

No. *U. S. 595-1*

**Office of State Engineer
DOCUMENT FILE**

*U. S. Department of Interior
Fish & Wild Life Service*

*Artesian Well
Lawrence County*

US Withdrawal
595-1

J. W. GANLEY
Chief Engineer
and
Executive Officer

SOUTH DAKOTA

Water Resources Commission

STATE OFFICE BUILDING
PIERRE SOUTH DAKOTA
57501

February 15, 1965

Ref: EH-FH-MC Nenny

Mr. W.P. Schaefer
Acting Regional Director
U.S. Dept. of the Interior
Fish and Wildlife Service
1006 West Lake Street
Minneapolis, Minnesota 55408

Dear Mr. Schaefer:

We have checked the records pertaining to water rights at Mirror Lake and McNenny Hatchery. Two water right filings were found. One was U.S. Withdrawal No. 595-1, pertaining to the artesian well at McNenny Hatchery as mentioned in your letter of February 5, 1965 and the other was a "Vested Right" filing of the South Dakota Department of Game, Fish and Parks for Mirror Lake. A copy of the application and water license No. 614-1 for this Mirror Lake filing is enclosed for your information.

Three possible defects or omissions in these water rights records are discussed:

1. The Certificate of Withdrawal No. 595-1 specifies a maximum withdrawal rate from the artesian well of 1.34 cfs. There is evidence that diversions from the well, have at times, been greater than this rate;
2. The "Vested Right" filing of the South Dakota Dept. of Game, Fish and Parks covers only the spring feeding Mirror Lake and only to the extent of up to 24 acre-feet, as needed to keep Mirror Lake at spillway level. This "Vested Right" filing makes no claim for use of water downstream from Mirror Lake for hatchery or rearing pond purposes; we are not sure if the water is now being so used downstream;
3. No filing, claim, or application has been made to use the water originating in the upstream portion of the existing pond area (a different source from that feeding Mirror Lake) for hatchery or rearing pond purposes.

Mr. W.P. Schaefer
Ref: EM-FH-McNenny

Page 2

February 15, 1965

to the degree that the defects, as discussed, do exist, it is advisable to modernize the water rights where initiating of such diversion started before July 1, 1955, this can be done by a "Vested Right" filing. If the initiating was after this date, it is necessary to make a new water right application.

From a practical standpoint, it can be considered that all existing water flows originating in the area are now appropriated downstream for consumptive use. We can not foresee any restriction that would be imposed on the existing water use from the springs or a proposed use from Mirror Lake for non-consumptive uses of water.

The priority date of the existing artesian well is relatively early and no restrictions are contemplated on water from this well being put to beneficial use. It should be remembered however that under the water laws of South Dakota withdrawals of water from any well is subject to regulation as is needed for domestic and prior water right use.

Also enclosed for your information is a copy of the water laws of South Dakota.

If we can furnish you with additional information, as you proceed with your plan, please let me know.

Sincerely,

J.W. GRIMES,
Executive Officer and
Chief Engineer

J.WG/hw
Encl: As stated

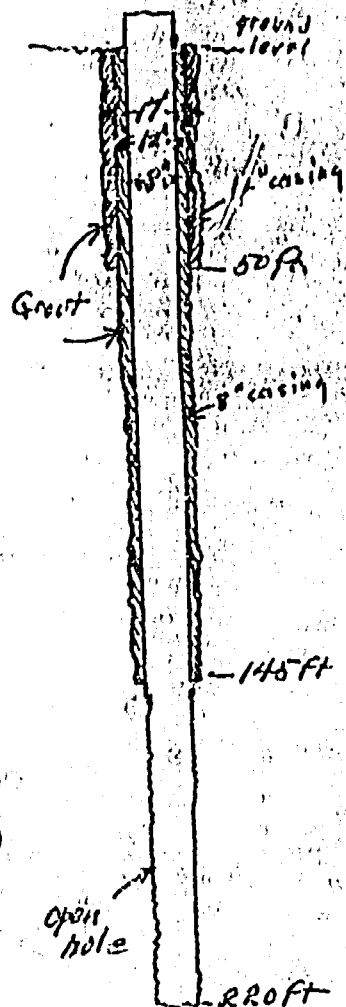
U. S. Fish and Wildlife,
Mollanny Unit,
Spearfish, South Dakota

