

1251-3

1. Considered 3-16, 1966
2. Name of Applicant VERN M. CREESE
3. Post Office Address GEDDES
4. Amount of water claimed 7.07
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 405
7. Water to be diverted and used in PHAS. MIX. County about
25 RE miles of LAKE AUDRE
8. Proof of Publication Received W
- Not Received _____
9. Application Approved _____
- Subject to _____
- Not Approved _____
- Action deferred _____

10. Remarks:

No.

1251-3

Water Division No.

3

Missouri River

(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.)

1. Name of applicant Wm. M. Cressy
 Postoffice address Crocker, County Charles Mix, State S.D.

~~I. If a corporation~~

~~(a) Name of same~~

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

~~(c) Amount of capital stock~~

~~(d) Amount paid in~~

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

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

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

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

Contract & Direct Labor

(b) Cash on hand, \$ inadequate

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Cressy Irrigation Project No. 3
 3. Amount of water claimed 7.07 cubic feet per second
 4. Source of water supply Francis Cress Lake
 5. Location of point of diversion From point 4350' W to point 3750' & 2640' N of S.E. Corner Sec. 13 - T. 96 N. R. 67 W. on East bank Charles Mix County.
 6. Annual period or periods during which water is to be used April 1st to Nov. 1st
 7. To be used for:

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

(a) Number of acres to be irrigated 485 acres.

110 acres in S.E. 1/4 Sec. 13, 26 acres N.E. 1/4 Sec. 24 - T. 96 N. R. 67 and 90 A-SW 1/4 Sec. 14, 103 A-NW 1/4 Sec. 19,

(b) Legal subdivisions to be irrigated SDA NW 1/4 Sec. 19, T. 96 N. R. 66

(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

Name any of the above uses claimed

(b) Amount of power to be generated

horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

MAP NO 871-3

8. Estimated cost of work:

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

(b) Pumping plant, \$ 2000

(c) Fluming, \$.....

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

Rock, \$.....

(e) Other structures \$.....

Total, \$.....

9. Description of diversion works:

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

..... Pumping Plant

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottomfeet; length at top

.....feet; thickness at bottomfeet; thickness at top

feet; slope at front water face; slope at back face

material used in construction

(b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

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

(c)* Head gate: Width.....feet; heightfeet;

Material

(d) Canal: Total lengthmiles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 3 years.

11. Time required for complete application of water to the proposed beneficial use 5 years.

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

Charles M. Co. News Bedford, S.D.

