



WATER-RIGHT DOCKET

Devils Tower National Monument

Docket No: 2

DEVIL'S TOWER PIPELING #2, SPRING #2.

Preliminary Docket Information

06-26-1942: water right record ; june 26, 1942

WATER RIGHT RECORD

Park: DETO

Docket Number:
Federal #2

IDENTIFICATION NO: DETO S 1 2 5 3 6 6 A F 0 2

DITCH/WATER SYSTEM: Devils Tower Pipe Line #2

SOURCE OF SUPPLY: Spring #2

LOCATION: S70°47'W 1160 ft. from the E½ Cor., Sec. 12, T53N, R66W, 6th PM

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: 19740

Certificate Record Number: 23551

Date of Priority: June 26, 1942

Quantity of Water: 0.137
~~0.008~~ c.f.s.

Purpose: Fire protection, recreational

Irrigated Land Description:

SUMMARY OF STATUS: This is a Federal water right consisting of a spring well, pipe line and 2400 gallon reservoir.

Application to Appropriate Water was made on June 26, 1942. Proof of Appropriation of Water was made on November 8, 1943 and Certification of Appropriation of Water was made on June 29, 1944.

*Reservoir has eroded for a # of years - very little H₂O available -
800 gallons/24 hrs - pipeline broken - reservoir dry - back to natural -
keep for natural maintenance.*

Docket Identity	DETO S 12 53 66 A F 102
Region	ROCKY MOUNTAIN
Area	DEVILS TOWER NATIONAL MONUMENT
Site	DEVILS TOWER PIPELINE 2
State	WYOMING
County	CROOK
Docket	DETO WATER RIGHT DOCKET 2
Location	T53N R66W SEC 12 NE 1/4 SE 1/4
Acquired by	APPROPRIATION
Application	14 2/1370
Permit	19740
Certificate	23551
Priority	JUNE 26 1942 - 0.137 CFS
Reservation	SEPTEMBER 24 1906
Status	ACTIVE FEDERAL - MAY 31 1944
Source	GROUND WATER
Use	FIRE PROTECTION RECREATIONAL DOMESTIC
Quantity	0.137 CFS
Hydrologic Unit	10120201
Remarks	PRIMARILY RESERVE FOR FIRE PROTECTION TO AUGMENT LIMITED SUPPLY FROM PIPELINE 1

Proof No. 23881

THE STATE OF WYOMING

Certificate of Appropriation of Water

Certificate Record No. 60, Page 59

WHEREAS, United States of America, Department of the Interior, National Park Service has presented to the Board of Control of the State of Wyoming proof of the appropriation of water from Spring Number Two, tributary of Bella Fournie River for domestic, recreational through the Devils Tower Pipe Line No. Two ~~Block~~ under Permit No. 19740 for ~~fire protection~~ ^{irrigation} of the lands herein described, lying and being in Brook County, Wyoming

NOW KNOW YE, That the State Board of Control, under the provisions of Chapter 122, Wyoming Revised Statutes, 1931, has, by an order duly made and entered on the 31st day of May, A. D. 1944, in Order Record No. 11, Page 166, determined and established the priority and amount of such appropriation as follows:

Name of Appropriator United States of America, Department of the Interior, National Park Service; Postoffice Address Devils Tower, Wyoming;

Date of Appropriation June 26, 1943; Total Acreage Eighty-eight (88) Acres

Amount of Appropriation 0.137 cu. ft. per sec.; Description of land to be irrigated and for which this appropriation is determined and established: and Supplemental Supply

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
SUPPLEMENTAL SUPPLY FOR THE FOLLOWING LANDS UNDER PERMIT NO. 19739 FROM SPRING NO. ONE THROUGH THE DEVILS TOWER PIPE LINE NO. ONE:																			
53 N	66 W	7											8	4					12
53 N	66 W	12														11		5	16
			SUPPLEMENTAL SUPPLY: The total amount of water that may be used under the combined appropriation shall be the minimum amount required for the irrigation of said lands and shall not exceed the statutory limit of one cubic foot per second for each seventy acres irrigated.																
THIS APPROPRIATION FOR FIRE PROTECTION, RECREATIONAL AND DOMESTIC PURPOSES IS LIMITED TO AN AMOUNT NOT TO EXCEED 0.137 CU. FT. PER SEC. FOR USE ON																			
W $\frac{1}{2}$ SEC. 12 AND N $\frac{1}{2}$ SEC. 13, TWP. 53 N., RANGE 66 W.; AND NW $\frac{1}{4}$ SEC. 4, NW $\frac{1}{4}$ SEC. 7; NW $\frac{1}{4}$ SEC. 18, TOWNSHIP 53 N., RANGE 66 W.																			

The right to water hereby confirmed and established is limited to irrigation, ~~recreational, domestic, fire protection~~ and the use is restricted to the place where acquired and to the purpose for which acquired; rights for irrigation not to exceed one cubic foot of water per second for each seventy acres of land for which the appropriation is herein determined and established.

IN TESTIMONY WHEREOF, I, L. C. BISCOPE, President of the State Board of Control, have hereunto set my hand this 31st day of May, A. D. 1944, and caused the seal of said Board to be hereunto affixed.

Attest: Earl Boyd Ex officio Secretary. Earl Boyd President

Certificate of Appropriation of Water
The State of Wyoming
to
United States of America Dept
of Interior, National Park Service

Document	7D
JUL 20	1944
City	
Handman	
Ranger	

STATE OF WYOMING
COUNTY OF CONVOY
This Instrument was filed for record HSD
on 29 July 1944 A. D. 1944 and duly
recorded in Book 16 on Page 72
Thasie H. H. H.
County Clerk and Not Public Registrar of Deeds
By _____ Deputy
When recorded before No.

File	✓
Index	✓
Adm	✓
Rec	✓

Form--SE-9

The State of Wyoming
State Engineer's Office
Cheyenne

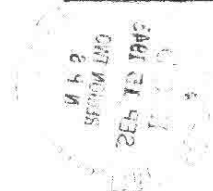
P
y

Cheyenne, Wyoming, January 13, 1943

Mr. NATIONAL PARK SERVICE

c/o J. W. Emmett, Acting Sup't

Yellowstone Park, Wyoming



Dear Sir:

Your notice of completion of the application of water to beneficial use through
the Devils Tower Pipe Line No. 2 Ditch, in
before August 31st 19 33, diverting water from Spring No. 2
under the conditions of Permit No. 19740
has been received this day and the same has been made a matter of record in this
office.

Yours very truly,

L. C. Bishop, State Engineer

The State of Wyoming
State Engineer's Office
Cheyenne

Cheyenne, Wyoming, January 13, 1943

Mr. NATIONAL PARK SERVICE

c/o J. W. Emmett, Acting Sup't

Yellowstone Park, Wyoming

Dear Sir:

Your notice of completion of the Devils Tower Pipe Line No. 2
on before January 1st, 1933, for the appropriation of water from
Spring No. 2 under the
conditions of Permit No. 19740 has been received this day and the same has been
made a matter of record in this office.

Yours very truly,

L. C. Bishop, State Engineer

Form SE-7

c
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p
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The State of Wyoming
State Engineer's Office
Cheyenne

Cheyenne, Wyoming, January 13, 1943

Mr. NATIONAL PARK SERVICE

c/o J. W. Emmett, Acting Sup't

Yellowstone Park, Wyoming



Dear Sir:-

Your notice of commencement of work on the Devils Tower Pipe Line No. 2
(Ditch)
(Reservoir) ~~on~~ before July 1st, 1932,
under the conditions of Permit No. 19740, has been received this day and
the same has been made a matter of record in this office.

Yours very truly,

L. C. Bishop, State Engineer

COPY
STATE OF WYOMING
PROOF OF APPROPRIATION OF WATER

PERMIT NO. 19740 DATE OF PRIORITY June 26, 1942
 NAME OF DITCH OR CANAL Devils Tower Pipe Line No. 2
 SOURCE OF SUPPLY Spring No. 2
 TRIBUTARY OF Belle Fourche River

1. Name of Claimant? United States of America, Dept. of the Interior, National Park Service
2. Postoffice? Devils Tower State? Wyoming
3. Are you the original applicant for Permit No. 19740 ? Yes
4. If not, what documentary evidence shows your interest in the works constructed under such permit?

5. For what purpose is water used? Fire protection, supplemental supply for recreation and irrigation.
6. When did construction of the works under permit begin? Before July 1, 1932.
7. When were they completed? Before Jan. 1, 1933
8. When was the beneficial use of water completed? Before August 1, 1933
9. Have you a good headgate provided at the point of diversion? Yes
10. Have the terms of your permit been complied with as to width, depth and grade of your ditch? Yes
11. Give the legal subdivisions of land owned or controlled by you on which water has been used, and if an appropriation of water for irrigation is claimed, give the acreage which has been irrigated in each legal subdivision prior to the time of the expiration of your permit.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
53N	65 W	7									8	4							12 SS
53N	66 W	12													11			5	16 SS
			For Emergency, Domestic and Recreational Purposes																
53	66	12					x	x	x	x	x	x	x	x					SS
		13	x	x															SS
53	65	7		x			x	x	x	x		x	x						SS
		18						x											SS

12. (a) Has the water been used beneficially and land irrigated each year since the time for the completion of irrigation stated in your permit? (b) If not, state exceptions.

(a) NO (b) Wartime needs in 1943 did not require use.

13. In what county is the above described land situated? Crook

14. Give amount of your investment in the irrigation works? \$1200.00

15. Are you the owner of the lands described herein? Yes

THE STATE OF WYOMING,

County of Crook

I, Edmund B. Rogers, being first duly sworn, do depose and say that I have read the above and foregoing proof of appropriation of water; that I know the contents thereof; and that the facts stated therein are true.

In Witness Whereof, I have hereunto set my hand this 8th day of November, 19 43
 the undersigned, familiar with the
 above described irrigation works, do hereby state
 that the above statements are correct to the best of
 knowledge and belief.

United States of America
 Department of the Interior
 National Park Service

By Edmund B. Rogers

Subscribed and sworn to before me this 8th day of November, 19 43

Edward J. Johnson

Superintendent, Water Division No. 2

DITCH

Proof of Appropriation

Permit No. 19740

Division No. 2 District No. _____

Ditch

Devils Tower Pipe Line No. 2

Date of Priority

June 26, 1942

Name of Stream

Spring No. 2

Tributary of

Belle Fourche River

Name of Claimant

United States of America

Dept. of the Interior

National Park Service

Devils Tower, Wyoming P. O.

Filed with me this 8th day of November

19 43

Edward J. Johnson

Fees Paid \$ _____ Superintendent

Filed in the office of the State Board of Control

this _____ day of _____

19 _____

Ex-officio Secretary State Board of Control.

Fees Paid \$ _____

DOUGLAS (WFO.) ENTERPRISES

File Copy

FORM A

PERMIT NO. 19740

NOTICE OF COMPLETION RECEIVED

PROOF SUBMITTED

APPLICATION FOR A PERMIT TO DIVERT AND APPROPRIATE THE WATER OF
THE STATE OF WYOMING

WATER DIVISION No. 2

DISTRICT No.

