

No. 118 389-2

**Office of State Engineer**  
**DOCUMENT FILE**

Dept. Agr. - Forest Service  
Custer

Sec. 32, T. 52. R. 5 E

Priority Aug 28, 1939

123 enft.

Form 24A

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 389-2

Lower Hahn 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. US 389 bearing date of  
August 28, 1939 withdrawing from further appropriation 1.23 acre-  
feet per annum of water for storage; of the waters of Hahn Draw \_\_\_\_\_,  
County of Custer \_\_\_\_\_, State of South Dakota, at a point N. 45 25' E.,  
1900 feet distant from the S. 4 Cor. Sec. 32, T. 5S., R. 5E.  
for livestock, fish culture, domestic, fire protection, 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 1.23 acre-feet  
per year is thereby appropriated for the above purposes bearing date of  
priority of August 28, 1939.

Witness my hand this 21st day of December 1939.

\_\_\_\_\_  
State Engineer.

WITHDRAWAL NO. 389Water Division No. 2Fall River Water District

## CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

1939

OFFICE OF STATE ENGINEER

Date December 14, 1939By M. E. Von SeggernLower Falm Reservoir

Project Name and Number

Hahn DrawSource of Appropriation  
(Stream)

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated November 13 1939 I have made a thorough examination of Lower Falm 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 389 issued upon Notice of Intention bearing date August 23 1939, authorizing the withdrawal from further appropriation of 1.23 acre feet, or second feet of the waters of Hahn Draw, tributary of Cold Spring Creek 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 Wood, rock and earth Foundation earth  
 Size: Max. Length 100 ft. Maximum height to spillway flow line 4.7 ft. Freeboard 1.7 ft.

Section: Upstream slope 3:1  
 Downstream slope 1½:1  
 Top width 2 ft.  
 Yardage (Approx.) 280 cu. yds.  
 Reservoir: Area Normal Pool Level 0.34 acres  
 Capacity 0.51 acre feet  
 Nature of Shore line Grassy

Spillway: Type weir Location center of dam

Width 20 ft. Depth 1.7 ft.  
 Capacity 160 cubic feet per sec.

Outlet: 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.45°23'E. 1900  
feet distant from the W<sub>2</sub><sup>1</sup> Corner of Section 32 Township 5S.  
Range, 5E

The works are capable of utilizing 1.23 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 hand, this 14th day of December A.D. 19 39.

M. E. Vonleggen  
Examining Engineer

LETTER OF AUTHORIZATION  
for  
Inspection

November 13 1939

M. E. Von SengernCuster, South DakotaLower Hahn Reservoir  
Name of Project  
Water Division No. 2  
Fall River Water District  
Hahn 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. 389, on Hahn Draw (stream) County of Custer on the Harney National 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 Lower Hahn Reservoir, ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service, on the Harney National 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.

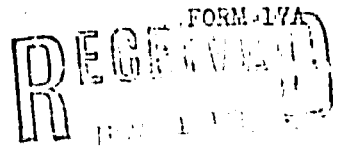
Very truly yours,

State Engineer.

FORM 17A

WITHDRAWALS No. US 38

Lower Hahn Reservoir  
Name of Project



Water Division No. 2

OFFICE OF STATE ENGINEER  
Fall River Water District

NOTICE OF COMPLETION OF WORKS

P.O. Denver, Colorado.

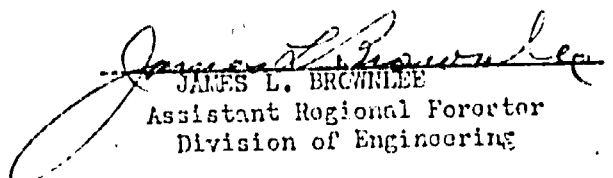
Date October 27, 1939.

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of Lower Hahn reservoir, AV ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service on the Harney National 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 NW 1/4 of Section, 32, Township 5S., Range 5E.
4. Said water to be used for livestock, 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 M. E. Von Seggern.
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.

U. S. No. 389

Lower Main Reservoir

Name of Project

Custer

County

Water Division No. 2

Fall River Water District

Main Draw

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 Main Draw, the annual amount of 1.23 acre-foot of water to maintain storage in Lower Main reservoir created by damming said stream at a point N. 45°, 23' E. 1900 feet distant from the W. Corner of Section 32, Township 5S Range 5E. The purpose of such storage is livestock, 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 28th day of August 1939.

State Engineer

WATER RESOURCES  
Water Rights

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

RECEIVED

AUG 28 1939

OFFICE OF STATE ENGINEER  
PIERRE, S. DAK.

Lower Hahn Reservoir Project  
Hurley Forest  
South Dakota

Denver, Colorado.

August 24, 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 Lower Hahn 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. Lower Hahn 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. Hahn Draw

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

canal or pipe line is located N. 45<sup>0</sup>, 23' East, 1900 foot

distant from the W<sup>1</sup>/<sub>4</sub> Corner of Section 32 Township 5 S

Range, 5 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. 0.51 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. 1.23 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

ALLEN S. FECK,

Regional Forester

By

*M. W. Thompson*

Acting .