

VESTED
Water Right No. 1266-1

WATER Received yes _____ no _____ APPROVED/CONDITIONAL (Circle one)
QUALITY
WI-1 Description same as application-yes _____ no _____ Remarks _____

Received yes _____ no _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application-yes _____ no _____ Remarks _____

Diversion Point #1-SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; #2-
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14; #3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13 and
#4 in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12 all in T16N, R1E

Land to be irrigated SE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$:
NE $\frac{1}{4}$ SW $\frac{1}{4}$; & NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11; ~~SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$:~~
SW $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12; ~~S $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$:~~
E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13;
N $\frac{1}{2}$ NE $\frac{1}{4}$; Sec. 14; N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 24 all in
T16N- R1E

WELL LOG Driller _____ Licensed - yes _____ no _____
Depth _____

Remarks _____

MAP Map No. 1073-1 Map located in Water Right xx Map file _____
 Type of Map Aerial/Drawn Prepared by LeRoy Mernaugh

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

12/27/82

Betty Westlund
 (Signed)

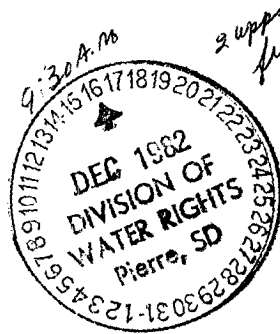
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PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 OF LAW, Date
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 ETC. Remarks _____

1266-1

No. _____

Map No. 1073-1 Water Division No. 1 Little Missouri District
Above for Office Use

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

Check one of the following:

New _____ Vested Right XX Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Alfred Davis - Shirley Blake Phone No. 797-4426Post Office Address Camp Crook Rt. Belle Fourche State South Dakota 57717
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) completed3. Name of diversion work Davis - Blake Irrigation Project4. Amount of water claimed (cubic feet per second) 2.46 cfs priority Oct. 1898 & 0.56 cfs priority5. Source of water supply Forty eight Mile Creek & Dry Draw September 28, 19496. Location of point of diversion On Forty eight Mile Creek between Pts #1-250'N & 350'W of the SE corner Sec 13 and Pt #2-250'S & 1550'W of the NE corner Section 14; Pt #3-2000'S & 3900'W of NE corner Sec 13; Pt #4-250'W & 1100'W of SE corner County Harding7. Annual period or periods during which water is to be used March to November8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 207

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.
<u>see attached sheet</u>	

Land Description	No. Acres Irr.

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 N/A

12. Principal Features of the Proposed Water Supply System.

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

four dams

NOTE: Permit #0391 will be cancelled on approval of this application

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

ditches

C. Works proposed to apply water to beneficial use.

ditches for flood irrigation

Estimated Total Cost \$ _____

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, Alfred Davis & Shirley Blake 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 *Alfred Davis & Shirley BlakeSubscribed and sworn to before me this 30 day of December, 1982Edw. W. BealeNotary Public (or other qualified officer)
HARDING COUNTY, S. D.
My Commission Expires FEB. 1, 1987



Office Copy

MAP # 1073-1

APPL # 1266-1

24 Center

NOT TO SCALE

NOT TO SCALE

NOT TO SCALE

1982

1987

1982

16-1

3-23R

16-1

3-23R

h 281
Shirley Lake

38' 64.7
Flood

35-1A

Openings in ditch

Ditches
Dikes

R 43.0

Flood

12

16-1

Spender's Dikes

Flood

Dir. Point, Flood in
Dam to Irr below dam
Dam 20' High,
12' CMP Gate left partially
open at all times

