



WATER-RIGHT DOCKET

Jewel Cave National Monument

Docket No: 1

WELL #1 AND WELL SPRING PIPELINE

Preliminary Docket Information

00-00-0000: water right record for jewell cave

WATER RIGHT RECORD

Park: JECA

Docket Number:
Fed. #1

IDENTIFICATION NO: JECA S O 2,0 4,0 2, A F, O 1

DITCH/WATER SYSTEM: Jewell Cave

SOURCE OF SUPPLY: Hill Spring

LOCATION: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, T4S, R2E, Black Hills Meridian

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: 32-2

Certificate Record Number:

Date of Priority: August 28, 1937

Quantity of Water: 0.011 c.f.s.

Purpose: Domestic, recreational and

Irrigated Land Description:

status of this right is unknown. (12/91 SSA)

No documents to verify whether apphc. was perfected

Also, this source is apparently no longer used

SUMMARY OF STATUS: This is a Federal water right consisting of a spring, 5,000 gallon reservoir and distribution system.

See Docket #2 { A well was drilled in 1959, and pump installed in 1962, which system is now in use. The spring is not being used at present, but could be used if needed.

License 522-2

DOCKET INFORMATION SHEET

Docket Identity	JECA S 02 04 02 A F D 1
Region	ROCKY MOUNTAIN
Area	JEWEL CAME NATIONAL MONUMENT
Site	JEWEL CAME
State	SOUTH DAKOTA
County	CLUSTER
Docket	JECA WATER RIGHT DOCKET 1
Location	T4S R2E SEC 2 NG 1/4 NE 1/4
Acquired by	APPROPRIATION
Application	
Permit	32-2
Certificate	
Priority	AUGUST 28 1937 - 0.011 CFS
Reservation	FEBRUARY 7 1908
Status	ACTIVE FEDERAL
Source	GROUND WATER
Use	DOMESTIC RECREATIONAL AND FIRE PROTECTION
Quantity	0.011 CFS
Hydrologic Unit	10120107
Remarks	A WELL WAS DRILLED IN 1959 AND A PUMP INSTALLED IN 1962 THE SPRING IS USED FOR STAND-BY ONLY AT THE PRESENT

C O P Y

LETTER OF AUTHORIZATION

for

Inspection

August 25, 1939

A. van V. Dunn, Engineer

Jewel Cave Pipe Line

National Park Service

Division No. 2
Fall River Water District
Springs
Source of Appropriation

Dear Sir:

The United States of America, Department of the Interior, National Park Service, San Francisco, California, 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. 32, on Springs County of Guster on the Jewel Cave Nat'l. Monument system 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 Jewel Cave Pipe Line constructed and owned by the United States of America, Department of Interior, National Park Service, on the Jewel Cave Nat'l. Monument system 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,

(Sgd) Dean W. Loucks.
State Engineer.

C O P Y

C O P Y

CERTIFICATE OF WITHDRAWAL

OF

PUBLIC WATERS

CUSTER COUNTY

SPRING

The National Park Service of the United States Department of the Interior 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 therefor:

This is to certify that all of the unappropriated waters from the spring which furnishes water for the Jewel Cave National Monument system located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec.2, T.4 S., R.2 E., Black Hills Meridian within the boundaries of Custer County, State of South Dakota, 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 14th day of September, 1937.

(Sgd.) Dean W. Loucks
STATE ENGINEER.



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 S62° 31' W 1241.16 feet feet distant from the NE Corner of Section 2 Township 4S Range 2E.

The works are capable of utilizing _____ acre-feet of water annually or 0.011 second-feet of water.

The legal subdivisions to be irrigated are incidental to domestic use in S1/4 Section 2, Township 4 South, Range 2 East comprising a total of 1 1/2 acres of land.

The domestic and stockwater uses comprise 6 employees @ 110 gpd = 660 gpd
25 man construction and maintenance camp @ 85 gpdpc 2125 gpd

The utilization for public recreation, game and fish propagation, fire protection, comprises: Public Campground - average 50 @ 15 gpd 750 gpd
Incidental use by passing motorists at spring - claim negligible
Fire protection - 2 hose connections (3/4"), dust laying, etc. (available & used) 3500 gpd
The project was completed February 14, 1936

Witness my hand, this 9th day of September A. D. 1939.

A. van V. Dunn
Examining Engineer

Note 1: Diversion works consist spring well, 8' deep and 5' in diameter, lined with 2 sections of precast concrete pipe 0.33' thick. The 2" pipe diverts 5' below natural ground. There is also a hand pump over pit for public use of passing motorists.

Note 2: Public attendance and consequent campground (and public comfort station) use has increased at following rate: 1936 - 1,353; 1937 - 2,067; 1938 - 2,797; 1939 - 4,003 in summer season.

(dated about Aug. 24, 1937)
for Sept. 6, 1937

NOTICE OF APPROPRIATION OF WATER BY THE UNITED STATES

(Under Sec. 8243, Compiled Laws of South Dakota)

TO THE STATE ENGINEER OF THE STATE OF SOUTH DAKOTA:

Notice is hereby given by the Custodian of Jewel Cave National Monument located near Hot Springs, South Dakota, who is a properly authorized officer of the United States and authorized by law to construct works for the utilization of waters within this State, that the United States intends to utilize certain specified waters for the benefit of Jewel Cave National Monument, part of the National Park System, as follows, TO-WIT:

The spring which furnishes water for the Jewel Cave National Monument system located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 2, T. 4 S., R. 2 E., Black Hills Meridian. A 5000-gallon reservoir of reinforced concrete at Jewel Cave is situated in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 2, T. 4 S., R. 2 E., Black Hills Meridian.

No increased use of water is anticipated at this time at Jewel Cave National Monument. Construction is complete. This spring and reservoir are situated on Government property administered by the National Park Service.

