

No. 118240-2

Office of State Engineer
DOCUMENT FILE

Dept. Agric. Forest Service
Quincy Co.

Priority: July 1939

Sec. 31732 N.E.

0.42 ac ft.

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 240-2

Stanton Reservoir
Name of Project

Fall 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. U.S. 240 bearing date of
July 21, 1939 withdrawing from further appropriation 0.42 acre-
feet per annum of water for storage; of the waters of Hay Lake
Stream,
County of Custer, State of South Dakota, at a point N. 73 45' E.,
3,970 feet distant from the W. Cor. Sec. 31, T. 30., R. 2E.
for livestock, fish culture, fire protection, domestic, recreation 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 0.42 acre-feet
per year is thereby appropriated for the above purposes bearing date of
priority of July 21, 1939.

Witness my hand this 28rd day of January 1940.

State Engineer.

Form 23A

WITHDRAWAL NO. US240

Water Division No. 2

Fall River

Water District

CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

Date December 4, 1939

By M. F. Von Sengern

Statler Reservoir

Project Name and Number

Hay Draw
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 22 1939, I have made a thorough examination of Statler reservoir, 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 240 issued upon Notice of Intention bearing date July 18 1939 authorizing the withdrawal from further appropriation of 0.42 acre feet, or second feet of the waters of Hay Draw, tributary of Gillette Canyon for livestock, fish culture, domestic fire protection, irrigation, recreation purposes. I have to report on the condition of the same as follows:

The impounded and diversion works comprise:

Dam: Type Earth Fill Foundation Earth
Size: Max. Length 97 ft. Maximum height to spillway flow line 2.0 Freeboard 2.0
Section: Upstream slope 4:1
Downstream slope 1 1/2:1
Top width 6 ft.
Yardage (Approx.) 170 cu. yds
Reservoir: Area Normal Pool Level 0.10 acres
Capacity 0.12 acre feet
Nature of Shore line grassy
Spillway: Type Rubble channel Location Left end
Width 12 ft. Depth 1 ft.
Capacity 56 cubic feet per sec.
Cutlet: Size none Control
Location
Ditches: Open Earth Open rock
Pipe Length
Section Capacity
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 N. 73° 45' E. 3,970 ft.
~~and~~ distant from the W₁ Corner of Section 31 Township 38
Range, 2E

The works are capable of utilizing 0.42 acre-feet of water
annually or 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 and
water for livestock

The utilization for Public recreational, game and fish propagation and
fire protection comprises bathing, rearing fish and water supply for fire
fighting equipment

The project was completed 1935

Witness my 'an', this 4th day of December A.D. 19 39.

M. E. Von Leggen
Examining Engineer

	Profile	Center Line	Spillway
Sta. 0 plus 00		0 plus 15	0 plus 30
Fall 0		0.2	0.5

LETTER OF AUTHORIZATION
for
InspectionSeptember 22, 1939M. E. Von SeggernCuster, South DakotaStatler Reservoir
Name of Project
Water Division No. 2
Fall River Water District
Hay Draw
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. U. S. 240, on Hay Draw (stream) County of Custer on 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 Statler 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 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.

WITHDRAWALS No. U.S. 240

1939 (FORM 17A)

20 1939

Statler Reservoir

Name of Project

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

NOTICE OF COMPLETION OF WORKS

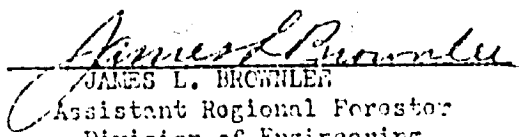
P.O. Denver, ColoradoDate September 16, 1939

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of Statler reservoir, 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, 31, Township 3 S, Range 2 E.
4. Said water to be used for Live Stock, Fish Culture, Domestic, Fire Protection, Irrigation, Recreation 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 L. E. Von Saggern.
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

 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.

US No. 246

Station
Name of Project

Water Division No. 2
Fall River Basin District

Water Cont. by
County

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 1934 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 0.42 acre-feet of water to maintain storage in reservoir created by damming said stream at a point

230, 451 feet distant from the 3270 Corner of Section , Township 3, Range 2. The purpose of such storage is

This is to certify that there is hereby reserved, of the heretofore unappropriated water 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 21 day of July, 1935.

W. Carroll Moore
State Engineer

Ans. United States of America, Department of Agriculture, Forest Service.

DATE RECEIVED

CHINA CREDIT

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. Statler Reservoir

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. Hay Draw

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

canal or pipe line is located N. 73°, 45' East, 3970 feet

distant from the W $\frac{1}{4}$ Corner of Section 31 Township 3 S

Range. 12E.

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

Ans. Livestock, fish culture, domestic, fire protection, irrigation, recreation.

9. The available capacity of reservoir in acre feet.

Ans. 0.12 acre feet

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

Ans.

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

Ans. 0.12 acre feet

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

Ans.

13. Location of lands to be irrigated.

Ans.

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

Ans. Standard plans.

C. J. Stahl
C.J. Stahl

Acting Regional Forester