

No.

48381-1

Office of State Engineer
DOCUMENT FILE

Dept. Agri. Forest Service
Lawrence Co.

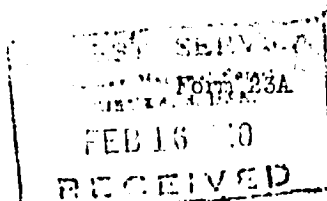
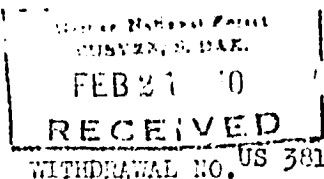
Priority: Aug 25, 1939

Sec. 11, T 3 N, R 5 E

18 ac ft.

Little Elk Cr.

Form 23A

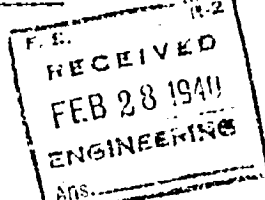


Water Division No. 1

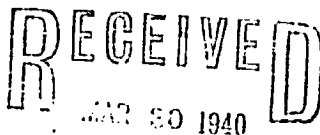
Elk Creek Water District

CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer



Date Feb. 19, 1940
By Geo. A. Davidson



Dalton Reservoir
Project Name and Number

Little Elk Creek
Source of Appropriation
(Stream)

OFFICE OF STATE ENGINEER

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated December 16, 1939 I have made a thorough examination of Dalton reservoir, ditch, or pipe line constructed by the United States of America, Department of Agriculture, Forest Service, Region 2, Denver, Colorado, holder of withdrawal No. US 381 issued upon Notice of Intention bearing date August 22, 1939, authorizing the withdrawal from further appropriation of 18 acre feet, or second feet of the waters of Little Elk Creek, tributary of Elk Creek for livestock, fish culture, domestic, fire protection, irrigation, recreation purposes. I have to report on the condition of the same as follows:

The impounded and diversion works comprise:

Dam: Type Earth fill Foundation earth
Size: Max. Length 300 ft. Maximum height to spillway flow line 13 ft. Freeboard 4 ft.
Section: Upstream slope 3:1
Downstream slope 2:1
Top width 10 ft.
Yardage (Approx.) 6,250 cu. yds.
Reservoir: Area Normal Pool Level 2.7 acres
Capacity 9.95 acre feet
Nature of Shore line Grassy
Spillway: Type Channel Location North end
Width 21 ft. Depth 4 ft.
Capacity 440 cubic feet per sec.
Cutlet: Size 18 inches Control Flash boards
Location upper end
Ditches: Open Earth Open rock
Pipe Length
Section Capacity
Location or as shown on plans

The system is in the following condition: Good

The outlet of the reservoir or the point of diversion of the ditch, canal or pipe line is located S. 12° 10' W. 1,385
feet distant from the E₂ Corner of Section 11 Township 3 N.
Range. 5E

The works are capable of utilizing 18 acre-feet of water
annually or second-foot of water.

The legal subdivisions to be irrigated are

comprising a total of acres of land.

The domestic and stockwater uses comprise household purposes and
water for livestock

The utilization for Public recreational, game and fish propagation and
fire protection comprises bathing, rearing fish and water supply for
fire-fighting equipment

The project was completed 1935

Witness my hand, this 19 day of February A.D. 19 40.

George A. Davidson
Examining Engineer

LETTER OF AUTHORIZATION
for
Inspection

December 18 1909

George A. DavidsonCuster, South DakotaDalton Reservoir
Name of Project
Water Division No. 1
Elk Creek Water District
Elk Creek
Source of Appropriation
(Stream)

Dear Sir:

The United States of America, Department of Agriculture, Forest Service, Denver, Colorado, having filed "Notice of Intention" to utilize certain specified waters of the State, and there having been issued a withdrawal from further appropriation as provided in Section 61.0137, 1939 Revised Code of South Dakota and identified as Withdrawal No. U.S. 381, on Elk Creek (stream) County of Lawrence on the Black Hills National Forest, has informed this office that the construction for the diversion, storage, appropriation and application of water to beneficial use has been fully completed and is ready for examination.