STATE OF SOUTH DAKOTA

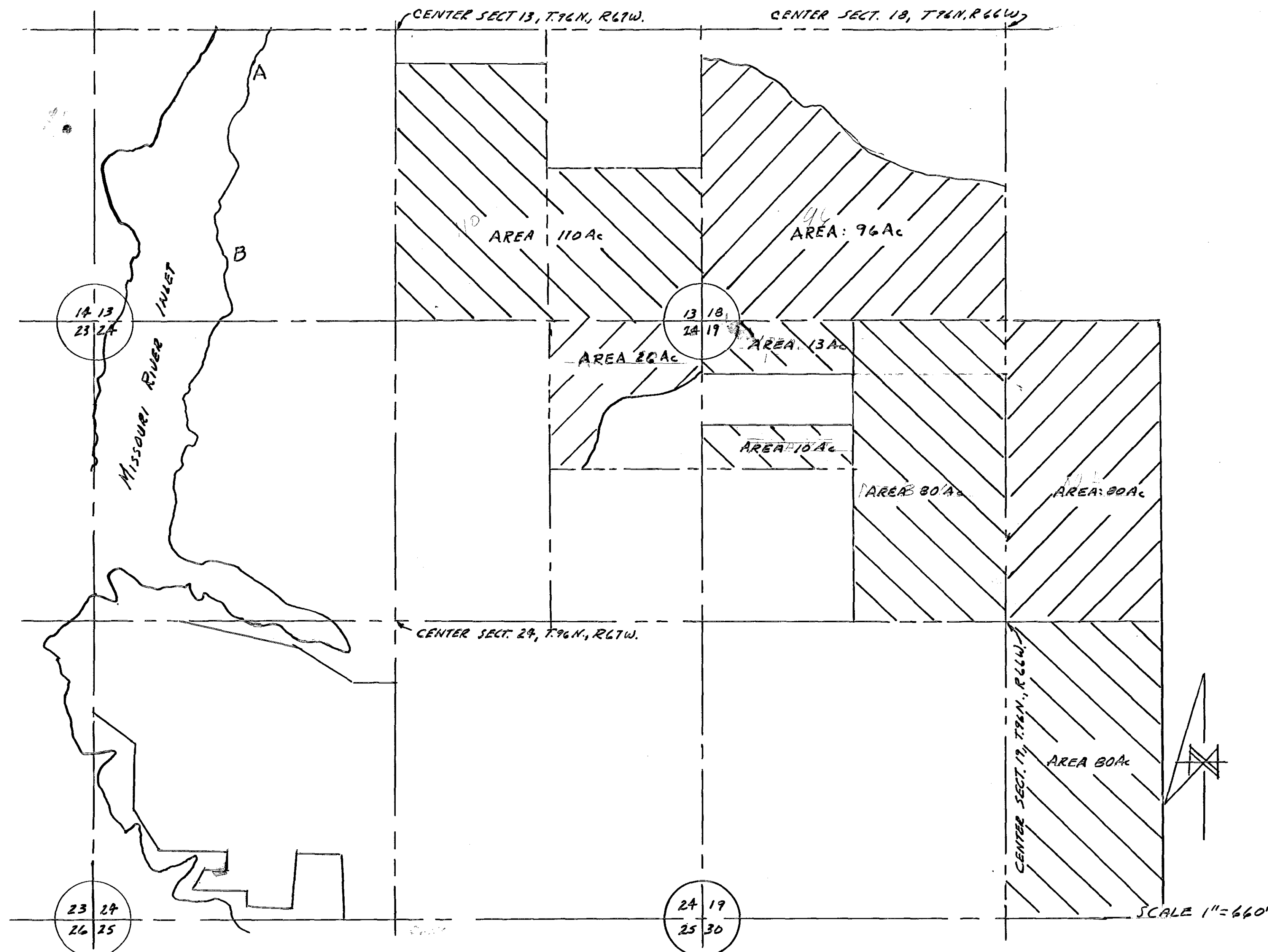
County of Charles M. ss.

I, Wm. M. O'Leary, 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 Wm. M. O'Leary

Subscribed and sworn to before me this 10 day of Feb 1964

M. E. ...
Notary Public (or other qualified officer.)



AREAS BY LEGAL SUBDIVISION

110 AC: SE 1/4 SECT 13, T96N, R67W
 96 AC: SW 1/4 SECT 18, T96N, R66W
 26 AC: NE 1/4, NE 1/4 SECT 24, T96N, R67W
 103 AC: NW 1/4, SECT 19, T96N, R66W
 80 AC: W 1/2, NE 1/4 SECT 19, T96N, R66W
 80 AC: W 1/2 SE 1/4 SECT 19, T96N, R66W
 795 AC TOTAL

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA)
 COUNTY OF BEADLE)

I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF "VERN CREASEY", SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED WITHIN HIS OWNERSHIP BOUNDARIES ON FEB 7, 1966 FOR WHICH APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP IS A TRUE REPRESENTATION THERE OF.

WITNESS MY HAND AND SEAL THIS 7TH DAY OF FEB 1966

Harlan W. Meyer
 REG. LAND SURVEYOR

STATE OF SOUTH DAKOTA)
 COUNTY OF BEADLE)

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED HARLAN W. MEYER, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

WITNESS MY HAND AND NOTARY SEAL THIS 7TH DAY OF FEB 1966

Bernie Johnson

MY COMMISSION EXPIRES March 10, 1972 NOTARY PUBLIC

NOTE: POINT OF DIVERSION: ON THE EAST BANK OF MISSOURI RIVER BETWEEN POINTS A-B.

SHOWING AREA & DIVERSION POINTS WHERE WATERS
 WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

VERN CREASEY

OWNER

HARLAN W. MEYER

SURVEYOR

FEB 66

MAP NO 871-3 (APPL 1251-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MARCH 18, 1966

This is to certify that the foregoing application was received by the Commission at 8:20 o'clock
9 a.m. upon the 11TH day of FEBRUARY, 1966

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Number of permit 1251-3

Date of first receipt of application FEBRUARY 11, 1966

Date of return to applicant for correction, amendments or changes required as follows: FEBRUARY 11, 1966

Date of receipt of corrected application FEBRUARY 14, 1966

Date from which applicant may claim right FEBRUARY 11, 1966

Approved MARCH 16, 1966 Recorded in Book 9 Page 103

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 SEPTEMBER 16, 1967
- 2nd. The whole of said work is to be completed on or before MARCH 16, 1969
- 3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is MARCH 16, 1971
- 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 7.07 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 MARCH 13, 1971; said water to be used during the following described annual period:

APRIL 1 TO NOVEMBER 1
Witness my hand this 18TH day of MARCH, 1966

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued JULY 11, 1966

Water License Issued JULY 11, 1966

Permit No. 1251-3Water Division No. 3 Missouri River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Vern M. Creasy

of Gaddes, County of Charles Mix, and State of South Dakota, the holder of Permit No. 1251-3, issued upon Application No. 1251-3, bearing date of priority of February 11, 1966, authorizing the diversion of 7.07 cu. ft. per second of the waters of the Missouri River

County of Charles Mix, State of South Dakota, xx from a point 4350'W to a point 3950'W and 2640'N of the SE corner, Section 13, T96N, R67W

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 7.07 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: Section 13, T96N, R67W SE $\frac{1}{4}$ 110 acres

Section 24, T96N, R67W NE $\frac{1}{4}$ NE $\frac{1}{4}$ 26 "

Section 18, T96N, R66W SW $\frac{1}{4}$ 96 "

Section 19, T96N, R66W NW $\frac{1}{4}$ 103 "

W $\frac{1}{2}$ NE $\frac{1}{4}$ 80 "

W $\frac{1}{2}$ SE $\frac{1}{4}$ 80 "

Total - 495 "

Witness my hand this 11th day of July A. D. 1966

State Water Resources Commission

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

STATE OF SOUTH DAKOTA

WATER LICENSE No. 1251-3

WHEREAS, On the 31th day of February A. D. 1966
 Vern H. Creasy

of Geddes County of Charles Mix and State of
 South Dakota duly made application (No. 1251-3) to us for a permit to use 7.07
 cubic feet per second of the waters of the Missouri River
 County of Charles Mix, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 18th day of March A. D. 1966
 Permit No. 1251-3 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 16th day of
 March A. D. 1969 and for the application to beneficial use of said
 water on or before the 16th day of March A. D. 1971
 and,

WHEREAS, On the 14th day of June A. D. 1966
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 7.07
 cubic feet per second of said waters, as evidenced by our Certificate No. 1251-3
 dated July 11, 1966 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 7.07 cubic feet per second of water, with date of
 priority of February 11, 1966 and,

WHEREAS, On the 14th day of June A. D. 1966
 proof was duly made of the application to beneficial use of 7.07 cubic feet per second of said water;
 for irrigating 495 acres in portions of Sections 13 and 24, T96N, R67W, and Sections
 18 and 19, T96N, R66W

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 **Vern M. Creasy**
of **Geddes** the holder and owner of said permit No. **1251-3**
a water right, dating from **February 11, 1966** to the use of **7.07**
cubic feet per second of the waters of **the Missouri River**
in the County of **Charles Mix** and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted ~~xxx~~ **from a point 4350' N to a point**
3950' W and 2640' N of the SW corner, Section 13, T96N, R67W
and conducted to and upon **portions of Sections 13 and 24, T96N, R67W and Sections 18 and 19,**
T96N, R66W, more specifically described in the Certificate of Completion of Works
for the purpose of **irrigation**

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

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this **11th** day of **July** A. D. Nineteen
Sixty-Six
Hundred and _____

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 _____

on or before February 17, 1966
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., February 11, 1966

Notice is hereby given that Vern M. Creasy, whose postoffice address is Geddes, 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 7.07 cubic feet of water per second of time from the Missouri River through the east Creasy Irrigation Project #3, the point of diversion of which is to be located on the bank of said stream/in the SW 1/4 of the SW 1/4 of Section 13 portions of Twp. 96N Range 67W. Said water to be used for the purpose of providing irrigation on the following described land:

SE 1/4 Section 13; NE 1/4 NE 1/4 Section 24, T96N, R67W; SW 1/4 Section 18; NW 1/4 NW 1/4, E 1/2 NW 1/4, W 1/2 NE 1/4, W 1/2 SE 1/4, Section 19, T96N, R66W

~~XXXXXX~~ purpose.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16th day of March, 1966, at 2 P. M. All interested persons may appear and be heard.

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

State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

CC: Mr. Harold O. Williams, Publisher
Charles Mix County News
Geddes, S.D.

PROOF OF PUBLICATION

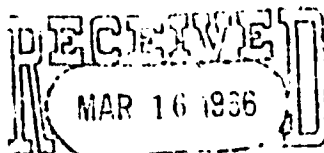
STATE OF SOUTH DAKOTA }
County Charles Mix } ss.

Charles Mix being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Charles Mix County News, 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 Geddes County of Charles Mix and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Feb. 17, Feb. 24, Mar. 3, Mar. 10, 1936

in each and every issue of the full number thereof, the first publication being made on the 17th day of February 1936 and the last publication on the 10th day of March 1936, 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.

Subscribed and sworn to before me this 12th day of March A. D. 1936



Charles Mix County, S. D.

STATE WATER RESOURCES COMMISSION
RECEIVED

APPROPRIATION OF WATER

Office of State
Water Resources Commission
Pierre, S. Dak.

February 11, 1936

Notice is hereby given that Vern M. Creasey whose postoffice is Geddes, S. Dak., has made application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 7.07 cubic feet of water per second of time from the Missouri River through the Creasey Irrigation Project No. 3, the point of diversion of which is to be located on the east bank of said stream between a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and a point in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Twp. 96N, Range 67W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE $\frac{1}{4}$ Section 13; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T96N, R67W; SW $\frac{1}{4}$ Section 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 19, T96N, R66W.

This application will be taken up by the State Water Resources Commission at their office in Pierre for consideration upon the 16th day of March, 1936, at 2 P. M. All interested persons may appear and be heard.

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

State Water Resources Commission,
Pierre, S. D.

By: Burton F. Jones,
Water Right Specialist

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Permit No. 1251-3
3 MISSOURI
 Water Division No. 3 RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

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

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____
 19____, I have this day made a thorough examination of the diversion works constructed by _____
VERN M. CREASY of GEDDES
CHARLES MIX County, South Dakota, holder of Permit No. 1251-3, issued
 upon Application No. 1251-3, bearing date of priority of FEBRUARY 11, 1966 authorizing the
 diversion of 7.07 cu. ft. per second of the waters of MISSOURI RIVER for IRRIGATION
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: CORNELL 10" PUMP MODEL 6NH2, POWERED
WITH AN INTERNATIONAL HARVESTER INDUSTRIAL MOTOR
MODEL 743. RUN WITH PROPANE 7000' OF 10" GATED
PIPE WITH 40" GATES. ALSO USES SYSTEM UNDER
WR 341-3 TO SUPPLEMENT THIS SYSTEM
 and the system is in the following condition: EXCELLENT

The point of diversion is located AS SHOWN ON THE APPLICATION

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

The legal sub-divisions to be irrigated are: AS SHOWN ON APPLICATION

comprising a total of 495 acres of land.

The domestic use intended comprises _____

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

Witness my hand, this 14TH day of JUNE A. D. 1966

—SEAL—

Dwight Jones
 Examining Engineer
 OFFICER.

DEPARTMENT OF THE ARMY
EASEMENT FOR RIGHT OF WAY
(PIPELINE)

1251-3

ON FORT RANDALL DAM, LAKE FRANCIS CASE PROJECT, SOUTH DAKOTA
No. EAC-45-2-63-5012

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2669, hereby grants to

Vern H. Creasey

Geddes, South Dakota

coextensive with State Water

hereinafter designated as the grantee, for a period ~~XXXXXX~~ Permit No. 1251-3, ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ an easement for a right of way for the installation, operation and maintenance of a portable irrigation water pipeline and portable pump unit

over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit A, entitled Fort Randall Reservoir, Segment "C" attached hereto and made a part hereof, and described as follows:

A parcel of land 33' wide in Section 13, T96N, R67W, Charles Mix County, South Dakota, lying 16' on either side of the following described line; beginning at the NE corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 13; thence West parallel to the North line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the shoreline of Lake Francis Case, containing 0.95 acre, more or less.

THIS EASEMENT is granted subject to the following conditions:

1. The grantee shall pay to the United States compensation in the amount of Seventy-Five and no/100 Dollars (\$ 75.00) payable in advance. Compensation shall be made payable to the Treasurer of the United States and forwarded by the grantee to the District Engineer, Omaha District, Corps of Engineers, 6012 U. S. Post Office and Courthouse, Omaha, Nebraska 68102

2. The installation and/or operation and maintenance of said line shall be accomplished without cost or expense to the United States under the general supervision and subject to the approval of the officer having immediate jurisdiction over the property, hereinafter designated as "said officer", and in such manner as not to endanger personnel or property of the United States on the said United States land or obstruct travel on any road thereon. The grantee shall have the right of ingress and egress for such purposes.

3. The use and occupation of said land incident to the exercise of the privileges hereby granted shall be subject to such rules and regulations as the said officer may from time to time prescribe.

4. The grantee shall supervise the said line and cause it to be inspected at reasonable intervals, and shall immediately repair any leaks found therein as a result of such inspection, or when requested by said officer to repair any defects. Upon completion of the installation of said line and the making of any repairs thereto, the premises shall be restored immediately by the grantee, at the grantee's own expense, to the same condition as that in which they existed prior to the commencement of such work, to the satisfaction of the said officer.

5. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises, shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

6. The United States reserves to itself the right to construct, use, and maintain across, over, and/or under the right of way hereby granted, electric transmission, telephone, telegraph, water, gas, gasoline, oil and sewer lines, and other facilities, in such manner as not to create any unreasonable interference with the use of the right of way herein granted.

7. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, or for injuries to the person of the grantee (if an individual), nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to government activities, and the grantee shall hold the United States harmless from any and all such claims.

8. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance, and use of said line.

9. That the grantee shall furnish through said line such service as may be required from time to time for governmental purposes on said land, provided that payment for such service will be made by the United States at rates which shall be mutually agreeable but which shall never exceed the most favorable rates granted by the grantee for similar service.

10. In the event all or any portion of said land occupied by said line shall be needed by the United States, or in the event the existence of said line shall be considered detrimental to governmental activities, the grantee shall, from time to time, upon notice so to do, and as often as so notified, remove said line and related facilities to such other location or locations on said land as may be designated by said officer, and, in the event said line shall not be removed or relocated within ninety (90) days after any aforesaid notice, the United States may cause the same to be done at the expense of the grantee.

11. This easement may be terminated by the Secretary of the Army upon a reasonable notice to the grantee if the Secretary of the Army shall determine that the right of way hereby granted interferes with the use or disposal of said land or any part thereof by the United States, or it may be terminated by the Secretary of the Army for failure, neglect, or refusal by the grantee fully and promptly to comply with any and all of the conditions of this grant, or for nonuse, or for abandonment.

12. Upon the expiration or termination of this grant, the grantee shall, without expense to the United States, and within such time as the Secretary of the Army may indicate, remove the said line from said land and restore the premises hereby authorized to be used and occupied to a condition satisfactory to the said officer. In the event the grantee shall fail, neglect, or refuse to remove the said line and so restore the premises, the United States shall have the option either to take over the said line as the property of the United States, without compensation therefor, or to remove the said line and perform the restoration work as aforesaid at the expense of the grantee, and in no event shall the grantee have any claim for damages against the United States or its officers or agents, on account of the taking over of said line or on account of its removal.

13. The conditions of this instrument shall extend to and be binding upon and shall inure to the benefit of the heirs, representatives, successors, and assigns of the grantee.

14. That it is understood that this instrument is effective only insofar as the rights of the United States in the said property are concerned; and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

15. That this easement and right of way is granted for the exercise of established water rights. It is understood and agreed that no right to use water from the reservoir is created by this grant.

16. That the grantee shall not discharge waste or effluent from the granted property in such manner that such discharge will contaminate streams or other bodies of water or otherwise become a public nuisance.

17. That in the event of future development in the vicinity of the granted property for project purposes, the grantee shall bury said pipelines, if so required by said officer, and shall restore the premises to the satisfaction of said officer.

That Conditions Nos. 15, 16 and 17 were added prior to execution of this easement.

This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand this 8th
day of August 19 67


DALE KENT

Chief, Real Estate Division
Omaha District, Corps of Engineers

Dear S.R.,

In March of 1997 my father
Vern Creasey passed away. My
father & I, Bob Creasey, have
operated the farm together for the
past 12 years. At this time I would
like to transfer the water rights
to my name. Please contact me
about how this would be possible.

Thank you,

Bob Creasey



341-3
385-3
1251-3
1508-3B (operator)

29408 374th Ave
Sedalia SD 57342



1251-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 1, 1997

341-3
385-3
1251-3

Bob Creasey
29408 374th Ave
Geddes, SD 57342

Dear Mr. Creasey:

This letter will acknowledge receipt of your 1997 irrigation questionnaires and your letter requesting transfer of the water rights held by Vern Creasey.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change with the water rights. Please review the forms for accuracy and make any necessary corrections. Upon completion, please sign the forms in the presence of a notary public and return them to our office with a required filing fee of \$2.50 each (total of \$7.50).

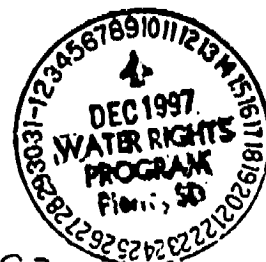
Water Right Nos. 341-3, 385-3 and 1251-3 will be transferred to your name as soon as we receive the transfer forms and the filing fees. If you have any questions concerning the water rights or completion of the transfer forms, please give me a call.

Sincerely,

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

encl

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 1251-3

Date: 12-6-97

I/We request that Water Right No. 1251-3

formerly owned by: Vern M Creasey

be transferred to: (name & address) Bob Creasey, 29408 374th Ave, Geddes, SD 57342

Telephone No. 605-337-2323

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

495 acres - SE 1/4 Sec 13, NE 1/4 NE 1/4 Sec 24, T96N, R67W; and SW 1/4 Sec 18, NW 1/4, W 1/4 NE 1/4, W 1/4 SE 1/4 Sec 19, T96N, R66W

I/We understand that the validity of Water Right No. 1251-3 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 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 Charles Mix)

I/We Bob Creasey 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.

Bob Creasey
(Signed)

Subscribed and sworn to before me this 8th day of December, 19 97.

My Comm. Expires 10-30-98

[Signature]
(Notary Public)

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.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 415553

Pierre, _____ December 9, 19 97

RECEIVED OF Creasey Farms, Inc., 29408 374th Ave., Geddes, SD 57342-6607
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 Water Right No. 1254-3

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 500

By John Hatch
Chief Engineer

1251-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 17, 1998

Nos. 341-3

385-3

1251-3

Bob Creasey
29408 374th Ave.
Geddes, SD 57342

Dear Mr. Creasey:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 341-3, 385-3 and 1251-3.

Our records now show you as the owner of Water Right Nos. 341-3, 385-3 and 1251-3.

Sincerely,

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

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

enclosure

1251-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 10, 2003

Bob Creasey
29408 374th Ave
Geddes SD 57342

Dear Mr. Creasey:

I am writing to acknowledge receipt of your annual irrigation questionnaires. Prior to entering the data into the files, I need to gather more information from you.

It is acceptable to group all the information for the separate irrigation systems on one form. Since there are six water rights involving a large number of acreage, we need to know which land the information you sent in pertains to. The following is a list of the water rights and the acreages covered under each one. Please indicate yes or no beside each one or if it is easier, you can circle the descriptions that were irrigated.

Owners name	Water Right No.	Legal description	Irrigated (Yes or No)
Bob Creasey	341-3	SW ¼ Section 24, T96N, R67W	yes
Bob Creasey	385-3	Lot 6, Section 32, T96N, R66W	yes
		Lot 7, Section 32, T96N, R66W	yes
		W ½ NE ¼ Section 32, T96N, R66W	yes
			yes
Delph Trust	650A-3	NE ¼ Section 33, T96N, R66W	yes
		NW ¼ SE ¼ Section 33, T96N, R66W	yes
		NE ¼ SE ¼ Section 33, T96N, R66W	yes
Bob Creasey	1251-3	SE ¼ Section 13, T96N, R67W	yes
		NE ¼ NE ¼ Section 24, T96N, R67W	yes
		SW ¼ Section 18, T96N, R66W	yes
		NW ¼ Section 19, T96N, R66W	no
		W ½ NE ¼ Section 19, T96N, R66W	no
		W ½ SE ¼ Section 19, T96N, R66W	no
Agnes Williamson	1508-3B	NE ¼ NE ¼ Section 32, T96N, R66W	yes
		NW ¼ NW ¼ Section 33, T96N, R66W	no
Herman Holderby	2021-3	SE ¼ SE ¼ Section 30, T96N, R66W	no

I am enclosing a postage paid envelope for your reply. Thank you in advance for your help.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352

RECEIVED

DEC 16 2003

WATER RIGHTS
PROGRAM



1251-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 2015

NOTICE

TO: BOB CREASEY, 29408 374TH AVE, GEDDES, SD 57342

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaires

Our records indicate your 2014 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 341-3, 385-3, 650A-3, 1251-3 & 1508-3B should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1787-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1787-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 341-3, 385-3, 650A-3, 1251-3 & 1508-3B to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

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

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

1251-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 27, 2015

Bob Creasey
29408 374th Ave
Geddes SD 57342

RE: Water Right Nos. 341-3, 385-3, 650A-3, 1251-3, 1508-3B & 1787-3

Dear Mr. Creasey:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 341-3, 385-3, 650A-3, 1251-3, 1508-3B & 1787-3. 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,

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

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



**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: BOB CREASEY, 29408 374TH AVE, GEDDES, SD 57342

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

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaires

Our records indicate your 2024 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 341-3, 385-3, 650A-3, 1251-3 & 1508-3B should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1787-3 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) 1787-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 341-3, 385-3, 650A-3, 1251-3 & 1508-3B to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

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

If the questionnaires are received in this office 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 questionnaires 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: ANOZZG**

cc: AGNES WILLIAMSON, 29408 374TH AVE, GEDDES SD 57342
SAMUEL R ASSAM, 3200 W 49TH ST, SIOUX FALLS SD 57106
JOHN C DELPH, TRUSTEE, PO BOX 2416, PONTE VEDRA BEACH, FL 32004

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 27, 2025

341-3, 385-3, 650A-3
1251-3, 1508-3B, 1787-3

Bob Creasy
29408 374th Ave
Geddes SD 57342

Dear Mr. Creasy:

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). 341-3, 385-3, 650A-3, 1251-3, 1508-3B & 1787-3. 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

cc: AGNES WILLIAMSON, 29408 374TH AVE, GEDDES SD 57342
SAMUEL R ASSAM, 3200 W 49TH ST, SIOUX FALLS SD 57106
JOHN C DELPH, TRUSTEE, PO BOX 2416, PONTE VEDRA BEACH, FL 32004