

No. 0275-1

Office of State Engineer
DOCUMENT FILE

Name: Benson, J. H.

County: Butte ~ 11120

Date: July 21, 1913

Location: Willow Creek

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

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

..... 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 Yellow Creek stream to the

SW 1/4 SE 1/4

of Section 11 in Township 8 N of Range 3 E B M more particularly described as follows: Commencing at

a dam near the SE corner of the SW 1/4 of the SE 1/4 of Section Eleven (11) Township Eight (8) North of Range Two (2) East B. & M. a ditch or flume or both from said dam to and in the said lands in the said SW 1/4 SE 1/4 of Section 11 Township 8 N Range 3 East B. & M.

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 24 day of July A. D. 1903

Notice posted on stream June 25 1903

Ditch commenced at stream — 190—

State of South Dakota,
County of Butte,

On this 27 day of July 1903 before me Clerk of Courts

In and for the County and State aforesaid, personally appeared J. H. Pearson

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 Fried Clerk of Courts
in for Butte Co.



Certified Copy

RECORDED & INDEXED
Referred for record the 24th day
of July A.D. 1906 at 4th
o'clock P.M. and recorded in
Book 13 of M. Page 157.
Geo. B. Ross

REGISTER OF DEEDS

J. H. PEARSON

No. 0275-1

Belle Faurke

19720

Aug 17th 6
H. C. Frost
S. W. Keller

M. A.

COPY.

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

TO WHOM THESE PRESENTS MAY CONCERN, Know ye, that I J.H. Pearson 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 Willow Creek stream to the SE1/4 SE1/4 of Section 11 in Township 8 N. of Range 2 E. S.H.V. more particularly described as follows: Commencing at a bar near the SE corner of the SE1/4 of the SE1/4 of Section eleven (11) Township Eight (8) north of range Two (2) East S.H.V. and a ditch or flume or both from said bar to and upon the said lands in the said SE1/4 SE1/4 of section 11, Township 8 N. Range 2 East S.H.V.

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 from 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 24 day of July A.D. 1903.

J.H. Pearson.

Notice posted on stream June 25, 1903.

State of South Dakota { ss.
County of Butte

On this 24 day of July 1903, before me Clerk of Courts in and for the County and State aforesaid, personally appeared J.H. Pearson 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.

Williza Friel, Clerk of Courts
in for Butte Co.

(SEAL)

REC'D

RECEIVED MAY 20 1903

No. 0275-1

WATER RIGHT
Located by
J. H. [illegible]
June 21 1903
SUFFE [illegible]
[illegible]

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, given at my office in the State of South Dakota this 14 day of April 1903.

Samuel H. Lee
State Engineer

By *B. B. B.*
[illegible]

FILED
MAY 20 1903
SOUTH DAKOTA