

No. *U.S. 308'2.*

**Office of State Engineer
DOCUMENT FILE**

*U.S. Great Swine
Spring Creek*

12 806 0114 15

County 5/25/29

File: 8.15

US 581-2

US 509-2

US 378-2

731-2



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

January 8, 1979

TO: Lee Leppert, Forest Service

FROM: Jim Winterton, Water Resources Engineer, Div. of Water Rights

As requested by telephone on December 28, 1978 the following is a listing of the Water Rights established on the Pactola, Deerfield, and Sheridan projects:

- A. Pactola - Established water right by the Dept. of Interior, Bureau of Reclamation under "United States Withdrawal Licence No. 581-2". This water right dates from April 25, 1952 to store water annually in Pactola Reservoir for the purpose of irrigation, recreational and municipal uses; including industrial and commercial uses, plus incidental silt detention, water quality, fish and wildlife habitat, domestic, livestock watering and other beneficial uses, with municipal and recreation being used in the May 1 through Sept. 30 annual period. This is subject to the following qualifications:

Flows (not exceeding inflows) shall be released as needed for downstream domestic use, including livestock watering, and prior downstream water right use;

The initial reservoir filling (55,965 acre-feet, not including flood control storage) having been accomplished, the authorized annual storage replenishment shall be equal to that volume of water needed to bring the reservoir water surface to the top of the active conservation storage space, elevation 4,580.2, Bureau of Reclamation Drawing 494-600-43, "Pactola Reservoir Area and Capacity Curves".

- B. Deerfield - Established Water Right by the U.S. Dept. of Interior, Bureau of Reclamation "United States Withdrawal License No. 509-2, Deerfield Reservoir, Rapid Valley Project". This water right dates from December 1, 1939 to store water annually in Deerfield Reservoir on Castle Creek for the purpose of irrigation, recreational and municipal, including industrial and commercial use, plus incidental silt detention, water quality, fish and wildlife habitat, domestic, livestock watering and other beneficial uses, with municipal and recreation being year around use and irrigation being used in the May 1 to October 1 annual period. This is subject to the following qualification:

Flows (not exceeding inflows) shall be released as needed for downstream domestic use, including livestock water, and prior downstream water right use;

January 8, 1979

Lee Leppert

Page 2

The initial reservoir filling (15,718 acre-feet) having been accomplished, the authorized annual storage replenishment shall be equal to that volume of water needed to bring the reservoir water surface to the top of the active conservation storage space, elevation 5,908 feet, Bureau of Reclamation Drawing 252-600-1, "Deerfield Reservoir Area and Capacity Curves", revision, 600 dated 2-13-67.

- C. Sheridan - Established water right by the U.S. Dept. of Agriculture, Forest Service "U.S. Withdrawal License No. 378-2". This water right dates from August 22, 1939 to store water annually in Sheridan Reservoir in an annual amount of 13,809 acre-feet to maintain storage for the purpose of livestock, fish culture, domestic, fire protection, irrigation, recreation.

A second water right established on Sheridan Lake is 731-2 by the U. S. Forest Service. This authorizes the storage of 378 acre-feet of water for recreational use and for quantity releases for recharge of downstream water supplies.

If there are any further questions regarding these appropriations of water, do not hesitate to contact this office.

Very truly yours,

James Winterton
Water Resource Engineer

JW:kjw

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Black Hills National Forest
803 Soo San Drive
Rapid City, South Dakota 57701

7530

December 11, 1970



State Engineer
State Capitol Building
Pierre, South Dakota 57501.

Dear Sir:

Your office issued to the Forest Service a "Certificate of Construction of Works and Appropriation" for Sheridan Reservoir (Dakota Lake) on August 21, 1941. This was done under a Water Priority Right of August 25, 1939, for 13,809 acre feet of water per year. Sheridan Lake is located in Pennington County in the Spring Creek drainage which is a tributary of the Cheyenne River.

Over the years, our records seem to have been misplaced. I would like to request copies of the following records from your office:

Certificate of Withdrawal of Water for Appropriation to the United States of America, Department of Agriculture, Forest Service, dated August 25, 1939.

Certificate of Examination of Works, Report of Examining Engineer, dated March 13, 1941.

Certificate of Construction of Works and Appropriation, dated August 21, 1941.

Sincerely,

William Ripley
WILLIAM RIPLEY
District Ranger

OFFICE OF THE STATE ENGINEER	
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Form 244

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 378-2

Sheridan Reservoir
Name of Project
Pattle Creek Water District
Spring Creek

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. 378 bearing date of
August 25, 1939. withdrawing from further appropriation 13,809 acre-
feet per annum of water for storage; of the waters of Spring Creek
Stream
County of Pennington, State of South Dakota, at The reservoir location
described in the withdrawal as created by damming said stream at a point N. 35°
10' E., 3200' from the S.W. Cor. of Sec. 7, T. 1 S., R. 6 E. tion
for livestock, fish culture, domestic, fire protection and recrea- 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 13,809 acre-feet
per year is thereby appropriated for the above purposes bearing date of
priority of August 25, 1939.

Witness my hand this 21st day of August 1941.

State Engineer.

FORM A

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

U. S. No. 376

Sheridan Reservoir
Name of Project
Pennington
County

Water Division No. 2
Little Creek Water District
Spring Creek
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 Spring Creek, the annual amount of 13,609 acre-feet of water to maintain storage in Sheridan reservoir created by damming said stream at a point N. 86° 10'E., 3200 feet distant from the S. W. Corner of Section 7, Township 1 S. Range 6 E. The purpose of such storage is live stock, fish culture, domestic, fire protection, irrigation, recreation.

