1 years.

STATE OF SOUTH DAKOTA

I, Edwin E. Wilson & Son-----, 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 Richard A. Wilson

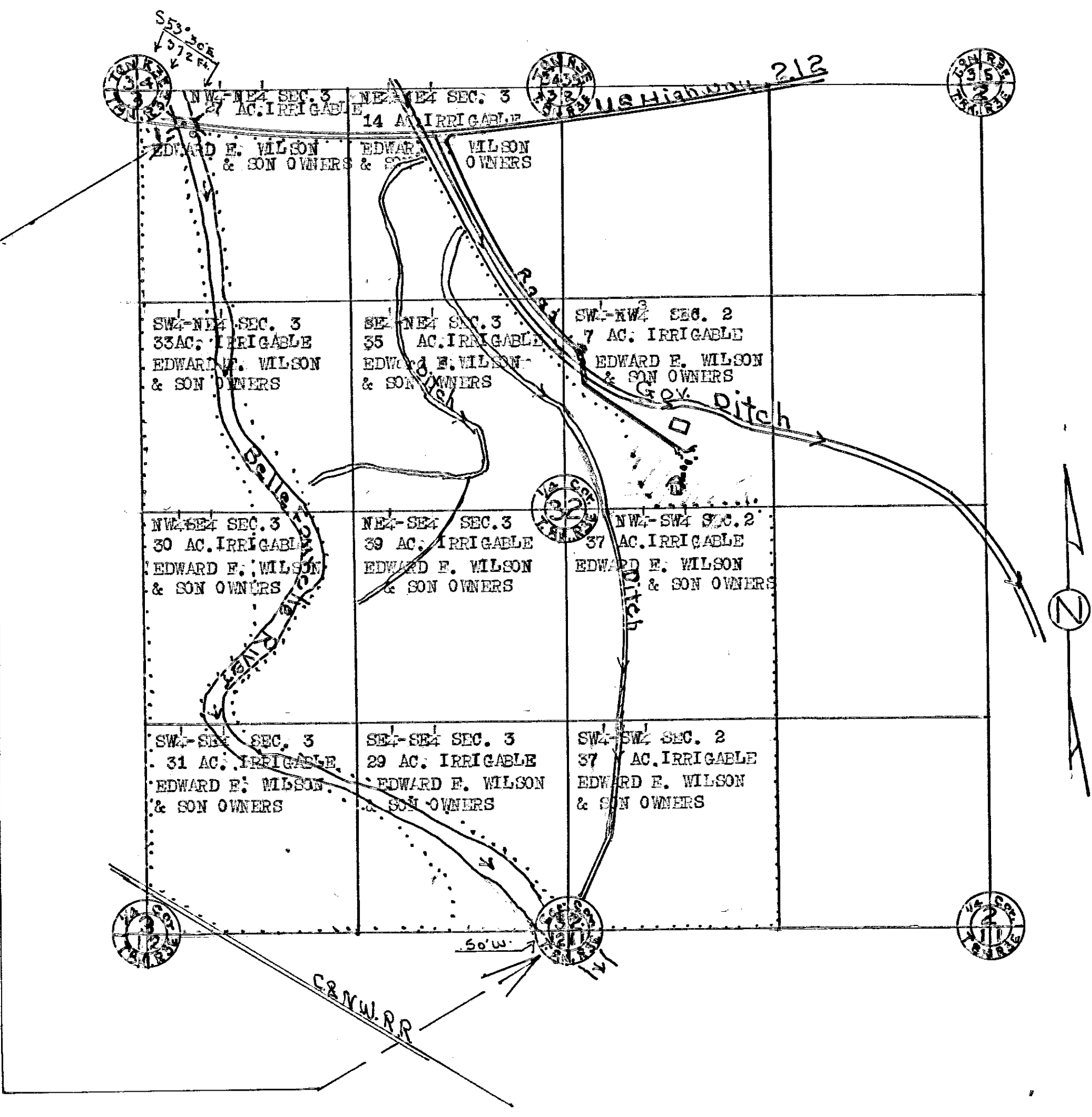
Subscribed and sworn to before me this 1st day of April, 1957.

Carl M. Cornell

* Each diversion must have a headgate or measuring device.

PLAT
OF THE
EDWARD E. WILSON & SON IRRIGATION PROJECT,
SECTIONS 2 & 3, T.8N., R.3E-BHM.,
BUTTE COUNTY, SOUTH DAKOTA.

SCALE-1 INCH=660 FT.



POINT OF DIVERSION
BETWEEN A POINT S 53° 30' E 272 FEET FROM
THE NORTH 1/4 CORNER OF SEC. 3 AND A POINT
50 FEET WEST OF THE SE CORNER OF SAID SEC. 3,
T.8N., R.3E-BHM. ON BOTH SIDES OF THE BELLE
FOURCHE RIVER IN BUTTE COUNTY, SOUTH DAKOTA.

CERTIFICATE
I, CARL M. CORNELL, LICENSED SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA,
DO HEREBY CERTIFY THAT, AT THE REQUEST OF EDWARD E. WILSON & SON OF BELLE FOURCHE,
BUTTE COUNTY, SOUTH DAKOTA I HAVE MADE A SURVEY OF AND PREPARED THIS MAP SHOWING
THE IRRIGABLE AREAS IN THE SEVERAL LEGAL SUBDIVISIONS BELONGING TO THE ABOVE NAMED
OWNERS AND THAT THIS MAP IS PREPARED FOR THE PURPOSE OF FURNISHING THE REQUIRED
INFORMATION FOR THEIR APPLICATION FOR A PERMIT TO APPROPRIATE 4.5 SECOND FEET OF
WATER FROM THE BELLE FOURCHE RIVER.
I FURTHER CERTIFY THAT THE BEARINGS AND LENGTHS OF ALL LINES SHOWN ARE CORRECT
TO THE BEST OF MY KNOWLEDGE AND BELIEF.
SUBSCRIBED AND SWORN TO AT BUFFALO, SOUTH DAKOTA THIS 5TH DAY OF APRIL 1967.
CARL M. CORNELL, LICENSED SURVEYOR
144 (SEAL)
SUBSCRIBED AND SWORN TO BEFORE ME AT BUFFALO, SOUTH DAKOTA THIS 5TH DAY OF APRIL
1967:
Eleanor Lindholm
NOTARY PUBLIC (SEAL)

STATE OF SOUTH DAKOTA

County of

Hughes

}

Pierre, South Dakota.

April 12, 1957This is to certify that the foregoing application was received by the Commission at 3:45 o'clockP m upon the 9 day of April, 1957

State Water Resources Commission

By:

J. W. Rimes

Chief Engineer, Executive Officer

Number of permit 296-1Date of first receipt of application April 9, 1957

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right April 9, 1957Approved May 15, 1957, Recorded in Book 4 Page 94

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 _____

May 15, 19582nd. The whole of said work is to be completed on or before May 15, 1959

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

May 15, 19604th. The water appropriated shall be used for the 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 4.50 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 May 15, 1960; said water to be used during the following described annual period:

April to November inclusiveWitness my hand this 19 day of June, 1957

State Water Resources Commission

By:

J. W. Rimes

Chief Engineer, Executive Officer

Certificate of Construction Issued

March 10, 1964

Water License Issued

March 10, 1964

STATE OF SOUTH DAKOTA

WATER LICENSE No. 296-1

WHEREAS, On the 9th day of April A. D. 1957

Edward E. Wilson and Son

of Belle Fourche County of Butte and State of South Dakota duly made application (No. 296-1) to us for a permit to use 4.50 cubic feet per second of the waters of the Belle Fourche River County of Butte, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 19th day of June A. D. 1957 Permit No. 296-1 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 15th day of May 62 A. D. 1962 and for the application to beneficial use of said water on or before the 21st day of September 63 A. D. 1963 and,

WHEREAS, On the 20th day of February A. D. 1964 the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.5 cubic feet per second of said waters, as evidenced by our Certificate No. 296-1 dated March 10, 1964 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.5 cubic feet per second of water, with date of priority of April 9, 1957 and,

WHEREAS, On the 3rd day of October A. D. 1963 proof was duly made of the application to beneficial use of 2.5 cubic feet per second of said water; for irrigating 179 acres in portions of Sections 2 and 3, T8N, R3E

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 Edward E. Wilson & Son
of Belle Fourche the holder and owner of said permit No. 296-1
a water right, dating from April 9, 1957 to the use of 2.5
cubic feet per second of the waters of the Belle Fourche River
in the County of Butte and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted ~~xxx~~ between a point S53° 30'E,
372 ft. from the N¹ corner, Section 3, and a point 50'W of the SE corner, Section 3,
T8N, R3E
and conducted to and upon 179 acres in portions of Sections 2 and 3, T8N, R3E

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 10th day of March A. D. Nineteen
Hundred and Sixty-Four

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

STATE OF SOUTH DAKOTA	
Water License No. _____	
To _____	

Source of Supply _____	

County _____	
Am't _____ c. f. s.	
Point of Diversion _____	

Place of Use _____	

Purpose _____	

Date of Priority _____	
Recorded _____	
In Book _____ of _____ Page _____	

Permit No. 296-1Water Division No. 1 Belle Fourche River
Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Edward E. Wilson and Son

of Belle Fourche, County of Butte, and State of
South Dakota, the holder of Permit No. 296-1, issued upon Application
 No. 296-1, bearing date of priority of April 9, 1957, authorizing the diversion of
4.50 cu. ft. per second of the waters of the Belle Fourche River
 County of Butte, State of South Dakota, ~~at~~ between a point S53°30'E,
372 ft. from the N $\frac{1}{2}$ corner, Section 3, and a point 50' W of the SE corner, Section 3,
T8N, R3E, 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 2.5 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 T8N, R3E

Section 2	NW $\frac{1}{4}$ SW $\frac{1}{4}$	10 acres
-----------	-----------------------------------	----------

