

(Copy)

No. 114-1

Water Division No. 1 Grand River Water District.

(Blanks to be filled by the State Engineer.)

APPLICATION FOR A PERMIT To Appropriate Water Within the State of South Dakota

(Note—Draw a line through items not applicable.)

1. Name of applicant C. M. Cornell

Postoffice address Buffalo, County Harding, State South Dakota

I. If a corporation: No.

(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 the work. (Whether by contract, employment of others, or by direct labor) Direct labor

(b) Cash on hand, \$ (c) Treasury stock, \$

(d) Bonds to be issued, \$ (e) Other resources, \$

2. Name of diversion works Cornell Diversion Works

3. Quantity of water claimed 2 cubic feet per second.

4. Source of water supply Boxelder Creek and Cornell Creek.

5. Location of point of diversion SW 1/4 NE 1/4 Sec. 9 and SW 1/4 NE 1/4, W 1/2 NE 1/4, NE 1/4 NW 1/4, Sec.

7. Tp. 19 North, Range 6 East, T. 19 N. on both banks (Right or left bank looking down stream.)

6. Annual periods during which water is to be used entire year

7. To be used for:

I. Irrigation or domestic use:

(a) Number of acres to be irrigated 75 acres.

SW 1/4 of NW 1/4 of Section 9, ) - Desert Claim,
C of NE 1/4 " " 7
NW 1/4 of NE 1/4 " " 7 } - Homestead
NE 1/4 of NW 1/4 " " 7

All in Township 19 North, Range 6 East, Black Hills Meridian.

(d) Method of developing power

(e) Point where water will be returned to stream

8. Estimated cost of works:  
 (a) Head gates, \$..... (b) Pumping plant, \$.....  
 (c) Plumbing, \$..... (d) Canal-earth, \$..... Rock, \$.....  
 (e) Other structures..... \$..... Total, \$ 500.00

9. Description of diversion works:  
 I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)  
 7 small dams, dykes, one ditch and one storage reservoir.

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 of front (water) face.....; slope of back face.....; material used in construction earth dams and some riprap facings.

(b) Reservoir: Capacity when filled..... acre feet. Surface area at highwater mark 3 1/2 acres.

DEPTH AT OUTLET—FEET	SURFACE AREA AT EACH..... FEET DEPTH AT OUTLET—ACRES	CAPACITY—ACRE FEET

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

(d) Canal: Total length 0.19 miles.

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

[Give dimensions where reductions in size are made.]

10. Time required for completion of work 2 years.  
 11. Time required for complete application of water to the proposed beneficial use 2 years.  
 12. Choice of newspaper for publication of notice of intention to appropriate Buffalo Times published at Buffalo, S.D.

STATE OF SOUTH DAKOTA }  
 County of Park } ss

I, Alfred S. Tubbs, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of engineer employed, that I have read the above and foregoing statement, and 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 Alfred S. Tubbs,

Subscribed and sworn to before me this 9th day of January 1901

E. C. Siderius,  
 Notary Public (or other qualified officer.)

( S E A L )

# PLAT OF DESERT CLAIM

## NO. 022774

Also showing homestead owned by C.M. Cornell, of  
Buffalo, South Dakota.

Description - D.L.E. - SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 8;

Homestead - SE $\frac{1}{4}$  NE $\frac{1}{4}$ , W $\frac{1}{2}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 7,

All in Tp. 19 North, Range 6 E., Black Hills Meridian.

Point of Diversion - on each 40 acre tract described.

Area of D.L.E. - 40 acres.

Area of Homestead - 160 acres.

Total amount of irrigable land - 75 acres

Amount of water required - 2 cubic feet per minute.

Drainage area - 16 sections.

