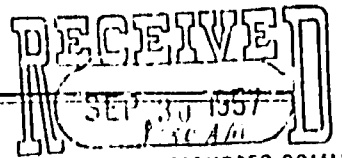


1. Considered Jan. 10, 1900, 19__ Appl. No. 1000
2. Name of Applicant Robert L. Smith, Jr. & Son, Inc. of Davis
3. Post Office Address 221 N. 1st St. Davis, Cal.
4. Amount of water claimed 100 cfs
5. Source of water supply Perennial stream in mountains
6. Water to be used for irrigation
Acres to be irrigated 500
7. Water to be diverted and used in San Joaquin County about
1 miles 10 of 10
8. Proof of Publication Received 1
Not Received 1
9. Application Approved 1
Subject to 1
Not approved 1
Action deferred 1
10. Remarks: This is a new application for water rights in the San Joaquin River, California, and is subject to the same conditions as the other applications in this class.



No. 309-1
 Water Division No. Belle Fourche District PIERRE, SOUTH DAKOTA
 (Blanks to be filled by the Engineer for the W. R. C.)

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

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

1. Name of applicant ROBERT S. DAVIS AND JENNIE E. DAVIS
 Postoffice address BELLE FOURCHE, County BUTTE, State S.D. DAK.

- I. If a corporation X X X X
- (a) Name of same X X X X
- (b) Date and place of incorporation X X X X
- (c) Amount of capital stock X X X X
- (d) Amount paid in X X X X
- (e) Names and addresses of directors X X X X

(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)

DIRECT LABOR AND THE EMPLOYMENT OF OTHERS

- (b) Cash on hand, \$ X X
- (c) Treasury stock, \$ X X
- (d) Bonds to be issued, \$ X X
- (e) Other resources, \$ X X

2. Name of diversion work THE DAVIS IRRIGATION PROJECT
3. Amount of water claimed 3 cubic feet per second
4. Source of water supply PORCUPINE AND NORTH INDIAN CREEKS (Flood water only)
5. Location of point of diversion BETWEEN A POINT ON THE SEC. LINE 1220 FT. E. OF THE NW COR. SEC. 22 AND A POINT S 14° E FROM THE NW COR. SEC. 35 T. 12 N., R. 2 E-BHM
on BOTH bank BUTTE County.
6. Annual period or periods during which water is to be used MARCH 15th thru SEPT. 30th
7. To be used for.

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Flooding from spreader dams to divert run off—(These creeks flow only from flood water.)

(a) Number of acres to be irrigated 212 acres.

NW $\frac{1}{4}$ -NW $\frac{1}{4}$ -8 Ac., NE $\frac{1}{4}$ -NW $\frac{1}{4}$ -2 Ac., SW $\frac{1}{4}$ -NW $\frac{1}{4}$ -4 Ac., SE $\frac{1}{4}$ -NW $\frac{1}{4}$ -4 Ac., NW $\frac{1}{4}$ -SW $\frac{1}{4}$ -3 Ac.,
 NE $\frac{1}{4}$ -SW $\frac{1}{4}$ -12 Ac., SW $\frac{1}{4}$ -SW $\frac{1}{4}$ -5 Ac., SE $\frac{1}{4}$ -SW $\frac{1}{4}$ -26 Ac. Sec. 22, T. 12 N., R. 2 E-BHM
 SW $\frac{1}{4}$ -SW $\frac{1}{4}$ -12 Ac. Sec. 26, T. 12 N., R. 2 E-BHM
 NW $\frac{1}{4}$ -NW $\frac{1}{4}$ -11 Ac., NE $\frac{1}{4}$ -NW $\frac{1}{4}$ -22 Ac., SW $\frac{1}{4}$ -NW $\frac{1}{4}$ -5 Ac., SE $\frac{1}{4}$ -NW $\frac{1}{4}$ -28 Ac., SW $\frac{1}{4}$ -NE $\frac{1}{4}$ -6 Ac.,
 SW $\frac{1}{4}$ -SE $\frac{1}{4}$ -1 Ac., NW $\frac{1}{4}$ -SE $\frac{1}{4}$ -15 Ac., NE $\frac{1}{4}$ -SE $\frac{1}{4}$ -22 Ac., SE $\frac{1}{4}$ -SE $\frac{1}{4}$ -14 Ac., Sec. 27, T. 12 N., R. 2 E.
 NE $\frac{1}{4}$ -NE $\frac{1}{4}$ -Sec. 34 4 Ac.
 NW $\frac{1}{4}$ -NW $\frac{1}{4}$ Sec. 35- 8 Ac. Total 212 Ac.

- (c) Location of plant X X
- (d) Method of developing power X X
- (e) Point where water will be returned to stream JUST BELOW EACH SPREADER DAM

8. Estimated cost of work:

(a) Head Gates, \$--75.00-

(b) Pumping plant, \$-----

(c) Fluming, \$--840.00 (d) Canal-earth, \$--600.00

Rock, \$-----

(Estimate) (e) Other structures -21-spreader dams-----\$-4410.00 Total, \$--8925.00
 (f) levelling, bordering & clearing sage brush \$3000.00

9. Description of work: (Reservoir, dam, ditch, flume, pumping plant, etc.)

A series of spreader dams for diverting flood water out of channel and retaining water for some subirrigation.

II. Dimensions of works:

Average: Dam: Height--15'-----feet; length at bottom--4'-----feet; length at top--38'-----feet; thickness at bottom--10'-----feet; thickness at top--10'-----feet; slope at front water face--4:1-----; slope at back face--3:1-----
 material used in construction--earth-----

(b) Reservoir: Capacity when filled--XXX-AC (Est.)-acre feet. Surface area at highwater mark--212-----acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE-Feet CAPACITY

(c) Head gate: Width--72" CMP gate,-----feet; height-----feet;
 Material--Corrugated metal pipe-----

(d) Canal: Total length--3-----miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At-----Mile-----feet-----feet-----feet-----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				
At-----Mile-----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--
 Belle Fourche Bea, Belle Fourche So. Dak.

STATE OF SOUTH DAKOTA

County of Butte ss.

I, Robert S. Davis and Jennie E. Davis By Robert S. Davis 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, 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 Robert S. Davis & Jennie E. Davis

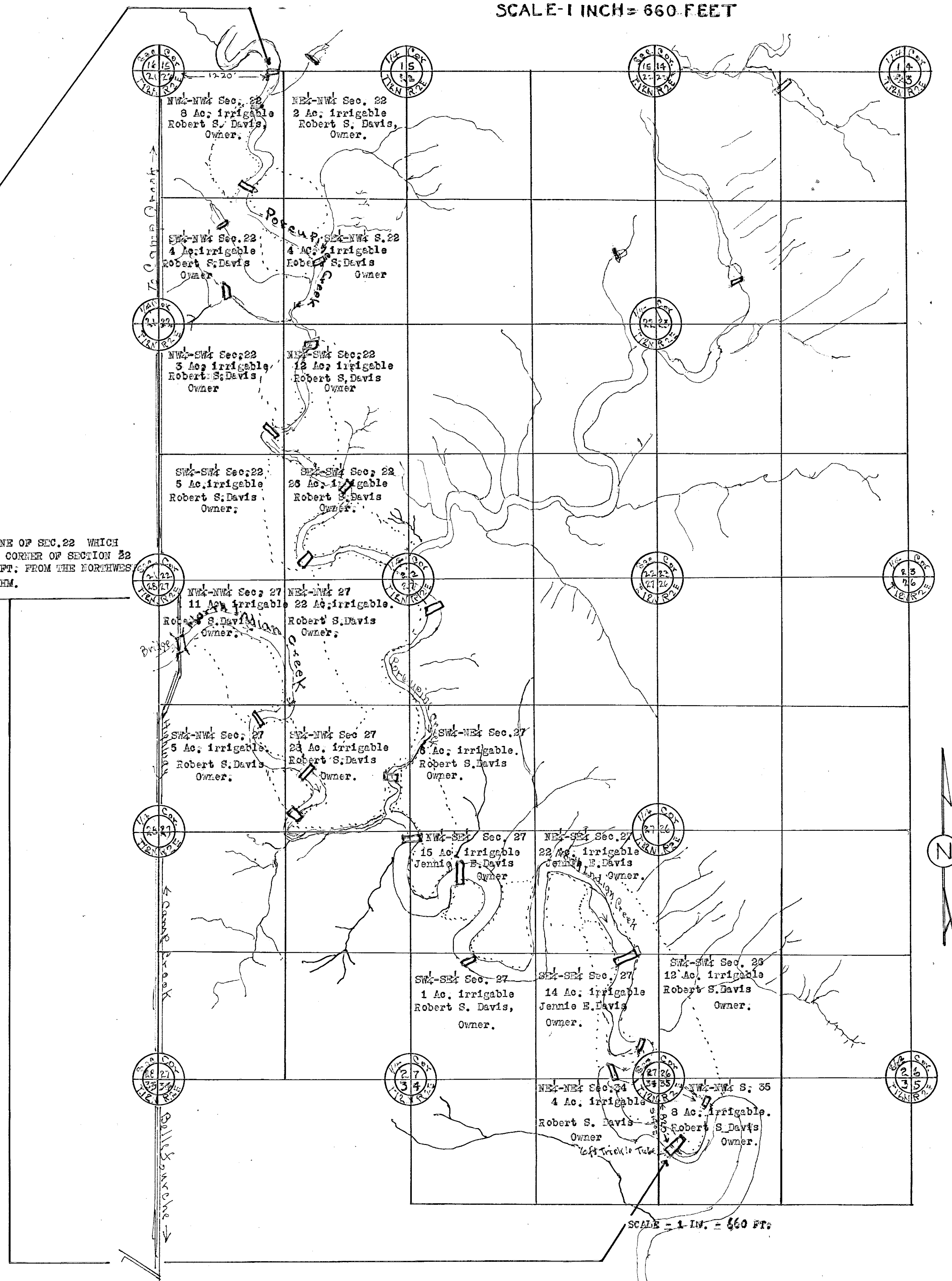
Subscribed and sworn to before me this 11-th day of September 1907

Carl M. Cornell, Notary Public (or other qualified officer.)
 Carl M. Cornell, Notary Public.

*Each diversion must have a headgate or measuring device.

PLAT
OF THE
DAVIS IRRIGATION PROJECT
SECTIONS 22, 26, 27, 34 & 35, T. 12 N., R. 2 E - 6TH MERIDIAN
BUTTE COUNTY, SOUTH DAKOTA
SCALE - 1 INCH = 660 FEET

POINT OF DIVERSION:
BETWEEN A POINT ON THE NORTH LINE OF SEC. 22 WHICH LIES 1220 FT. EAST OF THE NORTHWEST CORNER OF SECTION 22 AND A POINT WHICH LIES S 14° E. 820 FT. FROM THE NORTHWEST CORNER OF SECTION 35, T. 12 N., R. 2 E - 6TH.



CERTIFICATE:

I, CARL M. CORNELL, LICENSED SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT, AT THE REQUEST OF ROBERT S. DAVIS OF BELLE FOURCHE SOUTH DAKOTA, I HAVE MADE A SURVEY AND PREPARED THIS PLAT OF THE TRACTS SHOWN HEREON FOR THE PURPOSE OF SHOWING THE IRRIGABLE AREAS AND THE TOTAL ACREAGE THEREOF AS REQUIRED FOR SUBMISSION WITH HIS APPLICATION FOR A PERMIT TO APPROPRIATE 3 SECOND FEET OF WATER FROM NORTH INDIAN AND PORCUPINE CREEKS IN SECTIONS 22, 26, 27, 34 AND 35, T. 12 N., R. 2 E - 6TH IN BUTTE COUNTY, SOUTH DAKOTA.

I FURTHER CERTIFY THAT THE BEARINGS AND LENGTHS OF ALL LINE SHOWN AND THEIR LOCATIONS WITH REFERENCE TO GOVERNMENT LAND CORNERS ARE CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

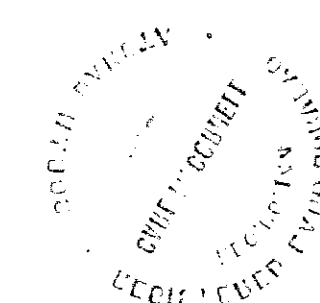
SUBSCRIBED AND SWORN TO AT BUFFALO, SOUTH DAKOTA THIS 24TH DAY OF SEPTEMBER, 1957.

SIGNED: *Carl M. Cornell*
CARL M. CORNELL, LICENSED SURVEYOR # 144

(SEAL)

SUBSCRIBED AND SWORN TO BEFORE ME AT BUFFALO, SOUTH DAKOTA THIS 24TH DAY OF SEPTEMBER 1957.

Wm. Bennett
NOTARY PUBLIC (SEAL)



Map No. 281-1
Appl. No. 309-1

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, October 9, 1957

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
9 a.m. upon the 30 day of September, 1957

State Water Resources Commission

By: J. H. Hines
Chief Engineer, Executive Officer

Number of permit 309-1

Date of first receipt of application September 30, 1957

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right September 30, 1957

Approved December 11, 1957, Recorded in Book 4 Page 184

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we 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 _____

December 11, 1958

2nd. The whole of said work is to be completed on or before December 11, 1959

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is _____

December 11, 1961

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 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 3.00 cubic feet per second; 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 December 11, 1961; said water to be used during the following described annual period:

March to September inclusive

Witness my hand this 23 day of December, 1957

State Water Resources Commission

By: J. H. Hines
Chief Engineer, Executive Officer

Certificate of Construction Issued March 11, 1964

Water License Issued March 11, 1964

STATE OF SOUTH DAKOTA

WATER LICENSE No. 309-1.

WHEREAS, On the 30th day of September A. D. 1957

Robert S. (deceased) and Jennie E. Davis

of Belle Fourche County of Butte and State of
South Dakota duly made application (No. 309-1) to us for a permit to use 3.00
cubic feet per second of the waters of Porcupine and North Indian Creeks
County of Butte, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 23rd day of December A. D. 1957

Permit No. 309-1 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 11th day of

December A. D. 1962 and for the application to beneficial use of said
water on or before the 1st day of October A. D. 1963
and,

WHEREAS, On the 21st day of February A. D. 1964

the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.77
cubic feet per second of said waters, as evidenced by our Certificate No. 309-1

dated March 11, 1964 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 2.77 cubic feet per second of water, with date of
priority of September 30, 1957 ~~1958~~ and,

WHEREAS, On the 30th day of September A. D. 1963

proof was duly made of the application to beneficial use of 2.77 cubic feet per second of said water;

for irrigating 124 acres in portions of Sections 22, 26,

27, 34, and 35, T 14N, R 2E.

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
Jennie E. Davis

We hereby grant and confirm to _____
of **Beile Fourche** the holder and owner of said permit No. **309-1**
a water right, dating from **September 30, 1937** to the use of **2.77**
cubic feet per second of the waters of **Porcupine Creek and North Indian Creek**

In the County of **Butte** and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be diverted **x between a point S 82° 45' E, 1580 ft.**
from the NW corner, Section 22, and a point S 14° E, 820 ft. from the NW
corner, Section 35, T 12N, R 2E.

and conducted to and upon **portions of Sections 22, 26, 27, 34 and 35, T 12N, R2E.**
more specifically described in the Certificate of Completion of Work.

for the purpose of **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 our office at Pierre, South Dakota,
11th **March**
this _____ day of _____ A. D. Nineteen
Hundred and **Sixty-Four**

State Water Resources Commission

By:

J.W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

Permit No. 309-1Belle FourcheWater Division No. 1 River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Robert S. and Jennie E. Davis

of Belle Fourche, County of Butte, and State of South Dakota, the holder of Permit No. 309-1, Issued upon Application No. 309-1, bearing date of priority of September 30, 1957, authorizing the diversion of 3.00 cu. ft. per second of the waters of Porcupine & North Indian Creeks County of Butte, State of South Dakota, between at a point S 82° 45' E, 1580 Ft. from the W¹/₂ Corner, Section 27, and a point S 14° E, 620 Ft. from the NW Corner, Section 35, T 12N, R 2E.

for irrigation purposes, have fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.77 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: All in T 12N, R 2E.

<u>Section 35</u>	<u>NW¹/₄ NW¹/₄</u>	<u>8 acres</u>
<u>Section 22</u>	<u>NW¹/₄ SW¹/₄ CB</u>	<u>3 acres</u>
	<u>NE¹/₄ SW¹/₄ CA</u>	<u>12 acres</u>
	<u>SW¹/₄ SW¹/₄</u>	<u>5 acres</u>
	<u>SE¹/₄ SW¹/₄ CB</u>	<u>26 acres</u>
<u>Section 35</u>	<u>SW¹/₄ SW¹/₄ CB</u>	<u>12 acres</u>
<u>Section 27</u>	<u>NW¹/₄ NW¹/₄ EB</u>	<u>11 acres</u>
	<u>NE¹/₄ NW¹/₄ EB</u>	<u>22 acres</u>
	<u>SW¹/₄ NW¹/₄</u>	<u>5 acres</u>
	<u>SE¹/₄ NW¹/₄ EB</u>	<u>28 acres</u>
	<u>SW¹/₄ NE¹/₄ AC</u>	<u>6 acres</u>
	<u>SW¹/₄ SE¹/₄ EB</u>	<u>1 acre</u>
	<u>NW¹/₄ SE¹/₄ EB</u>	<u>15 acres</u>
	<u>NE¹/₄ SE¹/₄ EB</u>	<u>22 acres</u>
	<u>SE¹/₄ SE¹/₄ EB</u>	<u>14 acres</u>
<u>Section 34</u>	<u>NE¹/₄ NE¹/₄ EB</u>	<u>4 acres</u>

Total 194 Acres

Witness my hand this 11th day of March A. D. 1964

State Water Resources Commission

By:

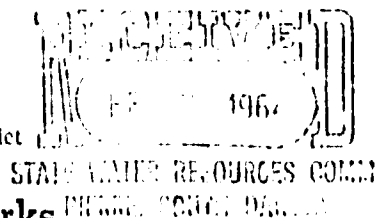
J.W. GRIMES,

Chief Engineer, Executive Officer

Permit No. 302-1

Water Division No. _____

Water District _____



Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated Sept. 4, 1933 19____, I have this day made a thorough examination of the diversion works constructed by Robert S. Davis and Jennie E. Davis of Belle Fourche Butte County, South Dakota, holder of Permit No. 302-1, issued upon Application No. _____, bearing date of priority of September 1937 authorizing the diversion of 3.0 cu. ft. per second of the waters of Porcupine Creek for Irrigation & stockwater purposes. I have to report on the condition of the same as follows:

A series of spreader dams for diversion of flood waters from the above named creeks, across cotton lands on the flats along the creeks, and holding surplus waters in the creek channels for subsurface irrigation or release for flooding below, thru flumes and gates.

and the system is in the following condition: Excellent.

The point of diversion is located Between a point S 82°45' E, 1580.0' from the W 1/4 Cor. Sec. 32, T.13 N., R.2 E-BHM and a point which lies S 140° E 330' from the NW Cor. Sec. 35, T.13 N., R.2 E-BHM.
N.B. Diversion changed by reason of dropping the NW 1/4 Sec. 32 from project.
 The works are capable of diverting and conveying to the place of use 2.72 cu. ft. per second of water,

which is to be used for Irrigation and stockwater.

NW-SW-3 ac., NE-SW-13 ac., SW-SW-5 ac., SE-SW-36 ac., S. 22, T. 13 N., R. 2 E
 The legal sub-divisions to be irrigated are: Total 46 ac

SW-SW-12 ac., Sec. 26, T. 12 N., R. 2 E-BHM Total 12 ac

NW-NW-11 ac., NE-NW-32 ac., SW-NW-5 ac., SE-NW-28 ac., SW-NE-3 ac.,
 SE-SE-1 ac., NE-SE-15 ac., NE-SE-22 ac., SE-SE-14 ac. S. 27, T. 12 N., R. 2 E.
 Total 124 ac

NE-NE-4 ac., Sec. 34, T. 12 N., R. 2 E. Total 4 ac

NW-NE-5 ac., Sec. 22, T. 13 N., R. 2 E-BHM Total 8 ac
 comprising a total of 192 acres of land.

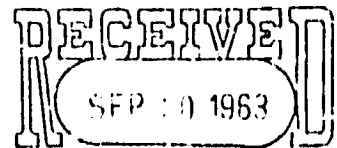
The domestic use intended comprises stockwater only

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

Witness my hand, this 21st day of February, A. D. 19 67

-SEAL-

Carl M. Cornell
 Carl M. Cornell, Examining Engineer
 Buffalo, So. Dak.

Permit No. 309-1

Water Division No. _____

Water District _____

STATE WATER RESOURCES COMM.

PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Bella Fourche, Butte Co., So. Dak.(Date) Sept. 18, 1963

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____
3.0 cu. ft. per second of the waters of the state from N. Indian
and Porcupine Creeks
through the spreader dams and dikes
for irrigation purposes
_____ in accordance with the terms and con-
ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

- The name of the person or corporation holding said permit is _____
Robert S. Davis (deceased) and Jennie E. Davis (mother)
- The postoffice address of such person or the place of business of such corporation is Bella Fourche
Butte South Dakota
County of _____ State of _____
- The number of such permit is 309 and the date set for the completion of such work is
Sept. 18, 1963
- Said water to be used for irrigation purposes.
- 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 3.0 cubic feet per second.

6. The amount of land for which said water is available is 312 acres,

NW-NW-8 ac., NE-NW-8 ac., SW-NW-4 ac., SE-NW-4 ac., NW-SW-3 ac., NE-SW-13 ac.	
SW-SW-5 ac., SE-SW-26 ac., Sec. 22, T. 12 N., R. 2 E-BHM	Total 84 ac. 4
SW-SW-13 ac., Sec. 26, T. 12 N., R. 2 E-BHM	Total 12 ac
NW-NW-11 ac., NE-NW-23 ac., SW-NW-5 ac., SE-NW-28 ac., SW-NE-6 ac.,	
SW-SE-1 ac., NW-SE-15 ac., NE-SE-23 ac., SE-SE-14 ac. S. 37. T. 12 N., R. 2-124 ac	
NE-NE-4 ac., Sec. 34, T. 12 N., R. 2 E-BHM	Total 4 ac
NW-NW-8 ac., Sec. 33, T. 12 N., R. 2 E-BHM	Total 8 ac
	Grand Total 312 ac.

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

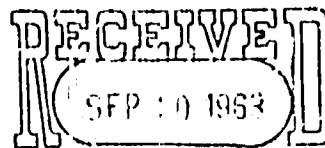
Robert S. Davis & Jennie E. Davis
by Jennie E. Davis

The appointment of Carl M. Cornell
of Buffalo, S.D., to make final
inspection, is hereby requested.

(Signature of Owners) _____

Location No. 309-1.

Water Division No. _____ Water District _____

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. Robert S. Davis and Jennia E. Davis, (Robert J. Davis Deceased.)
Belle Fourche, Stockman, Belle Fourche, So. Dak. (Butte County)

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 date of posting and date of recording notice of appropriation.

Ans. Septm 15th 1957

Ques. 4. State source of water supply and give exact location of point of diversion. N. Indian and Porcupine Creeks. - Beginning at a point on the Sec. line 1220' E. of the NW corner, Sec. 22, T. 13 N., R. 2 E-BHM, to a point 8-14 E 830' from the NW Cor. Sec. 35, T. 12 N., R. 2 E-BHM Both sides of streams.

Ques. 5. Describe your works of diversion giving length and height of each dam 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, and date of completion of same.

Main dam; Top L. 300', Bot. L. 310', Top W. 27', Bot W. 117'. 72" C.M.P. flume
Ans. 768 long with Conc. box intake 6' x 6' x 9' deep.

16 smaller dams and dikes to spread water over irrigable areas.

Sept. 18 1963

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.) Flood irrigation of following described tracts;

NW-SW-3 ac., NE-SW-12 ac., SW-SW-5 ac., SE-SW-26 ac., S. 22, T. 13, R. 2 =	48 ac.
SW-SW-12 ac., Sec. 26, T. 12 N., R. 2 E-BHM	Total 12 ac.
NW-NW-11 ac., NE-NW-22 ac., SW-NW-5 ac., SE-NW-28 ac., SW-NE-6 ac.	
SE-SE-1 ac., NW-SE-15 ac., NE-SE-22 ac., SE-SW-12 ac., S. 27, T. 12, R. 2 =	124 ac.
NE-NE-4 ac., Sec. 34, T. 12 N., R. 2 E-BHM	= 4 ac.
NW-NW-8 ac., Sec. 33, T. 12 N., R. 2 E-BHM	= 8 ac.
	Total 194 ac.

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

Ans. _____

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

Ans. 2.77 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. _____

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

Ans. Some spreading was being done on these lands for past 30 years
but work was completed on the several structures as rapidly as possible
and a few improvements were finished during the past year to bring the
project to full completion during the summer of 1963. Those dams which
were originally planned for the NW 8th 23 were finally dropped from
the project and their acreage deducted from the original plan.
This project produced over 250 tons of choice wheat grass hay this year.

(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 Belle Fourche, County of Butte

State of South Dakota, on this _____ day of _____ A. D. 1963

CARL M. CORNELL
Notary Public, Butte County
My commission expires April 13, 1967

Witnesses.

Carl M. Cornell, Notary Public.

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Carl M. Cornell, Notary Public.

Location No. 309-1

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

County _____

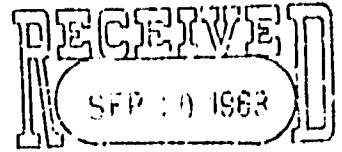
Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

Permit No. 309-1



Water Division No.

Water District

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Belle Fourche, Butte Co., S.D.

(Date) Oct. 1, 1963

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 1st day of October 1961, at Belle Fourche, Butte County of Butte State of South Dakota, before Carl M. Cornell, proof will be submitted of the application to beneficial use of _____ cubic feet per second of the waters of Porcupine and North Indian Creek in accordance with the terms and conditions of Permit No. 309 heretofore issued by the Water Resources Commission of South Dakota

1. The name and postoffice address of the person or corporation holding said permit are _____

Robert S. Davis and Jennie E. Davis

(N.E. Robert S. Davis (Jennie E. Davis' son) was killed in a plane wreck.

2. The use to which said water has been applied is Irrigation of hay land

3. The amount applied to beneficial use is 3.0 2-3 Sec. Ft.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)

NW-NW-3 ac.	NE-NW-2 ac.	SW-NW-4 ac.	SE-NW-4 ac.	NW-SW-3 ac.	NE-SW-13 ac.	
SW-SW-5 ac.	SE-SW-26 ac.	Sec. 22, T.12 N., R.3 E-BM	Total	64 ac		
SW-SW-12 ac.	S. 26, T.12 N., R.3 E-BM	Total	12 ac			
NW-NW-11 ac.	NE-NW-22 ac.	SW-NW-5 ac.	SE-NW-28 ac.	SW-NE-6 ac.		
SW-SW-1 ac.	NW-SE-15 ac.	NE-SE-22 ac.	SE-SE-14 ac.	H. 2, T.12, R.3	12 ac	
NE-NE-4 ac.	Sec. 34, T.12 N., R.3 E-BM	Total	4 ac			
NW-NW-8 ac.	Sec. 22, T.12 N., R.3 E-BM	Total	8 ac			
		Grand Total	213 ac			

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

None. Water is distributed by means of spreader dams and dikes.

6. The right to take the water from such works is based upon permit No. 309-1.

7. The source of supply from which such water is diverted is Porcupine & North Indian Creeks

8. The date of priority which said user is prepared to establish is

September 15th 1951

I would be pleased to have you appoint S. Davis and Jennie E. Davis
appoint Carl M. Cornell, of Buffalo, So. Dak. to act as
Examining Officer on the
final examination of this
project.

by

(Sign)

R. S. Davis

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County _____

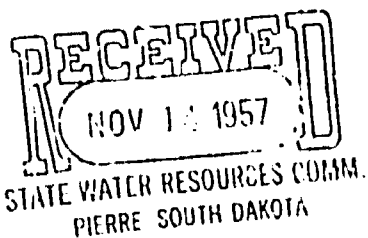
} ss.

Laurence Weyler _____ being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____
 Belle Fourche Bee _____ a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the city _____ of Belle Fourche _____ County of _____ and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Oct. 17, 1957 _____
 Oct. 24, 1957 _____
 October 31, 1957 _____
 Nov. 7, 1957 _____
 in each and every issue of the full number thereof, the first publication being made on the 17 day of October 1957 and the last publication on the 24 day of November 1957 upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was _____ the printer and publisher of the said newspaper.

Laurence Weyler

Subscribed and sworn to before me this _____ day of _____ A. D. 1957



Notary Public _____ County, S. D.

Notary Public, Butte County, S. Dak.
 My Commission Expires Sept. 29, 1958

No. 309-1

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. D. October 7, 1957

Notice is hereby given that Robert S. Davis and Jennie E. Davis whose postoffice address is Belle Fourche, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.00 cubic feet of water per second of time from Porcupine and North Indian Creeks through the Davis Irrigation Project, the 22 points of diversion of which are to be located on both banks of said streams in the W $\frac{1}{2}$ Sec. 22; S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ N $\frac{1}{2}$ and SE $\frac{1}{4}$ Sec. 27; and NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35 all in Twp. 12N Range 2E. Said water to be used for the purpose of providing irrigation on the following described land:

Parts of the W $\frac{1}{2}$ Sec. 22; NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ Sec. 27; W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 26; NE $\frac{1}{4}$ N $\frac{1}{2}$ Sec. 34; and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35; all in T 12 N, R 2E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 11 day of December, 1957, at 2:00 p.m. All interested persons may appear and be heard.

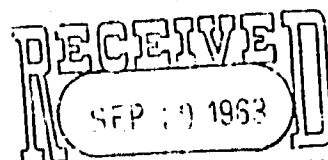
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the considera-

tion of any or all information presented.

State Water Resources Commission

By: Les Wyborny,
 Water Rights Engineer
 B4t O17-24-31 N7

Form No. 23



APPLICATION FOR EXTENSION OF TIME FOR COMPLETING WORKS
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To the State Water Resources Commission
Pierre South Dakota

9/18/1963

(date)

Dear Sirs:

I hereby request that an extension of time from Dec. 11, 1961
to Nov. 1, 1963 be granted me for the completion of works to be done under Permit No.
609-1 and that the time for proof of beneficial use of water be extended to Oct. 1, 1963

Said works are located in Sec. 22, 27, 34 & 35, T. 12 N., R. 2 E-BHM County and are described
as follows:

Location of headworks: In the NE 1/4 of the SW 1/4
of Section 22 Township 12 N. Range 2 E-BHM
E., B.H.M.

The water is to be used for the purpose of Irrigation

The extension of time for the completion of these works is requested for the following reasons:

Due to accidental death of Robert S. Davis, who was manager of this
ranch, and the resultant change in management, the deadline for final
proof was overlooked.

APPROVED: 11-6-63

Robert S. Davis and Jennie E. Davis
by Jennie E. Davis

State Water Resources Commission

Holder of Permit No. 309

By:

Sturton House
for Chief Engineer, Executive Officer

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

Jon Ross Building
501 East Capitol
Pierre, South Dakota 57501-3181

WATER RIGHTS DIVISION
(605) 773-3352

374-1
375-1
309-1

June 12, 1985

Tom C. Davis
Hwy 85 N
Belle Fourche, South Dakota 57717

Dear Mr. Davis:

Please find enclosed copies of the Notice of Transfer of Water Permit form. The forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 each, total of \$7.50.

Upon receipt of the enclosed forms and the \$7.50 filing fee the permits will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

NO. 309-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

This is to notify you that the title to the lands described as follows:

19 1/2 Acre, - NW 1/4 NW 1/4 Section 35, SW 1/4 Section 22; SW 1/4 SW 1/4 Section 26; NW 1/4, SW 1/4 NE 1/4, SE 1/4 Section 27; NE 1/4 NE 1/4 Section 34, T12N, R2E

formerly owned by Robert S. and Jennie E. Davis

has been transferred to Davis Ranches Inc., Hwy 85N, Belle Fourche, SD 57717

(please include complete mailing address)

Water Right permit No. 309-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Butte) ss.

1, TOM C 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 forgoing statement, and I know of my own personal knowledge that the infor-
mation herein stated is true.

~~Paris Ranches, I MC~~
~~by Tom & (signed) Ray, R. res~~

Subscribed and sworn to before me this 13 Day of Sept, 1985

John A. K.
(Notary Public)

Mr. Carmichael Expires 6-26-90



RECEIPT

Division of Water Rights

No 410118

South Dakota Department of Water and Natural Resources

Pierre, July 17, 1935

RECEIVED OF Davis Ranches, Inc., Hwy 85N, Belle Fourche, SD 57717

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 309-1

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

2 50

2 50

By

Chief Engineer

JOHN HATCH

No. _____

309-1



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

July 18, 1985 4

Davis Ranches, Inc.
Hwy 35 North
Belle Fourche, South Dakota 57717

Dear Sir:

Enclosed is receipt No. 4 10118 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 309-1.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

WNR-821-7/79

Receipt & Notice of filing of Transfer of Water Right