

No. 52-1-A

OFFICE OF STATE ENGINEER
DOCUMENT FILE

Water Division No. 1
Belle Fourche Water District

Appropriator:-

The United States,
through D. C. Booth, Supt.
Fishery Station, Spearfish

Remarks: This appropriation
is to keep the water in a small
stream flowing in its regular chan-
nel through the U. S. Fishery Station,
and to prevent its diversion from
said channel.

Notice of Intention to file was re-
ceived June 3, 1910.

WATER LICENSE NO. 52-1A

(1) WHEREAS, On the 3rd day of June A. D. 1910
the Department of Commerce and Labor (Bureau of Fisheries) now Bureau
of Sport Fisheries and Wildlife
made Water Right Application No. 52-1A for a permit to use .33 cubic feet per second of the waters
of Springs
County of Lawrence, State of South Dakota, for Fish Culture
purpose, and

(2) WHEREAS, On the day of A. D. 1910
Permit No. 52-1A with a date of priority of June 3, 1910
was issued to said applicant recognized
for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the day of A. D. 1910 and for the
application to beneficial use of said water on or before the day of A. D. 1910

and:
(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert .33 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent.
water is used in operation of Fish Hatchery at Spearfish, S.D.

NO OR MICROFILM WHICH MEET THE RECORDED REQUIREMENTS OF THE NEW YORK STATE ARCHIVES
REPRODUCTION: 25X
ROLL NO. # 2
3-4-12
DATE MICROFILMED

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to the Bureau of Sport Fisheries and Wildlife

of Denver, Colorado

the holder _____ and owner _____ of said permit No. 52-1A a water right, dating from June 3, 1910

to use of .33 cubic feet per second of the waters of springs

in the County of Lawrence and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the NW 1/4 SE 1/4, Section 15, T6N, R2E

and conduct to and upon Spearrfish fish hatchery

for the purpose of Fish Culture

Subject to any limitations listed in Water Right Permit No. 52-1A and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 5th day of December A. D.
Nineteen Hundred and Seventy-four

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

Permit No. 52-1A

Water Diversion No. 1 BELLE FOURCHE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify That the Department of Commerce and Labor (Bureau of Fisheries)
now Bureau of Sport Fisheries and Wildlife
the holder of
Permit No. 52-1A, issued upon Application No. 52-1A, bearing date of priority of June 3, 1910
authorizing the diversion of .35 cu. ft. per second of the waters of uprings
County of Lawrence, State of South Dakota at points in the NW 1/4 Sec 15, 16N, R2E
for fish culture
purposes, has complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use .33 cu. ft. per second of water.

Date December 5, 1974

By: **WATER RIGHTS COMMISSION**

DONALD DRISCOLL, Chief Engineer

Permit No. 52-1AWater Division 1 BELLE FOURCHE RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USETO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501 DEPARTMENT OF COMMERCE
LABOR (BUREAU OF FISHERIES)I have this day made a thorough examination of the water use system constructed by BUREAU OF SPORT
FISHERIES & WILDLIFE of DENVER, COLORADO holder.of Permit No. 52-1A, bearing date of priority of JUNE 13, 1910authorizing the diversion of 33 cu. ft. per second of the waters of SPRINGSfor FISH CULTURE purposes, in LAWRENCE County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

TWO SMALL RESERVOIRS TO CATCH
SPRING FLOW

B. Works used to transport water to place of use,

SERIES OF PIPELINES TO PONDS, GROUNDS
& SHOP AREA

C. Works used to apply water to beneficial use.

REARING PONDS & RACEWAYSThe system is in the following condition: FAIR (OPERATIONAL BUT SELDOM USED)The point of diversion is located AT POINTS IN THE NW¹ SE⁴
SECTION 16, T6N, R2EThe works are capable of diverting and conveying to the place of use 33cu. ft. per second of water which is to be used for FISH CULTURE

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

WHILE MAP NO 797-1 INDICATES THAT THIS SYSTEM HAS
BEEN ABANDONED, THE PIPELINES AND OTHER FACILITIES
ARE STILL OPERABLE, AND WATER IS USED PERIODICALLY
FOR FLUSHING OPERATIONS AND OCCASIONALLY IN HATCHERY
OPERATION. SOME USE OF THIS WATER IS ALSO MADE IN
LAWN SPRINKLING & SANITARY FACILITIES FOR THE
SHOP AREA.Date SEPTEMBER 25, 1971
[Signature]
(Signature)
WATER RIGHT SPECIALIST
WATER RIGHTS COMMISSION

Department of Commerce and Labor

BUREAU OF FISHERIES

Spearfish, South Dakota June 6th, 1910.

State Engineer,
Pierre, South Dakota.