This is to certify that there is hereby reserved, of the heretofore unappropriated waters 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 26th day of August 1939.

David D. Luchie
State Engineer

Form 23A

DEC 17 1941

Form 23A

RECEIVED

STATE OF SOUTH DAKOTA
PIERRE, S. DAK.

WITHDRAWAL NO. U.S. 378

Water Division No. 2

Battle Creek Water District

CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

Date March 13, 1941By Sam E. PowellSheridan Reservoir
Project Name and NumberSpring Creek
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 March 5, 1941, I have made a thorough examination of Sheridan 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. U.S. 378 issued upon Notice of Intention bearing date August 22, 1939, authorizing the withdrawal from further appropriation of 13,809 acre feet, or --- second feet of the waters of Spring Creek, tributary of Cheyenne River 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 Foundation Rock
 Size: Max. Length 8.50 ft. Maximum height to spillway flow line 116 ft. Freeboard 10 ft.
 Section: Upstream slope 3:1
 Downstream slope 2:1
 Top width 50 ft.
 Yardage (Approx.) 550,000 cu. yds.
 Reservoir: Area Normal Pool Level 378 acres
 Capacity 12,657 acre feet
 Nature of Shore line Rocky and grassy
 Spillway: Type Overflow O.G. Location North end of Dam
 Width 46 ft. Depth 6 ft.
 Capacity 1500 cubic feet per sec.
 Outlet: Size 24" pipe in tunnel Control 24" waterworks valve
 Location 300 ft. north of dam
 Ditches: Open Earth _____ Open rock _____
 Pipe _____ Length _____
 Section _____ Capacity _____
 Location or as shown on plans _____

300d

N. 35° 10' E. 3200 ft.

13.879

3

acres of land.

house: old purposes and

bathing, rearing fish and water supply for fire

December 1, 1940

13

March

A.D. 19 41

Examining Engineer

E
WATER RESOURCES
Water Rights

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

RECEIVED

AUG 25 1939

OFFICE OF STATE ENGINEER
PIERRE, S. DAK

Sheridan Reservoir Project

Denver, Colorado.

Harney Forest
South Dakota

August 22, 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 Sheridan
Reservoir, or to satisfy the requirements of the
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. Sheridan Reservoir

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

Ans. Pennington County

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

Ans. Spring Creek

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

canal or pipe line is located N. 35° 10' East, 3200 feet

distant from the SW Corner of Section 7 Township 1 S

Range. 6 E.

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. 12657.16 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. 13, 809 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. Special plans.

W. W. Thompson
Acting Regional Forester

LETTER OF AUTHORIZATION
for
Inspection

March 5

1954

Mr. Ben F. Powell

Custer, South Dakota

Sheridan Reservoir
Name of Project
Water Division No. 2
Estate Creek Water Dist.
Spring Creek
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 Withdrawal No. U. S. 378, on Spring Creek (stream) County of Pennington 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 " Sheridan Reservoir
~~Reservoir~~,

~~constructed~~ 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,

Dean W. Loucks
State Engineer.

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
ROCKY MOUNTAIN REGION



ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO

RECEIVED
FEB 10 1941
OFFICE OF STATE ENGINEER
PIERRE, S. DAK.
POST OFFICE BUILDING
DENVER, COLORADO

E
WATER RESOURCES - Harney
Water Rights

February 7, 1941

Mr. Dean W. Loucks,
State Engineer,
Pierre, South Dakota

Dear Mr. Loucks:

We are enclosing "Notice of Completion of Works" of the
following project, located on the Harney National Forest, South
Dakota:

Withdrawal Number

U.S. 578

Name of Project

Sheridan Reservoir

Please make out the "Letter of Authorization" for this
project to the Examining Engineer, Mr. Ben F. Powell.

Very sincerely yours,

JAMES L. BROWNLEE
Assistant Regional Forester
Division of Engineering

By

Carl A. Gould
CARL A. GOULD

Acting

cc Harney
Mr. Winiting

Enclosure

FORM 17A

WITHDRAWALS No. US. 10

Sheridan Reservoir
Name of Project

RECEIVED
FEB 10 1941

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Water Division No. 2

Battle Creek Water District

NOTICE OF COMPLETION OF WORKS

P.O. Denver, Colorado

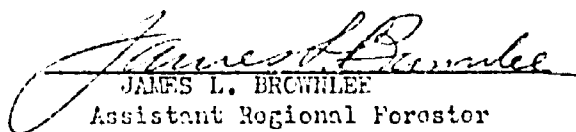
Date February 7, 1941

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of Sheridan 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 _____ of Section, 7, Township 1 S., Range 6 E. Sec. 11, 12, 13, 14, T. 1 S. 5 E.
4. Said water to be used for livestock, fish culture, domestic, fire protection, irrigation, recreational 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 13,000 acre feet. Ben F. Powell
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

OFFICE OF STATE ENGINEER
State of South Dakota

Nº 6246

PIERRE, December 13, 1959

RECEIVED OF Kirk T. Mears
the following amount in fees for services rendered as provided for by law:

Fee for examination of Application No.		
Fee for recording		
Fee for filing		
Fee for issuing Water License No.		
Fee for certified copy of		
Fee for issuing Certificate No.		
Fee for filing Location Notice, Dry Draw No.		
Fee for copy of "Certificate of Withdrawal" U.S. No. 378-2, Form A		0.15
Fee for		
TOTAL		0.15

DEAN W. LOUCKS

State Engineer.

By

Reva Winans, Secy. & Chief Clerk