

1. Considered MARCH 26 1980
2. Name of Applicant JOHN W. KOLLER
3. Post Office Address EDGEMONT, S.D.
4. Amount of Water Claimed 1.01
5. Source of Water Supply CHEYENNE RIVER
6. Water to be used for IRRIGATION
7. Acres to be irrigated 71 maximum acre feet
8. Water to be diverted and used in FALL RIVER County
about 1 S, 3 1/2 miles EAST of EDGEMONT
9. PROOF OF PUBLICATION Received (1st) 3-24-80

Not Received _____

APPLICATION

Approved 3-26-80

Subject to Chey R - Above Angostura

Not Approved 50 cfs by Pass

Action deferred _____

Priority

Date Received 2-11-80 Application Complete yes ☒ no _____ FEE 225.00

Remarks _____

Date information and/or
fee or corrected Application received
Period of Annual use APRIL THRU AUGUST

WATER
QUALITY

Received (yes) 2/20/80 no _____ APPROVED (CONDITIONAL) (Circle one)

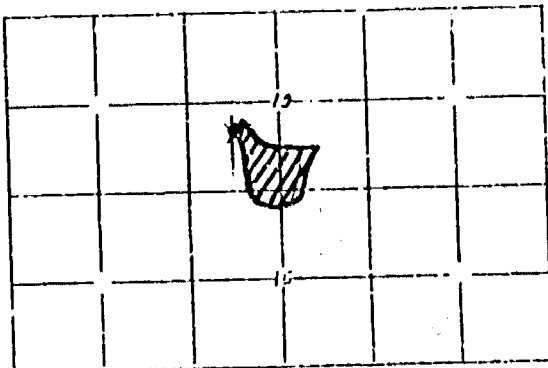
WI-1 Description same as application yes ☒ no _____ Remarks _____

Disapproved _____

Returned _____

Diversion Point _____

NE⁴ SW⁴ - 10-9S'-3E



Lands to be irrigated _____

E^{1/2} SW⁴ & SW⁴ SE⁴, SEC. 10;

NE⁴ NW⁴ & NW⁴ NE⁴, SEC. 15,

ALL IN T9S'-R3E.

Remarks _____

Driller _____ Licensed yes _____ no _____

Depth _____

WELL
LOG

NA

Water Right No. _____

MAP Map No. 1455-2 Map located in Water Right X Map file _____
 Type of Map DRAWN - ENGR Prepared by Keith Anderson P.E.

+++++

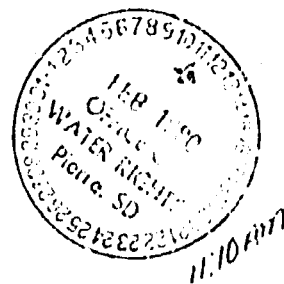
REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 3-26-80.
Betty Westlund
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
 F.F. & C Final Decision, including F.F. & C of Law were adopted _____
 OF LAW, Date _____
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision
 DECISIONS was adopted _____
 ETC.

Remarks _____

No. 1696-2Map No. 1455-2 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 John W. Koller
 Postoffice address Box 715, Edgemont, State South Dakota
 Incorporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) employment of others; Direct Labor
3. Name of diversion work Koller Ditch
4. Amount of water claimed (cubic feet per second) 1.01 cfs
5. Source of water supply Cheyenne River
6. Location of point of diversion S 19-57-29 E 3802.72 feet from the NW corner of section 10, T9S, R3E
County Fall River
7. Annual period or periods during which water is to be used April through August
8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, _____ Total number of acres to be irrigated 71.0

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.
T9S, R3E, Sec. 10 NE $\frac{1}{4}$ SW $\frac{1}{4}$	12.5	T9S, R3E, Sec. 15 NW $\frac{1}{4}$ NE $\frac{1}{4}$	5.0
T9S, R3E, Sec. 10 SE $\frac{1}{4}$ SW $\frac{1}{4}$	33.8		
T9S, R3E, Sec. 10 SW $\frac{1}{4}$ SE $\frac{1}{4}$	10.4		
T9S, R3E, Sec. 15 NE $\frac{1}{4}$ NW $\frac{1}{4}$	9.3		

Attach sheet if more space is needed

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

A. Works proposed to divert water from its natural source.
Portable centrifugal pump

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

C. Works proposed to apply water to beneficial use.
Graded border flood irrigation

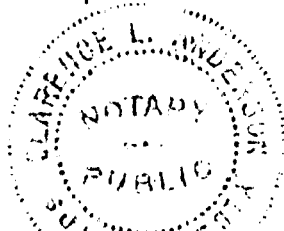
Estimated Total Cost \$ 3000.00

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, John W. Koller 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

Subscribed and sworn to before me this 8th day of February 1980

Signed John W. Koller
Clarence L. Anderson
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1696-2

JOHN W. KOLLER
(Applicant)

Box 715, EDGEMONT
(Post Office Address)

EDGEMONT, So. DAK. 57135 With the following modifications:
(State)

The US Bureau of Reclamation holds water rights to certain flows in the Choyenne 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 for domestic use, including stockwater, and water supplies for prior water rights, including the Angostura storage.

