

No. 0113-1

Office of State Engineer
DOCUMENT FILE

Name: Drew, Albert

County: Butte #14391

Date: Feb. 25, 1932

Location: Antelope Arch.

Butte County #14391

Situated in
Verlaine County

Form 29.

No. 0113-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: ~~WATER RIGHTS COMMISSION~~
State Office Building No. 2
Pierre, South Dakota 57501

Date DEC. 27, 1974

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

NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ in Section 28, T16N, R12E, E.H.M.

formerly owned by Albert Drew

has been transferred to Alfred D. Reder

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 0113-1 as provided for in Section 61.0127 of the 1950 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~~ Water Rights Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached
Supplement to the South Dakota Code of :

ver filing fees as required under Section 61.0159 of the 1960

STATE OF SOUTH DAKOTA)

County of MEADE) ss.

ALFRED D. REDER

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.

Alfred D. Reder
(Signed)

Suscribed and sworn to before me this 27 day of DECEMBER, 1974.

RUSSELL C. MOLSTAD
NOTARY PUBLIC, SOUTH DAKOTA
My Commission Expires: July 23, 1976

Russell C. Molstad
(Notary Public)

STATE OF SOUTH DAKOTA

WATER LICENSE NO.

WHEREAS, On the 15th day of July, A. D. 1910,
a certified copy of the original water
right location notice
of Albert W. Dean County of Butte and State of
South Dakota duly made application (No. a compilation 500 inches) to me for a permit to use
cubic feet per second of the waters of A. + L. Creek in the
County of Butte State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 16th day of July, A. D. 1910,
Permit Notice given by that permit
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 16th day of
December, A. D. 1910 and for the application to beneficial use of said
water on or before the 19th day of December, A. D. 1910,
and,

WHEREAS, On the 2nd day of August, A. D. 1910,
the holder of said permit duly made proof of the completion of adequate works for the diversion of
700 cubic feet per second of said waters, as evidenced by my Certificate No. of Examination
Engineer dated December 19, 1910 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use to cubic feet per second of water,
with date of priority of February 25, 1902 and,

WHEREAS, On the 20th day of December, A. D. 1910,
proof was duly made of the application to beneficial use of two cubic feet per second of
said water;

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 Wm. A. Dwyer of Brule the holder and owner of said permit No. 1111 a water right, dating from June 15, 1910 to the use of Three cubic feet per second of the waters of Red River in the County of Brule and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at the point designated in Location Certificate and conducted to and upon the right of way of the Northern P. & M. Ry. Co. Sec. 23, Township 16 N. Range 12 E. 13th 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 2nd day of November A. D. Nineteen Hundred and eleven

State Engineer.

STATE OF SOUTH DAKOTA

Water License No. 2113-1

To Wm. A. Dwyer

Source of Supply

Red River

County Brule

Acres Two Sec. Feet

Point of Diversion

Place of Use Sec. 23, Twp. 16 N. R. 12 E. 13th

Purpose Irrigation

Date of Priority June 15, 1910

Recorded in

in Book of Page

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

To Whom These Presents May Concern, Know ye, that I A. W. Drew

..... 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 Antelope stream to the

S³ Sec. 28 and the N⁶

of Section 33 in Township 16 N. of Range 12 E. B. H. M. more particularly described as follows: Commencing at

a point on said Antelope Creek about 6 chains North of the section corner common to sections 28-29-32 and 33 in Township 16 North, Range 12 East, running ac east 3 and upon the above described tract of land.

I do claim and have a valid right to the enjoyment and use of 500 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 therunto belonging or in anywise appertaining.

Witness my hand and seal this 25th day of Feb. A. D. 1902

Albert W. Drew

Notice posted on stream..... Mar. 1st 1902

Ditch commenced at stream..... 1902

State of South Dakota, }
County of Butte, }

On this 25 day of Feb. 1902, before me, Cliff J. Bennett

In and for the County and State aforesaid, personally appeared Albert W. Drew

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.

Frank C. Bennett Clerk of Court.

By B. F. Trail Deputy.

(Seal.)

No. 5113-1
Certified Copy

Albert W. Drew.

State of South Dakota,)
County of Butte.)

City of Butte, Minn.

Filed for record 25th of
Feb. A. D. 1892.
at 2³⁰ o'clock P. M. and recorded in
Book 7 on page 486.

