

No. 0190-1

Office of State Engineer
DOCUMENT FILE

Name: Jacobs, Michel

County: Butte #18577
Harding

Date: Feb. 5, 1904

Filed: June 2, 1904

Location: Jackson Creek
1000

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

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

Ethel Jacobs

..... 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 *Jackson Creek* stream to the

part

of Section 8..... in Township 17 N. of Range 2 E B & M. more particularly described as follows: Commencing by a dam located about 400 feet E. and 300 feet west of the SW Corner of Sec. 8 NE 1/4, NW 1/4 Section 8 in Township 17 N Range 2 E B & M and a ditch from said dam to and upon the NE 1/4 NW 1/4 Sec 8 in said Tp and Range

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 *5* day of *February*, A. D. 190*4*

Ethel Jacobs

Notice posted on stream..... *February 5*..... 190*4*

Ditch commenced at stream..... *February 5*..... 190*4*

State of South Dakota, }
County of Butte, }

On this *5* day of *Feb*..... 190*4* before me, a US Commissioner

in and for the County and State aforesaid, personally appeared

Ethel Jacobs

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.

Notary Public

Certified Copy

ETHEL JACOBS

Butte

June 3

1930

4

13 266

Geo B Ross

No 0140-1

Moreau.

18677

Aug 31

6

HE Frost

OW Phillips

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

To Whom These Presents May Conceren, Know ye, that I Ethel Jacobs 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 Jackson Creek stream to the part of Sec. 8 in Township 17 N of Range 2 E. B.H.M. more particularly described as follows: Commencing by a dam located about 400 feet south and 300 feet west of the SW Corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8 in Township 17 N Range 2 E. B.H.M. and a ditch from said dam to and upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 8 in Said Tp. and Range.

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 5 day of February A.D. 1904.
Notice posted on stream February 5, 1904 Ethel Jacobs.
Ditch commenced at stream February 5, 1904.

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

On this 5 day of Feb. 1904, before me a U. S. Commissioner in and for the County and State aforesaid, personally appeared Ethel Jacobs, 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 set forth. Witness my hand and official the day and date above written.

Notary Public.

COPY No. 0190-1

Water Right

Located by

Ethel Jacobs.

February 5, 1904.

Butte County.

STATE OF SOUTH DAKOTA
COUNTY OF BUTTE

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 21 day of November, 1908.

Samuel H. Lucas

S. B. Lucas

DATE MICROFILMED

C 190-1

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1521-1 FOR IRRIGATION

Date of Receipt of Claim May 6, 1991.

Date of Validation October 23, 1991.

The Chief Engineer, on behalf of the Water Management Board validated Vested Water Right Claim No. 1521-1 for irrigation purposes for Painter, Inc., Box 57, Buffalo SD 57720 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1521-1 authorizes diversion of 3.47 cubic feet of water per second for water spreading irrigation using three small dikes or plugs constructed on dry draws located in the SW 1/4 NE 1/4, NW 1/4 SE 1/4 Section 8 and SW 1/4 SW 1/4 Section 9; all in T17N-R2E to irrigate 243 acres. The lands being irrigated are located in the NE 1/4 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NE 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4 Section 8, W 1/2 NW 1/4, N 1/2 SW 1/4 Section 9; all in T17N-R2E. The applicable portions of Water Right Filing No. 0190-1 be incorporated into No. 1521-1 and the abandoned portions of Filing No. 0190-1 be cancelled
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. The water is to be used during the following annual period: March 1 - October 31.
3. The priority date of the Vested Water Right is February 5, 1904.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

John Hatch
Chief Engineer, Water Right Division
Department of Environment and Natural Resources

FEB 28 1992

date _____