

No. 170-2

**Office of State Engineer
DOCUMENT FILE**

*Dept. Agric. Experiment Station
of all Rivers Co.*

July 7, 1939 - Date of priority

No. 4, NW 1/4, Sec 9, T. 10 S. R. 8 E.

3.1 acre ft. appropriate

Rich Shaw

CERTIFICATE OF WITHDRAWAL OF
WATER/OR APPROPRIATION

TO

UNITED STATES DEPARTMENT OF AGRICULTURE,
RESETTLEMENT ADMINISTRATION

Ponnington COUNTY

Dry Draw
Name of Stream

The authorized agent of United States Department of Agriculture, Resettlement Administration, having made application for the withdrawal of certain 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 Vol. 2, Chapter 2, Article 1, paragraph 8243 of the Revised Code of 1919, now therefore:

This is to certify that there is hereby reserved, of the heretofore unappropriated flood waters of a Dry Draw, such quantity as can be impounded from the run-off of the watershed above a Reservoir, in said Reservoir located on said draw having a volume to the spillway level of 62.75 acre feet, and an approximate surface area of 15.90 acres at the spillway contour. The location of the impounding structure on the above draw is described as follows:

_____ and the location of the impounding reservoir is described as follows: _____

This certificate and withdrawal shall in no manner prejudice, alter, amend or effect the rights of any prior appropriator or prior appropriation of water, nor of any application for appropriation pending upon 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 statute hereinbefore referred to and under the authority of which this certificate is issued.

In accordance with the provisions of the statute hereinbefore referred to, this certificate is executed at the State Capitol at Pierre, South Dakota, this _____ day of _____ 193 _____.

State Engineer.

CERTIFICATE OF WITHDRAWAL OF
WATER/ON APPROPRIATION

TO

UNITED STATES DEPARTMENT OF AGRICULTURE,
RESETTLEMENT ADMINISTRATION

Pennington CO. TY

Dry Draw

Name of Stream

The authorized agent of United States Department of Agriculture,
Resettlement Administration, having made application for the withdrawal of
certain 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 Vol. 2, Chapter 2, Article 1, Paragraph 2243 of the Revised Code of 1919,
now therefore:

This is to certify that there is hereby reserved, of the hereto-
fore unappropriated flood waters of a Dry Draw, such quantity as can be im-
pounded from the run-off of the watershed above a Reservoir, in said Reservoir
located on said draw having a volume to the spillway level of 62.76 acre
feet, and an approximate surface area of 15.96 acres at the spillway con-
tour. The location of the impounding structure on the above draw is described
as follows:

-----, and the location of the
impounding reservoir is described as follows:

This certificate and withdrawal shall in no manner prejudice, alter,
amend or effect the rights of any prior appropriator or prior appropriation
of water, nor of any application for appropriation pending upon 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 accord-
ance with the provisions of the statute heretofore referred to and under the
authority of which this certificate is issued.

In accordance with the provisions of the Statute heretofore re-
ferred to, this certificate is executed at the State Capitol at Pierre,
South Dakota, this _____ day of _____, 193 _____.

State Engineer.

RA-7LU-23

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

JOB NUMBER 226 - 106

Resettlement Administration
Lincoln, Nebraska

Region VII

Project South Dakota LD-SD-1
State Number

A. Location of Dam and Reservoir Tracts 615 and 796
NE 18
SE 7 of the Sec. 7; Township 3 S; Range 16 E
of the B lack Hills Meridian; County Pennington

B. General Data

1. Area of drainage basin above dam: 4.5 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: 15.81

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. 5.18 inches. R = 2.25 / hr.

b. 24 hours minutes. c = .3
S = 5 / 1000

c. U. S. Weather Bureau M = 035

Source of information.

4. Give description of water shed.

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

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 3.0 miles.

c. Average width of drainage basin 1.5 miles.

5. Maximum run-off of drainage area at the dam site: 378
cu. ft. per second.

(over)

C. Description of Dam

1. Height above low point of valley at centerline of dam: 16.1 ft.
2. Length along centerline at top of dam: 616.2 ft.
3. Width of top: 10 ft.
4. Upstream slope: 4 ft. horizontally to 1 ft. vertically.
5. Downstream slope: 3 ft. horizontally to 1 ft. vertically.
6. Volume in embankment: 12,360 cu. yds.
7. Distance above high-water line to top of dam: 5.0 ft.
8. Distance above water surface to top of dam when spillway is discharging maximum run-off: 2.8 ft.

D. Description of Spillway

1. Bottom width: 70.0 ft.
2. Slope of sides: 1 $\frac{1}{2}$: 1 (Give ratio horizontal to vertical.)
3. Gradient of spillway ditch: 0.10 ft. per hundred ft. possible
4. Maximum discharge: 446 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: 15.90 acres.
2. Area when half-full: 4.04 acres.
3. Area at depth of two feet: .09 acres.
4. Volume when filled to level of spillway: 62.75 acre-ft.
5. Volume when half-full: 7.42 acre-foot.
6. Volume at depth of two feet: .09 acre-foot.
7. Average depth when full: 5.55 foot.

(over)

LOCATION NOTICE

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 615, N $\frac{1}{2}$ Sec. 18, and Tract 796, SE $\frac{1}{4}$

_____, Section 7, 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 8239 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 $\frac{1}{4}$ of the SE $\frac{1}{4}$ of section 8, township 3 S, range 16 E, B.H.M., for Live Stock Purposes.

Said locator claims for the above purpose 2,733.39 cubic feet of water plus losses due to annual evaporation during the following described annual periods January 1st to December 31st, inclusive, each year.

Said location was made on the 16 th day of October, 1936.

Witness my hand and seal this 30th day of June, 1957.

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

STATE OF SOUTH DAKOTA)

County of Pennington) SS

On the 30th day of June, 1937, before me

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.

By Commission Spiros:
July 10, 1959.

Notary Public

PETITION

TO DEAN W. LOUCKES
STATE ENGINEER
STATE OF SOUTH DAKOTA
PIERRE, SOUTH DAKOTA

Comes now 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, 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 date of July 15, 1937, and recorded under date of September 8, 1937.

(2) That the dam referred to in said notice was completed under date of February 20, 1937.

(3) That said dam is 616.2 feet in length and 16.1 feet in height.

(4) That said dam is located upon the land described as follows:

NE¹/₄ of Section 18 and SE¹/₄ of Section 7,
Twp 3 South, Rge 16 East, BHM, Pennington
County, South Dakota.

(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,

FOR HENRY A WALLACE
SECRETARY USDA

Subscribed and sworn to before me this 23rd day of Sept, 1937.

O. J. [Signature]
Notary Public

My commission expires: July 10, 1939.

CERTIFICATE OF CONSTRUCTION OF WORKS
and
APPROPRIATION

LU-SD-1 Job No. 245-1b
Name of Project

U. S. Water Right No. 180-2

White River Water District

TO ALL WHOM IT MAY CONCERN:

This is to Certify, that the United States of America, Department of
Agriculture, Reclamation Administration, has complied with the
State Laws and has been issued a withdrawal No. U.S. 130 bearing date of
July 7, 1933 withdrawing from further appropriation 2.1 acre-
feet per annum of water for storage; of the waters of a Dry Draw in the
County of Fall River, State of South Dakota, at a point in the
NE 1/4 of the NW 1/4 of Sec. 9, T.10S., R.9E., N.H.H.
for stock water 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 infor-
mation filed in the office of the State Engineer, and 2.1 acre-feet
per year is thereby appropriated for the above purposes bearing date of
priority of July 7, 1933.

Witness my hand this 7th day of July 1933.

State Engineer.

