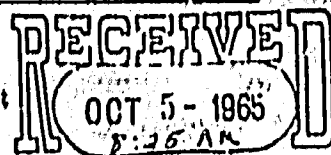


764-1

1. Considered 11-17, 1965
2. Name of Applicant SAMUELSON BROS
3. Post Office Address FAITH
4. Amount of water claimed 3.84
5. Source of water supply CHERRY CREEK, RED BOW DRAW &
DRY
6. Water to be used for IRRIGATION
DRAW
Acres to be irrigated 268.92
7. Water to be diverted and used in ZIEBACH County about
275 7/10 miles of DUPREE
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 764-1Water Division No. 1 SULPHUR CREEK District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.

PIERRE SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Samuelson Brothers
 Postoffice address Faith, County Meade, State So. Dak.

I. If a corporation None

(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 and direct labor

(b) Cash on hand, \$ Admquate

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$ ACP & SCS

2. Name of diversion work Diversion dams and pump stations

3. Amount of water claimed 3.84 cubic feet per second

4. Source of water supply Cherry Creek, Red Bull draw & dry draws

5. Location of point of diversion See ATTACHMENT attached map

on ZIEBACH bank ZIEBACH County.

6. Annual period or periods during which water is to be used When available

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Water spreading

(a) Number of acres to be irrigated 268.12 acres.

(b) Legal subdivisions to be irrigated See ATTACHMENT attached map

(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.)

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

(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

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

MAP NO 641-1

8. Estimated cost of work:

(a) Head Gates, \$200.00

(b) Pumping plant, \$1,000.00

(c) Fluming, \$1,000.00

(d) Canal-earth, \$300.00

Rock, \$1,000.00

(e) Other structures 100.00 50.000, Dikes \$1,000.00

Total, \$.....

9. Description of diversion works:

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

Diversion dams and pumping plant

II. Dimensions of works.

(a) Dam: Height 20 feet; length at bottom 200 feet; length at top 810 feet; thickness at bottom 170 feet; thickness at top 14 feet; slope at front water face 3 to 1; slope at back face 2 to 1; material used in construction earth

(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 24 inch diameter feet; height feet; Material steel

(d) Canal: Total length 0.25 miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	2.0 feet	10.0 feet	11.0 feet	2.64 feet
At Mile				
At Mile				
At Mile				
At Mile				
At Mile				
At Mile				

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 5 years.

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

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

Faith Independent

STATE OF SOUTH DAKOTA

County of Ziebach

ss.

I, Rob Samuelson, 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

Subscribed and sworn to before me this

21st

day of

September

1965

Notary Public (or other qualified officer.)

Evelyn Howell

My Commission Expires May 5, 1966

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

APPROVAL OF THIS PERMIT DOES NOT AUTHORIZE
CONSTRUCTION OF DAMS ON CHERRY CREEK

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, NOVEMBER 18, 1965

This is to certify that the foregoing application was received by the Commission at 8:25 o'clock
4 m. upon the 5TH day of OCTOBER, 1965

State Water Resources Commission

By: [Signature]

for Chief Engineer, Executive Officer

Number of permit 764-1

Date of first receipt of application OCTOBER 5, 1965

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 OCTOBER 5, 1965

Approved NOVEMBER 17, 1965, Recorded in Book 9 Page 53

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 17, 1966

2nd. The whole of said work is to be completed on or before NOVEMBER 17, 1970

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

NOVEMBER 17, 1974

4th. 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 3.84 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 NOVEMBER 17, 1974; said water to be used during the following described annual period:

WHEN AVAILABLE

Witness my hand this 13TH day of NOVEMBER, 1965

State Water Resources Commission

By: [Signature]

(Chief Engineer, Executive Officer)

Certificate of Construction Issued MARCH 2, 1970

Water License Issued MARCH 2, 1970

FROM CHERRY CREEK - BETWEEN A POINT

N 27° 40' E, 2360' FROM THE SW CORNER, SECTION
13, T8N, R20E, AND A POINT N 74° 20' E, 1568'
FROM THE SW CORNER, SECTION 18, T8N, R21E.

FROM RED BULL DRAW - A POINT S 66° 30' W,
4056' FROM THE NW CORNER, SECTION 23, T8N, R20E.

FROM A DRY DRAW - A POINT S 72° 30' W, 2872'
FROM THE NW CORNER, SECTION 23, T8N, R20E.

LANDS TO BE IRRIGATED

T8N, R20E	SEC 13	NW ⁴ SW ⁴	22.62	ACRES.
		SW ⁴ SW ⁴	10.83	"
	SEC 14	SE ⁴ SW ⁴	5.21	"
		NE ⁴ SE ⁴	19.02	"
	SEC 23	SE ⁴ SE ⁴	4.26	"
		NW ⁴ NE ⁴	13.37	"
		NE ⁴ NE ⁴	27.14	"
	SEC 24	SW ⁴ NE ⁴	1.40	"
		SE ⁴ NE ⁴	8.85	"
		NW ⁴ NW ⁴	14.57	"
		NE ⁴ NW ⁴	20.83	"
		SW ⁴ NW ⁴	8.63	"
	OUT	SE ⁴ NW ⁴	13.11	"
		NW ⁴ NE ⁴	29.12	"
	OUT	NE ⁴ NE ⁴	29.19	"
		SW ⁴ NE ⁴	7.76	"
T8N, R21E	SEC 18	SE ⁴ NE ⁴	3.67	"
		SW ⁴ SW ⁴	4.09	"
	SEC 19	SE ⁴ SW ⁴	3.06	"
		NW ⁴ NW ⁴	22.66	"
		NE ⁴ NW ⁴	4.34	"
		SW ⁴ NW ⁴	1.69	"
TOTAL			268.42	ACRES

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 764-1

(1) WHEREAS, On the 5th day of October A. D. 19 65
the Samuelson Bros.

made Water Right Application No. 764-1 for a permit to use 3.84 cubic feet per second of the waters
of Cherry Creek, Bull Creek and dry draws

County of Ziebach, State of South Dakota, for irrigation
purposes; and

(2) WHEREAS, On the 18th day of November A. D. 19 65
Permit No. 764-1 with a date of priority of October 5, 1965

was issued to said applicant B for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 17th day of November A. D. 19 70 and for the
application to beneficial use of said water on or before the 17th day of November A. D. 19 74

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 3.39 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,

to irrigate the following described land:

		ACRES
T8N, R20E, Section 13	NW $\frac{1}{4}$ SW $\frac{1}{4}$	27.62
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	10.83
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	5.21
Section 14	NE $\frac{1}{4}$ SE $\frac{1}{4}$	19.02
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	4.26
Section 23	NW $\frac{1}{4}$ NE $\frac{1}{4}$	13.37
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	27.14
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	..40
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	8.85
Section 24	NW $\frac{1}{4}$ NW $\frac{1}{4}$	14.57
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	20.83
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	8.63
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	13.11
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	29.19
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	3.67
T8N, R21E, Section 18	SW $\frac{1}{4}$ SW $\frac{1}{4}$	9.09
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	3.06
Section 19	NW $\frac{1}{4}$ NW $\frac{1}{4}$	22.66
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	4.34
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.69
Total		237.54

(5) 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 Samuelson Bros.

_____ of Faith, South Dakota
the holder B and owner B of said permit No. 764-1 a water right, dating from October 5, 1965
_____ to use of 3.39 cubic feet per second of the waters
of Cherry Creek, Bull Creek and dry draws

in the County of Ziebach and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at points S.72°30' W., 2872 ft. from the NE Corner, Section
23; N.27°40' E., 2360 feet from the SW Corner, Section 13, all in T8N, R20E; and N.
74°20' E., 1568 feet from the SW Corner, Section 18, T8N, R21E

and conduct to and upon Portions of Sections 13, 14, 23 and 24, T8N, R20E, and Section 18 and
19, T8N, R21E, described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 764-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 2nd day of March A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 764-1

Water Diversion No. 1 SULPHUR CREEK Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Samuelson Bros.

