

No. 3

Water Division No. 2: Rapid Creek District.
(Blanks to be filled by the State Engineer.)Copy

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

[NOTE—Draw a line through items not applicable.] GLEN & GENE CROSSIE

1. Name of applicant: Joseph A. Humphrey TRSFRO 2-2-71
NEW UNDERWOOD
 Postoffice address: Rapid City, County Pennington, State South Dakota

1. 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 addresses of directors:

[NOTE—A certified copy of articles of incorporation must accompany the application.]

II. Method of accomplishing the work and financial resources of the applicant:

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

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion works Hawk Nest Water Ditch3. Quantity of water claimed 1 1/2 cubic feet per second.4. Source of water supply Hawk Nest Gulch5. Location of point of diversion on S 1/4, S 1/4 S. C. 1, T 1 N, R 1 E, B 1 M, Dist. from the
S. W. Cor. of said Sec. 1, N 57° 35' E, 860 feet on left bank
 (Right or left bank looking down stream.)6. Annual periods during which water is to be used yearly

7. To be used for:

I. Irrigation or domestic use:

(a) Number of acres to be irrigated 100 acres.(b) Legal subdivisions to be irrigated S 1/4 NW 1/4; Lot 4; N 1/2 NE 1/4 of NW 1/4, Sec 1, T 1 N, R 1 E B. H. M.

[NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.]

(c) Statement as to domestic use (giving location, etc.)

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

(a) Nature of use

(b) Amount of power to be generated horse power.

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

8. Estimated cost of works:

(a) Head gate, \$.....

(b) Pumping plant \$.....

(c) Fluming, \$.....

(d) Canal—earth, \$..... rock, \$.....

(e) Other structures..... \$.....

Total, \$1,114.50

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.).....

Earth dam and earth ditch.

II. Dimensions of works:

(a) Dam: Height *Nine* feet; length at bottom *230* feet; length at top *250* feet; thickness at bottom *48* feet; thickness at top *8* feet; slope of front (water) face *2 to 1*; slope of back face *2 to 1*; material used in construction *Earth*.

(b) Reservoir: Capacity when filled *2.36* acre feet. Surface area at highwater mark..... acres.

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

(c) Head gate: Width *5* feet; height *2* feet.

Material *Lumber*

(d) Canal: Total length *0.964* miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE OR MILE
At <i>0</i> mile	<i>2</i> feet	<i>3</i> feet	<i>5</i> feet	<i>21.2</i> feet
At <i>3/4</i> mile	<i>1</i> feet	<i>3</i> feet	<i>4</i> feet	<i>21.2</i> 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 *3* years.

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

Black Hills Union

STATE OF SOUTH DAKOTA

County of *Beauregard*

I, *Isabel D. Humphrey*, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of *Owner*.

(Owner, manager or engineer)

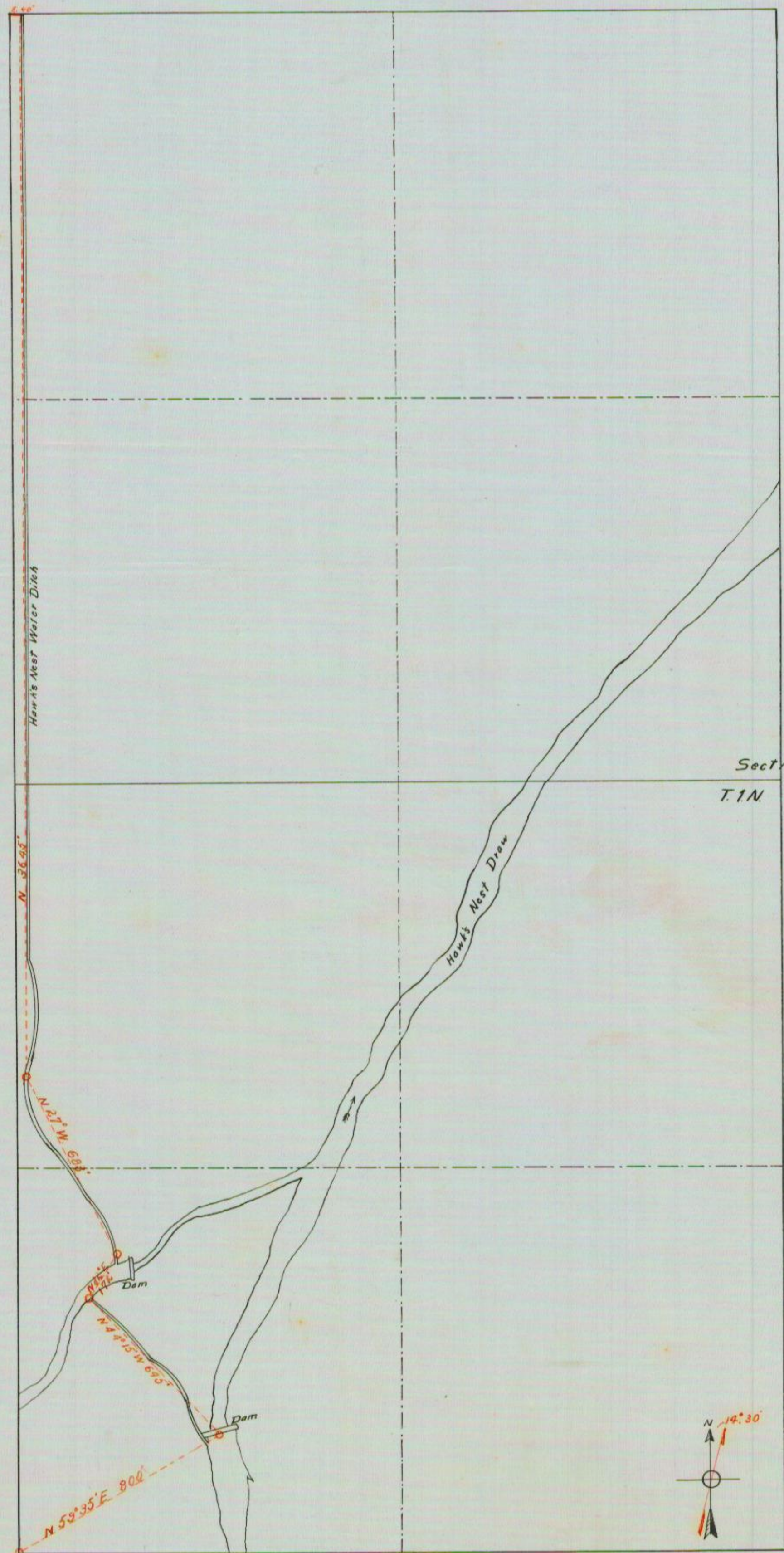
that I have read the above and foregoing statement, and examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed *Isabel D. Humphrey*

Subscribed and sworn to before me this *29th* day of *June* 190*6*

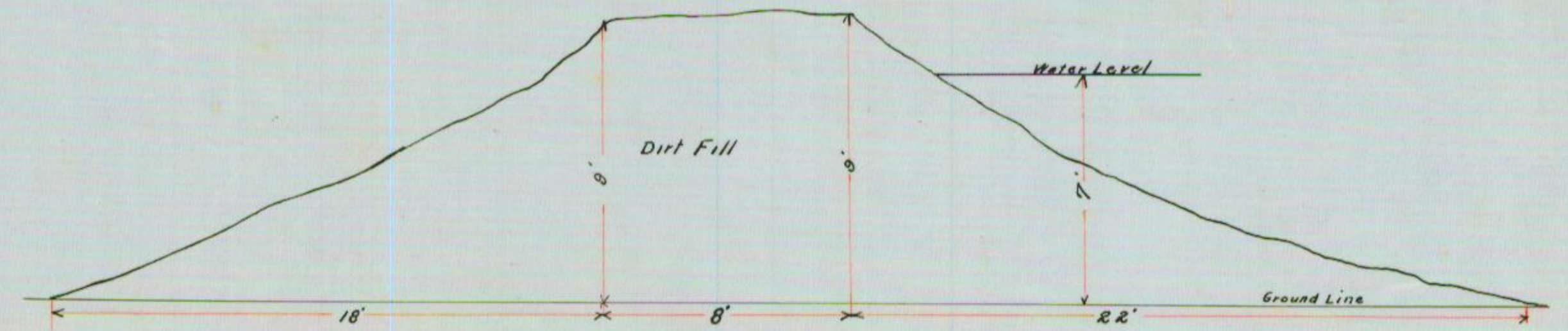
signed *A. K. Gardner*

Notary Public (or other qualified officer).

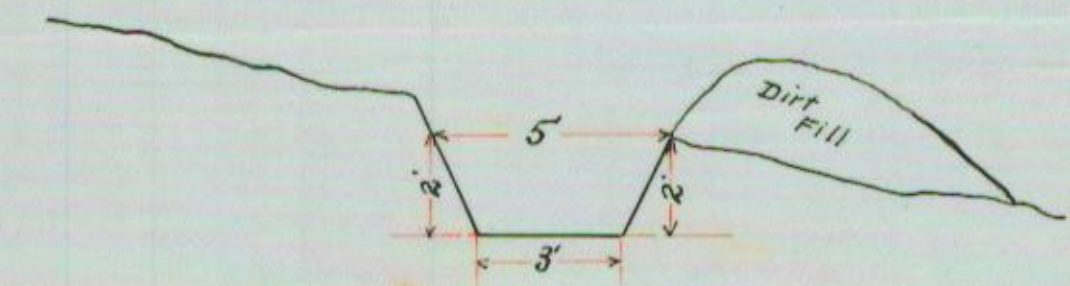


HAWKS NEST WATER DITCH.

by Mrs. Isabel S. Humphrey Scale 1" = 200'



Section of Dam Scale 1" = 4'



Section of Ditch Scale 1" = 4'

AFFIDAVIT

State of South Dakota } ss
County of Pennington }

I, Stein Bangs, being duly sworn, upon my oath say, that I am the engineer of the HAWKS NEST WATER DITCH, that the survey and map thereof were made by me, or under my direction, and that I have read the accompanying statement and know of my own knowledge that the statements therein made are true.

Stein Bangs.

Engineer

Subscribed and sworn to before me this 23rd day of June, 1906

A. G. Gardner.
Notary Public.

APPROVED
Samuel H. Lea
State Engineer.

Stein Bangs

MAP No 3 (WR #3-2)

Remarks by State Engineer:

Publication was made and hearing held, as required by law. No objections were raised and the application was approved.

STATE OF SOUTH DAKOTA
County of: Hughes } #8

Pierre, South Dakota, Sept. 29 1906

This is to certify that the foregoing application was received at this office at one o'clock P. m. upon the 3rd day of July 1906 and that after examination it was found to comply with the irrigation Code of South Dakota. Publication was ordered and a hearing was set for Sept. 5, 1906. This hearing was held and this application has been approved.

Daniel H. Lea
State Engineer.

By _____ Deputy.

Number of permit 3

Date of first receipt of application July 3 1906

Date of return to applicant for correction _____ 190

Date of receipt of corrected application _____ 190

Date from which applicant may claim right Sept. 5 1906

Approved Sept. 29 1906, Recorded in Book _____ Page 6

This is to certify that I have examined the foregoing application for a permit in appropriation of 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 Oct. 15 1907

2d. The whole of said work is to be completed on or before Oct. 15 1908

3d. The limit of time for proof of beneficial use of water appropriated in accordance herewith is Oct. 15 1909

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 1 1/2 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 on or before Oct. 15 1909; said water to be used during the following described annual periods.

Yearly

Witness my hand this 29th day of September 1906

Daniel H. Lea
State Engineer.

By _____ Deputy.

STATE OF SOUTH DAKOTA
COUNTY OF HUGHES,

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

Witness my hand and official seal, done at my office in Pierre, State of South Dakota this 16 day of April 1908.

Samuel H. Lee
State Engineer.

By Wm. A. H. Lee
Deputy.

(Copy)

No. 3

Division No. 2 Rapid Creek District

PERMIT.

to appropriate water from
Hawk's Nest Gulch
Bennington County, South Dakota

Name of applicant
Isabel D. Humphrey

Name of diversion works
Hawk's Nest Water Ditch

Date of first receipt at office of State Engineer July 3 1906

Returned to applicant for correction
1902

Corrected application received
1900

Date of water right
Sept. 5 1906

Recorded in Book 1 Page 7

One-fifth of work to be completed
Oct. 15 1907

Whole work to be completed
Oct. 15 1908

Final proof of use of water
Oct. 15 1909

Approved Sept. 29 1906

Samuel H. Lee
State Engineer.

By _____
Deputy.

STATE OF SOUTH DAKOTA

Water License No. 3

To

ISAAC B. HORTON

Source of Supply

Went Gulch

Pominington County

Am't 1.2 Sec. Feet

Point of Diversion N. 50° 35' E. 800 ft.

from SW cor Sec. 1, T. 1 N.,
R. 10 E. S. 4.

Place of Use NW 1/4 Sec. 1, T. 1 N.,
R. 10 E. S. 4.

of NW 1/4 Sec. 1, T. 1 N.,
R. 10 E. S. 4.

Purpose Irrigation

Date of Priority July 3, 1900

Recorded September 12, 1900

In Book - of Record Page - 8 -

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3

WHEREAS, On the third day of July A. D. 1900.

ISAACEL S. HUMPHREY

of Hard City County of Pennington and State of
South Dakota duly made application (No. 11) to me for a permit to use 1 1/2
cubic feet per second of the waters of Hawk Nest Gulch
County of Pennington State of South Dakota, for irrigation
purposes; and

WHEREAS, On the twenty-ninth day of November A. D. 1900.
Permit No. 3 was issued to said applicant, for the diversion of said water, and providing for the com-
pletion of the works of diversion therein described on or before the fifteenth day of
October A. D. 1900. and for the application to beneficial use of said
water on or before the fifteenth day of October A. D. 1900
and,

WHEREAS, On the eighteenth day of January A. D. 1910.
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1 1/2
cubic feet per second of said waters, as evidenced by my Certificate No. 3
dated January 11, 1910, confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1 1/2 cubic feet per second of water,
with date of priority of July 3, 1900, end,

WHEREAS, On the eighteenth day of January A. D. 1910.
proof was duly made of the application to beneficial use of 1 1/2 cubic feet per second of
said water;

For irrigation of the SW 1/4 NW 1/4, Lot 4, and N 1/2 NE 1/4 of NW 1/4, Sec-
tion 1, Township 1 N., Range 10 E. B.H.M.

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of South Dakota, I hereby grant and confirm to ISABEL S. HUMPHREY of Rapid City the holder... and owner... of said permit No. 8 a water right, dating from JULY 3, 1900 to the use of 1 1/2 cubic feet per second of the waters of Hawk Nest Gulch in the County of Pennington and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at N. 59° 35' E. 300 feet from the SW corner of Section 1, Township 1 N., Range 10 E. D.H.M. and conducted to and upon the SW 1/4 NW 1/4 Lot 4, and NE 1/4 NW 1/4 of NW 1/4, Section 1, Township 1 N., Range 10 E. D.H.M. 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 the seal of my office at Pierre, South Dakota, this 10th day of January A. D. Nineteen Hundred and Ten.

State Engineer.

STATE OF SOUTH DAKOTA

Water License No. 3

To

ISABEL S. HUMPHREY

Source of Supply

Hawk Nest Gulch

County Pennington

Am't 1 1/2

Sec. Feet

Point of Diversion N. 59° 35' E. 300 ft.

from SW cor. Sec. 1, T. 1 N.

R. 10 E. D.H.M.

Place of Use

SW 1/4 NW 1/4 Lot 4, and

NE 1/4 of NW 1/4, Sec. 1, T. 1 N.

R. 10 E. D.H.M.

Purpose irrigation

Date of Priority July 3, 1900

Recorded September 12, 1900

in Book 1 of Record Page 6

APPROPRIATION OF WATER.

July ----- 1906.

Notice is hereby given that Isabel S. Guardroy, whose postoffice address is Rapid City, Co. Dakota, has made application for a permit with the provisions of the irrigation laws of South Dakota for a permit to appropriate for beneficial use two cubic feet of water per second of time from Red Land Draw through the Red Land Ditch, the point of diversion of which is to be located in the NE 1/4 SW 1/4, Sec 1, T 1 N, R 10 E, 1 N M; also for a permit to appropriate for beneficial use two cubic feet of water per second of time from Hawk Nest Gulch, the point of diversion of which is to be located in the SW 1/4 SW 1/4, Sec 1, T 1 N, R 10 E, 1 N M said water to be used for the purpose of irrigating land under and adjacent to said Ditches.

This application will be taken up by the state engineer at his office at Pierre for consideration and appropriate action upon the 5th day of September, 1906 at 9 a. m., at which time all persons who believe that the prior rights would be injuriously affected, or that the allowance of the permits would be detrimental to the public welfare, and also the parties making the application, and to be benefited, are notified to be present either by sworn affidavit or in person for the purpose of presenting any relevant testimony.

Samuel W. Lea,

State Engineer

Permit No. 11Water Division No. 2..... Rapid, Grack... Water District

Certificate of Application of Water to Beneficial Use.

Deposition of Holder

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

Ans. Isabel S. Humphrey
Rapid City, S. Dak.

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. None

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

Ans. July 3, 1906 No 3

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

Ans. Hawk Nest Creek.
N 59° 35' E 800 ft. from the S.W. Cor. Sec. 1, T. 1 N., R. 10 E B. 4 M.

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. Run 120 ft long 9 ft high and a ditch 5 ft wide
2 feet deep about one mile long

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

Ans. Irrigation: S.W. 1/4 N.W. 1/4, Lot 4, and N. 1/2 N.E. 1/4
of (N.E.) 1/4; Sec. 1, T. 1 N., R. 10 E B. 4 M., 100 acres

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. Two cubic feet per second

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. None

* Corrected in office of State Engineer

REPRODUCTIONS.

REDUCTION 25%

ROLL NO. 10

DATE MICROFILMED 3-16-82

LANSING, MICHIGAN
CUBA OPERATOR

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

Ans. During 1907 - about 50 acres - during 1908 about 100 acres - and during 1909 about 100 acres were irrigated.

(Sign.) Isabel S. Humphrey

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 presents himself to be, and that said testimony was subscribed and sworn to before me, in my office in Rapid City, County of Pennington, State of South Dakota, on this 15th day of January, A. D., 1910.

Frank R. Bangs

Notary Public

Permit No. 3

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

DEPOSITION OF HOLDER.

Amount of water 1 1/2 second feet

Source Hawk's Nest Gulch

County Pennington

Purpose irrigation

Place of Use SW 1/4 NW 1/4 lot 4, N. 1, NE 1/4

of NE 1/4 Section 1, Township 1 N.,

Range 10 E. B. H. M.

Date of priority July 3, 1908

FILED
JAN 18 1910

SAMUEL H. LEA, State Engineer

Received and filed January 18, 1910.

RECEIVED

JAN 18 1910

OFFICE OF STATE ENGINEER,
PIERRE, S. DAK.

Permit No. 3.....

Water Division No. 3.... Rapid Creek.... Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated Jan. 12, 1910 1910, I have this day made a thorough examination of the diversion works constructed by J. A. Bee S. Humphrey of Rapid City Perrin, S. D. County, South Dakota, holder of permit No. 3, issued upon application No. 3, bearing date of priority of July 3rd, 1904, authorizing the diversion of 1.5 second feet of the waters of Hawk Creek for irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Dam about 120 ft. long and about 9 ft. high for diversion of the water and a ditch about one mile long 6 ft. wide and two feet deep all as shown on the map.

and the system is in the following condition: In general condition

The point of diversion is located N. 59° 35' E. 800' from the South West corner of Sec. 1, T. 1 N., R. 10 E. B. H. M.

The works are capable of diverting and conveying to the place of use 1.5 second-feet of water, which is to be used for irrigation.

The legal subdivisions to be irrigated are: S. 1/4 N. 1/4 Sec. 4; N. 1/2 N. E. 1/4 of N. E. 1/4; Sec. 1, T. 1 N., R. 10 E. B. H. M.

comprising a total of 1.00 acres of land.

The domestic use intended comprises none

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

Witness my hand, this 14th day of January, A. D. 1910.

James Hartgering
Examining Engineer.

NOTICE OF PROOF OF COMPLETION OF WORKS.

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

F.O. Rapid City, S.D.

Date Sept. 10, 1908.

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that A. M. on the 15th day of November 1908 at Rapid City

County of Pennington State of South Dakota, before George Williams, a notary public,

proof will be submitted of the completion of works for the diversion of 1-1/2 cubic feet per second of the waters of Hawk Neck Gulch in accordance with

the terms and conditions of a certain permit heretofore issued by the State Engineer of South Dakota

1. The name of the person or corporation holding said permit is Isabel Humphrey
2. The postoffice address of such person or the place of business of such corporation is Rapid City County of Pennington South Dakota
3. The number of such permit is, No. 3 and the date set for the completion of such work is October, 15th, 1908
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 permit, is 1-1/2 cubic feet per second.
6. The amount of lands for which water is available is acres, particularly described as follows:--

(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.

James H. Goodner
Engineer.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission
 State Office Building No. 2
 Pierre, South Dakota 57501

Date 2-3-71

This is to notify you that title to the lands described as follows:
 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 4 and N $\frac{1}{2}$ NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 1, T1N, R10E

formerly owned by Isabel S. Humphrey

has been transferred to Glen and Gene Crosbie of New Underwood, S.D.

together with any rights to the beneficial use of water thereon as evidenced by Water Right ^{License} Permit No. 3-2 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

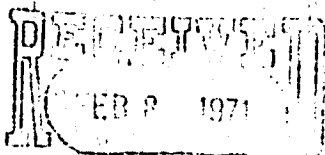
STATE OF SOUTH DAKOTA)
 County of Pennington) ss.

I, Glen & Gene Crosbie 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 I know of my own personal knowledge that the information herein stated is true.

Glen Crosbie
Gene Crosbie

Suscribed and sworn to before me this 3rd day of February, 1971

Robert Emery
 (Notary Public)



STATE WATER RESOURCES



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

Glen & Gene Crosbie
New Underwood,
South Dakota 57761

Dear Sirs:

Enclosed is your Water Right License No. 4-2. The water license has been reissued to the extent of what is actually being used. The relicense is based on a July 22, 1986 inspection of your water use system.

If you have any questions concerning the enclosed Water License, please contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:

enclosure

Applicable portions of Water Right No. 3-2 and Location Notice No. 163-2 have been incorporated into this license.