

- 1410-2
1. Considered 7-21, 1976
2. Name of Applicant HAROLD & IRENE DOBSON
3. Post Office Address EDGE MONT
4. Amount of water claimed 1.8
5. Source of water supply CHEYENNE RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 124.98
7. Water to be diverted and used in FALL RIVER county  
about 6W, 6N miles          of EDGE MONT
8. Proof of Publication      Received           
                                         Not Received
9. Application      Approved           
                                         Subject to           
                                         Not Approved           
                                         Action deferred

10. Remarks:

Map No. 1196-2 Water Division No. 2 FALL RIVER  
(Blanks to be filled by the Engineer for the D. W. S. C.)



## APPLICATION FOR PERMIT

## To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through item if not applicable)

1. Name of Applicant Harold E. and Irene M. Dodson  
Postoffice address Edgemont State South Dakota  
If a corporation show date and place of incorporation \_\_\_\_\_
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract and direct labor
3. Name of diversion work Dodson Ditch
4. Amount of water claimed (cubic feet per second) -22.28- 1.8 MAXIMUM ALLOWABLE
5. Source of water supply South fork of the Cheyenne River
6. Location of point of diversion is S 12°30' W, 2150 feet from the Northwest corner of Section 31, Township 7 South, Range 2 East, Black Hills Meridian  
County Fall River
7. Annual period or periods during which water is to be used April 1st to November 1st
8. Use to be made of water, (irrigation, industrial, municipal, domestic, recreation, etc.) irrigation
9. For irrigation use, Total number of acres to be irrigated 124.98

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. |
|--------------------------------|----------------|--------------------------------|----------------|
| SE 1/4 SW 1/4 Sec 31, T7S, R2E | 19.30          | NE 1/4 SE 1/4 Sec 31, T7S, R2E | 6.42           |
| NE 1/4 SE 1/4 Sec 31, T7S, R2E | 33.77          | SW 1/4 SE 1/4 Sec 31, T7S, R2E | 3.75           |
| NW 1/4 SW 1/4 Sec 31, T7S, R2E | 6.51           | SE 1/4 SE 1/4 Sec 31, T7S, R2E | 26.64          |
| NW 1/4 SE 1/4 Sec 1, T7S, R2E  | 28.49          |                                |                |

Attach sheet if more space is needed.

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 2 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 10,000 g.p.m. pump set into the river, belt driven from 101 horsepower tractor set on river bank.

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

16" discharge from pump is piped into ditch, transported to field by ditch and 16" pipe under railroad.

## C. Works proposed to apply water to beneficial use.

Diverted from ditch onto field through gates, spread and held on fields with spreader dikes.

Estimated Total Cost \$ 3,000

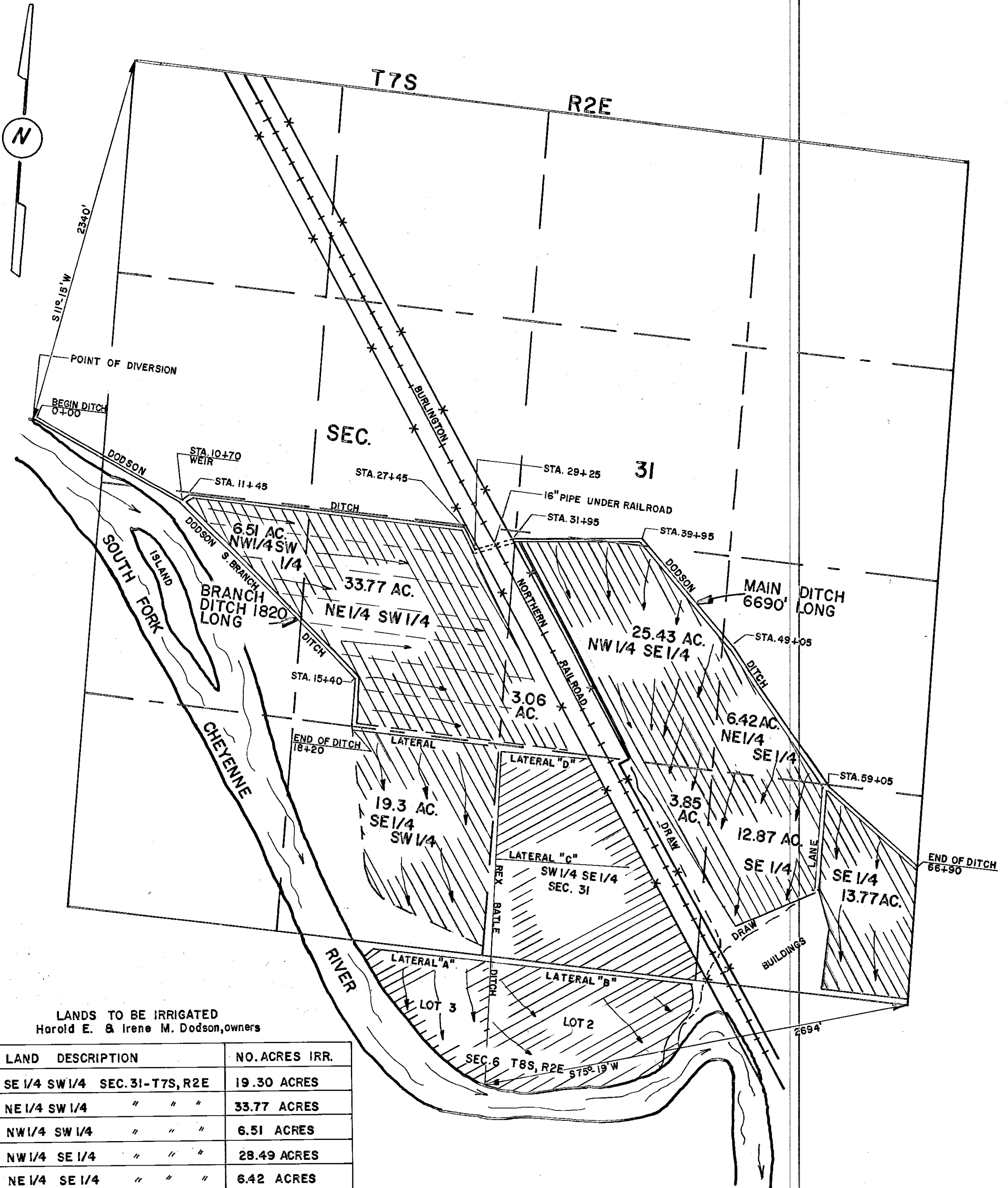
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.  
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA )  
County of Fall River )

I, Harold E. Dodson 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 Harold E. DodsonSubscribed and sworn to before me this 26 day of May 1976

Notary Public (or other qualified officer)



LANDS TO BE IRRIGATED  
Harold E. & Irene M. Dodson, owners

| LAND DESCRIPTION               | NO. ACRES IRR.      |
|--------------------------------|---------------------|
| SE 1/4 SW 1/4 SEC. 31-T7S, R2E | 19.30 ACRES         |
| NE 1/4 SW 1/4 " " "            | 33.77 ACRES         |
| NW 1/4 SW 1/4 " " "            | 6.51 ACRES          |
| NW 1/4 SE 1/4 " " "            | 28.49 ACRES         |
| NE 1/4 SE 1/4 " " "            | 6.42 ACRES          |
| SW 1/4 SE 1/4 " " "            | 3.85 ACRES          |
| SE 1/4 SE 1/4 " " "            | 26.64 ACRES         |
| <b>TOTAL</b>                   | <b>124.98 ACRES</b> |

SCALE 1"=500'

LEGEND =

- EXISTING REX BATTLE WATER RIGHT
- SPREADER DIKE
- LANDS TO BE IRRIGATED FROM DODSON DITCH

#### SURVEYOR'S CERTIFICATE

I, LAWRENCE T. PRICE OF NEWCASTLE, WYOMING, DO HEREBY CERTIFY THAT AT THE DIRECTION OF HAROLD DODSON, I HAVE SURVEYED THE PROPOSED IRRIGATION PROJECT AS SHOWN ON THIS DRAWING. THE BEARINGS, ANGLES, DISTANCES & ACERAGE ARE AS SHOWN.

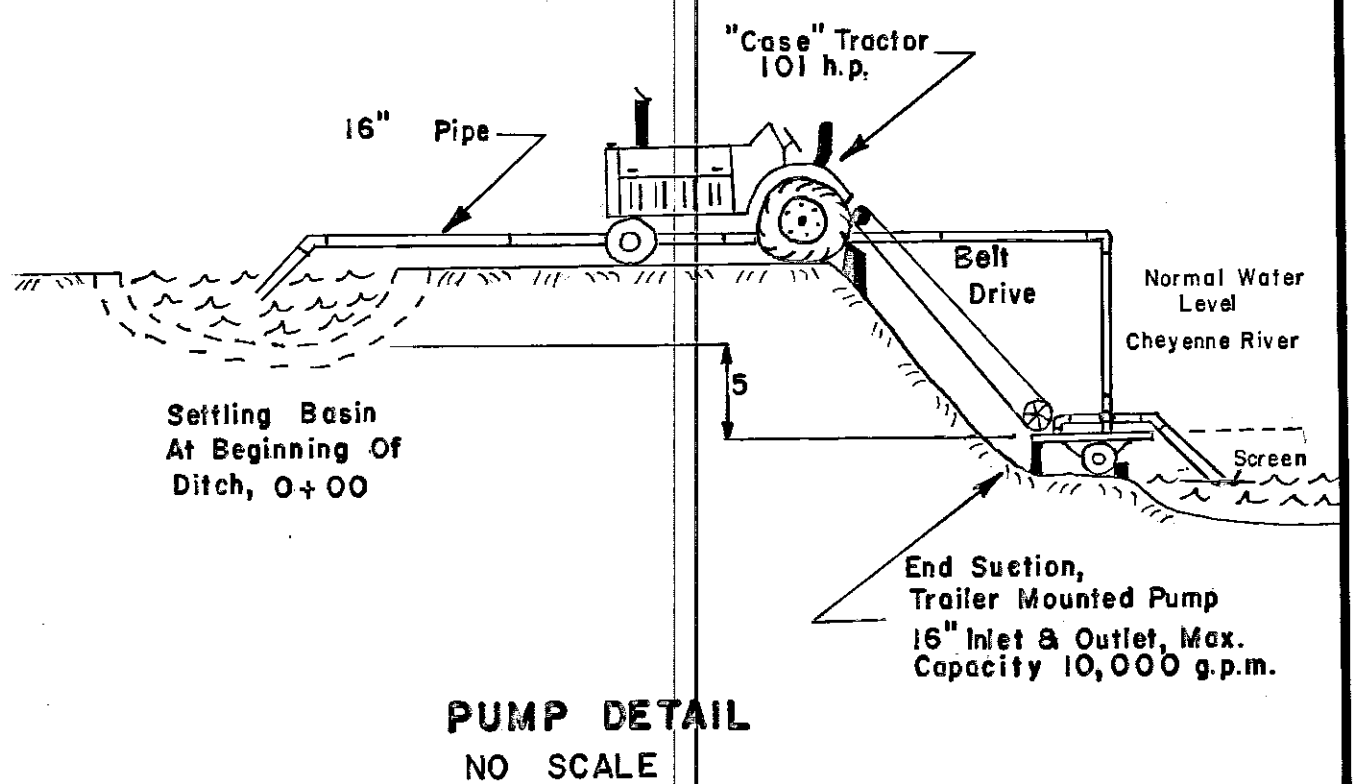
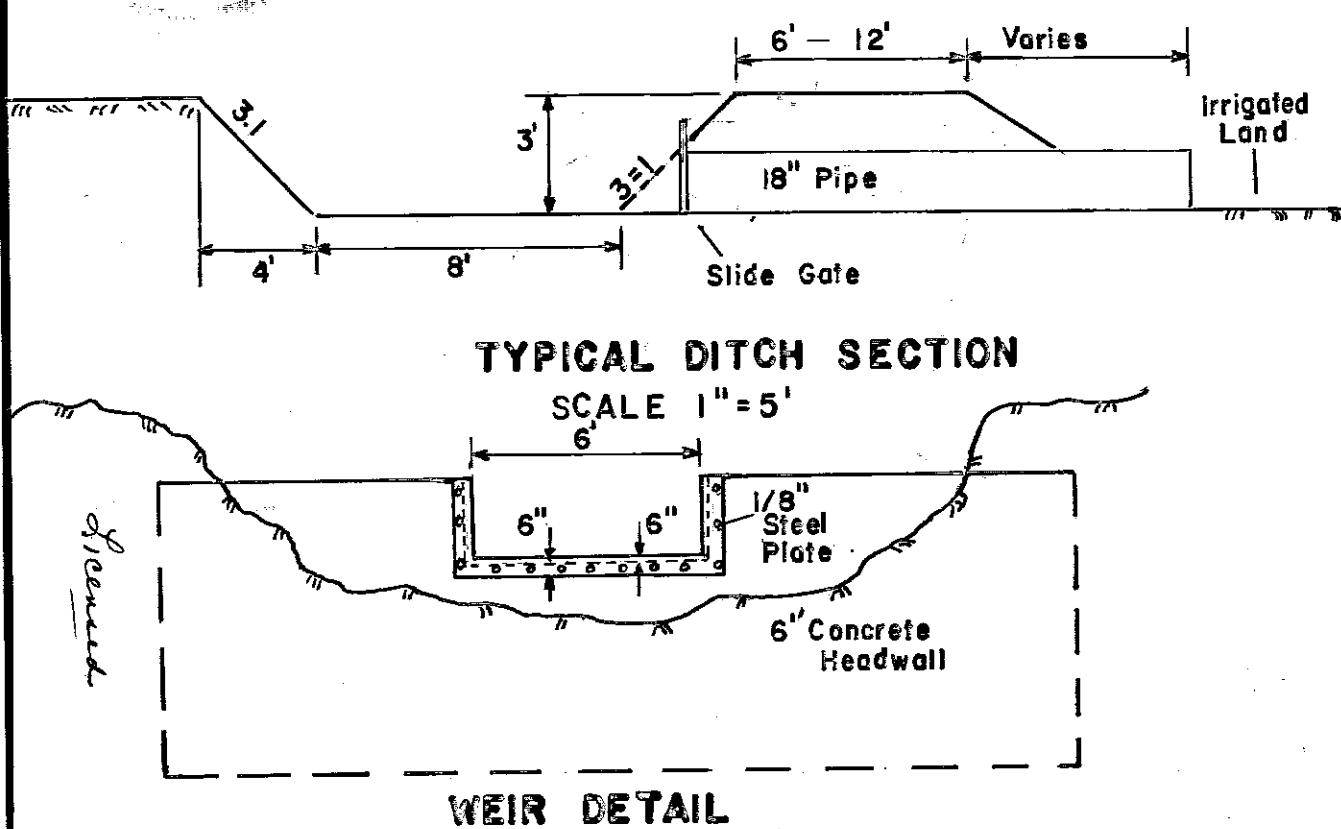
*Lawrence T. Price*  
SOUTH DAKOTA REG. L.S. #1311

ACKNOWLEDGEMENT:  
Subscribed and sworn to before me  
this 18th day of May, 1976

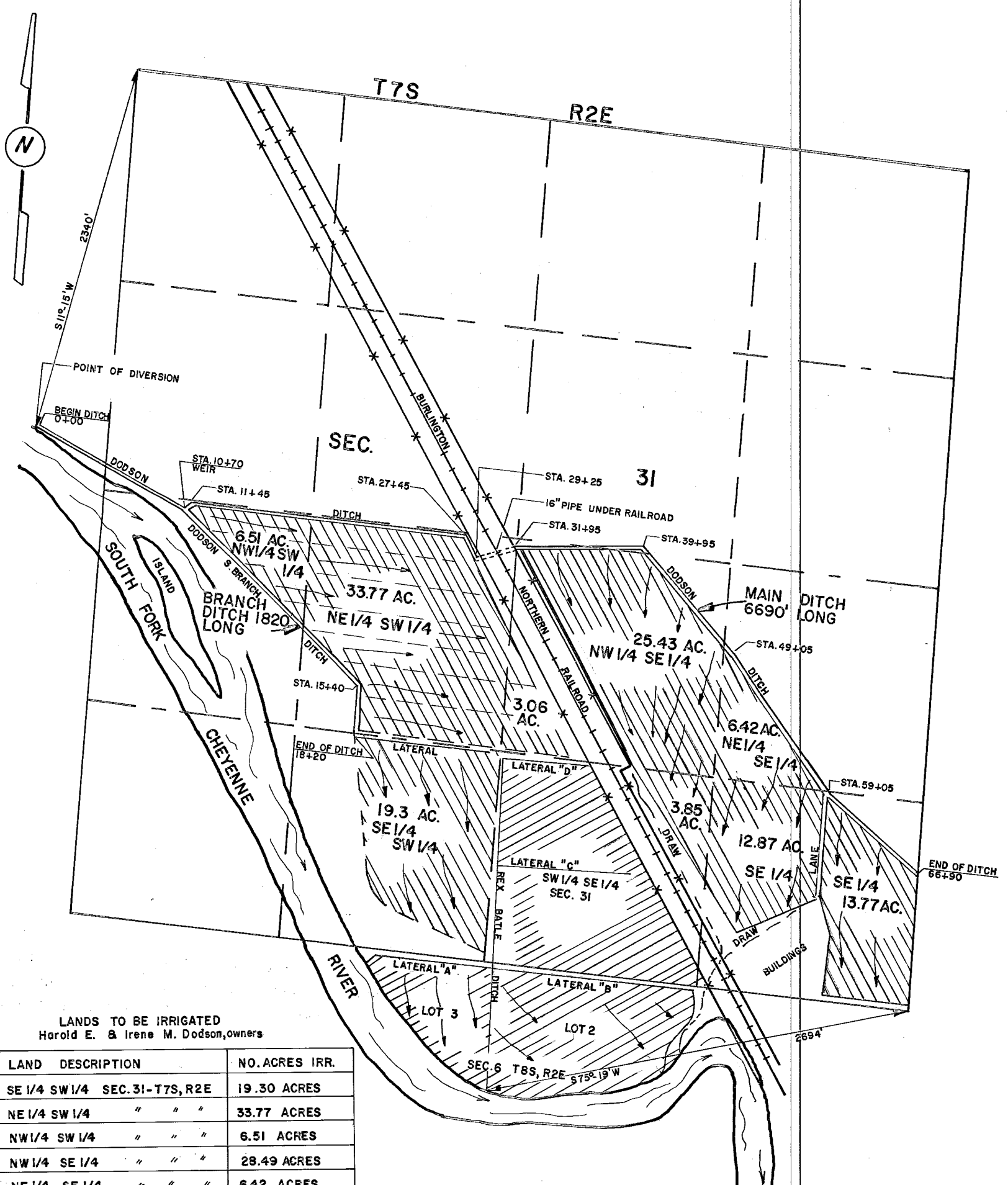
*Virgil J. Lindley*  
NOTARY PUBLIC

#### DODSON DITCH

APPLICANTS:  
HAROLD E. & IRENE M. DODSON  
EDGEMONT, SOUTH DAKOTA



Map 12-14-10-2 April 12, 1976



LANDS TO BE IRRIGATED  
Harold E. & Irene M. Dodson, owners

| LAND DESCRIPTION               | NO. ACRES IRR. |
|--------------------------------|----------------|
| SE 1/4 SW 1/4 SEC. 31-T7S, R2E | 19.30 ACRES    |
| NE 1/4 SW 1/4 " " "            | 33.77 ACRES    |
| NW 1/4 SW 1/4 " " "            | 6.51 ACRES     |
| NW 1/4 SE 1/4 " " "            | 28.49 ACRES    |
| NE 1/4 SE 1/4 " " "            | 6.42 ACRES     |
| SW 1/4 SE 1/4 " " "            | 3.85 ACRES     |
| SE 1/4 SE 1/4 " " "            | 26.64 ACRES    |
| TOTAL                          | 124.98 ACRES   |

SCALE 1"=500'

LEGEND =

- EXISTING REX BATTIE WATER RIGHT
- SPREADER DIKE
- LANDS TO BE IRRIGATED FROM DODSON DITCH

#### SURVEYOR'S CERTIFICATE

I, LAWRENCE T. PRICE OF NEWCASTLE, WYOMING, DO HEREBY CERTIFY THAT AT THE DIRECTION OF HAROLD DODSON, I HAVE SURVEYED THE PROPOSED IRRIGATION PROJECT AS SHOWN ON THIS DRAWING. THE BEARINGS, ANGLES, DISTANCES & ACERAGE ARE AS SHOWN.