You are, therefore, hereby authorized to arrange with the holder of said withdrawal for an examination of the Dalton reservoir, ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service, on the Black Hills National Forest and also an inspection to determine the amount of water stored and applied to beneficial use.

In this examination you will ascertain whether or not the constructed works comply fully with the plans submitted and are capable of using quantities of water as set forth in the "Notice of Intention", and give in complete form all the information which is suggested by the statements in the Certificate of Inspection which is herewith enclosed, in the attached instructions, and such other information as will enable the State Engineer to act intelligently and judicially in the matter of determining the status of completion of the projects.

You should also arrange with the holder of the withdrawal for the payment of your fee for this service and such proper expenses as you incur in making this examination and report and taking the testimony.

Very truly yours,

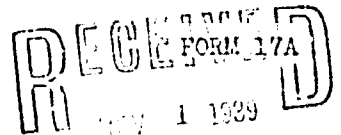
W. H. H. H. H.
State Engineer.

FORM 17A

WITHDRAWALS No. W 381

Dalton Reservoir

Name of Project



OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Water Division No. 1

Elk Creek Water District

NOTICE OF COMPLETION OF WORKS

P.O. Denver, Colorado,

Date October 28, 1939.

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of completion of the construction of Dalton reservoir, ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service on the Black Hills National Forest. The project provides for the diversion and storage or direct diversion of quantities of water as shown on the plans and reports submitted and the project has been completed in accordance with the said plans and reports, terms and conditions of withdrawals heretofore issued by the State Engineer of the State of South Dakota or as shall be hereafter reported by the Examining Engineer.

1. The proper name of the Federal Agency holding said withdrawal is United States of America, Department of Agriculture, Forest Service.
2. The name and postoffice address of the proper corresponding official for said Federal Agency is Regional Forester, Denver, Colorado.
3. The project is located in SE 1 of Section, 11, Township 3N, Range 5E.
4. Said water to be used for livestock, fish culture, domestic, fire protection, irrigation, recreation purposes.
5. The amount of water which said completed works are capable of impounding or conducting to the place of intended use is as shown by information previously submitted or as shall be hereafter reported by the Examining Engineer Kenneth Luther.
6. The amount of land for which said water is available is _____ acres. particularly described as follows: _____

I hereby certify that the facts set forth in the above notice are true.

JAMES L. BROWNLEE
Assistant Regional Forester
Division of Engineering

FORM A

CERTIFICATE OF WITHDRAWAL
of
WATER FOR APPROPRIATION
to the
UNITED STATES OF AMERICA
DEPARTMENT OF AGRICULTURE
FOREST SERVICE.

U. S. No. 381

Dutton Reservoir
Name of Project
Lawrence
County

Water Division No. 1
Elk Creek Water District
Little Elk Creek
Source of Appropriation - Stream

The United States of America, Department of Agriculture, Forest Service, having filed "Notice of Intention" to utilize certain heretofore unappropriated public waters of the State of South Dakota, in accordance with the requirements of the statutes of the State of South Dakota, such statutes and authority being contained in Section 61.0137 1939 Revised Code of South Dakota, now therefore:

This is to certify that there is hereby reserved, of the heretofore unappropriated waters of Little Elk Creek, the annual amount of 18 acre-feet of water to maintain storage in Dutton reservoir created by damming said stream at a point 1.12° 10' N., 1305 feet distant from the SE Corner of Section 11, Township 34, Range 5E. The purpose of such storage is Livestock, fish culture, domestic, fire protection, irrigation, recreation

This is to certify that there is hereby reserved, of the heretofore unappropriated waters of _____ a maximum of _____ cubic feet per second to be diverted through the _____ ditch, canal or pipe line at a point located on the _____ bank _____ foot distant from the _____ Corner of Section _____, Township _____, Range _____ For the purpose of _____ during the months of _____

This certificate and withdrawal shall in no manner prejudice, alter, amend or affect the rights of any prior appropriator or prior appropriation of water, nor of any application for appropriation pending on the date of this certificate, but the rights and privileges of any and all such prior appropriators or applicants for appropriation of water shall remain inviolate and intact, the same as if the within withdrawal had not been made.