Driller's Log:

0	- 4 ft.	- Red clay and gravel
4	- 7 ft.	- Blue clay and sand
7	- 16 ft.	- Red and white sandstone
16	- 30 ft.	- Red clay and rock
30	- 40 ft.	- Red clay and stone
40	- 50 ft.	- Hard grey and red stone
50	- 55 ft.	- grey and red stone
55	- 63 ft.	- Red clay and stone
63	- 73 ft.	- Red clay, red and white stone
73	- 86 ft.	- Hard red clay and stone
86	- 91 ft.	- Hard rock
91	- 107 ft.	- Red clay and rock
107	- 120 ft.	- Red clay
120	- 126 ft.	- Hard sandstone
126	- 139 ft.	- Red clay
139	- 145 ft.	- Clay and rock
145	- 149 ft.	- Sandstone (25 G.P.M.)
149	- 158 ft.	- Sandstone and hard rock
158	- 167 ft.	- Sandstone (100 G.P.M.)
167	- 171 ft.	- Hard red shale
171	- 183 ft.	- Sandstone and red shale (300 G.P.M.)
183	- 190 ft.	- Sandstone (800 G.P.M.)
190	- 220 ft.	- Red sandstone (softer) (1600 G.P.M.)

All yields are cumulative to depths given.

Layne-Minnesota Co.
October 31, 1949.



RECEIVED
MAY 16 1950
U. S. FISH AND WILDLIFE
SPEARFISH, S. DAK.

April 21, 1949

Federal Bureau of Fish and
Wild Life Service
Mojave Fish Hatchery
Spearfish, South Dakota

Gentlemen,

In reply to your telephone call of yesterday, we have checked our files and find an oil test well located in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Sec. 22, T 6N, R 4E in Lawrence County owned by Durst and Smith of Belle Fourche. In this well water was located in the Minnelusa sandstone at a depth of 531 to 555 feet. The record comments as follows;

"531 - 555 Minnelusa sandstone, 25' of calcareous brought first water in quantity of about 2000 bbls. per day; sweet soft water;"

"555 - 560 Second flow nearly doubling the first, broken into when they reached the porous section of the Ten Sleep member."

Also we have an old record of a well in the NW $\frac{1}{4}$ Sec. 21, T 7N, R 1E listed as owned by John Maunie. This is a 6" well having a depth of 400' and reported in 1939 as producing 700 gallon per minute. This well was 17 years old in 1939 and reported as in fair condition.

In the NE $\frac{1}{4}$ of Sec. 21, T 7N, R 1E we have a report of the James McNenny as being 6" in size, 350' in depth and yielding in 1939 200 gallon per minute. It was reported as being three years old in 1939 and in good condition.

Yours very truly,

DNL:RW

DEAN W. LOUCKS
State Engineer

April 21, 1949

Arthur G. Huay
Regional Engineer
Office of Regional Director
Fish and Wild Life Service
501 Metropolitan Building
Minneapolis, Minnesota

Re: Water Right Application
U.S. No. 595-1
Artesian Well
Lawrence County

Dear Mr. Huay:

This will acknowledge receipt of your letter of April 12, 1949 enclosing "Notice of Intention" to the State Engineer for the application of water for the proposed Spearfish Fish Cultural Station (Mollery Substation) together with layout map of the area dated March 4, 1949 and designated G.L.D. 490304.

We are enclosing herewith United States Withdrawal No. US 595-1 covering the application.

Yours very truly,

DWL:RW
Enc.

DEAN W. LOUCKS
State Engineer

CERTIFICATE OF WITHDRAWAL OF

WATER FOR APPROPRIATION

TO

UNITED STATES DEPARTMENT OF INTERIOR
FISH AND WILD LIFE SERVICE

Withdrawal No. 395-1

Artesian Well
Lawrence County
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, T 7N, R 1E

The United States of America acting through Arthur G. Huey, Regional Engineer, Region 3, Fish and Wild Life Service, United States Department of Interior, having made application for the withdrawal of certain heretofore unappropriated public waters of the State of South Dakota and having complied with the requirements of the statute of the State of South Dakota providing for such withdrawal, such statute and authority being contained in and described as Section 61.0137 of the South Dakota Code of 1939, now therefore:

Unappropriated water of the Artesian Basin in an amount sufficient to maintain storage in a 10.6 surface acre reservoir, as well as to satisfy the requirements of approximately 96 fish hatchery troughs and 20 fish rearing ponds and 10 one acre propagation ponds and in the total amount of 1.34 cubic feet per second are hereby withdrawn from future appropriation during the continuance of the right herein granted and contained.

The water being diverted by way of pipe line and reservoir is to be used in the operation of a Federal Fish Hatchery, consisting of approximately 96 fish troughs, 20 - 8' x 60' rearing ponds, approximately 2' deep, and 10 one acre propagation ponds, approximately 4' deep. The available capacity of the reservoir is approximately 41.2 acre feet and the carrying capacity of the pipe line will be adequate to take the flow of the Artesian Well which is estimated at approximately 600 gallons per minute from a depth of 400' to 500'.

The fish hatchery troughs, rearing ponds and propagation ponds and fish hatchery law, 11 is located as follows: In section sixteen (16), all of the southwest quarter southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$); in section seventeen (17), all of the east half southeast quarter southeast quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$); in section twenty (20), all of the east half northeast quarter northeast quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$); and in section twenty-one (21), all of the northwest quarter northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) and the north half north half southwest quarter northwest quarter (N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$); all of which are in Township Seven (7) north, Range One (1) East, Black Hills Meridian.

Attached to the "Notice of Intention" is a location map of Spearfish Fish-Cultural Station, McHenry Substation, title State of South Dakota, Tract No. 2, Lawrence County, South Dakota.

Detailed plans for the construction of the well, pipe line system, fish hatchery location, and the location of the reservoir are to be provided to the Office of State Engineer prior to actual construction. Also the State Engineer's Office shall be provided with a log of the well showing different formations encountered, including water sands, sample of water and amount of flow from such water bearing sand.

Page 2

Withdrawal No. 595-1
Department of Interior
Fish and Wild Life Service
Artesian Well
Lawrence County

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 for 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 14th day of April 1949.

LEAH W. LOUCKS
State Engineer

BA
WATER RESOURCES
Water Rights

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

RECEIVED
4:20 P.M.
APR 13 1949

Spearfish Fish-Cultural Station (McNerny Substation) Project

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Lawrence County, South Dakota

County

Date April 12, 1949

Notice of Intention to divert, store and appropriate water for beneficial uses from an artesian well in South Dakota by the United States of America, Department of the Interior.

The United States of America, Department of Interior, Fish and Wildlife Service, 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 withdrawal of certain unappropriated public waters of the State of South Dakota in an amount sufficient to maintain storage in a 10.6 surface acre Reservoir, as well as to satisfy the requirements of approximately 96 fish hatchery troughs and 20 fish rearing ponds and 10 one acre propagation ponds, which are to be fed by a series of pipe lines from the artesian well.

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

Arthur G. Huey, Regional Engineer, Fish and Wildlife Service, Minneapolis, Minnesota, being duly authorized by Secretary of the Department of Interior, Julian A. Krug.

2. Name of intending appropriator.

United States Department of the Interior, United States of America.

3. Name and address of agency representing intending appropriator.

United States Department of Interior, Fish and Wildlife Service, Region 3, Minneapolis, Minnesota.

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

Spearfish Fish-Cultural Station, McNerny Substation.

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

Lawrence County, South Dakota.

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

Artesian well waste drainage via Crow Creek.

7. The pipe line location is to be in Lawrence County, approximately three hundred feet east, thence approximately 1640 feet south of the land corner common to Sections 16, 17, 20 and 21, Township Seven (7) North, Range, One (1) East, Black Hills Meridian.

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

The water being diverted via pipe line and reservoir is to be used in the operation of a federal fish hatchery, consisting of approximately 96 fish troughs, 20 - 8' x 60' rearing ponds, approximately 2' deep, and 10 one acre propagation ponds, approximately 4' deep, it being necessary for fish propagation of this nature to maintain flowing water in the fish troughs and rearing ponds; waste water will be emptied into the Crow Creek.

