

No. 118198-2

Office of State Engineer
DOCUMENT FILE

Dep. Agt. - Forest Service
Custer Co.

Priority: July 22, 1937

Dec. 26, T. 4 S. R. 2 E

0.005 cu ft per sec.

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 198-2Water Draw Pipe Line

Name of Project

Custer tyFall River Water District

TO ALL WHOM IT MAY CONCERN:

This is to Certify, that the United States of America, Department of
Agriculture, Forest Service, has complied with the State
 Laws and has been issued a withdrawal No. NS 198 bearing date of July 22, 1939
 withdrawing from further appropriation a maximum of 0.005 cubic feet
 per second of water to be diverted through the Water Draw Pipe Line
 ditch, canal or pipe line at a point located on the bank Water Draw Spring
S. 73°15' E., 2026 feet distant from the N $\frac{1}{2}$ Corner of
 Section 28 Township 4S Range 2E for the purpose of domestic,
livestock, fire protection during the months of
annually; has fully complied with the provisions
 of the laws of the State of South Dakota relating to completion of the works
 as 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
 a maximum amount of 0.005 cubic feet per second during the period of
annually is thereby appropriated for the above purposes
 bearing date of priority of July 22, 1939.

Witness my hand this 21st day of December 1939.

State Engineer

WITHDRAWAL NO. US 198Water Division No. 2Fall River Water District

CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

OFFICE OF STATE ENGINEER

PIERRE, S. DAK.

Water Draw Pipe Line

Project Name and Number

Water Draw SpringSource of Appropriation
(Stream)Date December 8, 1939By M. E. Von Soggen

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated September 20 1939, I have made a thorough examination of reservoir, Water

Draw Pipe 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 198 issued upon Notice of Intention bearing date July 19 1939, authorizing the withdrawal from further appropriation of acre feet, or 0.005 second feet of the waters of Water Draw Spring, tributary of Water Draw for livestock, domestic, fire protection, irrigation, purposes. I have to report on the condition of the same as follows:

The impounded and diversion works comprise:

Dam: Type Foundation
 Size: Max. Length Maximum height to spillway flow line
 Section: Upstream slope Freeboard
 Downstream slope Top width
 Yardage (Approx.) Reservoir: Area Normal Pool Level acres
Capacity acre feet
Nature of Shore line
 Spillway: Type Location
Width Depth
Capacity cubic feet per sec.
 Outlet: Size Control
Location
 Ditches: Open Earth Open rock
Pipe 1 in. Iron Pipe Length 145 ft.
Section Capacity 0.005 cfs
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.73°15'E 2,028 ft.
~~from~~ distant from the N.E. Corner of Section 26 Township 4S
Range. 2E

The works are capable of utilizing acre-feet of water
annually or 0.005 second-feet of water.

The legal subdivisions to be irrigated are

comprising a total of acres of land.

The domestic and stockwater uses comprise household purposes, water for
livestock and fire protection

The utilization for Public recreational, game and fish propagation and
fire protection comprises

The project was completed 1935

Witness my hand, this 2th day of December A.D. 19 39.

M. E. Leggett
Examining Engineer

LETTER OF AUTHORIZATION
for
Inspection

W. E. Von Lutz

Custer, South Dakota

September 20, 1939

Water Draw Pipe Line
Name of Project
Fall River Water District
Water Division No. 2
Water Draw Spring
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. W.D. 198, on Water Draw Spring, (stream) County of Custer on the Barney 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 reservoir, Water Draw Pipe Line, ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service, on the Barney 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 judiciously 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,

State Engineer.

FORM 17A

FORM 17A

WITHDRAWALS No. U.S. 100Water Draw Pipe Line
Name of Project**RECEIVED**

SEP 18 1939

Water Division No. 2Fall River Water DistrictOFFICE OF STATE ENGINEER
PIERRE, S. DAK.

NOTICE OF COMPLETION OF WORKS

P.O. Denver, ColoradoDate September 15, 1939

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of reservoir, Water Draw
Pipe Line ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service on the Harney 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 NE 1/4 of Section, 26, Township 4 S, Range 2 E.
4. Said water to be used for Live Stock, Domestic, Fire purposes.
Protection
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 M. E. Von Seggarn.
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
JAMES L. BROWNLEE
Assistant Regional Forester
Division of Engineering

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

U. S. 129

Name of Project None

Water Division No. 2

Fall River Water District

Custer County
County

Intermountain
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 _____, the annual amount of _____ acre-foot of water to maintain storage in _____ reservoir created by damming said stream at a point _____ foot distant from the _____ Corner of Section _____, Township _____ Range _____. The purpose of such storage is _____

This is to certify that there is hereby reserved, of the heretofore unappropriated waters of _____ a maximum of 0.00 cubic feet per second to be diverted through the _____ water _____ line ditch, canal or pipe line at a point located on the _____ bank _____ foot distant from the _____ Corner of Section 24, Township 4 S Range 2 W for the purpose of livestock, domestic _____ 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 22 day of July 1939.

State Engineer

E
WATER RESOURC.
Water Rights

RECEIVED

JUL 22 1939

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

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Water Draw Pipe Line Project

Denver, Colorado.

Harney Forest
South Dakota

July 19, 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 _____

_____ Reservoir, or to satisfy the requirements of the
_____ ~~Water Draw Pipe Line~~ _____ 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. Water Draw Pipe Line

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

Ans. Custer County

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

Ans.

7. The outlet of the reservoir or the point of diversion of ditch,
canal or pipe line is located S. 73° 15' East, 2028 feet

distant from the N¹ Corner of Section 26 Township 4 S

Range. 2 E.

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

Ans. Livestock, domestic, fire protection.

9. The available capacity of reservoir in acre feet.

Ans.

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

Ans. 0.005 c.f. p.s.

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

Ans.

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

Ans. 0.005 c. f. p. s.

13. Location of lands to be irrigated.

Ans.

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

Ans. Standard plans.


C. J. Atchell, Regional Forester
Acting