

No. *48542-2*

**Office of State Engineer
DOCUMENT FILE**

Dept. Agr. Forest Service
Q. 09 CW ft
Sec. 18, T2 N R5E

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 542-2Merritt Stock Pipe LinePennington County

Name of Project

Lapid 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. W 542 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 _____ bank Merritt Stock Spring S. 51 CO. W., 4230 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 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 2nd day of December 19 40.

State Engineer

WITHDRAWAL NO. U.S. ~~544~~ 542Water Division No. 2Rapid Creek Water District

CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

Date October 9, 1940
By E. E. Von SeggernMerritt Stock Pipe Line
Project Name and NumberMerritt Stock 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 Stock 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 544 542 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 Stock 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.
 Cutlet: Size _____ Control _____
 Location _____
 Ditches: Open Earth _____ Open rock _____
 Pipe Iron _____ Length 20'
 Section 2 1/2" dia. Capacity 0.07 c.f.p.s.
 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. 51° 0' W., 4280
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. Conley
Examining Engineer

LETTER OF AUTHORIZATION
for
Inspection

M. E. Von Soggen

Custer, South Dakota

193/40
Stock Pipe Line
Merritt Stock Station Pipe
Name of Project
Water Division No. 2
Cupid Creek Water District
Merritt Stock 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. 9137, 1939 Revised Code of (stream) County of Pennington 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 Fire 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. 542

Merritt Ranch Station
Pipe Line

M of Project
Merritt Stock Pipe Line

RECEIVED
AUG 21 1940

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Water Division No. 2

Rapid Creek Water District

NOTICE OF COMPLETION OF WORKS

P.O. August 20, 1940,

Date Denver, Colorado.

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of Merritt Ranch Station Pipe Line reservoir,

Merritt Ranch 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 18 of Section, 2N Township, 5 E Range.
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. Goss Acting

FORM A

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

U.S. No. 542

Morritt Stock Pipe LineName of Project (Morritt Stock Spring)

Water Division No. 2

Rapid Creek Water District

PonningtonMorritt Stock Spring

County

Source of Appropriation - Stream (line)

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-feet of water to maintain storage in _____ reservoir created by damming said stream at a point _____

_____ foot 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 _____ Morritt Stock Spring a maximum of 0.37 cubic feet per second to be diverted through the _____ Morritt Stock ditch, canal or pipe line at a point located on the _____ bank _____ S. 51 - 00' W., 4,200 _____

_____ foot distant from the NE Corner of Section 18, Township 24 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 1934.

State Engineer

E
WATER RESOURCES
Water Rights

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

RECEIVED
MAY 20 1940

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Merritt Stock Pipe Line Project

Denver, Colorado.

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 51.0137 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 Stock 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 _____ 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
II, Denver, Colorado.

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

Ans. Merritt Stock Pipe Line

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

Ans. Pennington.

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

Ans. Merritt Stock spring. Tributary Merritt Draw.

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

canal or pipe line is located South 51° 00' West 4280 feet

distant from the NE Corner of Section 18 Township 2N

Range. 5E.

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. 0.07 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. 0.07 c.f.p.s.

13. Location of lands to be irrigated.

Ans.

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

Ans. Iron pipe 2-1/2 inches in diameter, 20 feet long, grade 1-1/2 feet per hundred feet.


Acting Regional Forester

CROSS REFERENCE SHEET

Name or Subject

File No.

U. S. Water Rights No. 534 & 542

Regarding

Date

Letter in regard to
Changes made in two numbers

12/16/40

SEE

Name or Subject

File No.

U. S. Water Right - Forest Service

No. 541 - 534

File cross reference form under name or subject at top of the sheet and by the latest date of papers. Describe matter for identification purposes. The papers, themselves should be filed under name or subject after "SEE."



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