9. The available capacity of reservoir in acre feet.

Approximately 41.2 acre foot capacity.

10. The carrying capacity of the pipe line in cubic feet per second.

The carrying capacity of the pipe line will be that of the artesian well, which is estimated at approximately 600 gallons per minute or 1.34 cubic feet per second.

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

978 acre feet.

12. Cubic feet of water per second to be appropriated for direct diversion by pipe line.

1.34 cubic feet per second.

13. Location of lands to be irrigated.

Certain fish hatchery troughs, rearing ponds and propagation ponds and fish hatchery lawn site located as follows;

In section sixteen (16), all of the Southwest quarter Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$); in section seventeen (17), all of the East half Southeast quarter Southeast quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$); in section twenty (20), all of the East half Northeast quarter Northeast quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$); and in section twenty-one (21), all of the Northwest quarter Northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) and the North half North half Southwest quarter Northwest quarter (N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$); all of which are in Township Seven (7) North, Range One (1) East, Black Hills Meridian.

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

Attached hereto find location map of Spearfish Fish-Cultural Station, McHenry Substation; Title, State of South Dakota, Tract No. 2, Lawrence County, South Dakota, being a land survey of parcels of land granted to the United States Department of Interior, Fish and Wildlife Service by the State of South Dakota, for the purpose of constructing and maintaining a federal fish hatchery station. Detailed plans for the construction of the well, pipe line system, fish hatchery location, as well as the location of the reservoirs, will be provided you at an early date prior to actual construction.



Arthur G. Huey
Regional Engineer

Duly authorized agent for Secretary
of the Department of Interior,
Julian A. Krug.

(2)

130.00 ACRES

LAWRENCE, JUNTY, SOUTH DAKOTA

BLACK HILLS MERIDIAN



March 4, 1949

George L. Luett
Cadastral Engineer
Surveys & Maps Branch of Lands

G. L. D. 490304

3
WATER RESOURCES
Water Rights

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

RECEIVED
4:00 P.M.
APR 13 1949

Spearfish Fish-Cultural Station (McKenny Substation) Project OFFICE OF STATE ENGINEER
Lawrence County, South Dakota County PIERRE, S. DAK. Date April 12, 1949

Notice of Intention to divert, store and appropriate water for beneficial uses from an artesian well in South Dakota by the United States of America, Department of the Interior.

The United States of America, Department of Interior, Fish and Wildlife Service, 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 61,0187 of the 1939 Revised Code of South Dakota. Application is hereby made for withdrawal of certain unappropriated public waters of the State of South Dakota in an amount sufficient to maintain storage in a 10.6 surface acre Reservoir, as well as to satisfy the requirements of approximately 96 fish hatchery troughs and 20 fish rearing ponds and 10 one acre propagation ponds, which are to be fed by a series of pipe lines from the artesian well.

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

Arthur G. Huey, Regional Engineer, Fish and Wildlife Service, Minneapolis, Minnesota, being duly authorized by Secretary of the Department of Interior, Julian A. Krug.

2. Name of intending appropriator.

United States Department of the Interior, United States of America.

3. Name and address of agency representing intending appropriator.

United States Department of the Interior, Fish and Wildlife Service, Region 3, Minneapolis, Minnesota.
RECEIVED APR 13 1949
MAIL ROOM

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

Spearfish Fish-Cultural Station, McKenny Substation.

5. County in which water is to be diverted, stored and appropriated.
Lawrence County, South Dakota.
6. Name of stream from which water is to be diverted, stored and appropriated.
Artesian well waste drainage via Crow Creek.
7. The pipe line location is to be in Lawrence County, approximately three hundred feet east, thence approximately 1040 feet south of the land corner common to Sections 16, 17, 20 and 21, Township Seven (7) North, Range, One (1) East, Black Hills Meridian.
8. Uses to which water directly diverted or diverted and stored is to be put.
The water being diverted via pipe line and reservoir is to be used in the operation of a federal fish hatchery, consisting of approximately 90 fish troughs, 20 - 8' x 60' rearing ponds, approximately 2' deep, and 10 acre propagation ponds, approximately 4' deep, it being necessary for fish propagation of this nature to maintain flowing water in the fish troughs and rearing ponds; waste water will be emptied into the Crow Creek.
9. The available capacity of reservoir in acre feet.
Approximately 41.2 acre foot capacity.
10. The carrying capacity of the pipe line in cubic feet per second.
The carrying capacity of the pipe line will be that of the artesian well, which is estimated at approximately 600 gallons per minute or 1.34 cubic feet per second.
11. Acre feet of water to be appropriated annually for diversion and storage in reservoir.
878 acre feet.
12. Cubic feet of water per second to be appropriated for direct diversion by pipe line.
1.34 cubic feet per second.

