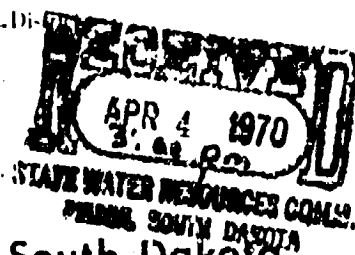


Water Right Number 1019-2

1. Considered MAY 20, 1970
2. Name of Applicant LANDERS CATTLE Co.
3. Post Office Address PRIMO, S.D.
4. Amount of Water claimed 16.5"
5. Source of Water supply HAT CREEK
6. Water to be used for IRRIGATION
- Acres to be irrigated 1,157.74
7. Water to be diverted and used in FALL RIVER County
about 9N 2E miles 10 1/2 of ADMORE
8. Proof of Publication Received 10/1
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

596-2

No. 1019-2Map No. 884-2Water Division No. 2 SOUTH CHEYENNE RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Landers-Cattle-Company-- George LeBar
 Postoffice address PO Box Q, Douglas, Wyoming State South Dakota-57774- 82633
 If a corporation show date and place of incorporation May 6, 1959 - Sec. 25, T10S, R4E, BHM, Fall River, So. Dak.
2. Method of accomplishing work (contract, employment of others, or by direct labor) employment of others
3. Name of diversion work Landers Water Right
4. Amount of water claimed (cubic feet per second) 16.5 cfs.
5. Source of water supply Hat Creek
6. Location of point of diversion Four Locations with respect to the S.E. Corner of Section 26, T10S, R4E, BHM
as follows: S 89° 56' E, 3900.87'; S 84° 51' W, 2146.41'; N 14° 42' W, 2205.50'; & N 18° 51' W, 4016.67
and any other point along Hat Creek in which Landers Cattle Company County Fall River
owns land on both sides.
7. Annual period or periods during which water is to be used April thru October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, Total number of acres to be irrigated 1157.74 Acres

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
See attached sheet			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Edgemont Tribune
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Portable Pump from creek.

B. Works proposed to transport water to place of use.

By portable pipeline - 6" to 10"

C. Works proposed to apply water to beneficial use.

By ditchEstimated Total Cost \$ 12,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of PenningtonI, George LeBar, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed George LeBarSubscribed and sworn to before me this 3rd day of April, 1970.

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1019-2
LANDERS CATTLE CO. Box A - Provo - Douglas
SOUTH DAKOTA Wyo. 26-33 (Post Office Address)
 With the following modifications:

THE U.S. BUREAU OF RECLAMATION HOLDS WATER RIGHTS TO CERTAIN FLOWS IN HAT CREEK FOR STORAGE IN ANGOSTURA RESERVOIR ~~UNDER U.S. WITHDRAWAL NO. 874-2.~~ RESTRICTIONS UNDER THIS PERMIT MAY BE NECESSARY AT TIMES TO ASSURE WATER FOR DOMESTIC USE, INCLUDING LIVESTOCK WATERING, AND PRIOR WATER RIGHTS, INCLUDING THE ANGOSTURA STORAGE.

Date of first receipt of application APRIL 4 19 70
 Date of return to applicant for correction, amendments or changes required --- 19 ---
 Date of receipt of corrected application --- 19 ---
 Approved MAY 20 19 70, Recorded in Book 11 Page 138

WATER RIGHT PERMIT NO. 1019-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1019-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 4 19 70.
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 20 19 72.
3. The whole of said work is to be completed on or before MAY 20 19 75.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 20 19 79.
5. The water appropriated shall be used for the purpose of IRRIGATION.
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 16.5 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial use served, and if for the irrigation purposes said appropriation must be limited to not more than 5 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MAY 20 19 79; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 25TH day of MAY 19 70

WATER RESOURCES COMMISSION

By:

J. C. Smith
 Chief Engineer, Executive Officer

Certificate of Construction Issued December 29 19 80

Water License Issued December 29 19 80

"Landers Water Right Application"

Proposed Area to Be Irrigated

1157.74 Acres, more or less Located in Sections 23, 24, 25, 26, 35 & 36 in T10S,
R4E, BHM, Fall River County, South Dakota.

Section 23	SE 1/4	100.00 Acres
Section 24	SW 1/4	98.64 Acres
Section 25	NW 1/4	135.55 Acres
	SW 1/4	143.55 Acres
Section 26	NE 1/4	160.00 Acres
	SE 1/4	160.00 Acres
	NW 1/4	80.00 Acres
	SW 1/4	80.00 Acres
Section 35	NE 1/4	100.00 Acres
SECTION 36	NW 1/4	100.00 "
	Total	<u>1057.74 Acres</u>
		1157.74 Acres

WATER LICENSE NO. 1019-2

(1) WHEREAS, On the 4th day of April A. D. 19 70
the Landers Cattle Company

made Water Right Application No. 1019-2 for a permit to use 16.5 cubic feet per second of the waters of Hat Creek and Hallow Creek

County of Fall River, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 20th day of May A. D. 19 70

Permit No. 1019-2, with a date of priority of April 4, 1970

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 20th day of May A. D. 19 75 and for the application to beneficial use of said water on or before the 20th day of May A. D. 19 79

WHEREAS, on the 13th day of November, 1979, this Permit No. 1019-2 was transferred to George LeBar, Box Q, Douglas, Wyoming,

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 4.81 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

to irrigate the following lands all in T4S, R10E

Section 25	SW $\frac{1}{4}$ NW $\frac{1}{4}$	7 acres	Section 35	NW $\frac{1}{4}$ NE $\frac{1}{4}$	7 acres
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	3 "		NE $\frac{1}{4}$ NE $\frac{1}{4}$	23 "
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	25 "		SW $\frac{1}{4}$ NE $\frac{1}{4}$	12 "
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	20 "		SE $\frac{1}{4}$ NE $\frac{1}{4}$	17 "
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	25 "	Section 36	NW $\frac{1}{4}$ NW $\frac{1}{4}$	7 "
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	29 "		NE $\frac{1}{4}$ NW $\frac{1}{4}$	9 "
Section 26	SW $\frac{1}{4}$ NE $\frac{1}{4}$	7 "			
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	24 "			
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	23 "			
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	23 "			
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	29 "			
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	23 "			
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	2 "			
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	22 "			
				TOTAL	337 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to George LeBar

_____ of Douglas, Wyoming
the holder _____ and owner _____ of said permit No. 1019-2 a water right, dating from April 4, 1970
_____ to use of 4.81 cubic feet per second of the waters
of Hat Creek and Hallow Creek

in the County of Fall River and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted ~~XXX~~ on Hat Creek, between Pt "A", South 89°W, 3750' and
Pt "B", north 19°51'W, 4016.62' from the SE corner Section 26, T4S, R10E; on Hallow
Creek, south 46°E, 1150' from the NW corner, Section 36, T4S, R10E

and conducted to and upon _____ portions of land in Sections 25, 26, 35 and 36, T4S, R10E
more fully described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1019-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 29th day of December, A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 1019-2

Water Diversion No. 2 South Cheyenne River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That George LeBar

_____ the holder _____ of
Permit No. 1019-2, issued upon Application No. 1019-2 bearing date of priority of _____
April 4, 1970 authorizing the diversion of 16.5 cu. ft. per second of the waters of _____
Hat Creek & Hallow Creek County of Fall River, State of South Dakota ~~XX~~ on
Hat Creek, between Pt "A" South 89°W, 3750' and Pt "B" north 18°51'W, 4016.32'
from the SE corner Section 26, T4S, R10E; on Hallow Creek - south 46°E, 1150'
from the NW corner, Section 36, T4S, R10E
for Irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use (est) 40 cu. ft. per second of water.

Date December 29, 1930


JOHN HATCH, Chief Engineer
Water Rights Division

Publish first publication, on or before April 23, 1970NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 7, 1970Notice is hereby given that Landers Cattle Companywhose post office address is Provo, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use10.5 cubic feet of water per second of time from the Hat Creek through the Landers flthe point of diversion of which is to be located in the _____
at points in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35; in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 26, all in T10S, R4E.of Section _____, Twp. _____, Range _____. Said water to be used for the purpose
portions of
of providing irrigation on the following described land:SE $\frac{1}{4}$, Section 23; SW $\frac{1}{4}$, Section 24; NE $\frac{1}{4}$, Section 25; S $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and E $\frac{1}{2}$,
Section 26; NE $\frac{1}{4}$, Section 35, and NW $\frac{1}{4}$, Section 36, T10S, R4EThis application No. 1019-2 will be considered by the Water Resources Commission at their office at
Pierre upon the 20th day of May, 1970, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BPJ/bw

cc: Sidney W. Landers
Landers Cattle Company
Provo, South Dakota

AFFIDAVIT OF PUBLICATION
STATE OF SOUTH DAKOTA
 County of Fall River

..... Roy H. McKown.....
 of said county being first duly sworn, on oath says that
 he is the publisher or
 of the Edgemont Herald-Tribune, a weekly newspaper
 printed and published in Edgemont, S. D. said County of
 Fall River and has full and personal knowledge of all the
 facts herein stated; that said newspaper is a legal news-
 paper and has a bona-fide circulation of at least two hund-
 red copies weekly, and has been published within said
 County for fifty-two successive weeks next prior to the
 publication of the notice herein mentioned, and was and is
 printed wholly or in part in an office maintained at said
 place of publication; that the

Notice Intent to App. Water.....
 a printed copy of which, taken from the paper in which the
 same was published, is attached to this sheet, and is made
 a part of this Affidavit, was published in said newspaper
 at least once each week for successive
 weeks, on the day of each week on which said newspaper
 was regularly published, to wit:

..... April 16 19.70; 19....
 April 23 19.70; 19....
 April 30 19.70; 19....
 May 7 19.70; 19....
 19....; 19....

that the full amount of the fees for the publication of the
 annexed notice is \$..16.12.....

..... Roy H. McKown.....
 Subscribed and sworn to before me this 12th.....
 day of May..... 1970.
 R. E. Shuster.....

Notary Public
 County of Fall River, South Dakota

2153 - Apr 16, 23, 30, May 7
 No. 1019-2

**NOTICE
 INTENT TO APPROPRIATE
 WATER**

Pierre, South Dakota 57501
 April 7, 1970

Notice is hereby given that
 Landers Cattle Company whose
 post office address is Provo,
 South Dakota, has made an ap-
 plication in accordance with the
 provisions of the water laws of
 South Dakota for a permit to
 appropriate for beneficial use
 16.5 cubic feet of water per
 second of time from Hat Creek
 through the Landers No. 1, the
 point of diversion of which is
 to be located at points in the
 NW1/4 NE1/4, Section 35; in the
 SE1/4 SW1/4, NE1/4 SE1/4, and NE1/4
 NE1/4, Section 26, all in T10S,
 R4E. Said water to be used for
 the purpose of providing irri-
 gation on portions of the fol-
 lowing described land:

SE1/4, Section 23; SW1/4, Sec-
 tion 24; W1/4, Section 25; S1/4
 NW1/4, T1/4 SW1/4 and E1/4, Section
 26; NE1/4, Section 33; and NW1/4,
 Section 36, T10S, R4E.

