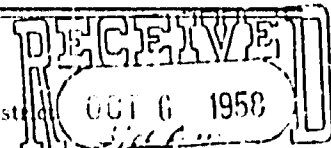


1. Considered December 3, 1958 Appl. No. 500-2-
2. Name of Applicant Billy E. Graham
3. Post Office Address Okaton, South Dakota
4. Amount of water claimed 0.72
5. Source of water supply dry draw
6. Water to be used for irrigation
Acres to be irrigated 52.7
7. Water to be diverted and used in Jones County about
16 miles west of Murdo.
8. Proof of Publication
Received _____
Not Received ✓
9. Application
Approved ✓
Subject to Def. of Publication
Not approved _____
Action deferred _____

10. Remarks: no 1st publication
2 years for completion of work
+ 2 years for Application of water

No. 200-2Water Division No. 2 White River District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

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

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

1. Name of applicant Billy B. Graham Transfer to Damm Bros 9/2/67
Postoffice address Orton Munda, County Jones, State South Dakota

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

Contractor(b) Cash on hand, \$ Sufficient

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Graham Waterspreading System3. Amount of water claimed 0.72 cubic feet per second4. Source of water supply Un-named dry draw - 1250 Ac. Watershed5. Location of point of diversion South 81° 25' West of the East Quarter Corner of
Section 26, Township 2 South, Range 26 East bank _____ County _____6. Annual period or periods during which water is to be used March 1 - November 30

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 50.7 acres.
SW 1/4 NE 1/4 - 9.1 Ac.; NW 1/4 SE 1/4 - 20.9 Ac.; SW 1/4 SE 1/4 - 1.0 Ac.;(b) Legal subdivisions to be irrigated NE 1/4 SE 1/4 - 16.5 Ac.; SE 1/4 SE 1/4 - 3.2 Ac.(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.)
(All land in Section 26 T2S R26E)

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

11. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use _____
Name any of the above uses claimed

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

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream: _____

Map No. 494-2

8. Estimated cost of work:

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

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

(c) Fluming, \$..... (d) Canal-earth, \$ 100.....

Rock, \$.....

(e) Other structures dike - earth \$ 200.....

Total, \$.....

9. Description of diversion works:

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

II. Dimensions of works:

(a) Dam: Height feet; length at bottom feet; length at top

..... feet; thickness at bottom feet; thickness at top

feet; slope of front water face; slope at back face

material used in construction

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

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

(c)* Head gate: Width feet; height feet;

Material

(d) Canal: Total length 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
Mundo Coyote, Mundo, South Dakota

STATE OF SOUTH DAKOTA

County of Jones ss.