13. Location of lands to be irrigated.

Certain fish hatchery troughs, rearing ponds and propagation ponds and fish hatchery lawn site located as follows:

In section sixteen (16), all of the Southwest quarter Southwest quarter ($SW\frac{1}{4}SW\frac{1}{4}$); in section seventeen (17), all of the East half Southeast quarter Southeast quarter ($E\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$); in section twenty (20), all of the East half Northeast quarter Northeast quarter ($E\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$); and in section twenty-one (21), all of the Northwest quarter Northwest quarter ($NE\frac{1}{4}NW\frac{1}{4}$) and the North half North half Southwest quarter Northwest quarter ($N\frac{1}{2}N\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$); all of which are in Township Seven (7) North, Range One (1) East, Black Hills Meridian.

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

Attached hereto find location map of Spearfish Fish-Cultural Station, McKenny Substation; Title, State of South Dakota, Tract No. 2, Lawrence County, South Dakota, being a land survey of parcels of land granted to the United States Department of Interior, Fish and Wildlife Service by the State of South Dakota, for the purpose of constructing and maintaining a federal fish hatchery station. Detailed plans for the construction of the well, pipe line system, fish hatchery location, as well as the location of the reservoirs, will be provided you at an early date prior to actual construction.

Arthur G. Huey
Regional Engineer
Duly authorized agent for Secretary
of the Department of Interior,
Julian A. Krug.

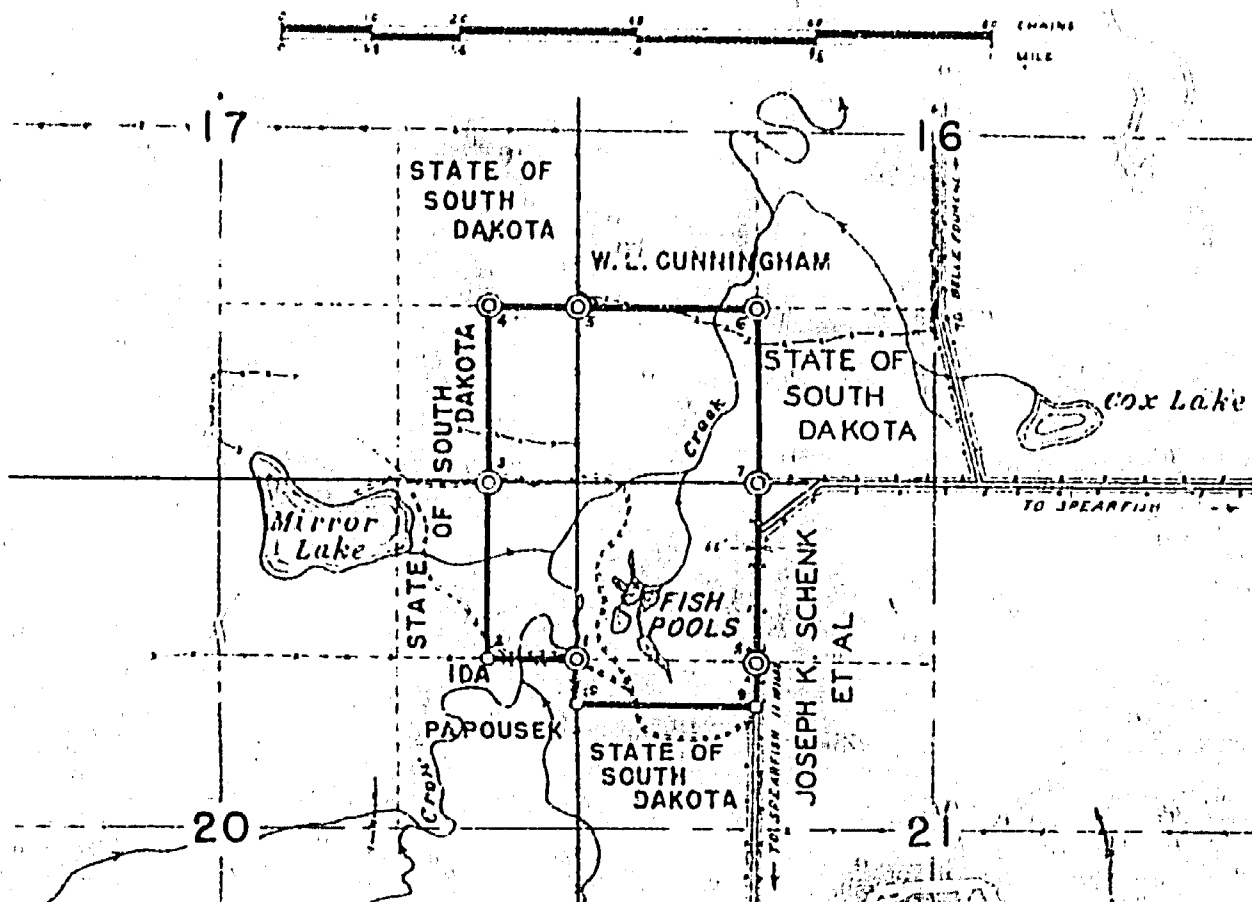
UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
SPEARFISH FISH CULTURAL STATION (MCNENNY SUBSTATION)
STATE OF SOUTH DAKOTA TRACT

(2)

130.00 ACRES

LAWRENCE COUNTY, SOUTH DAKOTA

BLACK HILLS MERIDIAN



T. 7 N., R. 1 E.

THIS MAP was compiled from official plats of the Bureau of Land Management; and from surveys of the Fish and Wildlife Service made in June, 1948, and official records in the files thereof.

March 4, 1949

George L. Quereau
Cadastral Engineer

Survey & Maps Branch of Lands

G. L. D. 490304

ADDRESS ONLY THE REGIONAL DIRECTOR
FISH AND WILDLIFE SERVICE
AND REFER TO

UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

OFFICE OF REGIONAL DIRECTOR
501 E. CROOK STREET
MINNEAPOLIS, MINNESOTA

April 12, 1949

REGION 1

NORTH DAKOTA
SOUTH DAKOTA
NEBRASKA
MINNESOTA
IOWA
MISSOURI
WISCONSIN
MICHIGAN
ILLINOIS
INDIANA

RECEIVED
APR 13 1949

Mr. Dean W. Loucks, State Engineer
State Capitol Building
Pierre, South Dakota

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Dear Mr. Loucks:

Attached hereto in duplicate are copies of Notice of Intention for the application of a Certificate of Withdrawal on certain waters in Lawrence County, State of South Dakota.

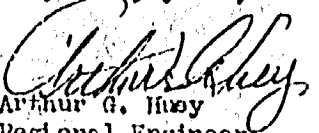
The State of South Dakota has granted certain lands, as described in the Notice of Intention, to the United States Department of Interior, Fish and Wildlife Service, for the purpose of constructing and maintaining a federally-owned fish hatchery in Lawrence County, South Dakota, known as the McKenny Fish Hatchery Substation, containing approximately 130 acres. It is proposed by this Service to construct an eight-inch artesian well, located approximately 300' east and 640' south of the section corner common to Sections 16, 17, 20 and 21, Township Seven (7) North, Range One (1) East, Black Hills Meridian, to provide the necessary water for the maintenance and operation of said fish hatchery. It is estimated that the artesian well will be dug to a depth of 400' to 500' where an estimated flow of 600 gallons per minute will be received. This artesian well is to be equipped with sufficient well casing, necessary valves, reducers and other appliances to control the flow of the well in accordance with the needs of the fish hatchery, thereby reducing waste water to a minimum.

