

No. *U.S. 6-2*

Office of State Engineer
DOCUMENT FILE

U.S. Dept. of Interior
Bear in the Lodge Creek
Bennett County
Location: - N¹/₄ Cor. Sec. 15, T38N R38W.

This is to certify that there is hereby reserved, of the
heretofore unappropriated waters of White River, the amount
of one and one-half (1½) cubic ft. per second of said
waters; the point of diversion to be on the Right bank
of the said stream at S. 75° W. 1240 ft. from the center
of Sec. 7, T. 38 N. R. 47 W., which water is to be used for
the irrigation of certain lands in the NE ¼ of the SW ¼ of
Sec. 7, T. 38 N. R. 47 W. of the 6th P.M. and the above said
waters are hereby withdrawn from future appropriation
during the continuance of the right herein granted
and contained.

United States Dept. of the Interior, Bureau of Indian Affairs,
Pine Ridge Indian Agency.

Shannon

Michael Doyle

Shannon

Bennett

Shannon

Bennett

Shannon

CERTIFICATE OF WITHDRAWAL
OF
PUBLIC WATERS

BENNETT COUNTY

BEAR IN THE LODGE CREEK

The United States Department of the Interior, Bureau of Indian Affairs, Pine Ridge Indian Agency, having made application for the withdrawal of certain heretofore unappropriated public waters of the State of South Dakota, and having complied with the requirements of the statute of the State of South Dakota providing for such withdrawal, such statute and authority being contained in and described as Vol. 2, Chapter 2, Article 1, Paragraph 8243 of the Revised Code of 1919, now therefore:

This is to certify that there is hereby reserved, of the heretofore unappropriated waters of Bear in the Lodge Creek, the amount of one (1) cubic foot per second of said waters; the point of diversion to be on the right bank of the said stream at S 79°-15'W and 865 feet from the N $\frac{1}{2}$ Corner, of Sec. 15, T.38N, R.38W, which water is to be used for the irrigation of certain lands in Parts of the NE $\frac{1}{4}$ EW $\frac{1}{4}$ of Sec.15, and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec.10, T.38N, R.38W of the 6th P.M. and the above said waters are hereby withdrawn from future appropriation during the continuance of the right herein granted and contained.

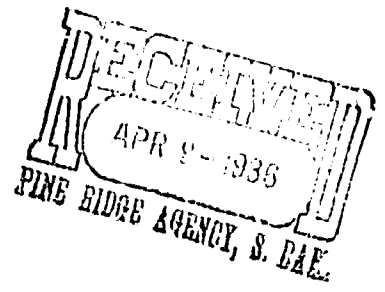
This certificate and withdrawal shall in no manner prejudice, alter, amend or effect the rights of any prior appropriator or prior appropriation of water, nor of any application for appropriation pending upon the date of this certificate, but the rights and privileges of any and all such prior appropriators 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 statute hereinbefore referred to and under the authority of which this certificate is issued.

In accordance with the provisions of the statute hereinbefore referred to, this Certificate is executed at the State Capitol at Pierre, South Dakota, on this 24th day of April, 1936.

STATE ENGINEER.

"EXHIBIT A"



- I. Schedule of Diversions of Water for Irrigation Purposes
On the Pine Ridge Indian Reservation, South Dakota.
- II. Plans of Irrigation Developments on Pine Ridge Indian
Reservation, South Dakota.

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

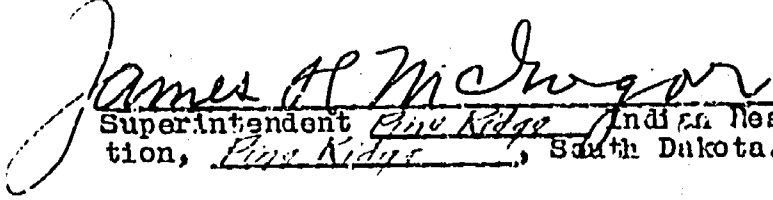
Source of Water	QUANTITY OF WATER			POINT OF DIVERSION.		
	Total Diversion: : per Annum : Acre-Feet.	Rate of Diver- : sion : per second of Time	Feet	Distance : from Public Survey Corner:	Description of : Land Irrigated.	
White River ✓	11 25	1½	Right	S 75° W 1200	Center Sec. 7, T.38N, R.47W,	NE¼SW¼ Sec. 7, T.38N, R.47W, 6th P.M.
Craven Creek ✓	12 100	1½	"	N 72° E 1490	SW Corner Sec. 6, T.41N, R.36W.	SW¼SW¼ Sec. 6, T.41N, R.36W, 6th P.M.
American Horse Creek ✓	3 25	1½	Left	N 64° E 220	NW Cor. SW NW Sec. 3, T.38N, R.41W.	Parts of NW¼SW¼ Sec. 3 and NE¼SW¼ Sec. 4, T.38N, R.41W, 6th P.M.
Bear in the Lodge Creek ✓	7 10	1	Right	S 43° W 345	NE Cor. SE SE Sec. 8, T.38N, R.38W.	Parts of NE¼SE¼ Sec. 8 and NE¼Sec. 9, T.38N, R.38W, 6th P.M.
Ho Flesh Creek ✓	8 15	1	Left	S 11° E 1335	NW Cor. SW¼SW¼ Sec. 27, T.39N, R.40W.	Parts of SW¼SW¼ Sec. 27 and SW¼Sec. 28, T.39N, R.40W, 6th P.M.
White Clay Creek ✓	10 80	2	Left	N 41° E 1830	SW Cor. Sec. 14, T.37N, R.46W.	SW¼SW¼ Sec. 14, T.37N, R.46W, 6th P.M.
Bear in the Lodge Creek ✓	6-15	1	Right	S 79° E 865	N¼ Cor. Sec. 15, T.38N, R.39W.	Parts of NE¼SW¼ Sec. 15 and SE¼SW¼ Sec. 10, T.38N, R.38W, 6th P.M.
Corn Creek ✓	9 10	0.75	Left	S 47° E 195	NW Cor. SW¼SW¼ Sec. 5, T.39N, R.38W.	Parts of NW¼SW¼ Sec. 5, T.39N, R.38W, 6th P.M.
Porcupine Creek ✓	14 100	2	Right	S 22° W 855	NE Cor. Sec. 20, T.38N, R.42W.	NE¼NE¼ T.38N, R.42W, 6th P.M.

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, James H McGregor, Superintendent of the Pine Ridge Indian Reservation located at Pine Ridge, South Dakota, duly authorized by Harold L. Ikes, 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, which 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 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 water 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.


Superintendent Pine Ridge Indian Reservation,
Pine Ridge, South Dakota.

STATE OF SOUTH DAKOTA, }
COUNTY OF Shannon } SS.

James H. McGraw, 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.

James H. McGraw
Subscribed and sworn to before me this 13 day of April, 1936.

Mark Maister
Notary Public for the State of
South Dakota. Residing at Pine Ridge
South Dakota. My commission
expires 5/24/38.