I, Edmund B. Rogers, Superintendentof Yellowstone National Park, County of --State of Wyoming, being duly sworn according to law, upon my oath say:1. The name of the applicant is the United States of America,Department of the Interior, National Park Service

is

2. The postoffice address of the applicant Devils Tower National Monument,Devils Tower, Wyoming.3. The use to which the water is to be applied is Fire protection and supplemental supply
for recreational purposes., and for incidental irrigation.4. The name of the ~~diversion~~ ^{pipe line} is Devils Tower Pipe Line No. 2.5. The source of the proposed appropriation is a nameless spring hereafter designated
Draw,
as Spring No. 2, tributary of which is a tributary of Belle Fourche River.6. The headgate of the proposed ~~diversion~~ ^{pipe line} is located S 70 Deg. 47 Min. W
1160 feet distant from the east quarter corner of Section 12 T. 53 N. R. 66 W.,
and is in the NE 1/4 SE 1/4 of Section 12 T. 53 N. R. 66 W.7. The said ~~diversion~~ ^{pipe line} is to be pipe D. 137 miles long.8. The carrying capacity of the ~~diversion~~ ^{pipe line} at the headgate is 0.008 cu. ft. per sec.9. (a) The nature of the material to be moved is earth 50%, loose rock 50%.(b) Number, length and size of tunnels None(c) Number, length and size of flumes None10. The estimated cost of said works is 1200 Dollars.

11. Construction on proposed work will begin within one year from date of approval of this application.

12. The time required for the completion of the ~~diversion~~ ^{pipe line} and other distributing works is (completed)
year.... from December 31st, 1941.13. The time required to complete the application of water to the beneficial uses stated in this application is 5 years from December 31st, 1941.

14. The accompanying map is prepared in accordance with the Manual of Regulations and Instructions for Filing Applications in the State Engineer's Office and is hereby declared a part of this application.

15. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision. Designate ownership of land, Government, State or Private. If Private, give names of owners.)

TOWNSHIP	RANGE	Sec.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
Place of use (irrigation only incidental) on Government land			Supplemental Supply																
53 N	65 W	7										8	4						12
53 N	66 W	12													11		5		16
for emergency, domestic, and recreational purposes.																			
53 N	66 W	12					x	x	x	x	x	x	x	x					
53 N	66 W	13	x	x															
53 N	65 W	7		x			x	x	x	x		x	x						
53 N	65 W	18					x												
There is to be no specific irrigation, but the water may be used for fire control or temporary sprinkling of newly planted roadsides in any of areas checked.																			

for supplemental supply 28

TOTAL NUMBER OF ACRES TO BE IRRIGATED/

(Signed) Edmund B. Rogers

THE STATE OF WYOMING,
Yellowstone National Park } ss.
COUNTY OF

I hereby certify that the foregoing application was signed in my presence and sworn to before me by

Edmund B. Rogers this 9th day of

June, 1942.

/s/

(SEAL)

Gezalla M. Kerr
Gezalla M. Kerr, Notary Public
My Commission Expires May 1, 1946

The spring flow is approximately 500 g.p.d. and is collected in spring well whence it is piped to 400 gallon concrete reservoir at side of road. Thence it is hauled by truck.

The supply is primarily a reserve for fire protection to augment the limited supply from Devils Tower Pipe Line No. 1 in an emergency, but it is also a potential emergency supply for all other uses claimed for Devils Tower Pipe Line No. 1.

THE STATE OF WYOMING, }
STATE ENGINEER'S OFFICE, } ss.

~~This is to CERTIFY that I have examined the foregoing application and have rejected same for the following reason:~~

~~Witness my hand this _____ day of _____, A. D. 19____~~

THE STATE OF WYOMING, }
STATE ENGINEER'S OFFICE, } ss.

This is to CERTIFY that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions: The irrigation use to be for supplemental supply only. The total amount of water to be used on these lands for irrigation shall not exceed the statutory limit of one cubic foot of water per second of time for each seventy acres of land irrigated.

Construction of proposed work shall begin within one year from the date of approval.

The time for completing the work shall terminate on December 31, 1944.

The time for completing the application of water to beneficial use shall terminate on December 31, 1946, and final proof of appropriation shall be made within five years thereafter.

