

No. *6112-2*

Office of State Engineer
DOCUMENT FILE

Dept. of Public Works

Birmingham Co.

S.W. Lee vs T & L R. & E

Date of hearing July 7, 1937

67.69 and 1/2

Wm. A. Shaw

Form A

CERTIFICATE OF WITHDRAWAL
of
WATER FOR APPROPRIATION
to the
UNITED STATES OF AMERICA
DEPARTMENT OF AGRICULTURE
RESETTLEMENT ADMINISTRATION

Withdrawal No. US110

LD-SD-1 Job No. 226-02 a
Name of Project

Pomnington
County

Dry Draw
Water Division No. 2
White River Water District
Source of Appropriation-Stream

The United States of America, Department of Agriculture, Resettlement Administration, 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 the White River Water District the annual amount of 67.09 acre-feet of water to maintain storage in No. 42 reservoir created by damming said stream at a point in the SW 1/4 Sec. 22, T. 33, R. 16 E. RM feet distant from the Corner of Section, Township , Range . The purpose of such storage is for Stock water

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 feet 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 heretofore referred to and under the authority of which this certificate is issued.

In accordance with the provisions of the statutes heretofore referred to, this certificate is executed at the State Capitol at Pierre, South Dakota, this 7th day of July 1939.

State Engineer

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JUL 7 1939
OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

PETITION

TO

STATE ENGINEER
STATE OF SOUTH DAKOTA
PIERRE, SOUTH DAKOTA

Comes now Osoar Hermstad, Project Manager, Bad Lands - Fall River Land Adjustment Project, Resettlement Administration, U. S. Department of Agriculture, whose post office is Rapid City, South Dakota, a citizen of the United States, above the age of 21 years, being in possession of the following described land in the name of the United States, being desirous of obtaining a certificate from the State Engineer in accordance with Sec. 8239, Revised Code of the State of South Dakota, so petitions the State Engineer to wit:

In support of said petition, your affiant deposes and says:

(1) That notice of appropriation, copy of which is hereto annexed and made a part of this petition was posted under the date of June 30, 1937 and recorded under date of Sept. 8, 1937.

(2) That the dam referred to in said notice was completed under date of February 2, 1939.

(3) That said dam is 475 feet in length and 14.4 feet in height.

(4) That said dam is located upon the land described as follows:
SW $\frac{1}{4}$ of Sec. 22; Twp. 3-S; Range 16-E; B.H.M. Pe len County.

(5) That said land is to be used for Stock Water purposes.

Wherefore your affiant respectfully requests that a certificate be issued to him in accordance with the law in such case made and provided.

Osoar Hermstad
Project Manager

Subscribed and sworn to before me this 6th day of July, 1939

Blanche Moore
Notary Public

My commission expires:
October 4, 1941

RA-7LU-23

DESCRIPTION OF EARTH IMPOUNDING DAM
RESERVOIR AND SPILLWAY DAM NO. 226

JOB NUMBER 226 - 42 a

Resettlement Administration
Lincoln, Nebraska

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OFFICE OF STATE ENGINEER
PIERRE, S. DAK.
Region VII

Project South Dakota LD-SD-1
State Number

A. Location of Dam and Reservoir Tract 329
SW 1/4 of the Sec. 22; Township 3 S; Range 16 E;
of the Black Hills Meridian; County Pennington.

B. General Data

1. Area of drainage basin above dam: .5 sq. miles.

(Note: For areas greater than 5 sq. miles give size to nearest sq. mi.;
for areas smaller than 5 sq. miles give area to nearest tenth.)

2. Average annual precipitation on water shed in inches: 16.00

3. Give amount of rainfall in inches and duration of the heaviest downpour
that can be expected based upon reliable records or information of the
vicinity.

a. 3.05 inches.

R = 2.25" / hr.

b. 24 hours duration.

c = .3

S = 10'/1000'

c. U. S. Weather Bureau

W = .035

Source of information.

4. Give description of water shed.

a. The slopes are sod-covered, ~~cultivated, heavy~~

Grass land.

(Note: Answer (a) by striking out words not needed. Only a general
description is wanted. If desired, a word or two may be given
in the space that is provided.)

b. Average length of drainage basin 1.0 miles.

c. Average width of drainage basin .5 miles.

5. Maximum run-off of drainage area at the damsite: 97.2
cu. ft. per second.

(over)

C. Description of Dam

1. Height above low point of valley at centerline of dam: 14.4 ft.
2. Length along centerline at top of dam: 475 ft.
3. Width of top: 10 ft.
4. Upstream slope: 3 ft. horizontally to 1 ft. vertically.
5. Downstream slope: 2 ft. horizontally to 1 ft. vertically.
6. Volume in embankment: 6600 cu. yds.
7. Distance above high-water line to top of dam: 5 ft.
8. Distance above water surface to top of dam when spillway is discharging maximum run-off: 2.9 ft.

D. Description of Spillway

1. Bottom width: 25 ft.
2. Slope of sides: 1 1/2 : 1 (Give ratio horizontal to vertical.)
3. Gradient of spillway ditch: 0.10 ft. per hundred ft.
4. Maximum ^{possible} discharge: 152.4 cu. ft. per second.
5. Depth of water in spillway at time of maximum discharge: 2.5 ft.

(Note: The surface of water in the spillway must be at least 30" below the top of the dam when the spillway is discharging the maximum run-off of the drainage basin.)

E. Description of Reservoir

1. Area when filled to level of spillway: 20.00 acres.
2. Area when half-full: 8.51 acres.
3. Area at depth of two feet: .13 acres.
4. Volume when filled to level of spillway: 67.69 acre-ft.
5. Volume when half-full: 7.74 acre-foot.
6. Volume at depth of two feet: .13 acre-foot.
7. Average depth when full: 4.7 feet.

(over)

LOCATION NOTION

RECEIVED
JUL 7 1937
OFFICE OF NEBRASKA ENGINEERS
LINCOLN, NEB.

KNOW ALL MEN BY THESE PRESENTS:

That Oscar Hermstad, Project Manager, Bad Lands - Fall River Land Adjustment Project, Resettlement Administration, U. S. Department of Agriculture, whose post office is Rapid City, South Dakota, a citizen of the United States, above the age of 21 years, being in possession of the following described land in the name of the United States, to wit:

Tract 329 SW 1/4
Section 22, Township 3 S,
Range 16 E, B. H. M., in Pennington County, South Dakota.
Availing him self of the right granted him under the provisions of Chapter 2, Article 1, Paragraph 82.59 of the Revised Code of 1919, has located and claims the right to construct a certain dam across a dry draw situated in the NE 1/4 of the SW 1/4 of section 22, township 3 S, range 16 E, B.H.M., for Live Stock Purposes.

Said locator claims for the above purpose 2948576 cubic feet of water plus lesser due to annual evaporation during the following described annual periods January 1st to December 31st, inclusive, each year.

Said location was made on the 25 th day of March, 193 7.
Witness my hand and seal this 30th day of June, 193 7.

Oscar Hermstad
Locator, Project Manager
Resettlement Administration,
U. S. Department of Agriculture

STATE OF SOUTH DAKOTA)
County of Pennington) ss

On the 30th day of June, 193 7, before me
K.F. Damon a Notary Public in and
for the County and State aforesaid, personally appeared Oscar Hermstad
Project Manager to me personally known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the use and purposes therein set forth.

Witness my hand and official seal the day and date above written.

K.F. Damon
Notary Public

My Commission Expires: July 10, 1939