

No.

U. S. M. 99-2

Office of State Engineer
DOCUMENT FILE

Rept. Agriculture

Forest Service

Water Co.

Priority date: June 14, 1937

Sec. 13, T. 3 N. R. 3 E.

S. of access appraised

Stream: French Creek

FORM A

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

U. S. No. 99

Division No. 2

Little Creek Water District

Camp Custer Reservoir

Name of Project

Custer

County

French Creek

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 61.0157 1939 R. S. and Code of South Dakota, now therefore:

This is to certify that there is hereby reserved, of the heretofore unappropriated waters of French Creek, the annual amount of 5.4 acre-feet of water to maintain storage in Camp Custer reservoir created by damming said stream at a point S 10° 12' E. 1647

feet distant from the NW Corner of Section 12, Township 3S, Range 3E. The purpose of such storage is Livestock, High Culture, Domestic, Fire Protection, Irrigation, Recreation

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 14th day of June 1939.

State Engineer

E
WATER RESOURCES
Water Rights

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

77-2
RECEIVED
JUN 17 1939

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Camp Custer Reservoir Project
Harney Forest
South Dakota

Denver, Colorado.

June 14, 1939
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 Camp Custer

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. Camp Custer Reservoir

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

Ans. Custer County

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

Ans.

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

canal or pipe line is located S 18° 12' E. 1647 feet

distant from the NW Corner of Section 12 Township 3 S

Range. 3 E.

8. Uses to which water directly diverted or diverted and stored, is to be
put. Livestock, Fish Culture, Domestic, Fire Protection, Irrigation, Recreation

Ans.

9. The available capacity of reservoir in acre feet.

Ans. 2.4

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. 5.4 Acre Feet

Ans.

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.

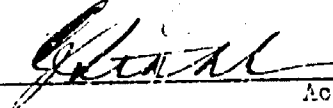
14. Class of plans accompanying "Notice of Intention".

Ans. Standard Plans

ALLEN S. PECK,

Regional Forester

By


Acting.

Form 23A

WITHDRAWAL NO. U.S. 99

Form 23A

AUG 14 1939

ENGINEERING

Water Division No. 2

Battle Creek Water District

CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

SEP 18 1939

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Date July 21, 1939
By Walter Waikling

Camp Custer Reservoir
Project Name and Number

French Creek
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 July 10 1939 I have made a thorough examination of Camp Custer 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. U. S. 99 issued upon Notice of Intention bearing date June 14, 1939, authorizing the withdrawal from further appropriation of 5.4 acre feet, or second feet of the waters of French Creek, tributary of Cheyenne River for livestock, fish culture, domestic, fire protection, irrigation, recreation purposes. I have to report on the condition of the same as follows:

The impounded and diversion works comprise:

Dam: Type Earth fill Foundation earth
Size: Max. Length 396 Maximum height to spillway flow line 5 feet Freeboard 1.5 feet
Section: Upstream slope 3:1
Downstream slope 2:1
Top width 8 feet
Yardage (Approx.) 953 Cu. Yds.
Reservoir: Area Normal Pool Level 1.0 acres
Capacity 2.4 acre feet
Nature of Shore line grassy
Spillway: Type Open channel Location East side
Width Top 15' Bottom 10' Depth 1.5'
Capacity 100 cubic feet per sec.
Outlet: Size 2' x 2' Control Flashboards
Location Center of dam
Ditches: Open Earth Open rock
Pipe Length
Section Capacity
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 S. 18°, 12' East, 1647 feet distant from the NW Corner of Section 12 Township 3 S. Range, 3 E.

The works are capable of utilizing 5.4 acre-feet of water annually or second-foot of water.

The legal subdivisions to be irrigated are _____

comprising a total of _____ acres of land.

The domestic and stockwater uses comprise household and water for livestock. purposes

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 1934.

Witness my hand, this 1 day of August A.D. 1939.

Walter W. Walker
Examining Engineer

Profile, Centerline, Spillway

<u>Station</u>	<u>Elevation feet</u>	<u>Remarks</u>
<u>0+00</u>	<u>0.0</u>	<u>Crest</u>
<u>1+00</u>	<u>-1.2</u>	
<u>1+50</u>	<u>-3.6</u>	

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

U. S. Water Right No. 99-2

Camp Custer Reservoir
Name of Project

Rattle 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. U.S.99 bearing date of June 14, 1939 withdrawing from further appropriation 5.4 acre-feet per annum of water for storage; of the waters of French Creek Stream, County of Custer, State of South Dakota, at a point S. 18 12' East, 1647' from the NW Cor. Sec. 12, T.33, R.3E. recreation for livestock, fish culture, domestic, fire protection, irrigation purposes; 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 61.0157, that said works are completed in accordance with information filed in the office of the State Engineer, and 5.4 acre-feet per year is thereby appropriated for the above purposes bearing date of priority of June 14, 1939.

Witness my hand this 27th day of September 1939.

State Engineer.

LETTER OF AUTHORIZATION
for
Inspection

July 10, 1939

Camp Custer Reservoir
Name of ProjectWalter Walking,Rapid City, South DakotaRattle Creek Water District
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. U. S. 99, on French Creek (stream) County of Custer on the Harney 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 Camp Custer reservoir, ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service, on the Harney 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 judiciously 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.

LETTER OF AUTHORIZATION
for
Inspection

Walter W. Chisum

Black Hills, S. Dak.

July 10 1939
Black Hills Reservoir
Name of Project

Black Hills Water District
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. 1,349, on French Creek (stream) County of Black Hills on the Black Hills 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 French Creek reservoir, ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service, on the Black Hills 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,

Harold W. Louch
State Engineer.

WITHDRAWALS No. U. S. 99Camp Custer Reservoir
Name of ProjectWater District No. 2Buttle Creek Water District**RECEIVED**

JUL 10 1939

NOTICE OF COMPLETION OF WORKS

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.P.O. Denver, ColoradoDate July 7, 1939

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

Dear Sir: Notice is hereby given of the completion of the construction of Camp Custer reservoir, ditch, or pipe line constructed and owned by the United States of America, Department of Agriculture, Forest Service on the Harney 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 1 NW 1 of Section, 12 Township 3S, Range 3 E.
4. Said water to be used for livestock, fish culture, domestic, fire protection, irrigation recreation 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 Walter Walkling.
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