

No.

US 534-2

Office of State Engineer
DOCUMENT FILE

Dept. Agr. & Forest Service

0.09 cubic ft

Dec. 18, 72 N R 5E

Form 24B

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 534-2

Pennington County

Merritt Ranger Station Pipe Line

Name of Project

Rapid 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 534 bearing date of May 25, 1940 withdrawing from further appropriation a maximum of 0.09 cubic feet per second of water to be diverted through the Merritt Ranger Station Pipe Line ditch, canal or pipe line at a point located on the bank Merritt Ranger Station Spring, S. 57 30' W., 3470 feet distant from the NE Corner of Section 16 Township 2N Range 4E 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 61.0137, that said works are completed in accordance with information filed in the office of the State Engineer, and a maximum amount of 0.09 cubic feet per second during the period of annually is thereby appropriated for the above purposes bearing date of priority of May 25, 1940.

Witness my hand this 30th day of November 1940.

State Engineer

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 534-2Merritt Stock Pipe Line
Name of ProjectPennington Countyrapid 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 534 bearing date of May 25, 1940
 withdrawing from further appropriation a maximum of 0.09 cubic feet
 per second of water to be diverted through the Merritt Stock Pipe Line
 ditch, canal or pipe line at a point located on the NE bank Merritt Ranger
Station Spring S. 51 0' W., 4280 feet distant from the NE Corner of
Section 18 Township 2N Range 5E 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 61.0137, that said works are completed in accordance with informa-
 tion filed in the office of the State Engineer, and a maximum amount of
0.09 cubic feet per second during the period of annually is
 thereby appropriated for the above purposes bearing date of priority of
May 25, 1940.

Witness my hand this 30th day of November 19 40State Engineer

WITHDRAWAL NO. U.S. 542-534Water Division No. 2Rapid Creek Water District

CERTIFICATE OF EXAMINATION OF WORK

Report of Examining Engineer

RECEIVED
NOV 1 1940Date October 9, 1940
By M. E. Von SeggernOFFICE OF THE STATE ENGINEER
Merritt Ranger Station Pipe Line
Project Name and NumberMerritt Ranger Station 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 September 20 1940, I have made a thorough examination of Merritt Ranger Station Pipe Line 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 542 534 issued upon Notice of Intention bearing date May 22 1940, authorizing the withdrawal from further appropriation of _____ acre feet, or 0.09 second feet of the waters of Merritt R.S. Spring, tributary of Merritt Draw 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 Length 900'
 Section 2" dia. Capacity 0.09 c.f.p.s.
 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 S. 57° 30' W., 3470
feet distant from the NE Corner of Section 18 Township 2 N.
Range, 5 E.

The works are capable of utilizing _____ acre-feet of water
annually or 0.09 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, fire protection and irrigation.

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

The project was completed Before May 7, 1940

Witness my hand, this 9th day of October A.D. 19 40.

M. E. Van Legeen
Examining Engineer

LETTER OF AUTHORIZATION
for
Inspection

September 20, 1940

Merritt Ranger StationPipe Line
Name of Project

Water Division No. 2

Rapid Creek Water District

Merritt Ranger Station Spring
Source of Appropriation
(Stream)M. E. Von SengernCuster, South Dakota

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. 534, on Merritt Ranger Station Spring (stream) County of Lead on the Black Hills 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 reservoir, Merritt Ranger Station Pipe Line ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service, on the Black Hills 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 534

Merritt Ranger Station

Pipe Line

Name of Project

FORM 17A
RECEIVED
AUG 28 1940

Water Division No. 2

OFFICE OF STATE ENGINEER
Rapid City, S. D. District

NOTICE OF COMPLETION OF WORKS

P.O. Denver, Colorado,

Date August 20, 1940.

