

164-2

Office of State Engineer
DOCUMENT FILE

Sept. Agri. Re-title next item
Jackson Co.

July 7, 1939 Priority date
Wish 12 1/2 to 5 T 2 S R 18 E

7.89 acre ft. appropriated

W. J. Shaw

CERTIFICATE OF CONSTRUCTION OF WORKS

And
APPROPRIATION

LU-SD-30-1 Job No. 243-32
Name of Project

U. S. Water Right No. 164-2

Bad 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. 134 bearing date of
July 7, 1939 withdrawing from further appropriation 7.89 acre-
feet per annum of water for storage of the waters of a Dry Draw in the
County of Jackson, State of South Dakota, at a point in the
NE 1/4 of the SE 1/4 of Sec. 5, T. 2 S., R. 18 E. MM
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 7.89 acre-feet
per year is thereby appropriated for the above purposes bearing date of
priority of July 7, 1939.

Witness my hand this 7th day of July, 1939.

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. 164

LU-SD-30-1 Job No. 243-32
Name of Project

Jackson
County

Dry Draw
Water Division No. 2
Bad 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 Bad River District, the annual amount of 7.89 acre-feet of water to maintain storage in No. 243-32 reservoir created by damming said stream at a point in the NW 1/4 Sec. 6, T. 29. N. 18 E. 11W 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 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 7th day of July 1939.

State Engineer

PETITION

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

TO
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 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 May 23, 1939.

(3) That said dam is 229 feet in length and 11.2 feet in height.

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

NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5; T 2-S; R 18-E; B.H.M. Jackson 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.

Oscar Hermstad
Project Manager

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

Blanch Moore
Notary Public

My commission expires:
October 4, 1941

RA-7LU-28

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

JOB NUMBER ~~35600~~ 243-32

Soil Conservation Service
Land Utilization Division
Lincoln, Nebraska

Project South Dakota
State

LU-SD-38-1
Number

RECEIVED
JUL 7 1930
OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

A. Location of Dam and Reservoir

7396

N 1/4 SE 1 of the Sec. 5 Township 2 S Range 18 E
of the Black Hills Meridian; County Jackson

B. General Data

1. Area of drainage basin above dam: 130 Acres ~~333.33 acres~~

(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: _____

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"/hour
c = 0.3
b. 2 1/2 hours ~~xxxxxxx~~ S = 16"/1000'
N = 0.035

- c. U. S. Weather Bureau
Source of information.

4. Give description of water shed.

- a. The slopes are sod-covered, ~~xxxxxxxxxxxxxxxx~~

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 .5 miles.
c. Average width of drainage basin .4 miles.

5. Maximum run-off of drainage area at the dam site 130
cu. ft. per second.

(over)

C. Description of Dam

1. Height above low point of valley at centerline of dam: 11.2 ft.
2. Length along centerline at top of dam: 229 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: 2100 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: 1.5 ft.

D. Description of Spillway

1. Bottom width: 15 ft.
2. Slope of sides 1.5:1 (Give ratio horizontal to vertical.)
3. Gradient of spillway ditch: 0.01 ft. per hundred ft.
4. Maximum discharge: 248.04 cu. ft. per second.
5. Depth of water in spillway at time of maximum discharge: 3.5 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: 2.42 acres.
2. Area when 4' below spillway: .65 acres.
3. Area at depth of two feet: .03 acres.
4. Volume when filled to level of spillway: 7.82 acre-ft.
5. Volume when 4' below spillway: 1.73 acre-feet.
6. Volume at depth of two feet: .03 acre-feet.
7. Average depth when full: 7.6 feet.

(over)

LOCATION NOTICE

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. 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 1396

NW 1/4 SE 1/4, Section 5, Township P 28, Range 18 E, B. H. M., in Jackson 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

NW 1/4 of the SE 1/4 of Section 5, township 28, range 18 E, B. H. M., for Livestock Purposes.

Said locator claims for the above purpose 105,415 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 3rd day of June, 1939.

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 Pennington)

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. 11, 1941

Blanche Moore
Notary Public