

Water Right Number 1641-2

1. Considered July 26, 19 78
2. Name of Applicant Caylor Brothers
3. Post Office Address Provo, S.D.
4. Amount of water claimed 1.71 Sec. 18-1S-3
5. Source of water supply City Draw
6. Water to be used for Irrigation
Acres to be irrigated 120.00
7. Water to be diverted and used in Fall River County
about 5N, 8W Miles of ARMORE
8. Proof of Publication
Received 6-30-78 ~~7-5-78~~
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 1405-2Map No. 1405-2 Water Division No. 2 SOUTH CHEYENNE RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant: Caylor Bros
 Postoffice address: Bros, State: So. Dak.
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor): Direct labor
3. Name of diversion work: Caylor Diversion
4. Amount of water claimed (cubic feet per second): 2.0 Cubic ft per second 1.71 MAX. ALLOWABLE
5. Source of water supply: Dry draw
6. Location of point of diversion: 396.2' west + 1910' north of the S.E. corner of Section 18 Township 11.3 N. R. 3. E
 County: Fall River
7. Annual period or periods during which water is to be used: Spring + summer
8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.): irrigating hayland
9. For irrigation use, Total number of acres to be irrigated: 120

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.
<u>N 1/2 NE - NW - 20</u>	<u>20</u>	<u>S 1/2 SW SE - 17</u>	<u>20</u>
<u>N 1/2 NE - 20</u>	<u>40</u>		
<u>S 1/2 NE NE - 20</u>	<u>20</u>		
<u>S 1/2 SE SW - 17</u>	<u>20</u>		

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 Appropriately Water publication: Hot Springs Star
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source: Base grade ditch.
- B. Works proposed to transport water to place of use: Diversion
- C. Works proposed to apply water to beneficial use: Water spreading dikes.

Estimated Total Cost \$: 8000.00Attachments: 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 RiverI, Caylor Bros, 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 constructionSigned Caylor Bros. Loren CaylorSubscribed and sworn to before me this 25th day of Oct, 1977Clark Anderson
Notary Public (for other qualified officers)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1641-2

CAYLOR BROS.

(Applicant)

PRIMO

(Post Office Address)

SOUTH DAKOTA

(State)

57774

With the following modifications:

Date of first receipt of application OCTOBER 11, 19 77

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

Date of receipt of corrected application JUNE 13, 19 78

Approved JULY 26, 19 78, Recorded in Book 20 Page 47

WATER RIGHT PERMIT NO. 1641-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. _____ 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 13, 19 78
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 26, 19 79
3. The whole of said work is to be completed on or before JULY 26, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 26, 19 82
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 1.71 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 2 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 26, 19 82; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 31ST day of JULY, 19 78

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

CONSERVATION COMMISSION
FORM WI #1
6/77

SOIL/WATER COMPATIBILITY APPLICATION FORM * See

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

Below

IMPORTANT: Read Instructions Before Proceeding!!!

NAME Caylor Bros.

ADDRESS Pross, South Dakota 57771

COUNTY Fall River

In accordance with State Law (Section 1, SD-58), if a water right is granted without conditional permit (Soil/Water compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION:

1. WELL LOCATION OR DIVERSION POINT 130 rods North and 80 rods East of SE corner of Sec. 18-T11S-
2. LOCATION OF AREA TO BE IRRIGATED Parts 5th 12th & 13th T11-N3 (See reverse side)

TYPE OF IRRIGATION:

3. GRAVITY TOWLINE CENTER PIVOT GUN
OTHER (SPECIFY) Waterspreading
4. CROPS TO BE IRRIGATED Alfalfa

WATER QUALITY (To be completed by SDSU Water Quality Lab) Representative sample from adjacent dunes to Brookings

5. SAMPLE NUMBER	<u>18-335</u>
6. SALINITY (EC X 10 ⁶)	<u>99 (low)</u>
7. SODIUM (SAR)	<u>0.12</u>
8. RESIDUAL SODIUM CARBONATE (meg/1.)	<u>C</u>

I do hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from Fall River Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

SUBSCRIBED AND SWORN BEFORE ME THIS
19th DAY OF April, 1978.

Harold L. Stoltenburg
(TITLE OR SEAL)

Harold L. Stoltenburg
District Conservationist

Caylor Bros
Loren Caylor

APPLICANT'S SIGNATURE

Albert J. V. [Signature]

Approved

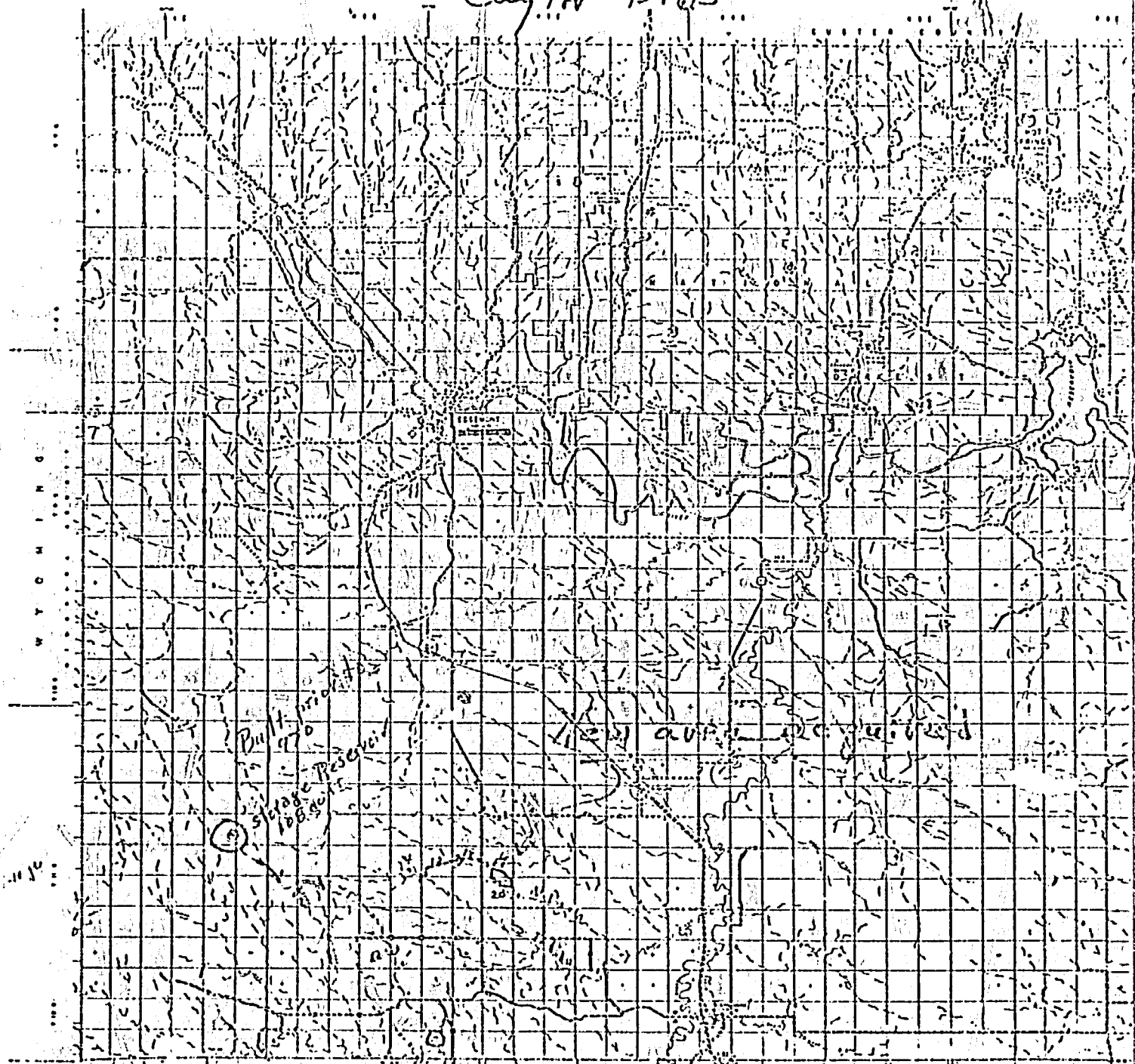
Disapproved

Conditionally Approved

(SOILS INFORMATION ON REVERSE SIDE)

GENERAL HIGHWAY MAP
FALL RIVER COUNTY
SOUTH DAKOTA

Caylin Bros



Water spreading has
been practiced for
several years, Lower
Camp Creek & 14-11-2

Chas.
Caylin

Leon
Caylin

Phone 4/20/26

Water Sample to
Brookings.

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57007

Submitted by: Caylor Bros.
 Address: Brookings, SD 57774

Date Rec'd: May 1, 1978
 Sample No.: 78-335
 Identification: Reservoir
Sec. 18, T 11N, R 3E

WATER ANALYSIS

Calcium (Ca)	15	ppm*	0.76	me/l**
Magnesium (Mg)	7	ppm	0.59	me/l
Sodium (Na)	2	ppm	0.10	me/l
Potassium (K)	3	ppm	0.07	me/l
Sulfate (SO ₄)	6	ppm	0.12	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.05	me/l
Bicarbonate (HCO ₃)	54	ppm	0.88	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	44	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	99	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.12	adjusted	0.12	
Sodium	6.58	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.05			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 1.52 me/l
 Total anions 1.05 me/l



By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 78-335

Amount Enclosed \$

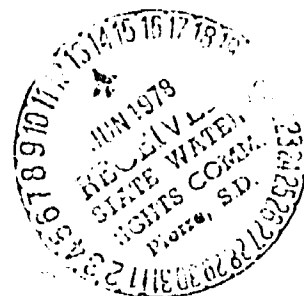
Signed

RIC-5021/TOM
6/77

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

(RECOMMENDED MANAGEMENT)



NAME OF APPLICANT Caylor Bros. Loren Caylor, Provo, SD

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 1, 2, 3, 4, 5, times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least 1, 2, 3, 4, inches of water.
3. ☐ Yes ☐ No Surface drainage suggested
4. ☐ Yes ☐ No Subsurface drainage suggested
5. ☐ Yes ☐ No Specific land areas that should be avoided

- _____
- _____
- _____
6. ☒ Deep tillage (For the purpose of aiding movement of water through dense subsoils)

7. ☐ Heavy fall application of irrigation water

Your Pierre soils, formed from weathered clayey shales are not classed as irrigable. Your Kyle soils, likewise have a slow intake rate, that require a slow application over many hours of time. Cracking or shrinking of your clayey soils make for the opportune time to irrigate as water will go directly to the subsoil until expansion of soils take place and stops deep percolation.

If you were to expend money for an expensive sprinkler system, we would not advise going ahead; however, your water spreading system makes it a different ballgame.

Occasional deep chisel-type tillage will open your soil for more water intake into the subsoil. The extent of such tillage operations, as to depth, spacing and frequency will be dictated by your experiences.

Copy to Applicant - 1
Copies to Water Rights - 2
Copy to File - 1

AFFIDAVIT OF PUBLICATION

State of South Dakota)

County of Fall River) ss.

Chas. Najach

Editor of Hot Springs, Fall River County, South Dakota, being duly sworn, upon oath says that he is the publisher of the Hot Springs Star, a legal weekly newspaper published at Hot Springs, County and state aforesaid; that the advertisement headed—

Notice of Hearing on
Application to Approp-
riate Water

a true printed copy whereof is hereunto annexed, was published in the said Hot Springs Star, in the regular and entire issue of said paper,

for two successive issues, beginning with the

issue dated

June 21, 1978

and ending with the issue dated

June 28, 1978

That the full amount of the fee charged for the publication of said

notice is \$14.43

and that no agreement or understanding, for the division thereof, has been made with any other person, and that no person, other than the publisher, is to be paid to any person whomsoever, that the whole amount inures to the benefit of the publishers of said newspaper.

Chas. Najach

Subscribed and sworn to before

me this 28 day of June

1978

Notary Public

224 NOTICE OF HEARING ON APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

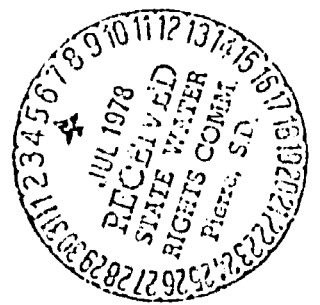
June 14, 1978

Notice is hereby given that Caylor Brothers whose post office address is Provo, South Dakota, has made an application in accordance with the provisions of SDC 45-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Commission Rules ARSD 52:01:01.01 thru 52:01:01:13, for a permit to appropriate for beneficial use 1.71 cubic feet of water per second of time from a dry draw through the Caylor Diversion, the point of diversion of which is to be located in the NE 1/4 SW 1/4 of Section 18, Twp. 11S Range 3E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N 1/2 NE 1/4 and NE 1/4 NW 1/4 Section 20; SW 1/4 SE 1/4 and SE 1/4 SW 1/4 Section 17, all in T11S, R. E.

This Application No. 1641-2 will be considered by the Water Rights Commission at the Ramada Inn, Sioux Falls, SD upon the 26th day of July, 1978 at 10 AM. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDC 1-2 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS
COMMISSION
Betty Westlund
Water Rights Specialist



Publish first publication, on or before June 30, 1978

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501
June 14, 1978

Notice is hereby given that Caylor Brothers whose post office address is Provo, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 1.71 cubic feet of water per second of time from ~~xxxx~~ a dry draw through the Caylor Diversion, the point of diversion of which is to be located in the NE 1/4 SW 1/4

of Section 18, Twp. 11S Range 3E. Said water to be used for the purpose of providing irrigation on portions of the following described land:
N 1/2 NE 1/4 and NE 1/4 NW 1/4 Section 20; SW 1/4 SE 1/4 and SE 1/4 SW 1/4 Section 17, all in T11S, R3E

This Application No. 1641-2 will be considered by the Water Rights Commission at the Kamada Inn, Sioux Falls, SD upon the 26th day of July, 1978 at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-23 may notify the Commission in writing prior to the hearing or orally at the hearing.

NOTE: Final Proof of Publication must be received by the hearing date for the Commission to take action.

WATER RIGHTS COMMISSION

BETTY WESTLUND
Water Rights Specialist

cc: Caylor Brothers, Provo, SD 57774

7-13-78

December 24, 1979

Loren Caylor
Provo, SD 57774

Dear Mr. Caylor:

Permit No. 1020-2 is for diversion from Indian Creek to irrigate 36 acres in Section 13, T12S, R2E.

Permit No. 1641-2 is for diversion from a tributary to Duck Creek to irrigate 120 acres in portions of Section 17 and 20, T11S, R3E.

Permit No. 1020-2 is the one in the process of being licensed. Our information is that no development had taken place under Permit No. 1641-2 as of June 26, 1979.

If you have any further questions, feel free to contact this office.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/gy

Send form for Extension of Permit

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8778

PIERRE, March 24, 1982

RECEIVED OF Caylor Brothers, Loren Caylor, Provo, SD 57774

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for Inspecting Construction, and Issuing Cert. of Construction No.	
Fee for Inspecting Beneficial Use, and Issuing Water License No.	
Fee for Issuing Location Certificate-Dry Draw, No.	
Fee for filing	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for Extension of Time on WR # 1641-2 (any other work as provided by law)	2 50
TOTAL	2 50

WATER RIGHTS COMMISSION

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

APPLICATION FOR EXTENSION OF TIME

TO: Water Rights
Foss Building
Pierre, South Dakota 57501

Date March 22, 1982

Dear Sirs:

In Water Right Permit No. 1641-2 it is specified that the water diversion system is to be completed by July 26, 1980 and that the water is to be put to the limit of beneficial use by July 26, 1982.

I hereby request that the date for completing the diversion system be extended to Dec 1, 1982 and that the date for putting the water to the limit of beneficial use be extended to Dec 1, 1982.

The extension of time for the completion of these works is requested for the following reasons: This project was part of a 3-year Great Plains program. Due to some problems, there was no stock water available, which pipeline & fencing had to have priority over this project. The pipeline and fencing is now completed.

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.

C. G. Brown by L. W. Caylor
(Signed)

1641-2
Permit Number

APPROVED:

Board of Water Management

BY:

No. 1641-2

 **Department of
Water & Natural Resources**
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

April 13, 1982

Caylor Brothers
% Loren Caylor
Provo, South Dakota 57774

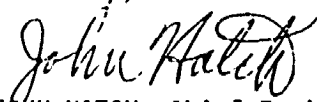
Gentlemen:

This is to inform you that your request for extension of time dated
March 22, 1982 for Water Right No. 1641-2 has been
approved by the Water Management Board as follows:

The date for completing construction of the water system has
been extended to December 1, 1982, and the date for
putting the water to the limit of beneficial use has been
extended to December 1, 1982.

Enclosed herewith is Receipt No. 4 8778 for \$2.50 fee for filing
of this Extension of Time.

Sincerely,


JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms
ENC.

WNR-819-7/79
Approval of Extension of Time

WATER RIGHTS DIVISION (605) 773-3352

August 18, 1982

Caylor Brothers
c/o Loren Caylor
Provo, South Dakota 57774

Gentlemen:

Please sign the enclosed application for extension of time and return to this office with the \$2,50 filing fee.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

APPLICATION FOR EXTENSION OF TIME

TO: Water Rights
Foss Building
Pierre, South Dakota 57501

Date Aug 18, 1982

Dear Sirs:

In Water Right Permit No. 1641-2 it is specified that the water diversion system is to be completed by Dec. 1, 1982 and that the water is to be put to the limit of beneficial use by Dec. 1, 1982.

I hereby request that the date for completing the diversion system be extended to July 26, 1983 and that the date for putting the water to the limit of beneficial use be extended to July 26, 1987.

The extension of time for the completion of these works is requested for the following reasons: SCS is still in the design stage,
the work will not be able to be started until
Spring of 1983. This application will bring the
time of completion and time to put to beneficial use
up to the maximum allowed by law.

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.

Caylon Bros. Loan Caylon
(Signed)

1641-2
Permit Number

APPROVED:

Board of Water Management

BY:



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8948

PIERRE, August 25, 1932

RECEIVED OF Caylor Brothers, Loren Caylor, Provo, SD 57774

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

Fee for Application for Permit to Appropriate Water No. Examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw. No.		
Fee for filing Extension of Time MR# 164181	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 Hatcher*
Chief Engineer, Executive Officer
JOHN HATCHER

No. 1641-2

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

October 18, 1982

Caylor Brothers
Provo,
South Dakota 57774

Dear Sirs:

This is to inform you that your request for extension of time dated
August 18, 1982 for Water Right No. 1641-2 has been
approved by the Water Management Board as follows:

The date for completing construction of the water system has
been extended to July 26, 1983, and the date for
putting the water to the limit of beneficial use has been
extended to July 26, 1987.

Enclosed herewith is Receipt No. 4 8948 for \$2.50 fee for filing
of this Extension of Time.

Sincerely,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:KS

enclosure

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

Joe Foss Building
823 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1641-2

November 28, 1983

Caylor Bros.
Provo,
South Dakota 57774

Dear Sirs:

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. 1641-2 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,

KAREN SCHLAAK
Administrative Aide

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

DWNR-814 8/63

State of South Dakota
Water License No. 1641-2

(1) Caylor Brothers
of Box 456, Provo, South Dakota 57774
made Application No. 1641-2 on October 11, 1977 for a water permit to appropriate
1.71 cubic feet per second of water from a dry draw
Fall River County, South Dakota for Irrigation purposes.
Permit No. 1641-2, with a priority date of June 13, 1978
was approved July 26, 1978 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before July 26, 1980 and for the application to beneficial use of said
water, on or before July 26, 1982.

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 1.71 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 3960' West and 1910' North of the SE
corner, of Section 18, T11S, R3E (CA)

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 lands all in T11S, R3E

Section 17	SE $\frac{1}{4}$ SW $\frac{1}{4}$	17.6 acres	(CD)
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	14.0 "	(DC)
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1.2 "	(DD)
Section 20	NE $\frac{1}{4}$ NE $\frac{1}{4}$	28.8 "	(AA)
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 "	(AB)
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	18.4 "	(BA)
TOTAL 120 acres			

(4) Pursuant to §46-5-30.1 Caylor Brothers
of Box 456, Provo, South Dakota 57774
the holder(s) and/or owner(s) of Water Permit No. 1641-2 is issued a license to appropriate water, the right to use 1.71 cubic feet per second of water from a dry draw with a priority date of June 13, 1978 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. 1641-2 and subject to South Dakota State Law.

John H. H. H.
Chief Engineer, Water Rights Division
Department of Water and Natural Resources
December 20, 1982

Permit No. 1681-2S. Cheyenne R. Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Caylor Bros. of Primo, S.D. 57772 holder of Permit No. 1681-2, bearing the priority of June 13, 1978 authorizing the diversion of 1.71 cu. ft. per second of the waters of Dry Draw 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: Wooden stoplog type diversion structure with two 5 ft. wide openings. Flow of water is controlled by sliding 10" planks into the openings.
- B. Works used to transport water to place of use: Diversion canal as shown in the application with a 11' bottom width, up to 7' in depth and 2:1 side slopes
- C. Works used to apply water to beneficial use: Level overflow ditches that are 1-2 ft. in depth

The system is in the following condition GoodThe point of diversion is located 3960' west & 1910' north of the SE corner of Section 18, T11S, R3E.The works are capable of diverting and conveying to the place of use 20 (estimated) 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: SE¹SW¹, Sec. 17 - 17.6 acres;
SW¹SE¹, Sec. 17 - 18.0 acres; SE¹SE¹, Sec. 17 - 1.2 acres;
NE¹NE¹, Sec. 20 - 28.8 acres; NW¹NE¹, Sec. 20 - 40.0 acres;
NE¹NW¹, Sec. 20 - 18.8 acres, all in T11S, R3E.

comprising a total of 120 acres of land and the license should be issued for 1.71 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: None Date 11/16/03

William D. Berg
 (signature)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4 9424

Pierre, December 5 1983

RECEIVED OF Caylor Brothers, Box 456, Provo, SD 57774

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 _____	50	00
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. 164182		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____	50	00
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH/ms

No. 1641-2

South Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

December 21, 1983

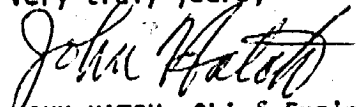
Caylor Brothers
Box 456
Provo SD 57774

Dear Sirs:

Enclosed herewith is, Water License No. 1641-2. 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: ks

Enclosures

WNR-817 3/83
Transmittal of Water License

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

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

May 11, 1989

1641-2

NOTICE

TO:

Caylor Brothers
Box 456
Provo, SD 57774

FROM:

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



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. 1641-2. The priority date for your water right is junior to the April 11, 1941 priority date for Angostura Irrigation District Water Right No. 579-2.