This Permit also requires a by-passing of 50 cubic feet per second.

These restrictions mean that no diversions will take place during the spring until the Angostura Reservoir has received the flows ~~necessary to~~ necessary to bring the reservoir to elevation 3,187.2 feet msl. Upon meeting this requirement then the low flow by-pass of 50 cfs would go into effect throughout the remainder of the Irrigation season.

Date of first receipt of application FEBRUARY 11, 19 80

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

Date of receipt of corrected application WQ FEBRUARY 20, 19 80

Approved MARCH 26, 19 80, Recorded in Book 21 Page 134

WATER RIGHT PERMIT NO. 1696-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1696-2 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 FEBRUARY 11, 19 80
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPT. 26, 19 82
3. The whole of said work is to be completed on or before MARCH 26, 19 85
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith MARCH 26, 19 86
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 1.01 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 MARCH 26, 19 86; said water to be used during the following described annual period: APRIL THRU AUGUST

Witness my hand this 31 ST day of MARCH, 19 80

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

CONSERVATION COMMISSION
FORM WI #1
3/77

SOIL/WATER COMPATIBILITY APPLICATION FORM

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

IMPORTANT: Read Instructions Before Proceeding!!!

NAME John William Koller

ADDRESS Box 715, Edgemont, South Dakota 57735

COUNTY Fall River

LEGAL DESCRIPTION:

1. WELL LOCATION OR DIVERSION POINT NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T 9 S, R 3 E
2. LOCATION OF AREA TO BE IRRIGATED NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ N $\frac{1}{4}$, Sec. 15, T 9 S, R 3 E
NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, T 9 S, R 3 E

TYPE OF IRRIGATION:

3. GRAVITY X TOWLINE _____ CENTER PIVOT _____
OTHER (SPECIFY) _____

4. CROPS TO BE IRRIGATED Alfalfa Hay

WATER QUALITY: (To be completed by SDSU Water Quality Lab) (See attached letter)

5. SAMPLE NUMBER Cheyenne River (see attached copy of USGS samples)
6. SALINITY (EC X 10⁶) _____
7. SODIUM (SAR) Adj. SAR Range: 6.8 to 8.10
8. RESIDUAL SODIUM CARBONATE (meg/l.) _____

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 _____ 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.

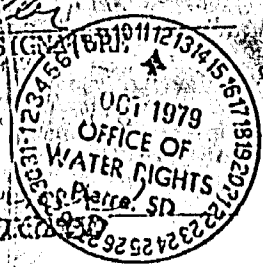
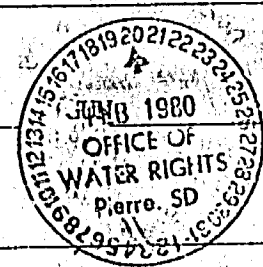
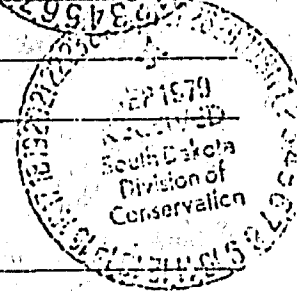
SUBSCRIBED AND SWORN BEFORE ME THIS
20th DAY OF September 1977.

[Signature]
(TITLE OR SEAL)

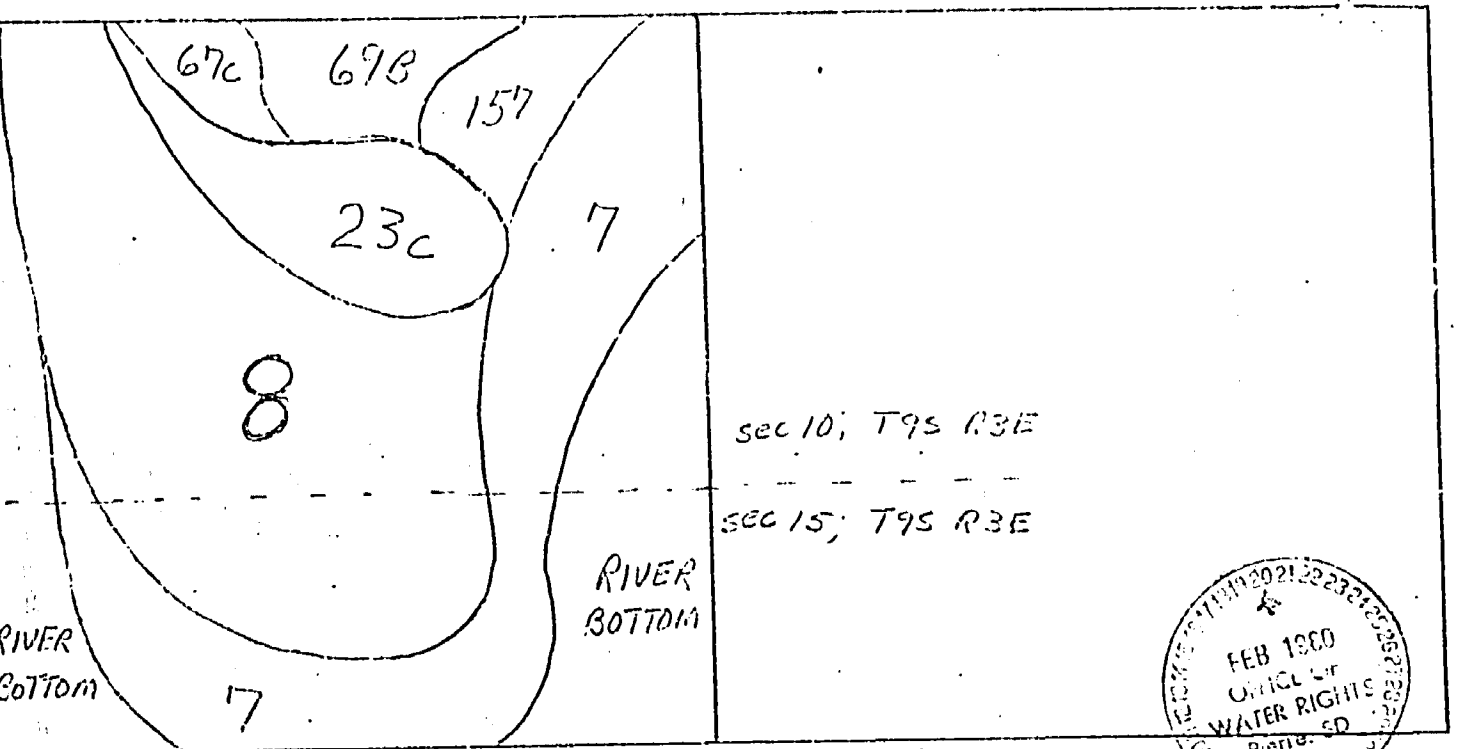
Conditional Rec'd F. H. H.

APPLICANT'S SIGNATURE

APPROVED



147



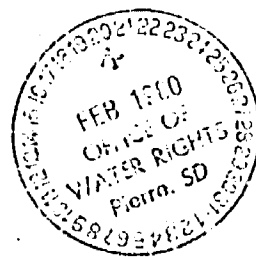
NARRATIVE

- 7 Bankard fine sandy loam - 0-2% slopes
Deep, sandy soils on bottom lands. They have severe wind erosion hazards. The main limitations are low water holding capacity and inadequate moisture. Considered non-irrigatable.
- ✓
(B) Glenberg fine sandy loam - 0-2% slopes
Deep and moderately deep, moderately sandy soils on nearly level bottom lands. Terraces and upland. They have severe wind erosion hazards. The main limitations are inadequate moisture and low water holding capacity.
- 23c Dailey fine sand - 0-15% slopes
Deep, sandy and very sandy soils on nearly level to rolling uplands. These soils have very severe wind erosion hazards. They are not suited for cultivation.
- 67c Colby - Norka silt loams - 6-25% slopes
Moderately deep and deep, calcareous, loamy soils on undulating to hilly uplands. These soils have severe water and moderate wind erosion hazards. The main limitations are inadequate moisture and steep slopes.
- 69B Norka silt loam - 2-6% slopes
Deep and moderately deep, loamy soils on gently sloping uplands. The main limitation is moisture shortage and the main hazards are wind and water erosion.
- 157 Rock outcrop - Mathias-Butche complex 25-60% slope
Rock outcrops and rock land or shallow, loamy soils over hard bedrock on steep and very steep lands. They have limited rooting depth. Not suitable for irrigation.

d

NAME OF APPLICANT John W. Koller, Edgemont, South Dakota

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:



1. Water should not be applied more than NA times during the irrigation season.

1. Water should not be applied on _____.
 2. Each uninterrupted application (one rotation of center pivot) should be of at least 11A inches of water.
 3. () Yes () No Surface drainage suggested on _____.
 4. () Yes () No Subsurface drainage suggested on _____.
 5. (X) Deep tillage (for the purpose of aiding movement of water through dense subsoils underlie the sandy surface.
- COMMENTS: Applicable wherever clay loam soil underlie the sandy surface.
6. () Heavy fall application of irrigation water.
 7. Type of irrigation system recommended for use on this application Gravilty.

GENERAL COMMENTS:
Your Glenberg sandy loam soils have a varying clay content-enough clay content to attract the sodium cation in the water. Irrigations should be substantial, so as to assure deep percolation.

Deep percolation decreases the tendency of sodium salt accumulation on the surface soil.

Follow Soil Conservation Guidelines.