Appropriations have been provided this Service for the initiation of the project, and it is desired to place the project in operation at the earliest possible time in order to utilize the appropriated funds prior to the expiration date of June 30, 1949. Since it is proposed to construct the well as the initial phase of this project, it is requested that you consider granting a Certificate of Withdrawal, as requested in the Notice of Intention, at your earliest convenience in order that construction operations may get under way in the near future. The detailed plans of the fish hatchery station and reservoirs have not been completed as of this date; however, they will conform to all the better practices used in the construction of fish hatchery stations, and copies of the

- 2 -

detailed plans will be provided you upon completion by this office. The South Dakota State Game and Fish Commissioner, Mr. Elmer Peterson, is thoroughly familiar with this proposed project and may be a source of information for you regarding state grants and the over-all picture of the proposed project. Your expediting of the Certificate of Withdrawal will be greatly appreciated by this Service.

Very truly yours,


Arthur G. Huey
Regional Engineer

Enclosure.

601 Metropolitan Building
XXXXXXXXXXXXXXXXXXXX

April 12, 1949

Mr. Dean W. Loucks, State Engineer
State Capitol Building
Pierre, South Dakota

Dear Mr. Loucks:

Attached hereto in duplicate are copies of Notice of Intention for the application of a Certificate of Withdrawal on certain waters in Lawrence County, State of South Dakota.

The State of South Dakota has granted certain lands, as described in the Notice of Intention, to the United States Department of Interior, Fish and Wildlife Service, for the purpose of constructing and maintaining a federally-owned fish hatchery in Lawrence County, South Dakota, known as the Holman Fish Hatchery Substation, containing approximately 180 acres. It is proposed by this Service to construct an eight inch artesian well, located approximately 800' east and 240' south of the section corner common to Sections 16, 17, 20 and 21, Township Seven (7) North, Range One (1) East, Black Hills Meridian, to provide the necessary water for the maintenance and operation of said fish hatchery. It is estimated that the artesian well will be dug to a depth of 400' to 600' where an estimated flow of 600 gallons per minute will be received. This artesian well is to be equipped with sufficient well casing, necessary valves, reducers and other appliances to control the flow of the well in accordance with the needs of the fish hatchery, thereby reducing waste water to a minimum.

Appropriations have been provided this Service for the initiation of the project, and it is desired to place the project in operation at the earliest possible time in order to utilize the appropriated funds prior to the expiration date of June 30, 1949. Since it is proposed to construct the well as the initial phase of this project, it is requested that you consider granting a Certificate of Withdrawal, as requested in the Notice of Intention, at your earliest convenience in order that construction operations may get under way in the near future. The detailed plans of the fish hatchery station and reservoirs have not been completed as of this date; however, they will conform to all the better practices used in the construction of fish hatchery stations, and copies of the

OF BUREAU OF LAND MANAGEMENT

UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

detailed plans will be provided you upon completion by this office.
The South Dakota State Game and Fish Commissioner, Mr. Elmer Peterson,
is thoroughly familiar with this proposed project and may be a source
of information for you regarding state grants and the over-all picture
of the proposed project. Your expediting of the Certificate of With-
drawal will be greatly appreciated by this Service.

Very truly yours,

Arthur G. May
Regional Engineer

Enclosure.
AGH:mc

DATE MICROFILMED
CAMERA OPERATOR

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: January 2, 1985

This is to notify you that the title to the lands described as follows:

Ownership and operation of McNenny National Fish Hatchery, Lawrence County, S.D., has been transferred to the State of South Dakota, Department of Game, Fish and Parks.

formerly owned by U.S. Fish and Wildlife Service

has been transferred to South Dakota Dept. of Game, Fish & Parks, Anderson Bldg. 443 E,
(please include complete mailing address) Capitol, Pierre,
together with any rights to the beneficial use of water thereon as evidenced by S.D. 57501

Water Right Permit No. 752-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Hughes) ss.

I, S.D. Dept. Game, Fish & Parks being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

RONALD M. LETH Procur. Off. S.D.
(Signed)

Subscribed and sworn to before me this 2nd Day of January, 1985.

Charles E. Kuehn
(Notary Public)

WNR-820-9/83

Notice of Transfer of Water Permit