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

May 2, 1989

24,673 acre feet available for
irrigation at elevation 3173.4 ft. msl

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

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

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



 **Department of
Water & Natural Resources**

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

March 19, 1990

1641-2

NOTICE

TO: Caylor Brothers
Box 456
Provo, SD 57774

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

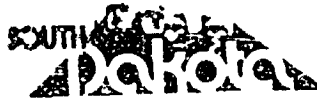


SUBJECT: Shut Off Order for Junior Water Rights Upstream of
Angostura Irrigation District

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. 1641-2. 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

1641-2

NOTICE

TO:

Caylor Brothers
Box 455
Provo, SD 57774

FROM:

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

Delia B. 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.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 20, 1991

1641-2

RESCISSION OF SHUTOFF ORDER

TO:

Caylor Brothers
Box 456
Provo, SD 57774

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

Delvin W. Broz

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 Broz (605) 773-3352.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 8, 1992

312-2 670-2
806-2 1020-2

1641-2

Jerry Wyatt
Wyatt Real Estate
309 N River
Hot Springs, SD 57747

Dear Mr. Wyatt:

Enclosed, as we discussed, are partially completed "Notice of Transfer" forms for use in filing ownership changes on Water Right Nos. 312-2, 670-2, 806-2, 1020-2 and 1641-2. Also enclosed are copies of the water rights for your review.

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$12.50).

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

If you have any questions, please contact me.

Sincerely,

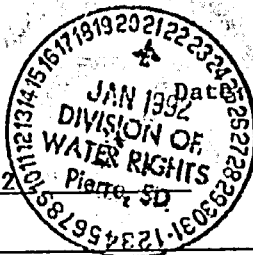
Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1641-2



January 15, 1992

I\We request that Water Right No. 1641-2

formerly owned by: Caylor Brothers

be transferred to: (name & address) James and Patricia Johnston

HC 68 Box 7, Lakeside, No. 64351 (Telephone No.) 308 762 5134

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

120 acres - SE 1/4 SW 1/4, S 1/2 SE 1/4 Section 17, N 1/2 NE 1/4, NE 1/4 NW 1/4 Section 20,

T11S, R3E

I\We understand that the validity of Water Right No. 1641-2 has not been determined by this transfer action. If I\We have any questions on validity, I\We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Fall River)

I\We James and Patricia Johnston 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.

James E Johnston
(Signed)

Subscribed and sworn to before me this 15th day of January, 1992.

James W. Galt
(Notary Public)

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

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413015

RECEIVED OF Russell Wyatt Real Estate Trust Account, Hot Springs, SD 57747 Pierre January 21 19 92
James and Patricia Johnston, HC 68, Box 7, Lakeside, NE

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. _____	250
Fee for Filing Transfer Form <u>Water Right No. 1641-2</u>	
Fee for Filing Extension Request _____	
Fee for Certified Copy of _____	
Fee for Print Copy of Map _____	
Fee for Certifying _____	
Fee for _____	
(Any Other Work Provided by Law)	
Total	250

By [Signature]
Chief Engineer



January 29, 1992

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

No. 312-2, 670-2,
806-2, 1020-2,
1641-2

Jerry Wyatt
Wyatt Real Estate
309 N. River
Hot Springs, SD 57747

Dear Mr. Wyatt:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 312-2, 670-2, 806-2, 1020-2, and 1641-2.

Our records now show James and Patricia Johnston as the owner of Water Right Nos. 312-2, 670-2, 806-2, 1020-2, and 1641-2.

Sincerely,

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

enclosure

cc: James and Patricia Johnston

1641-2

CERTIFICATION

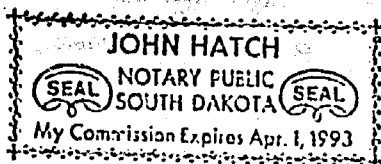
I hereby certify that on March 25, 1992, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 25, 1992, regarding Shut Off Order for Junior Water Right Holders Upstream of the Angostura Irrigation District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

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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



John Hatch
Notary Public



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 25, 1992

1641-2

NOTICE

TO: JAMES/PATRICIA JOHNSTON
HC 68 BOX 7
LAKESIDE, NE 69351

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

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

Please be advised that effective immediately no diversions of water will be allowed under your Water Right No. 1641-2 which is junior in priority to Water Right No. US579-2 held by the US Bureau of Reclamation for the Angostura Irrigation District.

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

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

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

PERMIT NO	FIRST NAME	LAST NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE	PERM?	ISSUE?
657-2		A & T CATTLE CO	TCM LANDERS	ST RT	HOT SPRINGS	SD	57747		
308-2	RICHARD	ANDERSON	A CHAR ANDERSON	HCR 59 BOX 18	EDGE MONT	SD	57735		
1614-2	IRVING R	ANDERSON		HCR 59 BOX 20	EDGE MONT	SD	57735		
114-2		B & H RANCH INC	R F CHILDERS	PO BOX 723	EDGE MONT	SD	57735		
531-2		BALL BROS		BOX 617	EDGE MONT	SD	57735		
1935-2	LESTER E	BARFLEY		BOX 740	EDGE MONT	SD	57735		
1693-2	NICK/MICHAEL	BOGNER	ANICK BOGNER JR	HC 46 BOX 21	OFIRICHS	SD	57763	1731-2	
755-2		BRAINERD INDIAN SCHOOL			HOT SPRINGS	SD	57747		
858-2	WAYNE F	CHILDERS		HCR 59 BOX 1A	EDGE MONT	SD	57735		
816-2	V L	CHILDERS		BOX 723	EDGE MONT	SD	57735		
656-2	OSCAR	COPE			OFIRICHS	SD	57763		
1974-2	JOHN	DECFRING		SR 1 BOX 136	LUSK	WY	82225		
567-2	HAROLD E	DODSON		HCR 59 BOX 5A	EDGE MONT	SD	57735	1410-2	
2058-2	LEROY/BERTHA	DORSON		HC 48 BOX 248	PROVO	SD	57774		
1975-2	DAVID M	DOWAR		RR BOX 32	OFIRICHS	SD	57763		
786-2		HAID BROTHERS, INC.	CARL P HAID, PRES	HCR 46 BOX 5	OFIRICHS	SD	57763	1635-2	
421-2	HERMAN	HECK		BOX 141	EDGE MONT	SD	57735		
510-2	DARRELL E	HELMAN		BOX 102	EDGE MONT	SD	57735		
1879-2	DORA R	HENDERSON	ATT 265	5141 INDIAN RIVER	LAS VEGAS	NV	89103		
1980-2	DON W	HENRY		BOX 276	ARMORE	SD	57715		
179-2	HENRY C	HOLLENBECK		DEWEY ROUTE	EDGE MONT	SD	57735		
1593-2		HU RANCH INC	SD CORPORATION	HCR 59 BOX 102	EDGE MONT	SD	57735		
350-2	DARREL D	HUNTER		BOX D	ARMORE	SD	57715		
1641-2	JAMES/PATRICIA	JOHNSTON		HC 68 BOX 7	LAKE SIDE	NE	69351		
18770-2	JIM	KANE		BOX 19A	PROVO	SD	57774		
763-2	CARL	KANOLT	ATT 207	ELANTE HOTEL	CHADRON	NE	69337		
1636-2	JOHN W	KOLLER		BOX 715	EDGE MONT	SD	57735		
866-2	A J	LANDERS	STAR CATTLE CO	BOX 1598 HCR 52	HOT SPRINGS	SD	57747		
1810-2	R L/ALLEN	LAWRENCE		BOX 759	TIOGA	ND	58852		
676-2	MELVIN	LULF			HOT SPRINGS	SD	57747		
17325-2	JOHN D(JACK)	MANKE	(ESTATE)	RR #1 BOX 172C	HOT SPRINGS	SD	57747		
11447-2	KENNETH	MARTINSON		BOX 261	EDGE MONT	SD	57735		
785-2	ARDITH W	MCLAIN		BOX 164	OFIRICHS	SD	57763		
610-2	RALPH L	MEFFERD, JR		HCR 48 BOX 22	PROVO	SD	57774		
1971-2	A J	NELSON		BROATHS STAGE	WILES CITY	MT	59301		
2015-2		PETERSON & SON, INC		HCR 59 BOX 16	EDGE MONT	SD	57735		
1016-2	PAUL & JEAN	PETTY	A NORKEN PETTY	HCR 52 BOX 136	HOT SPRINGS	SD	57747/9603		
1716-2	MELVIN	PORTER		WYO RT BOX 17	EDGE MONT	SD	57735		
711-2	DOUGLAS	PUTNAM		BOX 188	OFIRICHS	SD	57763	2013-2	
1916-2	CAFE	REASER		HC 46 BOX 48	OFIRICHS	SD	57763		
472-2	STWARD/WANDA	REUTTER		HCR 59 BOX 99	EDGE MONT	SD	57735	1789-2	
293-2	CHANCE/NETTIE	REYNOLDS		HCR 59 BOX 28	EDGE MONT	SD	57735	224-2	
669-2	OLIVER W	RENEY		BOX 125	OFIRICHS	SD	57763		
711-2	VERNON	SCHNOSE		ST RT BOX 155	HOT SPRINGS	SD	57747	1709-2	
1619-2		STGER RANCH INC		BOX 95	OFIRICHS	SD	57763	671-2	1837-2
927-2	BERNARD D	SIMONS		BOX 341	EDGE MONT	SD	57735		
1737-2	ROBERT/MARK	TUPERS		BOX 563	EDGE MONT	SD	57735		
1019-2		WAR BONNET RANCH LTD	BOX 132	105 E 5TH ST	MURDO	SD	57559		
392-2	VINCENT M	WASSERBURGER		BOX 83	ARMORE	SD	57715	853-2	2115-2



1641-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 1993

1641-2

NOTICE

TO: JAMES/PATRICIA JOHNSTON
HC 68 BOX 7
LAKESIDE, NE 69351

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 No. 1641-2 are authorized. Your water right is junior in priority to the US Bureau of Reclamation Water Right No. 579-2 (April 11, 1941 priority date). The Bureau of Reclamation water right for the Angostura Irrigation District allows one annual fill of the reservoir.

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

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

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

cc: US Bureau of Reclamation
Angostura Irrigation District

1641-2

CERTIFICATION

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

Copy Sent To:

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

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

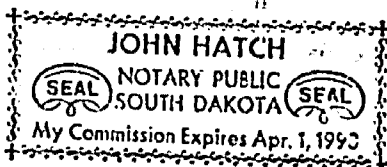
Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

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

John Hatch
Notary Public





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 14, 1993

1641-2

RESCISSION OF SHUTOFF ORDER

TO: JAMES/PATRICIA JOHNSTON
HC 68 BOX 7
LAKESIDE, NE 69351

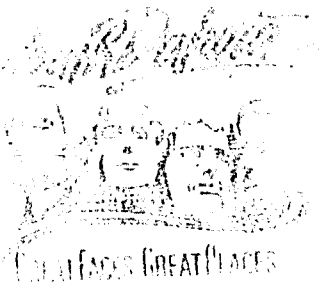
FROM: JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605) 773-3352

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



1641-2

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

March 12, 1993

1641-2

NOTICE

TO: JAMES/PATRICIA JOHNSTON
HC-68-BOX 7
LAKEVIEW, NE 68351
FROM: JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605) 773-3352

303-453-2539
Delvin D. Broz



1641-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 13, 1995

1641-2

NOTICE

TO: JAMES/PATRICIA JOHNSTON
PO BOX 10
EDGEMONT, SD 57715

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 No. 1641-2 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



1641-2

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

May 26, 1995

1641-2

RESCISSION OF SHUTOFF ORDER

TO: JAMES/PATRICIA JOHNSTON
BOX 722
EDGEMONT, SD 57735 0010

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

1641-2

WOOD RANCH

P O BOX 166
PRINGLE SD 57773

281 358 8067 FAX
email: oonagh@earthlink.net

August 1 2003

Dept. of Environment & Naural Resources
Joe Foss Building
523 East Capitol,
Pierre, SD 57501-3182

RECEIVED

AUG - 5 2003

WATER RIGHTS
PROGRAM

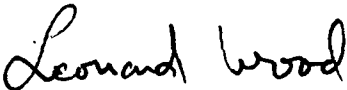
Dear Sirs,

We purchased property from James and Patricia Johnston, in March 2003. A copy of the Warranty Deed with the legal descriptions is enclosed.

We are requesting that the water rights currently held by James and Patricia Johnston, which go along with this property (1641-2, 312-2, 670-2, 806-2, 2310-2, 2401-2) be transferred to Leonard and Oonagh Wood. Six Notice of transfer of Ownership are attached along with check # 1725 in the amount of \$15.00 to cover the filing fees.

Thank you for your assistance in this matter.

Yours truly,


Leonard & Oonagh Wood.



028711

DOCUMENT PREPARED BY:
KENNETH L. HEISTERKAMP
P. O. BOX 290
RAPID CITY, SD 57709
(605) 343-2410

RECORDED 8157
COMPARED C
INDEXED n

State of South Dakota }
County of Fall River } SS
Filed For Record
3rd Day of March, 20⁰³
at 4:40 P. M. and recorded in
Book 122 Page 356 thru 357
Anita Cope
Register of Deeds
Recording \$ 12.00 ck
Transfer \$ 926.50 ck
Return To: FRA pd by Pent title

WARRANTY DEED

James E. Johnston and Patricia M. Johnston, husband and wife, Grantors, of P.O. Box 226, Harrison, NE 69346, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, grant, convey and warrant to Leonard J. Wood and Oonagh Wood, husband and wife as joint tenants with rights of survivorship and not as tenants in common, Grantees, of P.O. Box 166, Pringle, SD 57773, the following described real estate in the County of Fall River in the State of South Dakota:

**SEE EXHIBIT "A" HERETO TO & INCORPORATED
HEREIN BY THIS REFERENCE.**

TRANSFER FEE \$926

Dated this 30th day of March, 2003

James E. Johnston
James E. Johnston

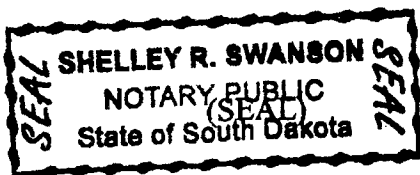
Patricia M. Johnston
Patricia M. Johnston

STATE OF SOUTH DAKOTA)
COUNTY OF Fall River) SS.

Transfer Fee
\$ 926.50

On this the 30th day of March, 2003, before me the undersigned officer, personally appeared James E. Johnston and Patricia M. Johnston, husband and wife, known to me or satisfactorily proven to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged that they executed the same for the purposes therein contained.

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



Shelley R. Swanson
Notary Public
My Commission Expires: 7-5-2005

Exhibit "A"
Legal Description

Township 11 South, Range 2 East, BHM, Fall River County, South Dakota

Sec. 24: S1/2NE1/4; N1/2SE1/4
Sec. 33: SW1/4SW1/4

Township 11 South, Range 3 East, BHM, Fall River County, South Dakota

Sec. 8: S1/2SW1/4; S1/2SE1/4
Sec. 17: ALL
Sec. 18: N1/2; NE1/4SW1/4; SE1/4
Sec. 19: NE1/4; N1/2SE1/4; Lot 3
Sec. 20: N1/2NE1/4; NW1/4

Township 12 South, Range 2 East, BHM, Fall River County, South Dakota

Sec. 3: S1/2SW1/4
Sec. 4: W1/2NE1/4; W1/2; SE1/4
Sec. 8: N1/2SE1/4, Less County Road 5A; SE1/4SE1/4
Sec. 9: ALL, Less County Road 5A
Sec. 10: W1/2; SE1/4; that portion of the NE1/4 lying south of County Road 5A
Sec. 11: S1/2SW1/4
Sec. 13: ALL
Sec. 14: NW1/4; N1/2S1/2; Lot 4; S1/2NE1/4
Sec. 15: E1/2 Less County Road 6412; NW1/4

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date August 5, 20 03

RECEIVED OF Leonard & Oonagh Wood, PO Box 166, Pringle SD 57773

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	2	50
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>1614-2</u>		
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. 000855

By

Donald White
Chief Engineer
gm

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED
AUG - 5 2003
WATER RIGHTS
PROGRAM

No. 1641-2
Date: 8-1-03

☒ We request that Water Right/Permit No. 1614-2

formerly owned by: JAMES & PATRICIA JOHNSTON

be transferred to: (name & address) LEONARD & DONASH WOOD

P.O. Box 166, PRINGLE, SD 57773

Telephone No. 605-673-2625

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

SEC 17: SE4SW4, SW4SE4, SE4SE4, SECTION 20: NE4NE4, NW4NE4,
NE4NW4 T11S. R3E FALL RIVER Co.

I/We understand that the validity of Water Right/Permit No. 1641-2 ~~1614-2~~ 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.

☒ We LEONARD & DONASH WOOD, the new owner, certify that the above information is true and correct.

Leonard Wood
(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.



1641-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 6, 2003

Leonard & Oonagh Wood
Wood Ranch
PO Box 166
Pringle SD 57773

RE: Ownership changes on Water Right Nos. 312-2, 670-2, 806-2, 1641-2, 2310-2 and 2401-2

Dear Mr. & Mrs. Wood:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on Water Right Nos. 312-2, 670-2, 806-2, 1641-2, 2310-2 and 2401-2. The transfers have been completed. The water rights formerly listed in the names of James and Patricia Johnston are now listed in your names.

Each year in October, we mail out the annual irrigation questionnaire to all irrigators in the State with the exception of those with water spreading systems. Enclosed are sample copies for your review. This will give you an idea of what type of information you will need to keep track of during the irrigation season. You will only receive questionnaires for Water Right Nos. 312-2 and 2310-2.

Also enclosed are Receipt Nos. 000855, 000856, 000857, 000858, 000859 and 000860 in the amounts of \$2.50 each. You may keep these for your records. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: 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
www.state.sd.us/denr

April 30, 2004

NOTICE OF SHUTOFF ORDER

TO: LEONARD/OONAGH WOOD
PO BOX 166
PRINGLE SD 57773

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. 1641-2, 312-2, 670-2, 806-2, 2310-2

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.



1641-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 15, 2005

NOTICE OF SHUTOFF ORDER

TO: LEONARD/OONAGH WOOD
PO BOX 166
PRINGLE SD 57773

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. 1641-2, 312-2, 670-2, 806-2, 2310-2

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.

1641-2 - Acres 120

- Diversion Pt. - 3960' West & 1910' North
of SE corner sec 18, T11, R3

- Irrigate - $N\frac{1}{2}$ NE NW, sec 20 - 20 acres

NW NE, " - 20 "

$S\frac{1}{2}$ NENE, " - 20

$S\frac{1}{2}$ SE SW, sec 17 - 20 "

SW SE, " - 20 "

- Priority Date - June 13, 1978

- Construction Comp date = July 26, 1983

Coyton Bros.

Water Speeding Map

May 11 1905-2

April 16 1911-2

1.8

17

Water Speeding

T 11

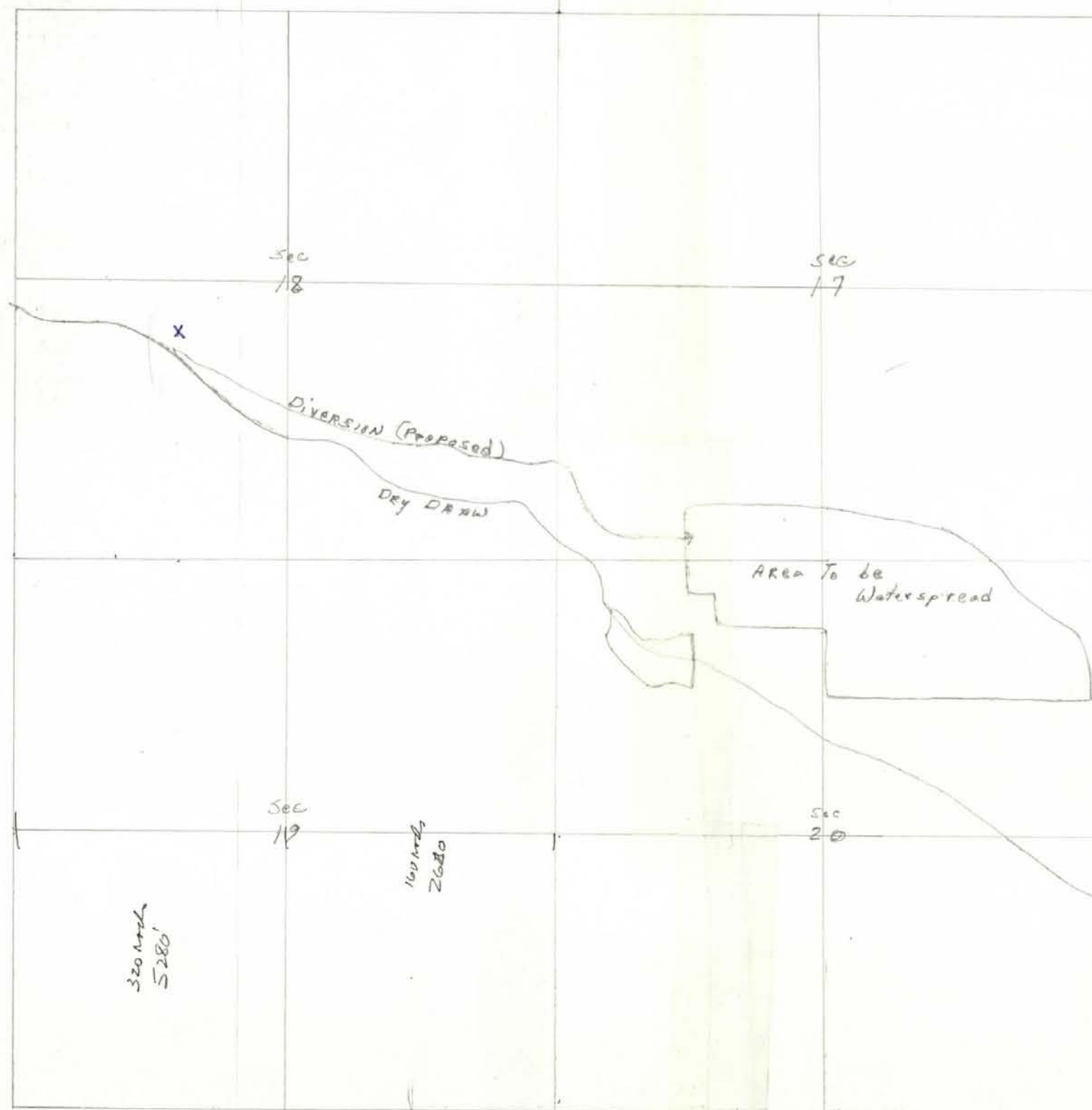
19

20

R 3

16 1911-2

7 miles North to Provo, S. Dak.



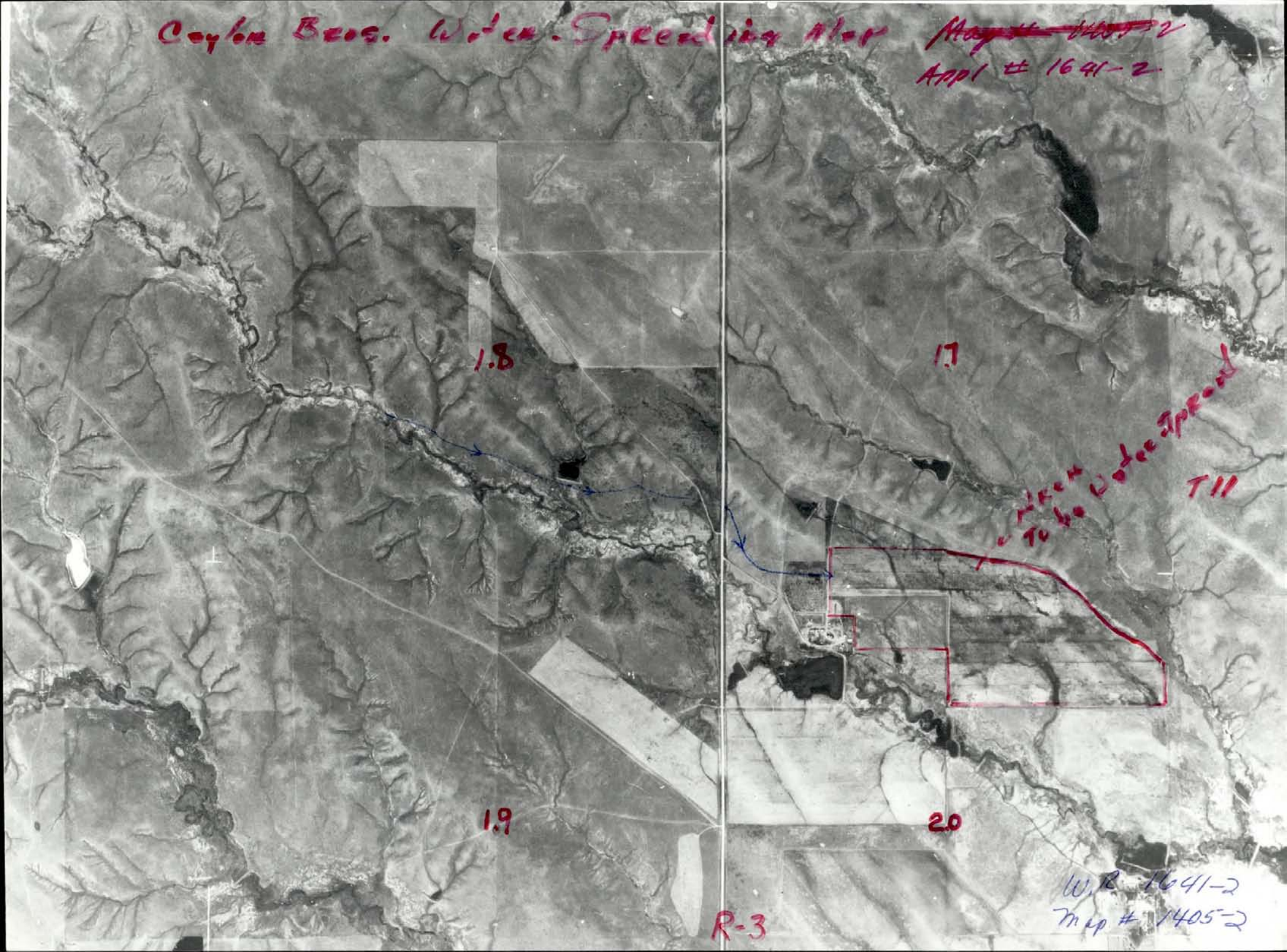
Plan View And
Location Map

Coyote Beathes
Water Spreading
Provo, S. D.

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

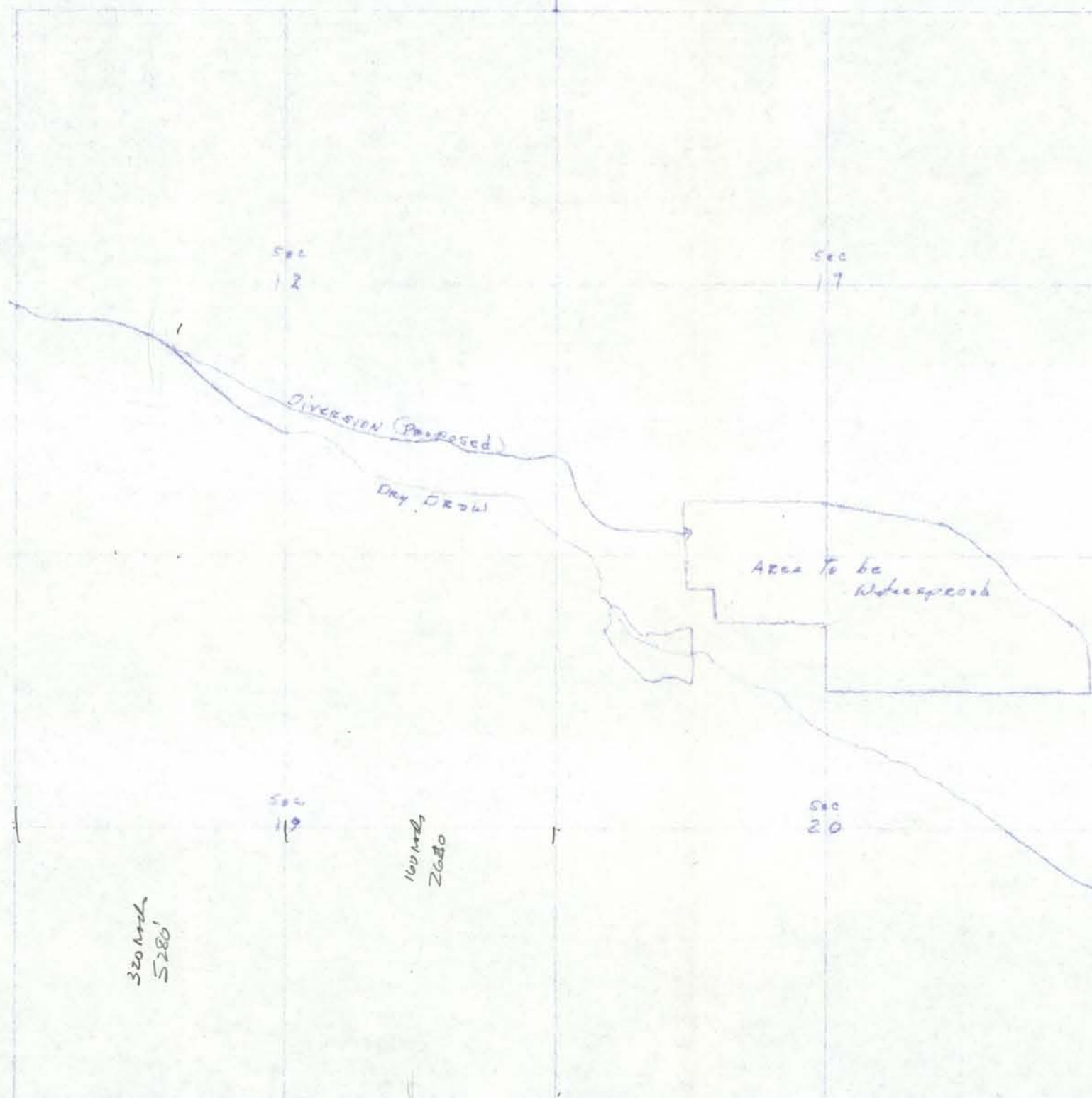
Designed	Date	Approved by
Drawn	Title	
Traced	Sheet	Drawing No.
Checked	No	
	of	

Coyote Bros. Water Spreading Map ~~Map # 1405-2~~
Appl # 1641-2



W.R. 1641-2
Map # 1405-2

7 miles North to Provo, S. Dak.



Plan View And
Location Map

Coylox Brothers
Water Spreading
Provo, S. D.

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by	
Drawn		Title	
Traced		Title	
Checked		Sheet	Drawing No.
		No.	
		of	

1320' N 1320' W T-11 R-3 Fall River Co. S. Dak.



IN REPLY REFER TO:

DK-700
PRJ 13.00

1691-2
United States Department of the Interior

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

FEB 24 2006



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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 2006

NOTICE OF SHUTOFF ORDER

TO: LEONARD/OONAGH WOOD
PO BOX 166
PRINGLE SD 57773

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

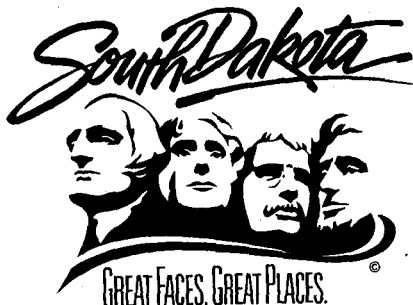
SUBJECT: Shutoff Order for Junior Priority Date Water Rights Upstream of
Angostura Dam

Shutoff Order for Water Right Nos. 1641-2, 312-2, 670-2, 806-2, 2310-2

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**

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

March 9, 2007

NOTICE OF SHUTOFF ORDER

TO: LEONARD & OONAGH WOOD
PO BOX 166
PRINGLE, SD 57773

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. 1641-2

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

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 19, 2008

NOTICE OF SHUTOFF ORDER

TO: LEONARD/OONAGH WOOD
PO BOX 166
PRINGLE SD 57773

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. 1641-2, 312-2, 670-2, 806-2, 2310-2

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 19, 2009

NOTICE OF SHUTOFF ORDER

TO:

LEONARD/OONAGH WOOD
PO BOX 166
PRINGLE SD 57773

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. 1641-2, 2310-2, 312-2, 670-2, 806-2, 2401-2

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.

RECEIVED

JAN - 3 2012

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1641-2

Date: _____

I/We request that Water Right No. 1641-2

formerly owned by: Leonard & Oonagh Wood, PO Box 166, Pringle SD 57773

be transferred to: (name & address) Indian Creek Cattle, LLP

32296 190th St

Sleepy Eye MN 56085 Telephone No. 501-794-5779

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

120 acres: SE ¼ SW ¼ and S ½ SE ¼ Section 17; N ½ NE ¼ and NE ¼ NW ¼ Section 20, T11S, R3E

I/We understand that the validity of Water Right No. 1641-2 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 Fifty Dollars (\$50.00) 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 Indian Creek Cattle LLP, the new owner, certify that the above information is true and correct.

Indian Creek Cattle LLP
(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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/3, 2012

RECEIVED OF Indian Creek Cattle LLP 32296 190th St Sleepy Eye MN 56085

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	50 00	
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>1641-2</u>		
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. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **05197**

By

David Erbe
Chief Engineer

1641-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 12, 2012

Joe Schwartz
Indian Creek Cattle LLP
32296 190th St
Sleepy Eye MN 56085

RE: Water Right Nos. 312-2, 670-2, 806-2, 1641-2, 2310-2 and 2401-2

Dear Mr. Schwartz:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right Nos. 312-2, 670-2, 806-2, 1641-2, 2310-2 and 2401-2.

The ownership changes have been completed. The water rights formerly held by Leonard and Oonagh Wood are now listed in your name.

Recently when I sent you email correspondence, I forwarded copies of all of the water rights to you for your review. The water rights for No. 312-2 and 2310-2 are the only two that will need annual irrigation questionnaires filed to report water use. Our records show that these two were set up to use pumping equipment for irrigation. When irrigating the land described in either of those water rights, if you use a pump to divert water, please keep track of the pump rate and the hours water was applied. This information will need to be reported annually. If you use only water spreading type systems, you will need to let us know that when submitting the forms each fall.

Enclosed for your records are the receipts for the filing fees. 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



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: INDIAN CREEK CATTLE LLP
JOE SCHWARTZ
32296 190TH ST
SLEEPY EYE MN 56085

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. 2401-2 2310-2 (1641-2) 806-2 670-2 312-2

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

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

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

CERTIFICATION

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

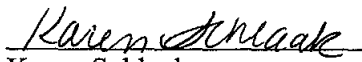
LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
INDIAN CREEK CATTLE LLP		32296 190TH ST	SLEEPY EYE	MN	56085
INDIAN CREEK LAND & CATTLE LLC		PO BOX 538	EDGEMONT	SD	57735
WEINREIS BROTHERS		230908 HIGHLAND RD	SCOTTSBLUFF	NE	69361
SEGER RANCH INC		RR 1 BOX 100A1	HOT SPRINGS	SD	57747
REUTTER	EDWARD/WANDA	HCR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

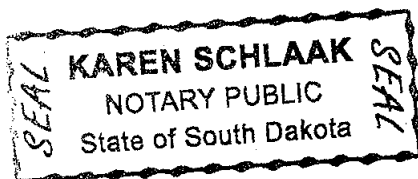
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK &	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	THOMAS	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC	BERNARD D	10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD	WAYNE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


 Gail Jacobson
 Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

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


 Karen Schlaak
 Notary Public
 My Commission expires April 1, 2013





**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: INDIAN CREEK CATTLE LLP
32296 190TH ST
SLEEPY EYE, MN 56085

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

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

Shutoff Order for Water Permit No(s). 1641-2

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.