

No. 0574-2

Office of State Engineer
DOCUMENT FILE

Name: Kodel cap, John

County: Free River

Date: July 5, 1903

Filed: Oct. 12, 1903

Location: Longs Branch

Notice of Water Claim. Fall River County, South Dakota.

Notice is hereby given that John Redcap this day the 15th day of July 1903, takes claim to all of the water in the Irew River by name as the Cooper Rivr, which head or begins on Section Nine (9) and extend through Section Fifteen (15) Fourteen (14) in Township Seven 7 Range 7 in Fall River County, South Dakota. E. H. M. Water to be used for Agricultural purposes on Section Twenty-three (23) Twenty-four (24) in Township 7 Range 7 Fall River County, South Dakota. East of E. H. M.

Signed. John Redcap.

Drawn by

R

3574-2

Notice of Water Right.

John Reddeap.

to

The Public.

State of South Dakota,)

County of Park River,) ss.

Filed for record the
12 day of October 1903 at 2

P. M. in Book 3 1100. Page 307

P. J. Freshen,

Registrar.

RECEIVED

MAY 18 1908.

OFFICE OF STATE ENGINEER.
PIERRE, S. DAK.

Notice of Water Claim. Fall River County, South Dakota.

Notice is hereby given that John Rodcap this day the 15th day of July 1903, makes claim to all of the water in the Draw known by some as the Conger Draw, which heads or begins on Section Nine (9) and extends through Section Fifteen (15) Fourteen (14) in Township seven 7 Range 7 in Fall River County, South Dakota, B. H. M. Water to be used for Agricultural purposes on section Twenty-three (23) Twenty-four (24) in Township 7 Range 7 Fall River County, South Dakota, East of B. H. M.

Signed.

John Rodcap.

CERTIFIED COPY

COMPARED *15742*

Sep. 12, 1908

Notice of Water right.

State Engineer.

B. B. Leca
Deputy.

John Rodecap.

To

The Public.

State of South Dakota, }
County of Fall River } ss

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 of, and seal, done at my office in Pierre, State of South Dakota

this 28 day of September 1908
Samuel H. Leca

B. B. Leca

Filed for record the
12 day of October 1908 at 3
P. M. in Book 3 Misc Page
307.

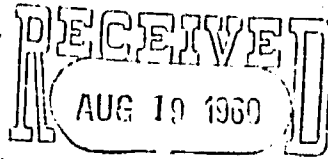
P. J. Franzen,
Register.

Oral, South Dakota

Aug. 12, 1960

Water Resources Commission

Pierre, South Dakota



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

Dear Sir;

I wonder if you can tell me if there is an old water right on the NW $\frac{1}{4}$ or the SW $\frac{1}{4}$ of sec 24, Range 7, Township 7, of Fall River County. I now own this land and am diverting water at almost the exact spot that it was diverted some 50-60 years ago. The neighbors tell me they think there was a water right and I thought it might help me in obtaining the right I now seek.

0576-2

Yours very truly,

Rodger Frank

Oral, South Dakota.

August 23, 1960

Bolger Fack
Oral,
South Dakota

Dear Mr. Fack:

Reference is made to your letter of August 12 regarding old water rights on the NW 1/4 or SW 1/4, Section 24, T 7S R 7E.

There is an old filing dating back to 1903 by John Hodecap to take water from Conner Draw for irrigation on sections 23 and 24. It is rather doubtful if this is still a valid water right. South Dakota water laws state that a water right is subject to cancellation for non-use. The lands are to be irrigated once in every three years under this clause. We have no indication in this office of any further action on this filing, as no proof of water use was ever entered.

Hope this will be of some help.

Sincerely,

Burton F. Jones
Water Right Specialist

BJ:pp

**SOUTH DAKOTA Department of
Water & Natural Resources**

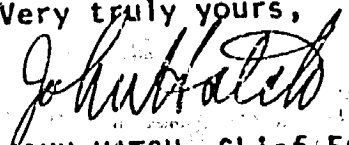
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

NOV 25 1986

Charles Eng
Buffalo Gap,
South Dakota 57722

Dear Mr. Eng:

Enclosed are your Validated Vested Water Right and Water License No. 1972-2.
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
605 773-3352

JH: ks

enclosures

NOTE: The applicable portions of Water Right Filing No. 0574-2 were
incorporated into Vested Right No. 1972-2 and the abandoned portions
of Filing No. 0574-2 have been cancelled.