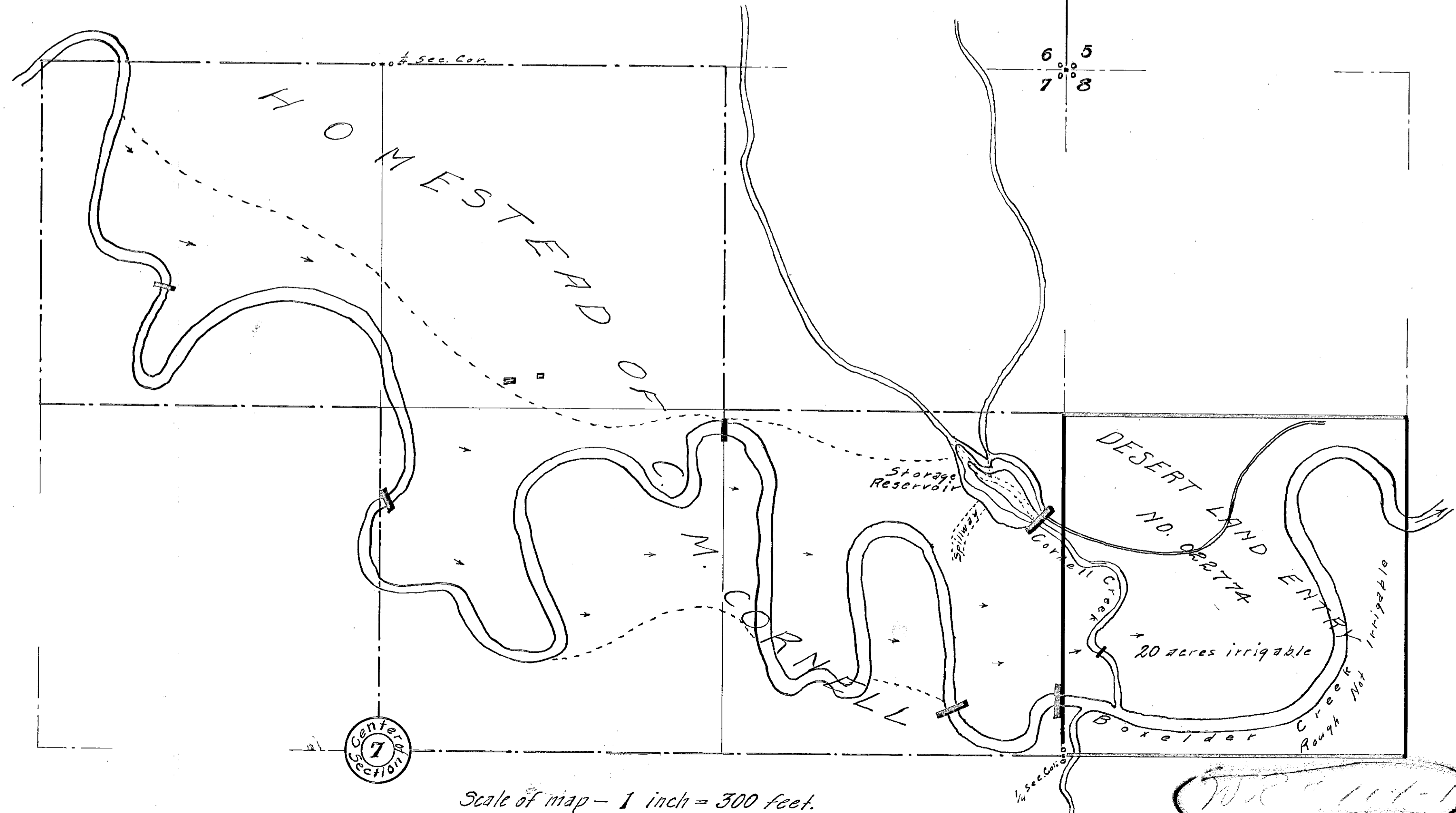
STATE OF SOUTH DAKOTA, }  
COUNTY OF PERKINS. } s.s.

I, Alfred S. Tubbs, being first duly sworn upon my oath, say that I am the engineer who was employ by C. M. Cornell to survey his Desert Claim and Homestead as shown on this plat, that the survey and map hereof were made by me and under my direction, that the map was made for the purpose of being filed in the office of State Engineer at Pierre, South Dakota in order to obtain a Water Right on Boxelder Creek and Cornell Creek, as shown hereon, that the amount of water required is 2 cubic feet per second for the entire year, that I know of my own knowledge that the statements hereon made are true.

Sworn to and subscribed before me this 9<sup>th</sup> day of January 1913.

*Alfred S. Tubbs*  
DEPUTY STATE SURVEYOR.

*H. B. Linn*  
NOTARY PUBLIC.



Scale of map - 1 inch = 300 feet.

*75 acres irrigable*  
1/11/13

RECEIVED  
FEB 25 1913  
OFFICE OF STATE ENGINEER

Approved June 14, 1913.  
*Norm M. Derr*  
State Engineer.

Remarks by State Engineer

This application is for the right to appropriate and divert a portion of the waters of Roxelder and Cornell Creeks at the points herein Designated for irrigating the lands herein described. The diversion are to be made from channel by means of dams and a ditch.

STATE OF SOUTH DAKOTA }  
County of Hughen }

Pierre, South Dakota, May 8, 1913 1903

This is to certify that the foregoing application was received at this office at 9 o'clock a.m. upon the 15th day of February 1913 and that after examination it was found to comply with the provisions of the Irrigation Code of South Dakota, Notice of intention to appropriate was published, proof of publication was duly filed, and a hearing was held in this office on May 2, 1913.

Home M. Dear  
State Engineer.

Number of permit 114-1 By Deputy  
Date of first receipt of application February 15, 1913  
Date of return to applicant for correction February 18, 1913  
Date of receipt of corrected application March 1, 1913  
Date from which applicant may claim right February 15, 1913  
Approved May 8, 1913 Recorded in Book 2 Pages 226 & 227

This is to certify that I have examined the foregoing application for a permit to appropriate water of the state of South Dakota, and I hereby grant the same as stated herein, subject, however, to the following limitations and conditions.

- 1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before May 3, 1914
- 2d. The whole of said work is to be completed on or before May 8, 1915
- 3d. The limit of time for proof of beneficial use of water appropriated in accordance herewith is May 8th 1915
- 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 this State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
- 6th. The amount of the appropriation herein granted shall not exceed 3 cubic feet of water per second of time; 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 May 8, 1915; said water to be used during the following described annual periods:  
entire year

Witness my hand this 5th day of June 1913

Home M. Dear  
State Engineer.

By Deputy

(Copy)

STATE OF SOUTHERN DISTRICT  
COUNTY OF HUGO

I hereby certify that the foregoing instrument is a true and correct complete transcript of the instrument which it purports to be, as the same was filed for record in the office of the State Engineer.

Witness my hand and official seal, this at my office in Pierre, State of South Dakota

this 16 day of June 1903

*Home M. Derr*  
*Home M. Derr*

State Engineer.

By

*L M H*  
Deputy.

No. 114-1

Division No. 1

Grand River Water District.

PERMIT

to appropriate water from Foxelder & Cornell Creeks

Harding County, South Dakota

Name of applicant C. M. Cornell  
Buffalo, Harding Co, S. D.

Name of diversion works  
Cornell Diversion Works

Date of first receipt at office of State Engineer Feb. 15 1903

Returned to applicant for Correction Feb. 18 1903

Corrected application received March 1 1903

Date of water right February 15 1903

Recorded in Book 2 Page 226-227  
Outset of work to be completed

May 8 1914

Whole work to be completed May 8 1915

Final proof of use of water May 3 1915

Approved May 2 1903  
*Home M. Derr*

State Engineer.

By Deputy

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 114-1

WHEREAS, On the 9th day of January, A. D. 1913

C. M. Cornell

of Buffalo, County of Harding and State of

South Dakota duly made application (No. 114-1) to me for a permit to use -2-

cubic feet per second of the waters of Boxelder Creek and Cornell Creek

County of Harding State of South Dakota, for irrigation and stock purposes; and

WHEREAS, On the 6th day of June A. D. 1913

Permit No. 114-1 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 5th day of

May A. D. 1915 and for the application to beneficial use of said

water on or before the 8th day of May A. D. 1915 and,

WHEREAS, On the 3rd day of November, A. D. 1916

the holder of said permit duly made proof of the completion of adequate works for the diversion of

-2- cubic feet per second of said waters, as evidenced by my Certificate No. 114-1

dated November 3rd, 1916, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use -2- cubic feet per second of water, with date of priority of January 9, 1913, and,

WHEREAS, On the 3rd day of November, A. D. 1916

proof was duly made of the application to beneficial use of -2- cubic feet per second of said water;

To irrigate the NE 1/4 NW 1/4 -7-19-6, about 20 acres

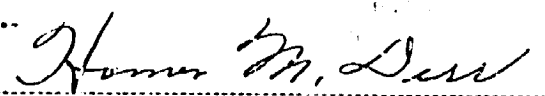
NW 1/4 NE 1/4	-7	"	"	"	10	"
SW 1/4 NE 1/4	"	"	"	"	25	"
SE 1/4 NE 1/4	"	"	"	"	30	"
SW 1/4 NW 1/4	8	"	"	"	20	"

and for the purpose of watering stock.

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of South Dakota, I  
 hereby grant and confirm to G. H. Cornell  
 of Pierre, S. D., South Dakota, the holder and owner of said permit No. 114-1  
 a water right, dating from January 9, 1913 to the use of -2-  
 cubic feet per second of the waters of Cornell Creek and Boxelder Creek  
 in the County of Harding and State of South Dakota, or so much thereof as may be  
 necessary for the purposes hereinbelow mentioned, to be diverted at points in the SW 1/4  
Sec. 8 and SE 1/4 NE 1/4, W 1/4 NE 1/4, NE 1/4 NW 1/4 Sec. 7, T. 19 North, Range 6 E. B. S. M.  
 and conducted to and upon portions of NE 1/4 NW 1/4 -7-19-6  
SW 1/4 NE 1/4 " " "  
SW 1/4 NE 1/4 " " "  
SW 1/4 NW 1/4 " " "  
 for the purpose of irrigation and watering stock.

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 the seal of my office at Pierre, South Dakota,  
 this 29th day of November A. D. Nineteen  
Hundred and Sixteen.

  
 State Engineer.

STATE OF SOUTH DAKOTA

Water License No. 114-1

To C. M. Cornell,  
Buffalo, S. D.

Source of Supply Cornell Creek  
and Boxelder Creek,

Harding County

Am't -2- Sec. Feet

Point of Diversion Sec. 7, T. 8, R. 6  
19 N. E. B. M.

Place of Use Sec. 7, T. 8, R. 6  
19 N. E. B. M.

Purpose Irrigation and water-  
ing stock.

Date of Priority January 9, 1913.

Recorded Nov. 29, 1916,  
in Book 2 of Page 226  
227.

# Certificate of Application of Water to Beneficial Use.

## Deposition of Holder

Ques: 1. State your name, residence, occupation and postoffice address.

Ans. C. M. Cornell. Residence Buffalo, Harding County, South Dakota.  
Occupation Stockman, Address Buffalo, South Dakota.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. XXXXXXXXXX

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit number 114-1 dated June 14-1913. Date of priority Jan. 9, 1913.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Source of water supply--Boxelder Creek and Cornell Creek.  
Point of diversion--on each of the following described 40 acre tracts i. e. SW-NW of Sec. 8, SE-NE, NW-NE, SW-NE, NE-NW Sec. 7, T. 19, Range 6 E. B. H. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to places of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Various dams and ditches as fully described in map and application on file in office of State Engineer and covering this case.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.) Water is used for irrigation purposes on each of the subdivisions described as follows and on the areas given i. e.

Ans. NE1/4-NW1/4, Sec. 7-T, 19-R 6 E. B. H. M., about 20 acres.

NW1/4-NE1/4, Sec. 7-T19-R 6 E. B. H. M., about 10 acres.

SW1/4-NE1/4 Sec. 7-T19-R 6 E. B. H. M., about 25 acres.

SE1/4-NE1/4 Sec. 7-T19-R 6 E. B. H. M., about 30 acres.

SW1/4-NW1/4 Sec. 8-T19-R 6 E. B. H. M., about 20 acres.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. Besides making use of the water for irrigating purposes I also use these reservoirs as watering places for my stock as there is no live water on my land as described herein and without these watering places I would be obliged to pump from wells for my stock.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. Two second feet.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. XXXXXXXX

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. During years 1912-1914-1915 & 1916 I irrigated the irrigable land in the above described tracts when ever there was sufficient moisture to cause Boxelder Creek and Cornell Creek to run enough water to fill my diverting dams, irrigating by overflowing while the stream was running and by subirrigation afterwards. During years of 1915 & 1916 I also irrigated by means of the storage reservoir situated on Cornell Creek on the SE-NE, Sec. 7, 19-6 and its ditch, part of the SE-NE, 7 & SW-NW, 8-19-6.

C. M. Cornell

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Buffalo, South Dakota, County of Harding

State of South Dakota, on this 19<sup>th</sup> day of August A. D. 1916

M. W. Bennett

NOTARY PUBLIC

Permit No. ....

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**Proof of Application of Water to  
Beneficial Use.**

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**DEPOSITION OF HOLDER.**

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Amount of water ..... second feet

Source .....

County .....

Purpose .....

Place of Use .....

.....

.....

Date of priority .....

---

Received and filed .....

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Permit No. 114-1

Water Division No. 1 Pierre Water District

### Certificate of Examination of Works

#### Report of Examining Engineer

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated.....

1916, I have this day made a thorough examination of the diversion works constructed by.....

*Carl M. Cornell* of *Box 125, Col. S. D.* County, South Dakota, holder of permit No. 114-1, issued

upon application No. 114-1, bearing date of priority of *July 8, 1915*, authorizing the

diversion of *2* second feet of the waters of *Box 125, Col. S. D.* for *irrigation and watering stock* purposes. I have to report on the condition of the same as follows:

The diversion works comprise: *Two diversion dams, five check dams and five diversion ditches*

and the system is in the following condition: *The system is in working order, except for small repairs or required amount of an such projects*

The point of diversion is located *NE-NW-7-19-6 NW-NE-7-19-6 SE-NE-7-19-6 SW-NW-5-19-6*

The works are capable of diverting and conveying to the place of use *2* second-feet of water, which is to be used for *irrigation and watering stock*

The legal sub-divisions to be irrigated are:

<i>NE-NW-7-19-6</i>	<i>20</i>	<i>acres</i>
<i>NW-NE-7-19-6</i>	<i>10</i>	<i>"</i>
<i>SW-NE-7-19-6</i>	<i>25</i>	<i>"</i>
<i>SE-NE-7-19-6</i>	<i>30</i>	<i>"</i>
<i>SW-NW-5-19-6</i>	<i>20</i>	<i>"</i>

comprising a total of *105* acres of land.

The domestic use intended comprises *watering live stock*

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

Witness my hand, this *3<sup>rd</sup>* day of *November* A.D. 191*6*  
*Alfred J. Tubbs*  
Examining Engineer.

Permit No. 114-1

Water Div. No. .... Water Dist. ....

**Certificate of Examination  
of Works**

Dated Nov 3, 1916

Stream Boulder Creek + Cornell  
Creek

County Harding

Amount 2 Second Feet

Date of Priority January 9, 1913

Recorded in Book 2 Page 220

Filed in the office of the State Engineer this  
29th day of Nov A. D. 1916

Homer M. New

State Engineer.

By L. M. Howard  
Deputy.

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }  
 County of Harding } ss  
Roy Van Dwerker being duly  
 sworn, deposes and says the annexed printed copy of Notice  
 Intention to appropriate Water was taken from the  
Buffalo Times a newspaper which  
 during the whole time of publication of said notice herein-  
 after stated, has been and is printed and published in the  
town of Buffalo County of  
Harding and State of South Dakota,  
 That the said notice was published in said newspaper on the  
 following dates:  
March 14, 1913, March 21, 1913  
March 28th, 1913, April 4, 1913  
 in each and every issue of the full number thereof, the first  
 publication being made on the 14th day of March  
1913 and the last publication on the 4th day of  
April 1913, upon which days or times  
 of publication aforesaid the newspaper was regularly pub-  
 lished, and that during the whole time of said publication  
 he was editor the printer and publisher of  
 the said newspaper.

Roy Van Dwerker  
 Subscribed and sworn to before me this 28th day of April A. D. 1913  
Chas. J. [Signature]  
 Notary Public, Harding County, S. D.

First Publication March 14, 1913. No 114-1  
 Appropriation of Water  
 Office of the State Engineer  
 Pierre, S. D., March 3, 1913  
 Notice is hereby given that C. M. Cornell,  
 whose post office address is Buffalo, Hard-  
 ing County, S. D., has made an application in  
 accordance with the provisions of the Irriga-  
 tion laws of South Dakota for a permit to  
 appropriate for beneficial use two cubic feet  
 of water per second of time from Boxelder  
 and Cornell Creek through the Cornell Diver-  
 sion Works, the point of diversion of which is  
 to be located upon the both banks of said  
 stream in the SW<sup>1</sup>/<sub>4</sub> of the NW<sup>1</sup>/<sub>4</sub> of section 8  
 and SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, W<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> section  
 7, township 19 North, range 6 east, B. H. M.,  
 said water to be used for the purpose of irri-  
 gation upon the SW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub> of Section 8;  
 S<sup>1</sup>/<sub>4</sub> of NE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub> of NE<sup>1</sup>/<sub>4</sub> and NE<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub>  
 of Section 7, all in township 19 North, Range 6  
 E., B. H. M.  
 This application will be taken up by the  
 state engineer at his office at Pierre for con-  
 sideration and appropriate action upon the  
 2nd day of May, 1913, at 9 a. m., at which time  
 all persons who believe that the prior rights  
 would be injuriously affected, or that the  
 allowance of the permit would be detri-  
 mental to the public welfare, and also parties  
 making the application, and to be benefited  
 are notified to be present either by sworn affi-  
 davit or in person for the purpose of present-  
 ing any relative testimony.  
 SAMUEL H. LEA,  
 State Engineer.