Form A

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

Withdrawal No. U.S. 130

LU-SD-1 Job No. 243-1b
Name of Project
Fall River
County

Dry Draw
Water Division No. 2
White River 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 White River District, the annual amount of 2.1 acre-feet of water to maintain storage in No. 243-1b reservoir created by damming said stream at a point in the NW 1/4 Sec. 9 T. 103. N. 8E. 10E. 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

RECEIVED

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 3, 1939 and recorded under date of June 9, 1939.

(2) That the dam referred to in said notice was completed under date of March 7, 1938.

(3) That said dam is 152 feet in length and 10.5 feet in height.

(4) That said dam is located upon the land described as follows:

1/4 Sec. 9; T 9-S; R 8-E; B.H.M. Fall River 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.

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

Osoar Hermstad
Project Manager
Blanche M. Mow
Notary Public

My commission expires
October 4, 1941

10A-7LU-28

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

JOB NUMBER ~~226~~ 243-1b

RECEIVED

JUL 7 1939

OFFICE OF STATE ENGINEER
PIERRE, Region VII

Resettlement Administration
Lincoln, Nebraska

Project South Dakota
State

LU-SD-1
Number

A. Location of Dam and Reservoir

NE 1/4 of the Sec. 9; Township 10 S; Range 8 E;
of the Black Hills Meridian; County Fall River.

B. General Data

1. Area of drainage basin above dam: 0.25 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: 19.31

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. 1.88 inches. R = 2.25"/hr.
b. 2 1/2 hours minutes. S = 0.3
c. U. S. Weather Bureau N = 17'/1000'
Source of information. N = 0.035

4. Give description of water shed.

- a. The slopes are sod-covered, ~~with scattered rocks~~.

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 0.5 miles.

- c. Average width of drainage basin 0.5 miles.

5. Maximum run-off of drainage area at the dam site: 80
cu. ft. per second.

(over)

C. Description of Dam

1. Height above low point of valley at centerline of dam: 10.5 ft.
 2. Length along centerline at top of dam: 152.0 ft.
 3. Width of top: 7.0 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: 1000 cu. yds.
 7. Distance above high-water line to top of dam: 4.0 ft.
 8. Distance above water surface to top of dam when spillway is discharging maximum run-off: 3.0 ft.
-

D. Description of Spillway Natural grass spillway

1. Bottom width: 75.0 ft.
2. Slope of sides: 1:1 (Give ratio horizontal to vertical.)
3. Gradient of spillway ditch: 2.0 ft. per hundred ft.
4. Maximum discharge: 170 cu. ft. per second.
5. Depth of water in spillway at time of maximum discharge: 1.0 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: 0.42 acres.
2. Area when half-full: 0.18 acres.
3. Area at depth of two feet: 0.08 acres.
4. Volume when filled to level of spillway: 2.1 acre-ft.
5. Volume when half-full: 0.9 acre-foot.
6. Volume at depth of two feet: 0.16 acre-foot.
7. Average depth when full: 5.0 foot.

(over)

LOCATION NOTICE

RECEIVED

JUL 7 1939

KNOW ALL MEN BY THESE PRESENTS:

That Oscar Hermstad, Project Manager, Bad Lands - Fall River Land Adjustment Project, Land Utilization Division, Soil Conservation Service, U.S.D.A., 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 1054

NW 1/4, Section 9, Township 10 S, Range 8 E, B. H. M., in Fall River County, South Dakota.

Availing him self of the right granted him under the provisions of Chapter 2, Article 1, Paragraph 8239 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 NW 1/4 of Section 9, township 10 S, range 8 E, B. H. M., for Livestock Purposes.

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

Said location was made on the 21st day of October, 1937.

Witness my hand and seal this 3rd day of June, 1939.

Oscar Hermstad
Locator, Project Manager
Soil Conservation Service, LU Division
U.S. Department of Agriculture

STATE OF SOUTH DAKOTA)
: ss
County of Pannington)

On the 3rd day of June, 1939, before me

Blanche Moore a Notary Public in and for the County and State aforesaid, personally appeared

Oscar Hermstad 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.

My Commission Expires:
Oct. 4, 1941

Blanche Moore
Notary Public