Copy to applicant
Copy to Water Rights
Copy on file

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7314

PIERRE,

February 11

80

19

RECEIVED OF John W. Koller, Box 715, 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. 1696-2 (examination, processing, recording and filing)	225	00
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 (any other work as provided by law)		
TOTAL	225	00

WATER RIGHTS COMMISSION

By John W. Koller
Chief Engineer, Executive Officer
JOHN W. KOLLER KW

169c-2

No. _____

Publish first publication, on or before March 6, 1980NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 25, 1980Notice is hereby given John W. Koller whose post officeaddress is Edgemont, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 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 Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 1.01 cubic feet ofwater per second of time from the Chayannu River through the Koller Ditch, the point ~~(s)~~ of diversion of which is ~~(are)~~ to be located in the NE 1/4 SW 1/4of Section 10, Twp. 95, Range 1E. Said water to be used for the purpose of providing irrigation on portions of the following described land:SW 1/4 & NW 1/4 SW 1/4, Section 10; NE 1/4 NW 1/4 & NW 1/4 NW 1/4, Section 15 - all in T95S, R35EThis Application No. 169c-2 will be considered by the Water Management Board atSDSA Auditorium, 411 E Capitol, Pierre SD upon the 26th day of March, 1980at 10 A. M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law. Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DNR, Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

BETTY HESTLAND
Water Rights Specialistcc: John W. Koller
Box 715
Edgemont SD 57735

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 _____

City Edgemont of _____

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

March 5, 1980

March 12, 1980

Marlin R. McKown
(Signature)

Publisher
(Title)

March 14, 1980
(Date Signed)



#4203 - March 5, and 12
No. 1696-2
NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
February 25, 1980
Notice is hereby given John
W. Koller, whose post office
address is Edgemont, South
Dakota, has made an applica-
tion in accordance with the
provisions of SDCL 46-1-1
thru 46-1-9, 46-1-14, 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 Board Rules
ARSD 52:01:01:01 thru 52:01:
01:13, for a permit to appro-
priate for beneficial use 1.01
cubic feet of water per sec-
ond of time from the Chey-
enne River through the Koller
Ditch, the point of diversion
of which is to be located in
the NE 1/4 SW 1/4 of Section
10, Twp. 9S, Range 9E. Said
water to be used for the
purpose of providing irrigation
on portions of the following
described land: E 1/4 SW 1/4
and SW 1/4 SE 1/4, Section 10,
NE 1/4 NW 1/4 and NW 1/4 NE 1/4
Section 15, all in T9S, R9E.
This Application No. 1696-2
will be considered by the
Water Management Board at
SDEA Auditorium, 411 E
Capitol, Pierre, SD upon the
26th day of March, 1980, at
10 A.M. The Board is
authorized to make a deter-
mination on this application at
the hearing. All interested
persons may appear and be
heard. Any person who may
be affected by a Board deci-
sion who desires to present
evidence or cross-examine wit-
nesses according to SDCL
1-26 may notify the Board in
writing prior to the hearing
or orally at the hearing.
This hearing is an adver-
sary proceeding. Any person
has the right to be present
or to be represented by a
lawyer. These and other due
process rights will be for-
feited if they are not exer-
cised at the hearing. Deci-
sions of the Board may be
appealed to the Courts as
provided by law. Any handi-
capped person wishing to at-
tend this hearing can contact
the Water Rights Division,
DWNR, Foss Building, Pierre
SD, prior to the hearing date
for assistance to assure access
to the hearing.

WATER MANAGEMENT
BOARD
/s/ Betty Westlund
Betty Westlund
Water Rights Specialist

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

No. 1696-2

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

September 3, 1986

John W. Koller
Box 715
Edgemont, South Dakota 57735

Dear Mr. Koller:

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. 1696-2 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
Secretary

ms/

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410551

Pierre, September 10, 19 86

RECEIVED OF John/Janet Koller, Box 715, 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 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. 1695-2	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 _____		
(Any Other Work Provided by Law)		
Total	50	00

By [Signature]
Chief Engineer

ATCH/MS

Permit No. 1696-2Upper Cheyenne 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 John W.Koller of Box 715, Edgemont, SD 57735 holder ofPermit No. 1696-2, bearing the priority of February 11, 1980 authorizingthe diversion of 1.01 cu. ft. per second of the waters of the Cheyenne Riverfor 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: Portable centrifugal Gator pump (16").
Model 16 TARPON. The pump is powered by a 4020 John Deere
Tractor. The pump is capable of delivering 9000 gpm under the 18'
of elevation lift.

B. Works used to transport water to place of use: Koller ditch - 9' bottom, 3' depth & 1:1 side slopes

C. Works used to apply water to beneficial use:

Border irrigation - water is released from the ditch
into bordered basins

The system is in the following condition goodThe point of diversion is located S 20° E 3800 ft from the NW corner of
Section 10, T9S, R3EThe works are capable of diverting and conveying to the place of use 20cu. 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:

<u>NE 1/4 SW 1/4, Sec 10, T9S, R3E - 12.5 ac.</u>	<u>NE 1/4 NW 1/4, Sec 15, T9S, R3E - 9.3 ac.</u>
<u>SE 1/4 SW 1/4, " " " - 33.8 ac.</u>	<u>NW 1/4 NE 1/4, " " " - 5.0 ac.</u>
<u>SW 1/4 SE 1/4, " " " - 10.8 ac.</u>	

comprising a total of 71 acres of land and the license should be issued for 1.01 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date August 26, 1986

System was constructed as shown
on the map of the application.

William D. Brang, P.E.
 (signature) Hydrologist

State of South Dakota
Water License No. 1696-2

(1) John W. Koller
of Box 715, Edgemont, South Dakota 57735
made Application No. 1696-2, February 11, 1980 for a water permit to appropriate
1.01 cubic feet per second of water from the Cheyenne River
Fall River County, South Dakota for irrigation purposes.
Permit No. 1696-2, with a priority date of February 11, 1980
was approved March 26, 1980 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before March 26, 1985 and for the application to beneficial use of said
water on or before March 26, 1986.

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 1.01 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is S 20⁰E 3800 ft from the NW Corner of
Section 10, T9S, R3E

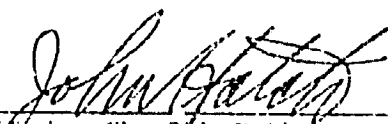
and

(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 T9S, R3E

Section 10	NE $\frac{1}{4}$ SW $\frac{1}{4}$	12.5 Acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	33.8 Acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	10.4 Acres
Section 15	NE $\frac{1}{4}$ NW $\frac{1}{4}$	9.3 Acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 Acres
	TOTAL	71.0 ACRES

(4) Pursuant to §46-5-30.1 John W. Koller
of Box 715, Edgemont, South Dakota 57735
the holder(s) and/or owner(s) of Water Permit No. 1696-2 is issued a license to appropriate water, the right to use 1.01 cubic feet per second of water from the Cheyenne River with a priority date of February 11, 1980 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1696-2 and subject to South Dakota State Law.



Chief Engineer, Water Rights Division
Department of Water and Natural Resources
JOHN HATCH
DEC 1 1986

No. 1696-2

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

DEC 1 1986

John W. Koller
Box 715
Edgemont, South Dakota 57735

Dear Mr. Koller:

Enclosed herewith is, Water License No. 1696-2. 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

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

NOTICE

1696-2

TO: John W. Koller
Box 715
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. 1696-2. 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).



**SOUTH DAKOTA Department of
Water & Natural Resources**

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

March 19, 1990

1696-2

NOTICE

TO: John W. Koller
Box 715
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

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. 1696-2. 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

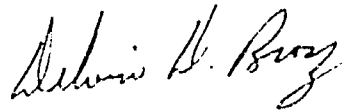
March 14, 1991

1696-2

NOTICE

TO: John W. Koller
Box 715
Edgemont, SD 57735

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



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.



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 20, 1991

1696-2

RESCISSION OF SHUTOFF ORDER

TO: John W. Koller
Box 715
Edgemont, SD 57735

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

Delvin W. 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.

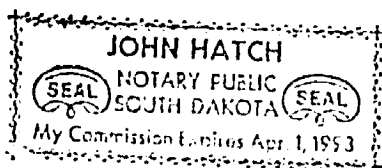
If you have any questions, please contact Mark Rath or Del Brosz (605) 773-3352.