~~WR # 1266-1~~
WR # 1266-1

Dike W 12" CMP
with Gate

Alfred Davis

14

17.9

201 cc

leg

Blade

13

Dike

16-1

3-23L

Dike

2507 D

Alfred Davis

Dam

Dam

24 Center

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

All in T16N, R1E

Description	Section	Acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ BD	11	2
SW $\frac{1}{4}$ NE $\frac{1}{4}$ AC	11	2
NE $\frac{1}{4}$ SW $\frac{1}{4}$ DA	11	17
NW $\frac{1}{4}$ SE $\frac{1}{4}$ DB	11	25
SW $\frac{1}{4}$ SW $\frac{1}{4}$ CC	12	8
SE $\frac{1}{4}$ SW $\frac{1}{4}$ CD	12	24
SW $\frac{1}{4}$ SE $\frac{1}{4}$ DC	12	13
SE $\frac{1}{4}$ SE $\frac{1}{4}$ DD	12	2
NW $\frac{1}{4}$ NW $\frac{1}{4}$ BB	13	28
SW $\frac{1}{4}$ NW $\frac{1}{4}$ BC	13	24
SE $\frac{1}{4}$ NW $\frac{1}{4}$ BD	13	3
NW $\frac{1}{4}$ SW $\frac{1}{4}$ CB	13	3
NE $\frac{1}{4}$ SW $\frac{1}{4}$ CA	13	5
SE $\frac{1}{4}$ SW $\frac{1}{4}$ CD	13	2
SW $\frac{1}{4}$ SE $\frac{1}{4}$ DC	13	18
SE $\frac{1}{4}$ SE $\frac{1}{4}$ DD	13	6
NW $\frac{1}{4}$ NE $\frac{1}{4}$ AB	14	6
NE $\frac{1}{4}$ NE $\frac{1}{4}$ AA	14	8
NW $\frac{1}{4}$ NE $\frac{1}{4}$ AB	24	5
NE $\frac{1}{4}$ NE $\frac{1}{4}$ AA	24	6

Total acres	207
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WATER LICENSE NO. 1266-1

(1) WHEREAS, On the 16th day of December A. D. 1982
Alfred Davis and Shirley Blake

made Water Right Application No. 1266-1 Vested Right
for a permit to use 2.96 cubic feet per second of the waters
of Forty Eight Mile Creek and dry draw
County of Harding, State of South Dakota, for irrigation
purposes; and

Vested Right (2) WHEREAS, On the 24th day of February A. D. 1983
Permit No. 1266-1, with a date of priority of 2.40 cfs from October 1, 1898 & 0.56 cfs from
September 28, 1949
was issued to said applicant S for the diversion of said water, and recognizing
supply system therein described on or before the day of A. D. 19 and for the
application to beneficial use of said water on or before the day of A. D. 19

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 2.96 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,

all in T16N, R1E				Section 13 NW¼ NW¼ 28 acres (BB)			
Section 11 SE¼ NW¼ 2 acres (BD)				SW¼ NW¼ 24 " (BC)			
SW¼ NE¼ 2 " (AC)				SE¼ NW¼ 3 " (BD)			
NE¼ SW¼ 17 " (DA)				NW¼ SW¼ 3 " (CB)			
NW¼ SE¼ 25 " (DB)				NE¼ SW¼ 5 " (CA)			
				SE¼ SW¼ 2 " (CD)			
Section 12 SW¼ SW¼ 8 " (CC)				SW¼ SE¼ 18 " (DC)			
SE¼ SW¼ 24 " (CD)				SE¼ SE¼ 6 " (DD)			
SW¼ SE¼ 13 " (DC)							
SE¼ SE¼ 2 " (DD)				Section 14 NW¼ NE¼ 6 " (AB)			
				NE¼ NE¼ 8 " (AA)			
				Section 24 NW¼ NE¼ 5 " (AB)			
				NE¼ NE¼ 6 " (AA)			
				TOTAL ACRES 207			

(5) 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 Alfred Davis and Shirley Blake

_____ of Camp Crook Rt. Belle Frouche SD 57717
the holder S and owner S of said Vested Right permit No. 1266-1 a water right, dating from 2.40 cfs from Oct 1, 1898
and 0.56 cfs from Sept 28, 1949 to use of 2.96 cubic feet per second of the waters
of Forty Eight Mile Creek and dry draw

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 Point #1-250' North and 350' West of the SE corner of
Section 13 (DD); Point #2-250' South and 1550' West of the NE corner Sec. 14 (AB);
Point #3-2000' South and 3900' West of NE corner of Sec 13 (BD); and Point #4-250' West-
North
and 1100' West of SE corner Section 12 (DD) all in T16N, R1E

and conducted to and upon portions of land in Sections 11, 12, 13, 14 and 24, T16N, R1E
more fully described on the face of this license.

for the purpose of irrigation

This Water License No. 1266-1 is based on a Vested Right claim ^{recognized} ~~filed~~ by the Water Management Board.

Subject to any limitations listed in Water Right Permit No. 1266-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 27th day of April A. D.
Nineteen Hundred and Eighty-three

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

D. Well Information

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc)
- (3) Screen, Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

- (2) Distance to nearest existing household or livestock watering well.