Geo. B. Ross.

Register of Deeds.

By

Deputy.

Notary Public

486

STATE OF SOUTH DAKOTA, ss.
COUNTY OF BUTTE.

I hereby certify that I have examined and compared the within instrument with the original instrument on file in my office, and that it is a true and correct copy of the same on file in the office of the Register of Deeds.

Dated July 12 1896

H. E. Frost.

Register of Deeds.

By Ada Miller

Deputy.

COPY.

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

TO WHOM THESE PRESENTS MAY CONCERN, Know ye, that I A.W. Drew 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 Antelope stream to the S1/2 Sec. 28 and the NE1/4 of Section 33 in Township 16 N. of Range 12 E. B.E.W. more particularly described as follows: Commencing at a point on said Antelope Creek about 6 chains North of the Section corner common to sections 28, 29, 32 and 33 in Township 16 North of Range 12 East. running thence east to and upon the above described tract of land.

I also claim and have a valid right to the enjoyment and use of 500 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 25th day of Feb. A.D. 1902.

Albert M. Drew

Notice posted on stream Mar. 1st, 1902.

Ditch commenced at stream Mar. 1st, 1902.

State of South Dakota } ss.
County of Butte

On this 25 day of Feb. 1902, before me Clerk of Courts in and for the County and State aforesaid, personally appeared Albert M. Drew 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.

Frank P. Bennett, Clerk of Courts.
By: E.W. Powell, Deputy.

(SEAL)

STATE OF SOUTH CAROLINA
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 found 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 10 day of April 1908

Samuel H. Lee

B. B. Lee

Thompson

Located by _____

February 27, 1902.

EQUIT COUNTY.

Anti-Japan

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[illegible]

--: L O C A T I O N O F W A T E R . --:

TO WHOM THESE PRESENTS MAY COME: Know ye, that I, A. F. Draw 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 and State of So Dakota for the exclusive right of way for the purpose of constructing a flume or water ditch from Antelope Stream to the S^W of Sec. 28 and the NE¹/₄ of Section 33 in Township 16 N¹/₂ of Range 12, E. R. F. R. more particularly described as follows: Commencing at a point on said Antelope Creek about six chains North of the Section Corner common to Sections 28-29-32 & 33 in Township 16 North of Range 12 East running thence East to and upon the above described tract of land.

I also claim and have a valid right to the enjoyment and use of 500 inches of water from said stream for irrigating purposes, to be conveyed through said flume or water ditch to said tract of land together with all and singular the hereditaments and appurtenances thereto belonging or in anywise appertaining.

Witness my hand and seal this 25th day of Feb-
XXXXXX A. D. 1902.

Albert W. Draw.

Notice posted on stream Mar. 1st 1902.
Ditch commenced on stream " " 1902.

STATE OF SOUTH DAKOTA,
COUNTY OF BUTTE,SS

On this 25th day of Feb~~XXXXXX~~ 1902 before me, Clerk of Courts in and for the County and State, personally appeared Albert W. Draw, to me well known to be the person who executed the foregoing written instrument and acknowledge to me that he executed the same for the use and purpose therein set forth.

Witness my hand and official seal the day and date above written.

Frank E. Bennett, Clerk of Courts.
By: B. F. Toall, Deputy.

(Seal)

Office of Registrar of Deeds.

BUTTE COUNTY, SOUTH DAKOTA....SS

Received for record the 25th day of Feb~~XXXXXX~~, A. D. 1902, at 2:50 o'clock P. M. and recorded in Book 7 of R. Page 466.

Geo~~XXXX~~ R. Reed,
Registrar of Deeds.

Sub. 1005-1

STATE OF SOUTH DAKOTA. } ss.
County of Perkins.)

I hereby certify that the within and foregoing instrument is a true ^{copy} and complete of the original instrument as transcribed from the records of the Register of Deeds office in Butte County, State of South Dakota: and now on record in this county in Book B. of Miscellaneous records on page 7 thereof. I further certify that the above is a true ~~copy~~ and complete copy of the filing thereon as shown by the transcribed records on page 7 of Book B. of Miscellaneous records.

Witness my hand and seal this 10 th. day of June, A. D. 1910.

