

No. 233-1

Division No. 1

Little Missouri River District

PERMIT

to appropriate water from

Little Missouri River

Harding County, South Dakota.

Name of applicant

Thomas and Gilmer Davis (Joint owners)

Name of diversion works

Davis Pumping Irrigation Project

I first receipt at office of State

Engineer August 1 1951

Returned to applicant for Correction

----- 1951

Corrected application received

----- 1951

Date of water right

August 1951

Recorded in Book 3 Page 5

One-fifth of work to be completed

March 21 1952

Whole work to be completed

September 21 1952

Final proof of use of water Sept. 21, 1952

Approved September 21 1951

DEAN W. LUCKS State Engineer.

NO. 233-1

RECEIVED

8:15 A.M.

AUG 1 1951

Water Division No. 1

Little Missouri River

District

(Blanks to be filled by the State Engineer.)

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of applicant

Postoffice address, County, State

I. 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 address 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)

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work

3. Quantity of water claimed cubic feet per second.

4. Source of water supply

5. Location of point of diversion

6. Annual periods during which water is to be used

7. To be used for:

I. Irrigation or domestic use:

(a) Number of acres to be irrigated acres.

(b) Legal subdivisions to be irrigated

Lot 3, Sec. 20 - 10 ac., Lot 15 Sec. 21 - 39 Ac., Lot 14 Sec. 21 - 23 Ac.,
Lot 16, Sec. 21 - 38 Ac., SE 1/4 Sec. 21 - 33 Ac., SW 1/4 Sec. 22 - 21 Ac.,
NE 1/4 Sec. 28 - 33 Ac. -- Total 188 Acres. in T.18 N., R.1 E. of B.H.M.

II. Mining, power, manufacturing, transportation, or other purposes:

(a) Nature of use

(b) Amount of power to be generated, horsepower.

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

6. Estimated cost of works:

(a) Head gates, \$.....50.93..... Engine \$6.00.00 (b) Pumping plant, \$.....300.00..
 (c) Fluming, \$.....145.00..... (d) Canal-earth, \$.....300.00..... Rock, \$.....
 (e) Other structures 3275 ft. dikes \$.....375.50..... Total, \$.....1770.50..

9. Description of diversion works:

Pumping plant; Parma Water Lifter No. 48 (4" special) Price \$100.00
 Capacity (Manufacturer's rating) 1000 GPM @ 680 R.P.M.
 1200 GPM @ 620 R.P.M. Price \$600.00
 Motor; John Deere 30H.P. tractor 500.00
 7520 Lin. Ft. canal 375.50
 3275 " " Dikes 50.00
 3 head gates 145.00
 70 ft. flume \$1770.50

(b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark acres.

DEPTH AT OUTLET- FEET	SURFACE AREA AT EACH..... FEET OF DEPTH AT OUTLET-ACRES	ACRE- FEET CAPACITY

(c) Head gate: Width feet; height feet;
 Material wood and steel also 2 18" head gates on flumes.

(d) Canal: Total length 7520 miles.

LOCATION BELOW HEAD GATE	DEPTH feet	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE PER MILE
At .73 Mile	2.0 feet	1.0 feet	4.0 feet	5.2 feet
At 1.484 Mile	1.5 feet	0.0 feet	5.0 feet	5.4 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.....1..... years.

11. Time required for complete application of water to the proposed beneficial use1..... years.

12. Choice of newspaper for publication of notice of intention to appropriate

Times-Herald, Buffalo, South Dakota
 STATE OF SOUTH DAKOTA,

County of ..Harmon/.....

(I, ..Gilmer Davis, being first duly sworn:

on my oath depose and say: That my relation to the above described undertaking is that of ..Joint owner with Thomas Davis....., that I have read the above

foregoing statement, and examined the map accompanying the same, and that I know of my own personal knowledge that the matters herein state and shown are true.