Sir:

As Superintendent of the U.S. Bureau of Fisheries station located at Spearfish, South Dakota and for the use of the said Bureau of Fisheries, I hereby file upon all the water, estimated at fifteen (15) miner's inches per second entering near the south east corner of the said reservation owned by the said Bureau of Fisheries near a point designated by letter "B" between three hundred and twenty (320) feet and three hundred and forty (340) feet south of the center of Section Fifteen (15) designated by letter "A" of the accompanying blue print in Township No. Six (6) North Range No. Two (2) East Black Hills Meridian.

Respectfully,



Superintendent.

RECEIVED

JUN 9 1910

OFFICE OF STATE ENGINEER,
PIERRE, S. DAK.

C
O
P
Y

DEPARTMENT OF COMMERCE AND LABOR.

Bureau of Fisheries

Made in Office of)
State Engineer—)
1-21-1931—H. B.)

Spearfish, South Dakota,

June 9, 1910

Mr. Samuel H. Lea,
State Engineer,
Pierre, South Dakota,

Dear Sir:-

In accordance with the provisions of Section 37, of the State Water Code of South Dakota, you are hereby notified that the United States, acting by and through me, D. C. Booth, thereunto duly authorized by the Secretary of Commerce and Labor, intends to utilize for the water supply of the Fisheries Station at Spearfish certain specified waters, viz: All the water of Spring Branch on N.W. 1/4 of the S.E. quarter of section no. 15, Township 6 North, Range No. 2 East, B.H.M., entering the Government reservation about three hundred and thirty (330) feet southwesterly from the center of Section No. Fifteen (15), Township No. 6 North, Range No. 2 East, B.H.M.

and hereby requests that the waters hereinbefore described be withheld from entry and not be subject to further appropriation for the time specified in said section 37, except as stated herein and pursuant to said Water Code of South Dakota.

Respectfully,

(signed)

D. C. Booth
Superintendent Fisheries
Station, Spearfish, South Dakota.

POINT OF DIVERSION: Spring Branch NE 1/4 Sec. 15, T. 6 N. R. 2 E.

RECEIVED
JAN 20 1931

OFFICE OF STATE ENGINEER.
PIERCE, S. DAK.

RE WATER RIGHT NUMBER 52-1 A
UNITED STATES, THRU D.C. BOOTH, SUP'T. OF FISHERIES, SPEARFISH, S. D.

1. Do you now own the lands to be irrigated, or if for industrial purposes, the property, as listed in your original water right application?

YES

NO

Owned by the U.S. Government, Bureau of Fisheries, Department of Commerce

2. If you are not at present the owner of the land to be irrigated, or other property listed in the original application, please give name and address of the present owner.

3. How many acres did you irrigate during the

1930 crop season? _____ acres.

1929 crop season? _____ acres.

1928 crop season? _____ acres.

4. If your original application was for industrial or domestic purposes, was the water used in substantially the amount and for the purpose stated in the application during the years 1928, 1929, and 1930?

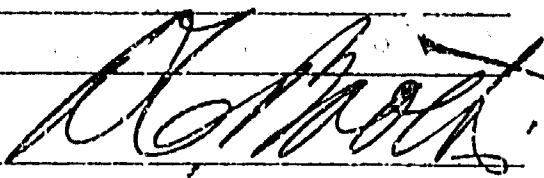
Yes

The water has been in use for fish cultural purposes

ever since this station was started in 1899.

5. If the distribution of water, or the use of water by others, has been unsatisfactory in any manner, please write your objection in full on back of this sheet, or use separate sheet if necessary.

SIGNED,



D.C. Booth

Superintendent.

(OVER)

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**

SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 52-1A

Date of Receipt of Claim June 3, 1910.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 52-1A for US Fish and Wildlife Service, PO Box 25486, Denver Federal Center, Denver CO 80225 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 52-1A appropriates 0.33 cubic feet of water per second from springs located in the NW 1/4 SE 1/4 Section 15-T6N-R2E.
2. The appropriated water is used for supplying water for the Spearfish Fish Hatchery and may not exceed the amount of water needed for beneficial use for fish culture purposes.

The water is to be used during the following annual period: January 1 - December 31.

3. The priority date of the Vested Water Right is June 3, 1910.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water Rights obtained in compliance with the laws of the State of South Dakota must not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: 
Chief Engineer

JUN 29 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



JUN 29 1992

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

US Fish and Wildlife Service
PO Box 25486
Denver Federal Center
Denver CO 80225

Dear Sir:

The Water Management Board has validated the enclosed Vested Water Right Nos. 52-1A and 1041-1. These validations give legal status to the claims and are the final document for your vested rights.

As long as you use the water beneficially, as stated in the validation, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosure