

No. 0101-1

Office of State Engineer
DOCUMENT FILE

Name: Davis, Betty M.

County: Butte # 14039

Date: October 8, 1901

Filed: October 15, 1901

Location: Forty Eight mile

Stream

Harding Co.

Pre-Emption of Right of Way and Location of Water.

To Whom These Presents May Concern, Know ye, that I, Betsy M. Davis

..... of the County of Butte, in the State of South Dakota, a citizen of the United States, do hereby declare and publish as a legal notice to all the world, that I claim and have a valid right to the occupation, possession and enjoyment of all and singular, all that tract or parcel of land lying and being in the County of Butte, in the State of South Dakota, for the exclusive right of way for the purpose of constructing a flume or water ditch from Forty Eight mile stream to the

Y² N.E. ⁴ Sec 31 and lots 1-4 of section

of Section 30 in Township 17 N. of Range 1 E. more particularly described as follows: Commencing at

a point on Forty Eight mile creek from which the S.W. corner to Section 33 leaves S. 60° W. 7.46 the distance thence N.W. 10 and upon the S² S.W. ⁴ N.W. ⁴ S.W. ⁴ Sec 29 and lots 3-4 Sec 30 & N.W. ⁴ S.W. ⁴ N.W. ⁴ Section 32 and lots 1-2 in Section 31 in Township 17 N. of Range one E. B. H. M.

I also claim and have a valid right to the enjoyment and use of 1000 feet of water from said stream for irrigating purposes to be conveyed through such flume or water ditch to said tract of land, together with all and singular, the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Witness my hand and seal this 9 day of Oct A. D. 1901.

Betsy M. Davis

Notice posted on stream Oct 5 1901.

Ditch commenced at stream Oct 7 1901.

State of South Dakota, }
County of Butte, }

On this 15 day of Oct 1901, before me, W. S. Hall of County Butte

In and for the County and State aforesaid, personally appeared Betsy M. Davis

to me personally known to be the person who executed the foregoing written instrument, and acknowledged that he executed the same for the uses and purposes therein set forth. Witness my hand and official seal, the day and date above written.

Frank E. Bennett Clerk of Court

By B. S. Hall

Deputy

(Seal)

Beley M Davis
State of South Dakota,
County of Butte

ss.

Office of Register of Deeds.

Filed for record 13 day of
Oct 1901
at 5:30 o'clock P. M., and recorded in
Book 7 on page 456

Geo. B. Rose
Register of Deeds.

By _____

No. 8101-

STATE OF SOUTH DAKOTA,
County of Butte.
I, the undersigned, being a duly qualified and
authorized officer of said county, do hereby
certify that the foregoing is a true and
correct copy of the original of the same as
filed for record in my office on the
day of July 30, 1906.

Attest July 30, 1906.

H. B. Street
Register of Deeds.

By Ada Miller

Little Mo
To H. B. Street

Pre-Emption of Right of Way and Location of Water.

To Whom These Presents May Concern, Know ye, that I Betsy M Davis, of the county of Butte in the state of South Dakota, a citizen of the United States, do hereby declare and publish as a legal notice to all the world that I claim and have a valid right to the occupation, possession and enjoyment of all and singular, all that tract or parcel of land lying and being in the county of Butte, in the state of South Dakota, for the exclusive right of way for the purpose of constructing a flume or water ditch from Forty Eight Mile stream to the N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 31 and lots 3 - 4 - of Section 30 in Township 17 N of Range 1 E. more particularly described as follows: commencing at a point on Forty Eight mile creek from which the SW corner to Section 32 leaves 60° W 7.46 Chs distant running thence NWm to and upon the S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 29 and Lots 3 - 4 in Section 30 and N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32 and Lots 1 - 2 in Section 31 in Township 17 N of Range one E. B.H.M.

I also claim and have a valid right to the enjoyment and use of 1000 inches of water from said stream for irrigating purposes to be conveyed through such flume or water ditch to said tract of land, together with all and singular, the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Witness my hand and seal this 9 day of Oct A.D. 1901.

Betsy M. Davis.

Notice posted on stream Oct 8 1901.

Ditch commenced at stream Oct 8 1901.

State of South Dakota, }
County of Butte. } ss

On this 15 day of Oct 1901, before me as Clerk of Courts in and for the county and state aforesaid, personally appeared Betsy M. Davis to me personally known to be the person who executed the foregoing written instrument and acknowledged that he executed the same for the uses and purposes therein set forth. Witness my hand and official seal, the day and date above written.

Frank E. Bennett Clerk of Courts

By B. F. Tonall

Deputy.

No. 2181-1

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES,) ss

Witness my hand and official seal, done
at my office in Pierre, State of South Dakota
this 13 day of February, 1909.

By B. B. Lee
Deputy.

1950

No. 1267-1
 Map No. 1074-1 Water Division No. 1 Little Missouri R. District
 Above for Office Use 10110201



APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☐ Vested Right ☒ Future Use ☐
 Change in Diversion ☐ Additional Diversion ☐
 Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant Rex or Alfreda Davis Phone No. 797-4443
 Post Office Address Camp Crook Rt. Box 26 Belle Fourche State SD 57717 (Zip Code)
 (Street, R.R., or Box) (Town)
 If a corporation show date and place of incorporation _____ completed
 2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
 3. Name of diversion work Davis Dam
 4. Amount of water claimed (cubic feet per second) 7.33
 5. Source of water supply Forty Eight Mile Creek & tributaries
 6. Location of point of diversion 750'N and 100'E of the SW corner of Section 33, T17N, R1E

County Harding
 7. Annual period or periods during which water is to be used March to November
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation - W.S.
 9. For irrigation use, Total number of acres to be irrigated 120 ac in SD
393 ac in MT

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
see attached sheet	

Land Description	No. Acres Irr.
total acres irrigated in	
both states	513

Attach sheet if more space is needed

10. Time required to complete construction of water supply system COMPLETED years. Additional time required to complete application of water to the proposed beneficial use COMPLETED years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Waterbury

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

storage dam - 36" CHP outlet - head gate

B. Works proposed to transport water to place of use.

canals & ditches

C. Works proposed to apply water to beneficial use.

flooding - with spreader dikes & ditches

NOTE: Applicant's portions of
 Permits No. 0101-1 & 061-1
 will be incorporated into this
 permit. Permits No. 0101-1 &
 061-1 will be cancelled.

Estimated Total Cost \$ 411,111

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (see instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
 County of Harding) ss.

I, Rex or Alfreda Davis, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Rex or Alfreda DavisSubscribed and sworn to before me this 4 day of Jan., 1983

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1267-1
 Rex or Alfreda Davis Camp Crook Route, Box 26, Belle Fourche
 (Applicant) (Post Office Address)
South Dakota 57717 With the following qualifications
 (State)

"Vested Right" Claimed

Recognition of Application No. 1267-1 as a Vested Right incorporates the applicable portions of Water Right Filings No. 0101-1 and 061-1 into No. 1267-1 and cancels the abandoned portions of Water Right Filings No. 0101-1 and 061-1

Date of first receipt of application January 6, 1983
 Date of return to applicant for correction, amendments or changes required , 19
 Date of receipt of corrected application , 19
 Approved February 24, 1983, Recorded in Book Page

WATER RIGHT PERMIT NO. 1267-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1267-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is October 8, 1901
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before
 , 19
3. The whole of said work is to be completed on or before
 , 19
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is
completed, 19
5. The water appropriated shall be used for the purpose of Irrigation

6. 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.

7. The amount of the appropriation herein granted shall not exceed 7.33 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and 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 This Date, 19 ; said water to be used during the following described annual period: March 1st to November 1st

Witness my hand this 26th day of April, 1983

THE WATER MANAGEMENT BOARD

By: John Hatch
 Chief Engineer, Water Rights
 JOHN HATCH

Certificate of Construction issued , 19
 Water License issued April 26, 1983