(Sgd) Edward M. Freeland

~~Custodian, Jewel Cave National Monument~~
Park Superintendent.

WITNESSED BY:

H. M. Sherman, Park Clerk.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA
601 Sheldon Building
May 19, 1939

State Engineer,
Pierre, South Dakota.

Dear Sir:

Reference is made to your letter of December 17, 1937, relating to Withdrawal Nos. 32 and 33.

We regret that a combination of circumstances has prevented our earlier compliance with the requirement outlined in your letter to the effect that maps portraying the site and methods of appropriation of water should be filed in your office in connection with these withdrawals by the Government. We have now completed drawing No. NM-JC-6975, relating to the Jewel Cave pipe line, and we enclose herewith for filing the tracing and one print thereof.

For your reference, we might state that statement of appropriation (Withdrawal No. 33) in compliance with Section 8243, Compiled Laws of South Dakota, was forwarded to you under date of September 8, 1937, by the Regional Director, Region II, National Park Service.

A map covering the appropriation of water at Wind Cave National Park (Withdrawal No. 32) is in the course of preparation, and will be completed and forwarded to you within a short time.

Yours very truly,

Joseph E. Taylor
Joseph E. Taylor,
Regional Attorney.

Encl.

CC: Director.
CC: Supt., Wind Cave National Park.
Regional Director, Region II. ✓

C O P Y



CERTIFICATE OF CONSTRUCTION OF WORKS
and
APPROPRIATION

Reg. Director	
Brown	
Alexander	
Curtis	
Answered by	

U. S. Water Right No. 32-2

Jewell Cave Pipe Line
Name of Project
Fall River Water District

TO ALL WHOM IT MAY CONCERN:

This is to Certify, that the United States of America, Department of Interior, National Park Service, has complied with the State Laws and has been issued a withdrawal No. U. S. 32 bearing date of September 14, 1937 withdrawing from further appropriation all of the unappropriated waters from the springs which furnish water for the Jewell Cave National Park and located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec. 2, T. 4S., R 2E., County of Ouster, State of South Dakota, and further described and shown in the Notice and on the accompanying map showing the Jewell Cave Pipe Line; for domestic, recreational and fire protection purposes; 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 61.0137, that said works are completed in accordance with information filed in the office of the State Engineer, and 0.011 sec. feet is thereby appropriated for the above purposes bearing date of priority of August 28, 1937.

Witness my hand this 18th day of September 1939.

/s/ Dean W. Loucks.
State Engineer.

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NOTICE OF APPROPRIATION OF WATER BY THE UNITED STATES

(Under Sec. 8243, Compiled Laws of South Dakota)

TO THE STATE ENGINEER OF THE STATE OF SOUTH DAKOTA:

Notice is hereby given by the Custodian of Jewel Cave National Monument located near Hot Springs, South Dakota, who is a properly authorized officer of the United States and authorized by law to construct works for the utilization of waters within this State, that the United States intends to utilize certain specified waters for the benefit of Jewel Cave National Monument, part of the National Park System, as follows, TO-WIT:

The spring which furnishes water for the Jewel Cave National Monument system located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 2, T. 4 S., R. 2 E., Black Hills Meridian. A 5000-gallon reservoir of reinforced concrete at Jewel Cave is situated in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 2, T. 4 S., R. 2 E., Black Hills Meridian.

No increased use of water is anticipated at this time at Jewel Cave National Monument. Construction is complete. This spring and reservoir are situated on Government property administered by the National Park Service.

Signed Edward M. Freehand
Custodian, Jewel Cave National Monument
Park Superintendent

WITNESSED BY:

Signed H. M. Sherman, Park Clerk.

2/4/46

File copy bears no
date but letter of
transmittal was dated Aug. 28, '37

Corrections made to-day
see Licki memo dated 1/24/46

W.P.L.

Form 23A

WITHDRAWAL NO. 82

Form 23A

Water Division No. 2Fall River Water District

CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

Date September 8, 1939
By A. van V. DunnJewel Cave Pipe Line
Project Name and NumberHill Spring, tributary
to Cheyenne River through
Hells Canyon & Pass 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 August 25, 1939, I have made a thorough examination of Jewel Cave Nat'l Monument Water System, designated Jewel Cave pipe line constructed by the United States of America, Department of Interior, National Park Service, holder of withdrawal No. 82 issued upon Notice of Intention bearing date September 8, 1937, authorizing the withdrawal from further appropriation of - acre feet, or 0.011 second feet of the waters of Hill Spring (S) Custer Co., tributary of Cheyenne River through Pass Creek for Domestic, Recreational and Fire Protection purposes.

I have to report on the condition of the same as follows:

The impounded and diversion works comprise:

Dam: Type None - see note 1 Foundation -
Size: Max. Length - Max. Height to spillway -
flow line - Freeboard -
Section: Up stream slope -
Down stream slope -
Top width -
Yardage (Approx.) -
Reservoir: Area Normal Pool Level None - see Distribution Tank acres
Capacity -
Nature of shore line -
Spillway: Type Top of concrete pipe Location all around
Width - Depth -
Capacity - cubic feet per second -
Outlet: Size 2" diameter Control valve
Location 5' below natural ground
Ditches: Open Earth - Open rock -
Pipe 2" galvanized iron Length 1500 feet
Section - Capacity 0.011
Location or as shown on plans as shown on plans
Regulating Distribution Tank 6' X 6' 18" - 3240 gallons - Reinforced
concrete 6" thick

Other Supporting Information



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

IN REPLY REFER TO:
154 JEWL

December 29, 1951

Memorandum

To: Regional Director, Region Two
From: Chief, Water Resources Branch
Subject: Water Right Assemblies, Jewel Cave National Monument

On December 6, 1945, we forwarded to you two folders for use in making up Jewel Cave National Monument Deed 2 for the files of Region Two and the Superintendent. The papers to be inserted in the deed folder were listed, and it is assumed that the deed assembly was made up at that time and that copies are now in your own office and that of the Superintendent.

In conformance with Mr. Tolson's memorandum of June 18 to the Regional Directors, Regions One, Two, Three, and Four, relating to the new procedure in numbering and filing water rights assemblies, there is attached original Jewel Cave Water Right Docket No. 1, which was previously Deed No. 2. This is assembled in accordance with the aforesaid listing, and should now be compared with your assembly.

This original water right assembly has heretofore been retained in the Director's files, but is henceforth to be held by the Superintendent as the official record of this water right. His present assembly should be destroyed, unless the Coordinating Superintendent may wish to complete his own files on water rights matters, in which case it may be sent to him after making the change in numbering. The numbering on your own assembly should be changed to the new docket number before transmittal to the Superintendent.

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch

In triplicate

Attachment



[Handwritten initials]

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WIND CAVE NATIONAL PARK
HOT SPRINGS, SOUTH DAKOTA

January 22, 1946.

MEMORANDUM for the Regional Director,
Region Two.

Reference is made to Acting Associate Regional Director
Robertson's memorandum of January 17, transmitting Deed No. 2,
covering Federal Water Withdrawal No. 32.

The original Certificate of Construction of Works and Appropriation is hereby transmitted to your Office as requested. The files of this Office show that the Notice of Appropriation of Water was signed by Park Superintendent Edward M. Freeland and witnessed by Park Clerk H. M. Sherman. The file copy bears no date but the letter transmitting the original carries the date of August 28, 1937. It is assumed that such date also represents the date the notice was signed.

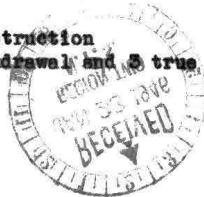
As per Mr. Dunn's request we have searched our files and attached is the original Certificate of Withdrawal of Public Waters for the Director. Three copies of the certificate are attached for assembly with Mr. Dunn's and your copies of the deed.

(Sgd.) Harry J. Liek

Harry J. Liek,
Superintendent.

In duplicate.

Enclosures: Certificate of Construction
Certificate of Withdrawal and 3 true copies





C O P Y

C O P Y

CERTIFICATE OF WITHDRAWAL

OF

PUBLIC WATERS

CUSTER COUNTY

SPRING

The National Park Service of the United States Department of the Interior 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 all of the unappropriated waters from the spring which furnishes water for the Jewel Cave National Monument system located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec.2, T.4 S., R.2 E., Black Hills Meridian within the boundaries of Custer County, State of South Dakota, 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 affect 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 14th day of September, 1937.

(Sgd.) Dean W. Loucks
STATE ENGINEER.



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION TWO
OMAHA, NEBRASKA

January 17, 1946.

MEMORANDUM for the Superintendent,
Wind Cave National Park,

There are enclosed the following papers pertaining to water rights
in Jewel Cave National Monument.

One partially complete assembly of Deed No. 2 covering Fed-
eral Water Withdrawal No. 32.

One copy of the memorandum of transmittal and instructions
from Mr. Dunn, dated December 6, 1945.

We think Mr. Dunn has stated his wishes in a clear and definite
manner so there appears to be no reason for further comments. We will,
however, suggest that you transmit the original papers and information
relating to signatures and dates through this office to the Director.



W. E. Robertson,
Acting Associate Regional Director.

encl. (listed),



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO, ILLINOIS 54

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

December 6, 1945.

MEMORANDUM for the Regional Director, Region Two.

Enclosed are two folders for use in making up assemblies of Jewel Cave National Monument Deed 2 covering Federal Water Withdrawal No. 32. The assemblies when completed should contain the following papers, listed from the bottom up:

1. Drawing No. WM-JC-6975, Jewel Cave Pipe Line, Jewel Cave National Monument.
2. Notice of Appropriation of Water by the United States, for Jewel Cave National Monument. (Undated and unsigned.)
3. Letter of Authorization dated August 25, 1939, from Dean W. Loucks, State Engineer, to A. van V. Dunn, Engineer, to inspect water system at Jewel Cave National Monument.
4. Certificate of Examination of Works, Report of A. van V. Dunn, Examining Engineer, dated September 9, 1939, in connection with water system at Jewel Cave National Monument.
5. Certificate of Construction of Works under U. S. Water Right No. 32, at Jewel Cave National Monument, dated September 18, 1939, by Dean W. Loucks, State Engineer.

One of the enclosed folders, to be sent to the Superintendent, contains the complete deed assembly except for drawing No. WM-JC-6975. Our records show that prints of this map were forwarded to both you and the Superintendent on May 19, 1939, and that copies of all the other enclosures are in your files so that you can complete your assembly of the deed and then forward to the Superintendent the assembly intended for him, in which he should insert his print of the map.

Since we are endeavoring to obtain the originals of all papers wherever possible for the general deed files here, it is requested that we be furnished with the original Certificate of Construction which was forwarded to the Superintendent by Regional Attorney Joseph S. Taylor on October 2, 1939.

Please note also that the copy of Notice of Appropriation of Water lacks the signatures of the Superintendent and witnesses and the date of



Long

execution. Will you please supply this information to us so that it can be inserted on the two copies of the deed assembly filed in this Office. If the Superintendent did not make such notations, and will advise us to that effect, we will obtain the information from the State Engineer.

As item 4 you will notice that we have the copy of the Certificate of Examination of Works. On the other hand, in Wind Cave National Park Deed 7 we have no such certificate, but we do have a Notice of Completion of Works which is not duplicated in this assembly. I was only authorized to make the inspection for the Jewel Cave Water System and the Cold Spring Creek Water System (Wind Cave Deed 6), and found, on arrival for the inspection, that a right should be perfected for the said "Lake". I think the various assemblies are complete and that this explains the variations, but I should appreciate it if Mr. Lick will search his files to see if he has any certificates or reports for the deeds where I have omitted them. If so, he should add them to the assemblies and make copies for you and two copies for this Office.

