

No. 0115-1

Office of State Engineer
DOCUMENT FILE

Name: Emery, J. A.

County: Butte #17211
Harding

Date: April 16, 1903

Filed: April 18, 1903

Location: Emery Creek
100 in.

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

To Whom These Presents May Concern, Know ye, that I Jesse R. Emery.....
.....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 enjoy-
ment 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 Emery Creek stream to the

Barst part

of Section 2, 12³rd in Township 19 N. of Range 1 E. B. H. Mer. more particularly described as follows: Commencing at
by a dam located near the center of section 12 Township
14 North Range 1 E. B. H. Mer. and a ditch from said
point of dam to and upon the E 1/2 N 1/4 of section
12 and S 1/4 S 1/4 of section 1 in Township 19 N. Range
1 E. B. H. Mer.

I also claim and have a valid right to the enjoyment and use of 1,000 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 16 day of April..... A. D. 1903

Jesse R. Emery
Notice posted on stream..... April 16..... 1903

Ditch commenced at stream..... in spring of 1903..... 1903

State of South Dakota,)
County of Butte,)

On this 16 day of April..... 1903, before me.....

a. U. S. Commissioner

In and for the County and State aforesaid, personally appeared Jesse R. Emery.....

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.

John T. McKee.....

U. S. Commissioner District of Dak.

(Seal)

Certified copy
No. 0115-1

Jesse R. Emery.

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

Office of Register of Deeds,

Filed for record *18* day of
April A. D. 190*3*
at *3:50* P. M., and recorded in
Book *13* on page *81*

Geo. B. Orr.
Register of Deeds.

By _____ Deputy.

Little No.
STATE OF SOUTH DAKOTA,
COUNTY OF BUTTE.

I hereby certify that I have personally
examined the original and compared it
with the copy filed in this
office, and that it is a true and correct
copy of the same and that it is a true
correct copy of the filing of the same.

Dated *July 30* 190*6*.
H. C. Frost.
Register of Deeds.
By *Ada Miller*
Deputy.

Emery Co.

COPY.

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

TO WHOM THESE PRESENTS MAY CONCERN, Know ye, that I Jesse R. Emery 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 Emery Creek stream to the East part of Sections 12 and 1 in Township 19 N. of Range 1 E. B.H.Ver. more particularly described as follows: Commencing by a bar located near the center of Section 12 Township 19 North Range 1 E. B.H.Ver. and a ditch from said point or bar to and upon the E1/2 NE1/4 of section 12 and SE1/4 SE1/4 of section 1 in Township 19 N. Range 1 E. B. H. Ver.

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 16 day of April A.D. 1903.

Jesse R. Emery

Notice posted on stream April 16, 1903:

Ditch commenced at stream in spring of 1903.

State of South Dakota } ss.
County of Butte

On this 16 day of April 1903, before me a U.S. Commissioner in and for the County and State aforesaid, personally appeared Jesse R. Emery 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 16 day and date above written.

John Forrester, U.S. Com. for Dist of S.Dak

(SEAL)

WATER RIGHT.

Located by

No. 0115-1

Jesse S. Emery

April 16, 1908.

BUTTE COUNTY.

STATE OF SOUTH DAKOTA,
COUNTY OF HUGHES.

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

Witness my hand and official seal, done at my office in Pierre, State of South Dakota this 10 day of April, 1908.

Samuel H. Lee
State Engineer.

By Geo B. B. Lee
Deputy.

Geo B. B. Lee

EMERY CO.

1.9 And that presents my concern: how do that I

of the ability of Hitler in the

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John Leland, a citizen of the United States, do hereby declare
that as a legal notice to all the world, that I claim and have a
right to the occupation, possession and enjoyment of, all and sin-
gle, all that tract and parcel of land lying and being in the County of
Custer, and in the State of South Dakota, for the exclusive right of way
for the purpose of constructing a flume or water ditch from Emory Creek
to the East part

more particularly describe as follows: Commencing by a dam located near the center of Section 12 for which 19 north Range 1 E. B. H. Mer and a ditch from said point or dam to and up on the E $\frac{1}{2}$ N E $\frac{1}{4}$ of Section 12 and S. E $\frac{1}{4}$ S E $\frac{1}{4}$ of Section 1 in Township 19 N Range 1 E. B. H. Mer

1 also claim and have a valid right to the enjoyment and use of the same. 1000

16th April 1903
 Jesse R. Emery
 April 16
 in Spring of 1903

10 April 31. Ad. L. Bonissier

JOSEPH R. EMERY

John Thompson
W. S. Coon for Dist. of S. Dak.

(Lent)

copy.

DALE MILKUP-JR.

Copy 16.0115-1

Jesse R. Emery

East Street

Emery

the purpose of constructing a line of water pipes from the
the end of the city of South Street, for the extension of the
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of the County of Emery in the

Jesse R. Emery

of the County of Emery in the

Copy No. 1115-1
 Jesse R. Emery

RECEIVED AT CIVIL IN THE DISTRICT COURT

of the County of Butte in the State of Montana
 Jesse R. Emery

of the County of Butte in the State of Montana
 do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same appears from the records of the County of Butte in the State of Montana.

Witness my hand and seal of office this 1st day of June 1903.

Jesse R. Emery
 County Clerk

1115-1

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

No. 1293-1

0115-1

April 6, 1984

Eugene Turbiville
Rt 46147, Box 3
Camp Crook SD 57724

Dear Mr. Turbiville:

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, Chief Engineer
Water Rights Division

JH:ks

enclosures

NOTE: The applicable portions of Water Right Filing No. 0115-1 were
incorporated into Vested Right No. 1293-1, and the abandoned
portions of Filing No. 0115-1 have been cancelled.