	SW $\frac{1}{4}$ SW $\frac{1}{4}$	7 "
--	-----------------------------------	-----

Section 3	NW $\frac{1}{4}$ NE $\frac{1}{4}$	19 "
-----------	-----------------------------------	------

	NE $\frac{1}{4}$ NE $\frac{1}{4}$	14 "
--	-----------------------------------	------

	SW $\frac{1}{4}$ NE $\frac{1}{4}$	18 "
--	-----------------------------------	------

	SE $\frac{1}{4}$ NE $\frac{1}{4}$	30 "
--	-----------------------------------	------

	NW $\frac{1}{4}$ SE $\frac{1}{4}$	14 "
--	-----------------------------------	------

	NE $\frac{1}{4}$ SE $\frac{1}{4}$	39 "
--	-----------------------------------	------

	SW $\frac{1}{4}$ SE $\frac{1}{4}$	3 "
--	-----------------------------------	-----

	SE $\frac{1}{4}$ SE $\frac{1}{4}$	25 "
--	-----------------------------------	------

Total	-	179 "
-------	---	-------

Witness my hand this 10th day of March, A. D. 1964

State Water Resources Commission

By: J. W. ORMES
 Chief Engineer, Executive Officer

ORIGINAL RECORD AND THIS PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORD WAS IN A PERMANENT
 LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORD WAS IN A PERMANENT
 AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC
 REPRODUCTIONS. REDUCTION: 25X POLL NO. #4
 DATE MICROFILMED: 3-8-82
 BY: Larry H. Hagg
 LARRY H. HAGG
 LIAISON DIRECTOR

Permit No. 296-1

Water Division No. _____

Water District _____

1964

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 9/4/63

I have this day made a thorough examination of the diversion works constructed by _____

Edward E. Wilson & Son, of Pella, Iowa,Butte County, South Dakota, holder of Permit No. 296-1, issuedupon Application No. _____, bearing date of priority of April 5th, 1957, authorizing thediversion of 4.5 cu. ft. per second of the waters of Pella, Iowa River Irrigation

purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 2 miles of ditch with necessary pump and
flume. (Pump out for repairs or replacement.)

and the system is in the following condition: All parts of system required to supply
water to the following described tracts are in good condition, with
the exception of the pumping unit, which was being repaired or replaced.

The point of diversion is located S. 53° 30' E 372' from the N. 1/4 Cor. Sec. 3, T. 8 N.,R. 3 E. 5th on the left (East) bank

The works are capable of diverting and conveying to the place of use 2.5 cu. ft. per second of water,
 which is to be used for irrigation

The legal sub-divisions to be irrigated are: <u>NE-NE; 19 ac., NE-NE; 14 ac., SW-NE-18 ac.,</u>	
<u>SE-NE; 30 ac., NW-SF-14 ac., NE-E-39 ac., SW-SF-3 ac., SE-SF-25 ac.</u>	
<u>Sec. 3, T. 8 N., R. 3 E. 5th</u>	<u>Total 162 ac.</u>
<u>NW-SW-10 ac., SW-SW-7 ac., Sec. 3, T. 8 N., R. 3 E. 5th</u>	<u>Total 17 ac.</u>
<u>Grand Total</u>	<u>179 ac.</u>

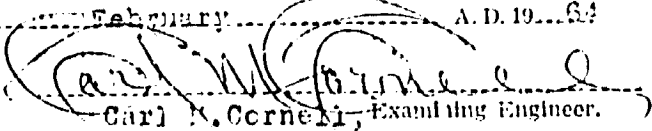
The original project has been reduced 140 acres by applicants failure
 to put water on the west side of compass and total of _____ acres of land.

The domestic use intended comprises None

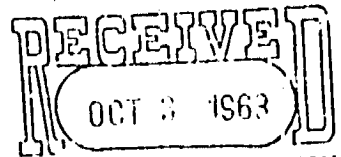
The utilization for power, mining, or other beneficial uses comprises: _____

NoneWitness my hand, this 20th day of _____FebruaryA. D. 1964

-SEAL-


 Carl N. Corneli, Examining Engineer.

Buffalo, So. Dak.

Location No. 29A-1
 Water Division No. _____ Water District _____
 STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

 Ans. Edwin E. Wilson, Son, (-Victor E. Wilson-)

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State date of posting and date of recording notice of appropriation.

 Ans. April 9th, 1957

Ques. 4. State source of water supply and give exact location of point of diversion.

 Ans. Belle Fourche River ; Between a point S. 53° 30' E. 372' from the N 1/4 Cor. Sec. 3 and a point W 50' from the SE Cor. said Sec. 3, T. 8 N., R. 3 E-BHM (Both banks)

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

 Ans. Construction Machinery 8" D.P. pump with 10" pipe (70') to ditch
K-122 International Engine. also 1 Hercules JXC-4 cyl. Gas motor with Rain Master GS 4 1/2" 40 pump, trailer mtd. (Cap. @ 100 PSI-500 GPM)
500 GPM @ 85 PSI
760' 3" main line (aluminum), 720' 5" sprinkler line, 760' 4" do.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

<u>NW-NE-19 ac., NE-NE-14 ac., SW-NE-18 ac., SE-NE-30 ac., NW-SE-14 ac.</u> <u>NE-SE-39 ac., SW-SE-3 ac., SE-SE-25 ac., Sec. 3, T. 8 N., R. 3 E-BHM Total</u>	<u>163 ac</u>
<u>NW-SW-10 ac., SW-SW-7 ac., Sec. 2, T. 8 N., R. 3 E-BHM</u>	<u>Total 17 ac</u>
<u>Grand total 179 ac</u>	

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the use specified above?

 Ans. 2.5 Sec. Ft./

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. Have irrigated the area described herein every irrigation
season since time of first application for a permit in 1957,
except the year 1963, when the Belle Fourche Irrigation Project
supplied the necessary water for irrigation.

(Sign) E. L. ...

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Belle Fourche, County of Butte

State of South Dakota, on this 21st day of September A. D. 1963

CARL M. CORNELL
Notary Public, Harding Co., S. D.
My commission expires April 13, 1967

Witnesses.

Carl M. Cornell,
Notary Public.

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

CARL M. CORNELL
Notary Public, Harding Co., S. D.
My commission expires April 13, 1967

W. H. ...

Location No. _____

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

County _____

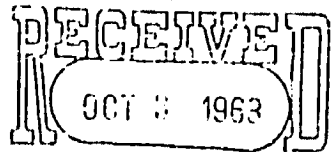
Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

Permit No. 296-1.



Water Division No. _____

STATE WATER RESOURCES COMM.
Water District PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Belle Fourche, Butte Co. So. Dak.

(Date) Sept. 21, 1963

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____

2.5 _____ cu. ft. per second of the waters of the state from Belle
Fourche River
through the Edward E. Wilson & Son Irrigation Project
for Irrigation _____ purposes

_____ in accordance with the terms and con-
ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Edwin E. Wilson & Son.

2. The postoffice address of such person or the place of business of such corporation is Belle Fourche
County of Butte State of So. Dakota

3. The number of such permit is 296-1 and the date set for the completion of such work is
May 15th, 1960

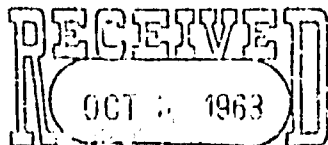
4. Said water to be used for irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of
water which said works are capable of conducting to the place of intended use, in accordance with the plans ac-
companying the application for such permit, is 3.5 _____ cubic feet per second.

6. The amount of land for which said water is available is 250 ac. _____ acres,
NW-NE-19 ac., NE-NE-14 ac., SW-NE-18 ac., SE-NE-30 ac., NW-SE-14 ac.,
particularly described as follows: NE-SE-39 ac., SW-SE-3 ac., SE-SF-25 ac. Sec. 3, T. 8 N., R. 3E
NW-SW-10 ac., SW-SW-7 ac. Sec. 2, T. 8 N., R. 3 E-3RM Total 163 ac.
Grand total 179 ac.

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners) _____



Permit No. 296-1

Water Division No. Water District

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Belle Fourche, Butte Co., So. Dak.

(Date) Sept. 21, 1963

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 22nd day of Sept. 1963, at Belle Fourche County of Butte State of South Dakota, before Carl M. Cornell (Examining Engineer or Officer) proof will be submitted of the application to beneficial use of 2.5 cubic feet per second of the waters of Belle Fourche River in accordance with the terms and conditions of Permit No. 296-1 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are

Edwin E. Wilson & Son (Victor E. Wilson)

2. The use to which said water has been applied is Irrigation

3. The amount applied to beneficial use is 2.5 Sec. 2.

4. The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated) NW-NE-19 ac., NE-NE-14 ac., SW-NE-18 ac., SE-NE-30 ac., NW-SE 14 ac., NE-SE-39 ac., SW-SE 3 ac., SE-SE-25 ac., Sec. 3, T.8 N., R.3 E-BHM Total - 162 ac.
NW-SW-10 ac., SW-SW-7 ac., Sec. 2, T.8 N., R.3 E-BHM Total 17 ac.
Grand Total 179 ac.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is The Wilson ditch

6. The right to take the water from such works is based upon permit No. 296-1

7. The source of supply from which such water is diverted is Belle Fourche River

8. The date of priority which said user is prepared to establish is April 9, 1957.

Will you please appoint Carl M. Cornell
of Buffalo, So. Dak. to make my final
examination of this project.

