

No...0387-1

Office of State Engineer
DOCUMENT FILE

Name: Maccoot, Charles G.

County: Butte

Date: April 29, 1902

Location: Badger Creek
300 in.

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

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

..... of the County of Butte, in the State of South Dakota, a citizen of the United States, do hereby declare and publish 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 Badger Creek stream to the

SE² of NE⁴ 3rd NW⁴ of NE² NE⁴ NW⁴

of Section 8 in Township 12 N. of Range 2 E. 14th M. more particularly described as follows: Commencing at

point on said Badger Creek, bearing west 30° 14'
25 chains distant, running thence east and south
to and upon the above described land. Ditch 6 ft.
wide on water line and one ft. deep.

SE² of NE⁴ 3rd NW⁴ of NE² NE⁴ NW⁴

I also claim and have a valid right to the enjoyment and use of 5.00 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 thereto belonging or in anywise appertaining.

Witness my hand and seal this 29 day of April A. D. 1912

Charles A. Wescott

Notice posted on stream..... Apr. 29 1912

Ditch commenced at stream..... Apr. 29 1912

State of South Dakota, 1
County of Butte, 1

On this 29 day of April 1912, before me

Register of Deeds

in and for the County and State aforesaid, personally appeared Charles A. Wescott

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.

Geo. B. Rose Register of Deeds

(Seal)

in and for Butte County

Certified Copy

No. 0337-1

Charles C. Dinscott.

State of South Dakota, }

County of Butte }

ss. I, Clerk of E. & L. of Butte,

Filed for record 27th day of

April A. D. 1902

at 2 o'clock P. M., and recorded in

Book 7 on page 532.

Geo. B. Ross.

Register of Deeds.

By Deputy.

Bella Garver 1 1/2 c. H.
STATE OF SOUTH DAKOTA, } ss.
COUNTY OF BUTTE, }

I hereby certify that I have carefully examined the within instrument and compared the same with the original instrument, 674560 of record in this office, and that it is a true and correct copy of the same and that the same is a correct copy of the filing thereon.

Dated, May 21 - 1906

H. C. Frost.

Register of Deeds.

By Ada Miller.

Deputy.

Bella Garver

COPY.

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

TO WHOM THESE PRESENTS MAY CONCERN, Know ye, that I Charles A. Mescott 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 Badger Creek stream to the SE1/2 of NE1/4 and NW1/4 of NE1/4 NE1/4 NW1/4 of Section 8 in Township 12 N. of Range 2 E. R.H.M. more particularly described as follows: Commencing at a point on said Badger Creek, bears west 30° 25' bearing distant, running thence east and south to and upon the above described land. Ditch 6 ft. wide on water line and one ft. 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 thereto belonging or in anywise appertaining.

Witness my hand and seal this 29 day of April A.D. 1902.

Charles A. Mescott.

Notice posted on stream Apr. 29th, 1902.

Ditch commenced at stream Apr. 29th, 1902.

State of South Dakota } ss:
County of Butte

On this 29 day of April 1902, before me a Register of Deeds in and for the County and State aforesaid, personally appeared Charles A. Mescott 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.

(SEAL)

Geo. E. Ross, Register of Deeds, in and for Butte County.

WATERS RIGHT.

Located by

No. 1387-

Charles A. Fossett
April 29 1902
COUNTY OF HUGHES

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 14 day of April, 1902.

Samuel H. Price
State Engineer

By *B. B. Price*

NOTARY PUBLIC
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.

NOTARY