

No.

U.S. 31-2

Office of State Engineer
DOCUMENT FILE

Bureau of Indian Affairs
Spring Creek
Carbon County

Location: - Sec. 27, T.20N, R.19E
(23-21N-24E)

1830

CERTIFICATE OF WITHDRAWAL
OF
PUBLIC WATERS

CONJON COUNTY

SPRING CREEK

The United States Department of the Interior, Bureau of Indian Affairs, Standing Rock 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 8243 of the Revised Code of 1918, now therefore:

This is to certify that there is hereby reserved of the heretofore unappropriated waters of Spring Creek, the amount of two (2) cubic feet per second of said waters; the diversion to be on the left bank of the said stream at a point 705 feet S 57 degrees W of the center of Sec. 23, T.21N, R.24E, B.H.M. which water is to be used for the irrigation of certain lands in parts of the NE¹/₄SW¹/₄ of Sec. 23, T.21N, R.24E, B.H.M. and the above said waters are hereby withdrawn from future appropriation during the continuance of the right herein granted and contained.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 5th day of June, 1937.

STATE ENGINEER

June 7th, 1937,

Mr. L. C. Lippert, Supt.,
U. S. Dept., of the Interior,
Office of Indian Affairs,
Standing Rock Agency,
Fort Yates, N. Dak.

Dear Sir:

This will acknowledge receipt of your Notice of Appropriation of certain waters for the purpose of irrigating subsistence gardens on the Standing Rock Agency dated June 7th, 1937.

We are herewith enclosing Certificates of Withdrawal properly executed and copies of which are placed in our files.

Very truly yours,

DEAN W. LOUCKS,
State Engineer.

DNL:FKH

Depor. Cons.

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
FIELD SERVICE

Standing Rock Agency
Fort Yates, N. Dak.
June 3, 1937.

State Highway Engineer,
State Capitol Building,
Pierre, S. Dak.

RECEIVED
JUN 6 1937
OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Dear Sirs:

Enclosed herewith find Notice of Appropriation of certain waters for the purpose of irrigating subsistence gardens on the Standing Rock Agency. Please acknowledge receipt of this letter and let us know if this appropriation has been approved.

If this letter does not concern you please refer it to the department to which it belongs.

Respectfully,

L. C. Lippert
L. C. Lippert,
Superintendent.

cc
encl.

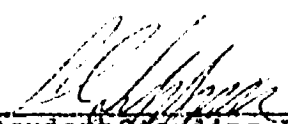
Original

STATE OF SOUTH DAKOTA
Notice of Appropriation

In accordance with the provisions of Section 3243 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, L. C. Lippert, Superintendent of the Standing Rock Indian Reservation located at Fort Yates, ^{North} ~~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 Standing Rock Reservation, South Dakota, for the irrigation of subsistence gardens 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 ^{you} 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 Standing Rock Indian
Reservation, Fort Yates, ~~North~~ ^{South} Dakota.

1 STATE OF ^{North}~~SOUTH~~ DAKOTA, }
2 COUNTY OF Sioux } SS.

3 L. C. Lippert, being first duly sworn, on his oath
4 deposes and says: that he is the Superintendent of the Standing Rock
5 Indian Reservation, residing at Fort Yates ~~North~~ 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 hereunto subscribed his name to the above instru-
11 ment.

12 Subscribed and sworn to before me this 26th day of May, 1938.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
Notary Public for the State of
South Dakota. Residing at
Fort Yates, ~~North~~ South Dakota.
My commission expires Nov. 1, 1939

"E X H I B I T A"

- I. Schedule of Diversions of Water for Irrigation Purposes
on the Standing Rock Indian Reservation, South Dakota.
- II. Plans of Irrigation Developments on the Standing Rock
Indian Reservation, South Dakota.