

No. 0112-1

Office of State Engineer
DOCUMENT FILE

Name: Levine, Robert H.

County: Butte 17633

Harding

Date: June 25, 1903

Filed: July 2, 1913

Location: Sage Brush
Creek

Pre-Emption of Right of Way and Location of Water.

To Whom These Presents May Concern, Know ye, that I Robert M. Divine

..... of the County of Butte, in the State of South Dakota, a citizen of the United States, do hereby declare and publish as a legal notice to all the world, that I claim and have a valid right to the occupation, possession and enjoyment of all and singular, all that tract or parcel of land lying and being in the County of Butte, in the State of South Dakota, for the exclusive right of way for the purpose of constructing a flume or water ditch from Big Truck Creek stream to the

part

of Section 4, 5, 8 and 9 in Township 20 N of Range 2 E more particularly described as follows: Commencing by a dam located 6 chains west and 3 chains N of the SW corner of Lot 11 Section 5 in Township 20 N Range 2 E 13th Mer and a ditch or ditches from said point to and upon Lot 9 Sec 4 and Lot 11 Sec 5 and Lot 1 Sec 8 and Lot 2 Section 9 in said town and Ry. & also

I also claim and have a valid right to the enjoyment and use of 1000 inches of water from said stream for irrigating purposes to be conveyed through such flume or water ditch to said tract of land, together with all and singular, the hereditaments and appurtenances thereunto belonging or in anywise pertaining.

Witness my hand and seal this 25 day of June

A. D. 1903

R M Divine

Notice posted on stream

June 25

1903

Ditch commenced at stream

June 24

1903

State of South Dakota, } ss
County of Butte, }

On this 25 day of

June

1903

before me

all S Commissioner

In and for the County and State aforesaid, personally appeared

Robert M Divine

to me personally known to be the person who executed the foregoing written instrument, and acknowledged that he executed the same for the uses and purposes therein set forth. Witness my hand and official seal, this day and date above written.



John Thompson U.S. Comm.
for Dist of S.D.

Certified Copy

ROBERT M. DIVINE

Office of
BUTTE COUNTY, SOUTH DAKOTA.

Received for record the *2* day
of *July* A.D. 19*03*, at *35*
o'clock *P*.M., and recorded in
Book *13* of *22* Page *143*
Essex B Ross

REGISTER OF DEEDS

No. 0112-1

17633

AUG 13 1906

H. E. Frost

W. P. Keller

D. J. G.

Sage Bush Co

COPY.

PRE-EMPTION OF RIGHT OF WAY AND LOCATION OF WATER.

TO WHOM THESE PRESENTS MAY CONCERN, Know ye, that I Robert V. Divine of the County of Butte, in the State of South Dakota, a citizen of the United States, do hereby declare and publish as a legal notice to all the world, that I claim and have a valid right to the occupation, possession and enjoyment of all and singular, all that tract or parcel of land lying and being in the County of Butte, in the State of South Dakota, for the exclusive right of way for the purpose of constructing a flume or water ditch from Sage Brush Creek stream to the part of Section 4, 5, 8 and 9 in Township 20 N. of Range 2 E. more particularly described as follows: Commencing by a bar located 6 chains west and 3 chains N. of the SW corner of Lot 11 Section 5 in Township 20 N. Range 2 E. B.M. Mer. and a ditch or ditches from said point to and upon Lot 9 Sec. 4 and Lot 11 Sec. 5 and Lot 1 Sec. 8 and Lot 2 Section 9 in said town and rg.

I also claim and have a valid right to the enjoyment and use of 1000 inches of water from said stream for irrigating purposes to be conveyed through such flume or water ditch to said tract of land, together with all and singular, the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Witness my hand and seal this 25 day of June A.D. 1903.

R.V. Divine.

Notice posted at stream June 25, 1903.

Ditch commenced at stream June 24, 1903.

State of South Dakota }
County of Butte } ss.

On this 25 day of June 1903, before me a U.S. Commissioner in and for the County and State aforesaid, personally appeared Robert V. Divine to me personally known to be the person who executed the foregoing written instrument, and acknowledged that he executed the same for the uses and purposes therein set forth. Witness my hand and official seal, the day and date above written.

(SEAL)

John Incipson, U.S. Cor for Dist of S.D.

TAPEE BIRRI.

6

[illegible]

SECRET OF CONFIDENTIAL

CONFIDENTIAL

Divine
5, 1907.
COUNTY.

I also claim and

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 recorded in the office of the State Engineer.

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

Samuel H. Lea
State Engineer

By B. B. Lee

[illegible][illegible]

DEVELOPMENT OF STATE OF ARIZONA AND LOCATION OF RIVERS

100

No. 1293-1

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

0112-1

July 9, 1984

Rex Burghdoff
Harmarth Route
Camp Crook SD 57724

Dear Mr. Burghdoff:

Enclosed herewith are your Vested Right Permit, Water License No. 1293-1.
This Water License is the final water right document completing your
process of obtaining a vested water right.

As long as you use the water beneficially, as stated in the Water License,
the State Water Laws provide that you have a continuing right to use
the water.

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosures.

The applicable portions of Water Right Filing No. 0112-1 have been
incorporated into this Vested Right and the abandoned portions of
Filing No. 0112-1 have been cancelled.

WHR-817A 3/83
Transmittal of VR