

No. *U.S. 543-2*

Office of State Engineer
DOCUMENT FILE

*U.S. Dept. of Interior
Bureau of Indian Affairs
Fort Ridge Agency
Little Rock Creek*

CERTIFICATE OF WITHDRAWAL
of

Withdrawal No. US 543

WATER FOR APPROPRIATION

to the

UNITED STATES OF AMERICA
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Medicine Butte Community Irrigated Garden
Name of Project

Mellette
County

Water Division No. 2
White River Water District
Little Corn Creek
Source of Appropriation-Stream

The United States of America, Department of the Interior, Bureau of Indian Affairs, 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 1933 Revised Code of South Dakota, now therefore:

This is to certify that there is hereby reserved, of the heretofore unappropriated waters of Little Corn Creek, the annual amount of 2E acre-feet of water to be pumped at a point 1435 feet S. 29 - 30' W., from the NE Corner of SE $\frac{1}{4}$ of Section 18, Township 41N Range 33W. The purpose of such storage is irrigation of subsistence gardens for Indians by United States.

This is to certify that there is hereby reserved, of the heretofore unappropriated waters of Little Corn Creek 0.1 cubic feet per second to be pumped at a point located on the left bank 1435 feet S. 29 - 30' W. from the N.E. Corner SE $\frac{1}{4}$ of Section 18, Township 41N., Range 33W. for the purpose of irrigation of subsistence gardens for Indians by United States during the months of March to November
Irrigated Land - Approx. 7 Acres in the SE $\frac{1}{4}$ Sec. 18, Twp. 41, R. 33.

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 28th day of May 1940.

Dean W. Loucks,
State Engineer.

May 29, 1940

Re: Certificate of Withdrawal
No. U. S. 543
Little Corn Creek

W. O. Roberts, Supt.
Pine Ridge Indian Agency
Pine Ridge, South Dakota

Dear Sir:

This will acknowledge receipt of your letter of May 21st enclosing "Notice of Appropriation" and other papers relative to withdrawing water from Little Corn Creek. We are enclosing, herewith, "Certificate of Withdrawal" in accordance with your application and the "Notice of Appropriation."

Very truly yours,

Dean W. Loucks,
State Engineer.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
FIELD SERVICE

Pine Ridge Indian Agency
Pine Ridge, South Dakota
May 21, 1940

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MAY 27 1940

Mr. D. W. Locke
State Engineer
Pierre, South Dakota

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Dear Sir:

I wish to present an application of withdrawal of water rights on the Little Corn Creek. The following papers pertaining to the request are enclosed;

- (1) Notice of appropriation
- (2) Schedule of Water Diversion
- (3) Tracing showing the plan of irrigation developments.

Since the site to be irrigated is to be used for a community garden, the Farmer is anxious to receive approval for this withdrawal. We wish to thank you in advance for your early consideration of our request.

Very truly yours,

W. O. Roberts
W. O. Roberts,
Superintendent

SFT:AL
Enc.

cc: Jacobs.

RECEIVED
JUN 27 1940

DEPT OF STATE ENGINEER
GEORGE S. DAVIS

SCHEDULE OF DIVERSIONS OF WATER FOR IRRIGATION PURPOSES AT
THE PINE RIDGE INDIAN RESERVATION, SOUTH DAKOTA

Source	QUANTITY OF WATER		POINT OF DIVERSION		DESCRIPTION OF Land Irrigated
	Total Diversion acre-feet/year	Rate of Diversion Cubic-feet/sec.	Bank	Bearing, Distance Feet	From Public Survey corner
Little Corn Cr.	22	2.5	Left	S-29°30'W 1435	NE Cor. Sec. 4, Sec. 18, Twp. 41 N., R 33 E.
(Medicine Butte Community Irrigated Garden.)					
					SE 1/4 Sec. 18, Twp 41, R. 33. (approx. 7 acres.)

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 OF STATE ENGINEER
 ERRE, S. DAK.