(SGD.) A. VAN V. DUNN
Chief, Water Rights Division.

Enclosure 559.
In duplicate.

gyp

*Jewel Cave
x Wind Cave*

601 Sheldon Building
October 2, 1939

Memorandum for the Director:

Reference is made to South Dakota Water Withdrawals Nos. 32 and 33 made on behalf of Jewel Cave National Monument and Wind Cave National Park respectively.

With a copy of our memorandum of August 10 to the State Engineer we forwarded to you print of the map filed in connection with the water withdrawal for Wind Cave, and on May 19 we forwarded to you a copy of our letter of that date to the State Engineer together with a print of the map filed in connection with the water withdrawal for Jewel Cave.

You will have noted from your copy of our letter to the State Engineer of August 10 that we suggested the appointment of Associate Engineer A. van V. Dunn to prepare and submit the engineer's certificate with respect to field inspection upon these systems.

Following our request to the State Engineer, he on August 15, by letter of authorization addressed to A. van V. Dunn, Engineer, appointed him as inspecting engineer, and Mr. Dunn proceeded to South Dakota for the purpose of completion of his certificates and filing of them with the State Engineer.

Certificates of Construction of Works and Appropriation upon these withdrawals have now been received, and we are enclosing copies of these certificates for your files. We are returning the originals to the park for retention in their files.

In addition to the certificates of the State Engineer, we are also forwarding copies of Mr. Dunn's Certificates of Examination of Works relating to each of these withdrawals, and copies of his memorandum of September 16. While we doubt the necessity of forwarding copies of the engineer's certificates to you, we considered that they might be useful and instructive to the Chief Engineer, inasmuch they give an idea of the type of data which we usually have to provide in obtaining water rights.

It has been ascertained by Mr. Dunn, through conference with the State Engineer, that it is probably advisable to make a further filing with respect to Norbeck Dam and the smaller impounding works for buffalo watering purposes. Engineering data concerning these additional works are being compiled, and a request has been made for certain additional information from the park.

Joseph E. Taylor,
Regional Attorney.

Encl. 1645480.

JET:SH

Regional Director, Region II, with copies
of enclosures.
Supt., Wind Cave National Park, with copies
of enclosures.

Jewell Cave
x Wind Cave

C O P Y

STATE OF SOUTH DAKOTA
OFFICE OF STATE ENGINEER

PIERRE
September 18, 1939

Re: Withdrawals Nos. 32 & 33

Joseph E. Taylor, Regional Attorney
National Park Service
601 Sheldon Bldg.
San Francisco, Calif.

Dear Sir:

Herewith please find enclosed Certificate of Construction of Works and Appropriation of water for U. S. Water Right No. 32, Jewell Cave Pipe Line, and U. S. No. 33-2, Wind Cave Pipe Line. The field report of Engineer A. van V. Dunn has been duly recieved and filed with the other documents pertaining to the project.

Very truly yours,

/s/ Dean W. Loucks.

State Engineer.

C O P Y

*Jewel Cave
Seed 2*

CERTIFICATE OF CONSTRUCTION OF WORKS

and

APPROPRIATION

↙
Jewel Cave Pipe Line
Name of Project

U. S. Water Right No. 32-2

Fall River Water District

TO ALL WHOM IT MAY CONCERN:

This is to Certify, that the United States of America, Department of Interior, National Park Service, has complied with the State Laws and has been issued a withdrawal No. U. S. 32 bearing date of September 14, 1937 withdrawing from further appropriation all of the unappropriated waters from the springs which furnish water for the Jewel Cave National Park and located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec. 2, T. 4S., R 2E., County of Custer, State of South Dakota, and further described and shown in the Notice and on the accompanying map showing the Jewel Cave Pipe Line; for domestic, recreational and fire protection purposes; 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 61.0137, that said works are completed in accordance with information filed in the office of the State Engineer, and 0.011 sec. feet is thereby appropriated for the above purposes bearing date of priority of August 28, 1937.

Witness my hand this 18th day of September 1939.

/s/ Dean W. Loucks.
State Engineer.

*Jewel Cave
x Wind Cave.*

C O P Y

601 Sheldon Bldg.,
San Francisco, Calif.,
September 16, 1939.

Memorandum for Regional Attorney Joseph E. Taylor:

There are enclosed copies of my report of inspection on the Wind Cave and Jewel Cave water systems, as submitted to the State Engineer.

In order to complete the files, copies should be sent to the Superintendent, the Regional Director, one retained by yourself, and I shall want one. Perhaps it will be desirable to send a copy to the Director.

In addition, for the benefit of the Chief Engineer, it is worth noting that the State of South Dakota specifies that measuring devices shall be provided on water systems, though, unlike Oregon, it does not specifically state that they are required prior to issuing a certificate. This information and the type of form required in the engineer's examination may give Chief Engineer Taylor some idea of the type of data which we usually have to provide in obtaining water rights, and suggest one or two changes for his requirements in plans for approval preparatory to construction.

One feature I should like to stress is that the designs for water systems could be made to include not only the profile, but the pipe capacity and the anticipated demand for which that design capacity was prepared.

A. van V. Dunn,
Associate Engineer.

Encls.

(Oct. 3, 1939: two copies of this memorandum sent to Director.
" " " " " " " Supt., Wind Cave N. P.
" " " " " " " Reg. Dir. Reg. II.)