This application No. 1019-2
 will be considered by the Wat-
 er Resources Commission at
 their office at Pierre upon the
 20th day of May, 1970, at 2:00
 P.M. All interested persons
 may appear and be heard.

**WATER RESOURCES
 COMMISSION**

By: /s/ Burton F. Jones
 BURTON F. JONES,
 Water Rights Specialist

RECEIVED
 MAY 25 1970

STATE WATER RESOURCES
 PIERRE, SOUTH DAKOTA

RECEIPT
WATER RIGHTS COMMISSION
State of South Dakota

NO 4 7124

PIERRE, November 13, 1973

George LeBar, Box Q, Douglas, WY 82633
RECEIVED OF
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for inspecting Construction, and issuing Cert. of Construction No.	
Fee for inspecting Beneficial Use, and issuing Water License No.	
Fee for issuing Location Certificate-Dry Draw, No.	
Fee for filing transfer of water right No. 1019-2	2.50
Fee for certified copy of	
Fee for r. int copy of map	
Fee for Certifying	
Fee for (any other work as provided by law)	
TOTAL	2.50

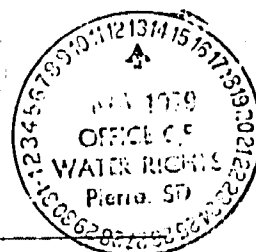
WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (97)

FORM 20

NO. 1019-2

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

This is to notify you that the title to the lands described as follows:

1157.74 acres, more or less located in Sections 23, 24, 25, 26, 35, & 36 in T10S

R4E, BHM, Fall River Co., South Dakota SEE ATTACHED

formerly owned by Landers Cattle Co., Provo, SD 57774

has been transferred to George LeBar, Box Q, Douglas, WY 82633

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1019-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of the Board of Water Management as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Cummins) ss.

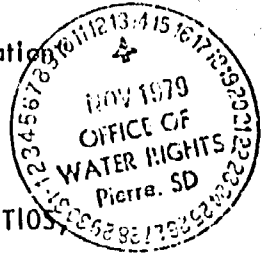
I, George LeBar being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

George LeBar
(Signed)

Subscribed and sworn to before me this 10 Day of May, 1979.

Shirley M. Hager
(Notary Public)
My Comm. Expires Nov. 15, 1980

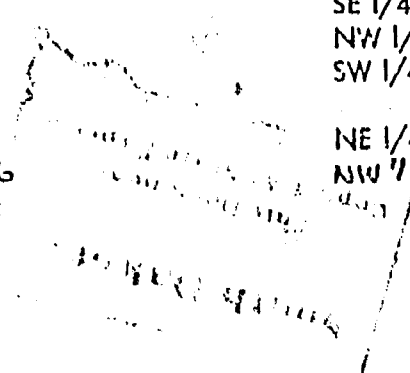
"Leasers Water Right Application"



Proposed Area to Be Irrigated

1157.74 Acres, more or less Located in Sections 23, 24, 25, 26, 35 & 36 in T10S, R4E, B1M, Fall River County, South Dakota.

Section 23	SE 1/4	100.00 Acres
Section 24	SW 1/4	98.64 Acres
Section 25	NW 1/4	135.55 Acres
	SW 1/4	143.55 Acres
Section 26	NE 1/4	160.00 Acres
	SE 1/4	160.00 Acres
	NW 1/4	80.00 Acres
	SW 1/4	80.00 Acres
Section 35	NE 1/4	100.00 Acres
SECTION 36	NW 1/4	100.00 Acres
Total		1057.74 Acres
		1157.74 Acres



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7831

PIERRE, December 17, 1980

Geroge LaBar, Box Q, Douglas WY

RECEIVED OF the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and Issuing Cert. of Construction No. 1016-2)	50	00
Fee for inspecting Beneficial Use, and Issuing Water License No. 1016-2)		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *(Signature)*
Chief Engineer, Executive Officer
JOHN HATCH (KM)

1019-2 George Le Bar

6-24-80 Kutta Power take off. model
875, Veritable tractor, 700 HP
Kutta Pump 16" centrifugal.
Ser # 9536.

Down on hollow Creek about
water to one side of road.
Dam has 30" dia. pump
spillage with 30" diam down
tube into 6" x 6" concrete drop
at 20' high dam 3:15 2/11/80

Note p. 10.
12" culvert at end of hollow
spillage and 20' E of above
and level about 2' and 1/2 ft.

Permit No. 1019-2Water Division 2 South Cheyenne River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by George LeBarof Box R, Douglas, Wyoming 82633 holderof Permit No. 1019-2, bearing date of priority of April 4, 1970authorizing the diversion of 16.5 cu. ft. per second of the waters of Hot Creek & Hollow Creek.for Irrigation purposes, in Fall River County.

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

The Water Use System consists of,

A. Works used to divert the water:

Pump. Crisafulli 16" Ser # 9536.
Tractor Power Take off - 200HP. Model 875 Versatile Tractor.
Existing dam on Hollow Creek - 30" dia. Primary spill with 30"
dia draw down tube into 6' x 6' concrete drop.
Dam est 20' High - 3:1 up & 2:1 down side slopes 12" CMP thru dam
To irrigate area behind dam.

B. Works used to transport water to place of use,

Diversion Ditches and Dikes

C. Works used to apply water to beneficial use.

Dikes and Ditches / pipes and openings to spread waterThe system is in the following condition: Good

The point of diversion is located on Hot Creek. Between Pt. A = S 89° 0' W 3750' and
Pt B = N 18° 37' W 4016.62' from the SE cor SEC. 26, T 45 R 10 E
On Hollow Creek. S 46° E 1150 ft from NW cor SEC. 36, T 45 R 10 E

The works are capable of diverting and conveying to the place of use 40 (est)cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: The following in SEC. 25, T 45 R 10 E

SW 1/4 NW 1/4 - 7 AC, SE 1/4 NW 1/4 - 3 AC, NW 1/4 SW 1/4 - 25 AC, NE 1/4 SW 1/4 - 20 AC.
SW 1/4 SW 1/4 - 25 AC, SE 1/4 SW 1/4 - 27 AC, The following in SEC. 26, T 45 R 10 E
SW 1/4 NE 1/4 - 7 AC, SE 1/4 NE 1/4 - 24 AC, NW 1/4 SE 1/4 - 23 AC, NE 1/4 SE 1/4 - 23 AC.
SW 1/4 SE 1/4 - 29 AC, SE 1/4 SE 1/4 - 23 AC, SW 1/4 SW 1/4 - 2 AC, SE 1/4 SW 1/4 - 22 AC.

comprising a total of 337 acres of land.

The following in SEC. 35, T 45 R 10 E, NW 1/4 NE 1/4 - 7 AC, NE 1/4 NE 1/4 - 23 AC
SW 1/4 NE 1/4 - 12 AC, SE 1/4 NE 1/4 - 17 AC.

The following in SEC. 36, T 45 R 10 E, NW 1/4 NW 1/4 - 7 AC, NE 1/4 NW 1/4 - 9 AC,

337 ÷ 40 = 11.81 cfs
license for 11.81 cfs.

Date June 24, 1980
LeRoy J. Merrough
(Signature)

Water Rights Division - DWR
Conversation or File Documentation

File No. 1019-2

NAME OF PERSON OR FILE: George LeBar

ADDRESS: _____ COUNTY Fall River

DATE: Feb. 9, 1985 TELEPHONE _____

RE: Location Notice 1301-2

COMMENTS:
Location Notice 1301-2 was found in a microfilm
file. The dam and lands described are part of the
system for Water Right 1019-2. This location
notice should be included in the file of Water
Right 1019-2

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Delwin D. Bray, P.E.

Hydrologist

DEC 27 1949

PETITION FOR WATER RIGHT

TO: THE STATE ENGINEER, STATE OF SOUTH DAKOTA, STATE OFFICE, SIOUX FALLS,
SOUTH DAKOTA

Comes now the petitioner herein and respectfully shows:

That her name is LAURA M. LUNDERS and that she is now and has been for many years a resident, elector and freeholder within the County of Fall River, State of South Dakota; that she is now the owner in fee simple in actual physical possession, and has been since before 25 April 1949, of the following described real property in Fall River County, South Dakota, to-wit:

Section thirty six (36) in Township ten (10), South
Range four (4), East of the Black Hills Meridian.

That pursuant to the provisions contained in Section 61.0133, South Dakota Code 1939, she did on 25 April 1949, locate and post a notice of Location Certificate For Water Right, a copy of which is annexed hereto and made a part of this petition by reference thereto, at a dam about to be constructed and at the head of a flume about to be constructed on said dam, on the following described premises in said Fall River County, State of South Dakota, to-wit:

Northwest Quarter of the Northwest Quarter (NW1/4) of
Section thirty six (36) in Township ten (10), South
Range four (4), East of the Black Hills Meridian.

and that notice of such appropriation, to-wit, the Location Certificate For Water Right, was duly recorded on 29 November 1949 in the Office of the Register of Deeds at Hot Springs in said Fall River County, South Dakota.

That thereafter, to-wit on 19 December 1949, the said dam and flume on the land last above described was completed and that the length of said dam is three hundred (300) feet and that the height of said dam is twenty (20) feet and that the legal description of the land upon which the dam is located is:

Northwest Quarter of the Northwest Quarter (NW1/4) of
Section thirty six (36) in Township ten (10), South
Range four (4) East of the Black Hills Meridian,
Fall River County, South Dakota.

That the nature of the beneficial use to which the water has been and will be applied is for the purpose of impounding, controlling and directing all the surface waters originating upon the above described Section thirty six (36) and the unappropriated waters entering unto said Section thirty six (36) in a dry draw called Long Hollow, said waters to be used for watering livestock and for irrigating lands below said dam, which lands to be irrigated are described as:

Northwest Quarter (NW1/4) of Section thirty five (35) and
Southwest Quarter (SW1/4) of Section twenty five (25), both in
Township ten (10), South Range four (4), East of the Black
Hills Meridian, Fall River County, South Dakota

WHEREFORE undersigned petitions the State Engineer for the State of South Dakota to issue to undersigned a certificate in accordance with the terms of the aforesaid appropriation notice granting to undersigned a Water Right for all surface waters originating on the above described Section thirty six (36) and flowing unappropriated unto said section in a dry draw called Long Hollow, said waters to be impounded, controlled and directed for watering livestock and for irrigating lands below said dam.

LOCATION OF WATER RIGHTS

1301-2
RECEIVED

DEC 1 1949

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

STATE OF SOUTH DAKOTA:
COUNTY OF FALL RIVER:

LAURA M. LANDERS, being first duly sworn on her oath, deposes and says: that she is now and has been for many years a resident and elector of Fall River County, South Dakota; that she is the owner in fee simple and in actual physical possession of section thirty six (36) in Township Ten (10), South Range Four (4), Fall River County, South Dakota, East of the Black Hills Meridian; that on 15 April 1949 she located and posted a location notice at the head of a draw in and about to be constructed on a dam to be constructed on the Northwest Quarter of the Northwest Quarter (NW1/4) of Section 36, Township 10 South Range 4, East of the Black Hills Meridian, Fall River County, South Dakota, and that she claimed then and hereby claims now all of the waters flowing in a dry draw called LONG HOLLOW on said Section 36 for the purpose of diverting said waters in said draw arising on said section 36 for irrigation and for livestock purposes, to-wit, to use said waters to irrigate lands below said location and to water livestock therefore.