Signed ..Thomas Davis
 By ..Gilmer Davis

Subscriber and sworn to before me this.....20th..... day ofJuly..... 19.....51

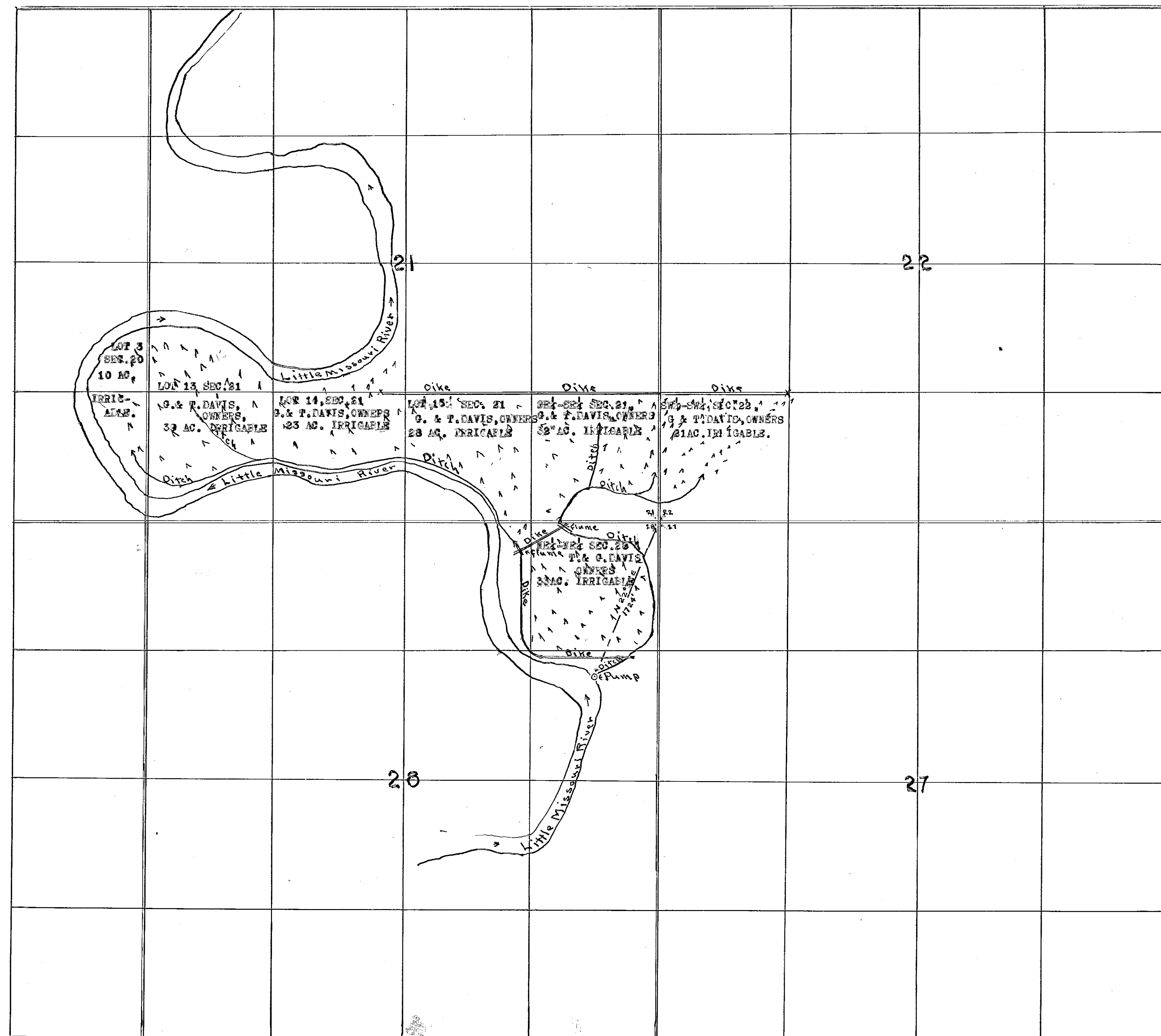
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Notary Public.

PLAT
OF THE
DAVIS PUMPING IRRIGATION PROJECT
SECTIONS 21-22-27-28. T. 18. N. R. 1 E. - B.H.M.
CAMP CROOK, HARDING COUNTY, SO. DAK.

SCALE - 1 INCH = 660 FEET.



CERTIFICATE:

I, CARL M. CORNELL, LICENSED SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT, AT THE REQUEST OF THOMAS DAVIS AND GILMER DAVIS, OWNERS OF THE LEGAL SUBDIVISION SHOWN HEREON, I HAVE MADE A SURVEY OF AND PREPARED THE ATTACHED PLAT OF THE DAVIS PUMPING IRRIGATION PROJECT SHOWING THE IRRIGABLE AREAS OF THE SEVERAL SUBDIVISIONS WHICH THEY PROPOSE TO IRRIGATE BY PUMPING FROM THE LITTLE MISSOURI RIVER IN THE S.W. 1/4 OF SEC. 28, T. 18 N., R. 1 E. OF S.H.M. IN HARDING COUNTY, SOUTH DAKOTA.

I FURTHER CERTIFY THAT THE BEARINGS AND DISTANCES OF ALL LINES, SECTIONS, AND THE LOCATION OF GOVERNMENT CORNERS WITH RELATION TO SAID LINES, IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS PLAT HAS BEEN PREPARED AS A PART OF AN APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR IRRIGATION TO BE KNOWN AS THE "DAVIS PUMPING IRRIGATION PROJECT".

DATED AND SIGNED AT BUFFALO, SOUTH DAKOTA THIS 20th DAY OF JULY, 1951.

SIGNED *Carl M. Cornell*

LICENSED SURVEYOR, No. 144. (SEAL)

SUBSCRIBED AND SWORN TO BEFORE ME AT BUFFALO, SOUTH DAKOTA THIS 20th DAY OF JULY 1951.

W. M. B. Smith

NOTARY PUBLIC.

(SEAL)

Water Right No. 233-1

Map No. 215-1

Remarks by State Engineer:

STATE OF SOUTH DAKOTA,

County of Hughes

Pierre, South Dakota, September 21, 1951

This is to certify that the foregoing application was received at this office at 3:15 o'clock pm, upon the 1st day of August, 1951, and that after examination it was found to comply with the South Dakota water laws, was published in accordance with the provisions thereof and consideration given to any and all information presented. No protests were received

Dean W. Locks
DEAN W. LOCKS,

State Engineer.

Number of permit 233-1

Date of first receipt of application August 1, 1951

Date of return to applicant for correction -19-

Date of receipt of corrected application -19-

Date from which applicant may claim right August 1, 1951

Approved September 21, 1951 Recorded in Book 3 Page 5

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 March 21, 1952.

2nd. The whole of said work is to be completed on or before September 21, 1952.

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is September 21, 1952.

4th. The water appropriated shall be used for the purpose of providing 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 2.95 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 September 21, 1952; said water to be used during the following described annual period:

April 15 to September 15 inclusive

Witness my hand this 21 day of September, 1951

Dean W. Locks
DEAN W. LOCKS

State Engineer.

Certificate of Construction issued 19

Water License issued 19

STATE OF SOUTH DAKOTA

WATER LICENSE No. 233 - 1

WHEREAS, On the 1 day of August A. D. 19 51

THOMAS & OLIVER MAWS

of Camp Crook County of Harding and State of
South Dakota duly made application (No. 233-1) to me for a permit to use 2.65
cubic feet per second of the waters of the Little Missouri River
County of Harding, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 21 day of September A. D. 19 51
Permit No. 233-1 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 21 day of
September A. D. 19 52 and for the application to beneficial use of said
water on or before the 21 day of September A. D. 19 52
and,

WHEREAS, On the 7 day of July A. D. 19 52
the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.65
cubic feet per second of said waters, as evidenced by my Certificate No. 233-1
dated August 21 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 2.65 cubic feet per second of water, with date of
priority of August 1, 1951 and, ~~XXXXXXXXXXXX~~ and,

WHEREAS, On the 21 day of August A. D. 19 52
proof was duly made of the application to beneficial use of 2.65 cubic feet per second of said water;

NOW, THEREFORE, By the virtue of the authority vested in me by the laws of the State of South Dakota,
I hereby grant and confirm to Thomas & Gilmer Davis
of Camp Crook, South Dakota the holder & owner of said permit No. 233-1
a water right, dating from August 1, 1951 to the use of 2.65
cubic feet per second of the waters of the Little Missouri River
in the County of Harding and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be diverted in Section 28, T. 18N., R. 1E.
and conducted to and upon Section 20, 21 & 28, T. 18N., R. 1E.
for the purpose of providing 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 my office at Pierre, South Dakota,
this 5 day of September A. D. Nineteen
Hundred and 52

DEAN W. LOUCKS, State Engineer.

