

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

TO WHOM THESE PRESENTS MAY CONCERN, know ye, that I, John L. Hubbard, Jr.

..... 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 Dry Creek stream to the N 2 Sec 4, T 23 N, R 20 W

of section... 7... in Township 10 N of range 20 W more particularly described as follows: Commencing at a point on said Dry Creek from which the E 1/4 Sec. corner between Secs. 7 & 18 bears S 80° E 20 chains distant, canal being 6 feet wide on water line and 18 inches deep running thence North & East to and up to the above described tract of land.

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 hereunto and appurtenances thereunto belonging or in anywise appertaining.

Witness my hand and seal this 28 day of June A. D. 1902

Notlee posted on stream June 28 1902

Ditch commenced at stream June 28 1902

State of South Dakota,)
County of Butte,)

On this 28 day of June 1902, before me

Register of Deeds
In and for the County and State aforesaid, personally appeared John L. Hubbard, Jr.

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 seal, the day and date above written.

C. R. Rice
Register of Deeds

(Seal)

Assigned to John Dring - May 28-1903
John L. Hubbard, Jr.

CANCELLED

BY ACTION OF W. R. C.

924-71

SEE 518-1

SW 1/4 Sec 7, T 20 N, R 20 W

No. 1000-1
Certified Copy

J. L. Hubbard, Jr.

State of South Dakota, }
County of Butte. } 34.

Office of Register of Deeds,

Filed for record 30 day of

June 1892

at 5 o'clock P. M. and recorded in

Book 7 on page 548

Geo. B. Rose.

Register of Deeds.

By

Deputy

Belle Furche

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Dated May 14 1892

A. E. Frost

Ada Miller

Deputy

NOTICE OF RIGHT OF WAY AND LOCATION OF DITCH.

TO WHOM THESE PRESENTS MAY COME, I, J. L. Hibbard Jr. 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 Dry Creek stream to the N1/2 311/4, E1/2 311/4 of section 7 in Township 10 N. of Range 3 E. B.H.W. from more particularly described as follows: Commencing at a point on said Dry Creek from which the Gov. 1/4 sec. corner between Secs. 7 and 18 bears S. 50° E. 20 chains distant, canal being 6 ft. wide on water line and 18 inches deep running thence North and East to and upon the above described tract of land.

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 23 day of June A.D. 1902.

J.L. Hibbard, Jr.

Notice posted on stream June 25, 1902.

Ditch commenced at stream June 25, 1902.

State of South Dakota } ss.
County of Butte

On this 30 day of June 1902, before me a Register of Deeds in and for the County and State aforesaid, personally appeared J.L. Hibbard Jr 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 seal, the day and date above written.

(SEAL)

Geo. B. Ross, Register of Deeds

Assigned to John Fritz- May 28, 1903.

John L. Hibbard, Jr.

Witness my hand and seal of office at Pierre, State of South Dakota, this 10th day of April, 1904.

J. L. Hillard, Jr.,
Notary Public

WATER RIGHT.

Located by

No. 0746-1

J. L. Hillard Jr.,

June 28, 1904

Butte County, S.D.

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 10th day of April, 1904.

J. L. Hillard, Jr.,
Notary Public

Butte County, S.D.

Attest my hand and official seal, done at my office in Pierre, State of South Dakota, this 10th day of April, 1904.

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Notary Public

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