First Publication March 4, 1913, No 114-1  
Appropriation of Water  
Office of the State Engineer  
Pierre, S. D. March 3, 1913  
Notice is hereby given that C. M. Cornell  
postoffice address is Buffalo, Hard-  
ing, S. D., has made an appli-  
cation with the provision  
of South Dakota  
for beneficial use

First Publication 1913

APPROPRIATION OF WATER.

Office of the State Engineer,

Pierre, S. D., March 3 1913

Notice is hereby given that C. M. Cornell,  
whose postoffice address is Buffalo, Harding County,  
S. D., has made an application in accordance with the provisions of the  
irrigation laws of South Dakota for a permit to appropriate for beneficial  
use 2 cubic feet of water per second of time from Boxelder & Cornell  
Creeks through the Cornell Diversion Works  
the points of diversion of which is to be located upon the both  
banks of said stream in the SW 1/4 of the NW 1/4 of section 8 and  
SE 1/4 NE 1/4 W 1/2 NE 1/4 NE 1/4 NW 1/4 Sec. 7,  
township 19 North range 6 E. B. H. M., said water to be used for the  
purpose of irrigation upon the  
SW 1/4 of NW 1/4 of Section 8; S 1/2 of NE 1/4; NW 1/4 of NE 1/4 and NE 1/4 of NW 1/4 of  
Section 7, all in township 19 North, Range 6 E. B. H. M.

This application will be taken up by the state engineer at his office  
at Pierre for consideration and appropriate action upon the 2nd  
day of May 1913, at 9 a. m., at which time all persons  
who believe that the prior rights would be injuriously affected, or that  
the allowance of the permit would be detrimental to the public welfare, and  
also parties making the application, and to be benefited, are notified to  
be present either by sworn affidavit or in person for the purpose of pre-  
senting any relative testimony.

State Engineer.

Permit No. 114-1

Water Division No. 1 Grand River Water District

# Certificate of Application of Water to Beneficial Use.

## Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Carl E. Cornell, Buffalo, Harding Co. So. Dak.  
Stockman.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 114-1, Jan. 9, 1913.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Cornell Creek and Box Elder Creek. There is a check dam or diversion dam on each and every 40 acre tract according to plat filed.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Two diversion dams and five check dams. Amount of water 2 second feet. Cornell diversion works.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. For irrigation and stock.

Water is used for irrigation purposes on each of the subdivisions described as follows and on the areas given i. e.

NE-NW 7-19-0	About	20	acres.
NW-NE " " "	"	10	"
SE-NE " " "	"	10	"
SE-NE " " "	"	10	"
SW-NW 8 19-0	"	10	"

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. A small amount compared to the total amount appropriated.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. 1913-1914-1915 & 1916 by overflowing with check dams and diversion ditches. Entire irrigable area. Land is sub-irrigated at all times when there is water in the reservoirs. Water in some of the reservoirs is used at all times for watering purposes.

(Sign.)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Brialo, County of Harding

State of South Dakota, on this 24th day of November, A. D., 1916

*[Handwritten Signature]*  
County Clerk

Permit No. 114-1

**Proof of Application of Water to  
Beneficial Use.**

**DEPOSITION OF HOLDER.**

Amount of water - 2 - second feet

Source Cornell Creek + Box  
elder Creek

County Headling

Purpose Irrigation + watering  
stock

Place of Use Secs 7-8 T 19 R 6

Date of priority January 9, 1913

Received and filed Nov 29, 1916.

**SOUTH Dakota Department of  
Water & Natural Resources**

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

114-1  
242-1

September 13, 1988

Ludlow Cooperative Grazing Assoc.  
% Julie Schell  
Box 282  
Buffalo, SD 57720

Dear Ms. Schell:

Enclosed, as you requested, are copies of Water Right Nos. 114-1 and 242-1, for your review. Water Right No. 114-1 is listed in the name of C M Cornell and Water Right No. 242-1 is listed under Bruce Norris.

Please contact this office as to the status of these water rights. If you have any questions, please contact us.

Sincerely,

*Genny McMATH*

GENNY MCMATH  
Natural Resources Analyst  
(605) 773-3352

enclosure

