

058-1
No. 17384-1

Office of State Engineer
DOCUMENT FILE

Name of Applicant
Clarence F. Brown
Date of Priority
April 27, 1903
County - Harding
Bottle # 17384-1

Filed: May 5, 1903

Location: Little Missouri
2000

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

To Whom These Presents May Concern, Know ye, that I Clarence A. Brown

..... 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 Little Missouri River stream to the a part of Section 25 in

..... of Section in Township 19 of Range 1 more particularly described as follows: Commencing at

a point near the southwest corner of lot 3 in Section 36
in Township 19 N Range 1 E B H Mer. a ditch from
said point to and upon Lot 7, 10 and 11 of Section
25 in Township 19 N Range 1 E B H Mer.

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 27 day of April A. D. 1903

Clarence A. Brown

Notice posted on stream..... April 27 1903

Ditch commenced at stream..... 1903

State of South Dakota, {
County of Butte, {

On this 27 day of April 1903, before me, a U.S. Commissioner

In and for the County and State aforesaid, personally appeared Clarence A. Brown

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 for him. Witness my hand and official seal, this day and date above written.

John Thompson
U.S. Commissioner for
Dist of E. Dak



Certified Copy

Office of the
Butte County, California.

Received for record on the 5 day
of May A.D. 1903, at 10
o'clock P.M., and recorded in
Book 13 of this Page 86
Geo B Ross
REGISTER OF DEEDS

CLARENCE A. BROWN

No. 058-1

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original of the within and contained therein, as shown to me by the person presenting the same for record, and that the same is a true and correct copy of the original of the within and contained therein.

Dated Aug 11 1906

H. C. Ford

By S. H. Sellers
Register of Deeds.

Little Mountain

COPY.

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

TO WHOM THESE PRESENTS MAY CONCERN, Know ye, that I Clarence A. Brown 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 Little Missouri River stream to the a part of Section 25 in Township 19 of Range 1 more particularly described as follows: Commencing at a point near the Southwest corner of lot 3 in Section 36 in Township 19 N. of Range 1 E. E.H.Ver. a ditch from said point to and upon Lot 7, 10 and 11 of section 25 in Township 19 N. Range 1 E. E.H.Ver.

I also claim and have a valid right to the enjoyment and use of 2000 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 27 day of April A.D. 1903.

Clarence A. Brown.

Notice posted on stream April 27, 1903.

State of South Dakota {
County of Butte { ss.

On this 27 day of April 1903, before me a U.S. Commissioner in and for the County and State aforesaid, personally appeared Clarence A. Brown to be 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, this 27 day of April 1903.

(SEAL)

John Thompson, U.S. Commissioner
for Dist. of S.D. Terr.

1736
located by No. 6500

WAITS BLIND.
Clarence A. Brown
April 27, 1902

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 24 day of April, 1902.

Samuel H. Bea
State Engineer

By *C. A. Brown*
Clarence A. Brown

5538

Notice entered on record April 24, 1902.
Clarence A. Brown
I also 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.

STATE OF SOUTH DAKOTA
COUNTY OF HUGHES

State of South Dakota

VESTED Water License No. 1327-1

(1) Richard L. or Bernice G. Cundy
of Route #1, Box 55, St. Onge, South Dakota
made Application No. 1327-1, January 17, 1985, for recognition ^{/of a Vested Right} for a water permit to appropriate
0.47 cubic feet per second of water from the Little Missouri River,
Harding County, South Dakota for irrigation purposes.
Vested Right
/Permit No. 1327-1, with a priority date of April 27, 1903
^{/recognized} March 6, 1985 and issued to applicant(s) for diversion of water ^{recognizing} ~~with~~ construction of the described
water supply system ~~to be completed on or before~~ and for the application to beneficial use of said
water ~~on or before~~.

**The applicable portions of Water Right Filing No. 058-1 and Location Notice No. 639-1
have been incorporated into this Vested Right Water License No. 1327-1 with the
abandoned portions of Filing No. 058-1 and Location Notice No. 639-1 cancelled.**

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 0.47 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 500'S and 700'W of the NE Corner of
Section 36, T19N, R1E (AA)

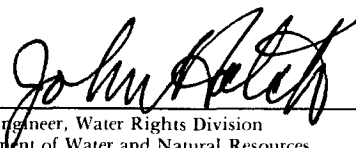
and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land, all in T19N, R1E

Section 25	SW 1 SE 1	5 Acres	(DC)
	SE 1 SE 1	11 Acres	(DD)
Section 36	NW 1 NE 1	6 Acres	(AB)
	NE 1 NE 1	11 Acres	(AA)
	TOTAL	33	ACRES

(4) Pursuant to §46-5-30.1 Richard L. or Bernice Cundy
of Route #1, Box 55 St. Onge, South Dakota
the holder(s) and/or owner(s) of Vested Right Water Permit No. 1327-1 is issued a license to appropriate water, the right to use
0.47 cubic feet per second of water from the Little Missouri River with a priority date
of April 27, 1903 from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Vested Right Water Permit No. 1327-1 and subject
to South Dakota State Law.



Chief Engineer, Water Rights Division
Department of Water and Natural Resources
JOHN HATCH
APR 24 1985