J. E. Carlson
Register of Deeds.

STATE OF SOUTH DAKOTA ()
COUNTY OF LAWRENCE () SS

Be it remembered that on this 22 day of January in the year of One thousand Nine hundred and six, before me Arthur L. Kinney a Notary Public within and for said county and state, personally appeared Albert W. Drew well known to me to be the person who is described in and who executed the within instrument and he acknowledged ~~that~~ to me that he executed the same freely for the purpose therein mentioned.

In Witness whereof I have hereunto set my hand and official seal the day and year first above written

(seal)

Arthur L. Kinney

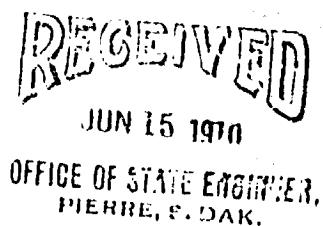
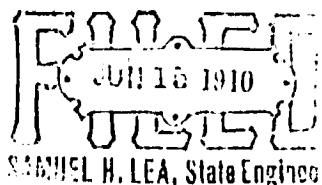
Notary Public

STATE OF SOUTH DAKOTA ()
COUNTY OF PERKINS () SS

I Archie G. Parker the duly elected qualified and acting clerk of the County Court within and for the county of Perkins and the State of South Dakota, hereby Certify that the within and foregoing instrument is a true and complete copy of the original instrument filed in my office in this county on the 10th day of June 1910, I further certify that the said will is now being probated in the County Court of this County as is more fully shown by the papers and records on file in my office in the Estate of Albert W. Drew, Deceased

In WITNESS whereof I have hereunto set my hand and the seal of the County Court this 10th day of June 1910

Archie G. Parker
Clerk of the Courts



STATE OF SOUTH DAKOTA (
 (SS
 COUNTY OF LAWRENCE ((

Know all men by these presents ,That I Albert
Drew of the County of Butte and the State of South Dakota ,do make and p
publish ,this my last will and testament ,hereby revoking all former will
made by me ,First it is my will that my funeral expenses and all of
my last debts be fully paid . Then I give and bequeath to each of my
beloved daughters ,One hundred Dollars ,To wit ,Elta M.Hall ,One hundred
dollars,Sarah Alize Kelly ,one hundred dollars ,Maud Roder one hundred
Dollars ,and stella Harberson one hundred dollars . All the rest residuo
and remainder of my real and personal estate whatsoever and wheresoever
it may be I give ~~and~~ devise and bequeath unto my beloved wife Mary Drew
her heirs and executors and administrators ,and assigns for here and thereo
own use and benefit forever .and I hereby appoint my said wife the soul
executrix of this my last will and testament .

In witness whereof I have hereunto set my hand and seal this
22 day of January A.D.0006 One thousand 9 hundred and six ,

Albert W.Drew

Subscribed by the testator in the presence of us and acknowledge by him
to be his last will and testament to each of us and we in the presents
of him and in the presents of each other at his request subscribe our
names hereto as witnesses of the above will and testament this 22 day
of January 1906

Arthur L.Kinney
Charles Pierson

Permit No.

Water Division No. Water District

Certificate of Application of Water to Beneficial Use.**Deposition of Holder**

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

Ans. Mrs. A. W. Drex, wife of A. W. Drex, deceased
 Residence and P. O. Drex, South Dakota, Rancher

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

Ans. Filed in Bellefourche, S. D. Feb. 25th 1902

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

Ans. Antelope Creek. In SW 1/4 of Sec. 22 Tp. 16 North Range 12 East of
 Black Hills Meridian

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. The works consist of a flume, ditches, dams and a dyke, as per
 plat filed. The works will divert 500 miners inches.
 The name of the works is the Drex Diversion Works

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. For Irrigation only. Amount irrigated, all in Sec. 22 and
 above:

NE 1/4 SW 1/4 = 20 acres	NE 1/4 NW 1/4 = 20 acres
NE 1/4 SE 1/4 = 20 "	SW 1/4 SE 1/4 = 20 "

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

Ans. None other purpose

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

Ans. 2 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. I am the owner through will of deceased husband A. W. Drex

See Order of Court herewith

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

Ans. The claim has been irrigated for five years and more, last season 1909 to the full extent as shown on plat.

(Sign.) *Mr. A. W. Drew on Mary Drew*

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 *Sioux Falls*, County of *Pierre*, State of South Dakota, on this *19* day of *December*, A. D., 19*10*.

A. S. Phillips
Deputy State Surveyor

Permit No. *0113-1*

Proof of Application of Water to Beneficial Use.

DEPOSITION OF HOLDER.

Amount of water *500* inches minors Second feet

Source *Antelope Creek*

County *Potkins*

Purpose *Irrigation*

Place of Use *SW 1/4 Sec. 28, NW 1/4 Sec. 10, NE 1/4 Sec. 28, NE 1/4 Sec. 29, T. 10 N., R. 12 E. D. H. M.*

Date of priority *February 25, 1902*

Received and filed *December 27, 1910*

RECEIVED
DEC 27 1910
OFFICE OF STATE ENGINEER,
PIERRE, S. DAK.

Permit No.

Water Division No. 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 Engineer at least 60 days before the time set for application of water.)

(P. O.) Date, South Dakota,

(Date) May 13, 1910.

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the day of
 19..... at County of State of South Dakota,
 before proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)
 of 1 cubic feet per second of the waters of Antelope Creek and tributary
 in accordance with the terms and conditions of Permit No.
 heretofore issued by the State Engineer of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are Albert W. Drew
 deceased husband of Mary Drew
2. The use to which said water has been applied is Irrigating Purposes
3. The amount applied to beneficial use is 1 cubic foot per second
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 33, Tp. 16, Range 13 East, Black Hills Meridian
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is
 Drew Lateral Works
6. The right to take the water from such works is based upon permit No.
7. The source of supply from which such water is diverted is Antelope Creek and tr.
8. The date of priority which said user is prepared to establish is

(Sign)

Permit Engineer

Permit No. 6113-1

Water Div. No. Water Dist.

Notice of Application of Water.

RECEIVED

MAY 16 1910

OFFICE OF STATE ENGINEER,
PIERRE, S. DAK.

Received May 16, 1910.

Date of Proof May 12, 1910.

Place LEBANON

Notice sent to A. S. Tubbs.

FILED
MAY 16 1910
FILED

SAMUEL H. LEA, State Engineer.

Permit No.

Water Division No. Water District

Certificate of Application of Water to Beneficial Use.

Deposition of Holder

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

Ans. Mary Drew

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

Ans.

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

Ans. Antelope Creek and tributary.

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. It consists of three dams and two ditches, it will divert 1 cubic foot per second according to requirements for amount irrigated. It is known as the Drew Diversion Works.

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. NE 1/4 NW 1/4 - 18 acres irrigated

NW 1/4 NW 1/4 - 30 " "

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. 1 cubic foot 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. This Permit is acquired through the same transaction through which the same was acquired by Mary Drew. The person in request for the location of her land will follow.

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

Ans. During the growing seasons, for irrigation, for the past three years.

(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 Lead, County of Pierre, State of South Dakota, on this 18 day of May, A. D., 1910.

A. S. Smith
Deputy State Engineer
J. Leavitt
Notary Public.

Permit No. 1112-1

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

DEPOSITION OF HOLDER.

Amount of water One second foot
Source Antelope Creek and tributary
County Perrins
Purpose Irrigation
Place of Use N. 1/4 Section 33,
Township 13 N., Range 12 E.
D. M. N.

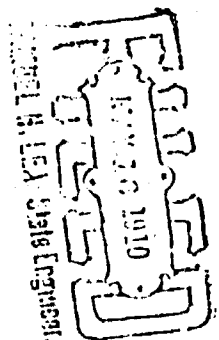
Date of priority

RECEIVED

MAY 16 1910

OFFICE OF STATE ENGINEER,
PIERRE, S. DAK.

Received and filed May 19, 1910.



Permit No.....

Water Division No..... 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 June
1908, I have this day made a thorough examination of the diversion works constructed by
Mary Drew of Deale, South Dakota
Clark County, South Dakota, holder of permit No. , issued
upon application No. , bearing date of priority of , 19 , authorizing the
diversion of second feet of the waters of Antelope Creek for irrigation
purposes. I have to report on the condition of the same as follows:

The diversion work comprise: Three dams, one large and two small. The
ditches of a total length of 1010 feet

and the system is in the following condition: in "good" reverse and in working order
The point of diversion is located 7.8 acres
The point of diversion is located The main can is located in the Tule Lake area
Tr. 10, Range 12. E. N. E.

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

The legal sub-divisions to be irrigated are: 1/4 NW 1/4, Sec. 30, T. 10, R. 10, East
E. 1/4, Sec. 30, T. 10, R. 10, East

irrigated land comprising a total of 45 acres of land.

The domestic use intended comprises

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

Witness my hand, this 13th day of May, A. D. 19 10.

Examining Engineer.

Permit No. 2213-1

Water Div. No. Water Dist.

**Certificate of Examination
of Works**

Dated MAY 18. 1910

Stream Laurel Fork
County Pierre

Amount ONE Second Feet

Date of Priority

Recorded in Book Page

Filed in the office of the State Engineer this

10th day of MAY A. D. 19 10

Samuel H. Lea

State Engineer.

By B. B. Lea

Deputy.

RECEIVED

MAY 18 1910

OFFICE OF STATE ENGINEER,
PIERRE, S. DAK.

FILED

MAY 18 1910

SAMUEL H. LEA, State Engineer.

Permit No.

Water Division No. 1 Missouri River 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 May 15, 1902
 19....., I have this day made a thorough examination of the diversion works constructed by A. W. Drew,
 deceased of Drew

Perkins County, South Dakota, holder of permit No. issued
 upon application No., bearing date of priority of Feb 25, 19 02, authorizing the
 diversion of 500 miners inches second feet of the waters of Antelope Creek for Irrigation
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: a flume, ditches, dams and a dyke as per plat
 filed

and the system is in the following condition: There is every evidence that the works for
 several years has been in good condition, though at the time of
 inspection the flume was not in first class working order, but needs
 The point of diversion is located some 200 ft. The point of diversion is in the SW 1/4 of Sec. 28 T. 10 North Range
 10 East of Black Hills meridian

The works are capable of diverting and conveying to the place of use 500 miners inches
 which is to be used for Irrigation

The legal sub-divisions to be irrigated are: as follows in said Sec. 28

NW 1/4 - 30 acres

NE 1/4 - 30 acres

NW 1/4 - 30 "

SW 1/4 - 30 "

..... comprising a total of 120 acres of land.

The domestic use intended comprises None

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

Witness my hand, this 24th day of

A. D. 1910

Examining Engineer.

Permit No. 2115-1

Water Div. No. 1. Morgan R. Water Dist.

**Certificate of Examination
of Clerks**

Dated December 24, 1910.

Cream Antelope Creek

County Perkins

Amount 500 Miners in Second Feet

Date of Priority February 25, 1902

Recorded in Book Page

Filed in the office of the State Engineer this

27th day of December A. D. 1910.

Samuel H. Lee
State Engineer.

B. B. Lee
Deputy.

RECEIVED

DEC 27 1910

OFFICE OF THE ENGINEER,
PIERRE, S. DAK.

No. 0113-1

State of South Dakota

SAMUEL H. LEA, STATE ENGINEER
RALPH VANDERBEEK, ASSISTANT

OFFICE OF STATE ENGINEER

PIERRE

August
Eighth,
1910.

C E R T I F I C A T E.

State of South Dakota() SS
County of Hughes ()

This certifies that Mary Drow, whose postoffice address is Bate, Perkins County, South Dakota, has on file in this office a location certificate, dated February 25, 1902, as per a certified copy of the will of Albert W. Drow, deceased, claiming the right to construct certain dams across Antelope Creek, the main dam being situated in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 33, Township 13 N., Range 12 E. B.M.T.; in Perkins County, South Dakota, and has located and claims the right to construct ditches and flumes for the purpose of directing flood waters from said dams for irrigating the following described land, to-wit:

NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33, Township 13 N., Range 12 E. B.M.T., as shown by a certified copy of her location certificate.

The said Mary Drow has furnished this office a report made by A.E. Fubis, Examining Engineer, containing a certificate of completion of her irrigation system and of the application of the water to beneficial use; she is hereby authorized to use sufficient water to indicate the lands herein designated.

Witness my hand and official seal, the eighth day of August, 1910.

State Engineer.

15 2113-1
January
third,
1911.

C E R T I F I C A T E.

