

No. *499-2*

Office of State Engineer
DOCUMENT FILE

Dept. Agri. - Forest Service
Pennington Co.

Printing: Oct. 16, 1939

Sec. 3, T. 1 S., R. 1 E

0.031 cubic feet

Lower Red Bank Spring

Form 24B

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 499-2

Lower Red Bank Spring
Name of Project

Fernington County

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 499 bearing date of Oct. 10, 1939
withdrawing from further appropriation a maximum of 0.031 cubic feet
per second of water to be diverted through the Lower Red Bank Pipe Line
ditch, canal or pipe line at a point located on the bank Lower Red Bank Spring
S. 43 45' W., 1918 feet distant from the NE Corner of
Section 3 Township 10 Range 1E for the purpose of domestic
livestock, fire protection and irrigation during the months of
annually; has fully complied with the provisions
of the laws of the State of South Dakota relating to completion of the works
as set out and described in Section 61.0177, that said works are completed in
accordance with information filed in the office of the State Engineer, and
a maximum amount of 0.031 cubic feet per second during the period of
annually is thereby appropriated for the above purposes
bearing date of priority of October 10, 1939.

Witness my hand this 31st day of January 1940.

State Engineer

WITHDRAWAL NO. US 499Water Division No. 2Fall River Water District

CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

OFFICE OF THE ENGINEER
PIERRE, S. DAK.Date January 18, 1940By M. E. Von SeggernLower Red Bank Pipe Line
Project Name and NumberLower Red Bank Spring
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 November 24 1939, I have made a thorough examination of Lower Red Bank reservoir, Lower Red Bank Pipe Line 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 499 issued upon Notice of Intention bearing date October 13 1939, authorizing the withdrawal from further appropriation of acre feet, or 0.031 second feet of the waters of Lower Red Bank Spring, tributary of Red Bank Canyon for livestock, domestic, fire protection and irrigation purposes. I have to report on the condition of the same as follows:

The impounded and diversion works comprise:

Dam: Type Foundation
 Size: Max. Length Maximum height to spillway flow line
 Section: Upstream slope Freeboard
 Downstream slope
 Top width
 Yardage (Approx.)
 Reservoir: Area Normal Pool Level acres
 Capacity acre feet
 Nature of Shore line
 Spillway: Type Location
 Width Depth
 Capacity cubic feet per sec.
 Outlet: Size Control
 Location
 Ditches: Open Earth Open rock
 Pipe iron pipe Length 60 ft.
 Section 11" Capacity 0.031 c.f.p.s.
 Location or as shown on plans
 Grade 2½ ft. per 100 ft.

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 48° 45' W. 1918 feet distant from the NE Corner of Section 3 Township 1 S. Range. 1 E.

The works are capable of utilizing _____ acre-feet of water annually or 0.031 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, water for livestock, fire protection and irrigation

The utilization for Public recreational, game and fish propagation and fire protection comprises _____

The project was completed Before September 15, 1939

Witness my hand, this 13th day of January A.D. 19 40.

M. E. Von Seggern
Examining Engineer

LETTER OF AUTHORIZATION
for
Inspection

November 24, 1939

M. E. Von SeggernCuster, South DakotaLower Red Bank Pipe Line
Name of Project
Water Division No. 2
Fall River Water District
Lower Red Bank Spring
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. US 499, on Lower Red Bank (stream) County of Pennington 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 Red Bank Pipe Line reservoir, Lower Red Bank Pipe Line 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 490

Lower Red Bank Pipe Line

Name of Project

FORM 17A
RECEIVED

OFFICE OF

PIERRE, S. D.

Water Division No. 2

Fall River Water District

NOTICE OF COMPLETION OF WORKS

P.O. Denver, Colorado,

Date November 8, 1939.

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of Lower Red Bank Pipe Line 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 NE 1/4 of Section, 3, Township 1 S., Range 1 E.
4. Said water to be used for livestock, domestic, irrigation, fire protection, 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 W. E. Von Sagen.
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. 499

Lower Red Bank Pipe Line

Name of Project

Fonblington

County

Water Division No. 2

Fall River Water District

Lower Red Bank Spring

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 _____, the annual amount of _____ acre-foot of water to maintain storage in _____ reservoir created by damming said stream at a point _____

Feet distant from the _____ Corner of Section _____, Township _____, Range _____. The purpose of such storage is _____

This is to certify that there is hereby reserved, of the heretofore unappropriated waters of Lower Red Bank Spring a maximum of 0.031 cubic feet per second to be diverted through the Lower Red Bank Pipe Line ditch, canal or pipe line at a point located on the _____ bank _____ S. 48 45' E., 1915

Feet distant from the _____ Corner of Section 3, Township 18, Range 1E. for the purpose of Livestock, Domestic, Fire Protection and Irrigation 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 18th day of October 1939.

State Engineer

E
WATER RESOURCES
Water Rights

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

RECORDED
1939
OFFICE OF STATE ENGINEER
PIERRE, S.D.

Lower Red Bank
Pipe Line Project
Harney Forest
South Dakota

Denver, Colorado.

October 13, 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 _____

_____ Reservoir, or to satisfy the requirements of the
_____ Lower Red Bank Pipe Line _____ 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 Red Bank Pipe Line.

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. Lower Red Bank Spring.

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

canal or pipe line is located S 48° 45' W. 1918 feet

distant from the NE Corner of Section 3 Township 1 S

Range. 1 E.

8. Uses to which water directly diverted or diverted and stored, is to be put.

Ans. Livestock, Domestic, Fire Protection, and Irrigation.

9. The available capacity of reservoir in acre feet.

Ans.

10. The carrying capacity of ditch, canal or pipe line in cubic feet per second.

Ans. 0.031 C. F. P. S.

11. Acre feet of water to be appropriated annually for diversion and storage in reservoir.

Ans.

12. Cubic feet of water per second to be appropriated for direct diversion by ditch, canal, or pipeline.

Ans. 0.031 C. F. P. S.

RECEIVED
JUN 10 1909

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

13. Location of lands to be irrigated.

Ans.

14. Class of plans accompanying "Notice of Intention".

Ans. $1\frac{1}{2}$ " iron pipe, 60' long, grade $2\frac{1}{2}$ feet per 100 feet.

H. D. Cochran
Acting Regional Forester