SCHEDULE OF DIVERSIONS OF WATER FOR IRRIGATION PURPOSES ON
 THE PINE RIDGE INDIAN RESERVATION, SOUTH DAKOTA

Course	QUANTITY OF WATER		POINT OF DIVERSION				DESCRIPTION Of Land Irrigated
	Total Diversion Acre-Feet/year	Rate of Diversion Cubic-feet/sec.	Bank	Bearing	Distance In Feet	From Public Survey Corner	
Little Forn Cr.	28	2.5	Left	S 30° W	1435	NE Cor. SE 1/4 Sec. 18, Twp. 41 N., R 38 W.	SE 1/4 Sec. 18, Twp 41, R. 38. (Approx. 7 acres.)
(Medicine Butte Community Irrigated Garden.)							

STATE OF SOUTH DAKOTA
NOTICE OF APPROPRIATION

In accordance with the provisions of Section 8243 of the Compiled Laws of the State of South Dakota, 1929, you as State Engineer of the State of South Dakota, are hereby notified that the United States of America, acting by and through me, W. O. Roberts, Superintendent of the Pine Ridge Indian Reservation, located at Pine Ridge Agency, South Dakota, duly authorized by Harold L. Icken, Secretary of the Interior, for this purpose, intends to utilize certain amounts of the waters of streams flowing in and through the state of South Dakota for certain specified purposes on definitely described tracts of land within said, state, hereinafter set forth in detail, together with plans of the proposed works, with information is hereto attached, marked "Exhibit A", and made a part hereof; and the request is hereby made that the waters hereinafter described be withheld from entry and not subject to further appropriation in accordance with the provisions of the Compiled Laws of the State of South Dakota, 1929.

The purpose of the appropriation of the waters of these streams is for the use of the Indians residing on the Pine Ridge Indian Reservation, South Dakota, for the irrigation of subsistence gardens being constructed by the United States.

By this aforesaid Notice of Appropriation, the United States is not seeking to establish a date of priority to the use of the waters described in "Exhibit A" attached hereto. Notice is hereby given you that the United States is not waiving any legal rights it may claim to the date of priority to its use of the waters or the quantity of the waters of these streams pursuant to federal statutes and decisions of the United States Courts.

RECEIVED
MAY 27 1940

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

W. O. Roberts
W. O. Roberts, Superintendent, Pine Ridge

Indian Reservation, Pine Ridge, South Dakota.

RECEIVED
MAY 27 1940

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

STATE OF SOUTH DAKOTA)
COUNTY OF SHENNON) SS

H. O. Roberts, being first duly sworn, on his oath, deposes and says; that he is the Superintendent of the Pine Ridge Indian Reservation, residing at Pine Ridge, South Dakota; that he has been duly authorized by Harold L. Ickes, Secretary of the Interior, to make and file the foregoing Notice of Appropriation; that in his official capacity as such Superintendent and pursuant to authority therein vested by said Secretary of the Interior, he has hereunto subscribed his name to the above instrument.

H. O. Roberts
H. O. Roberts, Superintendent,
Pine Ridge Indian Reservation,
South Dakota

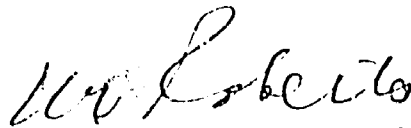
Subscribed and sworn to before me this 25 day of May, 1940

W. H. Fisher
Notary Public in and for State of
South Dakota, County of Shennon,
Residing at Pine Ridge, South
Dakota.
Comm. exp. 4-22-42

EXHIBIT A - II

Plans of Irrigation Developments on the Pine Ridge
Indian Reservation, South Dakota are attached hereto
for:

Little Corn Creek, Washebaugh County,
Irrigable land in SE/4 Sec. 18-41-33.



W. C. Roberts, Superintendent

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PIERRE, S. DAK.

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OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

EXHIBIT A

- I. Schedule of Diversions of water for Irrigation
Purposes on the Pine Ridge Indian Reservation
South Dakota

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE