

No. 1577:2

Office of State Engineer
DOCUMENT FILE

Name: Petro, Charles H.

County: Fall River

Date: Oct. 5, 1905

Location: Plain Creek

I, Charles H. Petro, a resident of Fall River County, State of South Dakota, hereby claim and appropriate the water of Plains Creek to the extent of Nine (9) cubic feet of water per second of time for storage in a reservoir (see accompanying map) for irrigation and domestic purposes. The said reservoir is situated in the channel of Plains Creek (see map) in the west-half of the Northeast quarter (N.E. 1/4) of Section Twenty-three (23) Town (10) South Range three (3) east Black Hills Meridian, and is filled from the water and tributaries of Plains Creek.

Area Twenty-three and 85/100 (23.85) Acres.

Capacity Seventy-one (71) Acre feet

Maximum Depth Seven (7) feet

Average mean .. Three (3) "

The point of diversion of water from the reservoir is N31° 12' W. 2040 feet from the quarter corner (1/4) common to sections Twenty-three (23) and Twenty-four (24) in town ten (10) South Range three (3) east Black Hills Meridian, and in the Southwest quarter of the Northeast quarter (S.W. 1/4 N.E. 1/4) of Section (23) twenty three town and range above, by box outlet 10 by 33 inches and ditches (see map) also outlet boxes 8x10 inches as shown on map. A copy of this notice duly posted at the point of diversion.

Dated Oct. 5th 1905.

Signed

Charles H. Petro,

Claimant.

P. M. 11:20
1577-2
1907

Water Right Location

Charles H. Petro

To

The Public

State of South Dakota)

County of Fall River)

Filed for record this 5th

day of October, A. D. 1905

at 10 O'clock A. M. and re-

corded in Book 4 Miscell-

aneous Record Page 45.

C. E. Botham,

Register of Deeds.

RECEIVED

MAY 18 1908

OFFICE OF STATE ENGINEER,
PERKINS, S. DAK.

I, Charles H. Petro, a resident of Fall River County, State of South Dakota, hereby claim and appropriate the water of Plains Creek to the extent of Nine (9) cubic feet of water per second of time for storage in a reservoir (see accompanying map) for irrigation and domestic purposes. The said reservoir is situated in the channel of Plains Creek (see map) in the west-half of the Northeast quarter (W 2 N.E.4) of Section Twenty-three (23) Town (10) South Range three (3) east Black Hills Meridian, and is filled from the water and tributaries of Plains Creek.

Area Twenty-three and 85/100 (23.85) Acres.

Capacity Seventy-one (71) Acre feet.

Maximum Depth Seven (7) feet

Average mean ..Three (3) "

The point of diversion of water from the reservoir is N 31° 12' W. 2040 feet from the quarter corner ($\frac{1}{4}$) common to sections Twenty-three (23) and Twenty-four (24) in town ten (10) South Range three (3) east Black Hills Meridian, and in the Southwest quarter of the Northeast quarter (S.W. 4 N.E. 4) of Section (23) twenty three town and range above, by box outlet 12 by 22 inches and ditches (see map) also outlet boxes 8x10 inches as shown on map. A copy of this notice duly posted at the point of diversion.

Dated Oct. 5th 1905.

signed

Charles H. Petro,

Claimant.

CERTIFIED COPY

35772
COMPARED.

September 12, 1908.

State Engineer.

B. B. Lea
Deputy.

Water Right Location

Charles H. Petre

To

The Public.

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 28 day of September 1908.

Samuel H. Lea
State Engineer.

By *B. B. Lea*

State of South Dakota)
County of Fall River)

Filed for record this 5th day of October, A. D. 1908 at 10 O'clock A. M. and recorded in Book 4 Miscellaneous record Page 43.

C. B. Botham,
Register of Deeds.

State of South Dakota

LOCATION NOTICE Water License No. 444-2

(1) Anna A Petro

of Eganmont, SD located and filed Location Notice No. 444-2

made Application No. 444-2, August 1, 1910 for a right permit to appropriate

3.0 cubic feet per second of water from Plains Creek

Fall River County, South Dakota for Irrigation purposes.

Location Notice 444-2, with a priority date of August 1, 1910

located and filed the and issued to applicant(s) for diversion of water with construction of the described

water supply system The system was and water placed and for the application to beneficial use of said

water on or before

Mrs. Anna A Petro originally located and filed Location Notice No. 444-2. September 16, 1985, Location Notice No. 444-2 was transferred to Alta Wheeler.

The applicable portions of Location Notice No. 18-2 and Water Right Filing No. 0577-2 have been incorporated into this Location Notice Water License No. 444-2. Location Notice No. 18-2 and Water Right Filing No. 0577-2 are identical. An October 5, 1905 priority date will be retained for diversion of 2.4 cfs (Notice No. 18-2 and Filing No. 0577-2) and an August 1, 1910 priority date is retained for 3.0 cfs (Notice No. 444-2).

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 5.40 cubic feet per second of water

for beneficial use. The location of the diversion point is 542°W 3100 feet, S20°W 1800 feet,

all from the NE corner of Section 23, T11

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 T10S, R3E:

<u>Priority date - October 5, 1905</u>	<u>Priority date - August 1, 1910</u>
<u>Section 23 NW$\frac{1}{4}$ NE$\frac{1}{4}$ 30 acres</u>	<u>Section 23 SE$\frac{1}{4}$ SE$\frac{1}{4}$ 40 acres</u>
<u>NE$\frac{1}{4}$ NE$\frac{1}{4}$ 6 "</u>	<u>Section 24 NW$\frac{1}{4}$ SW$\frac{1}{4}$ 29 "</u>
<u>SW$\frac{1}{4}$ NE$\frac{1}{4}$ 36 "</u>	<u>NE$\frac{1}{4}$ SW$\frac{1}{4}$ 3 "</u>
<u>SE$\frac{1}{4}$ NE$\frac{1}{4}$ 31 "</u>	<u>SW$\frac{1}{4}$ SW$\frac{1}{4}$ 40 "</u>
<u>NW$\frac{1}{4}$ SE$\frac{1}{4}$ 28 "</u>	<u>SE$\frac{1}{4}$ SW$\frac{1}{4}$ 21 "</u>
<u>NE$\frac{1}{4}$ SE$\frac{1}{4}$ 40 "</u>	<u>Section 25 NW$\frac{1}{4}$ NW$\frac{1}{4}$ 37 "</u>
	<u>NE$\frac{1}{4}$ NW$\frac{1}{4}$ 40 "</u>
	<u>TOTAL acres 381</u>

(4) Pursuant to §16-5-30.1 Alta Wheeler

of 14 Crook, Custer, South Dakota 57730

Location Notice
the holder(s) and/or owner(s) of Water Permit No. 444-2 is issued a license to appropriate water, the right to use 5.4 cubic feet per second of water from Plains Creek with a priority date of 2.4 cfs from October 5, 1905 and 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

Location Notice
This license is subject to any limitations or qualifications listed in Water Permit No. 444-2 and subject to South Dakota State Law.

John Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources
DEC 20 1985