Form 22A

WITHDRAWAL NO. 32

Form 22A

Water Division No. 2Fall River Water District

CERTIFICATE OF EXAMINATION OF WORKS

Report of Examining Engineer

Date Sept. 8, 1939
By A. van N. DunnJewel Cave Pipe Line
Project Name and NumberHill Spring tributary
to Cheyenne River through
Hells Canyon & Pass 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 Aug 25 1939, I have made a thorough examination of Jewel Cave Nat. Monument Water System, designated Jewel Cave, pipe line constructed by the United States of America, Department of Interior, National Park Service, holder of withdrawal No. 32 issued upon Notice of Intention bearing date Sept 8 1937 authorizing the withdrawal from further appropriation of one foot, or 0.011 second foot of the waters of Hill Spring tributary of Cheyenne River through Pass Creek for Domestic, Recreational & Fire Protection purposes. I have to report on the condition of the same as follows:

The impounded and diversion works comprise:

Sum Type none - see note 1 Foundation -
Size: Max. length - ft. Height to spillway -
flow line - Footboard -
Section: Up stream slope -
Down stream slope -
Top width -
Permage (Approx.) -
Reservoir: Area Normal Pool Level None - see Distribution Tank above
Capacity - cubic feet -
Nature of shore line 0
Spillway: Type Top of concrete pipe Location all around
Width - Depth -
Capacity - cubic feet per second
Outlet: Size 2" diameter Control valve
Location 5' below natural ground
Ditches: Open earth - Open rock -
Pipe 2" Galv. Iron Length 1300 feet
Section - Capacity 0.011
Location or as shown on plans as shown on plans

Note: Diversion works consist spring well, 8' deep and 3' in diameter, lined with 2 sections of precast concrete pipe 0.33' thick. The 2" pipe diverts 5' below natural ground. There is also a hand pump over pit for public use of passing motorists.

Distribution Tank 6'x6'x12' = 3240 gallon - Reinforced Concrete 6" thick

Note 2: Public attendance and consequent campground (and public comfort station) use has increased at following rates 1936-1953; 1937-2067; 1938-2797; 1939-4003 in summer season.

(Purse)
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 562' 31" W 1241.16 feet feet distant from the NE corner of Section 2 Township 43 Range 2E.

The works are capable of utilizing _____ acre-feet of water annually or 0.011 second-feet of water.

The legal subdivisions to be irrigated are Incidental to Domestic Use in 5 1/4 NE 1/4 Section 2, T43, R2E comprising a total of 7 1/2 acres of land.

The domestic and stockwater uses comprise 6 employees @ 110 gpd = 660 gpd 25 men const. & maint. camp @ 85 gpd pc 2250 gpd ?

The utilization for public recreation, game and fish propagation, fire protection, comprises Public Campground - average 50 @ 15 gpd 7500 gpd
Incidental use by passing motorists of 3000 - claim negligible
Fire protection - 2 hose connections (3/4"), dust laying, etc (available used) 3500 gpd
The project was completed Feb. 14, 1936

Witness my hand, this 9 day of Sept A. D. 1939

A. van V. Dunn
Examining Engineer.

Notes 142

85
35
425
170
2125 SB

Jewel Cave 660-05.7
Wind Cave 660-05.7

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA
601 Sheldon Building
August 26, 1939

Memorandum for the Superintendent,
Wind Cave National Park:

I have been appointed by the State Engineer to make the final inspection of water systems at Wind Cave and Jewel Cave, in order to complete your water rights thereon. My trip, as shown in the accompanying itinerary, is for this purpose.

I am already clearly familiar with the Wind Cave system, but have never seen that at Jewel Cave. In both cases, however, the inspection will not require much more than a trip to the point of diversion and a visit to one or two points along the pipe line and at the place of use, and I may have to measure a dam length or a reservoir if you do not have plans already. I shall also want your most up-to-date figures on peak day and annual park attendance for use in justifying full diversion possible at each system, and also any data you have on spring flow in each case.

Encl.

A. van V. Dunn,
Associate Engineer.

cc: Regional Director, Region II.

FILE COPY

601 Sheldon Building
August 22, 1939

Hon. Dean W. Loucks,
State Engineer,
Pierre, South Dakota.

Dear Sir:

This will acknowledge receipt of your letter of August 15 and letter of authorization for inspection of water systems by our engineer, A. van V. Dunn.

Your letter refers to Withdrawals Nos. 32 and 33, but we note that your authorization is only for the inspection of water system covered by Withdrawal No. 32 at Wind Cave.

We should very much like to have Mr. Dunn inspect and report to you on the Jewel Cave system covered by No. 33 at the same time -- presumably in the early part of September.

Yours very truly,

Joseph E. Taylor,
Regional Attorney.

By:
A. van V. Dunn,
Associate Engineer.

AvVD:SH

C O P Y

STATE OF SOUTH DAKOTA
OFFICE OF STATE ENGINEER
PIERRE

August 15, 1939

Joseph E. Taylor
Regional Attorney
U. S. Department of Interior
National Park Service
601 Sheldon Building
San Francisco, California

Re: U.S. Withdrawals No. 32 & 33
National Park Service

Dear Mr. Taylor:

This will acknowledge receipt of your letter of August 10, 1939, and also tracing and one print of drawing NP-WC-6975, entitled Wind Cave Pipe Line.

We are enclosing herewith Letter of Authorization for inspection to Engineer A. van V. Dunn, of the National Park Service, and also Certificate of Examination of Works, in blank form for his convenience. When this report has been received and examined, you will then receive final Certificate of Completion of Works and Appropriation.

Very truly yours,

/s/ Dean W. Loucks.

DEAN W. LOUCKS
State Engineer

DWL:ml
Enc.

DEAN W. LOUCKS
STATE ENGINEER

REC'D AUG 29 1939

STATE OF SOUTH DAKOTA
OFFICE OF STATE ENGINEER
PIERRE
August 25, 1939

Re: Withdrawal No. 32
Jewel Cave System

Joseph E. Taylor, Regional Attorney
Department of Interior
National Park Service
601 Sheldon Bldg.
San Francisco, Calif.

Dear Sir:

This will acknowledge receipt of your letter of August 22nd and we are enclosing letter of authorization to A. van V. Dunn, Associate Engineer to inspect the water system at Jewel Cave in conformity with previous correspondence, he now holds letter of authorization to inspect Withdrawal No. 33 which is the Wind Cave Water System.

Very truly yours,



DEAN W. LOUCKS,
State Engineer.

DWL:dn
Enc.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA

601 Sheldon Building
August 10, 1939

Hon. Dean W. Loucks,
State Engineer,
Pierre, South Dakota.

Re: Withdrawals 32 & 33,
National Park Service.

Dear Sir:

Reference is made to past correspondence with respect to the above captioned withdrawals, the last from you being your letter of May 23, 1939, with which you enclosed a copy of Tentative Rules & Regulations governing final procedure under Section 8243 of the Compiled Laws of South Dakota.

We enclose herewith the tracing and one print of drawing NP-WC-6975, entitled Wind Cave Pipe Line. This map is to accompany our water withdrawal to which you assigned number 32 dated September 8, 1937, in accordance with said Section 8243.

This drawing, together with NM-JC-6975, entitled Jewel Cave Pipe Line, which you received on May 23, 1939, constitute the plans of constructed water systems now in use as covered by water withdrawals Nos. 32 and 33. They also show the full quantity which can be diverted at the present time.

Application of the water to beneficial use (for domestic purposes) is dependent upon the public attendance at each area, and the attendance is generally increasing, with the most marked increases after each series of improvements. The rate of water consumption is also increasing with the installation of modern sanitary facilities.

At both Jewel Cave and Wind Cave we are now diverting the full spring flow, giving preference to domestic needs and applying any surplus water to highly desirable recreational purposes, such as irrigating, public campgrounds, and, at Wind Cave, maintaining the maximum water level in the Horbeck Lake. As domestic needs increase, we shall have to sacrifice the least essential of other recreational uses. At Wind Cave we shall also have to enlarge the lower portion of the pipe line which serves the reservoirs of the Headquarters Area.

Our problem now is to determine how far you wish us to go in compliance with the so-called "final procedure" furnished us with your letter of May 23. We also wish to know what additional plans you require, whether the working drawings of dams, collecting sumps, reservoirs, and maps of all distribution laterals are needed. If they are, we wonder whether prints are sufficient, process tracings on vellum would serve, or whether it will be necessary to prepare exact new tracings.

With respect to the possible field inspection, may we suggest that in order to eliminate complications over appropriations for the payment of fees, our water rights engineer, Mr. A. van V. Dunn, might be deputized for the particular purpose. Mr. Dunn is an associate member of the American Society of Civil Engineers, has had eighteen years of varied hydraulic experience on irrigation, water supply, and hydroelectric power, has been with the National Park Service for the past eleven years, a portion of which was in your State, and has handled all engineering features of the Park Service water rights since October 1936.

Respectfully yours,

Joseph E. Taylor,
Regional Attorney.

Encls.

cc: Regional Director, Region II, with print.
Supt., Wind Cave National Park, with print.
Director, with print.

DEAN W. LOUCKS
STATE ENGINEER

STATE OF SOUTH DAKOTA
OFFICE OF STATE ENGINEER

PIERRE
May 23, 1939

REC'D MAY 27 1939

Re: Withdrawals 32 & 33
National Park Service

Joseph E. Taylor,
Regional Attorney
U. S. Dept. of Interior
National Park Service
601 Sheldon Building
San Francisco, California

Dear Sir:

This will acknowledge receipt of your letter of May 19 and also, under separate cover, drawing No. NM-JC-6975 relating to the Jewel Cave pipe line. This is in compliance with Section 8243 of the Compiled Laws of South Dakota and constitutes part of the filing on withdrawal Nos. 32 and 33.

We are also enclosing final procedure in reference to completing the appropriation of water under Section 8243 by Federal Agencies, which has been worked out with the Forest Service and is being followed in connection with their projects in the National Forest in the Black Hills.

Very truly yours,

DEAN W. LOUCKS,
State Engineer.

DWL:dn
Enc.

*See separate file
Rules + Regulations*

Jewel Cave 660-05.7
FILED
660-05.7
COPY

601 Sheldon Building
May 19, 1939

State Engineer,
Pierre, South Dakota.

Dear Sir:

Reference is made to your letter of December 17, 1937, relating to Withdrawal Nos. 32 and 33.

We regret that a combination of circumstances has prevented our earlier compliance with the requirement outlined in your letter to the effect that maps portraying the site and methods of appropriation of water should be filed in your office in connection with these withdrawals by the Government. We have now completed drawing No. NM-JC-6975, relating to the Jewel Cave pipe line, and we enclose herewith for filing the tracing and one print thereof.

For your reference, we might state that statement of appropriation (Withdrawal No. 33) in compliance with Section 8243, Compiled Laws of South Dakota, was forwarded to you under date of September 8, 1937, by the Regional Director, Region II, National Park Service.

A map covering the appropriation of water at Wind Cave National Park (Withdrawal No. 32) is in the course of preparation, and will be completed and forwarded to you within a short time.

Yours very truly,

Joseph E. Taylor,
Regional Attorney.

Encl.

CC: Director.
CC: Supt., Wind Cave National Park.
Regional Director, Region II.

JET:SH

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA

601 Sheldon Building
May 16, 1939

Memorandum for Regional Attorney Taylor:

There are enclosed the tracing and six prints of drawing
NM-JC-6975, Jewel Cave Pipe Line.

This constitutes the map required as an accompaniment of
Withdrawal No. 33 filed with the State Engineer of South Dakota
September 8, 1937.

I also enclose your ^{copy} reply of that withdrawal from your
files, in order that you may submit the maps as follows:

To State Engineer -	1 tracing and 1 print
Supt. Wind Cave -	2 prints
The Director -	1 print
Regional Director, Region II -	1 print
Your file -	1 print
Total	1 tracing 6 prints

Sent 5/19/39

Your attention is called to the pipe capacity of 0.034 second
foot or 52,600 gallons per day. This is probably far in excess of
the spring flow, and certainly greater than present consumption.
I did not cut it, however, because the withdrawal states that no
additional use is contemplated. The map gives an intent to use
that much some time, and certain possible provisions for bringing
in other springs to supply the full amount when needed, are thus
covered.

A. van V. Dunn

A. van V. Dunn,
Associate Engineer.

Encls.

C O P Y

Jewel Cave 660-057
X Wind Cave 660-057

WIND CAVE NATIONAL PARK
HOT SPRINGS, S. DAK.

July 22, 1937

(In maps file.)

Branch of Land Acquisition & Regulation
National Park Service
110 Sutter Street
San Francisco, California

Attn.: Mr. Albert L. Johnson

Gentlemen:

In compliance with the request contained in your letter of June 9, and reminder of July 2, you will find enclosed a copy of the deed to land purchased by the Federal Government from Robert and Fanny McAdam for the purpose of utilizing a number of springs.

Enclosed also is a pencil sketch or tracing showing the complete water system at Jewel Cave National Monument, with descriptive remarks which should give you a complete picture of this unit.

With regard to the Norbeck Dam, which is still administered by the Service, the latest development is that it has been decided not to repair a number of leaks which have developed in it, wherefore it is probable that little water will be impounded there henceforward.

To return to the subject of Jewel Cave, the spring which furnishes water for the system there is located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ Section 2, T. 4S R. 2E, Black Hills Meridian. The reservoir at Jewel Cave is situated in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, same section.

No increased use of water is anticipated either at Wind Cave National Park or Jewel Cave National Monument.

Pressure of summer work has made it virtually impossible to furnish this information and these papers earlier.

Very truly yours,

Edward D. Freeland
Superintendent

By: N. G. Guse,
Jr. Clerk.

C O P Y

Jewel Cave
for Wind Cave

July 2, 1937.

Mr. Edward D. Freeland,
Superintendent,
Wind Cave National Park,
Hot Springs, South Dakota.

Dear Mr. Freeland:

On June 9 we wrote you asking for certain information regarding Wind Cave National Park and Jewel Cave National Monument. We would like to have this information in order to give the requisite notices of use to the State of South Dakota. For fear our letter went astray, may we repeat here the matters on which we lack information to prepare our notices.

(This part pertains to Wind Cave; see Wind Cave file.)

With reference to Jewel Cave, which has a water system consisting of a small spring, storage reservoir, and a supply line, we would appreciate the same material as we have on Wind Cave, as to the legal description of the land where the spring lies, and the locations of the reservoir and supply line, together with a sketch of the water system.

We would also appreciate it if you could give an estimate of anticipated increased use at either the park or the monument.

Sincerely yours,

Joseph E. Taylor,
Attorney.

By

Albert L. Johnson,
Associate Attorney.

ALJ:SH

Jewel Cave
x Wind Cave
FILE COPY

August 19, 1937.

Mr. Thos. J. Allen Jr.,
Regional Director,
Region 2,
National Park Service,
300 Keeline Bldg.,
Omaha, Nebraska.

Dear Mr. Allen:

Enclosed herewith is a letter to Superintendent Freeland, together with the enclosures therein mentioned, all of which concern conformance to the laws of South Dakota with respect to appropriation of water on behalf of the United States.

If approved by you, it will be appreciated if the letter be sent from your office to Superintendent Freeland, and there is added a copy of this letter and copies of the notices of appropriation for Wind Cave National Park and Jewel Cave National Monument for your files.

Sincerely yours,

Joseph E. Taylor,
Attorney.

Encls.

JET:SH

CC: Supt. Freeland.

*Jewel Cave
x Wind Cave
FILE COPY*

August 19, 1937.

Mr. Edward D. Freeland,
Superintendent,
Wind Cave National Park,
Hot Springs, South Dakota.

Dear Mr. Freeland:

Enclosed herewith are the original and one copy of notices of appropriation of water by the United States, prepared by the Branch of Land Acquisition and Regulation through Mr. Taylor's office at San Francisco, and which concern themselves with the use of water at Wind Cave National Park and Jewel Cave National Monument.

It is requested that you execute the originals of these notices and prepare, for transmission by this office, a letter of transmittal directed to the Office of the State Engineer, Pierre, South Dakota.

It is further requested that upon any notification from the State Engineer concerning these filings, this office and that of Mr. Taylor be advised.

Sincerely yours,

Thos. J. Allen Jr.,
Regional Director.

Encls.

JET:SH

CC: Regional Director, Region 2.

NOTICE OF APPROPRIATION OF WATER BY THE UNITED STATES

(Under Sec. 8243, Compiled Laws of South Dakota)

TO THE STATE ENGINEER OF THE STATE OF SOUTH DAKOTA:

Notice is hereby given by the Superintendent of Wind Cave National Park located at Hot Springs, South Dakota, who is a properly authorized officer of the United States and authorized by law to construct works for the utilization of waters within this State, that the United States intends to utilize certain specified waters for the benefit of Wind Cave National Park, part of the National Park System, as follows, TO-WIT:

Source of Supply: Springs outside the park in Sec. 32 and Sec. 28, T. 5 S., R. 5 E., tributary to Cold Spring Creek which is tributary to Beaver Creek.