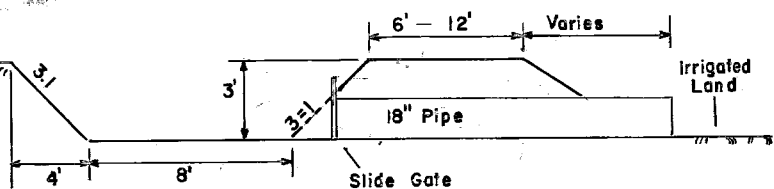
*Lawrence T. Price*  
SOUTH DAKOTA REG. L.S. # 1311

ACKNOWLEDGEMENT:  
Subscribed and sworn to before me  
this 18th day of May, 1976

*Vivian J. Lindley*  
NOTARY PUBLIC

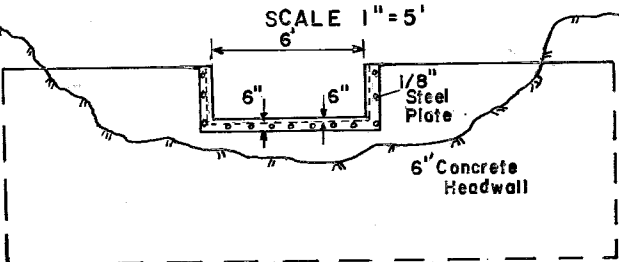
#### DODSON DITCH

APPLICANTS:  
HAROLD E. & IRENE M. DODSON  
EDGEMONT, SOUTH DAKOTA

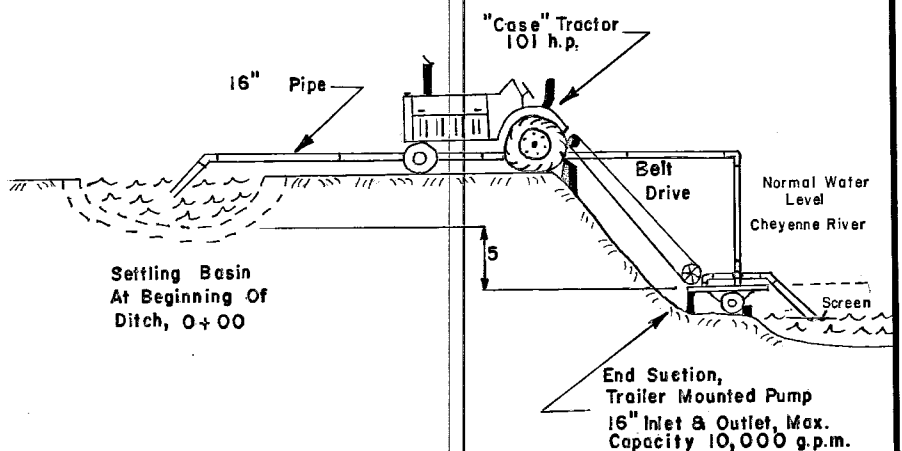


#### TYPICAL DITCH SECTION

SCALE 1"=5'



#### WEIR DETAIL



#### PUMP DETAIL

NO SCALE

Map 12-14-10-2 April 12 1976

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1410-2

HAROLD E. & IRENE M. DOOSON  
(Applicant)

P.O. Box 765, EDGE MONT  
(Post Office Address)

SOUTH DAKOTA 57735  
(State)

With the following modifications:

THE U.S. BUREAU OF RECLAMATION HOLDS WATER RIGHTS TO CERTAIN FLOWS IN THE CHEYENNE RIVER FOR STORAGE IN ANGOSTURA RESERVOIR. IT IS LIKELY THAT WATER DIVERSION RESTRICTIONS UNDER THIS PERMIT TO APPROPRIATE WATER MAY BE NECESSARY AT TIMES TO ASSURE WATER SUPPLIES FOR PRIOR WATER RIGHTS, INCLUDING THE ANGOSTURA STORAGE.

Date of first receipt of application JUNE 2 19 76

Date of return to applicant for correction, amendments or changes required — 19 —

Date of receipt of corrected application — 19 —

Approved JULY 22 19 76 Recorded in Book 15 Page 279

WATER RIGHT PERMIT NO. 1410-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1410-2 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 JUNE 2 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 22 19 77
3. The whole of said work is to be completed on or before JULY 22 19 78
4. The limit of time from onset of beneficial use of water appropriated in accordance herewith is JULY 22 19 80
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, and not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 1.8 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 uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 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 JULY 22 19 80; said water to be used during the following described annual period: APRIL 1 TO NOVEMBER 1

Witness my hand this 3RD day of AUGUST 19 76

WATER RIGHTS COMMISSION

John Hatch  
Chair, Engineer, Executive Officer

Certificate of Construction Issued — 19 —

Water License Issued — 19 —

Page 1. - Notice of Intent to appropriate water

7-17-1

Applicant must submit this on or before

July 1, 1971

# NOTICE OF INTENT TO APPROPRIATE WATER

Received South Dakota State

July 1, 1971

Notice is hereby given that Harold E. Johnson of South Dakota State

Intends to appropriate water for irrigation in South Dakota State, the name of the project is South Dakota State Irrigation Project and the project is located in South Dakota State.

The project is located in South Dakota State, the name of the project is South Dakota State Irrigation Project and the project is located in South Dakota State.

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RECEIVED JUL 1 1971  
MAIL ROOM  
DATE RECEIVED  
CAMEL OPERATOR

Form 6. - Notice ☐ Intent to Appropriate Water

No. 1410-2

Publish first publication, on or before

July 8, 1976

## NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

July 2, 1976

Notice is hereby given that Harold F. and Irene M. Dodson

whose post office address is Edgemont, 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 use 1.8 cubic feet of water per

second of time from the Cheyenne River through the

Bodson Ditch, the point of diversion of which is to

be located in the \_\_\_\_\_

S14 NE4

of Section 36, Twp. 7S, Range 1E. Said water to be used for the purpose of providing irrigation on the following described land:  
portions of

SE4 SW4, NE4 SW4, SE4, Section 31, T7S, R2E

This application No. 1410-2 will be considered by the Water Rights

Commissioner at the Court House at Winner, S.D.

upon the 21st day of July, 1976 at 10:00 A. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

Bfd/bw  
cc:

Harold E. Dodson, Box 766, Edgemont, S.D. 57735

Form 8 - Proof of Publication - Notice of  
Intent to Appropriate Water

No. 1410-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Fall River ) ss.

I, Marlin R. McKown hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Edgemont Herald-Tribune

A newspaper which during the whole time of publication of said notice  
herein after stated, has been and is printed and published in the

Herald-Tribune of Edgemont, South Dakota

County of Fall River and State of South Dakota;  
that the said notice was published in said newspaper on the following  
two dates:

July 8, 1976

July 15, 1976

Marlin R. McKown  
(Signature)

Publisher  
(Title)

XXXXXX August 2, 1976  
(Date Signed)

#3413 - July 8 & 15, 1976  
NOTICE OF INTENT TO  
APPROPRIATE WATER

Pierre, South Dakota 57501  
July 2, 1976

Notice is hereby given that  
Harold E. and Irene M. Dodson  
whose post office address is  
Edgemont, South Dakota, has  
made an application in accord-  
ance with the provisions of the  
water laws of South Dakota for  
a permit to appropriate for bene-  
ficial use 1.8 cubic feet of water  
per second of time from the Chey-  
enne River through the Dodson  
Ditch, the point of diversion of  
which is to be located in the SE1/4  
NE1/4 of Section 36, Twp. 7S,  
Range 1E. Said water to be used  
for the purpose of providing ir-  
rigation on portions of the fol-  
lowing described land:

SE1/4 SW1/4, N1/2 SW1/4, SE-  
1/4, Section 31, T7S, R2E

This application No. 1410-2  
will be considered by the Water  
Rights Commission at the Court  
House at Winner, S. D. upon the  
21st day of July, 1976 at 10:00  
A.M. All interested persons may  
appear and be heard.

WATER RIGHTS COMMISSION

By: /s/ Burton F. Jones

BURTON F. JONES,

Water Rights Specialist



# RECEIPT

WATER RIGHTS COMMISSION  
State of South Dakota

No 4 6962

PIERRE, July 23, 19 79

RECEIVED OF Harold E. Dodson, Box 765, Edgemont, SD 57735

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

|                                                                                                                       |   |    |
|-----------------------------------------------------------------------------------------------------------------------|---|----|
| Fee for Application for Permit to Appropriate Water No. .... (examination,<br>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 extension of time for water right No. 1410-2 .....                                                     | 2 | 50 |
| Fee for certified copy of .....                                                                                       |   |    |
| Fee for Print 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 9Y '88

Form 18.

No. 1410-2

APPLICATION FOR EXTENSION OF TIME

TO: Water Rights  
Foss Building  
Pierre, South Dakota 57501

Date 7/20/79

Dear Sirs:

In Water Right Permit No. 1410-2 it is specified that the water diversion system is to be completed by July 22, 1978 and that the water is to be put to the limit of beneficial use by July 22, 1980.

I hereby request that the date for completing the diversion system be extended to July 22, 1981 and that the date for putting the water to the limit of beneficial use be extended to -----.

The extension of time for the completion of these works is requested for the following reasons: the river got up out of the banks  
last year, took out all my ditches.  
made hole in the levee ground.  
set my project back about 6 months.

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

Harold D. Olson  
(Signed)

1410-2

Permit Number

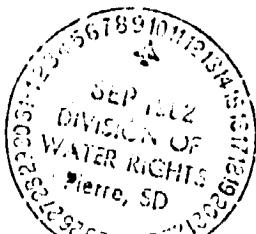
APPROVED:

Board of Water Management

BY:

Form 10.

No. \_\_\_\_\_



NOTICE OF COMPLETION OF WORKS AND/OR  
APPLICATION OF WATER TO BENEFICIAL USE

Post Office General S. L.

