

No. 0103-1.....

Office of State Engineer
DOCUMENT FILE

Name: *Navis, Fred. G.*
Navis, George. G.

County: *Butte # 10202*
Hastings

Date: *October 18, 1898*

Location: *Forty Eight mile*
stream

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

To Whom These Presents May Concern, Know ye, that Me Geo A Davis and Fred H Davis

of Harding County of Butte in the State of South Dakota, a citizen of the United States, do hereby

claim and publish a legal notice to all the world, that I claim and have a valid right to the location of the water that runs down a dry water course generally known as Forty eight mile Creek having its source in the Black Hills and emptying into the Little Missouri river in Harding County S.D. said dam to be located at a point on said Creek from which the witness corner to Section 13 & 24 Township 16 N. of Range 1 E. B.H. bears East 12° South 318

feet distant and also to construct flumes and ditches running in a westerly direction along both banks of said Creek and over Section 13 & 24 to their west line there to terminate. We also claim and have a valid right to all the water which may flow down said water course 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 thereto belonging or in anywise appertaining.

Witness my hand and seal this 18 day of October 1898.

Geo A Davis
Notice posted on 18 Oct 1898.

Ditch commenced at 18 Oct 1898.

State of South Dakota,
County of Butte,

On this 18 day of October 1898, before me Clerk of the Circuit
Court

In and for the County and State aforesaid, personally appeared Geo A Davis and Fred H 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.

H C Thompson
Clerk of Court

(AL)

Certified copy

MS. 6103-1

Butler

Oct 18 1898

G. P. ...

Book 7 ... 319

D. J. Martin

Register of Deeds.

GEORGE A. DAVIS
FRED G. DAVIS

State of Massachusetts, ss.
County of ...

I, the undersigned, being a duly
qualified and sworn official of said
county, do hereby certify that the
above is a true and correct
copy of the original record
of said ...

70302

SEP 25 1906

Dated ...

H. C. Frost

Register of Deeds.

By M. P. Sellers

Attest.

78 11-16-06

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

To Whom These Presents May Concern, Know ye, that we, Geo. A. Davis and J. G. Davis, of Harding county South Dakota, a citizen of the United States, do hereby declare and publish as a legal notice to all the world that we claim and have a valid right to dam and store all of the water that may flow down a dry water course generally known as forty eight mile creek having its source in the Short Pine Hills and emptying into the ^{Little} Missouri river in Harding County S. D. Said dam to be located at a point on said creek from which the witness corner to Sections 13 & 24 Township 16 N of Range 1 E. B.H.M. bears east 12° south 318 ft. distant and also to construct a flume and ditches running in a westerly direction along both banks of said creek on and over Section 13 & 24 to their west line there to terminate. We also claim and have a valid right to all the water which may flow down said water course 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.

our
Witness-my hands this 18 day of October, 1898.

Fred G. Davis.
Geo. A. Davis.

Notice posted on land October 1898.
Ditch commenced at dam October 1898.

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

On this 18th day of October 1898, before me Clerk of the Circuit Court, in and for the county and state aforesaid, personally appeared Geo. A. Davis and Fred G. 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.

H. E. Thompson.

Clerk of Courts.

Deputy.

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1266-1

Alfred Davis - Shirley Blake
(Applicant)
South Dakota 57717
(State)

Camp Crook Rt., Belle Fourche
(Post Office Address)

With the following qualifications

"Vested Right" Claimed

Recognition of Application No. 1266-1 as a Vested Right incorporates the applicable portions of Water Right Filing No. 0103-1 into No. 1266-1 and cancels the abandoned portions of Water Right Filing No. 0103-1.

Date of first receipt of application December 16, 1982

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. 1266-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1266-1 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 2.40 cfs from Oct. 1, 1898 and ~~19~~
0.56 cfs from Sept 28, 1949
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 2.96 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 27th 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 27,, 1983