State of South Dakota()ss
County of Hughes (

This certifies that Mary Drow, whose postoffice address is Drow, Perkins County, South Dakota, has on file in this office a location certificate, dated February 25, 1902, as per a certified copy of the will of Albert W. Drow, deceased, claiming the right to construct a certain dam across Antelope Creek, said dam being situated in the SW $\frac{1}{4}$ of Section 22, Township 12 N., Range 12 E. B.H.M., in Perkins County, South Dakota, and has located and claims the right to construct ditches and flumes for the purpose of directing flood waters from said dam for irrigating the following described land, to-wit:

NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ ENE $\frac{1}{4}$, Section 22, Township 12 N., Range 12 E. B.H.M., as shown by a certified copy of her location certificate.

The said Mary Drow has furnished this office a report made by A.E. Tubbs, Examining Engineer, containing a certificate of completion of her irrigation system and of the application of the water to beneficial use; she is hereby authorized to use sufficient water to irrigate the lands herein designated.

Witness my hand and official seal, this third day of January, 1911.

State Engineer.

STATE OF SOUTH DAKOTA : IN COUNTY COURT
COUNTY OF PERKINS : Honorable D. P. PERKINS
Presiding.

In the Matter :
- of the - : Order
Estate of ALBERT W. DREW,
deceased. :

Mary Drew, Executrix of the last Will Of Albert W. Drew, deceased, having on the 5th day of August, 1910, rendered and filed herein a full account and report of her administration of said estate, which account was for final settlement, and having on the 16th day of August, 1910, filed a petition for the final distribution of said estate; and the said account and petition this day coming on regularly to be heard, proof having ~~not~~ been made to the satisfaction of the Court that due notice of the settlement of said account and the hearing of said petition in the manner and for the time in such case required by law had been given; and it appearing that said account is in all respects true and correct and supported by the proper voucher; that the residue of money and property in the hands of the Executrix amounts to \$19,380; and it appearing that all claims and debts against said estate said decedent, all taxes of said estate and all debts, expenses and charges of administration have been fully paid and discharged, and that said estate is ready for distribution and in condition to be closed, it is

ORDERED, ADJUDGED and DECREED that the said final accounts of said Executrix be and the same are hereby settled, allowed and approved; and that the residue of said estate hereinafter particularly described, and any other property not now known or discovered which may belong to the said estate or in which the said estate may have any interest, be and the same is hereby distributed as follows:

To Elta M. Hall, the sum of One hundred dollars;

To Sarah Alice Kelly, the sum of One hundred dollars;

To Maude E. Reder, the sum of One Hundred dollars;
 To Stella Harberson, the sum of One Hundred dollars;
 To Mary Drew, widow of said Albert W. Drew, all the balance
 and residue of said property after the payment of the above bequests.

The following is a particular description of said estate
 referred to in this Decree and of which distribution is now ordered
 as follows:

One house and lot, Spearfish, Lawrence County, S.D.	\$ 3000.00
Water right as shown by Exhibit "A" hereto attached,	
Account against Henry Remick	200.00
Account against Mary Boice	150.00
All family pictures	10.00
Cook stove, utensils and pipe	20.00
Heating stove and pipes	20.00
Bedsteads	15.00
Beds and bedding	50.00
Chairs	20.00
Tables	10.00
Stands	5.00
Kitchen safes and dishes	35.00
400 cattle	1000.00
40 horses	1600.00
2 vehicles	60.00
2 sets harness	40.00
Farming implements	135.00
Sale of cattle	3000.00
Expense of conducting estate	23360.00
Residue	4000.00
	\$19360.00

Executor is hereby discharged

Dated, Bison, S.D. this 12th day of September, 1910.

By the Court,

H. R. Perkins
 Judge.

Archie G. Parker
 Clerk

Copy

14391

Location of Water.

To whom these Presents may concern know ye that I, A. W. Drew 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 solid 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 and State of So. Dakota for the exclusive right of way for the purpose of constructing a flume or water ditch from Antelope Stream to the S² Section 28 and the NE⁴ of Section 23 in Township 16 N. of Range 12, N. B. M. M. more particular described as follows: commencing at a point on said Antelope Creek about 6 chains North of the Section corner common to Sections 28-29-32 and 33 in Township 16 North of 12 East, running thence east to and upon the above described tract of land. I also claim, and have a valid right to the enjoyment and use of 500 inches of water from said Stream for irrigating purposes to be conveyed through said flume or water ditch to said tract of land, together with all and singular, the hereditaments and appurtenances thereunto belonging or in any wise appertaining.

Witness my hand and seal this 25th day of Feb. A.D. 1902.

Albert W. Drew.