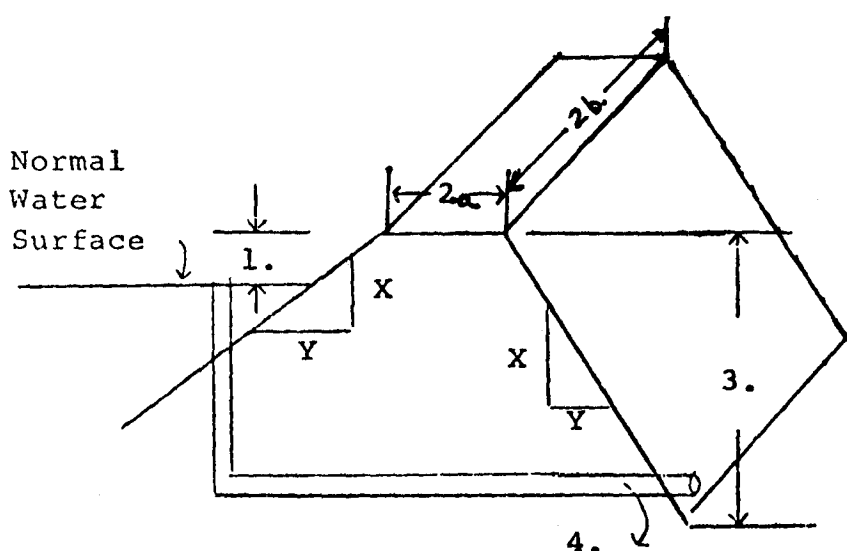
On same owner's property _____ rds.

On property owned by others _____ rds.

G. Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.

Dam in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 13, T16N, R1E



1. Freeboard 4.0'
- 2a Crest width 12 b. length 800
3. Height of Dam 18.0'
4. Outlet dimensions: 12" CMP
Pipe diameter 100'
Spillway width _____
- X & Y slope: 2:1
Upstream _____
Downstream 3:1
- Surface area of impoundment 30 acres
- Drainage area above dam 1200 acres
- storage - 120 AF

Dam in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 12, T16N, R1E

Height - 20'
Freeboard - 4'
Length - 500'
Water depth - 16'
Em spillway - 60'
3:1 upstream slope
2:1 downstream slope
Outlet Pipe - 12" CMP/headgate
storage - 32.5 acre feet
watershed - 600 acres

Alfred L. Daves Shirley Blake
Signature of Applicant

NOTE: This Form is supplemental to Form 2, and is to be used when an affidavit pertaining to construction and water use, already completed, is needed.

**AFFIDAVIT OF CONSTRUCTION OF WATER USE
SYSTEM AND APPLICATION OF WATER TO BENEFICIAL USE**

Name of Applicant (Same as Form 2) Alfred Davis - Shirley Blake

Post Office Address Camp Crook Rt., Belle Fourche, State South Dakota 57717

If a Corporation show date and place of incorporation _____

13. Notice of Appropriation (If available) Information from Permit No. 0103-1
 Date of Posting October 1898 Date of Recording October 18, 1898
 Recording Data _____

14. Date of start of construction of water supply system 1899

15. Date that water was first applied to beneficial use 1902

16. Name of owner of original water supply system Geo A Davis & F.G. Davis

17. Amount of water originally applied to beneficial use All of the water in xxxxxx Fortyeight Mile Creek

18. Present Use of Water
 Amount of water now being used 5.0 c. f. s.
 Date that this amount of water was first used 1902

19. Chronological History of Water Use

1902 Finished construction
 1927 Alfred Davis and Fred Davis owned property
 1952 Alfred Davis had full ownership
 The system has been in use continually since 1902 to the present time

Information on this Form 2B is for areas in Sections 11, 12, 13, 14 & 24, T16N, R1E on the Vested Right Application

Attach to this Form 2B. any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

STATE OF SOUTH DAKOTA)
 County of Harding) ss.

I, Alfred Davis & Shirley Blake, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed x Alfred L. Davis Shirley Blake

Subscribed and sworn to before me this 3rd day of December, 1982

Ernest A. Beale Notary Public, BUTTE COUNTY, S. DAK.
 My Commission Expires FEB. 1, 1987
 (Notary Public - or other qualified Officer)

I, the undersigned do hereby certify that I know about the water use system described above that I have read the foregoing and that the matters therein stated are true.