NOTICE IS HEREBY GIVEN by the undersigned that she claims all the above described waters in the above described section for the purposes above set forth and that she is in the process of building a dam, siting out flumes and ditches to use said waters.

Dated in Hot Springs, South Dakota this 15th day of November 1949,

Laura M. Landers
Laura M. Landers

Subscribed and sworn to before me this 19th day of November 1949.

H. P. Farrell
H. P. Farrell
Notary Public
Fall River County
South Dakota

Location filed April 1950

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 23, 1987

GEORGE LEBAR
BOX 6
DOUGLAS, WY 82633

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 1019-2. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 1019-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the questionnaire(s) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-2181

April 3, 1987

1019-2

George LeBar
Box Q
Douglas, WY 82633

Dear Mr. LeBar:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit No. 1019-2 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 8, 1989

GEORGE LEBAR
BOX Q
DOUGLAS, WY 82633

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1019-2. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's. Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

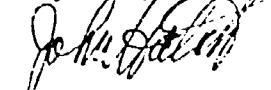
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 1019-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352



 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 23, 1989

1019-2

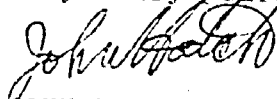
George Lebar
Box Q
Douglas, WY 82633

Dear Mr. Lebar:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 1019-2. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division



**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 11, 1989

1019-2

NOTICE

TO: George Lebar
Box Q
Douglas, WY 82633

FROM: JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605)773-3352

John Hatch

SUBJECT: Shut Off Order for Junior Water Rights Upstream of
Angostura Irrigation District

Effective May 19, 1989, you are ordered to cease diversions of water under Water Right No. 1019-2. The priority date for your water right is junior to the April 11, 1941 priority date for Angostura Irrigation District Water Right No. 579-2.

The Angostura Irrigation District's water supply is as follows:

May 2, 1989	24,673 acre feet available for irrigation at elevation 3173.4 ft. msl
-------------	--

The Irrigation District needs 45,000 acre feet per year for irrigation.

One fill of Angostura reservoir is authorized per year. The District has agreed to allow junior priority irrigation upstream, if the reservoir fills to elevation 3,183.7 ft. msl, 3.5 feet below full elevation (3187.2 ft msl). If the reservoir fills to 3,183.7 ft. msl, the shutoff order will be rescinded. Any releases by the District for irrigation will be included in the 3183.7 ft. msl. calculation.

If you have any questions, please contact Jim Winterton (605 773-3352).



L



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 19, 1990

1019-2

NOTICE

TO: George Lebar
Box Q
Douglas, WY 82633

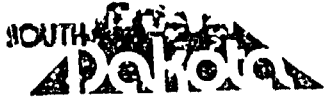
FROM: JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605)773-3352

SUBJECT: Shut Off Order for Junior Water Rights Upstream of
Angostura Irrigation District

This is a follow-up notice to the May 10, 1990 notice that you received ordering you to cease diversion of water under Water Right No. 1019-2. You are reminded that the order is still in effect and will remain in effect until Angostura Reservoir has filled. The May 10, 1989 order stated that the order was effective until the reservoir had reached an elevation of 3183.7 feet above mean sea level (msl). This has been changed and the order will remain in effect until the reservoir has reached the full elevation of 3187.2 msl. On March 6, 1990 the reservoir elevation was 3171.1 msl.

All water rights above Angostura Reservoir will be monitored until the reservoir has filled. I am asking for your cooperation in complying with this order. The Water Management Board can suspend any water right that does not comply. The option also exists in that a water use control area can be established to enforce compliance.

If you have any questions, please contact Del Brosz (605 773-3352).



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 14, 1991

1019-2

NOTICE

TO: George Lebar
Box Q
Douglas, WY 82633

FROM: *for* JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605) 773-3352

Delvin D. Brosz

SUBJECT: Reminder of Shut Off Order for Junior Water
Rights Upstream of Angostura Reservoir

This is a reminder that the March 19, 1990 notice you received ordering you to cease diversion under your water right is still in effect and will remain in effect until Angostura Reservoir has filled. The elevation of Angostura Reservoir when full is 3187.2 feet above mean sea level (msl). On February 27, 1991 the reservoir elevation was 3170.25 msl.

All water rights above Angostura Reservoir will be monitored until the reservoir has filled. I am again asking for your cooperation in complying with this order.

If you have any questions, please contact Mark Rath or Del Brosz (605) 773-3352.

South Dakota



DEPARTMENT OF WATER & NATURAL RESOURCES

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

1019-2

February 1, 1991

GEORGE LEBAR
BOX Q
DOUGLAS WY 82633

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 1019-2. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 1019-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

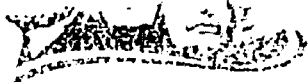
Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

Ⓢ **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge)
 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:	4. Article Number
GEORGE LEBAR BOX Q DOUGLAS WY 82633	P694 057 513 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise
Always obtain signature of addressee or agent and DATE DELIVERED .	
5. Signature -- Addressee	8. Addressee's Address (ONLY if requested and fee paid)
X 5. Signature -- Agent	
X <i>H. Baker</i> 7. Date of Delivery 2/11/97	

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 13, 1991

1019-2

George Lebar
Box Q
Douglas, WY 82633

Dear Mr. Lebar:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Right No. 1019-2. You may disregard the February 1, 1991, Notice of Failure to Submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division



DEPARTMENT OF WATER & NATURAL RESOURCES

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 24, 1991

1019-2

1019-2
2058-2

Dick Sharp, Attorney
PO Box 290
Rapid City, SD 57709

Dear Mr. Sharp:

Enclosed, as you requested, are "Notice of Transfer" forms for use in filing an ownership change on Water Right No. 1019-2 and Water Permit No. 2058-2. Water Right No. 1019-2 is currently listed in the name of George LeBar and Permit No. 2058-2 is listed in the name of LeRoy & Bertha Duerson.

The transfer forms should be completed and then signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$5.00).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

May 20, 1991

1019-2

RESCISSION OF SHUTOFF ORDER

TO: George Lebar
Box Q
Douglas, WY 82633

FROM: *for* JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605) 773-3352

Delvin D. Brosz

SUBJECT: Rescission of Shut Off Order for Junior Water
Rights Upstream of Angostura Reservoir for 1991
Irrigation Season.

The recent rains in the Upper Cheyenne River Basin have provided large inflows for Angostura Reservoir. Now that Angostura Reservoir has filled, the shutoff order for all junior water rights upstream of the reservoir is rescinded for the 1991 irrigation season.

If you have any questions, please contact Mark Rath or Del Brosz (605) 773-3352.



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181



February 1, 1991

GEORGE LEBAR
BOX Q
DOUGLAS WY 82633

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 1019-2. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 1019-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is received in this office before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

This form was previously returned to you. I phoned 2-15-91, at which time you said she had received it and it was marked off one list and not off the other. No irrigation in 90 allowed because the August 1st/Remain had not been filed.

REDUCTION RATIO

ROLL NUMBER

DATE MICROFILMED

CAMERA/OPERATOR SIGNATURE

COSTELLO, PORTER, HILL, HEISTERKAMP & BUSHNELL
ATTORNEYS AT LAW

203 SECURITY BUILDING #704 ST. JOSEPH STREET
MAILING ADDRESS P.O. BOX 291
RAPID CITY, SOUTH DAKOTA 57703
605-343-2410
TELECOPIER NO. 605-343-4262

J. M. COSTELLO
WILLIAM G. PORTER
DENNIS H. HILL
K. L. HEISTERKAMP
GENE R. BUSHNELL
RICHARD O. SHARPE
EDWARD C. CARPENTER
THOMAS H. BARNES
DONALD A. PORTER

THOMAS W. STANTON
ROBERT L. LEWIS
LONNIE R. BRAUN
DAVID M. DILLON
GREGORY O. STROMMEN
PATRICIA A. MEYERS
WILLIAM A. MAY
STEPHEN C. HOFFMAN

FAX COVER LETTER

THIS TRANSMITTAL CONSISTS OF 3 PAGES
INCLUSIVE OF THIS COVER LETTER

Please call (605) 343-2410 if transmission is incomplete for any reason.

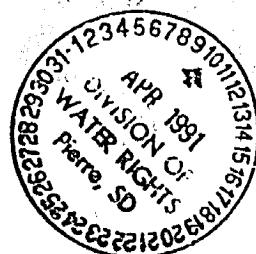
TO: Eric Lundberg

FROM: Rich Sharpe

OPERATOR NAME: _____

DATE: 4-9-91

COMMENTS:



COSTELLO, PORTER, HILL, HEISTERKAMP & BUSHNELL
ATTORNEYS AT LAW

200 SECURITY BUILDING # 704 ST. JOSEPH STREET
MAILING ADDRESS P.O. BOX 290
RAPID CITY, SOUTH DAKOTA 57709

605-343-2410
TELECOPIER NO. 605-343-4262

WILLIAM G. PORTER
DENNIS H. HILL
K.L. HEISTERKAMP
GENE R. BUSHNELL
RICHARD O. SHARPE
EDWARD C. CARPENTER
THOMAS H. BARNES
DONALD A. PORTER
THOMAS W. STANTON
ROBERT L. LEWIS

LONNIE A. BRAUN
DAVID M. DILLON
GREGORY O. STROMVEN
PATRICIA A. MEYERS
WILLIAM A. MAY
STEPHEN C. HOFFMAN

April 9, 1991

OF COUNSEL
J.M. COSTELLO

VIA FAX

Eric Grunlund
Division of Water Rights
Department of Water & Natural Resources
Pierre, SD 57501



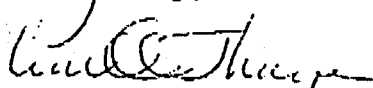
Re: G. LeBar - Water Rights

Dear Eric:

Enclosed herewith please find a copy of Exhibit "A" to an Agreement pursuant to which my clients intend to purchase from the owner, G. LeBar, real estate located in the County of Fall River and State of South Dakota, contingent upon transfer of water rights. I asked you if you would inform me of what water rights, permits, etc., are of record on all or any parts of the described land, or which the owner may have on the described land.

Thank you for your consideration in this matter.

Sincerely,


Richard O. Sharpe

ROS:skl
Enclosure

South Dakota

DEPARTMENT OF WATER & NATURAL RESOURCES

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

GREAT FACES. GREAT PLACES.

April 18, 1991

COPY

Dick Sharpe
Costello, Porter, Hill, Heisterkamp & Bushnell
P.O. Box 290
Rapid City, SD 57709

Dear Mr. Sharp:

I am writing regarding your request for water rights on a parcel of land in Fall River County. The following is a brief summary of the two water permits that were found in our records.

Water Right No. 1019-2 held by George LeBar appropriates 4.81 cubic feet of water per second from Hat Creek to irrigate 33 $\frac{1}{2}$ acre located as follows:

Section 25 T10S, R4E

NW SW	7 acres
SW NW	25
SW SW	25
NW SE	3
SW NE	20
SW SE	29

Section 26 T10S, R4E

NE SW	7 acres
SE NW	23
SE SW	29
SW SW	2
NE SE	24
SE NE	23
SE SE	23
SW SE	2

Section 35 T10S, R4E

NE NW	7
NE SW	12
NE NE	23
NE SE	17

Section 36 T10S, R4E

NW NE	9
NW NW	7

Water Permit No. 2058-2 held by Sylvia Duerson appropriates 1.71 cubic feet of water per second from Hat Creek and a dry draw dam to irrigate 120 acres located in the E1/2 SE1/4 Section 3, W1/2 SW1/4, SE1/4 SW1/4 Section 2 and the NW1/4 Section 11; all in T10S, R4E.

They were two other permits held by Mr. LeBar in our files but they were for different lands than those shown on "Exhibit A" that you submitted.

The above mentioned permits are those currently shown on our files, if you require further information please feel free to contact me.

Sincerely,

Eric Gronlund
Eric Gronlund
Water Rights Division
605 773-3352

NOTICE OF TRANSFER OF OWNERSHIP

No. _____

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: MAY 13th 1991I/We request that Water ~~PERMIT~~/Right No. 1019-2formerly owned by: George LeBarbe transferred to: (name & address) War Bonnet Ranch, Ltd.105 E. 5th Street, Box 132, Murdo, SD 57559 (telephone No.) _____

Title to the following described land(s)/property has been transferred as described above:

(See attached description)

I/We understand that the validity of Water ~~PERMIT~~/Right No. 1019-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Pennington)

I/We Georgene LeBar being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

George LeBar Estate
Georgene LeBar, Personal Representative

Georgene LeBar
(Signed)

Subscribed and sworn to before me this 13 day of May, 19 91.

My Commission Expires:
5/4/92

Susan Langseth
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

SECTION 25, T10S, R4E

NW SW	7 acres
SW NW	25
SW SW	25
NW SE	3
SW NE	20
SW SE	29



SECTION 26, T10S, R4E

NE SW	7 acres
SE NW	23
SE SW	29
SW SW	2
NE SE	24
SE NE	23
SE SE	23
SW SE	22

SECTION 35, T10S, R4E

NE NW	7 acres
NE SW	12
NE NE	23
NE SE	17

SECTION 36, T10S, R4E

NW NE	9 acres
NW NW	7

COSTELLO, PORTER, HILL, HEISTERKAMP & BUSHNELL
ATTORNEYS AT LAW

200 SECURITY BUILDING ■ 704 ST. JOSEPH STREET
MAILING ADDRESS P.O. BOX 290
RAPID CITY, SOUTH DAKOTA 57709

605-343-2410
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LONNIE R. BRAUN
DAVID M. DILLON
GREGORY G. STROMMEN
PATRICIA A. MEYERS
WILLIAM A. MAY
STEPHEN C. HOFFMAN

May 13, 1991

OF COUNSEL
J.M. COSTELLO

Chief Engineer
Water Rights Division, DWRN
523 East Capitol
Pierre, SD 57501

Re: Our File No. 912195-57
War Bonnet Ranch, Inc.

Gentlemen:

Enclosed herewith for filing with your Department, please find Notice of Transfer of Ownership regarding Water Right No. 1019-2.

Also enclosed is this office's check in the amount of \$2.50 for filing fee.

Thank you for your consideration in this matter.

Sincerely,


Richard O. Sharpe

ROS:skl
Enclosure

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____ May 10, 19 21

RECEIVED OF Costello, Porter, Hill, Heisterkamp & Bushu II, 724 St. Joseph, Rapid City, SD
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		2 50
Fee for Filing Transfer Form _____ Water Right No. 1010-2		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)	Total	2 50

By John L. Latham
Chief Engineer



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

August 19, 1991

1019-2

Dick Sharpe
Costello, Porter, Hill, Heisterkamp & Bushnell
PO Box 290
Rapid City, SD 57709

Dear Mr. Sharpe:

Enclosed is a copy of the "Notice of Transfer" you submitted in May, 1991 for filing an ownership change on Water Right No. 1019-2. Also enclosed is a copy of Water Right No. 1019-2.

As we discussed, the legal descriptions contained on the transfer form (page 2) and those on the water right license do not match. On April 18, 1991, Eric Gronlund with our office, sent you a letter with the legal descriptions for No. 1019-2. The legal descriptions contained in the letter were reversed (for example: NW 1/4 SW 1/4 Sec 25, T10S, R4E - 7 acres should have read SW 1/4 NW 1/4 Sec 25, T4S, R10E - 7 acres).

The acreage purchased by War Bonnet Ranch, Ltd were most likely the same acreage described in the license. I am enclosing a new "Notice of Transfer" form. Please complete the new form with the acreage now owned by War Bonnet Ranch. If there is any of the land still owned by George LeBar Estate, make the necessary notation(s) on the enclosed license and return license to me. I noted that the original form you submitted was signed by Georgene LeBar. The form should be signed by a representative of War Bonnet Ranch.

An additional filing fee will not be required. If you have any questions, please contact me.

Sincerely,

Genny McMATH
Natural Resources Analyst
(605) 773-3352

enclosures

COSTELLO, PORTER, HILL, HEISTERKAMP & BUSHNELL
ATTORNEYS AT LAW

200 SECURITY BUILDING ■ 704 ST. JOSEPH STREET
MAILING ADDRESS P.O. BOX 290
RAPID CITY, SOUTH DAKOTA 57709

605-343-2410

TELECOPIER NO. 605-343-4262

WILLIAM G. PORTER
DENNIS H. HILL
K.L. HEISTERKAMP
GENE R. BUSHNELL
RICHARD O. SHARPE
EDWARD C. CARPENTER
THOMAS H. BARNES
DONALD A. PORTER
THOMAS W. STANTON
ROBERT L. LEWIS



DAVID R. BRAUN
DAVID M. DILLON
GREGORY G. STROMMEN
PATRICIA A. MEYERS
WILLIAM A. MAY
STEPHEN C. HOFFMAN

September 11, 1991

OF COUNSEL
J.M. COSTELLO

Genny McMath
Natural Resources Analyst
Department of Environment & Natural Resources
Joe Foss Building
523 E. Capitol
Pierre, SD 57501-3181

Re: Water Right No. 1019-2
Water Right No. 1974-2

Dear Ms. McMath:

Pursuant to your recent correspondence to me under date August 19, 1991, enclosed please find revised Notice of Transfer of Ownership regarding Right No. 1019-2, together with attached revised legal description.

Also enclosed please find Notice of Transfer of Ownership regarding Right No. 1974-2, together with attached legal description.

Both of these Notices have been executed by Rodney L. Vollmer, President of War Bonnet Ranch, Inc.

Also enclosed is this office's check in the amount of \$2.50 for the filing fee for Right No. 1974-2. Pursuant to your letter of August 19, 1991, it is my understanding that a filing fee for Right No. 1019-2 will not be required.

Thank you for your consideration in this matter.

Sincerely,

Richard O. Sharpe

ROS:skl
enclosures

NOTICE OF TRANSFER OF OWNERSHIP

No. _____

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181



Date: _____

I, We request that Water Permit/Right No. 1019-2

formerly owned by: George LeBar

be transferred to: (name & address) War Bonnet Ranch, Ltd.

105 E. 5th Street, Box 132, Murdo, SD 57559 (telephone No.) 669-2752

Title to the following described land(s)/property has been transferred as described above:

(See attached legal description)

I/We understand that the validity of Water ~~PERMIT~~/Right No. 1019-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
)
County of Pennington)

I/We Rodney L. Vollmer being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

WAR BONNET RANCH, INC.

X BY: Rodney L. Vollmer
Rodney L. Vollmer, President

Subscribed and sworn to before me this 9th day of September, 1991.

BRIAN THOMPSON, NOTARY PUBLIC
My Commission Expires Jan. 10, 1997

B. Thompson
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

File No. 1019-2

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Richard Sharpe, Attorney

ADDRESS: COSTELLO, PORTER, HILL, HEISTERKAMP & BUSHNELL

COUNTY: Fall River

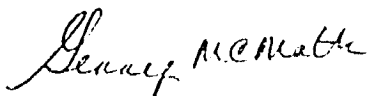
DATE: September 12, 1991

TELEPHONE: 343-2410

RE: transfer of Water Right No. 1019-2

COMMENTS:

Mr. Sharpe submitted another transfer for Water Right No. 1019-2 with the legal descriptions reversed. In a conversation with Mr. Sharpe concerning the land described under the water right, he indicated WarBonnet Ranch, Ltd did purchase all of the land. The entire water right should be now be listed under WarBonnet Ranch, Ltd.



Genny McMath
Natural Resources Analyst



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE TOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501 3181

March 11, 1992

No. 1019-2

Costello, Porter, Hill,
Reisterkamp & Bushnell
704 St. Joseph
Rapid City, SD 57709

Dear Sirs:

Enclosed is a receipt in the amount of \$2.50 which you paid for
the transfer of Water Right No. 1019-2.

Our records now show War Bonnet Ranch, Ltd., 105 E. 5th, Box 132,
Murdo, SD 57559 as the owner of Water Right No. 1019-2.

Sincerely,

A handwritten signature in cursive script, which appears to read "Cheryl F. Frost".

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure

cc: War Bonnet Ranch, Ltd.

10

I hereby certify that on March 25, 1992, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 25, 1992, regarding Shut Off Order for Junior Water Right Holders Upstream of the Angostura Irrigation District addressed as stated on the attached list:

Chas. A. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 26th day of March, 1992.



John S. [Signature]
Notary Public



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

March 25, 1992

1019-7

NOTICE

TO: WAR BONNET RANCH LTD
BOX 132
105 E 5TH ST
MURDO, SD 57559

FROM: JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605) 773-3352

SUBJECT: Shut Off Order for Junior Water Right Holders Upstream
of the Angostura Irrigation District.

Please be advised that effective immediately no diversions of water will be allowed under your Water Right No. 1019-2 which is junior in priority to Water Right No. US579-2 held by the US Bureau of Reclamation for the Angostura Irrigation District.

On March 20, 1992 the water elevation in Angostura Reservoir was 4.4 feet and 19,164 acre feet below full. Reservoir storage levels will be closely monitored. If inflows increase such that the reservoir will fill, this shut off order will be rescinded at that time.

All water rights above Angostura Reservoir will be monitored until the reservoir has filled. I am asking for your cooperation in complying with this order.

If you have any questions, please contact Del Brosz or Mark Rath, Division of Water Rights, 523 E Capitol Ave, Pierre, SD 57501. Phone (605) 773-3352.