Date Sept 9 1982

TO: Water Rights Commission  
Joe Foss Building  
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1410-2

Water Right Permit No. 1410-2 states that the diversion system is to be constructed by \_\_\_\_\_, 1982 and that the water is to be put to beneficial use by \_\_\_\_\_, 19\_\_\_\_.

The diversion system was completed on Sept 1, 1982.  
Applying the water to beneficial use was completed on June,  
1976.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Harold E. Dodson  
(Signature)

NOTICE OF COMPLETION OF WORKS AND/OR  
APPLICATION OF WATER TO BENEFICIAL USEPost Office EllettsvilleDate Sept 1983TO: Water Rights  
Joe Foss Building  
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No.

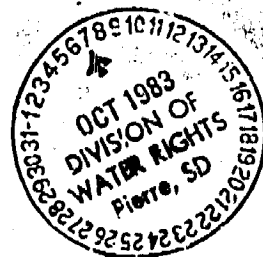
1410-2.

Water Right Permit No. 14102 states that the diversion system is to be constructed by myself & Contractor, and that the water is put to beneficial use by Harold Rodson.

The diversion system was completed on 8-1-83. Applying the water to beneficial use was completed on 8-1-83.

You may schedule an inspection so that the ~~certificate of construction and/or~~ the Water License may be issued, thus completing my acquisition of a water right.

Harold Rodson  
(Signature)





# Department of Water & Natural Resources

Joe Foss Building  
623 East Capitol  
Pierre, South Dakota 57501

Division of Water Rights  
605 773-3352

No. 1410-2

May 8, 1984

Harold E. & Irene L. Dodson  
Edgemont, South Dakota 57735

Dear Mr. & Mrs. Dodson:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1410-2 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling  
Staff Assistant

ms/

NOTE: On form of payment, please include the number of the water permit. This insures proper handling of the fee.

Permit No. 1410-2Belle Fourche River Water District  
JUL 10 1983**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Harold E. #  
Irene M. Dodson of Edgemoor, S.D. holder of  
 Permit No. 1410-2, bearing the priority of June 2, 19 76 authorizing  
 the diversion of 1.8 cu. ft. per second of the waters of Cheyenne River  
 for irrigation purposes, in Fall River County

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

- A. Works used to divert the water: 10,000 gpm crisisfelli pump driven by a case 930  
Tractor. The pump takes the water from the river and discharges  
into the main canal
- B. Works used to transport water to place of use: Main canal with an average 5'  
bottom width, 2 1/2 ft deep with 1:1 side slopes. The canal ~~was~~ has  
a lift station at the railroad which uses a home made 6000gpm  
crisisfelli pump.
- C. Works used to apply water to beneficial use: open ended 55gal drums with hand  
operated gates divert the water from the main canal to  
level border areas.

The system is in the following condition goodThe point of diversion is located N<sup>10°15'W</sup> 2300' from the NW corner  
of section 31, T<sub>7</sub>S, R<sub>2</sub>EThe works are capable of diverting 22 cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: SE<sup>1/4</sup>SW<sup>1/4</sup> - 19.30 acres,  
NE<sup>1/4</sup>SW<sup>1/4</sup> - 33.77 acres, NW<sup>1/4</sup>SW<sup>1/4</sup> - 6.51 acres, NW<sup>1/4</sup>SE<sup>1/4</sup> - 28.49 acres,  
NE<sup>1/4</sup>SE<sup>1/4</sup> - 6.42 acres, SW<sup>1/4</sup>SE<sup>1/4</sup> - 3.85 acres, and SE<sup>1/4</sup>SE<sup>1/4</sup> - 26.62  
acres, all in sec 31, T<sub>7</sub>S, R<sub>2</sub>E

comprising a total of 129.98 acres of land and the license should be issued for 1.8 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: \_\_\_\_\_

Date May 3, 1984

Delwin W. Borge, P.E.  
 (signature) Hydrologist

**State of South Dakota**  
**Water License No. 1410-2**

(1) Harold E. and Irene M. Dodson  
of Dewey Route, Box 5A, Edgemont, South Dakota 57735  
made Application No. 1410-2 on June 2, 1976 for a water permit to appropriate  
1.8 cubic feet per second of water from the Cheyenne River  
Fall River County, South Dakota for Irrigation purposes.  
Permit No. 1410-2, with a priority date of June 2, 1976  
was approved July 22, 1976 and issued to applicants for diversion of water with construction of the described  
water supply system to be completed on or before July 22, 1981 and for the application to beneficial use of said  
water on or before July 22, 1980.

and

(2) It is certified that the application 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 1.8 cubic feet per second of water  
for beneficial use. The location of the diversion point(s) is S11°15'W 2340' from the NW Corner  
Section 31, T7S, R2E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent: to irrigate the following land all in Section 31, T7S, R2E

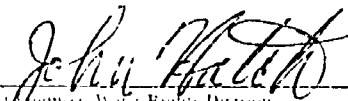
|                                   |              |      |
|-----------------------------------|--------------|------|
| SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 19.30 Acres  | (CD) |
| NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 33.77 Acres  | (DA) |
| NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 6.51 Acres   | (CB) |
| NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 28.49 Acres  | (DB) |
| NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 6.42 Acres   | (DA) |
| SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 3.85 Acres   | (DC) |
| SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 26.64 Acres  | (DD) |
| TOTAL                             | 124.98 ACRES |      |

(1) Pursuant to §46-5-30.1 Harold B. & Irene M. Dodson

of Dewey Route, Box 5A, Edgemont, South Dakota 57735

the holder(s) and/or owner(s) of Water Permit No. 1410-2 is issued a license to appropriate water, the right to use 1.8 cubic feet per second of water from the Cheyenne River with a priority date of June 2, 1976 from the location 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 Permit No. 1410-2 and subject to South Dakota State Law.

  
Chief Engineer, Water Rights Division  
Department of Water and Natural Resources **JOHN HATCH**  
June 1, 1984

# RECEIPT

Division of Water Rights

No 4 9664

South Dakota Department of Water and Natural Resources

Pierre, May 16, 1911

RECEIVED OF Harold E. & Irene W. Dodson, Devery Route, Edgemont, SD 57725  
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. <u>110-2</u>                 | 50 | 00 |
| Fee for Filing Transfer Form _____                                                                                         |    |    |
| Fee for Filing Extension Request _____                                                                                     |    |    |
| Fee for Certified Copy of _____                                                                                            |    |    |
| Fee for Print Copy of Map _____                                                                                            |    |    |
| Fee for Certifying _____                                                                                                   |    |    |
| Fee for _____<br>(Any Other Work Provided by Law)                                                                          |    |    |
| Total                                                                                                                      | 50 | 00 |

By J. H. Hatch  
Chief Engineer JOHN HATCH (ms)



**Department of  
Water & Natural Resources**

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501

WATER RIGHTS DIVISION  
Phone (605) 773-3352

No. 1410-2

June 5, 1984

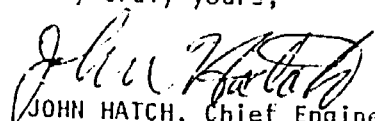
Harold E. & Irene M. Dodson  
Dewey route, Box 5A  
Edgemont, South Dakota 57735

Dear Mr. & Mrs. Dodson:

Enclosed herewith is, Water License No. 1410-2. This is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

  
JOHN HATCH, Chief Engineer  
Water Rights Division

JH:ms

Enclosures

# **Department of Water & Natural Resources**

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

May 11, 1989

567-2, 1410-2

## NOTICE

TO: Harold Dodson  
HCR 59, Box 5  
Edgemont, SD 57735

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. 567-2 and 1410-2. The priority date for your water rights 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<br>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).



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

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

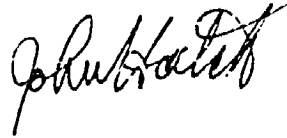
March 19, 1990

1410-2

**NOTICE**

TO: Harold E. Dodson  
HCR 59, Box 5A  
Edgemont, SD 57735

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. 1410-2. 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

567-2  
1410-2

## NOTICE

TO: Harold Dodson  
HCR 59, Box 5  
Edgemont, SD 57735

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

*Delvin H. 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*

GREAT FACES. GREAT PLACES.

May 20, 1991

1410-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

567-2  
1410-2

RESCISSION OF SHUTOFF ORDER

TO: Harold Dodson  
HCR 59, Box 5  
Edgemont, SD 57735

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

*Delvin L. 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.



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

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

October 24, 1990

Mr Harold E Dodson  
HCR 59, Box 5A  
Edgemont, SD 57735

Dear Mr. Dodson:

This letter is in answer to your comments that were included on your 1990 irrigation questionnaire.

There has not been a manipulation of the law to change water levels in Angostura Reservoir. The Angostura Water Right authorizes an annual fill of water in the reservoir to elevation 3187.2 feet above mean sea level (msl). In 1989, the Angostura Irrigation District agreed to allow upstream junior water right holders to divert water when the water level reached an elevation 3183.7 msl or higher in the reservoir. The water level never did reach this elevation in 1989. In 1990, the Irrigation District did not agree to allow pumping before the reservoir water level reached elevation 3187.2 msl.

I made an onsite investigation of the Angostura Irrigation Project in the Spring of 1990. I did not find any improprieties at that time. In 1989, the District originally decided to provide 40 percent of the full allotment of water to the irrigators. In August of that year, this was increased to 50 percent because of some inflows to the reservoir. During 1989, the reservoir reached a low water level of 3165.4 msl. This is approximately 3 feet higher than the lowest elevation of 3162.9 which occurred in 1960-61. In 1990, the District provided 60 percent of the full allotment.

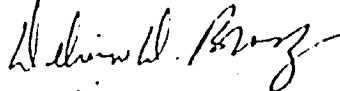
I also checked into the work that was done on boat ramps during the fall of 1989. The SD Department of Game, Fish & Parks had the boat ramps extended because of the low water elevations. Water was not released specifically for this work.

page 2  
Dodson, Harold  
October 24, 1990

When the flows in the Cheyenne River are so small that water will not reach Angostura Reservoir, upstream irrigators cannot divert these flows because of domestic water use (livestock watering) needs.

If I can answer any other questions, please contact me.

