

No. 4. S. 201-2

Office of State Engineer
DOCUMENT FILE

Dept. Agr. -- Forest Service
Custom Co.

Priority: July 22, 1937

Ac. 28, T 3 S, R. 2 E

0.0025 acre per sec.

CERTIFICATE OF CONSTRUCTION OF WORKS
and
APPROPRIATION

U. S. Water Right No. 201-2~~Deep Spring, Black Hills~~
Name of ProjectChater CountyFall 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. US 201 bearing date of July 22, 1939 withdrawing from further appropriation a maximum of 0.0025 cubic feet per second of water to be diverted through the Deep Spring, Black Hills ditch, canal or pipe line at a point located on the bank S. 49° 00' W., 2250 feet distant from the E. 1/2 Corner of Section 20 Township 30 Range 2 for the purpose of domestic, livestock and 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 0.0025 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

Form 23A

Form 23A

WITHDRAWAL NO. US 201Water Division No. 2Fall River Water District

CERTIFICATE OF EXAMINATION OF WORKS

RECEIVED
DEC 18 1939

Report of Examining Engineer

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.Date December 11, 1939By W. E. Von GernertTepee Spring Pipe Line
Project Name and NumberTepee Spring
Source of Appropriation
(Stream)

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, Tepee _____
Spring Pipe Line 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 201 issued upon Notice of Intention bearing date July 19 1939, authorizing the withdrawal from further appropriation of _____ acre feet, or 0.0025 second foot of the waters of Tepee Spring, tributary of North Fork Tepee Canyon for livestock, domestic, fire protection 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 _____
 D: _____
 Open Earth _____ Open rock _____
 Pipe Iron Pipe _____ Length 180 ft.
 Section 1" in diameter Capacity 0.0025 c.f.p.s.
 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 S40°0'W. 2250 ft.
feet distant from the E1 Corner of Section 28 Township 3S
Range. 2E

The works are capable of utilizing _____ acre-feet of water
annually or 0.0025 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 1938

Witness my hand, this 15th day of December A.D. 1939.

M. E. Von Seggern
Examining Engineer

LETTER OF AUTHORIZATION
for
Inspection

September 20, 1939

H. H. Von BargenCuster, South DakotaTopas Spring Pipe Line

Name of Project
Water Division No. 2
Fall River State District
Topas 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, 1929 Revised Code of South Dakota and identified as Withdrawal No. U. S. 20, on Topas Spring (stream) County of Custer or the Harney 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, ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service, on the Harney 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 judicially 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

RECEIVED
SEP 18 1939

WITHDRAWALS No. U. S. 251

Tepes Spring Pipe Line
Name of Project

OFFICE OF STATE ENGINEER
PIERRE, S. DAK. Division No. 2

Fall River Water District

NOTICE OF COMPLETION OF WORKS

P.O. Denver, Colorado

Date September 15, 1939

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of Tepes reservoir, Tepes Spring 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 SW 1/4 SE 1/4 of Section, 28, Township 3 S, Range 2 E.
4. Said water to be used for Live Stock, Domestic, Fire Protection purposes.
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 Haggorn.
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. Brocklee
JAMES L. BROCKLEE
Assistant Regional Forester
Division of Engineering

FORM A

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

U. S. 201

Topon Spring, Pipe Line
Name of Project

Water Division No. 2
Fall River Water District
Topon Spring
Source of Appropriation - Stream

Custer
County

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-feet of water to maintain storage in _____ reservoir created by damming said stream at a point _____ feet 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 0.0025 cubic foot per second to be diverted through the Topon Spring Pipe Line ditch, canal or pipe line at a point located on the _____ bank _____ feet distant from the _____ Corner of Section 29, Township 3 S Range 2 E for the purpose of Irrigation, domestic, fire protection 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 RESOURCE
Water Rights

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

RECEIVED
JUL 22 1939

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Tepee Spring 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

Tepee Spring 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. Tepee Spring 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.

Ans. Tepee Spring

7. The outlet of the reservoir or the point of diversion of ditch,

canal or pipe line is located S. 49°, 00' West, 2250 feet

distant from the E₁ Corner of Section 28 Township 3 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. 0.0025 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. 0.0025 c. f. p. s.

13. Location of lands to be irrigated.

Ans.

14. Class of plans accompanying "Not of Intention".

Ans. Standard plans.

C.J. Stahl,

Acting Regional Forester