The amount of appropriation shall be limited to the amount beneficially used for fire protection, recreational, and incidental irrigation on or before December 31, 1946, not to exceed _____ acres of land reclaimed on or before December 31, 1946, and the additional volume used for 0.137 cubic foot of water per second of time.

Witness my hand this 24th day of November, A. D. 1942.

/s/ L. C. Bishop
L. C. Bishop, State Engineer.

Filing No. 14, 2/370	Original
Permit No. 19740	
Application for a Permit to Divert and Appropriate the Water of the State of Wyoming	
DIVISION No. 2	DISTRICT No.
Applicant U.S. Dept. of Interior National Park Service Devils Tower National Monument Address Devils Tower, Wyoming	
Ditch Devils Tower Pipe Line No. 2	
Source Spring No. 2	
Acreage Five sections, recreational and S. S.	
THE STATE OF WYOMING } ss. State Engineer's Office,	
This instrument was received and filed for record on the 26th day of June, A. D. 1942 at 11:00 o'clock A. M. /s/ L. C. Bishop State Engineer.	
Recorded in Book 66	of
Applications, on Page 114	
Form A	
Fee \$2.00 Pd.	Map Filed "E"

NOTICE

A Manual of Regulations and Instructions for Filing Applications will be furnished by the State Engineer's Office upon request. By carefully complying with the instructions contained in the Manual, much trouble and delay will be saved the applicant, the surveyor, and the State Engineer's office.

This application must be accompanied by maps in duplicate, prepared in accordance with the Manual, and by a filing fee of two dollars.

Applications returned for corrections must be resubmitted to the State Engineer within ninety days with the corrections properly made; otherwise the filing will be canceled.

This application when approved does not constitute a complete water right. It is your authority to begin construction work, which must be commenced within one year from the date of approval of this application.

Notice of commencement of work, completion of the work, and of application of the water to the beneficial uses described in the permit, should be filed in the State Engineer's office before the expiration of the time allowed in the permit.

Requests for extensions of time within which to begin construction, to complete the work, and to make beneficial application of the water must be in writing, stating why the additional time is required, and must be received in the State Engineer's office before the expiration of the time allowed in the permit.

To perfect your water right, notify your Division Superintendent that you are ready to submit final proof. This notice should be sent to the Superintendent as soon as possible after you apply the water to the beneficial uses described in your permit. When you have submitted your proof before the Superintendent it will be considered by the State Board of Control, and, if found to be satisfactory, the Board will issue to you a Certificate of Appropriation which will constitute a completed water right.

Form--SE-2--Pioneer-Cheyenne

NOTICE OF COMMENCEMENT OF WORK

Yellowstone National Park, Wyo., December 29, 1942

STATE ENGINEER,
Cheyenne, Wyoming.

Permit No. 19740

I hereby notify you that work was commenced on the Devils Tower Pipe Line No. 2

proposing to divert water from Spring No. 2

before the first day of July, 1932

J. W. EMMERT

Acting Supt., Yellowstone National Park.

NOTICE OF COMPLETION OF CONSTRUCTION

Yellowstone National Park Wyo., December 29, 1942

STATE ENGINEER,
Cheyenne, Wyoming.

Permit No. 19740

I hereby notify you that the Devils Tower Pipe Line No. 2

proposing to divert water from Spring No. 2

was completed before the first day of January, 1933

J. W. EMMERT

Acting Supt., Yellowstone National Park.

NOTICE OF COMPLETION OF THE APPLICATION OF WATER TO BENEFICIAL USE

Yellowstone National Park Wyo., December 29, 1942

STATE ENGINEER,
Cheyenne, Wyoming.

Permit No. 19740

I hereby notify you that the application of water to the beneficial uses described

in above numbered permit for the Devils Tower Pipe Line No. 2, ~~xxxx~~, diverting

water from Spring No. 2 was completed before the 31st day of

August, 1933.

J. W. EMMERT

Acting Supt., Yellowstone National Park.

Maps and Miscellaneous Information

Docket Information