PERMIT NO	FIRST NAME	LAST NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE	PERMIT	PERMIT
651-2		A & T CATTLE CO	TOM LANDERS	ST RT	HOT SPRINGS	SD	57141		
301-2	RICHARD	ANDERSON	A CHAR ANDERSON	HCR 59 BOX 18	FIDGEMONT	SD	57135		
1611-2	IRENE R	ANDERSON		HCR 59 BOX 20	FIDGEMONT	SD	57135		
311-2		B & H RANCH INC	B F CHILDERS	PO BOX 723	FIDGEMONT	SD	57135		
531-2		RAIL FROS		BOX 617	FIDGEMONT	SD	57135		
1995-2	LESTER I	BARTLEY		BOX 740	FIDGEMONT	SD	57135		
1693-2	NICK/MICHAEL	BOGNER	NICK BOGNER JR	HC 46 BOX 24	OFELRICHS	SD	57163	1734-2	
755-2		BRAINFORD INDIAN SCHOOL			HOT SPRINGS	SD	57147		
838-2	WAYNE F	CHILDERS		HCR 59 BOX 1A	FIDGEMONT	SD	57135		
614-2	V L	CHILDERS		BOX 723	FIDGEMONT	SD	57135		
651-2	OSCAR	COFF			OFELRICHS	SD	57163		
1994-2	JOHN	DEERING		SR 1 BOX 136	LUSK	WY	82225		
541-2	HAROLD E	PODSOM		HCR 59 BOX 5A	FIDGEMONT	SD	57135	1410-2	
2054-2	LEROY/BERTHA	DIERSON		HC 48 BOX 248	PROVO	SD	57174		
1985-2	DAVID W	EDNAR		RL BOX 32	OFELRICHS	SD	57163		
784-2		HAID BROTHERS, INC.	CARL P HAID, PRES	HCR 46 BOX 5	OFELRICHS	SD	57163	1625-2	
421-2	HEFMAN	HEFL		BOX 441	FIDGEMONT	SD	57135		
510-2	DARRELL E	HELMAN		BOX 402	FIDGEMONT	SD	57135		
1879-2	DORA R	HENDERSON	APT 265	5141 INDIAN RIVER	LAS VEGAS	NV	89103		
1980-2	DON W	HENRY		BOX 276	ARMORE	SD	57115		
319-2	HENRY C	HOLLENBECK		DINEY ROUTE	FIDGEMONT	SD	57135		
1593-2		HU RANCH INC	SD CORPORATION	HCR 59 BOX 102	FIDGEMONT	SD	57135		
350-2	DARREL D	HUNTER		BOX D	ARMORE	SD	57115		
1741-2	JAMES/PATRICIA	JOHNSTON		HC 68 BOX 7	LAKE SIDE	NE	69351		
18770-2	JIM	KANE		BOX 13A	PROVO	SD	57174		
743-2	CARL	KANOLY	APT 297	BLANIE HOTEL	CHADRON	NE	69337		
1696-2	JOHN W	KELPER		BOX 715	FIDGEMONT	SD	57135		
856-2	A J	LANDERS	STAR CATTLE CO	BOX 159B HCR 52	HOT SPRINGS	SD	57147		
1810-2	R I/ALLEN	LAWRENCE		BOX 759	YOGA	ND	58452		
676-2	MELVIN	LUTE			HOT SPRINGS	SD	57147		
13925-2	JOHN D(JACK)	MANKE	(ESTATE)	PR 41 BOX 119C	HOT SPRINGS	SD	57147		
11447-2	FENNETH	MARTINSON		BOX 361	FIDGEMONT	SD	57135		
785-2	ARDETH W	MCLAIN		BOX 164	OFELRICHS	SD	57163		
416-2	RALPH L	MEFFORD, JR		HCR 48 BOX 22	PROVO	SD	57174		
1973-2	A J	NELSON		BROWN'S STAGE	WILLES CITY	MT	59301		
2015-2		PETERSON & SON, INC		HCR 55 BOX 16	FIDGEMONT	SD	57135		
1016-2	PAUL A JEAN	PETTY	A NOREEN PETTY	HCR 52 BOX 136	HOT SPRINGS	SD	571470601		
1716-2	MELVIN	PORTER		W10 RT BOX 17	FIDGEMONT	SD	57135		
711-2	DONALD	POTNAM		BOX 188	OFELRICHS	SD	57163	2013-2	
1816-2	CHEN	REASER		HC 46 BOX 48	OFELRICHS	SD	57163		
472-2	STWARD/WANDA	REUTTER		HCR 59 BOX 90	FIDGEMONT	SD	57135	1789-2	
293-2	CHANCE/NETER	REYNOLDS		HCR 59 BOX 28	FIDGEMONT	SD	57135	294-2	
669-2	OLIVER M	ROMY		BOX 175	OFELRICHS	SD	57163		
718-2	VERNON	SCHNOSE		ST RT BOX 155	HOT SPRINGS	SD	57147	1709-2	
1649-2		SEGER RANCH INC		BOX 95	OFELRICHS	SD	57163	671-2	1837-2
927-2	BERNARD D	SIMONS		BOX 381	FIDGEMONT	SD	57135		
1739-2	ROBERT/MARK	TUBBS		BOX 363	FIDGEMONT	SD	57135		
1019-2		WAR BOWNET RANCH LTD	BOX 132	185 E 5TH ST	MURDO	SD	57559		
392-2	VINCENT M	WASSERBLINGER		BOX 83	ARMORE	SD	57115	853-2	2115-2



1019-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

March 12, 1993

1019-2

NOTICE

TO: WAR BONNET RANCH LTD
BOX 132
105 E 5TH ST
MURDO, SD 57559

FROM: *for* JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605) 773-3352

Delvin D. Brosz

SUBJECT: Shutoff Order for Junior Water Right Holders Upstream
of the Angostura Irrigation District.

Effective immediately no diversions of water under your Water Right No. 1019-2 are authorized. Your water right is junior in priority to the US Bureau of Reclamation Water Right No. 579-2 (April 11, 1941 priority date). The Bureau of Reclamation water right for the Angostura Irrigation District allows one annual fill of the reservoir.

The amount of water required for one annual fill of Angostura Reservoir as of January 1, 1993 was 45,402 acre feet. On March 9, 1993 the water elevation in Angostura Reservoir was 10.2 feet and 41,305 acre feet below full. Reservoir storage levels will be closely monitored. If inflows increase and the reservoir will fill, this shutoff order will be rescinded. Any 1993 irrigation releases from the reservoir will be included in the inflow calculations.

All water rights above Angostura Reservoir will be monitored until the reservoir has filled. I am asking for your cooperation in complying with this order.

If you have any questions, please contact Del Brosz or Mark Rath, Division of Water Rights, 523 E Capitol Ave, Pierre, SD 57501. Phone (605) 773-3352.

cc: US Bureau of Reclamation
Angostura Irrigation District

CERTIFICATION

I hereby certify that on March 12, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 12, 1993, regarding Shutoff Order for Junior Waver Right Holders Upstream of the Angostura Irrigation District addressed as stated below, and on the attached:

Copy Sent To:

Bruce Laymon, U.S. Bureau of Reclamation, Belle Fourche Projects Office, P.O. Box 226, Newell, SD 57760.

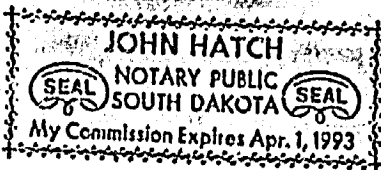
Joseph Kramer, Manager, Angostura Irrigation District, P.O. Box 346, Oral, SD 57766.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

Sworn to, before me, this 15th day of March, 1993.



John Hatch
Notary Public



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

April 14, 1993

1019-2

RESCISSION OF SHUTOFF ORDER

TO: WAR BONNET RANCH LTD
BOX 132
105 E 5TH ST
MURDO, SD 57559

FROM: JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605) 773-3352

SUBJECT: Rescission of the Shutoff Order for Junior Water Right
Holders Upstream of the Angostura Irrigation District
for the 1993 Irrigation Season.

Recent wet conditions in the Upper Cheyenne River Basin have provided large inflows and the Angostura Reservoir is expected to fill shortly. The shutoff order for all junior water rights upstream of the reservoir is rescinded for the 1993 irrigation season.

If you have any questions, please contact Del Brosz or Mark Rath, Division of Water Rights, 523 E Capitol Ave, Pierre, SD 57501. Phone (605) 773-3352.

cc: US Bureau of Reclamation
Angostura Irrigation District



1019-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

March 15, 1995

1019-2

NOTICE

TO: CHARLES BAKER
WAR BONNET RANCH LTD
BOX 132
MURDO, SD 57559

FROM: John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352 *John Hatch*

SUBJECT: Shutoff Order for Junior Water Right Holders
Upstream of the Angostura Irrigation District.

Effective immediately no diversions of water under your Water Right No. 1019-2 are authorized. Your water right is junior in priority to the US Bureau of Reclamation Water Right No. US579-2 (April 11, 1941 priority date). Water Right No. US579-2 allows one annual fill of the reservoir.

On March 14, 1995, the water elevation in Angostura Reservoir was 7 feet and 30,000 acre feet below full. The Division of Water Rights, in cooperation with the Bureau of Reclamation, will closely monitor the reservoir storage level. If inflows increase and the reservoir will fill, this shutoff order will be rescinded. Any 1994 irrigation releases from the reservoir will be included in the inflow calculations.

The Division of Water Rights will monitor all water rights above Angostura Reservoir until the reservoir has filled. I am asking for your cooperation in complying with this order.

If you have any questions, please contact Del Brosz or Rassool Ahadi, Division of Water Rights, 523 E. Capitol Ave, Pierre, SD 57501. Phone (605) 773-3352.

cc: US Bureau of Reclamation
Angostura Irrigation District



1019-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

May 26, 1995

1019-2

RESCISSION OF SHUTOFF ORDER

TO: CHARLES BAKER
WARBONNET RANCH LTD
BOX 132 105 E 5TH ST
MURDO, SD 57559

FROM: *for* John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

SUBJECT: Rescission of the Shutoff Order for Junior Water Right Holders Upstream of the Angostura Reservoir for 1995 Irrigation Season.

Recent wet conditions in the Upper Cheyenne River Basin have provided large inflows and the Angostura Reservoir is expected to fill shortly. The shutoff order for all junior water rights upstream of the reservoir is rescinded for the 1995 irrigation season.

If you have any questions, please contact Del Brosz or Rassool Ahadi, Division of Water Rights, 523 E. Capitol Ave., Pierre, SD 57501.

cc: US Bureau of Reclamation
Angostura Irrigation District

RECEIPT

414581

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, August 10, 19 95

RECEIVED OF Pat Donahue, Box 1115, Ft. Pierre, SD 57532

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ Water Right No. 1019-2	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer

1019-2

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer,
Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181



No. 1019-2

Date: June 2, 1995

I/We request that Water Right No. 1019-2

formerly owned by: Wai Bornet Ranch, LTD

be transferred to: (name & address) Mitch A. and Susan E. O'Connell

HC 66, Box 236, Chadron, NE 69337 (Telephone No) 605-867-1770 Rescat
9-15-95 605-745-4410

Title to the following described land(s)/property has been transferred as described above:

337 acres in the S 1/2 NW 1/4, SW 1/4 Section 25; S 1/2 NE 1/4, SE 1/4, S 1/2 SW 1/4 Section 26; NE 1/4 Section 35 and the N 1/2 NW 1/4 Section 33, T4S, R10E

I/We understand that the validity of Water Right No. 1019-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of FALL RIVER)

I/We Mitch A. O'Connell being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Mitch A. O'Connell
(Signed)

Subscribed and sworn to before me this 2 day of June, 19 95.

