

No.

44578-2

Office of State Engineer  
DOCUMENT FILE

Dept. Agri. Forest Service

0.015 cu. ft.

Sec. 22, 72 R 3E

8-23-1940

Lost River Co.

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 57C-2

Albright Pipe Line

Name of Project

Fall River County

Fall River 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 573 bearing date of August 23, 1940 withdrawing from further appropriation a maximum of 0.015 cubic feet per second of water to be diverted through the Albright Pipe Line ditch, canal or pipe line at a point located on the        bank South Basin Draw N. 63 55' E., 1927 feet distant from the SW corner of Section 29 Township 7S. Range 3E. 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 61.0337, that said works are completed in accordance with information filed in the office of the State Engineer, and a maximum amount of 0.015 cubic feet per second during the period of annually is thereby appropriated for the above purposes bearing date of priority of August 23, 1940.

Witness my hand this 29th day of November 1940.

\_\_\_\_\_  
State Engineer

FORM A

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

C.S. No. 578

Albright Pipe Line

Name of Project

Water Division No. 2

Fall River Water District

Fall River

South Basin Draw

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 61.0137 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 \_\_\_\_\_

\_\_\_\_\_ 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 \_\_\_\_\_ a maximum of 0.015 cubic feet per second to be diverted through the Albright Pipe Line ditch, canal or pipe line at a point located on the \_\_\_\_\_ bank \_\_\_\_\_

N. 66 - 55' E. 1927  
\_\_\_\_\_ feet distant from the \_\_\_\_\_ SW Corner of Section 28, Township 7S.  
Range 3E. 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 23rd day of August 1934.

\_\_\_\_\_  
State Engineer

LETTER OF AUTHORIZATION  
for  
Inspection

October 10, 1970

M. E. Von Saggern

Ester, South Dakota

~~Abstract Pipe Line~~  
Name of Project  
Water Division No. 2  
Fall River Water District  
~~South Dakota~~  
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. US 578, on South Basin Draw (stream) County of Fall River on the Harney 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, Albright Pipe Line ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service, on the Harney 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.

WITHDRAWALS No. U.S. 5Albright Pipe Line  
Name of Project

RECEIVED

Water Division No. 2Fall River Water District

## NOTICE OF COMPLETION OF WORKS

P.O. Denver, ColoradoDate October 8, 1940

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of Albright Pipe Line reservoir, ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service on the Harney 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 SW<sub>4</sub> of Section, 28, Township 7 S., Range 3 E.
4. Said water to be used for livestock, domestic, fire protection 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  
 True.

James L. Brownlee  
 JAMES L. BROWNLEE  
 Assistant Regional Forester  
 Division of Engineering

WITHDRAWAL NO. US 578Water Division No. 2Fall River Water District

## CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

Date Nov. 20, 1940By M. E. Von SeggernAlbright Pipe Line

Project Name and Number

South Easin DrawSource of Appropriation  
(Stream)

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated Oct. 10 1940, I have made a thorough examination of reservoir,

Albright ~~discharge~~ pipe line constructed by the United States of America, Department of Agriculture, Forest Service, Region 2, Denver, Colorado, holder of withdrawal No. US 578 issued upon Notice of Intention bearing date Aug. 19 1940, authorizing the withdrawal from further appropriation of 0.015 ~~acre feet~~ second feet of the waters of South Easin Draw, tributary of Red Canyon 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.  
 Control: Size \_\_\_\_\_ Control \_\_\_\_\_  
 Location \_\_\_\_\_  
 Ditches: Open Earth \_\_\_\_\_ Open rock \_\_\_\_\_  
 Pipe iron pipe Length 39 ft.  
 Section 14 diameter Capacity 0.015 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 N. 66° 55' E., 1927' feet distant from the SW Corner of Section 28 Township 7 S. Range. 3 E.

The works are capable of utilizing                      acre-feet of water annually or 0.015 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 23, 1940

Witness my hand, this 20th day of November A.D. 19 40.

M. E. Von Seggern  
Examining Engineer

E  
WATER RESOURCES  
Water Rights

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

RECEIVED

STATE ENGINEER  
STATE, S. DAK.

Denver, Colorado.

Albright Pipe Line Project

Arney 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 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

Albright 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.

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. Altright Pipe Line

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

Ans. Fall River County

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

Ans. South Basin Draw, tributary Red Canyon

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

canal or pipe line is located N66°-55'E 1927 feet

distant from the SW Corner of Section 28 Township 7 S

Range. SE

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

Ans. Livestock, domestic, fire protection, 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. 0.015 c.f.p.s.

11. Acre foot 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. 0.015 c.f.p.s.

13. Location of lands to be irrigated.

Ans.

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

Ans. 1 in. iron pipe 39 ft. long grade 6.3 ft. per 100 ft.

*F. L. Cochran*  
Acting Regional Forester