10. 0000

Chas. F. Frost

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

John W. [Signature]
Notary Public





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 25, 1992

1696-2

NOTICE

TO: JOHN W KOLLER
BOX 715
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 No. 1696-2 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	PERMID	PERMID
457-2		A & T CATTLE CO	TCM LANDERS	ST RT	HOT SPRINGS	SD	57747		
308-2	RICHARD	ANDERSON	A CHAR ANDERSON	HCR 59 BOX 18	EDGEWATER	SD	57735		
1616-2	IRENE R	ANDERSON		HCR 59 BOX 20	EDGEWATER	SD	57735		
326-2		R & H RANCH INC	P F CHILDERS	PO BOX 723	EDGEWATER	SD	57735		
516-2		RAIL PROS		BOX 417	EDGEWATER	SD	57735		
1995-2	LESTER I	BARLEY		BOX 740	EDGEWATER	SD	57735		
1693-2	NICK/MICHAEL	BOGNER	BNICK BOGNER JR	HC 46 BOX 24	OFELICHS	SD	57763	1734-2	
755-2		BRANFORD INDIAN SCHOOL			HOT SPRINGS	SD	57747		
858-2	WAYNE F	CHILDERS		HCR 59 BOX 1A	EDGEWATER	SD	57735		
636-2	V L	CHILDERS		BOX 723	EDGEWATER	SD	57735		
656-2	OSCAR	COFF			OFELICHS	SD	57763		
1994-2	JOHN	DEGERING		SR 1 BOX 136	LUSK	WY	82225		
567-2	HAROLD E	DODSON		HCR 59 BOX 5A	EDGEWATER	SD	57735	1410-2	
2058-2	LEROY/BERNHA	DODSON		HC 48 BOX 248	PROVO	SD	57774		
1985-2	DAVID M	DUNBAR		RR BOX 32	OFELICHS	SD	57763		
788-2		HAID BROTHERS, INC.	CARL P HAID, PRES	HCR 46 BOX 5	OFELICHS	SD	57763	1695-2	
421-2	HEFMAN	HICK		BOX 441	EDGEWATER	SD	57735		
540-2	DARRELL E	HELMAN		BOX 402	EDGEWATER	SD	57735		
1879-2	TORA E	HENDERSON	APT 265	5141 INDIAN RIVER	LAS VEGAS	NV	89103		
1980-2	DON V	HENRY		BOX 276	ARMORE	SD	57715		
759-2	HEART C	HOLLENBECK		DEWEY ROUTE	EDGEWATER	SD	57735		
1593-2		HU RANCH INC	SD CORPORATION	HCR 59 BOX 102	EDGEWATER	SD	57735		
350-2	DARREL D	HUNTER		BOX D	ARMORE	SD	57715		
1641-2	JAMES/PATRICIA	JOHNSTON		HC 68 BOX 7	LAKEVIEW	NE	69351		
18770-2	JIM	KANE		BOX 19A	PROVO	SD	57774		
763-2	CARL	KANVOLT	APT 207	ELANIE HOTEL	CHADRON	NE	69337		
1696-2	JOHN W	KOLIER		BOX 715	EDGEWATER	SD	57735		
866-2	A J	LANDERS	STAR CATTLE CO	BOX 159B HCR 52	HOT SPRINGS	SD	57747		
1840-2	B L/ALLEN	LAWRENCE		BOX 159	TIOGA	SD	58852		
671-2	MELVIN	LULF			HOT SPRINGS	SD	57747		
17295-2	JOHN D/JACK	MANKE	(ESTATE)	RR #1 BOX 174C	HOT SPRINGS	SD	57747		
11447-2	KENNETH	MARTINSON		BOX 361	EDGEWATER	SD	57735		
785-2	ARMITHA M	MCLAIN		BOX 164	OFELICHS	SD	57763		
410-2	RAICH L	MEFFORD, JR		HCR 48 BOX 22	PROVO	SD	57774		
1973-2	A J	NELSON		BROADUS STAGE	WILES CITY	WY	59301		
2015-2		PETERSON & SON, INC		HCR 59 BOX 16	EDGEWATER	SD	57735		
1048-2	PAUL & JEAN	PETTY	A NORFEN PETTY	HCR 52 BOX 136	HOT SPRINGS	SD	577479603		
1716-2	MELVIN	PORTER		N10 RT BOX 17	EDGEWATER	SD	57735		
711-2	DOYALD	RUTNAM		BOX 18A	OFELICHS	SD	57763	2013-2	
1616-2	CHEN	REASER		HC 46 BOX 48	OFELICHS	SD	57763		
472-2	EDWARD/MANNA	REUTER		HCR 59 BOX 90	EDGEWATER	SD	57735	1780-2	
233-2	CHANCE/KEITER	REYNOLDS		HCR 59 BOX 28	EDGEWATER	SD	57735	234-2	
669-2	OLIVER M	ROMNEY		BOX 175	OFELICHS	SD	57763		
718-2	VERNON	SCHNOSE		ST RT BOX 155	HOT SPRINGS	SD	57747	1700-2	
1649-2		SEGER RANCH INC		BOX 95	OFELICHS	SD	57763	671-2	1837-2
927-2	BERNARD D	SIMONS		BOX 391	EDGEWATER	SD	57735		
1737-2	ROBERT/MARK	TUBBS		BOX 563	EDGEWATER	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



11696
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-31

March 12, 1993

1696-2

NOTICE

TO: JOHN W KOLLER
BOX 715
EDGEMONT, SD 57735

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. 1696-2 are authorized. Your water right is junior in priority to the US Bureau of Reclamation Water Right No. 579-2 (April 11, 1941 priority date). The Bureau of Reclamation water right for the Angostura Irrigation District allows one annual fill of the reservoir.

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

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

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

cc: US Bureau of Reclamation
Angostura Irrigation District

CERTIFICATION

Copy Sent To:

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

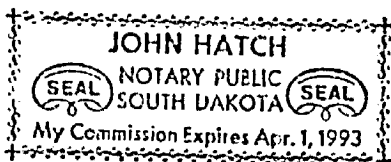
Cheryl F. Frost

Caryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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

John H. H. H. H.
Notary Public.





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 14, 1993

1696-2

RESCISSION OF SHUTOFF ORDER

TO: JOHN W KOLLER
BOX 715
EDGEMONT, SD 57735

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

1696-2



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

March 15, 1995

1696-2

NOTICE

TO: JOHN W KOLLER
PO BOX 715
EDGEMONT, SD 57735

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

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

Effective immediately no diversions of water under your Water Right No. 1696-2 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



1696-2

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

May 26, 1995

1696-2

RESCISSION OF SHUTOFF ORDER

TO: JOHN W KOLLER
PO BOX 715
EDGEMONT, SD 57735 0715

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 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



**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: JOHN W KOLLER
PO BOX 715
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. 1696-2

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.



1696-2

**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: JOHN W KOLLER
PO BOX 715
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. 1696-2

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.