I, Billy E. Graham, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

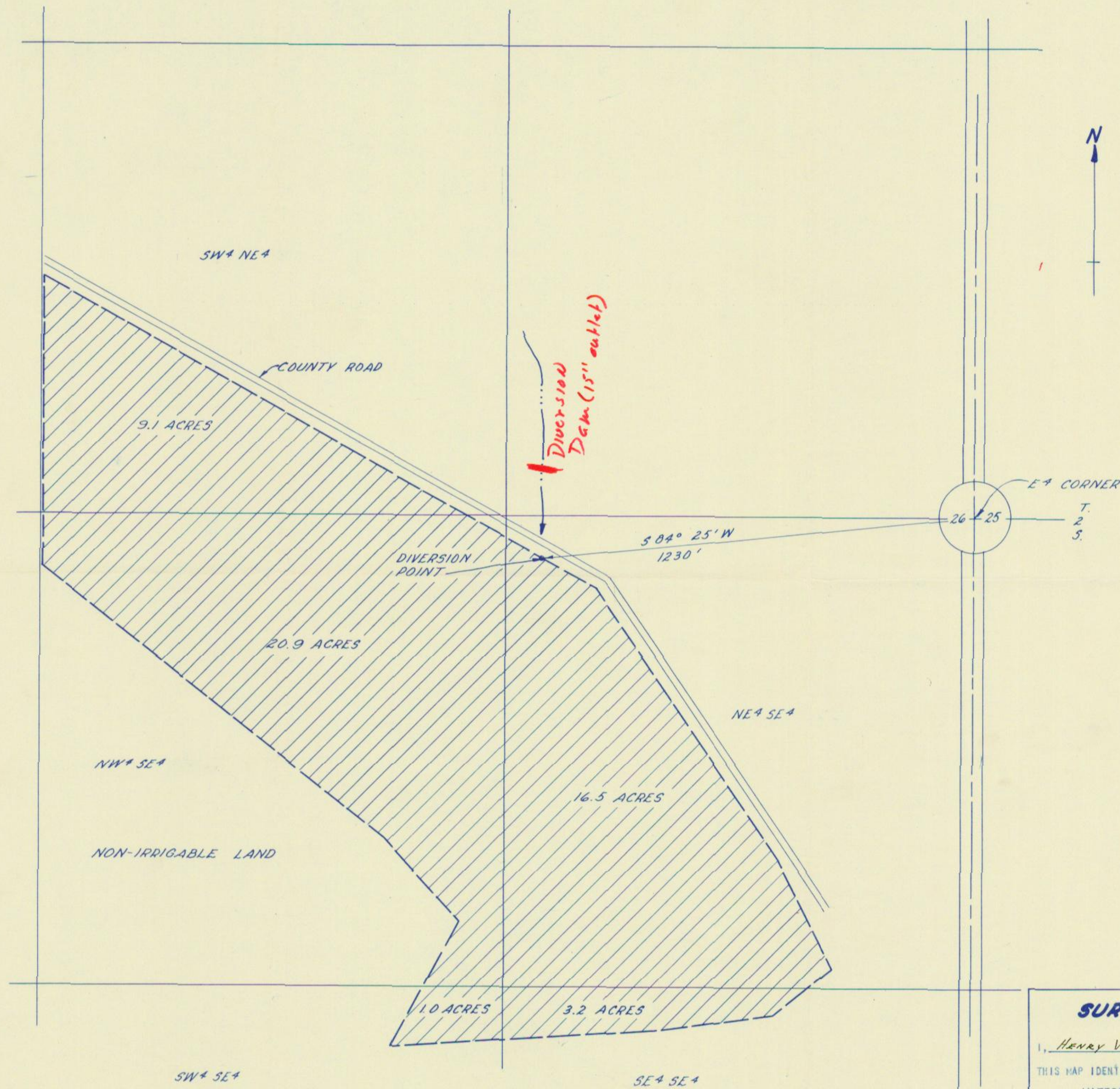
Signed

Subscribed and sworn to before me this day of Oct. 1958

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

R. 26 E.



LOCATION OF LAND TO BE IRRIGATED GRAHAM WATERSPREADING SYSTEM				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
SW 1/4 NE 1/4	26	2S	26E	9.1
NW 1/4 SE 1/4	26	2S	26E	20.9
NE 1/4 SE 1/4	26	2S	26E	16.5
SW 1/4 SE 1/4	26	2S	26E	1.0
SE 1/4 SE 1/4	26	2S	26E	3.2
TOTAL				50.7

Owner of the above lands, BILLY E. GRAHAM.

Land to be irrigated

SURVEYOR'S CERTIFICATE

I, HENRY V. DAHLQUIST DO HEREBY CERTIFY THAT
THIS MAP IDENTIFIES THE LAND OF THE BILLY E. GRAHAM
WATERSPREADING SYSTEM PROJECT

SIGNATURE: Henry V. Dahlquist

TITLE: Area Engineer
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 9th DAY OF
October, 1958, A.D.

J. Engstrom
NOTARY PUBLIC

Scale: 1" = 200'

GRAHAM WATERSPREADING SYSTEM

Jones County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed _____	Date _____	Approved by _____
Drawn _____		Title _____
Traced _____		
Checked _____	Sheet _____	Drawing No. _____
	No. _____	
	of _____	

Map No. 494-2 (App. No. 500-2)

Remarks by State Water Resources Commission:

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Draw irrigation diversion during periods of flood flows, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights.

STATE OF SOUTH DAKOTA
County of Higley ss.

Pierre, South Dakota, October 13, 1958

This is to certify that the foregoing application was received by the Commission at 3:00 o'clock P.m. upon the 6 day of October, 1958

State Water Resources Commission

By: John R. Miller
Chief Engineer, Executive Officer

Number of permit 500-2

Date of first receipt of application October 6, 1958

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 October 6, 1958

Approved December 3, 1958, Recorded in Book 5 Page 55

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 3, 1959

2nd. The whole of said work is to be completed on or before December 3, 1960

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

December 3, 1962

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 0.72 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 3, 1962; said water to be used during the following described annual period:

March to November inclusive

Witness my hand this 18 day of December, 1958

State Water Resources Commission

By: John R. Miller
Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 27, 1967

Water License Issued SEPTEMBER 27, 1967

STATE OF SOUTH DAKOTA

WATER LICENSE No. 500-2

WHEREAS, On the 6th day of October A. D. 1956

Billy E. Graham

of Okaton County of Jones and State of
South Dakota 500-2

duly made application (No. 500-2) to us for a permit to use .72

cubic feet per second of the waters of a dry draw

County of Jones, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 18th day of December A. D. 1958

Permit No. 500-2 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 3rd

December A. D. 1960 and for the application to beneficial use of said

water on or before the 3rd day of December A. D. 1962

and, whereas on the 12th day of September 1967, the permit was transferred
to the Daum Bros., Murdo, S.D.

WHEREAS, On the 7th day of September A. D. 1967

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

.72 cubic feet per second of said waters, as evidenced by our Certificate No. 500-2

dated September 27, 1967 confirming the completion of works of sufficient capacity for

diverting and conveying to the place of intended use .72 cubic feet per second of water, with date of

priority of October 6, 1958 and,

WHEREAS, On the 7th day of September A. D. 1967

proof was duly made of the application to beneficial use of .72 cubic feet per second of said water;

for irrigating 50.7 acres in a portion of Section 26, T29, R26E

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
 We hereby grant and confirm to the Daum Bros.
 of Murdo the holder and owner of said permit No. 500-2
 a water right, dating from October 5, 1958 to the use of .72
 cubic feet per second of the waters of a dry draw
 in the County of Jones and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted at a point S. 84° 25' W., 1320'
from the E 1/4 corner, Section 26, T2S, R26E
 and conducted to and upon portions of Section 26, T2S, R26E, more specifically
described in the Certificate of Completion of Works
 for the purpose of irrigation, subject to any limitations listed in the
Permit to appropriate water, and
 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,
 this 27th day of September A. D. Nineteen
Hundred and Sixty-seven

State Water Resources Commission

By:

J. F. GRINES
 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. 500-2

Water Division No. 2 WHITE RIVER Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Daum Brothers

of Murdo, County of Jones, and State of South Dakota, the holder of Permit No. 500-2, issued upon Application No. 500-2, bearing date of priority of October 6, 1958, authorizing the diversion of .72 cu. ft. per second of the waters of a dry draw County of Jones, State of South Dakota, at a point S84° 25' W 1320' from the E¹ corner, Section 26, T2S, R26E 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 .72 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 Section 26, T2S, R26ESW¹/₄ NE¹/₄ 9.1 acresNE¹/₄ SE¹/₄ 16.5 acresNW¹/₄ SE¹/₄ 20.9 acresSE¹/₄ SE¹/₄ 3.2 acresSW¹/₄ SE¹/₄ 1.0 acresTotal 50.7 Acres

Witness my hand this 27th day of September A. D. 1967

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Lincoln

ss.

M. H. Ingalls being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the -----

The Murdock City, 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 Murdock County of

Dodge and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

Thursday, Dec. 31, 1958

Thursday, Nov. 6, 1958

Thursday, Nov. 13, 1958

Thursday, Nov. 20, 1958

in each and every issue of the full number thereof, the first publication being made on the 30th day of Nov

1958 and the last publication on the 20th day of

Nov 1958, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was Publisher the printer and publisher of

the said newspaper.

M. H. Ingalls

Subscribed and sworn to before me this 24th day of November A. D. 1958

Marion R. Wilson

Notary Public Jones County, S. D.

APPROPRIATION OF WATER
Office of State Water Resources
Commission,

Pierre, S. Dak., October 13, 1958

Notice is hereby given that Billy E. Graham whose postoffice address is Okaton, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.72 cubic feet of water per second of time from a dry draw through the Graham Water-spreading System, the point of diversion of which is to be located on both banks of said stream in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26 Twp. 2S Range 26E. Said water to be used for the purpose of providing irrigation on the following described land:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$, Sec. 26, T 2S, R 26E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 3rd day of December, 1958, at 2:00 P. M. All interested persons may appear and be heard.

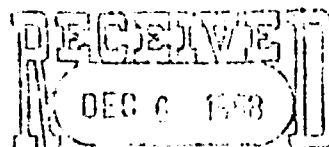
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By: Les Wyborny

Water Rights Engineer

Pub: Oct. 30, Nov. 6, 15



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

(First Publication before October 31, 58)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., October 13, 19 58

Notice is hereby given that Billy E. Graham whose postoffice address is Okaton S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.72 cubic feet of water per second of time from the ~~xxx: a dry draw~~ Graham Waterspreading System through the both the point of diversion of which is to be located on the bank of said stream in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26 Twp. 2S Range 26E. Said water to be used for the purpose of providing irrigation on the following described land:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$, S. c. 26, T 2S, R 26E~~xxxxxx~~ and ~~xxxxxx~~ purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 3rd day of December, 19 58, at 2:00P. 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 consideration of any or all information presented.

State Water Resources Commission

By:

~~XXXXXXXXXXXXXXXXXXXX~~
LES WYBORN
Water Rights Engineer

Permit No. 500-2Water Division No. 2 White River District

JAN 5 1959

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.) Okaton - S. Dak(Date) JAN 5 1959

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

DEAR SIR: Notice is hereby given that on the 5 day of JANUARY 1959, at OKATON County of SONES State of South Dakota, before _____ proof will be submitted of the application to beneficial use (Examining Engineer or Officer) of 0.72 cubic feet per second of the waters of Warmed Dry Draw in accordance with the terms and conditions of Permit No. 500-2 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 _____

BILLY E. GRAHAM2. The use to which said water has been applied is GRAVITY Irrigation3. The amount applied to beneficial use is 0.72 cu. ft. Per second

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) SW 1/4 NE 1/4 9: A; NW 1/4 SE 1/4 20: 9 A; SW 1/4 SE 1/4 1: A
NE 1/4 SE 1/4 16: 5 A; SE 1/4 SE 1/4 32 A.
All Land in Sec 26. T25 R26E

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

GRAHAM Water Spreading System6. The right to take the water from such works is based upon permit No. 500-27. The source of supply from which such water is diverted is Warmed Dry Draw

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

March 1 - November 30(Sign) Billy E. Graham

Permit No. 500-2Water Division No. 2 White River Water District

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.) OKA TON Jones County, So. Dak
(Date) JAN 5 1959

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 GRAHAM
Water Spreading System 2.22 cu. ft. per second of the waters of the state from Div 1900
through the South 84° 25' West of East Quarter Corner of Section 26
for Top 2 South Range 24 E for irrigation purposes
in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is _____

Billy E. Graham

2. The postoffice address of such person or the place of business of such corporation is OKA TON
County of JONES State of South Dakota

3. The number of such permit is 500-2 and the date set for the completion of such work is

Dec 31 1958

4. Said water to be used for Gravity 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 0.72 cubic feet per second.

6. The amount of land for which said water is available is 50.7 acres,

particularly described as follows: SW 1/4 NE 1/4 - 9.1 A; NW 1/4 SE 1/4 - 20.9 A

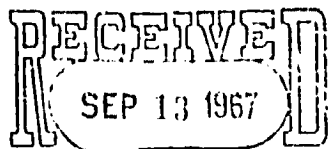
SW 1/4 SE 1/4 - 10 A NE 1/4 SE 1/4 - 16.5 A SE 1/4 SE 1/4 - 3.2 A

All land in Section 26 T15 R26E

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

(Signature of Owners)

Billy E. Graham



NOTICE OF TRANSFER OF WATER PERMIT

STATE WATER RESOURCES COMM.

PIERRE SOUTH DAKOTA

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that

Billy E. Graham, Owner,
S. Dak.

who previously owned the land described below has sold his interests to

Dawn Bros
Minneapolis, S. Dak.together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 500-2and as provided for in section 61.0141 of the SDC of 1939 and elsewhere Irrigation onPortions of SW 1/4 and SE 1/4 Section 26, T2S,
R26E for total of 50.2 acres.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 55.1806 of the SDC of 1939.

STATE OF SOUTH DAKOTA

County of

Texas

}

I Peter N. Dawn, Partner of Dawn Bros being first 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.

Signed

Peter N. DawnSubscribed and sworn to before me this 12 day of September 19 67

Notary Public

Permit No. 500-2Water Division No. 2 White River 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 _____
 10---, I have this day made a thorough examination of the diversion works constructed by _____
Dawn Brothers, of Okeech, Jones
 _____ County, South Dakota, holder of Permit No. 500-2, issued
 upon Application No. 500-2, bearing date of priority of Oct. 6, 1958, authorizing the
 diversion of 0.22 cu. ft. per second of the waters of a Dry Draw for irrigation
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Dam approximately 10' high and
200' long with 13" controlled outlet. System includes
about 3 miles level grade ditches and holding
dikes.

and the system is in the following condition: good

The point of diversion is located in SE⁴ NE⁴ Section 26, T2S,
R26E as shown on map

The works are capable of diverting and conveying to the place of use 0.22 cu. ft. per second of water,
 which is to be used for irrigation

The legal sub-divisions to be irrigated are: SW⁴ NE⁴, and a portion
of SE⁴ Section 26, T2S, R26E

comprising a total of 57 acres of land.
 The domestic use intended comprises stock water

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

Witness my hand this 7th day of September, A. D. 1962

—SEAL—

Richard D. Schaefer
 Examining Engineer.

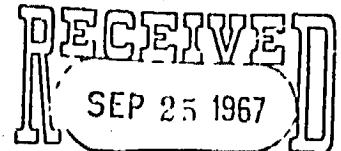
Water Right Specialist

500-2
843-2

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
Murdo, South Dakota 57559

September 22, 1967

Chairman
Water Resources Commission, State of South Dakota
Capitol Building
Pierre, South Dakota



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Dear Sir:

You have requested information on location and amount of development on the units of Billy Graham (Daum Bros.) and William Valburg. I am sending the information which we have in the office, however, these operators may have additional development which I am not aware of.

Billy Graham (Daum Bros.)

They have one irrigation storage dam located in NE $\frac{1}{4}$ Sec 26 - T2S - R26E. They water 50 to 60 acres in E $\frac{1}{2}$ Sec 26 - T2S - R26E through a system of level ditches and contour dikes. There is additional land watered from the overflow of this system. They also plan additional development on river bottom in the next year. 500-2

William Valburg (B J Valburg)

He has 65 acres leveled which is now being irrigated in N $\frac{1}{2}$ Sec 3 - T4S - R31E. The White River provides water for this land. He also has another 85 acres which is scheduled for development in 1967 and 1968.

Sincerely, 843-2

Norman R Kempf
NORMAN R KEMPF
Work Unit Conservationist