

No. 0220-1

Office of State Engineer
DOCUMENT FILE

Name: Latham, - Con

County: Butte 1826
Harding

Date: Nov. 26, 1905

Filed: Nov. 28, 1905

Location: Thomas Creek
100

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

To Whom These Presents May Concern, Know ye, that I, Lora Latham

..... 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 Thomas Creek stream to the East half

showed this to 1911

of Section 13 in Township 19 N. of Range 1 E. more particularly described as follows: Commencing by a dam located near the S.W. corner of the S.E. 1/4 of
Section 13 Township 19 N. Range 1 E. Mer. and
a ditch from said dam to and in front of East
1/2 of Section 13 of said Township Range 1 E. Meridian

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 21st day of November A. D. 1902.

Lora Latham

Notice posted on stream..... 1902

Ditch commenced at stream..... 1902

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

On this 21st day of November 1902, before me, Notary Public

In and for the County and State aforesaid, personally appeared Lora Latham

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.

R. L. Latham

Notary Public

Location of *Water*
Area *Little*

State of South Dakota,

County of *Butte*

Office of *Register* of Deeds

Filed for record *28th* day of

December D. 189*2*

at *12th* *St* *Salacia* *N.* and recorded in

Book *13* on page *144*

Max B. Ross

Register of Deeds.

By _____

Deputy.

Little Missouri Water Dist.

No. 0225-1

STATE OF SOUTH DAKOTA,
COUNTY OF BUTTE.

I, the undersigned, being a duly qualified and sworn officer and agent of the State of South Dakota, do hereby certify that the foregoing is a true and correct copy of the original as the same is a true copy of the filing thereon.

Dated *JUL 16 1906*

Andrew J. Vreeland

Register of Deeds.

By _____

Deputy.

Thomas

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

TO WHOM THESE PRESENTS MAY CONCERN, Know ye, that I Cora Lathur 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 Thomas Creek stream to the East half of Section 13 in Township 19 N. of range 1 E. more particularly described as follows: Commencing by a bar located near the SE corner of the SW 1/4 of Section 13, Township 19 N., Range 1 East E.H.M. and a ditch from said bar to and upon a part of East 1/2 of section 13 of said township, range and meridian.

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 appurtenances and appurtenances there unto belonging or in anywise appertaining.

Witness my hand and seal this 26th day of November A.D. 1902.

Cora Lathur.

RECORDED
11/27/02

State of South Dakota } ss.
County of Butte

On this 26th day of November 1902, before me, notary public in and for the County and State aforesaid, personally appeared Cora Lathur, 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.

R.L. Chuning,

Notary Public.

TAHER RIGHT.

No. 0220-1

Donated by

Tora Lathier

November 26, 1907.

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 12 day of April 1908.

Samuel H. Lea

State Engineer.

By B. B. Butler

Blair County
1/12/1908

No. 1328-1

 **Department of
Water & Natural Resources**

Joo Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

APR 24 1985

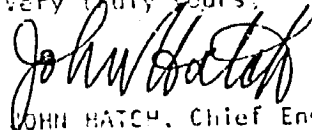
Richard L. or Bernice G. Cundy
Route #1, Box 55
St. Onge, South Dakota 57779

Dear Mr. & Mrs. Cundy:

Enclosed herewith are your Vested Right Permit, Water License No. 1328-1.
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:ms

enclosures

The applicable portions of Water Right Filings No. 073-1, 0219-1, 0220-1 and
0221-1 have been incorporated into Vested Water License No. 1328-1 and the
abandoned portions of Water Right Filings No. 073-1, 0219-1, 0220-1 and 0221-1
have been cancelled.

Conversation or File Documentation

NAME OF PERSON OR FILE: Richard L. CundyADDRESS: Rt #1, Box 55, St Onge, S. Dak. 57779 COUNTY HardingDATE: February 14, 1984 TELEPHONE 642-3130RE: Cancellation of Water Right Filing # 0220-1

COMMENTS:

This filing is subject to cancellation as there is no irrigation from the diversion point. The area to be irrigated under this filing is being irrigated from a different diversion point under a Vested Right that is pending fixing the Priority date of May 1, 1903 as per filing # 073-1. This filing, # 0220-1, has a 1902 priority date. This indicates this filing was abandoned in favor of the 1903 filing # 073-1.

Mr Cundy agreed to cancelling Filing # 0220-1.
Send Cancellation notice to Mr Cundy

0220-1 has a priority date of 11-26-02

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME:

Leroy J. Menough