System: In Sec. 32, a collecting system of 8-inch and 6-inch drain tile and a reinforced concrete cut-off wall collect the water in a concrete intake box and settling basin; 16,100 ft. of 6-inch C. I. pipe discharging into Buffalo Reservoir.

Middle Spring, in Sec. 28, is covered with a concrete box. From the box two miles of 2-inch C. I. pipe to park boundary, then 3420 ft. of 2½-inch line, which reduces to 2-inch again for the final 3600 ft. to Park Service reservoirs. Two reservoirs are of concrete, one 25,000 gallon and one 15,000 gallon capacity. From the reservoirs 2069 ft. of 4-inch wood pipe service line run to Park Headquarters.

The overflow from Middle Spring flows into the 6-inch line supplying Buffalo Reservoir. Another connection, lower down, permits water to be turned from the 6-inch line into the 2-inch line.

The concrete reservoir of the Biological Survey draws water from the 2½-inch line and a 2-inch service line connects it to the Biological Survey buildings.

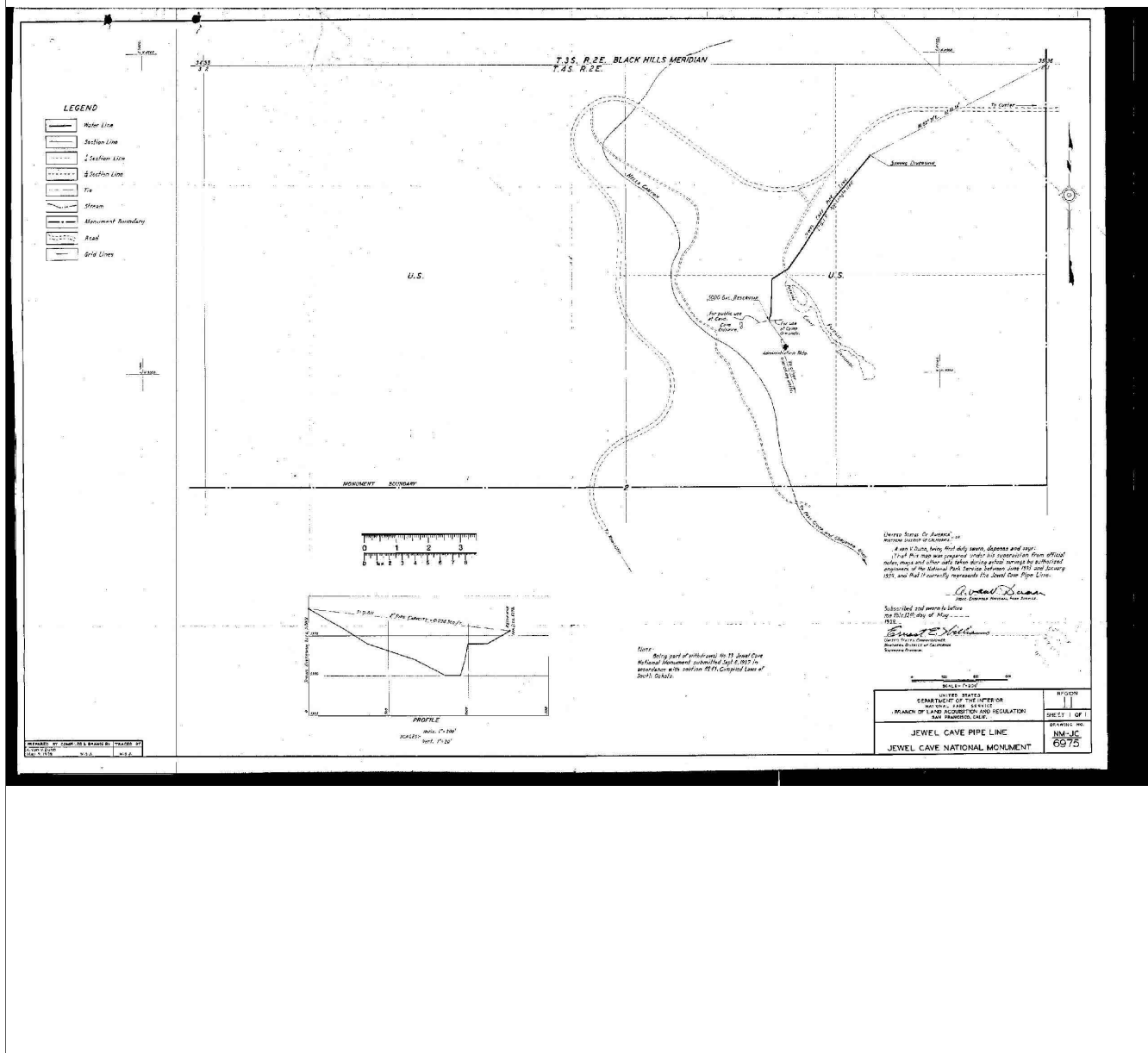
The construction of the diversion for the utilization of such waters has been completed by the United States, and final construction reports filed with the National Park Service by Engineer Walter G. Attwell December 9, 1931, and June 20, 1932.

The tract in Sec. 32 contains 100 acres. There are nine springs and a combined flow from them on June 13, 1932, of 86,400 gallons per day (0.134 second feet). The entire 100 acres and an additional 40 acres in Harney National Forest have been fenced for protection of the watershed.

According to the final construction report by Associate Engineer Walter G. Attwell, two tracts of land, several springs, and a 10-foot right of way from the springs to the park, were purchased in 1931 from Robert and Fannie McAdam. Such data has been recorded in the Court House at Custer, regarding the purchase of the springs and land in connection with the park water system. No increased use of water is anticipated at Wind Cave National Park.

Superintendent, Wind Cave National Park

WITNESSED BY:



Docket Information

Number of Documents in Docket 42

Documents Dated from 6/22/1937 to 12/29/1951

Docket Compiled: 4/19/2011