State of South Dakota
Water License No. 233 - 1

To Thomas & Gilmer Davis

Camp Crook, South Dakota

Source of Supply

Little Missouri River

County

Harding

Am't 2.65 Sec. Feet

Point of Diversion Section 28,

T. 18N., R. 1E.

Place of Use Sections 20, 21 & 28

T. 18N., R. 1E.

Purpose Irrigation

Date of Priority August 1, 1951

Recorded September 21, 1951

in Book 3 of 3 Page 5

Permit No. 233-1

Water Division No.

Water District

JUL 11 1952

NOTICE OF COMPLETION OF WORKS

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

(This blank must be filled out by the holder of permit and forwarded to the State Engineer at least 60 days before the time set for completion of works.)

(P. O.) Camp Crook, South Dakota

(Date) July 7, 1952

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 2.55 second feet of the waters of the state from the Little Missouri River through the Davis Pumping Irrigation Project for Irrigation purposes

in accordance with terms and conditions of a certain permit heretofore issued by the State Engineer of the State of South Dakota.

1. The name of the person or corporation holding said permit is Thomas and Gilmer Davis (Joint owners)

2. The postoffice address of such person or the place of business of such corporation is Camp Crook County of Harding State of South Dakota

3. The number of such permit is 233-1 and the date set for the completion of such work is September 15, 1952

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 2.55 cubic feet per second.

6. The amount of land for which said water is available is 186 acres, particularly described as follows: Lot 3 - Sec. 21 - 10 Ac., Lot 13 - Sec. 21 - 39 Ac., Lot 14 - Sec. 21 - 23 Ac., Lot 15 - Sec. 21 - 28 Ac., ~~XXX~~ SE $\frac{1}{4}$ - SE $\frac{1}{4}$ Sec. 21 - 32 Ac., SW $\frac{1}{4}$ - SW $\frac{1}{4}$ Sec. 22 - 21 Ac., NE $\frac{1}{4}$ - NE $\frac{1}{4}$ Sec. 23 - 33 Ac. all in T.18 N., R.1 E. of B.H.M.

(In case of all canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

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

Carl M. Cornell

Engineer.

(Signature.)

Thomas Davis

and

Gilmer Davis

Joint owners

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, County of Harding, ss.

Donald I. Gammack of said County and State, being first duly sworn, on his oath, says: That the BUFFALO TIMES-HERALD is a weekly newspaper of general circulation, printed and published in the Town of Buffalo, in said County and State, by Donald I. Gammack and has been such newspaper during the time hereinafter mentioned and that I, Donald I. Gammack the undersigned, am Publisher of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit; and the advertisement headed

NOTICE OF INTENTION TO APPROPRIATE WATER

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper and not in any supplement, once each week for Four successive weeks, the first publication being made on the 16th day of August 19 51 and the last publication being made on the 6th day of September 19 51. The first publication being made on the 16th day of August 19 51. The second publication being made on the 23rd day of August 19 51. The third publication being made on the 30th day of August 19 51. The fourth publication being made on the 6th day of September 19 51. The fifth publication being made on the day of 19 . The sixth publication being made on the day of 19 . The seventh publication being made on the day of 19 . The eighth publication being made on the day of 19 .

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Harding for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in English in an office maintained in Buffalo, South Dakota, the place of publication of said newspaper. That the full amount of the fees for the publication of the annexed notice is \$15.00 and inures solely to the benefit of said publishers; that no agreement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to, or paid to any person whomsoever.

