

No. US 508-2.

Office of State Engineer
DOCUMENT FILE

National Park Service

Wink Cave National Park

Priority - November 4th, 1939

Sec. 26, T 5 S R 5 E

*is 22.08 acres of upland
(Harry Sick, Supt.)*

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 509-2

Cold Springs Lake (Herbeck Lake)

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
The Interior, National Park Service, has complied with the
 State Laws and has been issued a withdrawal No. U.S. 508 bearing date of
November 4, 1939 withdrawing from further appropriation 222.03 acre-
 feet per annum of water for storage; of the waters of Cold Springs Creek
 County of Custer, State of South Dakota, at a point N. 60°-54' E.
1360 feet distant from the S. Cor. of Sec. 28, T. 58., R. 5E.

for Stockwater and Recreational 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 222.03 acre-feet
 per year is thereby appropriated for the above purposes bearing date of
 priority of November 4, 1939.

Witness my hand this 13th day of November 1939.

Dean M. Loucks

DEAN M. LOUCKS
 State Engineer.

Form A

CERTIFICATE OF WITHDRAWAL
of Water
WATER FOR APPROPRIATION
to the
UNITED STATES OF AMERICA
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Withdrawal No. 509

Cold Springs Lake (Worbeek Lake)

Name of Project
Wind Cave National Park

Custer
County

Water Division No. 2
Fall River Water District
Cold Springs Creek
Source of Appropriation-Stream

The United States of America, Department of The Interior
National Park 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 unappro-
priated waters of Cold Springs Creek, the annual amount of 262.08 acre-
feet of water to maintain storage in Cold Springs Lake reservoir created
by damming said stream at a point N. 80°-54' E. 1350
feet distant from the SE Corner of Section 23, Township 5S, Range 6E.
The purpose of such storage is Stockwater and Irrigation

This is to certify that there is hereby reserved, of the heretofore unappro-
priated 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 appli-
cants 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
4th day of November 1939.

Robert W. Lott
State Engineer

Water Rights

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

RECEIVED
NOV 4 1939

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Cold Springs Creek Lake project

Wind Cave National Park
South Dakota

Nov 2, 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 the Interior, National Park Service

The United States of America, National Park Service

through its officers duly appointed to administer the Wind Cave National Park 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 61.0187 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 Cold Spring Creek (also called Norbeck) Lake (artificial) 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. Harry Liek, Superintendent.

2. Name of intending appropriator.

Ans. United States of America, National Park Service.

3. Name and address of agency representing intending appropriator.

Ans. United States Department of Interior

4. Name of reservoir, ditch, canal or pipe line.

Ans. Cold Springs Creek (or Norbeck) Lake

5. County in which water is to be diverted, stored and appropriated.

Ans. Custer

6. Name of stream from which water is to be diverted, stored and appropriated.

Ans. Cold Springs Creek, tributary to Beaver Creek, legally a "dry draw" at the diversion dam. Also served by Wind Cave Pipe Line, Federal Water Right 33-2.

7. The outlet of the reservoir or the point of diversion of ditch, canal or pipe line is located N. 80° 54' E. 1350 feet distant from the

South 1/4 Corner of Section 26 Township 5 South Range 5 East.

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

Ans. Stock watering and Recreation.

9. The available capacity of reservoir in acre feet.

Ans. 222.08 acre feet.

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

Ans. Used at lake.

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

Ans. 222.08 acre feet.

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

Ans. none.

13. Location of lands to be irrigated.

Ans. none.

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

Ans. Original tracing and blue print from same, showing final design of dam, reservoir, and related portion of Wind Cave pipe line.

Harry J. Lick
Superintendent

WITHDRAWAL NO. _____

Cold Springs Creek Lake
Name of ProjectWater Division No. 2

Fall River

Water District

NOTICE OF COMPLETION OF WORKS

Wind Cave National Park,
F.O. Hot Springs, South Dakota.Date Nov 2, 1939

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of Cold Springs Creek Lake reservoir, _____ ditch, or pipe line constructed and owned by the United States of America, Department of the Interior, National Park Service ~~xxxxxx~~ in the year 1930. 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, Dept. of Interior, National Park Service.
2. The name and postoffice address of the proper corresponding official for said Federal Agency is Harry Lick, Supt., Wind Cave National Park,
3. The project is located in SE¹ of Section 26
NE¹ of Section, 35
Township 5 South Range 5 East
4. Said water to be used for Stock watering and recreation.
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 A. van V. Dunn, Associate Engineer,
National Park Service, 601 Sheldon Building, San Francisco, Calif.
6. The amount of land for which said water is available is stock range, 10,000 acres, particularly described as follows: Wind Cave National Park, in Sections 25, 26, 33-36, T. 5S., R. 5E.; Sections 30 & 31, T. 5S., R. 6E.; Sections 6 & 7, T. 6S., R. 6E.; & Sections 1-4, 9-12, 13-16, T. 6S., R. 5 E.

I hereby certify that the facts set forth in the above are true.

RECEIVED
NOV 1 1939OFFICE OF STATE AND PUBLIC
PIERRE, S. DAK.

Harry J. Lick
Superintendent

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Chicago, Illinois
51.

October 6, 1947.

State Engineer,

Pierre, South Dakota.

Dear Sir,

Effective with the close of business on October 10, the National Park Service will close its office in Chicago, and will move to Washington, D. C. Please correct your records accordingly. The new address is:

National Park Service,
Department of the Interior,
Washington 25, D. C.

The change should be made in connection with the following water right matters;

Federal Withdrawal No. 512 for Badlands National Monument.
Federal Withdrawal No. 32-2 for Jewel Cave National Monument.
Federal Withdrawal No. 33-2 for Wind Cave National Park.
Federal Withdrawal No. 508 for Wind Cave National Park.

Sincerely yours,

(Signed) A. van V. Dunn

A. van V. Dunn,
Chief, Water Division.

C O P Y

UNITED STATES
DEPARTMENT OF THE INTERIOR
National Park Service
Chicago 54, Illinois

March 16, 1945

Mr. Dean W. Loucks
State Engineer
Pierre, South Dakota

Dear Mr. Loucks:

The Water Rights Division, Branch of Engineering, of the National Park Service, has been transferred from San Francisco to Chicago. Accordingly, all matters relating to the perfection and preservation of water rights for the national parks and monuments should hereafter be sent to the Director's Office in Chicago. It will be appreciated if you will change the address on the rights which have already been initiated. Also, as far as possible, when special cases require direct communication with our Regional Offices or field officials, we should like to have a copy of the letter forwarded to the Director.

This procedure relates to the following water rights which have already been recorded in your office:

Federal Withdrawal No. 32 - for Jewel Cave National Monument
Federal Withdrawal No. 33 - for Wind Cave National Park
Federal Withdrawal No. 509 - for Wind Cave National Park.
Federal Withdrawal No. 512 - for Badlands National Monument.

Very truly yours,

(Signed) Hillary A. Tolson,
Acting Director