

No. *U.S. 21-2*

Office of State Engineer
DOCUMENT FILE

Bureau of Indian Affairs
Little White River
Lodd County
Location: - Sec. 33, T29N, R20W

CERTIFICATE OF WITHDRAWAL

OF

PUBLIC WATERS

TODD COUNTY

LITTLE WHITE RIVER

The United States Department of the Interior, Bureau of Indian Affairs, Rosebud Indian Reservation, having made application for the withdrawal of certain heretofore unappropriated 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 8343 of the Revised Code of 1919, now therefore:

This is to certify that there is hereby reserved, of the heretofore unappropriated waters of Little White River, the amount of two (2) cubic feet per second of said waters; the point of diversion to be on the Right bank of the said stream at S 60° W and 360 feet from the So. 1/4 Cor. Sec. 33, T. 39 N, R. 30 W, 3rd G.M., which water is to be used for the irrigation of certain lands in part of S 34 of Sec. 33, T. 39 N. R. 30 W, 3rd G.M., and the above said waters are hereby withdrawn from future appropriation during the continuance of the right herein granted and contained.

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, on this 1st day of February, 1937.

CHAS. A. GRAMER,
State Engineer.

February 1, 1937.

C. R. Whitlock, Supt.
Rosebud Indian Agency,
Rosebud, South Dakota.

Dear Sir:

This will acknowledge receipt of your letter of January 7, 1937, with which was enclosed plans for various irrigation projects and a request for withdrawal from appropriation of certain waters of various streams within the Rosebud Indian Reservation.

I am enclosing herewith Certificates of Withdrawal covering these several projects.

Very truly yours,

Cl:klp
Encl/

CHAS. A. TRIMMER,
State Engineer.

NOTICE OF APPROPRIATION OF WATER

CAN BE FOUND IN MAP

FILE. NOTICE IS ATTACHED TO

MAPS FOR WITHDRAWALS NOS.

~~XXXXXXXXXXXXXXXXXXXX~~

21, 22, 23, 24, 25, 26 and 27

STATE OF SOUTH DAKOTA

Notice of Appropriation

In accordance with the provisions of Section 8243 of the
Compiled Laws of the State of South Dakota, 1929, you as State Engineer of the State of South Dakota, are hereby notified that the United States of America, acting by and through me, C. R. Whitlock, Superintendent of the Rosebud Indian Reservation located at Rosebud, South Dakota, duly authorized by Harold L. Ickes, Secretary of the Interior, for this purpose, intends to utilize certain amounts of the waters of streams flowing in and through the State of South Dakota for certain specified purposes on definitely described tracts of land within said State, hereinafter set forth in detail, together with plans of the proposed works, which information is hereto attached, marked "Exhibit A", and made a part hereof; and the request is hereby made that the waters hereinafter described be withheld from entry and not subject to further appropriation in accordance with the provisions of the Compiled Laws of the State of South Dakota, 1929.

The purpose of the appropriation of the waters of these streams is for the use of the Indians residing on the Rosebud Indian Reservation, South Dakota, for the irrigation of subsistence garden being constructed by the United States.

By this aforesaid Notice of Appropriation, the United States is not seeking to establish a date of priority to the use of the waters described in "Exhibit A" attached hereto. Notice is hereby given/that the United States is not waiving any legal rights it may claim to the date of priority to its use of the waters or the quantity of the waters of these streams pursuant to federal statutes and decisions of the United States courts.

Superintendent Rosebud Indian
Reservation, Rosebud, So
Dakota.

1 STATE OF SOUTH DAKOTA,)
2 COUNTY OF _____) SS.

3 G. R. Whitlock, being first duly sworn, on his oath,
4 deposes and says: that he is the Superintendent of the Rosebud
5 Indian Reservation, residing at Rosebud, South Dakota;
6 that he has been duly authorized by Harold L. Ickes, Secretary of
7 the Interior, to make and file the foregoing Notice of Appropria-
8 tion; that in his official capacity as such Superintendent and
9 pursuant to authority therein vested by said Secretary of the
10 Interior, he has herunto subscribed his name to the above instru-
11 ment.

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Subscribed and sworn to before me this _____ day of _____, 1936.

Notary Public for the State of
South Dakota. Residing at
_____, South Dakota.
My commission expires _____.

DATE MICROFILMED

CAMERA OPERATOR

"EXHIBIT A"

- I. Schedule of diversions of water for irrigation purposes on the Rosebud Indian Reservation, South Dakota.
- II. Plans of irrigation developments under above diversions.

SCHEDULE OF DIVERSIONS OF WATER FOR IRRIGATION PURPOSES ON THE
ROSEBUD INDIAN RESERVATION, SOUTH DAKOTA.

SOURCE OF WATER	QUANTITY OF WATER	DATE OF DIVERSION	POINT OF DIVERSION	DISTANCE	LAND IRRIGATED
Name of Stream	Total Diversion per annum per Acre-Feet	Cubic Feet per Second of Time.	Bank: Bearing and: Feet: from Public Survey Corner	Description of the Land Irrigated	
Little White River	75	2	Right: S 60° W	360 : 30.1/4 Cor. Sec. 23. : T. 39 N., R. 30 W. 3d G.M.	Part of SW/4 Sec. 33, T. 39 N., R. 30 W. 3rd G.M.
East Fork Rosebud Creek	10	1	Right: S 26° E	540 : SW Cor. NW/4 NW/4, Sec. 1: : T. 37 N., R. 30 W. 3d G.M.	Part of W/2 NW/4, Sec. 1, T. 37 N., R. 30 W. 3rd G.M.
East Fork Rosebud Creek	10	1	Left: S 75° E	290 : SW Cor. NW/4 NW/4, Sec. 1: : T. 37 N., R. 30 W. 3d G.M.	Part of W/2 NW/4 Sec. 1, & Part of E/2 NE/4 Sec. 2, T. 37 N., R. 30 W. 3rd G.M.
Little White River	120	2	Right: N 14° 30' W	680 : NW Cor. SW/4 SW/4, Sec. : 10, T. 37 N., R. 31 W., 3d G.M.	Parts of SW/4 NE/4; NW/4 of SE/4; NE/4 SW/4 Sec. 10, T. 37 N., R. 31 W., 3rd G.M.
Little White River	75	2	Right: S 100° 45' W	3066 : NW Cor. Sec. 12, T. 41 N., : R. 29 W., 2d G.M.	Parts of NW/4 SW/4 Sec. 13 and NE/4 SE/4 Sec. 14, T. 41 N., R. 29 W. 3rd G.M.
Branch of Black Pipe Creek	75	2		Diversion from Rosebud : Vol. located in S/2 S. 35, : T. 42 N., R. 33 W., 2d G.M.	Part of SW/4 Sec. 35, T. 42 N., 3rd G.M.
Little White River	50	1.5	Right: N 60° W	610 : SW Cor., Sec. 34, T. 38 N., : R. 31 W., 3d G.M.	Parts of E/2 of SW/4, Sec. 34, T. 38 N., R. 31 W. 3rd G.M.

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