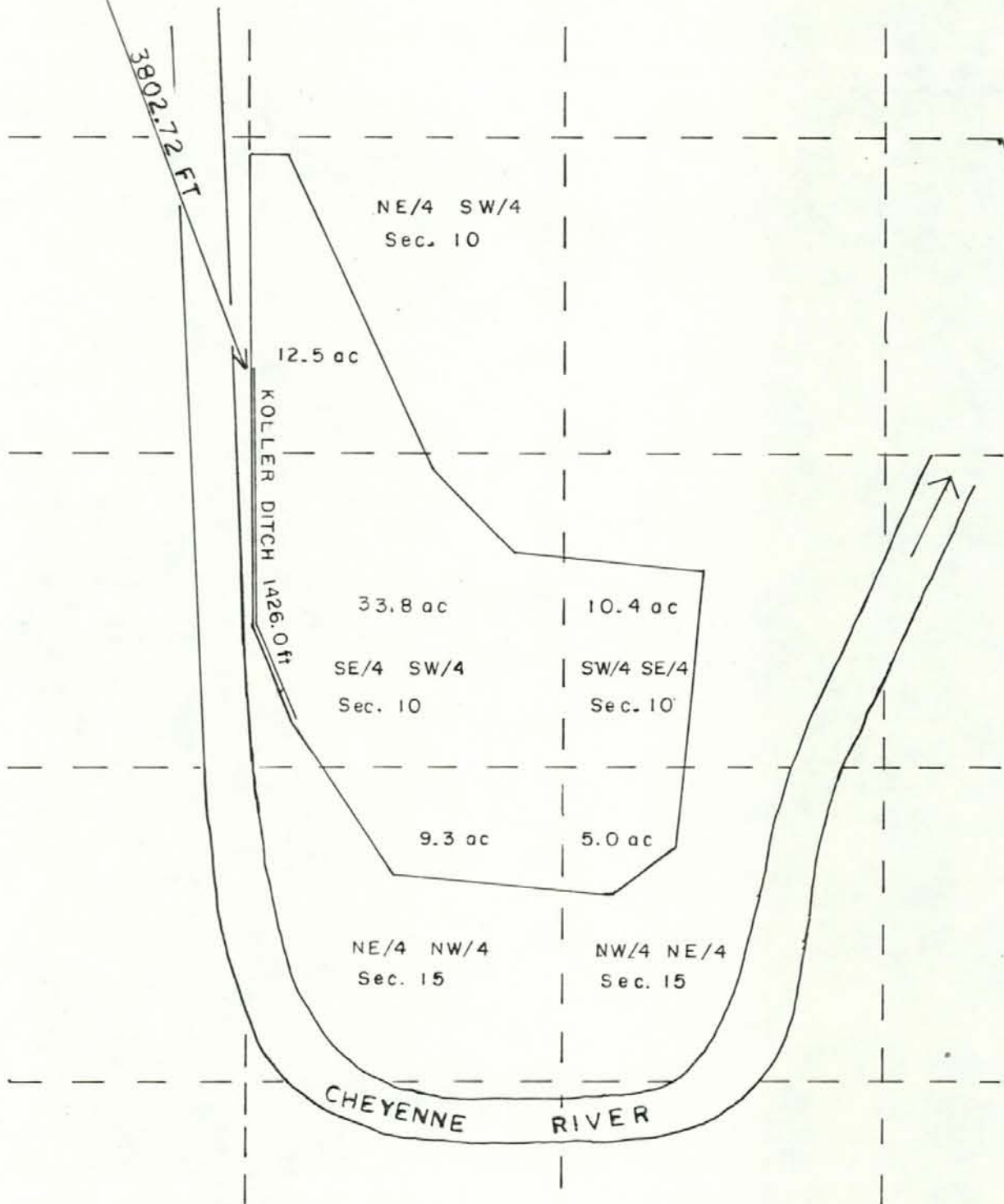
I am asking for your cooperation in complying with this shutoff order. If you have any questions, please contact Mark Rath or Don Stroup with the Water Rights Program at (605) 773-3352. Thank you.

T9S R3E

4 | 3
9 | 10



Scale 1" = 660'



CERTIFICATE OF ENGINEER

State of South Dakota
County of Fall River

I, Keith Andersen of Edgemont, S.D., hereby
certify that this map was made from notes
taken during an actual survey made under my
direction on Sept. 20, 1979, and that it
correctly represents the proposed facility.