Alfred L. Davis
Shirley Blake

NOTE: This Form is supplemental to Form 2, and is to be used when an affidavit pertaining to construction and water use, already completed, is needed.

**AFFIDAVIT OF CONSTRUCTION OF WATER USE
SYSTEM AND APPLICATION OF WATER TO BENEFICIAL USE**

Name of Applicant (Same as Form 2) Alfred Davis - Shirley Blake

Post Office Address Camp Crook Rt., Belle Fourche, State South Dakota 57717

If a Corporation show date and place of incorporation _____

13. Notice of Appropriation (If available) Based on Location Notice No. 819-1

Date of Posting _____ Date of Recording September 28, 1949

Recording Data _____

14. Date of start of construction of water supply system 1949

15. Date that water was first applied to beneficial use 1949

16. Name of owner of original water supply system Alfred Davis

17. Amount of water originally applied to beneficial use 32.5 ac ft c. f. s.

18. Present Use of Water

Amount of water now being used 5.0 c. f. s. (12" CMP & Em spillway)

Date that this amount of water was first used 1949

19. Chronological History of Water Use

1949 The dam was constructed

1949 Water first applied

This system has been in use continuously until the present time

Information on this Form 2B is for areas in Sections 11 and 12, T16N, R1E on the vested right application

Attach to this Form 2B, any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

STATE OF SOUTH DAKOTA)

County of Harding) ss.

I, Alfred Davis & Shirley Blake, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed Alfred L Davis, Shirley Blake

Subscribed and sworn to before me this 3rd day of December, 1982

Erin W. Deals Notary Public, BUTTE COUNTY, S. D.
(Notary Public or other qualified Officer)

I, the undersigned do hereby certify that I know about the water use system described above that I have read the foregoing and that the matters therein stated are true.

Alfred L Davis
Shirley Blake

Permit No. 1266-1Water Division 1 Little Missouri River Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Alfred Davis -
Shirley Blake of Camp Crook Rt. Belle Fourche, S.D. 57717 holder
 of Permit No. 1266-1, bearing date of priority of 2.4 CFS Priority Oct 1898
0.56 CFS Priority Sept. 28, 1949, 19____
 authorizing the diversion of 2.96 cu. ft. per second of the waters of Forty Eight Mile Creek
and Dry Draws
 for Irrigation purposes, in Harding County.

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

The Water Use System consists of,

- A. Works used to divert the water: 1. Storage Dam with 12" CMP with Head Gate.
 2. Diversion Dam - No Storage
 3. Dam in SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 12 = 32-5 A.P. storage. 12" CMP / Head Gate.
 4. Detention Dam to back water on acreage in NE $\frac{1}{4}$ Sec. 24
 Has 12" CMP with Head Gate.

B. Works used to transport water to place of use,

Irrigation Pitches

C. Works used to apply water to beneficial use.

Ditches and Pikes to Flood IrrigateThe system is in the following condition: Fair

The point of diversion is located #1 = 250' N + 350' W of SE cor Sec. 13. #2 = 2000' S + 3400' W
of NE cor Sec. 13; #3 = 250' N and 1100' W of SE cor Sec. 12.
#4 = 250' S + 1550' W of NE cor Sec. 14 - T16N R 1E

The works are capable of diverting and conveying to the place of use 20 (est)cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows:

For Acreage see Attached Sheet.comprising a total of 207 acres of land.

For Dam information see Form 2A.

license for 2.96 CFS.

Date September 3, 1982
Leroy J. Mennigh
 (Signature)

LOCATION NOTICE—DRY DRAW

Harding
County

5788
Dry Draw No.

I, Alfred L. Davis, of
Name

Camp Crook, S. Dak. Harding
Address Town County

owner, of the following described land, do hereby notify the Water Resources
owner or operator

Commission of the State of South Dakota and all others concerned that I am exercising my
right under Section 61.0138 of Chapter 430 of the Session Laws of 1955 for construction of a
Dry Draw dam for the purpose of diverting flood waters for
(storing, diverting, or both)

irrigation purposes.
(livestock, irrigation or both)

The following data is presented in compliance with Section 61.0138:

(1) Dates of

(a) This application May 1, 1957

(b) Posting at construction site _____

(2) Legal description of the land upon which the dam is located. SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of
Section 13, Township 16, Range 1. The dam is located 46 rods
N and 146 rods E of the SW corner of said Section
(N.S.E.W.) (N.S.E.W.) (NW,NE,SE,SW)
in the County of Harding

The owner of the land is Same
Name Address

(3) Amount of water claimed for all purposes each year 44 acre feet.