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of reservoir, Merritt Ranger Station Pipe Line ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service on the Black Hills 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 $\frac{1}{4}$ of Section, 18, Township 2 N, Range 5 E.
4. Said water to be used for Livestock, domestic, fire protection, irrigation 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

Carl A. Gould
Carl A. Gould, Chief

FORM A

CERTIFICATE OF WITHDRAWAL
of
WATER FOR APPROPRIATION
to the
UNITED STATES OF AMERICA
DEPARTMENT OF AGRICULTURE
FOREST SERVICE.

U.S. No. 534

Merritt Langer Station Pipe Line

Name of Project

Water Division No. 2

Lapid Creek Water District

Fennington

Merritt Langer Station Spring

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 61,9137 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 Merritt Langer Station Spring a maximum of 0.09 cubic feet per second to be diverted through the Merritt Langer Station ditch, canal or pipe line at a point located on the _____ bank _____

S. 57 30' W., 3,470
feet distant from the _____ NE _____ Corner of Section 18, Township 2N.,
Range 5E. 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 25th day of May 1940.

State Engineer

E
WATER RESOURCES
Water Rights

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

RECEIVED
MAY 22 1940

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.
Denver, Colorado.

Merritt Ranger Sta. Pipe Line Project

Black Hills Forest
South Dakota

May 22, 1940.
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
_____ Merritt Ranger Station 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.

13. Location of lands to be irrigated.

Ans.

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

Ans. 2 inch iron pipe, 990 feet long. Grade 6 feet per hundred feet.


Acting Regional Forester

"Merritt Ranger Station Pipe Line"

1. "Notice of Intention"

Merritt Ranger Station Pipe Line - Project
Black Hills Forest

Dated May 22, 1940

Location: S.57 30'W., 3470 ft. from NE Cor. Sec. 18 T.2N., R.5E.
Capacity: 0.09 c.f.p.s.

2. "Certificate of Withdrawal"

Merritt Ranger Station Pipe Line-Project
Merritt Ranger Station Spring (Source)

U.S. No. 534

Location: S.57 30'W., 3,470 ft. from NE Cor. Sec. 18 T.2N., R.5E.

Capacity: 0.09 c.f.p.s.

3. "Notice of Completion of Works"

U.S. No. 534

Merritt Ranger Station Pipe Line-(Name of Project)

Black Hills National Forest

Location: NE¹ Sec. 18 T.2N., R.5E.

4. "Letter of Authorization for Inspection"

U.S. No. 534

Merritt Ranger Station Pipe Line (Name of Project)

5. "Certificate of Examination of Works"

U. S. No. 542

Merritt Ranger Sta. Pipe Line (Name of Project)

Merritt Ranger Sta. Spring (Source)

Location: S.57 30' W., 3470 ft. from the NE Cor. Sec. 18
T.2N., R.5E.

Capacity: 0.09 c.f.p.s.

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
ROCKY MOUNTAIN REGION



ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO

RECEIVED
DEC 15 1940

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

POST OFFICE BUILDING
DENVER, COLORADO

December 16, 1940

E
WATER RESOURCES - Black Hills
Water Rights

RECEIVED
DEC 15 1940

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

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Dear Mr. Loucks:

Reference is made to your letter of December 12, 1940 relative to Withdrawal Projects Nos. 542 and 534.

Comparison of the "Certificates of Construction of Works and Appropriation" for projects 542 and 534, with the water right records in the Regional Office show that they were correctly issued by you.

A few errors have been found on the intermediate forms, probably due to similarity of project names. Since the "Notices of Intention" and the "Certificates of Construction of Works and Appropriation" for the two projects are correct, we suggest, if agreeable to you, that you correct your records and we will do likewise, thus bringing all the records in accord.

The corrections necessary to bring all records in accord are listed below:

Project No. 542
Notice of Completion of Works

- (a) Change Withdrawal number to read "542".
- (b) Change name of project to read "Merritt Stock Pipe Line" both in the heading and body of the Notice.

Letter of Authorization

- (a) Change name of project to read "Merritt Stock Pipe Line" in two places.
- (b) Change source of appropriation to read "Merritt Stock Spring" in two places.
- (c) Change project number to read "542".

Certificate of Examination of Works

- (a) Change project number in two places to read "534".

Project 534

Notice of Completion of Works

- (a) Change withdrawal number to read "534".

Letter of Authorization

- (a) Change withdrawal number to read "534".
(b) Change source of appropriation, in two places,
to read "Herriott Ranger Station Spring".

Certificate of Examination of Works

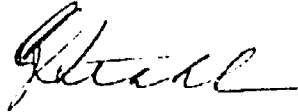
- (a) Change withdrawal number in two places to read
"534".

We wish to take this opportunity to express our appreciation for your cooperation with the Forest Service. Your promptness in returning the forms has greatly expedited the work.

Very sincerely yours,

ALLEN S. HECK, Regional Forester

By



Acting.

December 12, 1940

Re: E
Water Resources-Black Hills
Water Rights

Allan S. Peck, Regional Forester
Forest Service
Post Office Building
Denver, Colorado

Attention: James L. Brownlee

Dear Mr. Brownlee:

We are enclosing, herewith, sheets showing our record on Withdrawal Project Nos. 542 and 534. There seems to be some confusion between these two projects which we are unable to straighten from the information you have submitted.

If you will kindly check on the enclosed sheets which of the several documents pertaining to both projects are correct or which have been interchanged, we will attempt to correct our record accordingly.

Very truly yours,

Dean W. Loucks,
State Engineer.

DWL:df
enclosures

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
ROCKY MOUNTAIN REGION



ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO

E
WATER RESOURCES - Black Hills
Water Rights

RECEIVED
DEC 9 1940

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

POST OFFICE BUILDING
DENVER, COLORADO

December 7, 1940.

Mr. Dean W. Loucks, State Engineer,

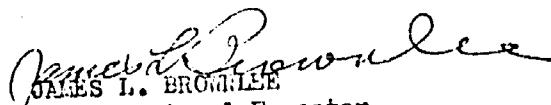
Pierre, South Dakota.

Dear Mr. Loucks:

We are returning for correction, the "Certificates of
Construction of Works and Appropriation" for the Merritt
Stock Pipe Line and the Merritt Ranger Station Pipe line. 537

547- The data appears, in part, to have been interchanged
on the Certificates, probably because of the similarity of
the project names.

Very truly yours,


JAMES L. BROWNLEE
Assistant Regional Forester
Division of Engineering

cc Black Hills

Enclosure

Merritt Ranger Station Pipe Line
former name(Merritt Stook Pipe Line)

1. "Notice of Intention"

Dated May 22, 1940

Merritt Stook Pipe Line (Name of Project)

Black Hills Forest

U. S. No. 542

Location: S. 51 00' West 4280 ft. from the NE Cor. Sec. 18
T.2N., R.5E.

Capacity: 0.07 c.f.p.s.

2. "Certificate of Withdrawal"

U. S. No. 542

Merritt Stook Pipe Line (Name Project)

Merritt Stook Spring (Source)

Location: S. 51 - 00' W., 4280 ft. from the NE Cor. Sec.
18 T.2N., R.5E.

Capacity: 0.07 c.f.p.s.

3. "Notice of Completion of Works"

U.S. 542

Merritt Ranger Station Pipe Line (asked to change
name from Merritt Stook Pipe Line (Name of Project)

Location: W $\frac{1}{2}$ Sec. 18 T.2N., R.5E.

4. "Letter of Authorization for Inspection"

US No. 542

Merritt Ranger Station Pipe Line (Name of Project)
Merritt Stook Spring (Source)

5. "Certificate of Examination of Works"

U.S. 534

Merritt Stook Pipe Line (Name of Project)
Merritt Stook Spring (Source)

Location: S. 51 0' W., 4280 ft. from NE Cor. Sec. 18
T.2N., R.5E.

Capacity: 0.09 c.f.p.s.