Notice Tasted on Stream

Mar. 1st 1902.

Ditch Commenced on Stream

" " 1902.

State of South Dakota)

County of Butte)

ss

On this 25th day of Feb. 1902 before me Clerk of Courts in and for the County and state personally appeared Albert W. Drew, to me well known to be the person who executed the foregoing written instrument, and acknowledged to me that he executed the same for the use and purpose therein set forth.

Witness my hand and official seal the day and date above written.

Frank B. Bennett,
Clerk of Courts.
By B.F. Paul, Deputy.

SEAL

Office of Register of Deeds.)

BUTTE COUNTY, SOUTH DAKOTA.) 18.

Received for record the 25 day of Feb. A.D. 1902 at 240 o'clock
P.M., and recorded in Book 7 of M. Page 466

Geo. B. Ross .

REGISTER OF DEEDS.

STATE OF SOUTH DAKOTA :
: ss:
COUNTY OF PERKINS :

I, ARCHIE G. PARKER, the duly elected, acting and qualified Clerk of Courts for the above County and State, hereby certify that the foregoing is a true and correct copy of the Decree of Distribution now on file in my office in the Estate of Albert W. Brew deceased.

In witness whereof I have herewith set my hand and official seal this 8th day of December, 1910.

Archie Parker
Clerk of Courts

COPY.

In Reply Please Refer to: LERMON 05780

DEPARTMENT OF THE INTERIOR
United States Land Office.

Lermon, South Dakota,
August 26, 1911.

Mary Drew, Widow of Albert W. Drew, deceased,
Spearfish, South Dakota.

Madam:

In reference to your Desert Land Entry 05780 for the N¹/₂ SW¹/₄ NW¹/₄ SE¹/₄ Sec. 28, T. 16 N., R. 12 E., you are advised that under date of August 25, 1911, the Acting Assistant Commissioner of the General Land Office requires you to furnish your affidavit, corroborated by two witnesses who testify on their personal knowledge, showing the duration of water distribution for 1908; but if witnesses cannot be procured for that year, then for some subsequent year, giving the amount of water, in acre feet or acre inches, distributed and the number of acres so covered; the number of acres in hay and the yield per acre; a report from Surveyor Tubbs showing the dimensions and capacity of claimant's irrigation structures, and, if possible, the drainage area supplying the structures, or a certified copy from the State Engineer of the report already made by Mr. Tubbs, stating whether your location is in effect an application, under the laws of South Dakota, for a transfer to this land of Albert W. Drew's original appropriation in 1902, and, if not, then a certified copy from the county Register of Deeds of your location certificate as recorded under the session laws of 1907, page 120, sec. 31.

Thirty days from notice are allowed within which to comply with the requirements of the Commissioner, or to appeal from his decision to the Secretary of the Interior; and upon your failure to take

action within the time specified the case will be reported for appropriate action.

A copy of the decision is inclosed.

Very respectfully,

(signed) E. G. Coleman, Register

" S. W. Huntington, Receiver.

COPY

In Reply Please Refer to: Lennor 05780-G-LTF

DEPARTMENT OF THE INTERIOR

General Land Office

Washington, August 23, 1911.

. Requirements on final proof.

Register and Receiver,
Lennon, S.D.

Sirs:

This D.L.E. 05780 was made by Albert W. Drew at the Rapid City land office February 21, 1905, for NE 1/4 SW 1/4, NW 1/4 SW 1/4 and SW 1/4 NE 1/4, Sec. 28, T. 18 N., R. 12 W. S.D. Final proof was made March 16, 1908, the entryman dying a few days later. His widow and devisee, Mary Drew, has relinquished the SW 1/4 NE 1/4 of Sec. 28 and applied for a refund of the purchase money covering that part of the original entry. This matter of refund will be made the subject of a separate letter. The entry as remaining has 85 acres of irrigable land.

It appears that the original entryman made an appropriation of water in the year 1902 for certain lands adjoining this entry. The devisee has applied the certificate from the State Engineer to her location of water rights for the land of this entry and he has granted her a permit "to use sufficient water" to irrigate this land.

From the final proof it appears that some two acres have been sown to timothy and alfalfa which yielded a poor crop, as the "bad lands" soil is better adapted for the growth of wild grasses. It is not shown for how long the land was irrigated, nor the amount of water distributed, nor the yield in hay, but a general statement is made that the land was irrigated whenever needed and there was always plenty of water. Reference is made by the State Engineer to a report from Surveyor A.S. Tubbs on claimant's irrigation system, but no copy of this report is furnished.