(4) Storage capacity of reservoir 0 acre feet.

(5) Surface area of reservoir 2.0 acres.

(6) Size of watershed above dam 1730 acres.

(Over)

SESE

Enclosed herewith is one dollar (\$1.00). The Water Resources Commission is requested to file this Location Notice in their official records.

A copy of this Location Notice has been filed (do not record) with the Register of Deeds of Harding County and has been posted at the structure site in accordance with Section 61.0138 of the Water Laws.

Alfred L. Davis
Owner

by _____ Locator

By _____ Deputy

State of South Dakota } ss. County of Harding }
I hereby certify that the within instrument was filed for record in this office on this 7 day of May A.D. 1957 at 1:30 o'clock, P.M. and was recorded in book of _____ on page _____ of _____ Register of Deeds

STATE OF SOUTH DAKOTA }
County of Harding } ss.

On this 1 day of May, 1957, before me Ralph Anderson, a Notary Public (Notary Public or other Official having a seal) in and for the County and State aforesaid, personally appeared Alfred L. Davis to me personally known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the purposes therein set forth.

Witness my hand and official seal the day and date above written.

Ralph Anderson
Name

(SEAL)

Notary Public
Title

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9070

Alfred Davis

PIERRE, December 20, 1982

RECEIVED OF Shirley Blake, 1103 12th, Belle Fourche, SD 57717

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 1266-1 (examination, processing, recording and filing)	8	00
Fee for inspecting Construction, and issuing Cert. of Construction No.	2	50
Fee for inspecting Beneficial Use, and issuing Water License No.	2	50
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	13	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

JOHN HATCH ms



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

April 27, 1983

Alfred Davis
& Shirley Blake
Camp Crook Rt
Belle Fourche SD 57717

Dear Mr. Davis and Ms. Blake:

Enclosed herewith are your Vested Right Permit, Water License No. 1266-1.
This Water License is the final water right document completing your
process of obtaining a vested water right.

As long as you use the water beneficially, as stated in the Water License,
the State Water Laws provide that you have a continuing right to use
the water.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosures

Water Rights Program -- File Documentation

NAME: Alfred Davis - Shirley Blake

ADDRESS: Camp Crook Rt, Belle Fourche SD 57717

DATE: 4/17/96 **COUNTY:** Harding

RE: Readvertisement of Notice to Validate Vested Water Right Claim No. 1266-1

COMMENTS:

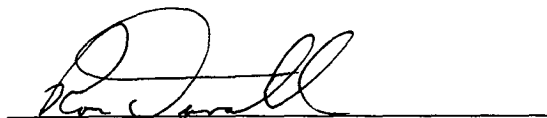
Vested Water Right Claim No. 1266-1 was published for validation along with all other Harding County validations on June 1 and 8, 1988, in the Nation's Center News published in Buffalo SD. An error was found in the publication concerning the location of the irrigated acreage. The acreage published as being in section 15 should have been published as section 24. In addition, the water source should also note that the source is Forty-eight Mile Creek "and tributaries."

INVESTIGATION RESULTS:

This claim was not contested by the Chief Engineer. An inspection was completed by Leroy Mernaugh in 1982 upon which the vested right claim is based. A review of the file did not turn up any other errors in the published notice.

RECOMMENDED ACTION:

A readvertisement notice needs to be prepared in accordance with SDCL 46-2A-22. If no petitions are received in response to the notice, the validation can be issued following the readvertisement.



Ron Duvall, Natural Resources Engineer
Water Rights Program



August 21, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

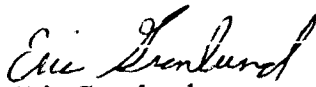
Alfred Davis
and Shirley Blake
Camp Crook Rt
Belle Fourche SD 57717

Dear Mr. Davis and Ms. Blake:

The original Notice of Intent to Validate your Vested Water Right Claim No. 1266-1 was published with an error in the legal description of the land irrigated. Therefore, the notice needs to be readvertised to correct the error. The Readvertisement of the Notice of Intent to Validate Vested Water Right Claims has been sent to the Publisher of the Nation's Center News printed at Buffalo SD. For your information, a copy of the notice is enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Water Rights Program. Please contact us if you have any questions.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

READVERTISEMENT OF NOTICE OF INTENT TO VALIDATE VESTED WATER RIGHT CLAIMS

Notice is given that the following vested water right claims in Harding County are eligible for validation by the Water Management Board pursuant to SDCL 46-2A-17 without a hearing unless a petition to oppose the validation is filed pursuant to SDCL 46-2A-22. Readvertisement of the original notice of intent to validate these claims, as published on June 1 and 8, 1988 in the Nation's Center News is necessary to correct errors in the previously published notice.

