

No.

430-2

**Office of State Engineer
DOCUMENT FILE**

Dept. Agri. Forest Service
Custer Co.

Priority: Aug. 26, 1939

Sec. 21, T. 5 S., R. 3 E.

25 acre - plot

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

Martin Pass Reservoir No. 2
Name of Project

Fall River Water District

U. S. Water Right No. 430-2

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. DS 430 bearing date of
August 26, 1939 withdrawing from further appropriation .25 acre-
feet per annum of water for storage; of the waters of E. Fork Hawkwright Creek
Stream
County of Custer, State of South Dakota, at a point S. 76 45' E.,
2558 feet distant from the W. Cor. Sec. 21, T. 52, R. 3E.
for livestock, fish culture, fire protection, domestic, reclamation 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 .25 acre-feet
per year is thereby appropriated for the above purposes bearing date of
priority of August 26, 1939.

Witness my hand this 23rd day of January 1940.

State Engineer.

WITHDRAWAL NO. US 430Water Division No. 2Fall River Water District

CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

Date September 10, 1939By M. E. Von SappertMartin Pass Reservoir No. 2
Project Name and NumberEast Fork Hawkwright Creek
Source of Appropriation
(Stream)OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated November 17, 1939, I have made a thorough examination of Martin Pass Reservoir No. 2 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 430 issued upon Notice of Intention bearing date August 23, 1935, authorizing the withdrawal from further appropriation of 0.25 acre feet, or second feet of the waters of East Fork Hawkwright Creek tributary of West Fork Hawkwright 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 60 ft. Maximum height to spillway flow line 3. ft. Freeboard 1.5 ft.
 Section: Upstream slope 3:1
 Downstream slope 2:1
 Top width 3 ft.
 Yardage (Approx.) 105 cu. yds.
 Reservoir: Area Normal Pool Level 0.06 acres
 Capacity 0.07 acre feet
 Nature of Shore line Grassy
 Spillway: Type earth channel Location left end of dam
 Width 8 ft. Depth 1 ft.
 Capacity 44 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: Fair

The outlet of the reservoir or the point of diversion of the ditch, canal or pipe line is located S. 76° 45' E 2558 feet distant from the W 1/4 Corner of Section 21 Township 5S Range, 3E

The works are capable of utilizing .25 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, water for livestock.

The utilization for Public recreational, game and fish propagation and fire protection comprises Nothing, rearing fish and water supply for fire fighting equipment

The project was completed 1924

Witness my hand, this 15th day of December A.D. 19 30.

M. E. Von Seggern
Examining Engineer

Profile Centerline Spillway
Sta. 0 plus 00, 0 plus 45, 1 plus 10
Fall 0 .5 2.7

LETTER OF AUTHORIZATION
for
Inspection

November 17 1938

M. E. Von SeggernQuater, South DakotaMartin Pass Reservoir No. 2
Name of Project

Water Division No. 2

Fall River Water District

E. Fork Hawkright CreekSource 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. WS 430, on E. Fork Hawkright Creek County of Quater 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 Martin Pass Reservoir No. 2 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 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 450

Martin Pass Reservoir No. 2.

Name of Project

Water Division No. 2

RECEIVED
NOV 1 1939
OFFICE OF THE STATE ENGINEER
PIERRE, S. DAK.
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 Martin Pass Reservoir No. 2 reservoir, 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 SW $\frac{1}{4}$ of Section, 21, Township 5S, Range 3E.
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
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. 430

Martin Inez Reservoir No. 2

Name of Project

Water Division No. 2

Fall River Water District

Custer

County

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 E. Lake Hawkland No. 6, the annual amount of 0.25 acre-feet of water to maintain storage in Martin Inez No. 2 reservoir created by damming said stream at a point S. 78, 45' East, 2550 feet distant from the N. 1 Corner of Section 81, Township 8S. Range 3E. 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 _____ foot 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 24th day of August 1939.

State Engineer

SYSTEM OF RAIL ENGINEERS
PIERCE, FENNER & SMITH

OFFICE OF THE ENGINEER
PITTSBURGH, PA.

Denver, Colorado.

August 24, 1939
Date

11

o in Martin Pass

ditch, canal or pipe line,

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. Martin Pass Reservoir No. 2

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. East Fork Hawkright Creek

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

canal or pipe line is located S. 76°, 45' East, 2558 feet

distant from the W¹/₄ corner of Section 21 Township 5 South

Range. 3 East.

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. 0.07 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. 0.25 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

By

M. W. Thompson
M. W. Thompson

Acting .