You will require the claimant to furnish her affidavit, corroborated by two witnesses who testify on their personal knowledge, showing the duration of water distribution for 1902; but if witnesses cannot be procured for that year, then for some subsequent year, giving the amount of water, in acre feet or acre inches, distributed and the number of acres so covered; the number of acres in hay and the yield per acre; a report from Surveyor Tubbs showing the dimensions and capacity of claimant's irrigation structures and, if possible, the drainage area supplying the structures, or a certified copy from the State Engineer of the report already made by Mr. Tubbs; a certificate from the State Engineer, stating whether Mary Drew's location is in effect an application, under the laws of South Dakota, for a transfer to this land of Albert W. Drew's original appropriation in 1902 and, if not, then a certified copy from the county register of deeds of the present claimant's location certificate as recorded under the session laws of 1907, page 189, Sec. 31.

Notify claimant and all parties in interest that unless the requirements of this letter are complied with, or an appeal taken, within

#2

thirty days from receipt of notice, the entry, hereby held for cancellation, will be canceled without further notice. Copy included for service.

Very respectfully,

(signed) John McLeod,
Assistant Commissioner.

(signed) W.H. Lewis.



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

906-1
0113-1

February 15, 1984

Reder Ranch, Inc.
Box 128
Prairie City, South Dakota 57649

Dear Sir:

Enclosed is receipt No. 4 9470 in the amount of \$52.50 which you paid for transfer and licensing of Water Right No. 906-1. Our records now show you as the owner of this Water Right.

Also enclosed herewith is, Water License No. 906-1. This is the final water right document completing your process of obtaining a 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, Chief Engineer
Water Rights Division

JH:ms
Enclosures

Applicable portions of Water Right Filing No. 0113-1 has been incorporated into this Water License No. 906-1

Equal Opportunity Employer

DESERT CLAIM OF ALBERT W. DREW NO. 05780

FILED FEB. 21 1905 - N $\frac{1}{2}$ S.W. $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$ SEC. 28, TR. 16 N., RANGE 12 E., B.H.M.
DITCH NO. 1 - LENGTH - 1800 FT.
" " " CAPACITY - 20 CU. FT. PER SEC.
" " " 2 - LENGTH - 1200 FT.
" " " CAPACITY - 10 CU. FT. PER SEC.
EARTH WORK IN DAMS AND DYKES - 5000 CU. YDS.
LUMBER 10 FLUMES AND GATES - 2300 F.B.M.
ROCK IN FACE OF DAMS 40 CU. YDS.
AMOUNT OF LAND IRRIGATED 35 ACRES.



DESERT CLAIM OF MARY DREW NO. 012294

FILED ON JAN 13-1906 - N $\frac{1}{2}$ N.E. $\frac{1}{4}$ SEC. 33,
TR. 16, RANGE 12 B.H.M.
DITCH NO. 1. LENGTH 1300 FT.
" " CAPACITY - 5 CU. FT. PER SECOND
" NO. 2 LENGTH 510 FT.
" " CAPACITY 10 CU. FT. PER SECOND
DAM NO. 1 - EARTH WORK 400 CU. YDS.
" NO. 2 " " 475 " "
" " " ROCK FACING 40 " "

JOINT MAP

Showing Desert Claims No. 05780 and 012294.
With Plan of Irrigation as completed.

STATE OF SOUTH DAKOTA } ss
COUNTY OF PERKINS }

I ALFRED S. TUBBS BEING DULY SWORN UPON MY OATH, SAY THAT
I AM THE ENGINEER EMPLOYED TO SURVEY THE DESERT CLAIMS AS SHOWN ON THIS
PLAT, THAT THE SURVEY AND MAP THEREOF WERE MADE BY ME AND UNDER MY
DIRECTION, THAT I KNOW OF MY OWN KNOWLEDGE THAT THE PLANS AND STATEMENTS
HEREIN MADE ARE TRUE.
SWORN TO BEFORE ME

F. A. French
NOTARY PUBLIC
May 9th 1910

Alfred S. Tubbs
DEPUTY STATE SURVEYOR

WR 011351
May 7th 1910