_____ the holder _____ of
Permit No. 764-1, issued upon Application No. 764-1, bearing date of priority of October 5,
1965 authorizing the diversion of 3.84 cu. ft. per second of the waters of _____
Cherry Creek, Bull Creek and dry draws County of Ziebach, State of South Dakota at _____
Points S.72°30' W., 2872 ft. from the NE Corner, Sec. 23; N.27°40' E., 2360 ft. from
the SW Corner, Sec. 13, all in T8N, R20E; and N.74°20' E., 1568 ft. from the SE
Corner, Section 18, T8N, R21E
_____, for irrigation

_____ purposes, have _____ 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 50 cu. ft. per second of water.

Date March 2, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Meade } ss.

Kenneth Howell being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Faith Independent 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 Faith County of Meade and State of South Dakota; that the said notice was published in said newspaper on the following dates:

October 13, 1965
October 20, 1965
October 27, 1965

November 3, 1965
 in each and every issue of the full number thereof, the first publication being made on the 13 day of Oct. 1965 and the last publication on the 3 day of Nov. 1965, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the printer and publisher of the said newspaper.

James H. Howell

Subscribed and sworn to before me this 4 day of Nov. A. D. 1965

Estelle Howell

Notary Public Meade County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak. October 5, 1965.

Notice is hereby given that the Samuelson Brothers, whose post office address is Faith, South Dakota, have made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.84 cubic feet of water per second of time from Cherry Creek, Red Bull draw and dry draws through diversion dams and pumping stations, the points of diversion of which are to be located from Cherry Creek between a point in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, T8N, R20E and a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ on 18, T8N, R21E; from Red Bull draw at a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T8N, R20E, and from a dry draw at a point in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T8N, R20E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13; E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 14; NE $\frac{1}{4}$ Section 23; NE $\frac{1}{4}$ and NW $\frac{1}{4}$, Section 24, T8N, R20E; S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 18; N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, T8N, R21E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of November, 1965, at 2:00 p.m. All interested persons may appear and be heard.

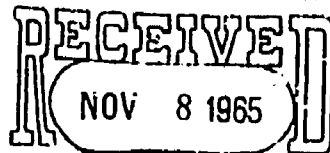
Appropriation action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By: Burton F. Jones

Water Right Specialist

Oct. 13, 20, 27, Nov. 3



STATE WATER RESOURCES COMM
 PIERRE, SOUTH DAKOTA

Estelle Howell

Atty Commission Ex, Jan May 3, 1965

First Publication On or before October 21, 1965

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., October 5, 1965.

Notice is hereby given that the Samuelson Brothers whose postoffice address is Faith, South Dakota, have made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.84 cubic feet of water per second of time from Cherry Creek, Red Bull irraw and dry draws through diversion dams and pumping stations, the points of diversion of which are to be located from Cherry Creek, between a point in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, T8N, R20E, and a point in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, T8N, R21E; from Red Bull draw at a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T8N, R20E, and from a dry draw at a point in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, T8N, R20E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13; E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 14; NE $\frac{1}{4}$ Section 23; NE $\frac{1}{4}$ and NW $\frac{1}{4}$, Section 24, T8N, R20E; S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 18; N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, T 8N, R21E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of November, 1965, 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:

BURTON F. JONES
Water Right Specialist

CC: Mr. Kenneth Howell, Publisher
Faith Independent
Faith, S.D.

Permit No. 764-1Water Division 1 Sulphur Creek Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

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

I have this day made a thorough examination of the water use system constructed by Samuelson Brothers of Faith, South Dakota holder of Permit No. 764-1, bearing date of priority of October 5, 1965 authorizing the diversion of 3.84 cu. ft. per second of the waters of Cherry Cr. Bull Cr. & Dry Draws for Irrigation purposes, in Ziebach County.

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

The Water Use System consists of,

A. Works used to divert the water:
Existing dam in NE NW Section 23, T8N, R20E as shown on Water Right Map No. 641-1
Chrisafulli 16 inch pump
80% International Diesel tractor

B. Works used to transport water to place of use,
Main carrying canal south of Cherry Creek to carry dry draw flows. Well constructed dikes north of Cherry Creek to hold water pumped from Cherry Creek.