Subscribed and sworn to before me this 16th day of September 19 51

Donald I. Gammack
Notary Public

My Commission Expires
4-18-55

RECEIVED

SEP 18 1951

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

NOTICE OF INTENTION TO APPROPRIATE WATER

First Publication Aug. 16, 1951
Office of State Engineer
Pierre, South Dakota
Notice is hereby given that Thomas and Glimmer Davis, whose office address is Camp 751 Crook, South Dakota, have made an application in accordance with the provisions of the water laws of South Dakota for permits to appropriate water per second of time from the Little Missouri River through the Davis Damming Irrigation Project, the point of diversion of which is to be located on the right bank of said stream in the SE 1/4 of the NE 1/4 of Section 11, Twp. 18N, Range 12E. Said water to be used for the purpose of providing irrigation on the following described land:
Lot 3, Sec. 20, lot 18, lot 14, lot 15, SE 1/4 Sec. 21, SW 1/4 Sec. 22, NE 1/4 Sec. 23, T. 18N, R. 12E.
This application will be taken up by the State Engineer at his office at Pierre for consideration upon the 17th day of September, 1951, at 2:00 P. M. All persons who believe that their prior rights would be injuriously affected, or that the allowance of the permit would be detrimental to the public welfare shall file such protest with the State Engineer in writing prior to the above date and may appear on the day above mentioned in person for the purpose of discussing further the information presented. Appropriate action will be taken by the State Engineer after suitable time has elapsed for the consideration of any or all information presented.

DEAN W. LOUCKS

State Engineer

(Pub. Aug. 16-23-30-Sept. 6)

Publication Fees - - - \$

Received Payment,

Permit No. 333-1

Water Division No. _____

Water District _____

RECEIVED
JUL 14 1953

CERTIFICATE OF EXAMINATION OF WORKS OF STATE ENGINEER PIERRE, S. DAK.

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 July 16, 1953
 10_____, I have this day made a thorough examination of the diversion works constructed by _____

Thomas & Gilmer Lavin, of Camp Crook,

Harding County, South Dakota, holder of permit No. 333-1, issued
 upon application No. 333-1, bearing date of priority of August 2, 1951, 10_____, authorizing the
 diversion of 3.65 second feet of the waters of Little Missouri River for Irrigation
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 1- Prima Water Lifter Pump No. 49-41 Special
 1- John Deere 30HP tractor
7520 ft. canal
3275 lin. ft. dikes
 3- headgates
 1- wier

Total cost \$ 2770.50

and the system is in the following condition: excellent working condition

The point of diversion is located S 22° 35' W 1724 ft. from the northeast
corner of Sec. 28, T.18 N., R.1 E of R.M.

The works are capable of diverting and conveying to the place of use 3.65 second-feet of water,
 which is to be used for irrigation

The legal sub-divisions to be irrigated are: Lot 3 Sec. 30 - 10 Ac., Lot 13 Sec. 21-30 Ac.,
Lot 14 Sec. 21- 33 Ac., Lot 15-38 Ac., SE $\frac{1}{4}$ -SE $\frac{1}{4}$ -32 Ac., Sec. 21, SW $\frac{1}{4}$ -SW $\frac{1}{4}$ 23-21
NE $\frac{1}{4}$ -NE $\frac{1}{4}$ Sec. 38 -33Ac. Total Irrigable 186 Ac. all in T.18 N., R.1 E.

comprising a total of 186 irrigable acres of land.

The domestic use intended comprises None

The utilization for power, mining, or other beneficial uses comprises: None

Witness my hand, this 31st day of

August

Aug 12 1953

Carl M. Cornell

Examining Engineer

Permit No. 233-1

RECEIVED

Sept

Water Division No.

Water District

OFFICE OF STATE ENGINEER

PEOPLE & LAND

Certificate of Application of Water to Beneficial Use.

Deposition of Holder

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

Ans. Thomas Davis & Wilmer Davis (Joint owners)

Residence Camp Creek, So. Dak. P.O. Sorensen, Minn. Farmers and stockmen

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. Joint owners only.

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

Ans. Permit No. 233-1 August 1, 1951 RENEWED September 21, 1951

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

Ans. Little Missouri River Point of diversion: S 22° 35' W 1724 ft.
from the northeast corner of Sec. 28, T.18 N., R.1 E. of B.M.
On the RIGHT bank

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. 1- Parma Water Lifter Pump No. 43 - 44 Special

1- John Deere 30 HP tractor

7520 lineal ft. canal

3375 lin. ft. ditches

3- headgates - 1 wier. Total cost \$1770.50 Capacity 2.65 Sec

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 used for irrigation only- The following areas

Ans. have been irrigated, Lot 3 Sec. 20 - 10 Ac., Lot 13 - 39 Ac., Lot 14 - 23 Ac.,
Lot 15 - 28 Ac., Sec. 21 - 32 Ac., Sec. 21, --- SW 1/4 - SW 1/4 Sec. 22 - 21 Ac.,
NE 1/4 - NE 1/4 Sec. 28 - 33 Ac. all in T.18 N., R.1 E. of B.M.

Total area 136 Ac.

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

Ans. None

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

Ans. 2.65 Sec. Ft.

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.

State of South Dakota

RE-ISSUANCE OF Water License No. 233-1

(1) Thomas Davis
of Camp Crook, South Dakota 57724
was issued Water License 233-1 September 5, 1952 for a water right ~~permit~~ to appropriate
2.65 cubic feet per second of water from the Little Missouri River
Harding County, South Dakota for Irrigation purposes.
Water License 233-1, with a priority date of August 1, 1951
was issued September 5, 1952 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before and for the application to beneficial use of said
water on or before

This Water License is being re-issued in lieu of the Water License issued September 5, 1952,
and as a result of a 1982 inspection of the water use system.

and
(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 1.37 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1600'S and 700'W of the NE corner
Section 28, T18N, R1E (4D)

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in

T18N, R1E

Section 21 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 11 acres (CD)

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20 " (DC)

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 30 " (DD)

Section 22 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 37 " (CC)

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 9 " (CD)

Section 20 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 3 " (AA)

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 3 " (AD)

TOTAL 138 acres

(4) Pursuant to §46-5-30.1 Thomas Davis

of Camp Crook, South Dakota 57724

the holder(s) and/or owner(s) of Water ^{Right} Permit No. 233-1 is issued a license to appropriate water, the right to use 1.97 cubic feet per second of water from the Little Missouri River with a priority date of August 5, 1951 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Water ^{Right} Permit No. 233-1 and subject to South Dakota State Law.

John H. Heston
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

November 28, 1983

WATER RIGHTS DIVISION
(605) 773-3352

April 27, 1983

Tom Davis
Camp Crook,
South Dakota 57724

Dear Mr. Davis:

In 1982 I stopped at your place and visited with you regarding Water Rights Permits for possible cancellation. While there you indicated that about 20 acres in the SW $\frac{1}{4}$, Section 22, T18N, R1E was not covered under a permit and you would like this area to be covered.

Enclosed are two maps. One is an aerial map that indicates the area you are irrigating. The other is this area superimposed on the original map. The area shaded in yellow is covered under an old permit #0132-1, but from a different source of water.

In order to update your permit this office proposes to re-issue your license for Permit #233-1 for the area you are now irrigating. (the area outlined in red on the maps) It will include the area shaded in yellow. The area outside the red lines will be deleted because by law the area must be irrigated once every three years when water is available. On August 13, 1982 your son indicated to me the area you are now irrigating.

If this proposal is satisfactory with you we will need to hear from you approving the re-issuance of the license. There is no charge for doing this.

Permit No. 0132-1 will be cancelled by the Board of Water Management at a later date, as this area irrigated will be covered under Permit No. 233-1 with the priority date of August 1, 1951.

Is this permit still in the name of Tom and Gilmer Davis and what is your present address? We will appreciate an answer from you very soon so that we can up-date your permit. If you have any questions regarding the matter please feel free to contact this office.

Sincerely,

LeRoy J. Mernaugh
Water Resources Engineer

LJM:ms
Enc.

No. 233-1

South Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

November 29, 1983

Thomas Davis
Camp Crook,
South Dakota 57724

Dear Mr. Davis:

Enclosed herewith is, Water License No. 233-1. This is the final water right document completing your process of obtaining a 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,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

Enclosures

WNR-817 3/83
Transmittal of Water License



DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 26, 1991

233-1

THOMAS DAVIS
RR
CAMP CROOK, SD 57724

Dear Mr. DAVIS:

I am writing to follow up on Montana Water Permit Application No. 76844-S39F, Charles Oleson, for irrigation from the Little Missouri River, in Montana. During the April 16, 1991 informal hearing in Camp Crook by the Montana Department of Natural Resources and Conservation, Mr. Oleson agreed to a minimum flow bypass to protect of downstream water right holders, including those in South Dakota. Mr. Oleson agreed to condition his permit so that he can only pump when at least 30 cubic feet of water per second (cfs) is flowing at the U.S. Geological Survey (USGS) gaging station at Camp Crook. We have checked with USGS concerning the April 10 flow that was discussed April 16. The USGS inspected the gage April 11 and the April 10 flow was actually 11 cfs. On April 25, 1991, the flow at the Camp Crook gage was 7.5 cfs.

I have enclosed a list of South Dakota Water Rights on the Little Missouri River. The list includes priority dates. If at any time you wish to know the flow at the Camp Crook gage or have any questions, contact either Del Brosz or Mark Rath, Water Rights Division, telephone number (605) 773-3352.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

enclosure

233-1

SOUTH DAKOTA WATER RIGHTS/PERMITS ON THE LITTLE MISSOURI RIVER

PERMITNUM	FIRSTNAME	LASTNAME	CORPNAME	PRIORITY	DIVRATE
945-1			CATRON LAND CO	5/12/1971	3.33
270-1A			DAHL RANCH INC	2/06/1956	0.80
251-1B			MOSELEY BROS	4/01/1905	2.20
251-1				3/09/1953	2.25
1302-1			PAINTER INC	6/25/1902	3.86
178-1				4/25/1946	1.40
1072-1	REX L	BURGHDIFF		8/14/1975	2.39
268-1	JOHN B	CATRON		12/20/1955	6.63
1327-1	RICHARD/BERNICE	CUNDY		4/27/1973	0.47
233-1	THOMAS	DAVIS		8/01/1951	1.97
265-1	LYLE/SHARON	GUNDERSON		7/26/1955	2.00
247-1	JOSEPH	HEGGEN		5/24/1941	2.10
1303-1	FRANK	LATHAM		9/06/1952	1.71
236-1	DEAN R	TARTER		9/10/1951	1.10
239-1	EUGENE	TURBIVILLE		10/24/1951	1.20
292-1	EUGENE			2/23/1957	3.00



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-318

March 3, 1992

(233-1)
374-1
375-1

George Davis
Box 17
Camp Crook, SD 57724

Dear Mr. Davis:

Our office was notified by Tom Davis and the Harding County Register of Deeds that you were in the process of buying land described under Water Right No. 233-1 and Vested Water Right Nos. 374-1 and 375-1.

Enclosed are copies of Nos. 233-1, 374-1 and 375-1 for your files. Also enclosed are three "Notice of Transfer of Ownership" forms for use in filing an ownership change on them. Tom Davis only spoke of the water right from the Little Missouri River (No. 233-1). If the land described under that water right is all that will be transferred, please disregard the other two forms.

Please complete the form(s) and return them to our office with a \$2.50 filing fee for each transfer to be filed. The transfer form(s) must be signed in the presence of a notary.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 27, 1932

RECEIVED OF George Davis, Box 17, Camp Crook, SD 57721

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. 233-1	2	
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
// (Any Other Work Provided by Law)	Total	\$ 50

By Ante H. H. H. H.
Chief Engineer



NOTICE OF TRANSFER OF OWNERSHIP

No. 233-1

TO: Chief Engineer
Water Rights Division
523 East Capitol
Pierre, SD 57501-3181

Date: 4 - 23 - 1992

I/We request that Water Permit/Right No. 233-1

formerly owned by: THOMAS S. DAVIS

be transferred to: (name & address) ROBERT D. DAVIS, JR.
2117 CAMP CREEK RD. S.D. 57124 (telephone No.) 605-797-7479

Title to the following described land(s)/property has been transferred as described above:
YES (portions of the S $\frac{1}{2}$ Section 21, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22 and E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 26;
T10N, R1E)

I/We understand that the validity of Water Permit/Right No. 233-1 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 at the Division of Water Rights, 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 45-2-13.

STATE OF SOUTH DAKOTA)
County of HARDING)

I/We GERGE & KIM DAVIS 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.

Gorge Davis
(Signed)

Subscribed and sworn to before me this 23rd day of April, 1992.

Lyle Samson
(Notary Public)
my commission expires
5/1/92

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 water 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

April 27, 1992

No. 233-1.

George and Linda Davis
Box 17
Camp Crook, SD 57724

Dear Mr. and Ms. Davis:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 233-1.

Our records now show you as the owner of Water Right No. 233-1.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure

(Reliance)

W/R # 233-1

~~Map # 315-1~~

NOT TO SCALE



RIE

Tom Davis

Map by LeRoy J. Menaugh

21-18-1

2-219L

Permit # 233-1

3

