

No. *U.S. 38-2*

Office of State Engineer
DOCUMENT FILE

U.S. Dept. of Interior
San J. Creek
New County
Location: Sec. 12, T. 15 N., R. 27 E.

CERTIFICATE OF WITHDRAWAL

OF

PUBLIC WATERS

DEWEY COUNTY

SWAN CREEK

The United States Department of the Interior, Bureau of Indian Affairs, Cheyenne River Indian Agency, 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 1919, now therefore:

This is to certify that there is hereby reserved, of the heretofore unappropriated waters of Swan Creek, the annual amount of 510 acre-feet of water to be diverted at a maximum rate of forty (40) cubic feet per second of water; the point of diversion to be on the Right bank, a distance of 3020 feet S 3 degrees W from the SW Corner of the NE $\frac{1}{4}$ of Section 12, Township 15 North, Range 27 East., T.15N., R.27E., which water is to be used for the irrigation of certain lands in Parts of the NE $\frac{1}{4}$ of Section 12, SE $\frac{1}{4}$ of Section 12, NE $\frac{1}{4}$ of Section 13, NW $\frac{1}{4}$ of Section 13, Township 15 North, Range 27 East., T.15N., R.27E., and the above said water is hereby withdrawn from future appropriation during the continuance of the right herein granted and contained.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 of January, 1938.

DEAN F. LOURE
State Engineer.

NOTICE.

NOTICE OF APPROPRIATION

CAN BE FOUND IN

WITHDRAWAL FILE NO 34.

MAPS NUMBERED ACCORDING

TO FILE NO CAN BE FOUND

IN DRAWER FOR MAPS.