(Sign) E. E. Wilson

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Butte }

No. 296-1

APPROPRIATION OF WATER

Office of State Water Resources Commission,
Pierre, S. Dak., April 12, 1957

Notice is hereby given that Edward E. Wilson and Son whose postoffice address is Belle Fourche, 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 4.5 cubic feet of water per second of time from the Belle Fourche River through the Edward E. Wilson & Son Irrigation Project, the point of diversion of which is to be located on both banks of said stream between a point in the NE $\frac{1}{4}$, Sec. 3, T8 N, R 3E and a point in the SE $\frac{1}{4}$ of Section 3 Twp 8N Range 3E. Said water to be used for the purpose of providing irrigation on the following described land: NE $\frac{1}{4}$ and SE $\frac{1}{4}$ Sec. 3; NW $\frac{1}{4}$ and SW $\frac{1}{4}$, Sec. 2, T8 N, R 3E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of May, 1957, at 2:00 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: J. W. GRIMES,
Chief Engineer,
Executive Officer
B40 A-18-25 M2-9

Laurence Wept being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Belle Fourche Post a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the _____ city _____ of Belle Fourche, _____ County of _____

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

April 18 1957April 25, 1957May 2, 1957May 9, 1957

in each and every issue of the full number thereof, the first publication being made on the 18th day of April

1957 and the last publication on the 9th day of _____

May 1957, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was Publisher the printer and publisher of the said newspaper.

Laurence Wept

Subscribed and sworn to before me this 18th day of April A. D. 1957.

Notary Public Butte County, S. D.

Notary Public, State of S. D.
My Commission Expires Sept. 27, 1958

APPLICATION FOR EXTENSION OF TIME FOR COMPLETING WORKS

To the State Water Resources Commission
Pierre, South Dakota

Sept. 21, 1963
(date)

Dear Sirs:

I hereby request that an extension of time from May 15th, 1960
to Nov. 1st, 1963 be granted me for the completion of works to be done under Permit No.
296-1 and that the time for proof of beneficial use of water be extended to Sept. 21, 1963

Said works are located in Butte County and are described
as follows: Between a point S 53°30' E 372' from the N. 1/4 Cor. Sec. 3 and a
point 50' west of the SE Cor. said Sec 3, T.8 N., R.3 E-BHM in Butte Co. So. Dak.

Location of headworks: In the NW 1/4 of the NE 1/4
of Section 3 Township 8 N., R.3 E-BHM Range
E., B.H.M.

The water is to be used for the purpose of irrigation

The extension of time for the completion of these works is requested for the following reason:
Operator failed to note the requirements of the regulations out waited
to receive a notice of final proof time.

APPROVED: 11-6-63

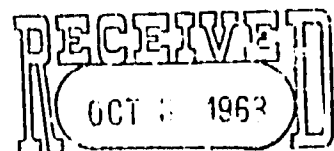
State Water Resources Commission

By: [Signature]

Chief Engineer, Executive Officer

Edward E. Wilson

Holder of Permit No. 296-1



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

NOTICE OF TRANSFER OF WATER PERMIT

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

Date January 19, 1972

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

Portions of Sections 2 and 3, T8N, R3E, described in Water Permit No. 296-1

formerly owned by Victor E. Wilson, Belle Fourche, S.D.

has been transferred to Robert L. Helmer, Belle Fourche, S.D.

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 296-1 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA

County of Butte

ss.

Robert L. Helmer 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.

(Signed)

Suscribed and sworn to before me this 20

day of Jan

19 72

(Notary Public)

MY COMMISSION EXPIRES FEB 16, 1976

JAN 24 1972



Department of Water & Natural Resources

Joe Foss Building

Water Rights Division (605) 773-3352

Pierre, South Dakota 57501

June 10, 1981

Robert Helmer
Box 696
Belle Fourche, SD 57717

Mr. Helmer:

The rules adopted by the Water Management Board for establishing a water use control area on the Belle Fourche River, Whitewood Creek and Owl Creek requires that the water right holder be assessed a fee of ten dollars for each cubic foot per second or portion thereof of the diversion capability of the diversion works plus twenty-five cents for each acre irrigated as shown by the water rights of record in the Division of Water Rights. These fees are required to be paid to the Division of Water Rights by July 1, 1981.

Permits for which fees have not been paid by July 1, 1981 shall be refused the right to divert water for the remainder of the year. The fees paid will be used to defray the costs of providing water master services within the water use control area. The following is a tabulation of your assessment.

<u>Permit No.</u>	<u>Diversion Rate</u>	<u>Acreage</u>	<u>Fee</u>
296-1	2.5 cfs	179 ac	\$74.75
TOTAL			\$74.75

Please make check or money order payable to the Dept. of Water and Natural Resources and send to the Division of Water Rights, Joe Foss Building, Pierre, SD 57501.