300 feet of 16 inch rubber hose

C. Works used to apply water to beneficial use.
Holding dikes
Leveled and sloped land

The system is in the following condition: very good
The point of diversion is located S.72° 30' W., 2872 ft. from NE Cor. Sec. 23, N. 27° 40' E., 2360 ft. & N. 33° 50' E., 1072 ft. from SW Cor. Sec. 13, All in T8N, R20E, and N. 74° 20' E., 1568 ft. from Sec. 18 in T8N, R21E.
The works are capable of diverting and conveying to the place of use Pump 11 c.f.s. Dry Draw diversion up to 50 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: as shown in attached list of Water Permit 764-1 except delete the 29.12 acres in the NW NE and the 1.76 acres in the SW NE, both in Section 24, T8N, R20E.

comprising a total of 237.54 acres of land.

Date February 17, 1970

Marvin Knecht
(Signature)
MARVIN KNECHT, Engineer, Water Resources Comm.

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**



Department of
Water & Natural Resources

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

December 27, 1988

764-1

Jerry Till
Box 285
Dupree, SD 57623

Dear Mr. Till:

Enclosed is the 1988 irrigation questionnaire pertaining to Water Right No. 764-1, listed in the name of Samuelson Brothers. Bob Samuelson notified our office that the questionnaire should be sent directly to you.

Please complete the form and return it to our office by January 15, 1989. Enclosed is a postage paid envelope for your convenience in returning the irrigation questionnaire.

If you have any questions, please contact me.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SAMUELSON BROTHERS
BOX 69
FAITH SD 57626

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 764-1. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 764-1 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 before the March 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352



764-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 19, 1992

764-1

Samuelson Brothers
Box 69
Faith, SD 57626

Dear Sirs:

I am writing to acknowledge receipt of your 1991 irrigation questionnaire for Water Right No. 764-1. You may disregard the January 27, 1992, Notice of failure to submit the 1991 irrigation questionnaire. The questionnaire was received prior to the Water Management Board meeting and your name was deleted from the agenda.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Genny McMath', is written over a horizontal line.

Genny McMath
Natural Resources Analyst
Water Rights Division

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form, so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

SAMUELSON BROTHERS
BOX 69
FAITH, SD 57625

4a. Article Number

P906-557 710

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

5. Signature (Addressee)

Samuelson

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)



January 9, 1998

764-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: SAMUELSON BROTHERS, BOB SAMUELSON, BOX 69, FAITH, SD 57626

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 764-1. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 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 9:45 am, February 25, 1998, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 764-1 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 20, 1998, 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.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

SAMUELSON BROTHERS
BOB SAMUELSON
BOX 69
FAITH SD 57626

4a. Article Number

2119 141 148

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: (Print Name)

NORMA SAMUELSON

6. Signature: (Addressee or Agent)

Norma Samuelson

8. Addressee's Address (Only if requested and fee is paid)



PS Form 3811, December 1994

102595-97-B-0175 Domestic Return Receipt

Thank you for using Return Receipt Service.



764-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 11, 1998

764-1

Bob Samuelson
Samuelson Brothers
Box 69
Faith, SD 57626

Dear Mr. Samuelson:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 764-1.

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

2003 Water Management Board Irrigation Questionnaire

Please fill out and return before December 1, 2003

No. 764-1

JERRY TILL, OPERATOR
PO BOX 285
DUPREE SD 57623 0285

Any address corrections?

Telephone No. 605-538-4237

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352 or send your form(s) electronically over the internet at <http://www.state.sd.us/eforms/secure/eforms/E0455V2-IQ.pdf>

1. Is the system constructed? *yes ☒ no ☐

*Type of system used (check all that apply):

center pivots ☐ towlines ☐ big gun ☐
flood ☒ sprinklers ☐ other ☐

2. Did you irrigate in 2003? *yes ☐ **no ☒

*If yes, number of acres irrigated _____

**If no, list reason(s) in comment box and answer No. 3:

3. Is the land enrolled in CRP? *yes ☐ no ☒

*If yes, through what year? _____

4. Did you apply chemicals or fertilizer through the system in 2003? yes ☐ no ☒

5. If permitted for more than one water source, circle each source used. A. BULL CREEK

B. CHERRY CREEK

C.

