

No. 41553-2

Office of State Engineer
DOCUMENT FILE

Dept Agri Forest Service

C. 26 ac ft

Sec 36, T1N R3E

Pennington Co

Form 24A

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 553-2

May Stack Gulch Reservoir

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 553 bearing date of August 23, 1940 withdrawing from further appropriation 0.26 acre-feet per annum of water for storage; of the waters of May Stack Gulch County of Pennington, State of South Dakota, at a point S. 85 46' W., 948 ft. distant from the NE Cor. Sec. 36 T.1N.. R.3E.

for livestock, domestic, fish culture, fire protection, recreation, irrigation;

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 information filed in the office of the State Engineer, and 0.26 acre-feet per year is thereby appropriated for the above purposes bearing date of priority of August 23, 1940.

Witness my hand this 27th day of November 1940.

State Engineer.

WITHDRAWAL NO. US 553Water Division No. 2Rapid Creek Water District

CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

Date November 22, 1940By H. E. Von Seggern

RECEIVED
1940
OFFICE OF STATE ENGINEER
PIERRE, S. DAK.
Hay Stack Gulch Reservoir
Project Name and Number

Hay Stack Gulch
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 October 10 1940, I have made a thorough examination of Hay Stack Gulch 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 553 issued upon Notice of Intention bearing date August 19 1940, authorizing the withdrawal from further appropriation of 0.26 acre feet, or second foot of the waters of Hay Stack Gulch, tributary of West Forks Slate Creek for livestock, fish culture, domestic, fire protection, recreation and irrigation purposes. I have to report on the condition of the same as follows:

The impounded and diversion works comprise:

Dam: Type Earth Foundation Earth
Size: Max. Length 60' Maximum height to spillway flow line 4' Freeboard 2'
Section: Upstream slope 3:1
Downstream slope 2:1
Top width 6'
Yardage (Approx.) 200 cu. yds.
Reservoir: Area Normal Pool Level 0.02 acres
Capacity 0.05 acre feet
Nature of Shore line Grassy and flat slopes
Spillway: Type Open channel rock lined Location Right end
Width 12' Depth 2'
Capacity 163 cubic feet per sec.
Cutlet: Size None Control
Location
Ditches: Open Earth Open rock
Pipe Length
Section Capacity
Location or as shown on plans

The system is in the following condition: Dam and spillway in good condition.

The outlet of the reservoir or the point of diversion of the ditch, canal or pipe line is located S. 85° 46' W., 948 feet distant from the NE Corner of Section 35 Township 1 N. Range. 3 E.

The works are capable of utilizing 0.26 acre-feet of water annually or 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 bathing, rearing fish and water supply for fire fighting equipment.

The project was completed 1935

Witness my hand, this 22nd day of November A.D. 1940.

M. E. Von Sigger
Examining Engineer

Profile Centerline Spillway
Station 0+00 0+32 0+78 0+90
Fall 0.0 2.1 6.9 3.8

FORM 17A

WITHDRAWALS No. U.S. 553

FORM 17A

Hay Stack Gulch Reservoir
Name of Project

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Water Division No. 2

Rapid Creek Water District

NOTICE OF COMPLETION OF WORKS

P.O. Denver, Colorado

Date October 8, 1940

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of Hay Stack Gulch reservoir, 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, 36, Township 1 N., Range 3 E.
4. Said water to be used for livestock, fish culture, domestic, fire protection, recreation and 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
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. No. 553

Hay Stack Gulch Reservoir
Name of Project

Pennington
County

Water Division No. 2
Rapid Creek Water District
Hay Stack Gulch
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 Hay Stack Gulch, the annual amount of 0.28 acre-foot of water to maintain storage in Hay Stack Gulch reservoir created by damming said stream at a point S. 55 - 46 W., 948 feet distant from the NE Corner of Section 36, Township 1N, Range 5E. The purpose of such storage is livestock, fish culture domestic, fire protection, recreation and irrigation

This is to certify that there is hereby reserved, of the heretofore unappropriated 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 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 23rd day of August 1940.

State Engineer

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WATER RESOURCES
Water Rights

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

53
RECEIVED
AUG 19 1940

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Hay Stack Gulch
Reservoir Project

Denver, Colorado.

Black Hills National Forest
South Dakota

August 19, 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 1933 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 _____

Hay Stack Gulch Reservoir 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. 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. Hay Stack Gulch Reservoir

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. Hay Stack Gulch - Trib. West Forks ~~Slate~~ Creek

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

canal or pipe line is located S85°46'W 948 feet

distant from the NE Corner of Section 36 Township 1N
Range. 3E.

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

Ans. Livestock - fish culture - domestic - fire protection - recreation -
irrigation

9. The available capacity of reservoir in acre feet.

Ans. .05 acre feet

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

Ans.

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

Ans. 0.26 acre ft.

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

Ans.

13. Location of lands to be irrigated.

Ans.

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

Ans. Standard Plans

H. D. Cushman
Acting Regional Forester