

No. 009-1.

Office of State Engineer
DOCUMENT FILE

Name: Browning, James

Date: Oct. 4, 1898

Filed: Nov. 3, 1898

County: Butte #10324

Location: Valley Creek

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

To Whom These Presents May Concern, Know ye, that I, James Browning.....
of South Dakota..... the County of Harding, 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 dam and store all the
water that may flow down said Valley Creek, and to use the same for irrigation
and to construct canals and flumes in a northwesterly direction to convey such
water through and over sections 1 & 12 of Township 18 N. of Range 1 E. to and
upon lot 12 and the NW 1/4 of the NW 1/4 of section 36 in Township 19 N. of
Range 1 E. East 13th M. there to terminate. I also claim the right to use as a
point of delivery creek running in a westerly course through the sections 1 & 12
said and to build a dam and reservoir on said creek at a point on the
1/4 section 36, north of said section 12, and to use the same for irrigation
and appurtenances thereunto belonging or in anywise appertaining.

Witness my hand and seal this 29 day of October, 1898. A. D. 1900.

James Browning

Notice posted on Oct 4, 1898..... 1900.

Canal do Oct 7..... 1898..... 1900.

State of South Dakota,
County of Butte,

On this 29 day of October, 1898, before me, H. C. Thompson Clerk
of the Circuit Court

In and for the County and State aforesaid, personally appeared James Browning.....

to me personally known to be the person who executed the foregoing written instrument, and acknowledged that he executed the same for the use and purposes therein set forth. Witness my hand and official seal this day and date above written.

H. C. Thompson
Clerk of Court



Certified Copy
JAMES BROWNING

Butte

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CY Martin

No. 059-1

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SEP 21 1906

H E Frost

Superintendent

Butte

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

To Whom These Presents May Concern, Know ye, that I James Browning of Camp Crook County of Harding 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 dam and store all the water that may flow down a dry water course generally known as Valley Creek having its source in the short pine Hills and flowing into the Little Missouri River on Section 1 in Township 16 North of Range 1 East B. H. M. in said Harding County. Said dam to be located on said water course at a point from which the $\frac{1}{4}$ Sec corner east of Section 12 bears east 15° north 835 feet distant. I also claim and have a valid right to all the water that may flow down said Valley Creek for irrigating purposes and to construct canals and flumes in a northwesterly direction to convey such water through and over sections 1 & 12 of Township 18 N of Range 1 E to and upon lot No 12 and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36 in Township 19 N of Range 1 East B.H.M. there to terminate I also claim the right to use as a part of said canal small dry creek running in a westerly course through the section one aforesaid and to build a dam and reservoir on said creek at a point from the $\frac{1}{4}$ section corner north of said section 1 bears north 24° west 1923 feet distant, together with all and singular, the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Witness my hand and seal this 29 day of October 1898 .

James Browning.

Notice posted on land October 4, 1898.

Canal commenced at dam Oct. 7, 1898.

State of South Dakota, }
County of Butte. }

On this 29 day of October 1898, before me H. E. Thompson, Clerk of the Circuit Court, in and for the County and State aforesaid, personally appeared James Browning, 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.

H. E. Thompson,
Clerk of Courts.

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COPY

Water Right. No. 859-1

Located by

James Browning.

Oct. 24, 1898.

Butte County.

STATE OF SOUTH DAKOTA
COUNTY OF HIGHER.

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 is 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 4 day of February 1899

Samuel H. Lea
State Engineer.

B. B. Lea
Deputy.

No. 251-1A

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501
WATER RIGHTS DIVISION
(605) 773-3352

February 29, 1984

Moseley Brothers
Star Route, Box 107
Camp Crook, South Dakota 57724

Dear Sirs:

Enclosed herewith are your Vested Right Permit, Water License No. 251-1A.
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:

enclosures

The applicable portions of Water Right Filing No. 059-1 were incorporated
into Vested Right No. 251-1A and the abandoned portions of Filing No. 059-1
have been cancelled.