This certificate shall be and is subject to cancellation in accordance with the provisions of the statutes hereinbefore referred to and under the authority of which this certificate is issued.

In accordance with the provisions of the statutes hereinbefore referred to, this certificate is executed at the State Capitol at Pierre, South Dakota, this 25th day of August 1935.

Robert L. Lusk
State Engineer

E
WATER RESOURCES
Water Rights

NOTICE OF INTENTION
to the
STATE ENGINEER
of the
STATE OF SOUTH DAKOTA

RECEIVED

AUG 25 1939

OFFICE OF STATE ENGINEER
DIERRE, S. DAK.

Dalton Reservoir Project

Denver, Colorado.

Black Hills Forest
South Dakota

August 22, 1939
Date

Notice of Intention to divert, store and appropriate water for beneficial uses from certain streams in South Dakota by the United States of America, Department of Agriculture, Forest Service.

The United States of America, Department of Agriculture, Forest Service, through its officers duly appointed to administer the National Forests in South Dakota, hereby notifies the State Engineer of South Dakota of its intentions to appropriate, by construction, diversion, storage and beneficial use, the unappropriated public waters of South Dakota, under Section 61.0137 of the 1939 Revised Code of South Dakota. Application is hereby made for the withdrawal of certain unappropriated public waters of the State of South Dakota in an amount sufficient to maintain storage in Dalton

Reservoir, or to satisfy the requirements of the ditch, canal or pipe line, and the following information is furnished:

1. Representative of the United States of America authorized to act in procurement of water rights.

Ans. Regional Forester, United States Department of Agriculture,
Forest Service, Region 2, Denver, Colorado.

2. Name of intending appropriator.

Ans. United States of America, Department of Agriculture, Forest
Service.

3. Name and address of agency representing intending appropriator.

Ans. United States Department of Agriculture, Forest Service, Region
2, Denver, Colorado.

4. Name of reservoir, ditch, canal or pipe line.

Ans. Dalton Reservoir

5. County in which water is to be diverted, stored and appropriated.

Ans. Lawrence County

6. Name of stream from which water is to be diverted, stored and appropriated.

Ans. Little Elk Creek

7. The outlet of the reservoir or the point of diversion of ditch,

canal or pipe line is located S. 12°, 10' W., 1385 feet

distant from the E $\frac{1}{4}$ Corner of Section 11 Township 3 N.,
Range. 5 E.

8. Uses to which water directly diverted or diverted and stored, is to be put.

Ans. Livestock, fish culture, domestic, fire protection, irrigation, recreation

9. The available capacity of reservoir in acre feet.

Ans. 9.25 acre feet

10. The carrying capacity of ditch, canal or pipe line in cubic feet per second.

Ans.

11. Acre feet of water to be appropriated annually for diversion and storage in reservoir.

Ans. 18. acre feet

12. Cubic feet of water per second to be appropriated for direct diversion by ditch, canal, or pipeline.

Ans.

13. Location of lands to be irrigated.

Ans.

14. Class of plans accompanying "Notice of Intention".

Ans. Special Plan

A handwritten signature in cursive script, appearing to read "W. W. Sharp".

Acting Regional Forester

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

Dalton Reservoir

U. S. Water Right No. 381-1Name of Project
Elk Creek Water District

TO ALL WHOM IT MAY CONCERN:

This is to Certify, that the United States of America, Department of Agriculture, Forest Service

US 381, has complied with the State Laws and has been issued a withdrawal No. US 381 bearing date of August 25, 1939 withdrawing from further appropriation 18 acre-feet per annum of water for storage; of the waters of Little Elk Creek County of Lawrence, State of South Dakota, at a point 12 10' W., 1385 feet distant from the 1/4 Cor. Sec. 11, T.3N., R.5E.

for domestic, livestock, fish culture, fire protection, recreational purposes;

has fully complied with the provisions of the laws of the State of South Dakota relating to completion of the works set out and described in Section 61.0137, that said works are completed in accordance with information filed in the office of the State Engineer, and 18 acre-feet per year is thereby appropriated for the above purposes bearing date of priority of August 25, 1939.

Witness my hand this 13th day of April 1940.

Donald D. Rogers
State Engineer.