Comment Box

We couldn't irrigate because of drought, the creek didn't run. I'll be the operator now of our ranch since Jerry passed away Jan 18, 03 (Wife)
Virginia Till



BB	BA	AB	AA
BC	BD	AC	AD
CB	CA	DB	DA
CC	CD	DC	DD

1 square mile

Office use only

RECEIVED

OCT 27 2003

WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 764-1

(see above section map for help reading legal descriptions)

sec 13-T008N-R20E, CB - 22.62 acres
sec 13-T008N-R20E, CC - 10.83 acres
sec 13-T008N-R20E, CD - 5.21 acres
sec 14-T008N-R20E, DA - 19.02 acres
sec 14-T008N-R20E, DD - 4.26 acres
sec 23-T008N-R20E, AB - 13.37 acres
sec 23-T008N-R20E, AA - 27.14 acres
sec 23-T008N-R20E, AC - 0.40 acres
sec 23-T008N-R20E, AD - 8.85 acres
sec 24-T008N-R20E, BB - 14.57 acres
sec 24-T008N-R20E, BA - 20.83 acres
sec 24-T008N-R20E, BC - 8.63 acres
sec 24-T008N-R20E, BD - 13.11 acres
sec 24-T008N-R20E, AA - 29.19 acres
sec 24-T008N-R20E, AD - 3.67 acres
sec 18-T008N-R21E, CC - 4.09 acres
sec 18-T008N-R21E, CD - 3.06 acres
sec 19-T008N-R21E, BB - 22.66 acres
sec 19-T008N-R21E, BA - 4.34 acres
sec 19-T008N-R21E, BC - 1.69 acres

Please provide your 2003 water use to irrigate the above acreage on the REVERSE side of this form.

For a sample completed questionnaire, please refer to the reverse side of your cover letter.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 29, 2003

764-1

Virginia J Till
PO Box 285
Dupree SD 57623-0285

Dear Mrs. Till:

Thank you for the notation on your 2003 irrigation questionnaire concerning the change from Jerry's name to your name as operator. I will make the correction to our records.

Enclosed is the signed and notarized court document you submitted showing that you are the personal representative for the estate. I have made a copy of the document for our records and thought I should send the original back to you.

Thank you again for contacting us.

Sincerely,

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

enclosure

STATE OF SOUTH DAKOTA)
)
COUNTY OF ZIEBACH)

IN CIRCUIT COURT

FOURTH JUDICIAL CIRCUIT

ESTATE OF GERALD M. TILL,
DECEASED,

LETTERS OF PERSONAL REPRESENTATIVE

On March 3, 2003, VIRGINIA J. TILL was appointed by this court and qualified as personal representative of the estate of GERALD M. TILL, to serve without bond.

These Letters are issued as evidence of the appointment, qualification and authority of VIRGINIA J. TILL to do and perform all acts authorized by law.

Issued this 3rd day of March, 2003.

Judy Anderson
BY THE COURT.

Judy Anderson
Clerk

RECEIVED
OCT 27 2003
WATER RIGHTS
PROGRAM

(SEAL)

Attorney for Estate
Kimberley A. Mortenson
Mortenson Law Offices
PO Box 190
Fort Pierre, SD 57532
605-223-9040

RECEIVED
OCT 20 2003
ZIEBACH CO. FSA

STATE OF SOUTH DAKOTA, County of Ziebach
I hereby certify the within document is a true and correct copy of the original and is still in full force and effect. I further certify the document was (formally) (informally) admitted to probate and that at the time of death the decedent was domiciled in the State of South Dakota.

MAR 06 2003

JUDY ANDERSON
Clerk of Courts, Ziebach County

By Judy Anderson Deputy

FILED

MAR 03 2003

SOUTH DAKOTA UNIFIED JUDICIAL SYSTEM
4TH CIRCUIT CLERK OF COURT

Judy Anderson

764-1

My son George Till is
with me on the ranch.

I'd like to have change
the operator to George Till

Box 285
Dupree, S D
57623

As he fills out the papers
for me & does the work.

Virginia Till

RECEIVED

OCT 25 2010

WATER RIGHTS
PROGRAM



764-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 23, 2013

764-1

George Till
HC 73 Box 285
Dupree SD 57623 9716

Dear Mr. Till:

Enclosed is a "Notice" dated October 18, 2013 concerning the 2013 irrigation questionnaire.

The notice was originally mailed to PO Box 285, Dupree. The post office notified us that the address we were using was incorrect. I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures