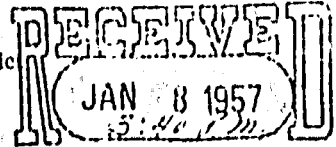


1. Considered March 12, 1957
2. Name of Applicant Charles and Louis Paulis # 385-3
3. Post Office Address Lake Andes S. Dak.
4. Amount of water claimed 1.71
5. Source of water supply Missouri River
6. Water to be used for Irrigation
Acres to be irrigated 130
7. Water to be diverted and used in Chas. Mix County about
10 miles SW of Lake Andes.
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to ☐
Not Approved ☐
Action deferred ☐

10. Remarks:

No. 385-3Water Division No. 3 Missouri River District
(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 Charles and Louis Pavlis
Postoffice address Lake Andag, County Charles Mix, State S. Dak.

1. 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)

By contract(b) Cash on hand, \$ Will finance same themselves

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Missouri River Project3. Amount of water claimed 2 cubic feet per second4. Source of water supply Missouri River5. Location of point of diversion (Point 1V—SW corner of Lot 7, 32-26-66)REDACTED on North bank Missouri River, County _____6. Annual period or periods during which water is to be used May 1 to December 1

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? comb. system(a) Number of acres to be irrigated 120 acres.(b) Legal subdivisions to be irrigated Lots 6 and 7 and West Half of NE 1, 32-26-66

(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. 291-3

8. Estimated cost of work:

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

(b) Pumping plant, \$.....

(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.)

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....

material used in construction.....

(b) Reservoir: Capacity when filled.....S.....highwater mark.....acres.

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

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

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

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....two.....years.

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

12. Choice of newspaper for publication of notice of intention to appropriate.....Lake Andes Wave, Lake Andes, S. Dak.

STATE OF SOUTH DAKOTA

County of.....Charles Mix.....

ss.

I,.....Charles Pavlis and Louis Pavlis....., 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.....

Charles Pavlis
Louis Pavlis

Subscribed and sworn to before me this.....11th.....day of.....

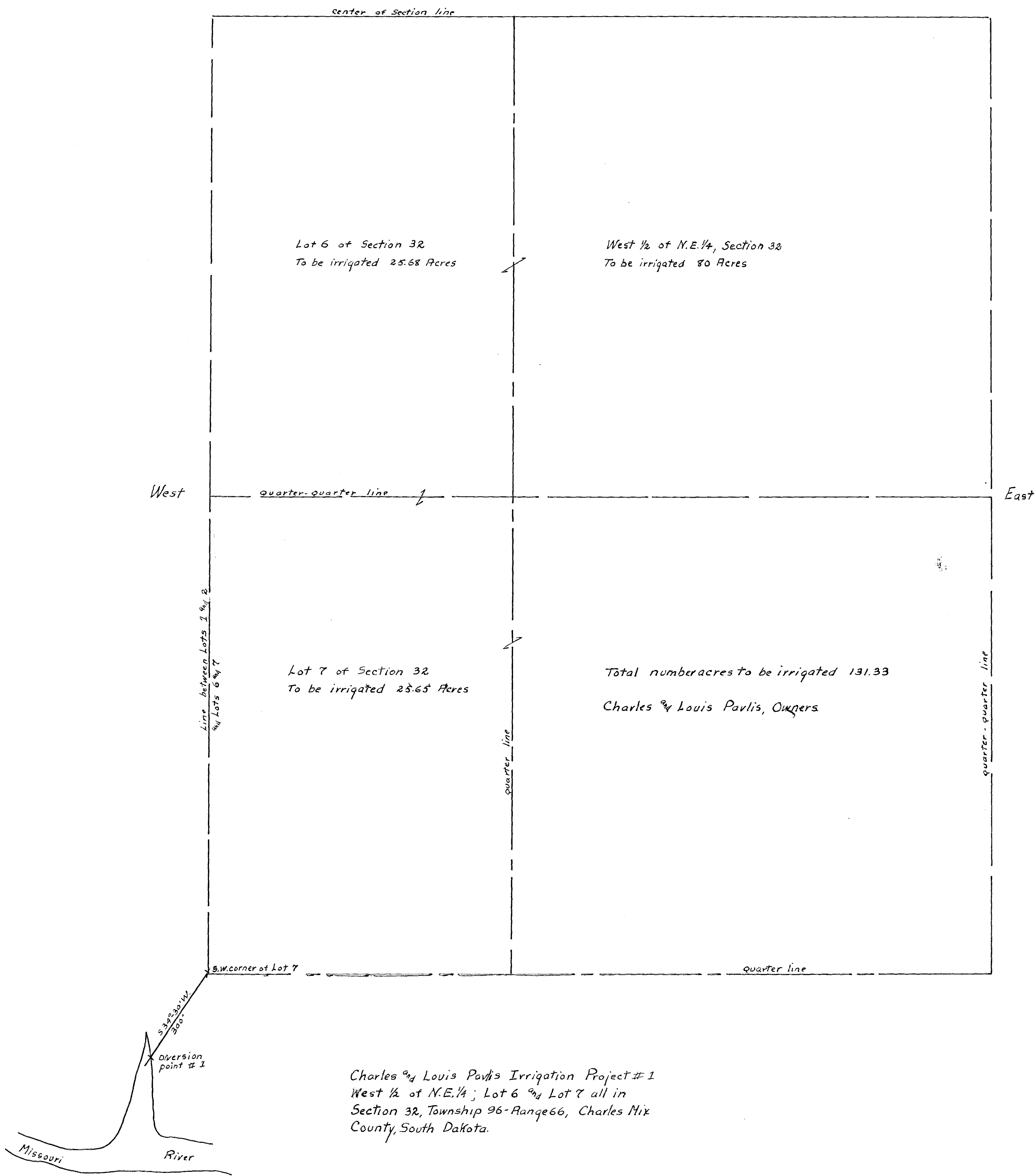
January

19.57

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

North



Charles & Louis Pavlis Irrigation Project #1
West 1/2 of N.E. 1/4 ; Lot 6 & Lot 7 all in
Section 32, Township 96-Range 66, Charles Mix
County, South Dakota.

I, Ellis V. Nelson, a licensed engineer, hereby certify
that I have made a survey of the west 1/2 of N.E. 1/4;
Lot 6 & Lot 7 all in Section 32, Township 96-Range
66, Charles Mix County, South Dakota and located
diversion point #1 for the purpose of irrigation
as indicated on the above plat.

Dated at Sioux Falls, South Dakota, November 16, 1956.

Ellis V. Nelson
Licensed Engineer

State of South Dakota }
County of Minnehaha }

On this 16th day of November, 1956, before me, the
undersigned officer, personally appeared Ellis V. Nelson
known to me or satisfactorily proven to be the person
whose name is subscribed to the within certificate and
acknowledged that he executed the same for the purpose
therein contained.

In witness whereof I hereunto set my hand and
official seal.

Notary Public

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

January 14, 1957

This is to certify that the foregoing application was received by the Commission at 3:40 o'clock

p.m. upon the 8 day of January, 1957

State Water Resources Commission

By:

Joel Gruener

Chief Engineer, Executive Officer

Number of permit 385-3

Date of first receipt of application

January 8, 1957

Date of return to applicant for correction, amendments or changes required as follows: January 10, 1957

Date of receipt of corrected application

January 22, 1957

Date from which applicant may claim right

January 8, 1957

Approved March 13, 1957, Recorded in Book 4 Page 55

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

March 13, 1958

2nd. The whole of said work is to be completed on or before March 13, 1962

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

March 13, 1964 - EXTENSION GRANTED 8-7-62

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 1.71 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, 1960; said water to be used during the following described annual period:

May to November inclusive

Witness my hand this 2 day of April, 1957

State Water Resources Commission

By:

Joel Gruener

Chief Engineer, Executive Officer

Certificate of Construction Issued

August 27, 1963

Water License Issued

August 27, 1963

Permit No. 385-3Water Division No. 3 Missouri River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Louis Pavlis

of Lake Andes, County of Charles Mix, and State of South Dakota, the holder of Permit No. 385-3, issued upon Application No. 385-3, bearing date of priority of January 8, 1957, authorizing the diversion of 1.71 cu. ft. per second of the waters of the Missouri River County of Charles Mix, State of South Dakota, at S34°10'W, 300' from the SW corner of Lot 7, Sec. 32, T96N, R66W

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 1.71 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 Section 32, T96N, R66WLot 6 20.0 acresLot 7 20.0 "W½ NE¼ 80.0 "Total - 120.0 "

Witness my hand this 27th day of August A. D. 1963

State Water Resources Commission

By:

J. W. GRIMES

Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 385-3

WHEREAS, On the 8th day of January A. D. 1957
Charles and Louis Pavlis

of Lake Arles County of Charles Mix and State of
South Dakota duly made application (No. 385-3) to us for a permit to use 1.71
cubic feet per second of the waters of the Missouri River
County of Charles Mix irrigation
State of South Dakota, for
purposes; and

WHEREAS, On the 2nd day of April A. D. 1957
Permit No. 385-3 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 13th day of
March A. D. 1962 and for the application to beneficial use of said
water on or before the 13th day of March A. D. 1964
and,

WHEREAS, On the 31st day of July A. D. 1963
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.71
cubic feet per second of said waters, as evidenced by our Certificate No. 385-3
dated August 1963 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.71 cubic feet per second of water, with date of
priority of January 8, 1957 and,

WHEREAS, On the 31st day of July A. D. 1963
proof was duly made of the application to beneficial use of 1.71 cubic feet per second of said water;
for irrigating 120 acres in Section 32, 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 Charles and Louis Pavlin

of Lake Andes the holder and owner of said permit No. 385-3

a water right, dating from January 8, 1963 to the use of 1.71

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 hereinafter mentioned, to be diverted at a point S $\frac{1}{4}$ 30° W. 300' from the SW corner, Lot 7, Section 32, T96N, R66W

and conducted to and upon 120 acres in Section 32, 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 27th day of August A. D. Nineteen
Hundred and Sixty-Three

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 _____

(First Publication before February 2, 1957)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., January 28, 1957

Notice is hereby given that Charles and Louis Pavlis whose post-office address is Lake Andes 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 2.00 cubic feet of water per second of time from the Missouri River through the Missouri River Project, the point of diversion of which is to be located on the northarly bank of said stream in ~~the~~ the Lot 2 of Section 32 Twp. 96N Range 66W. Said water to be used for the purpose of providing irrigation on the following described land:

Lots 6 and 7 and W-NE 1/4, Sec 32 T 96 N, R 66 W~~XXXXXX~~~~XXXXXX~~ purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 12th day of March, 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

CC - A. P. Breen, Publisher
The Lake Andes Wave
Lake Andes, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Charles Mix } ss.Arthur P. Breen being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the -----

Lake Custer Wave a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theCity Lake Custer County of Charles Mix and State of South Dakota; that the said notice was published in said newspaper on the following dates:Feb 7, 1957Feb 14, 1957Feb 21, 1957Feb 28, 1957in each and every issue of the full number thereof, the first publication being made on the 2 day of Feb1957 and the last publication on the 28 day ofFeb 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 ----- the printer and publisher of the said newspaper.

Arthur P. BreenSubscribed and sworn to before me this 1 day of Mar. A. D. 1957Notary Breen
Charles Mix County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission,
Pierre, S. Dak.
January 28, 1957

Notice is hereby given that Charles and Louis Pavlis, whose postoffice address is Lake Andes, 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 2.00 cubic feet of water per second of time from the Missouri River through the Missouri River Project, the point of diversion of which is to be located on the northerly bank of said stream in E1 Lot 2 of Section 32, Twp. 96N, Range 66W. Said water to be used for the purpose of providing irrigation on the following described land:

Lots 6 and 7 and W1NE1, Sec. 32 T 96 N, R 66 W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 12th day of March, 1957, at 2:00 P.M. All interested persons may appear and be heard.

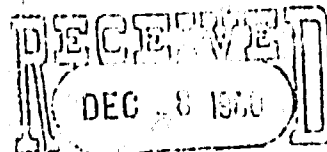
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By: J. W. Grimes

Chief Engineer, Executive Officer

(Feb. 7-14-21-28)

Permit No. 385-3Water Division No. 11

Water District

STATE WATER RESOURCES COM.

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.) Lake Andes, S.D.(Date) December 7, 1960

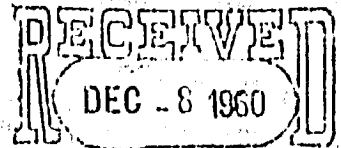
TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____
 19____, at _____ County of Charles Mix State of South Dakota,
 before _____ proof will be submitted of the application to beneficial use
 (Examining Engineer or Officer)
 of ~~1.71~~ 1.71 cubic feet per second of the waters of Missouri River
 _____ In accordance with the terms and conditions of Permit No. 385-3
 heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are _____
Louis Pavlis, Lake Andes, South Dakota
- The use to which said water has been applied is irrigational
- The amount applied to beneficial use is all
- The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) Lots 6 and 7, and W1/4 NE1, Sec 32, T-96N, R-66-W
- The name of the canal or ditch or other works by which said water is conducted to such place of use is _____
- The right to take the water from such works is based upon permit No. 385-3
- The source of supply from which such water is diverted is Missouri River
- The date of priority which said user is prepared to establish is _____

(Sign)

Louis Pavlis

Permit No. 385-3STATE WATER RESOURCES COMMISSION
PIERRE SOUTH DAKOTA

Water Division No. _____

Water District _____

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.) Louis Pavlis, Lake Andes, S.D.(Date) December 7, 1960

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 _____
1.7 cu. ft. per second of the waters of the state from _____
~~through~~ the Missouri River through the Missouri River Project
for _____ irrigational 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 Louis Pavlis
2. The postoffice address of such person or the place of business of such corporation is Lake Andes,
County of Charles Mix State of South Dakota
3. The number of such permit is 385-3 and the date set for the completion of such work is _____
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 accompanying the application for such permit, is 1.7 cubic feet per second.
6. The amount of land for which said water is available is 120 acres, ¹²
particularly described as follows: _____

Lots 6 and 7, and W 1/4, Sec 32 T 96 N, R 66 W

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

(Signature of Owners)

Louis Pavlis

Permit No. 385-3Water Division No. 3 Missouri 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~~10 I have this day made a thorough examination of the diversion works constructed byLouis Pavlis

of

Charles Mix

County, South Dakota, holder of Permit No.

385-3

Issued

upon Application No. 385-3, bearing date of priority ofJan. 8,1957,

authorizing the

diversion of 1.71 cu. ft. per second of the waters of Missouri R. for Irrigation

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

The diversion works comprise: One Cornell pump 8" in & 6" out Mod # 6NW-ECBA
1200 G.P.M. 100' avg. lift. Run by an International #4R-450
3540' of 10" of which 1950' is gated.

and the system is in the following condition: Good

The point of diversion is located 300' S 34° 30' W of the SW Cor. of
lot 7, Sec 32 T96N R66W.

The works are capable of diverting and conveying to the place of use 1.71 cu. ft. per second of water,
 which is to be used for Irrigation

The legal sub-divisions to be irrigated are: Lots 6 & 7 & W 1/2 of NE 1/4
Sec. 32 T96N R66W.

comprising a total of 120 acres of land

The domestic use intended comprises

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

Witness my hand, this 31 day ofSeptA. D. 1953

—SEAL—

William H. Miller

Examining Engineer.

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

ON FORT RANDALL DAM, LAKE FRANCIS CASE PROJECT, SOUTH DAKOTA

NO. PACM45-2-61-5032

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
Louis Pavlis

Lake Andes, South Dakota

coextensive with State water hereinafter designated as the grantee, for a period ~~not exceeding~~ Right No. 355-3, ~~XXXXXX~~ an easement for a right of way for the use, operation and maintenance of a portable irrigated water pipeline and/or 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 "B" attached hereto and made a part hereof, and described as follows:

A parcel of land 33' wide in Lot 2 of Section 32, Township 96 North, Range 66 West of the Fifth Principal Meridian, Charles Mix County, South Dakota, lying 16 1/2 feet on either side of the following described line: Commencing at the Northeast corner of Lot 2 of Section 32; thence South along the East line of said Lot 2 for a distance of 330 feet to the point of beginning; thence South 50 00' West to the shoreline of Lake Francis Case, containing 0.50 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 Fifty and no/100 Dollars

(\$ 50.00)

, 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.

That Conditions Nos. 15 and 16 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 13th
day of October 1967

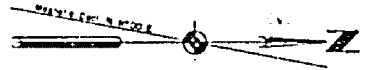
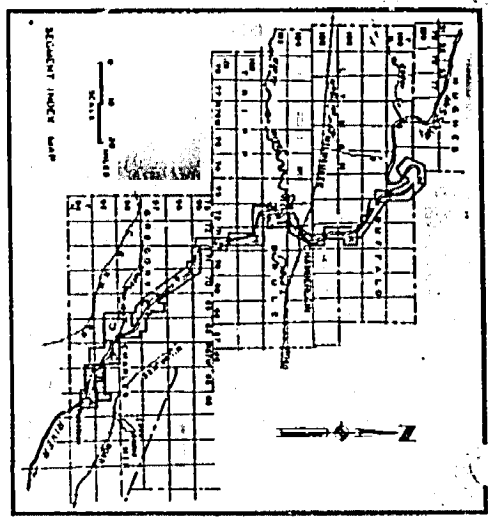
/s/ Dale Kent

DALE KENT

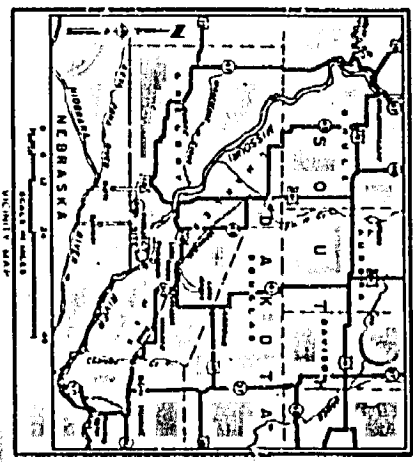
Chief, Real Estate Division

Omaha District, Corps of Engineers

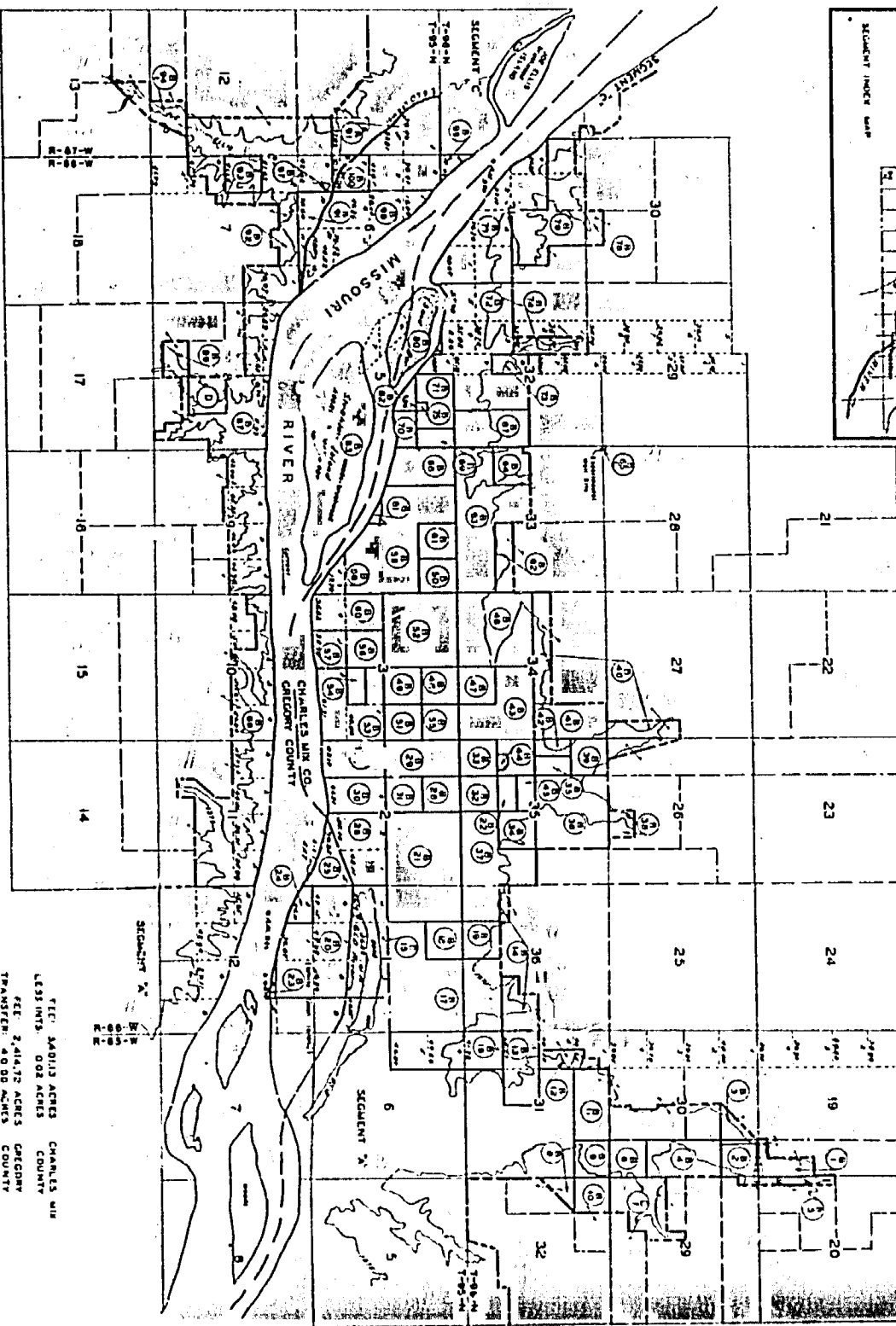
CFO 883-156



SOUTH SANDIA
STATE INDEX



37th PRINCIPAL MERIDIAN



TIC: 140113 ACRES CHARLES M. CO.
LESS INTS: 002 ACRES COUNTY
FEE: 2,414.72 ACRES CREGG
TRANSFER: 40.00 ACRES COUNTY

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NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, SD 57501

Date: April 11, 1979

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

120 acres in Lot 6, Lot 7, & W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 32, T96N, R66W as described

on water license No. 385-3.

formerly owned by Charles & Louis Pavlis, Lake Andes, SD

has been transferred to Vern Creasey, Geddes, SD 57342

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

Water Right Permit No. 385-3 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of _____) ss.

I, Tennis Pavlis 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.

Tennis Pavlis
(Signed)

Subscribed and sworn to before me this 11 Day of April 1979.

Harold R. Weaver
(Notary Public)



RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 6896

PIERRE, April 12, 1972

RECEIVED OF Creasey Farms, Inc., Betty Creasey, Geddes SD 57342
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, 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 transfer of water right No. 385-3	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH gy

Dear Sir,

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





385-3

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).

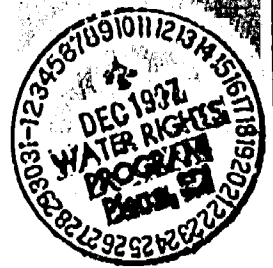
Water Right Nos. 341-3, 385-3 and 1251-3 will be transferred to your name as soon as we receive the transfer forms and the filing fees. If you have any questions concerning the water rights or completion of the transfer forms, please give me a call.

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. 385-3

Date: 12-6-97

I/We request that Water Right No. 385-3

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:

120 acres in Lots 6 & 7, and W1/4NE1/4 Sec 32, T96N, R66W

I/We understand that the validity of Water Right No. 385-3 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.

[Signature]
(Notary Public)

My Comm Expires 10-30-98

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 415552

Forre,

December 9, 1997

RECEIVED OF Creasey Farms, Inc., 29408 - 374th Ave., Geddes, SD 57342-6807

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. 385-3

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 50

By

John Hatch

Chief Engineer



385-3

**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,

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

enclosure



385-3

**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
			no
Agnes Williamson	1508-3B	NE ¼ NE ¼ Section 32, T96N, R66W	yes
		NW ¼ NW ¼ Section 33, T96N, R66W	yes 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

Genny McMath
Water Rights Program
(605) 773-3352

RECEIVED

DEC 16 2003

WATER RIGHTS
PROGRAM



385-3
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.



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,

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