If you have any questions, do not hesitate to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/JW/gy

Equal Opportunity Employer

RECEIPT
WATER RIGHTS COMMISSION
State of South Dakota

No 4 8305

June 22, 1931
PIERRE,

RECEIVED OF Robert L. Helmer, Box 696, Belle Fourche, SD 57717

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

Fee for Application for Permit to Appropriate Water No. (examinator, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		7.75
Fee for water master services on Wks 296-1 (any other work as provided by law)		
TOTAL		7.75

WATER RIGHTS COMMISSION
(*John Hatch*)
by _____
Chief Engineer, Executive Officer
JOHN HATCH /ct/

296-1

Belle Fourche River and Tributaries
Water Use Control Area
Financial Report
1981

Summary of Receipts and Expenditures
June, 1981 - July, 1981

	<u>Receipts</u>	<u>Disbursements</u>	<u>Balance</u>
Collections (Water User's fees)	\$7,379.37	\$	\$
Watermaster (Salary and Mileage)		2,028.62	5,350.75
	<u>\$7,379.37</u>	<u>\$2,028.62</u>	<u>\$5,350.75</u>

Detailed Report of Receipts

No.	Name	<u>Diversion Rate</u>	<u>Acreage</u>	<u>Receipts (total fee)</u>	<u>Amount Returned</u>
789-1	Louis Budmayr	0.90	95.50	\$ 34.00	\$ 30.10
429-1	Ed Brunner & Son	1.43	106.00	46.50	41.16
429-1A	Mel Pittman	1.07	79.00	40.00	35.41
506-1	Bob Bartels	.23	17.00	14.25	12.61
892-1	Bob Bartels	1.00	70.00	27.50	24.34
417-1A	Quinten & Karen Watson	.53	78.00	29.50	26.11
417-1B	Clarence Anderson	1.43	206.00	64.00	56.65
417-1	Mrs. Eddie(Vivian)Anderson	1.15	69.00	69.50	61.52
531-1	Ruby Dillinger	1.27	89.29	42.50	37.62
1162-1	Charles & Dorothy Shaykett	4.61	324.70	131.00	115.96
1210-1	Charles & Dorothy Shaykett	1.80	128.30	52.00	46.03
1132-1	Ezra Pauley	4.00	285.00	111.25	98.48
1204-1	Art Heitz, Jr.	2.19	153.00	68.25	60.41
1205-1	Harlan K Schnell	1.88	132.00	53.00	46.91
1215-1	H L & Mildred Brunner	3.00	264.50	96.12	85.08
418-1	Alex Miller	1.67	117.00	49.25	43.59
1213-1	Robert W Grant	1.43	100.00	45.00	39.83
419-1	Herman Stark	2.50	179.00	74.75	66.17
421-1	Lee Dutton	2.50	175.00	73.75	65.28
1049-1	Thorval Jensen	1.47	103.00	45.75	40.50
1122-1	Thorval Jensen	4.88	324.14	135.75	120.16
1160-1	Thorval Jensen	1.90	133.49	53.50	47.36
1029-1	Homestake Mining	1.39	97.00	44.25	39.17
910-1	Donald Halbmaier	2.50	175.00	73.75	65.28
1165-1	Tom Bowen	2.85	200.00	80.00	70.81
722-1	Edith Anderson & Tom Bowen	2.80	196.00	79.00	69.93
1148-1	Homestake Mining	13.50	948.00	377.00	333.71
430-1	Gerald Wetz	1.65	116.00	49.00	43.37
432-1	Roy Casteel	4.30	307.00	126.75	112.20
414-1	Mary Ann Schummer	3.40	239.00	99.75	88.30
411-1	Edward Poss	5.11	452.00	173.00	153.13
440-1	David A Richards	5.30	416.00	154.00	136.32
1149-1	Homestake Mining	3.20	216.00	95.50	85.42
1150-1	Homestake Mining	7.60	534.00	213.50	183.98
437-1	McNenny Ranch Inc.	5.90	418.00	164.50	145.61
1151-1	Homestake Mining	5.50	390.00	157.50	139.41
821-1	George Levin & Sons	7.00	490.00	192.50	170.40
1136-1	George Levin & Sons	3.07	215.00	93.75	82.98

Detailed Report of Receipts Cont.

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
1152-1	Homestake Mining	6.60	452.00	\$ 185.50	\$ 164.20
449-1	George Wurnig	5.00	365.00	171.25	151.59
1153-1	Homestake Mining	6.10	428.00	177.00	156.68
311-1	Lester Clark	16.61	1,163.60	461.00	408.06
310-1	Lester Clark	6.76	473.20	188.50	166.85
248-1	Lawrence Burke	0.90	64.00	26.00	23.01
1077-1	Charles M Arneson	1.44	131.00	52.75	46.69
155-1	Trigg Ranches Inc.	4.30	301.00	275.00	243.42
122-1	Trigg Ranches Inc.	3.75	263.00		
1146-1	Trigg Ranches Inc.	1.89	336.00		
928-1	Charles Wennberg	2.20	155.00	68.75	60.86
912-1	Gilbert Alan	1.46	101.80	45.50	40.28
926-1	Donald Berger	2.04	143.00	65.75	58.20
1176-1	Arthur J Odekoven	2.30	163.00	70.75	62.63
1190-1	Neil Shuck	3.53	247.00	101.75	90.07
611-1	Alex Miller	3.35	235.00	98.75	87.41
569-1	Ramona McFarland	0.97	68.00	27.00	23.90
870-1	Eugene C Bishop	0.70	49.00	22.25	19.70
401-1	Kenneth & Dorothy Aker	1.88	132.00	53.00	46.91
135-1	Walter Hoffman	3.11	220.00	95.00	84.09
408-1	James A Mickelson	3.10	218.00	94.50	83.65
469-1	Raymond Garness	1.30	91.00	42.75	37.84
1218-1	William Dillinger	.40	42.70	20.75	18.37
1222-1	John Ismay (Norman)	1.11	79.00	39.75	35.19
1154-1	Homestake Mining	4.50	319.00	129.75	114.85
285-1	Edgar Colin Smart	1.42	150.00	67.50	---
331-1	Anna Stetta (Louis Sudmayr)	1.87	131.00	52.75	---
472-1	Timothy Reich	2.00	167.84	62.00	---
275-1	John Durr	1.90	133.00	53.25	---
271-1	Herbert Clarkson	.06	43.00	20.75	---
296-1	Robert Helmer	2.50	175.00	74.75	---
308-1	Lewis Bertolotto	.64	45.00	21.25	---
282-1	James Jeffrey	1.05	73.70	38.50	---
1182-1	George Leach	1.60	108.00	47.00	---
228-1	Thornton Vallery	.72	54.17	23.75	---
290-1	Thornton Vallery	5.50	386.00	156.50	---
264-1	Thornton Vallery	.22	15.30	14.00	---
321-1	Clarence & Lawrence Foos	1.64	115.00	48.75	---
962-1	Ione A Shevling	3.00	251.00	92.75	---
960-1	Thornton & Gwenivere Vallery	.50	35.00	18.75	---
289-1	Thornton & Gwenivere Vallery	1.02	75.00	38.75	---
273-1	Ruben & Esther Kling	.46	32.60	18.25	---
273-1A	Ruben & Esther Kling	1.54	108.40	47.25	---
1177-1	Ruben & Esther Kling	3.30	231.00	97.75	---
416-1	Creta & Leslie Miner	2.66	198.00	79.50	---
865-1	Solomon Stark	2.14	150.00	67.50	---
287-1	David G Rathbun	2.20	154.00	68.50	---
1126-1	John Lewis	3.11	339.00	124.75	---



Department of Water & Natural Resources

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

July 12, 1990

296-1

NOTICE OF SHUT OFF ORDER

TO: Robert Helmer
PO Box 696
Belle Fourche SD 57717

FROM: Delvin D. Brosz, P.E. *Delvin D. Brosz*
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

SUBJECT: Shut Off Order, Effective Immediately.

Due to the lack of natural flows in Belle Fourche River, you are ordered to cease any diversion from the Belle Fourche River until the natural flow in the river improves.

Present flows in the river are water being bypassed by the Belle Fourche Irrigation District for downstream domestic users and water purchased by the Belle River Pumpers Association.

If flow conditions do improve, notices will be issued, based on senior priority dates, to allow pumping from the river.

If you have any questions, please contact Rassool Ahadi, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605)773-3352.

cc: Belle Fourche Irrigation District
Belle River Pumpers Association, c/o Thornton Vallery

CERTIFICATION

I hereby certify that on July 12, 1990 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Shutoff Order for Water Right No. 796-1 addressed as stated on the notice with a copy sent to:

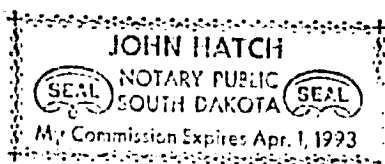
Belle Fourche Irrigation District
PO Box 225
Newell SD 57760

Belle River Pumpers Association
c/o Thornton Vallery
HCR 76, Box 188
Nisland SD 57762

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 16th day of July, 1990.



John Hatch
Notary Public



Department of Water & Natural Resources

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

August 2, 1990

296-1

RESCISSION OF SHUTOFF ORDER

TO: Robert Helmer
PO Box 696
Belle Fourche SD 57717

FROM: Delvin D. Brosz, P.E. *Delvin D. Brosz*
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

SUBJECT: Rescission of July 12, 1990 Shutoff Order to Belle
Fourche River Water Right Holders

Since the flows in Belle Fourche River have improved and the Belle River Pumpers Association is not ordering water from Keyhole Reservoir, I am rescinding the July 12, 1990 shutoff order, effective immediately.

Diversion of water from Belle Fourche River must be based on priority date. Flows must still be bypassed for downstream domestic use.

If you have any questions, please contact Rassool Ahadi, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, Phone (605)773-3352.

cc: Belle Fourche Irrigation District
Belle Fourche Pumpers Association, c/o Thornton Vallery

CERTIFICATION

I hereby certify that on August 2, 1990 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Recission of Shutoff Order for Water Right No. 296-1 addressed as stated on the notice with a copy sent to:

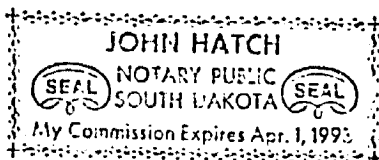
Belle Fourche Irrigation District
PO Box 225
Newell SD 57760

Belle River Pumpers Association
c/o Thornton Valley
HCR 76, Box 188
Nisland SD 57762

Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 3rd day of August, 1990.



