

No. 11/402-2

Office of State Engineer
DOCUMENT FILE

Dept. Agri. - L. A. Levine
Pennington Co.
Priority: Aug. 28, 1937
Sec. 29, T. 1 S. R. 5 E

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 402-2

China Gulch Reservoir
Name of Project

Battle Creek 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 402 bearing date of August 26, 1939 withdrawing from further appropriation 0.27 acre-feet per annum of water for storage; of the waters of China Gulch Stream, County of Pennington, State of South Dakota, at a point S. 33 15' E., 1450 feet distant from the NW Cor. Sec. 29, T. 1 S., R. 5 E. 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 information filed in the office of the State Engineer, and 0.27 acre-feet per year is thereby appropriated for the above purposes bearing date of priority of August 26, 1939.

Witness my hand this 21st day of December 1939.

State Engineer.

WITHDRAWAL NO. US 402Water Division No. 2Battle Creek Water District

CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

OFFICE OF STATE ENGINEER

PIERRE, S. DAKOTA

Date December 13, 1939By W. E. Von SeggernChina Gulch Reservoir

Project Name and Number

China GulchSource 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 China Gulch 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 402 issued upon Notice of Intention bearing date August 24 1939, authorizing the withdrawal from further appropriation of 0.27 acre feet, or second feet of the waters of China Gulch, tributary of 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 Earth fill Foundation earth
 Size: Max. Length 30 ft. Maximum height to spillway flow line 3.0 ft. Freeboard 1.5 ft.
 Section: Upstream slope 3:1
 Downstream slope 2:1
 Top width 5 ft.
 Yardage (Approx.) 150 cu. yds.
 Reservoir: Area Normal Pool Level 0.06 acres
 Capacity 0.09 acre feet
 Nature of Shore line Grassy

Spillway: Type Rubble channel Location left end of dam

Width 4 ft. Depth 1.5 deep
 Capacity 70 cubic feet per sec.

Outlet: Size none Control none
 Location none

Ditches: Open Earth none Open rock none
 Pipe none Length none
 Section none Capacity none
 Location or as shown on plans none

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 S.86°15'E 1480
feet distant from the NW Corner of Section 29 Township 13.
Range. 5E

The works are capable of utilizing C.27 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 1934

Witness my hand, this 11th day of December A.D. 19 39.

M. E. Donagan
Examining Engineer

Profile Centerline Spillway

Sta. 0 plus 00, 0 plus 20
Fall 0 2.0

LETTER OF AUTHORIZATION
for
Inspection

November 13, 1939

H. M. L. on SeggornCuster, South DakotaChina Gulch Reservoir
Name of Project
Water Division No. 2
Little Creek Water District
China Gulch
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. 402, on China Gulch (stream) County of Pennington on the Harnay 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 China Gulch reservoir,

ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service, on the Harnay 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,

State Engineer.

FORM 17A

WITHDRAWALS No. US 422

CHINA GULCH RESERVOIR
Name of Project

FORM 17A
RECEIVED
OCT 1 1939

Water Division No. 2

OFFICE OF STATE ENGINEER
Pierre, S. D.
Beattie Creek Water District

NOTICE OF COMPLETION OF WORKS

P.O. Denver, Colorado,

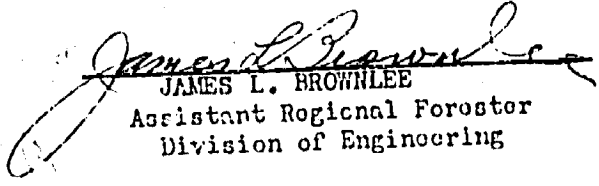
Date October 27, 1939.

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of China Gulch reservoir, ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service on the Harvey 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 complete 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, 29, Township 13, 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.

Withdrawal No. U.S. 402

China Gulch Reservoir

Name of Project

Pennington

County

Water Division No. 2

Little Creek Water District

China Gulch

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 China Gulch, the annual amount of 0.27 acre-foot of water to maintain storage in China Gulch reservoir created by damming said stream at a point 1480 feet distant from the SE Corner of Section 29, Township 18., 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

RECEIVED

AUG 28 1939

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

China Gulch Reservoir Project

Denver, Colorado.

August 24, 1959
Date

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. China Gulch 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. China Gulch

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

canal or pipe line is located S. 86°, 15' East, 1480 feet

distant from the NW Corner of Section 29 Township 1 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. 0.09 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. 0.27 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. PECK,

Regional Forester

M. W. Thompson
By M. W. Thompson

Acting .