Vested Water Right No. 1266-1, Alfred Davis and Shirley Blake, Camp Crook Rt, Belle Fourche SD 57717 appropriates 2.96 cfs from Forty Eight Mile Creek and tributaries located in the SE 1/4 SE 1/4 Section 12, SE 1/4 SE 1/4, SE 1/4 NW 1/4 Section 13 and the NW 1/4 NE 1/4 Section 14; all in T16N-R1E to irrigate 207 acres. The irrigated land is located in the SE 1/4 NW 1/4, SW 1/4 NE 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4 Section 11, S 1/2 SW 1/4, S 1/2 SE 1/4 Section 12, NW 1/4, SW 1/4, S 1/2 SE 1/4 Section 13, N 1/2 NE 1/4 Section 14 and N 1/2 NE 1/4 Section 24; all in T16N-R1E. The priority dates are October 1, 1898 (2.40 cfs) and September 28, 1949 (0.56 cfs).

Vested Water Right No. 1304-1, Audrey Anderson and Lempi Penn, Box 114 Buffalo SD 57720 appropriates 0.16 cfs from Valley Creek located in the NW 1/4 SW 1/4 Section 19-T17N-R3E to irrigate 11 acres located in the E 1/2 SE 1/4 Section 24-T17N-R2E and NW 1/4 SW 1/4 Section 19-T17N-R3E. The priority date is January 1, 1947.

Any person who wishes to oppose validation of any of the readvertised vested right claims shall file a petition of intent to oppose the validation by September 20, 1996 with the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources, Joe Foss Building, 523 East Capitol, Pierre, SD 57501-3181 (605 773-3352) and with the vested water right holder at the listed address. The petition may be informal, but it must include a statement describing the petitioner's interest in the vested water right claim, the reasons for the petitioner's opposition to the claim, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained.

If a petition of intent to oppose the validation of a recognized vested water right claim is filed, the Water Management Board will conduct a hearing on the opposed claim at 10:00 am, October 2, 1996, Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD. The October 2, 1996 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by September 20, 1996.

If no person opposes validation of a recognized vested water right claim pursuant to SDCL 46-2A-16, the Water Management Board will issue an order pursuant to SDCL 46-2A-17, validating the vested water right claim.

These validations are made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-16 thru 46-2A-18, 46-2A-22; 46-5-1 thru 46-5-6.1, 46-5-8.2, 46-5-13 thru 46-5-15, 46-5-30.2 thru 46-5-37.1, 46-5-46, 46-5-49; 46-6-1 thru 46-6-3, 46-6-6, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-7-1 thru 46-7-5.3, 46-7-12, 46-7-14, 46-7-15 and Board Rules ARSI 74:02:01:01 thru 74:02:01:05.03 and 74:02:01:20 thru 74:02:01:22.

(continued)

Vested Water Right No. 1304-1,
Audrey Anderson and Lempi
Penn, Box 114, Buffalo, SD
57720 appropriates 0.16 cfs
from Valley Creek located in the
NW1/4SW1/4 Section 19-T17N-

R3E to irrigate 11 acres located in the E1/2SE1/4 Section 24-T17N-R2E and NW1/4SW1/4 Section 19-T17N-R3E. The priority date is January 1, 1947.

Any person who wishes to oppose validation of any of the readvertised vested right claims shall file a petition of intent to oppose the validation by September 20, 1996 with the Chief Engineer, Water Rights program, Department of Environment and Natural Resources, Joe Foss Building, 523 East Capitol, Pierre, SD 57501-3181 (605-773-3352) and with the vested water right holder at the listed address. The petition may be informal, but it must include a statement describing the petitioner's interest in the vested water right claim, the reasons for the petitioner's opposition to the claim, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained.

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If no person opposes validation of a recognized vested water right claim pursuant to SDCL 46-2A-16, the Water Management Board will issue an order pursuant to SDCL 46-2A-17, validating the vested water right claim.