John H. Hall
Notary Public



296-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 20, 1993

No. 296-1

Floyd Wennberg
Real Estate 2000
506 1/2 State St.
Pierre Fourche, SD 57717

Dear Mr. Wennberg:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 296-1. The water right is currently listed in the name of Robert L. Helmer.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

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,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure

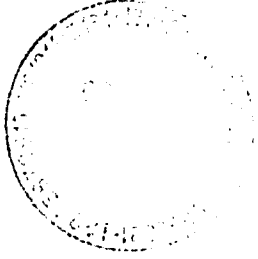
296-1

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 296-1

Date: October 13, 1993



I\We request that Water Right No. 296-1

formerly owned by: Robert L. Helmer

be transferred to: (name & address) William C. and Deborah L. Kukuchka, HC 62, Box 8,
Belle Fourche, SD 57717 (Telephone No) (605) 892-2875

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

179 acres - W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 2; E $\frac{1}{2}$ Section 3, T8N, R3E

I\We understand that the validity of Water Right No. 296-1 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 at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of Bethel)

I\We _____ 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 that I know of my own personal knowledge that the information herein stated is true.

William C. Kukuchka
Deborah L. Kukuchka
(Signed)

Subscribed and sworn to before me this 13th day of October, 19 93.

[Signature]
(Notary Public) exp. April 21, 1995

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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.

CARR & PLUIMER, P.C.

LAWYERS
907 STATE STREET
P.O. BOX 580

THOMAS E. CARR
RICHARD A. PLUMER

BELLE FOURCHE, SOUTH DAKOTA 57717-0580
TELEPHONE (605) 892-6363
FAX (605) 892-6386

OFFICE MANAGER
DONNA BRADLEY

October 14, 1993

Ms. Genny McMath, Natural Resources Analyst
Water Rights Division
Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181



Re: William C. and Deborah L.
Kukuchka

Dear Genny:

Please find enclosed original NOTICE OF TRANSFER OF OWNERSHIP for Water Right #296-1 together with our check in the amount of \$2.50 for the filing fee. We have closed the real estate transaction where Mr. and Mrs. Kukuchka have acquired title to the West Half of the Southwest Quarter in Section 2 and the East Half of Section 3, both in Township 8 North, Range 3 East, affected by Water Right #296-1.

We would respectfully that you transfer the water right into the name of Mr. and Mrs. Kukuchka. If there are any questions, please feel free to contact me. Thank you very much for your assistance in this matter.

Sincerely yours,

Sincerely yours,


Thomas E. Carr

TEC/mmg

Enclosures

pc: Client



RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

296-1
413920

Pierre, _____ October 18, 19 93

RECEIVED OF Carr & Pluimer (William C & Deborah Kukuchka) PO Box 580, Belle Fourche, SD
the following amount in fees for services rendered as provided for by law: 57717

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>Water Right No. 295-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer



296-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 22, 1993

No. 296-1

William C. and Deborah L. Kukuchka
HC 62, Box 8
Belle Fourche, SD 57717

Dear Mr. and Ms. Kukuchka:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 296-1.

Our records now show you as the owner of Water Right No. 296-1.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl F. Frost".

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure



296-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 14, 2004

NOTICE

TO: WILLIAM/DEBORAH KUKUCHKA, RR 1 BOX 217, BELLE FOURCHE, SD 57717

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

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 296-1. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 3, 2004, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 296-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 on/or before February 27, 2004, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (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.



296-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 8589

Your item was delivered at 9:12 am on January 16, 2004 in BELLE FOURCHE, SD 57717. The item was signed for by D KUKUCHKA.

[Shipment Details >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)



POSTAL INSPECTORS
Preserving the Trust

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SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 8589

WILLIAM/DEBORAH KUKUCHKA
RR 1 BOX 217
BELLE FOURCHE SD 57717

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

☐ Priority Mail®
☐ Package Services



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 2004

296-1

William & Deb Kukuchka
RR 1 Box 217
Belle Fourche SD 57717

Dear Mr. & Mrs. Kukuchka:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 296-1.

Your questionnaire was received the same day the notices went out and I didn't have a chance to retrieve the certified letter before it left the office. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

Thank you for calling Deb to check on whether or not we received the questionnaire.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



296-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2007

NOTICE

TO: WILLIAM/DEBORAH KUKUCHKA, 11591 US HWY 212, BELLE FOURCHE, SD 57717

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

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 296-1. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 7, 2007, 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. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 296-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
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 on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted 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. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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.

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**DEPARTMENT of ENVIRONMENT
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February 26, 2007

296-1

William & Deborah Kukuchka
11591 US Hwy 212
Belle Fourche SD 57717

Dear Mr. & Mrs. Kukuchka:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 296-1.

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