Jenny K. Roschke
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.



1019-2

January 30, 1996

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

NOTICE

TO: MITCH A & SUSAN E O'CONNELL, HC 66 BOX 23C, CHADRON, NE 69337

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 1019-2. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:45 am, March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1019-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996 your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

SENDER:

- Complete Items 1 and/or 2 for additional services.
- Complete Items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MITCH A & SUSAN E O'CONNELL
HC 66 BOX 23C
CHADRON NE 69337

4a. Article Number

7 348 318 880

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

2-6-96

8. Addressee's Address (Only if requested and fee is paid)**5. Received By: (Print Name)****6. Signature: (Addressee or Agent)**

X *[Signature]*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service



1019-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 7, 1996

1019-2

Mitch & Susan O'Connell
HC 48 Box 242
Provo, SD 57774

Dear Mr. & Mrs. O'Connell:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 Irrigation Questionnaire.

A questionnaire was completed for you based on your February 6th telephone conversation with Ron Duvall. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

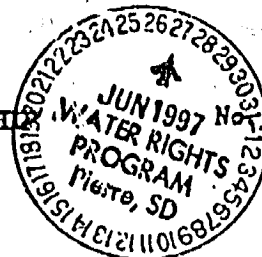
12:19

B6057734068

SD/DENR

013

NOTICE OF TRANSFER OF OWNERSHIP



1019-2

TO: Chief Engineer
Water Rights Division, DENR
523 East Capitol
Pierre, SD 57501-3181

Date: _____

I, We request that Water Permit/Right No. 1019-2

formerly owned by: Mitch & Susan O'Connell

be transferred to: (name & address) Weinreis Brothers

PO Box 367, Minatare, NE 69356

(telephone No.) (308) 783-1000

Title to the following described land(s)/property has been transferred as described above:

337 acres - S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25; S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 26; NE $\frac{1}{4}$ Section 35;

and the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 36, T10S, R4E

I/We understand that the validity of Water Permit/Right No. 1019-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Pennington)

I/We _____ being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Weinreis Brothers by Charles Weinreis
(Signed)

Subscribed and sworn to before me this 27th day of May, 1991.

Quentin M. Campbell
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year period. Once a water permit is developed and the water used, the

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

415401

Pierre, June 27, 19 97

RECEIVED OF Pat Donahue, 24376 Ruahmore Ranch Rd, Keystone, SD 57751
(for Weinreils Brothers)
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 1019-2</u>		2 50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total	2	50

By John H. H. H.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

FEB 25 1999

Weinreis Brothers
c/o Charles Weinreis
PO Box 367
Minatare NE 69356

Dear Sirs:

Enclosed is your receipt for \$2.50 for filing the notice of Transfer of Ownership on Water Right No. 1019-2. Our records now show you as the owner of this water right.

A review of our files indicates that Water License No. 1019-2 issued on December 29, 1980 contained topographical errors in the legal description of the lands irrigated and the diversion point locations. The original license indicated the acres and diversion points were located in T4S-R10E. The correct location is in T10S-R4E.

The license is being reissued to reflect the correct legal descriptions of the lands irrigated and the diversion points. Enclosed is the Reissued Water License No. 1019-2.

If you have any questions, please contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
605 773-3352

ks

enclosures

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 1019-2

(1) George LeBar, Douglas WY was issued Water License No. 1019-2, December 29, 1980 for a water right to appropriate 4.81 cubic feet of water per second from Hat Creek and Hallow Creek, Fall River County, South Dakota for irrigation purposes. Water License No. 1019-2, with a priority date of April 4, 1970 was issued to George LeBar for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

On June 27, 1997, Water License No. 1019-2 was transferred to Weinreis Brothers.

The original license, issued December 29, 1980 contained typographical errors in the legal description of the lands irrigated and the diversion point locations. The license is being reissued to correct the errors.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 4.81 cubic feet of water per second for beneficial use. The location of the diversion points are: on Hat Creek - between Pt "A", south 89°W 3,750 feet (NE ¼ NW ¼ Section 35) and Pt "B", north 18°51'W 4,016.62 feet (SE ¼ NE ¼ Section 26) both from the SE corner of Section 26-T10S-R4E; on Hallow Creek, south 46°E 1,150 feet (NW ¼ NW ¼) from the NW corner of Section 36-T10S-R4E.

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

All located in T10S-R4E					
Section 25	SW ¼ NW ¼	7 acres	Section 26	SW ¼ NE ¼	7 acres
	SE ¼ NW ¼	3 acres		SE ¼ NE ¼	24 acres
	NW ¼ SW ¼	25 acres		NW ¼ SE ¼	23 acres
	NE ¼ SW ¼	20 acres		NE ¼ SE ¼	23 acres
	SW ¼ SW ¼	25 acres		SW ¼ SE ¼	29 acres
	SE ¼ SW ¼	29 acres		SE ¼ SE ¼	23 acres
Section 35	NW ¼ NE ¼	7 acres		SW ¼ SW ¼	2 acres
	NE ¼ NE ¼	23 acres		SE ¼ SW ¼	22 acres
	SW ¼ NE ¼	12 acres	Section 36	NW ¼ NW ¼	7 acres
	SE ¼ NE ¼	17 acres		NE ¼ NW ¼	9 acres
Total 337 acres					

(4) Pursuant to South Dakota Water Law 46-5-30.1 Weinreis Brothers, PO Box 367, Minatare NE 69356 the holders and/or owners of Water Right No. 1019-2 is reissued a license to appropriate water, the right to use 4.81 cubic feet of water per second from Hat Creek and Hallow Creek with a priority date of April 4, 1970 from the locations specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Right No. 1019-2 and subject to South Dakota State Law.

John Hatch
 JOHN HATCH, Chief Engineer
 Water Rights Program
 Department of Environment and Natural Resources

FEB 25 1999

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 14, 2004

NOTICE

TO: WEINREIS BROTHERS, CHARLES WEINREIS, PO BOX 367, MINATARE, NE 69356 0367

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaire(s)

Our records indicate that the 2003 Irrigation Questionnaire has not been submitted for Permit No(s) 1019-2. The request for the Questionnaire was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 3, 2004, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1019-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before **February 27, 2004**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



1019-2

Track & Confirm

Current Status

You entered 2301 3460 0000 8515 9005

Your item was delivered at 9:17 am on January 16, 2004 in MINATARE, NE 69356. The item was signed for by M RUNGE.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email [What is this?](#) [Go >](#)

▶ Request Proof of Delivery [What is this?](#) [Go >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8515 9005

WEINREIS BROTHERS
CHARLES WEINREIS
PO BOX 367
MINATARE NE 69356 0367

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

illing.

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

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PS Form 153, July 2001

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denn

February 23, 2004

1019-2

Charles Weinreis
Weinreis Brothers
PO Box 367
Minatare NE 69356 0367

Dear Mr. Weinreis:

I am writing to acknowledge receipt of your 2003 irrigation questionnaire. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Right No. 1019-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



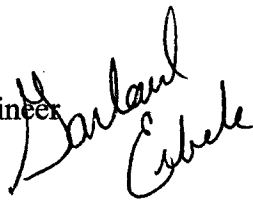
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

April 30, 2004

NOTICE OF SHUTOFF ORDER

TO: WEINREIS BROTHERS
CHARLES WEINREIS
PO BOX 367
MINATARE NE 69356

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program 

SUBJECT: Shutoff Order for Junior Priority Date Water Rights Upstream of
Angostura Dam

Shutoff Order for Water Right Nos. 1019-2, 718-2, 2042B-2

To protect the US Bureau of Reclamation's Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941, the Bureau of Reclamation has asked that we issue shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River and tributaries by holders of junior water rights upstream of Angostura Dam will be allowed. On April 30, 2004, the water elevation in Angostura Reservoir was 3179.1 feet, a little over 8 feet below the full elevation of 3187.2 feet. Current storage is at 96,912 acre-feet, about 33,850 acre-feet below full and inflows are only about 38 acre-feet per day.

The Angostura Reservoir storage level will be closely monitored and if the Cheyenne River flows upstream of dam increase such that the reservoir will fill, this shutoff order will be rescinded at that time. If conditions do not improve, this order will remain in effect until December 31, 2004.

I am asking for your cooperation in complying with this shutoff order. If you have any questions, please contact Mark Rath or Don Stroup with the Water Rights Program at (605) 773-3352. Thank you.



1019-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 15, 2005

NOTICE OF SHUTOFF ORDER

TO: WEINREIS BROTHERS
CHARLES WEINREIS
PO BOX 367
MINATARE NE 69356

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: Shutoff Order for Junior Priority Date Water Rights Upstream of
Angostura Dam

Shutoff Order for Water Right Nos. 1019-2, 718-2, 2042B-2

To protect the US Bureau of Reclamation's Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941, the Bureau of Reclamation has asked that we issue shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River and tributaries by holders of junior water rights upstream of Angostura Dam will be allowed. On March 8, 2005, the water elevation in Angostura Reservoir was 3169.5 feet, almost 18-feet below the full elevation of 3187.2 feet. Storage is at 65,521 acre-feet, about 73,240 acre-feet below full and inflows are 14.9 acre-feet per day.

The Angostura Reservoir storage level will be closely monitored and if the Cheyenne River flows upstream of the dam increase such that the reservoir will fill, this shutoff order will be rescinded at that time. If conditions do not improve, this order will remain in effect until the end of the calendar year.

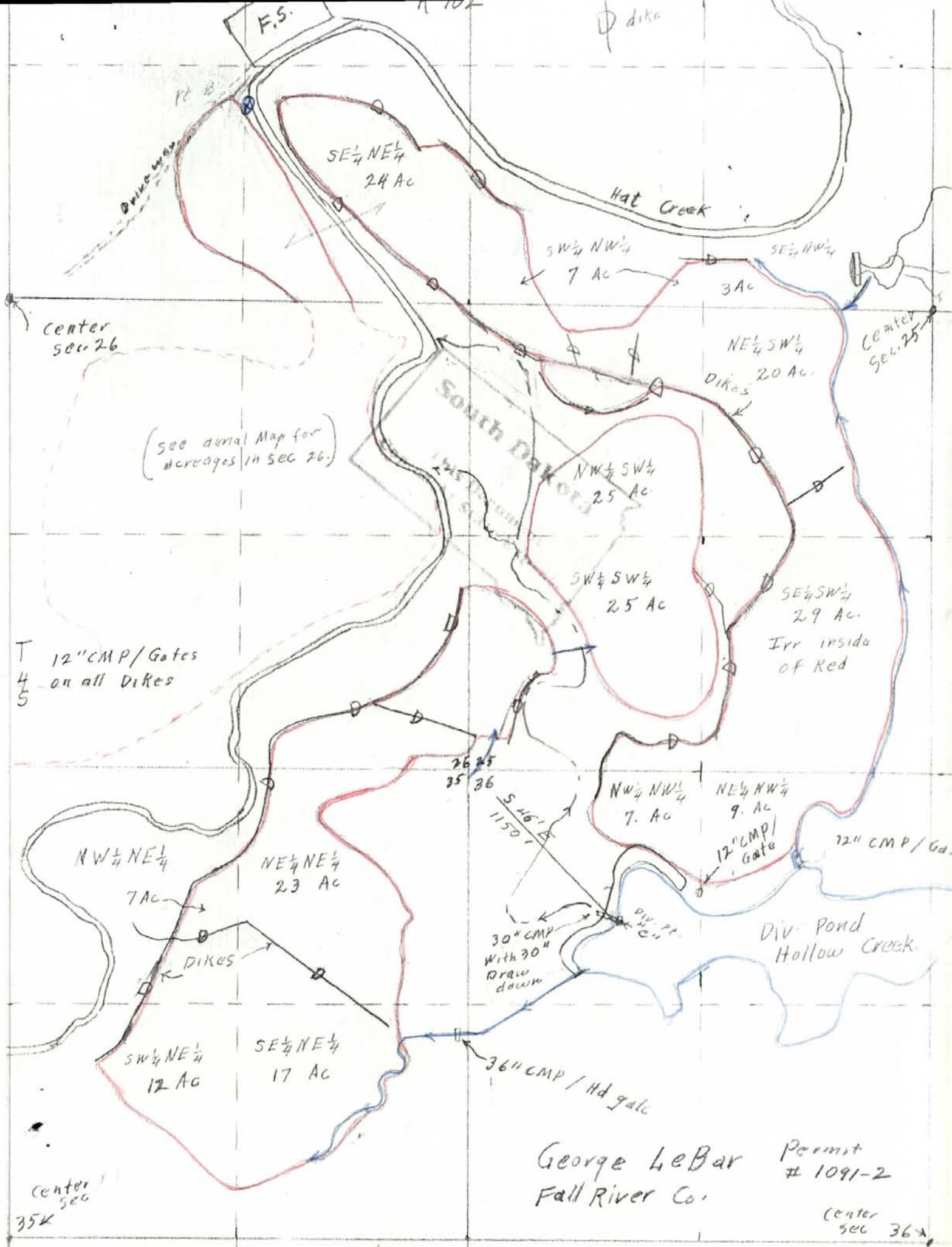
I am asking for your cooperation in complying with this shutoff order. If you have any questions, please contact Mark Rath or Don Stroup with the Water Rights Program at (605) 773-3352. Thank you.

10/9-2

10-4

166C

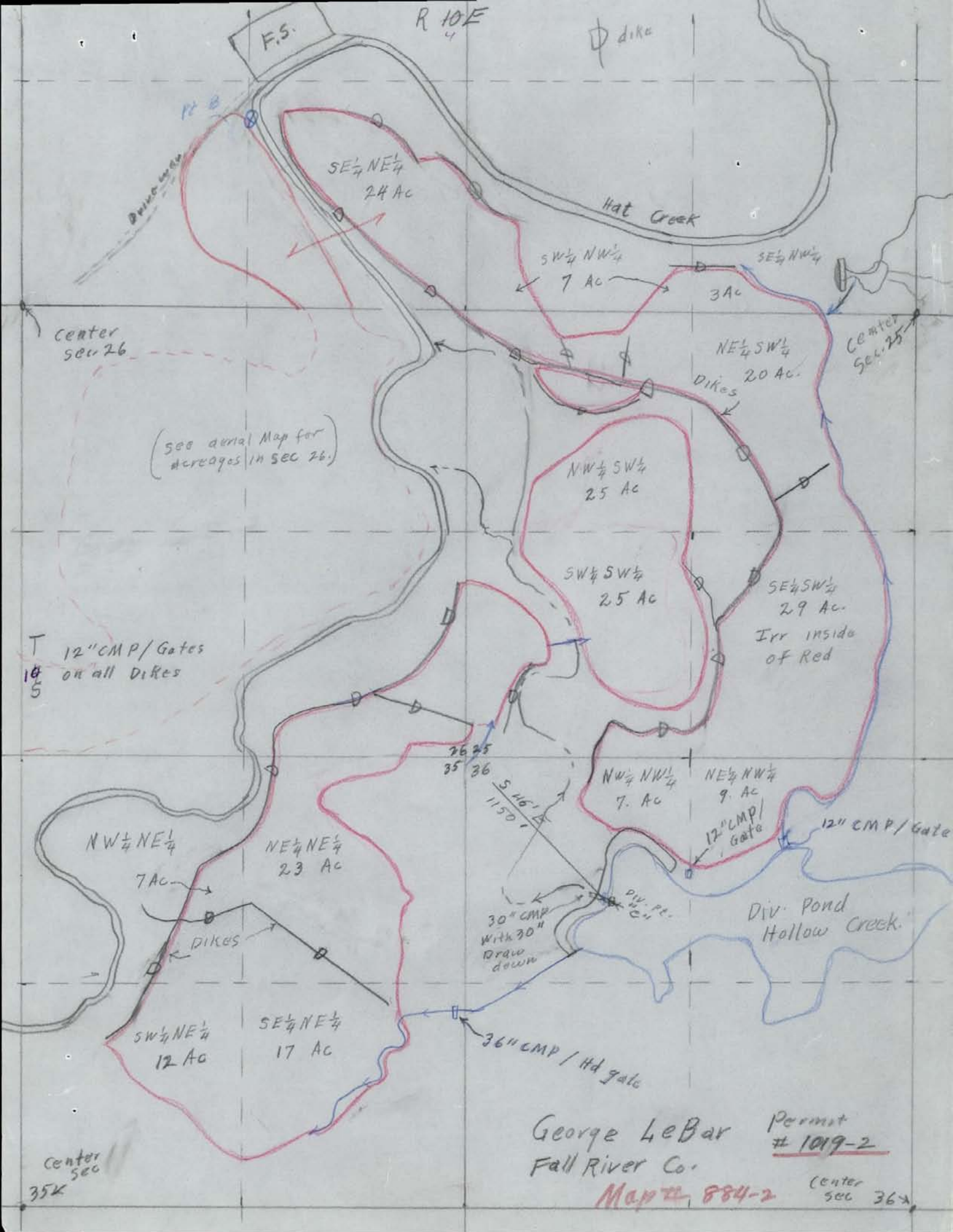




George LeBar
Fall River Co.

Permit
1091-2

Center
Sec 36



10-4

166C

George Lebar

Permit # 1019-2

Map # ~~88~~ 2

19.3

76

PE-B

SW $\frac{1}{4}$ NE $\frac{1}{4}$

7Ac

N 18° 31' W

4016.62'

25.1
NW $\frac{1}{4}$ SE $\frac{1}{4}$
23 AC.

NE $\frac{1}{4}$ SE $\frac{1}{4}$
23 AC.

SW $\frac{1}{4}$ SE $\frac{1}{4}$
29 AC

SE $\frac{1}{4}$ SE $\frac{1}{4}$
23 AC.

SW $\frac{1}{4}$ SW $\frac{1}{4}$
2 AC

SE $\frac{1}{4}$ SW $\frac{1}{4}$

21.3 22 AC

10-4

Pump Site

S 89° W 3750'

PE-A

7.4

1016-2



IN REPLY REFER TO:

DK-700
PRJ 13.00

United States Department of the Interior

BUREAU OF RECLAMATION
Dakotas Area Office
Rapid City Field Office
515 9th St., Room 101
Rapid City, South Dakota 57701

FEB 24 2006



RECEIVED
FEB 27 2006
WATER RIGHTS
PROGRAM

Mr. Garland Erbele
Chief Engineer
Water Rights Division
South Dakota Department of Environment and Natural Resources
523 E. Capitol
Pierre, South Dakota 57501-3181

Subject: Request for Junior Water Rights Shut Off Order - Angostura Reservoir, South Dakota

Dear Mr. Erbele:

We request that the State of South Dakota's Department of Environment and Natural Resources Water Rights Division issue shut off orders to junior water right holders on the Cheyenne River above Angostura Reservoir.

Angostura Reservoir is presently at elevation 3169.90, which is a little over 17 feet down from full (top of conservation or full is at elevation 3187.2). On February 24, 2005, the storage in Angostura Reservoir is about 60,000 acre-feet, which is 63,000 acre-feet from full. If the spring weather continues to be dry, the water right at Angostura will not be satisfied.

If you have questions, please contact Curt Anderson or me at 605-394-9757.

Sincerely,

For Jeffrey L. Nettleton
Rapid City Field Office Manager

cc: Ms. Sue Lowry
Administrator
Interstate Streams Division
Wyoming State Engineer's Office
Herschler Building 4E
Cheyenne, WY 82002

Mr. Mick Jenniges
Manager
Angostura Irrigation District
P.O. Box 346
Oral, SD 57766



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 9, 2007

NOTICE OF SHUTOFF ORDER

TO: WEINREIS BROTHERS
PO BOX 367
MINATARE, NE 69356

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: Shutoff Order for Junior Priority Date Water Rights Upstream of
Angostura Dam

Shutoff Order for Water Right Nos. 1019-2 718-2 2042B-2

To protect the US Bureau of Reclamation's Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941, the Bureau of Reclamation has asked that we issue shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River and tributaries by holders of junior water rights upstream of Angostura Dam will be allowed. On March 9, 2007, the water elevation in Angostura Reservoir was 3166.9-feet, 20.3-feet below the full elevation of 3187.2-feet. Storage is at 51652 acre-feet, about 87109 acre-feet below full. Angostura Reservoir is not expected to fill with the current low inflows.

The Angostura Reservoir storage level will be closely monitored and if the Cheyenne River flows upstream of the dam increase such that the reservoir will fill, this shutoff order will be rescinded at that time. If conditions do not improve, this order will remain in effect until the end of the calendar year.

I am asking for your cooperation in complying with this shutoff order. If you have any questions, please contact Mark Rath at (605) 773-3352 or Aaron Tieman at (605) 394-2229 with the Water Rights Program. Thank you.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 19, 2008

NOTICE OF SHUTOFF ORDER

TO: WEINREIS BROTHERS
PO BOX 367
MINATARE NE 69356

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: Shutoff Order for Junior Priority Date Water Rights Upstream of
Angostura Dam

Shutoff Order for Water Right Nos. 1019-2, 718-2, 2042B-2

The US Bureau of Reclamation holds Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941. To protect this right, the Bureau of Reclamation has asked that we issue shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River and tributaries by holders of water rights junior to the priority date of April 11, 1941 upstream of Angostura Dam will be allowed. On March 17, 2008, the water elevation in Angostura Reservoir was 3168.8-feet, 18.4-feet below the full elevation of 3187.2-feet. Storage is at 56785 acre-feet, about 66263 acre-feet below full. Angostura Reservoir is not expected to fill with the current low inflows.

The Angostura Reservoir storage level will be closely monitored and if the Cheyenne River flows upstream of the dam increase such that the reservoir will fill, this shutoff order will be rescinded at that time. If conditions do not improve, this order will remain in effect until the end of the calendar year.

I am asking for your cooperation in complying with this shutoff order. If you have any questions, please contact Mark Rath at (605) 773-3352 or Aaron Tieman at (605) 394-2229 with the Water Rights Program. Thank you.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 19, 2009

NOTICE OF SHUTOFF ORDER

TO: CHARLES WEINREIS
WEINREIS BROTHERS
PO BOX 367
MINATARE NE 69356

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: Shutoff Order for Junior Priority Date Water Rights Upstream of
Angostura Dam

Shutoff Order for Water Right Nos. 1019-2, 2042B-2, 718-2

The US Bureau of Reclamation holds Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941. To protect this right, the Bureau of Reclamation has asked that we issue shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River and tributaries by holders of water rights junior to the priority date of April 11, 1941 upstream of Angostura Dam will be allowed. On March 18, 2009, the water elevation in Angostura Reservoir was 3176.7-feet, 10.5-feet below the full elevation of 3187.2-feet. Storage is at 80792 acre-feet, about 42256 acre-feet below full. Angostura Reservoir is not expected to fill with the current low inflows.

The Angostura Reservoir storage level will be closely monitored and if the Cheyenne River flows upstream of the dam increase such that the reservoir will fill, this shutoff order will be rescinded at that time. If conditions do not improve, this order will remain in effect until the end of the calendar year.

I am asking for your cooperation in complying with this shutoff order. If you have any questions, please contact Mark Rath at (605) 773-3352 or Aaron Tieman at (605) 394-2229 with the Water Rights Program. Thank you.



1019-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 24, 2012

NOTICE

TO: WEINREIS BROTHERS, CHARLES WEINREIS, 230908 HIGHLAND RD, SCOTTSBLUFF,
NE 69361

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2011 Irrigation Questionnaire(s)

Our records indicate that the 2011 Irrigation Questionnaire has not been submitted for Permit No. 1019-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 14, 2011. The Water Management Board has directed that owners of water permits who have not submitted the 2011 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **10:00 am, March 7, 2012**, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 1019-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office on/or before **March 2, 2012**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 1, 2012

1019-2

Charles Weinreis
Weinreis Brothers
230908 Highland Rd
Scottsbluff NE 69361

Dear Mr. Weinreis:

I am writing to acknowledge receipt of your 2011 irrigation questionnaire.

You may disregard the January 24, 2012, "Notice" concerning reporting requirements for Water Right No. 1019-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 06, 2013

NOTICE OF SHUTOFF ORDER

TO: WEINREIS BROTHERS
CHARLES WEINREIS
230908 HIGHLAND RD
SCOTTSBLUFF NE 69361

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: Shutoff Order for Junior Priority Date Water Rights Upstream of
Angostura Dam

**Shutoff Order for
Water Right Nos. 2042B-2 (1019-2) 718-2 350-2**

The US Bureau of Reclamation holds Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941. To protect this right, the Bureau of Reclamation has asked that we issue shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River and tributaries by holders of water rights junior to the priority date of April 11, 1941 upstream of Angostura Dam will be allowed. On March 05, 2013, the water elevation in Angostura Reservoir was 3176.8-feet, 10.4-feet below the full elevation of 3187.2-feet. Storage is at 81068 acre-feet, about 41980 acre-feet below full. Angostura Reservoir is not expected to fill with the current low inflows.

The Angostura Reservoir storage level will be closely monitored and if the Cheyenne River flows upstream of the dam increase such that the reservoir will fill, this shutoff order will be rescinded at that time. If conditions do not improve, this order will remain in effect until the end of the calendar year.

I am asking for your cooperation in complying with this shutoff order. If you have any questions, please contact Mark Rath at (605) 773-3352 or Aaron Tieman at (605) 394-2229 with the Water Rights Program. Thank you.

CERTIFICATION

I hereby certify that on March 6, 2013, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated March 6, 2013 regarding shut-off orders addressed as stated below:

LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
INDIAN CREEK CATTLE LLP		32296 190TH ST	SLEEPY EYE	MN	56085
INDIAN CREEK LAND & CATTLE LLC		PO BOX 538	EDGEMONT	SD	57735
WEINREIS BROTHERS		230908 HIGHLAND RD	SCOTTSBLUFF	NE	69361
SEGER RANCH INC		RR 1 BOX 100A1	HOT SPRINGS	SD	57747
REUTTER	EDWARD/WANDA	HCR 59 BOX 90	EDGEMONT	SD	57735
WASSERBURGER	MARTIN W & E DALLAS	30131 CASCADE RD	ARDMORE	SD	57735
HALD BROTHERS INC		30195 HIGHWAY 385	OELRICHS	SD	57763
GCC DACOTAH INC		PO DRAWER 360	RAPID CITY	SD	57709
FALKENBURG	JOE/NANCY	PO BOX 69	EDGEMONT	SD	57735
ANDERSEN	DONALD J/LYNDA J	10194 ARGENTINE RD	BURDOCK	SD	57735
ANDERSEN	KEITH	27360 S FLAT TOP RD	EDGEMONT	SD	57735
ANDERSON	DALE & JEANETTE	1401 TOMPKINS ST	RAPID CITY	SD	57701
B & H RANCH INC		900 W 7TH ST	CHADRON	NE	69337
BACHAND	DOUG & LORI	HC 48 BOX 248	PROVO	SD	57774
BALL BROS		BOX 527	EDGEMONT	SD	57735
BIRDSALL	JIM OR SHERYL	28086 ANGOSTURA RD	HOT SPRINGS	SD	57747
BOGNER	NICK/EUGENE	HC 46 BOX 24	OELRICHS	SD	57763
BOGNER	NICK/MICHAEL	29599 BLACK BANKS RD	OELRICHS	SD	57763
BRAINERD INDIAN SCHOOL		PO BOX 7038	RAPID CITY	SD	57709
CHILDERS	V L	900 W 7TH ST	CHADRON	NE	69337
COPE	OSCAR	PO BOX 147	OELRICHS	SD	57763
COPE RANCH		14160 SHIRK CREEK RD	OELRICHS	SD	57763
DUNBAR	DAVID M	HC 46 BOX 48A	OELRICHS	SD	57763
HENDERSON	DORA R	11507 HWY 471	EDGEMONT	SD	57735
HINESLEY	TED AND GAIL	103 W AVE A	BISMARCK	ND	58501
HOLLENBECK	HENRY C	665 OAK ST	EDGEMONT	SD	57735
HOLLENBECK	MARK J	27772 ELBOW CANYON RD	EDGEMONT	SD	57735
HOLLENBECK	PAT OR TAMMY	665 OAK ST	EDGEMONT	SD	57735
HU RANCH INC		28469 OLD HWY18	EDGEMONT	SD	57735
HUBER	GAYLE & LINDA	28797 LENNON SCHOOL RD	OELRICHS	SD	57763
HUNTER	ROSS J	30068 HAT CREEK RD	EDGEMONT	SD	57735
KOLLER	JOHN W	PO BOX 715	EDGEMONT	SD	57735
LANDERS	A J	BOX 159B HCR 52	HOT SPRINGS	SD	57747
LANDERS LIVESTOCK CO INC		29088 ASH CREEK RD	HOT SPRINGS	SD	57747
MANKE LAND & CATTLE CO LLC		PO BOX 599	EDGEMONT	SD	57735
MARTINSON	KENNETH	BOX 361	EDGEMONT	SD	57735
NELSON	A J	503 S CENTER AVE	MILES CITY	MT	59301
PETERSON & SON INC		27389 BURDOCK LOOP	BURDOCK	SD	57735
PORTER	EVERETT	10413 MOSS AGATE RD	EDGEMONT	SD	57735
PUTNAM	DONALD	BOX 188	OELRICHS	SD	57763
PUTNAM RANCH INC	DONALD	BOX 188	OELRICHS	SD	57763
QUINTO LTD		PO BOX 69	EDGEMONT	SD	57735
ROMEY	JOHN R OR TRACY	29773 HARD SCRABBLE RD	OELRICHS	SD	57763
SCHNOSE	ROBERT A & KIMBERLY L	29037 OLD HWY 79	OELRICHS	SD	57763

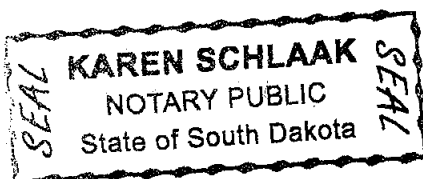
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK &	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	THOMAS	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC	BERNARD D	10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD	WAYNE F	120 S 6TH ST - 9TH FLOOR	MINNEAPOLIS	MN	55402
PROPERTIES INC					


 Gail Jacobson
 Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 6th day of March, 2013.


 Karen Schlaak
 Notary Public
 My Commission expires April 1, 2013





1019-2

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

October 27, 2022

350-2
1019-2
1210-2

Charles Weinreis
Weinreis Brothers
12284 Horse Creek Loop
Edgemont SD 57735-7354

Dear Mr. Weinreis:

Enclosed is a "Notice" dated October 21, 2022 concerning the 2022 irrigation questionnaires.

The notice was originally mailed to Scottsbluff, NE. The post office notified us that your address has changed, and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

RAPID CITY ONE-STOP
221 MALL DRIVE, SUITE 201
RAPID CITY, SD 57701
danr.sd.gov

June 05, 2026

TO: WEINREIS BROTHERS
12284 HORSE CREEK LOOP
EDGEMONT, SD 57735

FROM: Adam Mathiowetz, PE, Acting Chief Engineer, Water Rights Program *Adam Mathiowetz*

SUBJECT: Shutoff Order for Junior Priority Date Water Rights Upstream of Angostura Dam

Shutoff Order for Water Permit No(s). 350-2, 718-2 and 1019-2

The US Bureau of Reclamation holds Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941. To protect this right, the Water Rights Program is issuing shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River or its tributaries, by holders of water rights junior to the priority date of April 11, 1941, upstream of Angostura Dam will be allowed. On June 03, 2026, the water elevation in Angostura Reservoir was 3173.87-feet, 13.3-feet below the fill elevation of 3187.2-feet (top of the conservation pool). Storage was at 71,519.0 acre-feet, which is approximately 51,529 acre-feet below full. At this time, Angostura Reservoir is not expected to fill with the current low inflows.

The Angostura Reservoir storage level will be closely monitored and if the flows in the Cheyenne River and its tributaries upstream of the dam increase such that the reservoir will fill, this shutoff order will be rescinded at that time. If conditions do not improve, this order will remain in effect until the end of the calendar year.

I am asking for your cooperation in complying with this shutoff order. If you have any questions, please contact Nakaila Steen at (605) 394-2229, or myself at (605) 773-3352 with the Water Rights Program. Thank you.

We would appreciate it if you would call Nakaila in our Rapid City office and provide an up-to-date phone number and email for faster communication on this matter. Thank you.