These validations are made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-16 thru 46-2A-22; 46-5-1 thru 46-5-6.1, 46-5-8.2, 46-5-13 thru 46-5-15, 46-5-30.2 thru 46-5-37.1, 46-5-46, 46-5-49; 46-6-1 thru 46-6-3, 46-6-6, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-7-1 thru 46-7-5.3, 46-7-12, 46-7-14, 46-7-15

and Board Rules ARSD 74:02:01:01 thru 74:02:01:05.03 and 74:02:01:20 thru 74:02:01:22.

Contact Eric Gronlund by September 20, 1996, at the above Water Right Program address to: 1) request copies of information pertaining to a vested right claim or a copy of the vested water right claim list for another county; 2) obtain a summary of South Dakota Water Law and Water Rights Information; 3) to assure access to the hearing by the handicapped; or 4) obtain an interpreter for the hearing impaired. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

8-28, 9-4



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 11, 1996

Clark Blake
HCR 62 Box 22
Belle Fourche, SD 57717

Dear Blake:

I am writing regarding our conversation on readvertisement of the notice for validation of recognized Vested Water Right Claim No. 1266-1. The notice need to be readvertised to correct errors that occurred in the original publication in 1988. The errors were that the irrigated acres in Section 24 were published as being located in Section 15 and the water source needed to indicate Forty-eight Mile Creek **"and tributaries"**.

I have enclosed a copy of the file for recognized Vested Water Right No. 1266-1. I have also attached a copy of Water Right No. 35-1A. The attachments include the following:

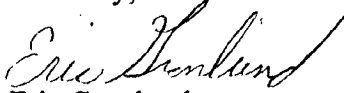
1. A draft of how the vested water right will appear once validated.
2. A file documentation of Ron Duvall.
3. The Water License No. 1266-1 issued in 1983 (with acreage broke out by the quarter-quarter section)
4. The original application filed in 1982 by Alfred Davis and Shirley Blake.
5. An affidavit of water use.
6. Report of examination of works conducted by LeRoy Mernaugh in 1982.
7. A location notice for a dam.
8. Water Right Filing No. 0103-1. This was the originating documentation of the water right which is now recognized Vested Water Right No. 1266-1.
9. Water License No. 35-1A
10. A map that outlines the acres irrigated by recognized Vested Water Right No. 1266-1 and Water Right No. 35-1A.

A partially completed transfer form is also enclosed for transferring these water rights to your name.

I trust you will find this information helpful. We want to make sure that we correctly validate your water right, so please do not hesitate to call if you have any questions. If for any reason you believe that there is an error we can continue the validation to a future Water Management Board meeting. We will then investigate the claim further to address any of your concerns.

Please contact me by September 23, 1996, with any concerns you have regarding validation of the vested water right claim.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eric Gronlund".

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1266-1 FOR IRRIGATION

Date of Receipt of Claim December 16, 1982.

Date of Validation October 2, 1996.

The Water Management Board validated Vested Water Right Claim No. 1266-1 for irrigation purposes for Alfred Davis and Shirley Blake, Camp Crook Rt, Belle Fourche SD 57717 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1266-1 appropriates 2.96 cubic feet of water per second from Forty Eight Mile Creek and tributaries located in the SE 1/4 SE 1/4 Section 12, SE 1/4 SE 1/4, SE 1/4 NW 1/4 Section 13 and the NW 1/4 NE 1/4 Section 14; all in T16N-R1E to irrigate 207 acres. The irrigated land is located in the SE 1/4 NW 1/4, SW 1/4 NE 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4 Section 11, S 1/2 SW 1/4, S 1/2 SE 1/4 Section 12, NW 1/4, SW 1/4, S 1/2 SE 1/4 Section 13, N 1/2 NE 1/4 Section 14 and N 1/2 NE 1/4 Section 24; all in T16N-R1E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. The water is to be used during the following annual period: March 1 - November 1.
3. The priority dates of the Vested Water Right are:

October 1, 1898	-	2.40 cfs
September 28, 1949	-	0.56 cfs
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water Rights obtained in compliance with the laws of the State of South Dakota must not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

John Hatch
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 26 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 26 1996

Alfred Davis and Shirley Blake
Camp Crook Rt
Belle Fourche SD 57717

Dear Mr. Davis & Ms. Blake:

The Water Management Board has validated the enclosed Vested Water Right No. 1266-1. This validation gives legal status to the claim and is the final document for your vested right.

As long as you use the water beneficially, as stated in the validation, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
605 773-3352

enclosure