

No. 0158-1

Office of State Engineer
DOCUMENT FILE

Name: Harkin, Hugh

County: Butte "17770
Harding

Date: August 12, 1913

Filed: August 14, 1913

Location: Oak Creek

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

To Whom These Presents May Concern, Know ye, that I, Joseph H. Harris

..... 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 Little Rock stream to the

farm

Section 30 in Township 19 N of Range 2 E 13 M more particularly described as follows: Commencing at 600 feet East and 300 feet North of the S.E. corner of the N.E. 1/4 of the R.W. 1/4 of Sec 30 in Township 19 N Range 2 E 13 M near a dam which is there located and a ditch from said dam to and upon 11" S.E. 1/4 S.W. 1/4 N.E. 1/4 S.E. 1/4 S.W. 1/4 Section 30 Township 19 N Range 2 E 13 M

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 12 day of August A. D. 1903

Joseph H. Harris
Notice posted on stream August 12 1903

Ditch commenced at stream August 12 1903

State of South Dakota, }
County of Butte, }

On this 12 day of August 1903, before me, W. S. Lane Not. Pub. of S.D.

in and for the County and State aforesaid, personally appeared.....

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.



W. S. Lane
Notary Public

HUGH HARKINS

Received of August 16
1903. in
P.M. and recorded in
Book 13 of 71 Page 167
Geo B Ross

REGISTERED

No. 2158-1

Little Mo.

171770

D Aug 20

H.C. Frost

3. S.W. P. Seller

754

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

To Whom These Presents May Concern, Know ye, that I, Hugh Harkins, 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 Ash Creek stream to the part of Section 30 in Township 19 N of Range 2 E. B.H.M. more particularly described as follows: Commencing 600 feet east and 300 feet North of the SE corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 30 in Township 19 N. Range 2 E. B.H.M. at a dam which is there located and a ditch from said dam to land upon W $\frac{1}{2}$ SE $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30 Township 19 N. Range 2 E. B.H.M.

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 12 day of August A.D. 1903.

Hugh Harkins.

Notice posted on stream August 12, 1903.

Ditch commenced at stream August 12, 1903.

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

On this 12 day of August 1903, before me a U. S. Com. for dist of S.D. in and for the county and state afore said, personally appeared ----- 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. Commissioner.

COPY 115. 118-1
Water Right

dated by

W. H. Markins.

August 12, 1903.

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 an 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 21 day of November 1903

Samuel H. Nelson
State Engineer.

By *B. B. Lee*
Deputy.

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3357

Richard L. or Bernice G. Cundy
Route #1, Box 55
St. unge, South Dakota 57779

Dear Mr. & Mrs. Cundy:

Enclosed herewith are your Vested Right Permit, Water License No. 1326-1.
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 Court provides that you have a continuing right to use
the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:

enclosures

The applicable portions of Water Right Filing No. 0158-1 have been incorporated
into Vested Right No. 1326-1 and the abandoned portions of Filing No. 0158-1
have been cancelled.