

No. 0221-1

Office of State Engineer
DOCUMENT FILE

Name: Latham, - Per.

County: Chittenden

State: Vermont

Dated: Nov. 26, 1902

Filed: Nov. 27, 1902

Location: R.R. - Burlington

1902

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

To Whom These Presents May Concern, Know ye, that I Eura 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 K-K Creek stream to the part of East 1/2 of

..... of Section 13..... in Township 19 N. of Range 1..... were particularly described as follows: Commencing at by a dam on the N. W. 1/4 of section 13 Township 19 N. Range 1 East B. H. Mer. and a ditch from said dam to and upon a part of East 1/2 of said section 13 of said Township Range and meridian

..... I also claim and have a valid right to the enjoyment and use of 1500 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

Eura Latham

Notice posted on stream..... 1902

Ditch commenced at stream..... 1902

State of South Dakota, 188
County of Butte, 188

On this 25th day of November..... 1902, before me, a Notary Public

In and for the County and State aforesaid, personally appeared Eura 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.

E. L. Latham

Notary Public

2.1
Received of water
Grant from

State of South Dakota
County of Butte

Office of Register

Filed for record 25th day of

November - A. D. 1902

at 10³⁰ o'clock A.M., and recorded in

Books L3 on page 205

Geo. B. Ford

Register of Deeds

by _____ County

Little Missouri Water Dist.
No. 0221-1

STATE OF SOUTH DAKOTA, ss.
I, _____, Register of Deeds of the County of Butte, do hereby certify that the foregoing is a true and correct copy of the original instrument filed for record and recorded in this office on the 25th day of November, 1902, at 10³⁰ o'clock A.M., and correct copy of the original instrument filed for record and recorded in this office on the 25th day of November, 1902, at 10³⁰ o'clock A.M.

Dated JUL 16 1906

Geo. B. Ford
Register of Deeds

By _____ Deputy

11-11-06

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

TO WHOM THESE PRESENTS MAY COME, Know ye, that I Cora Lathan 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 K-K Creek stream to part of East 1/2 of Section 13 in Township 18 N. of Range 1 more particularly described as follows: Commencing by a dam on the NW1/4 of Section 13, Township 19 N. of Range 1 East B.M.M. and a ditch from said dam to and upon a part of East 1/2 of said 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 hereditaments and appurtenances thereunto belonging or in anywise appertaining.

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

Cora Lathan.

State of South Dakota }
County of Butte } ss.

On this 28th day of November 1902 before me a notary public in and for the County and State aforesaid, personally appeared Cora Lathan 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.

1328-1

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

APR 24 1985

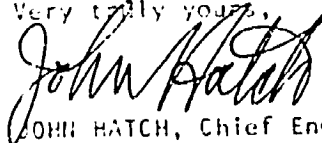
Richard L. or Bernice G. Cundy
Route #1, Box 55
St. Onge, South Dakota 57779

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. Cundy
ADDRESS: Rt #1, Box 55, St-Onge, S. Dak 57779 COUNTY Harding
DATE: February 14, 1984 TELEPHONE 642-3130
RE: Cancellation of Water Right Filing #0221-1

COMMENTS:

This filing is subject to cancellation as there is no
irrigation from this diversion point. The area irrigated
under this filing is being irrigated from a different
diversion point under a Vested Right that is pending, using
a priority date of May 1, 1903 as per filing #073-1.
This filing, #0221-1 has a 1902 priority date. This
indicates that this filing was abandoned in favor of the
1903 filing #073-1.

Mr Cundy agreed to the cancellation.
Send cancellation notice to Mr Cundy.

0221-1 has a priority date of 11-26-82

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 Mernough