

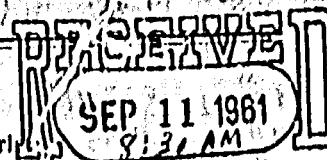
725-2

1. Considered 11-8, 1951
2. Name of Applicant Patrice J. Raba
3. Post Office Address New Hampshire
4. Amount of water claimed .63
5. Source of water supply My own
6. Water to be used for irrigation
Acres to be irrigated 48
7. Water to be diverted and used in Passaic County about
1 1/2 miles of New Hampshire
8. Proof of Publication Received X
Not Received
9. Application Approved
Subject to
Not approved
Action deferred

10. Remarks:

No. 725-2Water Division No. 2

(blank to be filled by the Engineer for the W. R. C.)

RAPID CREEK DistrictSTATE 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 Gabriel J. Raba
Postoffice address New Underwood, County Penningson, 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)

Employment of others

- (b) Cash on hand, \$ 2,000.00
(c) Bonds to be issued, \$
(e) Treasury stock, \$
(e) Other resources, \$

2. Name of diversion work Gabriel J. Raba #1
3. Amount of water claimed 168 MAXIMUM ALLOWABLE
7.0 cubic feet per second Plus flood storage
4. Source of water supply Dry draw
5. Location of point of diversion From NE corner of Section 24, T1N, R10E B.M.
S. 22° W. 157.0 rods on West bank Penningson County.
6. Annual period or periods during which water is to be used May to September
7. To be used for: and

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? gravity

- (a) Number of acres to be irrigated 48.0 acres. SENE - 6 ac. NESE - 27 ac;
SESE - 15 ac; All in Sec. 24, T1N, R10E S.H.M.
(b) Legal subdivisions to be irrigated

(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.) Stockwater and irrigation

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

- (a) Nature of use Stock Watering and irrigation
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 634-2

8. Estimated cost of work:

(a) Head Gates, \$50.20...

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

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

(d) Canal earth, \$320.00...

Rock, \$.....

(e) Other structures Earth, \$1,500.00

Total, \$1,220.00

9. Description of diversion works:

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

Storage dam, pipe, gate and ditch.

II. Dimensions of work:

(a) Dam: Height 18 feet; length at bottom 20 feet; length at top 500 feet; thickness at bottom 20 feet; thickness at top 10 feet; slope at front water face 3:1; slope at back face 2:1; material used in construction Earth

(b) Reservoir: Capacity when filled 20 acre feet. Surface area at highwater mark 7 acres.

DEPTH AT INLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	ACRE-Feet CAPACITY
5.0	Total surface 7.2 acres	
0.0	Bottom of outlet .8 acres	
	Total storage capacity of top 5.0 ft. 11.6	

(c)* Head gate: Width 2-inches in diameter feet; height feet:

Material 1/2 Steel attached to steel pipe

(d) Canal: Total length 0.7 miles

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At 0.400 Mile	1.5 feet	1.0 feet	5.0 feet	10.4 feet
At 0.740 Mile	1.5 feet	1.0 feet	5.0 feet	10.4 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 use 1 years.

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

Gate City Guide, Rapid City, South Dakota

STATE OF SOUTH DAKOTA

County of Pennington

ss.

Gabriel J. Raba

I, Gabriel J. Raba, 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.

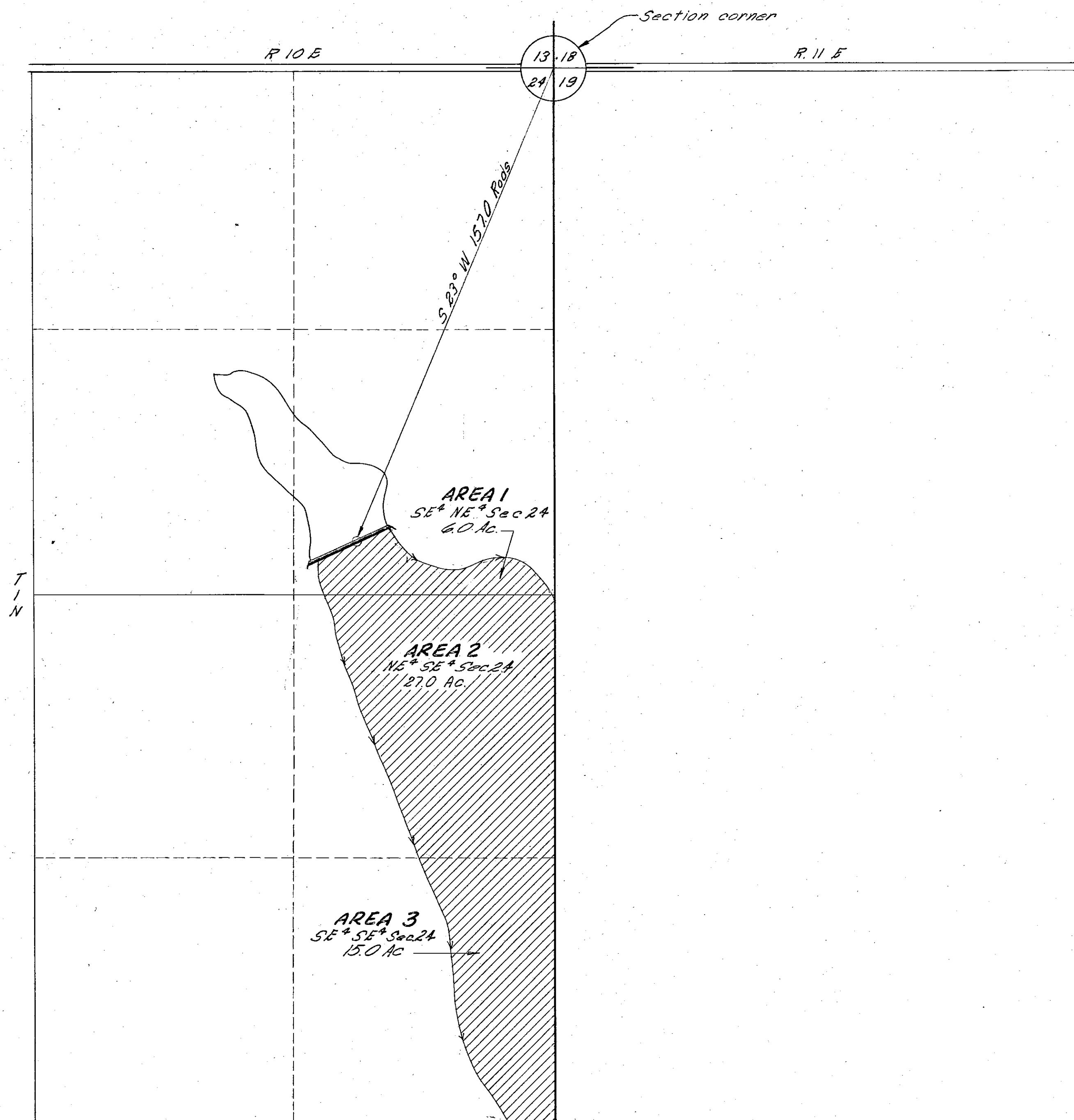
Signed

Gabriel J. Raba

Subscribed and sworn to before me this 23rd day of August 1961

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



- Legend
- Earth dam
 - Irrigation ditch
 - Dry draw
 - Location of irrigation structure
 - Graded road
 - Pond area
 - Irrigated area

All lands described are owned
by Gabriel J. Raba.

LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	SE ¹ NE ⁴	24	1N	10E	6.0
2	NE ⁴ SE ⁴	24	1N	10E	27.0
3	SE ⁴ SE ⁴	24	1N	10E	15.0
TOTAL					48.0

SURVEYOR'S CERTIFICATE

I, Harlan G. Collins, DO HEREBY CERTIFY THAT THIS
MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND
OF THE GABRIEL J. RABA IRRIGATION PROJECT NO. 1
AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE
FOR THE Pennington SOIL CONSERVATION DISTRICT.

SIGNATURE: Harlan G. Collins
TITLE: Civil Engineer

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 19 DAY OF
Oct., 1966, A.D.

J. W. Raymond
NOTARY PUBLIC
MY COMMISSION EXPIRES Aug 23, 1966

Scale: 1"=400'

**GABRIEL J. RABA
IRRIGATION PROJECT
NUMBER 1**

Pennington County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn		Title
Traced		Title
Checked	Sheet No. 1 of 1	Drawing No.

MAP NO. 634-2 (APPL. NO. 725-2)

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 Hughes } ss.

Pierre, South Dakota, November 21, 1961

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
a.m. upon the 11th day of September, 1961.

State Water Resources Commission

By:

Barton Jones
for Chief Engineer, Executive Officer

Number of permit 725-2

Date of first receipt of application September 11, 1961

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 11, 1961

Approved November 9, 1961, Recorded in Book 7 Page 12

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

June 9, 1962

2nd. The whole of said work is to be completed on or before November 9, 1962

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

November 9, 1963

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 .68 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 farther, 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 November 9, 1963; said water to be used during the following described annual period:

May to September

Witness my hand this 21st day of November, 1961

State Water Resources Commission

By:

John H. Hume
Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 23, 1963

Water License Issued SEPTEMBER 23, 1963

STATE OF SOUTH DAKOTA

WATER LICENSE No... 725-2

WHEREAS, On the 11th day of September A. D. 1961

Oshtemo L. Faba

of New Underwood County of Pennington and State of South Dakota

duly made application (No. 725-2) to us for a permit to use .63 cubic feet per second of the waters of a dry draw

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

WHEREAS, On the 21st day of November A. D. 1961

Permit No. 725-2 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 9th day of November

A. D. 1962 and for the application to beneficial use of said water on or before the 9th day of November A. D. 1963 and,

WHEREAS, On the 10th day of September A. D. 1963

the holder of said permit duly made proof of the completion of adequate works for the diversion of .63

cubic feet per second of said waters, as evidenced by our Certificate No. 725-2 dated September 23, 1963

confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use .63 cubic feet per second of water, with date of priority of September 11, 1961 and,

WHEREAS, On the 10th day of September A. D. 1963

proof was duly made of the application to beneficial use of .63 cubic feet per second of said water, for irrigating 48.0 acres in the E1/2 Section 24, T1N, R10E

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 Gabriel J. Raba
of Ray, Underwood the holder and owner of said permit No. 72572
a water right, dating from September 11, 1941 to the use of 1.68
cubic feet per second of the waters of a dry draw
in the County of Pennington and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be diverted at a point S23°W, 157.0 rods from
the NE corner, Section 24, T1N, R10E
and conducted to and upon portions of the E₁, Section 24, T1N, R10E, more specifically
described in the Certificate of Completion of Works

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,
this 23rd day of September A. D. Nineteen
Hundred and Sixty-Three

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. 725-2Water Division No. 2 Rapid Creek Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Gabriel J. Raba

of New Underwood, County of Pennington, and State of South Dakota, the holder of Permit No. 725-2, Issued upon Application No. 725-2, bearing date of priority of September 11, 1961, authorizing the diversion of .63 cu. ft. per second of the waters of a dry draw

County of Pennington, State of South Dakota, at a point S23°W, 152.0 rods from the NE corner, Section 24, T1N, R10E

for Irrigation

purposes, has 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 .18 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 24, T1N, R10E

SE 1/4 NE 1/4 6.0 acresNE 1/4 SE 1/4 27.0 "SE 1/4 SE 1/4 15.0 "Total - 48.0

Witness my hand this 2nd day of September, A. D. 1963

State Water Resources Commission

By:

J. W. GRILES
Chief Engineer, Exec

On or before October 12, 1961
(First Publication October 12, 1961)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., September 27, 1961

Notice is hereby given that Gabriel J. Raba whose postoffice address is Now Underwood 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 .60 cubic feet of water per second of time from the n. dry draw through the Gabriel J. Raba #1, the point of diversion of which is to be located on the west bank of said stream in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24 Twp. 1N Range 10E. Said water to be used for the purpose of providing irrigation of the following described land:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 24, T 1N R 10E

XXXXXX XXXXXX

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of November, 1961, at 2 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.

CC: Theodore B. Werner, Publisher
Gate City Guide
Rapid City, S. Dak.

State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Pennington } ss.

Faye Crawford being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Gate City Guide 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 Benid City County of Pennington and State of South Dakota; that the said notice was published in said newspaper on the following dates:

October 5, 1961

October 12, 1961

October 19, 1961

October 26, 1961

In each and every issue of the full number thereof, the first publication being made on the 5th day of October 1961 and the last publication on the 26th day of October 1961, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Business Manager, printer and publisher of the said newspaper.

Faye Crawford

Subscribed and sworn to before me this 27th day of October A. D. 1961

Wm. B. B. B.

Notary Public Pennington County, S. D.

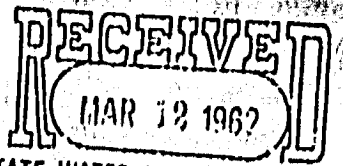
APPROPRIATION OF WATER
No. 725-2
Office of State Water Resources Commission, Pierre, S. Dak., September 27, 1961
Notice is hereby given that Gabriel J. Underwood, whose postoffice address is New Underwood, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.3 cubic feet of water per second of time from a dry draw through the Gabriel J. Underwood dam, the point of diversion of which is to be located on the west bank of said stream in the NE 1/4 of the NE 1/4 of Section 24, Twp. 1N, Range 10E, Said water to be used for the purpose of providing irrigation on portions of the following described land:
SE 1/4, NE 1/4, and E 1/2, Section 24, T. 1N, R. 10E, S. 24.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of November, 1961, at 2 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: Horton S. Jones
Water Right Specialist
Published Oct. 6-11.

RECEIVED
OCT 30 1961

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 725-2Water Division No. 2Reynolds

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.)

Mrs. Undensted

(Date)

Mar. 9, 1962

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

6.8 cu. ft. per second of the waters of the state from 11
through the Storage Dam from dry drain
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 Gabriel J. Raba

2. The postoffice address of such person or the place of business of such corporation is Mrs. Undensted
County of Pennington State of South Dakota

3. The number of such permit is 725-2 and the date set for the completion of such work is

Mar. 9, 1962

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 6.8 cubic feet per second.

6. The amount of land for which said water is available is 48.0 acres,
particularly described as follows: SE NE 1/4 and SE SE 1/4 of Sec. 24, T. 14 N., R. 10 E.

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

(Signature of Owners)

Gabriel J. Raba

RECEIVED
JUN 17 1962

Permit No. 725-2

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTAWater Division No. 2 *Pyrites* Water District

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.)

New Underwood S. Dak.

(Date)

Mar. 9, 1962

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

DEAR SIR: Notice is hereby given that on the *9* day of *March*
1962, at *Pennington* County of *New Underwood* State of South Dakota,
 before _____ proof will be submitted of the application to beneficial use
 (Examining Engineer or Officer)
 of *6.8* cubic feet per second of the waters of *dry drain*
 _____ in accordance with the terms and conditions of Permit No. *725-2*
 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

Gabriel J. Raba New Underwood S. Dak.

2. The use to which said water has been applied is

Irrigation

3. The amount applied to beneficial use is

6.8 cubic ft. per sec.

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

S.E. 1/4 NE 1/4 NE 1/4 and SE 1/4 NE 1/4 T. 1 N. - R. 10 E

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

Gabriel J. Raba #1

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

725-2

7. The source of supply from which such water is diverted is

Dam - earth

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

(Sign)

Gabriel J. Raba

Permit No. 725-2Water Division No. 2 Rapid Creek Water District

Certificate of Examination of Works

Report of Examining Engineer

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

Dear Sir: I hereby certify that in accordance with your letter of authorization dated _____

-19____, I have this day made a thorough examination of the diversion works constructed by _____

Gabriel J. Rahn, of _____Pennington County, South Dakota, holder of Permit No. 725-2, issuedupon Application No. 7252, bearing date of priority of 9-11, 10.61, authorizing thediversion of 0.68 cu. ft. per second of the water of DRY DRAIN for Irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: one Dam, 21' high, 20' long @ Bot., 200' long @ top, 105' thick @ bot., 10' thick @ the top. One mile of main ditches. One 9" gated pipe approx. 11.5' from top of dam. Pump # CY2 (No name) 2 1/2" inlet & 2" out run by a Ford Mod. 53. Pumps approx 225 G.P.M. surface area @ high water is 11 acres

and the system is in the following condition: Excellent

The point of diversion is located From N.E. cor. Sec. 24 T1N R10E B1M

The works are capable of diverting and conveying to the place of use 0.68 cu. ft. per second of water which is to be used for Irrigation

The legal sub-divisions to be irrigated are:

SE 1/4 NE 1/4 6 ac.NE 1/4 SE 1/4 25 ac.SE 1/4 SE 1/4 15 ac.All in Sec. 24 T1N R10E B1M48 ac. total

comprising a total of

48.0

acres of land

The domestic use intended comprises Stock watering

The utilization for power, mining, or other industrial uses comprises:

Witness my hand, this 16th day of Sept.A. D. 1963

-SEAL-

William H. Keller
Examining Engineer.