Keith E. Andersen P.E.
Keith E. Andersen P.E.
S.D. Reg. No. 2842

MAP
TO ACCOMPANY
APPLICATION FOR
KOLLER DITCH

APPLICANT:
JOHN W. KOLLER
EDGEMONT, SD

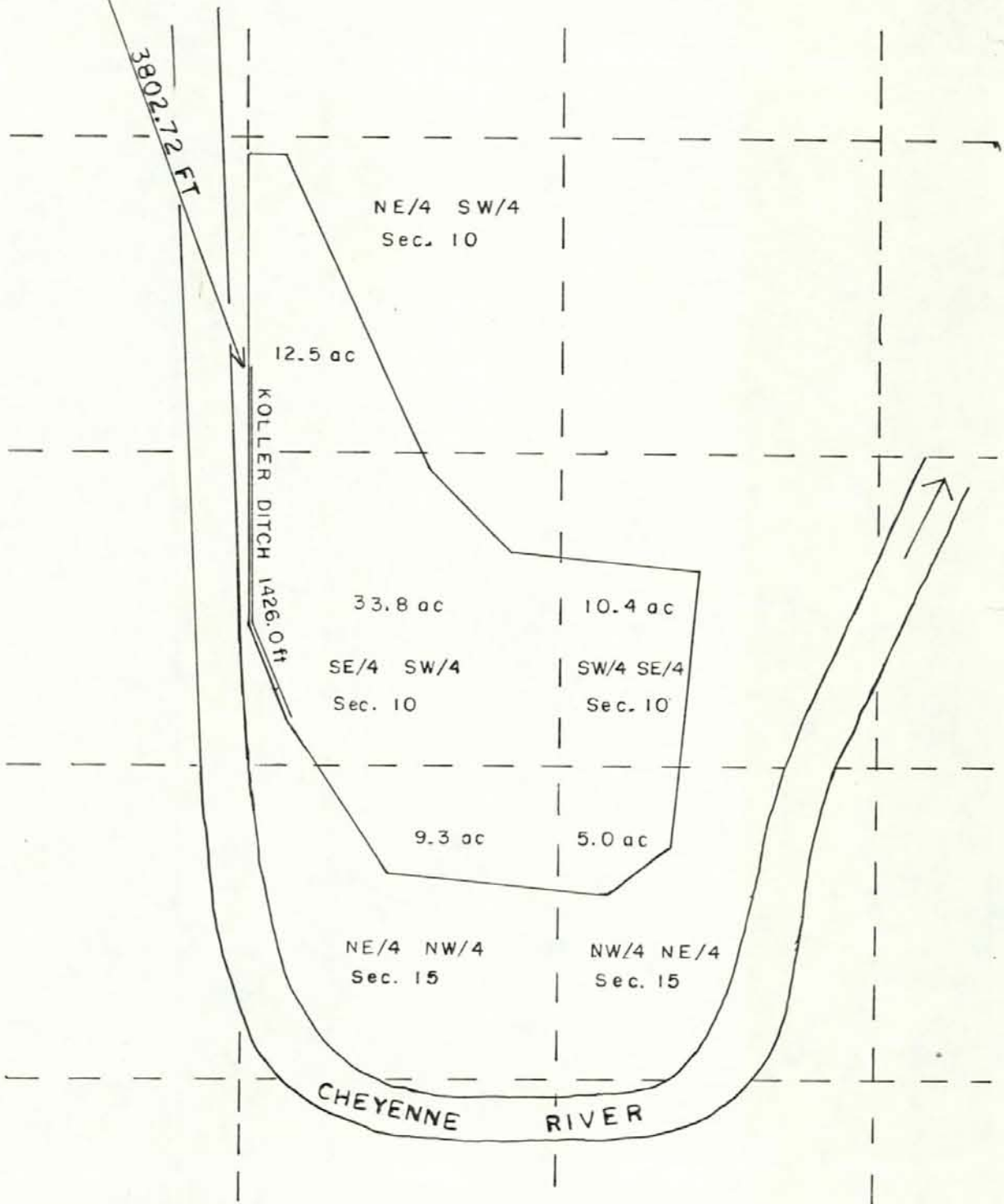
~~MAP No. 1455-2~~ APPL. 1696-2

T9S R3E

4 | 3
9 | 10



Scale 1" = 660'



CERTIFICATE OF ENGINEER

State of South Dakota
County of Fall River

I, Keith Andersen of Edgemont, S.D., hereby
certify that this map was made from notes
taken during an actual survey made under my
direction on Sept. 20, 1979, and that it
correctly represents the proposed facility.

Keith E. Andersen P.E.
Keith E. Andersen P.E.
S.D. Reg. No. 2842

MAP
TO ACCOMPANY
APPLICATION FOR
KOLLER DITCH

APPLICANT:
JOHN W. KOLLER
EDGEMONT, SD

~~MAP No. 1455-2~~ APPL. 1696-2



IN REPLY REFER TO:

DK-700
PRJ 13.00

1696-2
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: JOHN W KOLLER
PO BOX 715
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. 1696-2

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: JOHN W KOLLER
PO BOX 715
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. 1696-2

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: JOHN W KOLLER
PO BOX 715
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. 1696-2

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:

JOHN W KOLLER
PO BOX 715
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. 1696-2

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.



**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: JOHN W KOLLER
PO BOX 715
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. 1696-2**

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:

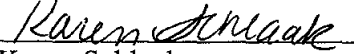
LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
INDIAN CREEK CATTLE LLP		32296 190TH ST	SLEEPY EYE	MN	56085
INDIAN CREEK LAND & CATTLE LLC		PO BOX 538	EDGEMONT	SD	57735
WEINREIS BROTHERS		230908 HIGHLAND RD	SCOTTSBLUFF	NE	69361
SEGER RANCH INC		RR 1 BOX 100A1	HOT SPRINGS	SD	57747
REUTTER	EDWARD/WANDA	HCR 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

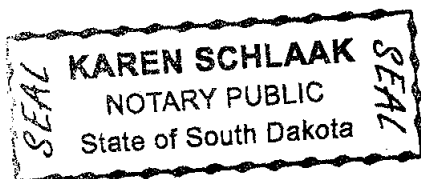
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK & THOMAS	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	BERNARD D	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC		10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD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


 Gail Jacobsen
 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

JOHN W KOLLER
PO BOX 715
EDGEMONT, SD 57735

1696-2

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: JOHN W KOLLER
PO BOX 715
EDGEMONT, SD 57735

FROM: Adam Mathiowetz, PE
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). 1696-2

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.