Sincerely,



Deivin D. Brosz, PE  
Natural Resources Engineer  
for John Hatch, Chief Engineer  
Division of Water Rights  
(605) 773-3352

enclosure

cc: Joe Kramer  
Bruce Laymon

PLEASE FILL OUT AND RETURN  
BEFORE DECEMBER 14, 1990

1410-2  
HAROLD E DODSON  
BOX 5A  
EDGEMONT  
SD 57735

Telephone No. \_\_\_\_\_

| Type of Power            | No. of acres Irrigated |
|--------------------------|------------------------|
| 1. Electric              | _____                  |
| 2. Gravity               | _____                  |
| 3. Gasoline              | _____                  |
| 4. Nat. Gas pipeline     | _____                  |
| 5. Diesel                | _____                  |
| 6. Propane               | _____                  |
| 7. Other                 | _____                  |
| Type of System           |                        |
| 1. Hand moved sprinklers | _____                  |
| 2. Portable booms        | _____                  |
| 3. Center pivot (# of)   | _____                  |
| 4. Gated pipes           | _____                  |
| 5. Sidewheels            | _____                  |
| 6. T-junctions           | _____                  |
| 7. Big gun               | _____                  |
| 8. Siphons               | _____                  |
| 9. Flood                 | _____                  |
| 10. Other                | _____                  |

OCTOBER 1990 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE

1. SURFACE WATER \_\_\_\_\_ GROUNDWATER \_\_\_\_\_

2. Did you irrigate during 1990? Yes \_\_\_\_\_ No \_\_\_\_\_

3. Number of acres irrigated in 1990 \_\_\_\_\_

4. Has your system been constructed? Yes \_\_\_\_\_ No \_\_\_\_\_

5. Do you apply fertilizer, insecticide or herbicide through your irrigation system? Yes \_\_\_\_\_ No \_\_\_\_\_

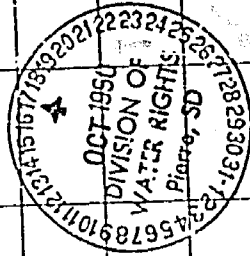
6. If no, do you apply above chemicals by other methods? Yes \_\_\_\_\_ No \_\_\_\_\_

7. If yes, please describe under comments.

FR/UC

S

| Month        | # days pumped | Average # hours per day | Average pump rate (gpm) | Acres of Crop Irrigated & Estimated Water Use |       |            |
|--------------|---------------|-------------------------|-------------------------|-----------------------------------------------|-------|------------|
|              |               |                         |                         | Crop                                          | Acres | Water Used |
| April        |               |                         |                         |                                               |       |            |
| May          |               |                         |                         |                                               |       |            |
| June         |               |                         |                         |                                               |       |            |
| July         |               |                         |                         |                                               |       |            |
| August       |               |                         |                         |                                               |       |            |
| Sept.        |               |                         |                         |                                               |       |            |
| Oct.         |               |                         |                         |                                               |       |            |
| Other Months |               |                         |                         |                                               |       |            |



COMMENTS:

Owner or address change, if any:

No irrigation this year due to suspension by Augustana irrigation

Complete & return to:  
Water Rights Division  
Joe Foss Building  
523 E Capitol  
Pierre SD 57501-3181

The suspension is within the law, however of upstream permits. The suspension has not caused any close examination of which indicates having used would result in a

1410-2

True intent of those on the irrigation project.

The lowering of the water level to work on boat docks gave irrigators an extra 10% of their allotment last fall (89) and now a change in level (that the dam has to reach before up stream permits are released is a manipulation of the law permitting the irrigators to retain the suspension. The small flows that could have really benefited up stream irrigators this summer (90) did not in many cases even reach the reservoir to add any water. Yet we have to give up all irrigation and wait until the dam runs over before we can irrigate with water that doesn't even reach the dam.

Please investigate this situation as it is a manipulation of the law to prevent up stream irrigation.

Just phone calls will not resolve this as the district has not been willing to admit to the lowering of the water for the boat dock work. Audits of releases and on site investigations are absolutely necessary.

We should not be expected to make up changes in water level that are not a natural occurrence. ie working on boat docks and just deciding the dam should be full before permits are released. This is a very important issue please look into this.



*South Dakota*

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

GREAT FACES. GREAT PLACES.

April 10, 1991

Mr. Ed Dodson  
HCR 59, Box 5A  
Edgemont, SD 57735

Dear Mr. Dodson:

I have been given a copy of your February 25, 1991 letter to Senator Lyndell Petersen concerning water rights above Angostura Reservoir. I am writing to respond to your questions.

During 1989, because the water level in Angostura Reservoir was low, a shut off order was issued to upstream water right holders with priority dates junior to the Angostura Reservoir Water Right, No. US 579-2. A senior water right holder pursuant to state law has first right to water when supplies are short. Angostura Reservoir is authorized one fill of water per year to a full elevation of 3187.2 feet above mean sea level (msl). The water level in Angostura Reservoir has not reached that level since the shut off order was issued.

In 1989, the Angostura Irrigation District, at the request of the Department, agreed to allow upstream junior water right holders to divert water if Angostura filled to at least elevation 3183.7 msl. The water level did not reach this elevation in 1989 or 1990. Even if 1990 inflows would have raised the water level to elevation 3183.7 msl, the Irrigation District did not agree, in 1990, to allow junior water right holders to pump before the reservoir water filled to the full elevation of 3187.2 msl.

All junior water right holders were aware of the Angostura senior water right when their junior water permits were granted. The following qualification is on all junior water rights, including yours:

The U.S. Bureau of Reclamation holds water rights to certain flows in the Cheyenne River for storage in Angostura Reservoir. It is likely that water diversion restrictions under this permit to appropriate water may be necessary at times to assure water supplies for prior water rights, including the Angostura storage.

Let me assure you that the shut off orders to junior water right holder were necessary and required by state law. During water short years, the Department of Water and Natural Resources is required to regulate the water supply for downstream domestic use and senior water rights.

Your letter states that you have gotten a run around from this Department and that facts were avoided. If you have additional information, I would like to receive it. Even though this Department must regulate water use, I am concerned that our "customers", the people we regulate, receive proper customer service. Hopefully the drought will come to an end very soon and there will be enough water for all water right holders on the Cheyenne River.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert E. Roberts". The signature is fluid and cursive, with the first name "Robert" being the most prominent.

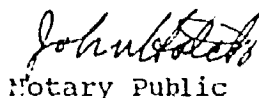
Robert E. Roberts  
Secretary

cc: Senator Lyndell Petersen  
Senator James Emery  
Representative Kenneth McNenny  
Representative Elmer Flatt

Cheryl F. Frost  
Secretary

STATE OF SOUTH DAKOTA )  
 ) SS  
COUNTY OF HUGHES )

Sworn to, before me, this 26<sup>th</sup> day of March, 1992.





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

March 25, 1992

567-2  
1410-2

NOTICE

TO: HAROLD E DODSON  
HCR 59 BOX 5A  
EDGEMONT, SD 57735

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 Nos. 567-2, 1410-2 which are 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  | PERM 1 | PERM 2 |
|------------|----------------|-----------------------|-------------------|--------------------|-------------|-------|-----------|--------|--------|
| 657 2      |                | A & T CASTLE CO       | 304 LANDERS       | SD RT              | HOT SPRINGS | SD    | 57147     |        |        |
| 700 2      | RICHARD        | ANDERSON              | A CHUR ANDERSON   | BOX 59 BOX 18      | FICKMONT    | SD    | 57735     |        |        |
| 1011 2     | JOHN E         | ANDERSON              |                   | BOX 59 BOX 20      | FICKMONT    | SD    | 57745     |        |        |
| 111 2      |                | R & H RANCH INC       | R F CHILDERS      | PO BOX 723         | FICKMONT    | SD    | 57745     |        |        |
| 514 2      |                | DALE PROS             |                   | BOX 617            | FICKMONT    | SD    | 57745     |        |        |
| 1205 2     | LESTER E       | PARREY                |                   | BOX 716            | FICKMONT    | SD    | 57745     |        |        |
| 1001 2     | NICKOLAS/AL    | ROGNER                | ANITA ROGNER JR   | HC 45 BOX 24       | OPFELCHS    | SD    | 57763     | 1731 2 |        |
| 755 2      |                | TRAINED INDIAN SCHOOL |                   |                    | HOT SPRINGS | SD    | 57747     |        |        |
| 258 2      | WAYNE E        | CHILDERS              |                   | BOX 59 BOX 14      | FICKMONT    | SD    | 57735     |        |        |
| 610 2      | V L            | CHILDERS              |                   | BOX 723            | FICKMONT    | SD    | 57735     |        |        |
| 654 2      | OSCAR          | COFF                  |                   |                    | OPFELCHS    | SD    | 57763     |        |        |
| 1201 2     | JOHN           | FRICKING              |                   | SD RT BOX 130      | TRUCK       | WY    | 82225     |        |        |
| 502 2      | HAROLD E       | JOHNSON               |                   | BOX 59 BOX 54      | FICKMONT    | SD    | 57735     | 1410 2 |        |
| 1008 2     | LEON/PEREIRA   | JOHNSON               |                   | HC 48 BOX 243      | PRYGO       | SD    | 57774     |        |        |
| 1005 2     | DAVID M        | JOHNSON               |                   | PO BOX 32          | OPFELCHS    | SD    | 57763     |        |        |
| 100 2      |                | HAID BROTHERS, INC.   | CARL P HAID, PRES | BOX 45 BOX 5       | OPFELCHS    | SD    | 57763     | 1035 2 |        |
| 421 2      | HERMAN         | HOER                  |                   | BOX 411            | FICKMONT    | SD    | 57735     |        |        |
| 500 2      | DARRELL E      | HUTCHINSON            |                   | BOX 402            | FICKMONT    | SD    | 57735     |        |        |
| 1012 2     | JODA D         | HENDERSON             | ATT 285           | STATE INDIAN RIVER | LAS VEGAS   | NV    | 89104     |        |        |
| 1000 2     | JOHN W         | HENRY                 |                   | BOX 278            | ARMORE      | SD    | 57745     |        |        |
| 112 2      | HENRY C        | HOLTSINGER            |                   | DEWEY PLATE        | FICKMONT    | SD    | 57735     |        |        |
| 1503 2     |                | HUI RANCH INC         | SD CORPORATION    | BOX 59 BOX 162     | FICKMONT    | SD    | 57735     |        |        |
| 100 2      | DARRELL D      | HUNTER                |                   | BOX D              | ARMORE      | SD    | 57745     |        |        |
| 1001 2     | JAMES/PATRICIA | JACKSON               |                   | HC 64 BOX 7        | LAKESIDE    | NE    | 68351     |        |        |
| 10120 2    | JIM            | KAMP                  |                   | BOX 124            | PRYGO       | SD    | 57774     |        |        |
| 701 2      | CARL           | KANNOY                | ATT 297           | PLANET HOTEL       | CHADRON     | NE    | 69327     |        |        |
| 1006 2     | JOHN R         | KOLLER                |                   | BOX 454            | FICKMONT    | SD    | 57735     |        |        |
| 000 2      | A              | LANDERS               | STAR CASTLE CO    | BOX 1508 BOX 52    | HOT SPRINGS | SD    | 57747     |        |        |
| 1010 2     | R L/ALLEN      | LAMPHERE              |                   | BOX 750            | TRUCK       | WY    | 82225     |        |        |
| 010 2      | MELVIN         | LIFE                  |                   |                    | HOT SPRINGS | SD    | 57747     |        |        |
| 1205 2     | JOHN D(JACK)   | MARSH                 | (ESTATE)          | PR 41 BOX 1700     | HOT SPRINGS | SD    | 57747     |        |        |
| 11047 2    | WINNETH        | MARTINSON             |                   | BOX 301            | FICKMONT    | SD    | 57735     |        |        |
| 785 2      | ADITH W        | MELAIN                |                   | BOX 104            | OPFELCHS    | SD    | 57763     |        |        |
| 010 2      | PAUL L         | MEYERS, JR            |                   | BOX 48 BOX 22      | PRYGO       | SD    | 57774     |        |        |
| 1011 2     | A J            | NEILSON               |                   | BROADBENT STAGE    | WHEELS CITY | MT    | 59001     |        |        |
| 2015 2     |                | PETERSON & SON, INC   |                   | BOX 59 BOX 18      | FICKMONT    | SD    | 57735     |        |        |
| 1016 2     | PAUL A JEAN    | PETTY                 | A NORMAN PETTY    | BOX 52 BOX 136     | HOT SPRINGS | SD    | 577475603 |        |        |
| 1716 2     | MELVIN         | PORTER                |                   | WYO RT BOX 17      | FICKMONT    | SD    | 57735     |        |        |
| 711 2      | EDWARD         | PUTNAM                |                   | BOX 158            | OPFELCHS    | SD    | 57763     | 2011 2 |        |
| 1010 2     | CLYD           | REASER                |                   | HC 45 BOX 45       | OPFELCHS    | SD    | 57763     |        |        |
| 422 2      | EDWARD/MARNA   | REUTER                |                   | BOX 59 BOX 90      | FICKMONT    | SD    | 57735     | 1701 2 |        |
| 201 2      | CHANCE/STERRI  | REYNOLDS              |                   | BOX 59 BOX 28      | FICKMONT    | SD    | 57735     | 201 2  |        |
| 000 2      | OLIVER M       | RONEY                 |                   | BOX 125            | OPFELCHS    | SD    | 57763     |        |        |
| 718 2      | VERNON         | SCHROEDER             |                   | SD RT BOX 155      | HOT SPRINGS | SD    | 57747     | 1700 2 |        |
| 10 2 2     |                | SEGER RANCH INC       |                   | BOX 35             | OPFELCHS    | SD    | 57763     | 611 2  | 1011 2 |
| 007 2      | BERNARD D      | SIMONS                |                   | BOX 351            | FICKMONT    | SD    | 57735     |        |        |
| 1012 2     | ROBERT/MARK    | TURNS                 |                   | BOX 503            | FICKMONT    | SD    | 57735     |        |        |
| 1010 2     |                | BAR BONNET RANCH LTD  | BOX 132           | 105 E 5TH ST       | HURON       | SD    | 57552     |        |        |
| 100 2      | WILLIAM M      | WASSERBACHER          |                   | BOX 84             | ARMORE      | SD    | 57745     | 051 2  | 2115 2 |



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

May 12, 1992

567-2  
1410-2

Jim Hollenbeck  
Farm Credit Services  
PO Box 3130  
Rapid City, SD 57702

Dear Mr. Hollenbeck:

Enclosed, as you requested, are copies of Water Right Nos. 567-2 and 1410-2 for Harold Dodson.

If you have any questions, please contact me.

Sincerely,

Genny McMath  
Natural Resources Analyst  
(605) 773-3352

encl



1410-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

May 28, 1992

Mark Hollenbeck  
241 Doolittle  
Rapid City, SD 57701

Dear Mr. Hollenbeck:

Enclosed, as requested, are copies of Water Right Nos. 567-2 and 1410-2. These water rights are currently listed in the name of Harold Dodson, Edgemont, SD.

Also enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change for each water right. The forms should be checked over for accuracy and completed with the name and mailing address of the new owner(s). Upon completion, they need to be signed by the new owner in the presence of a notary public. A \$2.50 filing fee is required for filing each of the transfers.

The ownership changes will be processed upon receipt of the completed transfer forms and filing fees (total of \$5.00). If you have any questions, please contact me.

Sincerely,

Genny McMath  
Natural Resource Analyst  
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1410-2

Date: 6-29-92

I/We request that Water Right No. 1410-2

formerly owned by: Harold & Irene Dodson

be transferred to: (name & address) Mark J. Hollenbeck

241 Doolittle, Rapid City, SD 57701 (Telephone No.) 341-1326 (H); 342-0160 (W)

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

E1/2 SW 1/4, NW 1/4 SW 1/4, SE 1/4 Section 31, T7S, R2E

I/We understand that the validity of Water Right No. 1410-2 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 MARK J. HOLLENBECK 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.

Mark J. Hollenbeck  
(Signed)

Subscribed and sworn to before me this 29th day of June, 1992.

Esther I. Carstensen  
(Notary Public)

My Commission Expires Oct. 29, 1992

Esther I. Carstensen

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.

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, July 1, 1962

RECEIVED OF Marl Hollenback, 241 Poolittle, Rapid City, SD 57701  
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. _____                        |          |           |
| Fee for Filing Transfer Form <u>Water Right No. 1410-2</u>                                                                 | 2        | 50        |
| Fee for Filing Extension Request _____                                                                                     |          |           |
| Fee for Certified Copy of _____                                                                                            |          |           |
| Fee for Print Copy of Map _____                                                                                            |          |           |
| Fee for Certifying _____                                                                                                   |          |           |
| Fee for _____<br>(Any Other Work Provided by Law)                                                                          |          |           |
| <b>Total</b>                                                                                                               | <b>2</b> | <b>50</b> |

By *John H. [Signature]*  
Chief Engineer



1410-2  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

July 7, 1992

No. 567-2

1410-2

Mark Hollenbeck  
241 Doolittle  
Rapid City, SD 57701

Dear Mr. Hollenbeck:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 567-2 and 1410-2.

Our records now show you as the owner of Water Right Nos. 567-2 and 1410-2.

Sincerely,

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

enclosure

1410-2



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

March 12, 1993

567-2

1410-2

NOTICE

TO: MARK J HOLLENBECK  
241 FOOLITTLE  
RAPID CITY, SD 57701

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

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

Effective immediately no diversions of water under your Water Right Nos. 567-2 and 1410-2 are authorized. Your water rights are 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 Kath, Division of Water Rights, 523 E Capitol Ave, Pierre, SD 57501. Phone (605) 773-3352.

cc: US Bureau of Reclamation  
Angostura Irrigation District

## CERTIFICATION

**Copy Sent To:**

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

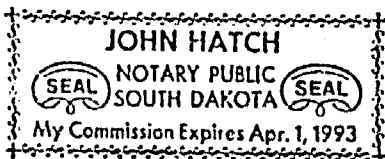
Cheryl F. Frost

Cheryl F. Frost  
Secretary

STATE OF SOUTH DAKOTA )  
 ) SS  
COUNTY OF HUGHES )

Sworn to, before me, this 15<sup>th</sup> day of March, 1993.

*John H. H. H.*  
Notary Public





1410-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

April 14, 1993

567-2  
1410-2

RESCISSION OF SHUTOFF ORDER

TO: MARK J HOLLENBECK  
241 DOOLITTLE  
RAPID CITY, SD 57701

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



1410-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501 3101

March 15, 1995

567-2  
1410-2

NOTICE

TO: MARK J HOLLENBECK  
212 PORT CHARLOTTE AVE  
FT. PIERRE, SD 57532

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

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

Effective immediately no diversions of water under your Water Right Nos. 567-2 and 1410-2 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

1410-2



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

May 26, 1995

567-2

1410-2

**RESCISSION OF SHUTOFF ORDER**

TO: MARK J HOLLENBECK  
212 PORT CHARLOTTE  
FT PIERRE, SD 57532

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



February 4, 1997

1410-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

NOTICE

TO: MARK J HOLLENBECK, 212 PORT CHARLOTTE AVE, FT PIERRE, SD 57532

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

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 567-2 & 1410-2. The request for the Questionnaire was dated October 1, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 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 2:30 pm, March 5, 1997, 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) 567-2 & 1410-2 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 28, 1997, 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.



1410-2  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181

February 14, 1997

567-2  
1410-2 ✓

Mark Hollenbeck  
HC 59 Box 5  
Edgemont, SD 57735

Dear Mr. Hollenbeck:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaires.

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 and if you have any questions, please contact me.

Sincerely,

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



1410-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

January 9, 1998

**NOTICE**

**TO:** MARK J HOLLENBECK, HC 59 BOX 5, EDMONT, SD 57735

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

**SUBJECT:** Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 567-2 & 1410-2. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 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 9:45 am, February 25, 1998, 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) 567-2 & 1410-2 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 20, 1998, 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.

Is your RETURN ADDRESS completed on the reverse side?

**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:

1410-2  
MARK J HOLLENBECK  
HC 59 BOX 5  
EDGEMONT SD 57735

4a. Article Number:

2179157228

4b. Service Type

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

7. Date of Delivery

1/15/98

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Mark J Hollenbeck*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102495-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



1410-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

February 18, 1998

567-2  
1410-2

Mark Hollenbeck  
HC 59 Box 5  
Edgemont, SD 57735

Dear Mr. Hollenbeck:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Right Nos. 567-2 and 1410-2.

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

State of South Dakota  
County of Fall River  
Filed for Record

1410-2

Prepared by:  
Ted W. Hinesley, Attorney  
PO Box 783  
Edgemont SD 57735  
(605)662-6498

9th day of October, 2003, at  
10:40 a.m. and recorded in book  
123 page 451

Anita Cope  
Register of Deeds

Recording 10.00 ck  
Transfer 27.50 ck  
Return to Pat Hollenbeck

10773 27

**WARRANTY DEED**

MARK J. HOLLENBECK, a married person, GRANTOR, of Fall River County, South Dakota, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, Grants, Conveys and Warrants to PATRICK H. HOLLENBECK and TAMMY J. HOLLENBECK, husband and wife, of HC 59 Box 5, Edgemont, South Dakota 57735, GRANTEES, as joint tenants with right of survivorship and not as tenants in common, all interest in the following described real estate in the County of Fall River, in the State of South Dakota:

Township 7 South, Range 2 East of the Black Hills Meridian, Fall River County, South Dakota:  
Section 31: SW $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$  and the NW $\frac{1}{4}$ SE $\frac{1}{4}$

Grantor certifies that the premises conveyed did not constitute the grantor's homestead and that neither the grantor nor any member of the grantor's family reside thereon

Dated this 9th day of OCTOBER, 2003.

RECEIVED

NOV 13 2003

WATER RIGHTS  
PROGRAM

Mark J. Hollenbeck  
MARK J. HOLLENBECK, GRANTOR

STATE OF SOUTH DAKOTA

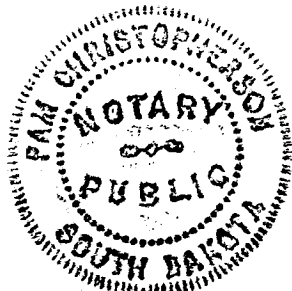
ISS

COUNTY OF FALL RIVER

On this 9th day of October, 2003, before me, the undersigned officer, personally appeared MARK J. HOLLENBECK, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

(SEAL)



Pam Christopher  
Notary Public - South Dakota  
My Commission Expires: 2/12/2009

# 2003 Water Management Board Irrigation Questionnaire

Please fill out and return before December 1, 2003

No. 1410-2

MARK J. HOLLENBECK  
HC 59 BOX 5  
EDGEMONT SD 57735

Any address corrections?

Pat or Tammy Hollenbeck  
HC 59 BOX 5  
Edgemont SD 57735  
Telephone No. 605-662-7755

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352 or send your form(s) electronically over the internet at <http://www.state.sd.us/eforms/secure/eforms/E0455V2-IQ.pdf>

1. Is the system constructed? \*yes X no     

\*Type of system used (check all that apply):

center pivots      towlines      big gun       
flood X sprinklers      other     

3. Is the land enrolled in CRP? \*yes      no X

\*If yes, through what year?     

4. Did you apply chemicals or fertilizer through the system in 2003? yes      no X

5. If permitted for more than one water source, circle each source used. A. UPPER CHEYENNE

B.

C.

2. Did you irrigate in 2003? \*yes X \*\*no     

\*If yes, number of acres irrigated 66.8

\*\*If no, list reason(s) in comment box and answer No. 3:

## Comment Box

The real estate covering this permit has been sold to Pat or Tammy Hollenbeck. The permit needs to be changed to show this transfer.



|     |    |     |    |
|-----|----|-----|----|
| BB  | BA | AB  | AA |
| (B) |    | (A) |    |
| BC  | BD | AC  | AD |
| CB  | CA | DB  | DA |
| (C) |    | (D) |    |
| CC  | CD | DC  | DD |

1 square mile

Office use only

RECEIVED

NOV 13 2003

WATER RIGHTS PROGRAM

Acreage permitted for irrigation under No. 1410-2 (see above section map for help reading legal descriptions)

sec 31-T007S-R02E, CD – 19.30 acres  
sec 31-T007S-R02E, CA – 33.77 acres  
sec 31-T007S-R02E, CB – 6.51 acres  
sec 31-T007S-R02E, DB – 28.49 acres  
sec 31-T007S-R02E, DA – 6.42 acres  
sec 31-T007S-R02E, DC – 3.85 acres  
sec 31-T007S-R02E, DD – 26.64 acres

Please provide your 2003 water use to irrigate the above acreage on the REVERSE side of this form.

For a sample completed questionnaire, please refer to the reverse side of your cover letter.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

November 14, 2003

1410-2

Pat or Tammy Hollenbeck  
HC 59 Box 5  
Edgemont SD 57735

Dear Mr. & Mrs. Hollenbeck:

I am contacting you in regard to ownership of land described in Water Right No. 1410-2, listed in the name of Mark J Hollenbeck. It is my understanding that you now own the land.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and complete as needed. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water right. You may keep this for your records. If you have any questions concerning the water right or completion of the transfer form, please contact me.

Sincerely,

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

enclosures

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 1, 2003

RECEIVED OF Pat Hollenbeck, HC 59 Box 5A, Edgemont SD 57735

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>1410-2</u>                                                                     |       | 2 50 |
| Fee for _____                                                                                                  |       |      |
| Fee for Issuing New Well Driller's License No. _____ for C.Y. _____                                            |       |      |
| Fee for Renewal of Well Driller's License No. _____ for C.Y. _____                                             |       |      |
| Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____                                         |       |      |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |      |
| (Any Other Work Provided by Law)                                                                               | TOTAL | 2.50 |

No.

000000

By

Douglas D. Ebel  
Chief Engineer  
gm

## NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

DEC - 1 2003

WATER RIGHTS  
PROGRAM

No. 1410-2

Date: Nov. 26, 2003

I/We request that Water Right No. 1410-2

formerly owned by: Mark J Hollenbeck

be transferred to: (name & address)

Pat or Tammy Hollenbeck  
HC 57 Box 5

Edgemont SD 57735

Telephone No. (605) 662-7755

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

124.98 acres - E 1/2 SW 1/4, NW 1/4 SW 1/4 and SE 1/4 Section 31, T7S, R2E

I/We understand that the validity of Water Right No. 1410-2 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 with the Water Rights Program, as evidence of the change of ownership.

**A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.**

I/We Pat or Tammy Hollenbeck, the new owner, certify that the above information is true and correct.

Pat Hollenbeck  
Tammy Hollenbeck  
(Signed by new owner)

**NOTE:** Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

December 1, 2003

1410-2

Pat or Tammy Hollenbeck  
HC 59 Box 5  
Edgemont SD 57735

Dear Mr. & Mrs. Hollenbeck:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee you submitted for changing ownership of Water Right No. 1410-2. The transfer has been completed. The water right, formerly held by Mark J Hollenbeck is now listed in your names.

Enclosed is your Receipt No. 000931 in the amount of \$2.50. You may keep this for your records. If you have any questions, please contact me.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

April 30, 2004

**NOTICE OF SHUTOFF ORDER**

**TO:** PAT OR TAMMY HOLLENBECK  
HC 59 BOX 5  
EDGEMONT SD 57735

**FROM:** GARLAND ERBELE, Chief Engineer  
Water Rights Program *Garland Erbele*

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

**Shutoff Order for Water Right Nos. 1410-2**

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.



1410-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

March 15, 2005

**NOTICE OF SHUTOFF ORDER**

**TO:** PAT OR TAMMY HOLLENBECK  
HC 59 BOX 5  
EDGEMONT SD 57735

**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. 1410-2**

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.

1410-2



# United States Department of the Interior



IN REPLY REFER TO:

DK-700  
PRJ 13.00

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

FEB 24 2006

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

RECEIVED  
FEB 27 2006  
WATER RIGHTS  
PROGRAM

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



1410-2  
**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

March 10, 2006

**NOTICE OF SHUTOFF ORDER**

**TO:** PAT OR TAMMY HOLLENBECK  
HC 59 BOX 5  
EDGEMONT SD 57735

**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. 1410-2**

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 7, 2006, the water elevation in Angostura Reservoir was 3170.3-feet, almost 17-feet below the full elevation of 3187.2-feet. Storage is at 64,524 acre-feet, about 74,237 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 or Don Stroup with the Water Rights Program at (605) 773-3352. Thank you.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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[www.state.sd.us/denr](http://www.state.sd.us/denr)

March 9, 2007

**NOTICE OF SHUTOFF ORDER**

**TO:** PAT & TAMMY HOLLENBECK  
HC 59 BOX 5  
EDGEMONT, SD 57735

**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. 1410-2**

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

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PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

March 19, 2008

**NOTICE OF SHUTOFF ORDER**

**TO:** PAT OR TAMMY HOLLENBECK  
27669 DEWEY RD  
EDGEMONT SD 57735

**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. 1410-2**

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  
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PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

March 19, 2009

**NOTICE OF SHUTOFF ORDER**

**TO:**

PAT OR TAMMY HOLLENBECK  
27669 DEWEY RD  
EDGEMONT SD 57735

**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. 1410-2**

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.



1410-2  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 21, 2011

NOTICE

TO: PAT OR TAMMY HOLLENBECK, 27669 DEWEY RD, EDMONT, SD 57735

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

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire has not been submitted for Permit No(s) 1410-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 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 9, 2011**, 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) 1410-2 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 4, 2011**, 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](mailto: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.

1410-2

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## Track & Confirm

### Search Results

Label/Receipt Number: 2303 2160 0000 0802 1031

Service(s): Signature Confirmation™

Status: Delivered

Your item was delivered at 10:28 am on January 22, 2011 in  
EDGEMONT, SD 57735. The item was signed for by T HOLLENBECK.

### Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

### Detailed Results:

- Delivered, January 22, 2011, 10:28 am, EDGEMONT, SD 57735
- Out for Delivery, January 22, 2011, 9:43 am, EDGEMONT, SD 57735
- Sorting Complete, January 22, 2011, 9:33 am, EDGEMONT, SD 57735
- Arrival at Post Office, January 22, 2011, 8:16 am, EDGEMONT, SD 57735

### Notification Options

#### Track & Confirm by email

Get current event information or updates for your item sent to you or others by email.

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No FEAR Act EEO Data

FOIA

|                                                                                                                                                          |                                                                                                                                                                           |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| SIGNATURE CONFIRMATION NUMBER:<br>2303 2160 0000 0802 1031                                                                                               | PAT OR TAMMY HOLLENBECK<br>27669 DEWEY RD<br>EDGEMONT SD 57735                                                                                                            |  |
|                                                                                                                                                          | Waiver of Signature <input type="checkbox"/> YES <input type="checkbox"/> NO                                                                                              |  |
|                                                                                                                                                          | Postmark<br>Here                                                                                                                                                          |  |
|                                                                                                                                                          | <b>POSTAL CUSTOMER:</b><br>Keep this receipt. For Inquiries:<br>Access internet web site at<br><a href="http://www.usps.com">www.usps.com</a> ®<br>or call 1-800-222-1811 |  |
| <input type="checkbox"/> Priority Mail™ Service<br><input type="checkbox"/> First-Class Mail® parcel<br><input type="checkbox"/> Package Services parcel |                                                                                                                                                                           |  |



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

December 10, 2010

Representative Lance Russell  
PO Box 184  
Hot Springs, SD 577477

Dear Representative Russell:

Thank you for your letter of November 24<sup>th</sup> concerning junior water right holders on the Cheyenne River.

As you're probably aware, the Bureau of Reclamation holds a 1941 water right to Angostura Reservoir. During years in which it appears the reservoir won't fill, the Bureau has asked DENR to issue shut off orders to those junior water right holders upstream of the reservoir. This occurred in 2008 and 2009. A copy of one of those letters is enclosed. Since Angostura Reservoir filled in 2010, the Bureau did not place a call on their water right.

The shut off letter clearly states that, "If conditions do not improve, this order will remain in effect until the end of the calendar year." It should have been clear, to anyone who read their letter that the shut off orders terminate at the end of the calendar year.

That being said, we will agree to discount the 2010 water year and not count it against those individuals who failed to irrigate during the 2010 year. A copy of this letter will be added to the files of those who indicated on their irrigation questionnaire that they did not irrigate.

Please let me know if there anything else I can assist you with.

Sincerely,

  
Garland Erbele, Chief Engineer

Encl.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
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523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

February 4, 2011

1410-2

Pat or Tammy Hollenbeck  
27669 Dewey Rd  
Edgemont SD 57735

Dear Mr. & Mrs. Hollenbeck:

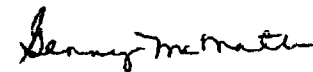
I am writing to acknowledge receipt of your 2010 irrigation questionnaire. You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right No. 1410-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

I want to take this opportunity to address the written comment on the irrigation questionnaire indicating you did not receive a notice from us indicating you could irrigate. For several years in a row, irrigators with water permits or rights junior to Angostura have received shut-off orders. It appears you were operating under the impression that shut-off orders were still in effect when in fact the order expired on December 31, 2009. Enclosed is a copy of the 2009 notice. In future notices DENR intends to clarify the expiration date and hopefully in the process eliminate any misunderstandings.

Thank you for your comment concerning the notices. We will strive to communicate better in the future. Please do not hesitate to contact us if you ever have questions regarding your water right.

Documentation will be placed in your file indicating you did not irrigate because you did not realize you were authorized to do so. If you have any questions, please contact me.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
<http://denr.sd.gov>

October 18, 2011

1410-2

Pat or Tammy Hollenbeck  
665 Oak St  
Edgemont SD 57735 5009

Dear Mr. & Mrs. Hollenbeck:

Enclosed is a "Notice" dated October 14, 2011 concerning the 2011 irrigation questionnaire.

The notice was originally mailed to 27669 Dewey Rd, Edgemont SD. 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,

A handwritten signature in black ink that reads "Genny McMath".

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

enclosures



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:** PAT OR TAMMY HOLLENBECK  
665 OAK ST  
EDGEMONT SD 57735

**FROM:** GARLAND ERBELE, Chief Engineer  
Water Rights Program *Garland Erbele*

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

**Shutoff Order for  
Water Right Nos. 1410-2**

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:

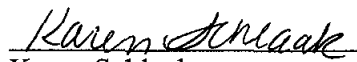
| LAST_NAME                      | FIRST_NAME            | ADDRESS2               | CITY        | STATE | ZIP   |
|--------------------------------|-----------------------|------------------------|-------------|-------|-------|
| INDIAN CREEK CATTLE LLP        |                       | 32296 190TH ST         | 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 |

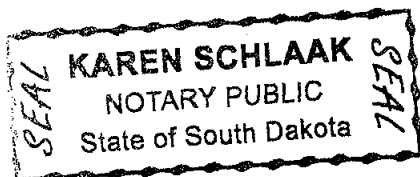
|                         |                    |                          |             |    |       |
|-------------------------|--------------------|--------------------------|-------------|----|-------|
| SCHNOSE                 | VERNON             | 12685 MAITLAND RD        | HOT SPRINGS | SD | 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 6<sup>th</sup> day of March, 2013.

  
 Karen Schlaak  
 Notary Public  
 My Commission expires April 1, 2013





1410-2  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 25, 2019

NOTICE

TO: PAT OR TAMMY HOLLENBECK, 665 OAK ST, EDGEMONT, SD 57735 5009

FROM: Ron Duvall, Natural Resources Engineer  
for Jeanne Goodman, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire has not been submitted for Permit No(s) 1410-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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 **Wednesday, March 6, 2019 at 10:30 am (Central Time)** 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) 1410-2 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 before the **March 6, 2019** hearing 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](mailto: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.

1410-2



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

February 6, 2019

1410-2

Pat or Tammy Hollenbeck  
665 Oak St  
Edgemont SD 57735-5009

Dear Mr. & Mrs. Hollenbeck:

I am writing to acknowledge receipt of your 2018 irrigation questionnaire.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 1410-2. The information was received in our office prior to the Water Management Board meeting and your names have 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  
Water Rights Program  
(605) 773-3352  
email: [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us)



1410-2

**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

January 20, 2023

**NOTICE**

TO: PAT OR TAMMY HOLLENBECK, 665 OAK ST, EDMONT, SD 57735 5009

FROM: Ron Duvall, Water Rights Permitting Administrator  
for Eric Gronlund, Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire has not been submitted for Permit No(s) 1410-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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 **Wednesday, March 8, 2023 at 9:30 am (Central Time)** 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) 1410-2 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 before the **March 8, 2023** hearing 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](mailto:genny.mcmath@state.sd.us). **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: YONSAM**

**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 AGRICULTURE  
and NATURAL RESOURCES**

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

February 13, 2023

1410-2

Pat or Tammy Hollenbeck  
665 Oak St  
Edgemont SD 57735-5009

Dear Mr. or Ms. Hollenbeck:

I am writing to acknowledge receipt of your 2022 irrigation questionnaire.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right No. 1410-2. 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  
Water Rights Program  
605 773-3352  
Genny.mcmath@state.sd.us



1410-2

**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

January 20, 2026

**NOTICE**

TO: PAT OR TAMMY HOLLENBECK, 665 OAK ST, EDGEMONT, SD 57735 5009

FROM: Ron Duvall, Engineer III  
for Adam Mathiowetz, PE, Acting Chief Engineer  
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire has not been submitted for Permit No(s) 1410-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 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 on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** 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) 1410-2 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 before the **March 4, 2026** hearing 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 Shannon Konst at (605) 773-3352 or email at [shannon.konst@state.sd.us](mailto:shannon.konst@state.sd.us). **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: VMNKEN**

**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 AGRICULTURE  
and NATURAL RESOURCES**

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

February 3, 2026

1410-2

Pat or Tammy Hollenbeck  
665 Oak St  
Edgemont, SD 57735

Dear Pat or Tammy,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). 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,

Shannon Konst  
Water Rights Program  
605 773-8204  
[Shannon.konst@state.sd.us](mailto:Shannon.konst@state.sd.us)



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

PAT OR TAMMY HOLLENBECK  
665 OAK ST  
EDGEMONT, SD 57735

**1410-2**

April 09, 2026

Dear Cheyenne River Water Right Holder:

Due to the ongoing drought I am advising Cheyenne River water right holders of the possibility of shutoff orders in 2026 for the river reach from the Wyoming-South Dakota state line to Angostura Dam. This is not a shutoff order.

As a result of the continuing lack of precipitation, tributary flows throughout the Cheyenne River basin remain well below the historical average. Angostura Reservoir ended March 12 feet below full (top of active conservation pool) and the current forecast throughout the summer months is not favorable for improved conditions.

This letter is only intended to give you advanced warning that your ability to divert water may be cut short this year. If shut-off orders are issued, you will receive another letter from the Department. In the meantime, water right holders can help by closely monitoring water usage to minimize use and trying to avoid wasting water.

South Dakota water law gives the highest priority to domestic use, which includes livestock watering. There is generally adequate water available to meet both domestic use and other needs. However, once water availability reaches critically low levels, other uses, including irrigation, will begin to interfere with domestic uses and senior water rights. If levels become critically low, the department must issue shut-off orders to protect domestic water uses and senior water rights. Once these orders are issued, the department will continue to monitor water availability and should conditions improve, the shutoff orders would be rescinded.

If you are interested, the US Geological Survey has an Internet site showing river flows at 150 stream gauging stations across the state. Go to <https://waterdata.usgs.gov/state/south-dakota/> and click on "View monitoring location page" for the USGS gages above Angostura Dam.

Thank you for your cooperation. If you have any questions, please contact Nakaila Steen or another member of the DANR-Water Rights Program at (605) 394-2229 (Rapid City Office) or (605) 773-3352 (Pierre Office).

Sincerely,

Adam Mathiowetz, PE  
Acting Chief Engineer  
Water Rights Program



**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:** PAT OR TAMMY HOLLENBECK **FROM:** Adam Mathiowetz, PE  
665 OAK ST  
EDGEMONT, SD 57735

Acting Chief Engineer  
Water Rights Program

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

**Shutoff Order for Water Permit No(s). 1410-2**

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.