

No. 0236-1

Office of State Engineer
DOCUMENT FILE

Name: Martin, James

County: Butte "17540"

Date: June 5, 1913

Location: Ray Creek

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

To Whom These Presents May Concern, Know ye, that I, James Martin

..... 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 Ray Creek stream to the

W² Sec 27 and E² Sec 28

of Section 28..... in Township 9 N..... of Range 18 E.....

more particularly described as follows: Commencing at a point on said Ray Creek from which the corner common to Sec's 27, 28, 33rd & 34th bears S 10° East 10 chains distant running thence N 6 W and upon the above described tract of land said ditch to be 6 ft wide on water line and one foot deep.

I also claim and have a valid right to the enjoyment and use of 500..... 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 8..... day of June..... A. D. 1903

Notice posted on stream June 8 -..... 1903

Ditch commenced at stream June 8 -..... 1903

State of South Dakota, }
County of Butte, }

On this 8 day of June..... 1903, before me Clerk of County

In and for the County and State aforesaid, personally appeared James Martin

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.



William Fred Clerk of County
in & for Butte County

Certified Copy

8th
June 1963 321-

Sec 13 116

Les B Ross

JAMES MARTIN

No. 0236-1

Belle, Laurel,

STATE OF SOUTH DAKOTA,
COUNTY OF BUTTE.

I hereby certify that I have carefully examined the within instrument and compared it with the original instrument No. 17545 of record in this office, and that it is a true and correct copy of the same and that the above is a correct copy of the plat thereon.

Dated Aug 11 1966

H E Frost

Register of Deeds

W P Keller

Deputy

By

CCPY.

PRESUMPTION OF RIGHT OF WAY AND LOCATION OF WATER.

TO WHOM THESE PRESENTS MAY CONCERN, Know ye, that I James Martin 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 Ray Creek stream to the W1/2 SW1/4 Sec. 27 and E1/2 SE1/4 of Section 28 in Township 9 N. of Range 1 E. E.H.V. more particularly described as follows: Commencing at a point on said Ray Creek from which the corner common to Secs. 27, 28, 33 and 34 bears S. 10° East 10 chains distant running thence NE to and upon the above described tract of land said ditch to be 6 ft. wide on water line and one foot deep.

I also claim and have a valid right to the enjoyment and use of 500 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 8 day of June A.D. 1903.

James Martin.

Notice posted on stream June 8, 1903.

Ditch commenced at stream June 8, 1903.

State of South Dakota } ss.
County of Butte

On this 8 day of June 1903, before me Clerk of Courts in and for the County and State aforesaid, personally appeared James Martin 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.

William Friedl, Clerk of Courts
in for Butte County.

No. 0208-1

MATHE RISHI.

Located by

James H. Rishi

June 3, 1908.

SUTTER COUNTY

STATE OF SOUTH DAKOTA
COUNTY OF HUGHES.

I hereby certify that the 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 4th day of April, 1908.

Samuel H. Rishi
State Engineer.

By *B. B. Rishi*
Deputy State Engineer.

RECORDED
INDEXED
FILED
JUN 10 1908
PIERRE, S. D.

RECORDED
INDEXED
FILED
JUN 10 1908
PIERRE, S. D.

to witness and to certify that I have seen the original of the instrument which it purports to be, as the same was filed for record in the office of the State Engineer, and that the same 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.