

1. Considered: July 28, 1982 Water Right No. 1821-2
2. Name of Applicant Bondurant Ranch, Inc
3. Post Office Address RR, Box #5, Buffalo Gap, SD 57722
4. Amount of Water Claimed 4.46 (1.30 add'l) maximum acre feet _____
5. Source of Water Supply Cheyenne River
6. Water to be used for IRR acres to be irrigated 312 (90.6 add'l)
7. County Custer about 55, 105 miles _____ of FAIRBURN
8. PROOF OF PUBLICATION: Received 18E 7-27-82 Not Received _____
- APPLICATION: Approved 7-28-82 Subject to CRO - IQ
- Not Approved _____ Action Deferred _____

PRIORITY _____ Dated Received 6-29-82 Application complete-yes ☒ no _____ FEE \$225.

Remarks _____

Corrected Application received _____ Period of Annual Use 4/1 thru 11/30

WATER QUALITY 11-6-81 Received yes ☒ no _____ APPROVED CONDITIONAL (Circle one)

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

Disapproved _____ Returned _____

Diversion Point SW⁴NE⁴Sec 28-
T5S-R9E

Land to be irrigated S¹/₂NE⁴, NE⁴SW⁴, SE⁴,
Sec 22; NE⁴NW⁴, S¹/₂NW⁴, NE⁴,
N¹/₂SW⁴ Sec 23, T5S, R9E

WELL LOG N/A Driller _____ Licensed - yes _____ no _____

Depth _____

Remarks _____

MAP Map No. 1575-2 Map located in Water Right _____ Map file ✓
Type of Map drawn Prepared by LeRoy Meenagh

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

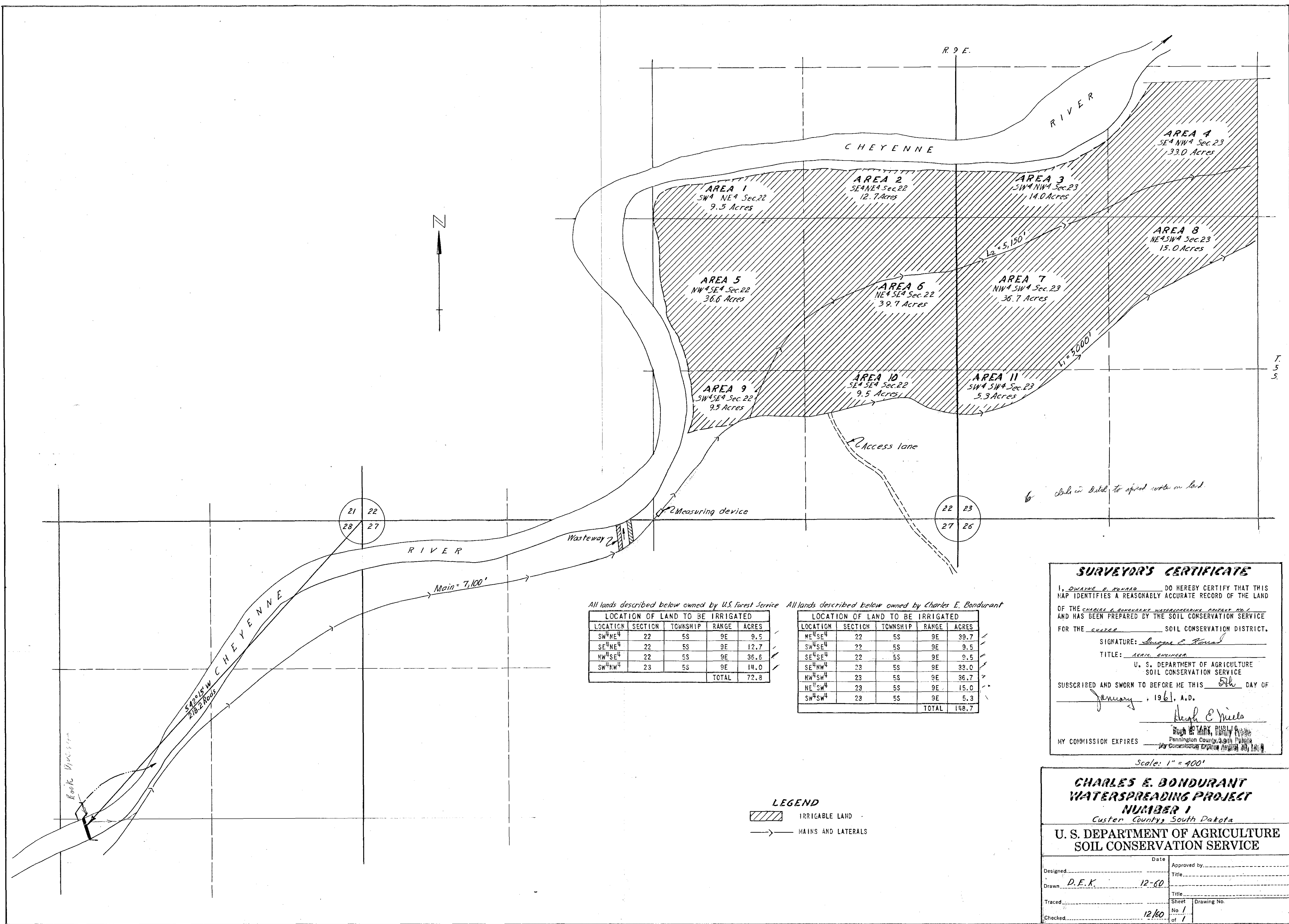
July 1, 1982

Henry Young
(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 was
DECISIONS adopted _____
ETC. Remarks _____



All lands described below owned by U.S. Forest Service

LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
SW 1/4 NE 1/4	22	5S	9E	9.5
SE 1/4 NE 1/4	22	5S	9E	12.7
NW 1/4 SE 1/4	22	5S	9E	36.6
SW 1/4 NW 1/4	23	5S	9E	14.0
TOTAL				72.8

All lands described below owned by Charles E. Bondurant

LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NE 1/4 SE 1/4	22	5S	9E	39.7
SW 1/4 SE 1/4	22	5S	9E	9.5
SE 1/4 SE 1/4	22	5S	9E	9.5
SE 1/4 NW 1/4	23	5S	9E	38.0
NW 1/4 SW 1/4	23	5S	9E	36.7
NE 1/4 SW 1/4	23	5S	9E	15.0
SW 1/4 SW 1/4	23	5S	9E	5.3
TOTAL				148.7

LEGEND

▨ IRRIGABLE LAND

→ MAINS AND LATERALS

SURVEYOR'S CERTIFICATE

I, Dwaine E. Purnis DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE CHARLES E. BONDURANT WATERSPREADING PROJECT, NO. 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE CUSTER SOIL CONSERVATION DISTRICT.

SIGNATURE: Dwaine E. Purnis

TITLE: AGRIC. ENGINEER

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 5th DAY OF January, 1961, A.D.

Hugh E. Mills
NOTARY PUBLIC
Pennington County, South Dakota

MY COMMISSION EXPIRES 1961

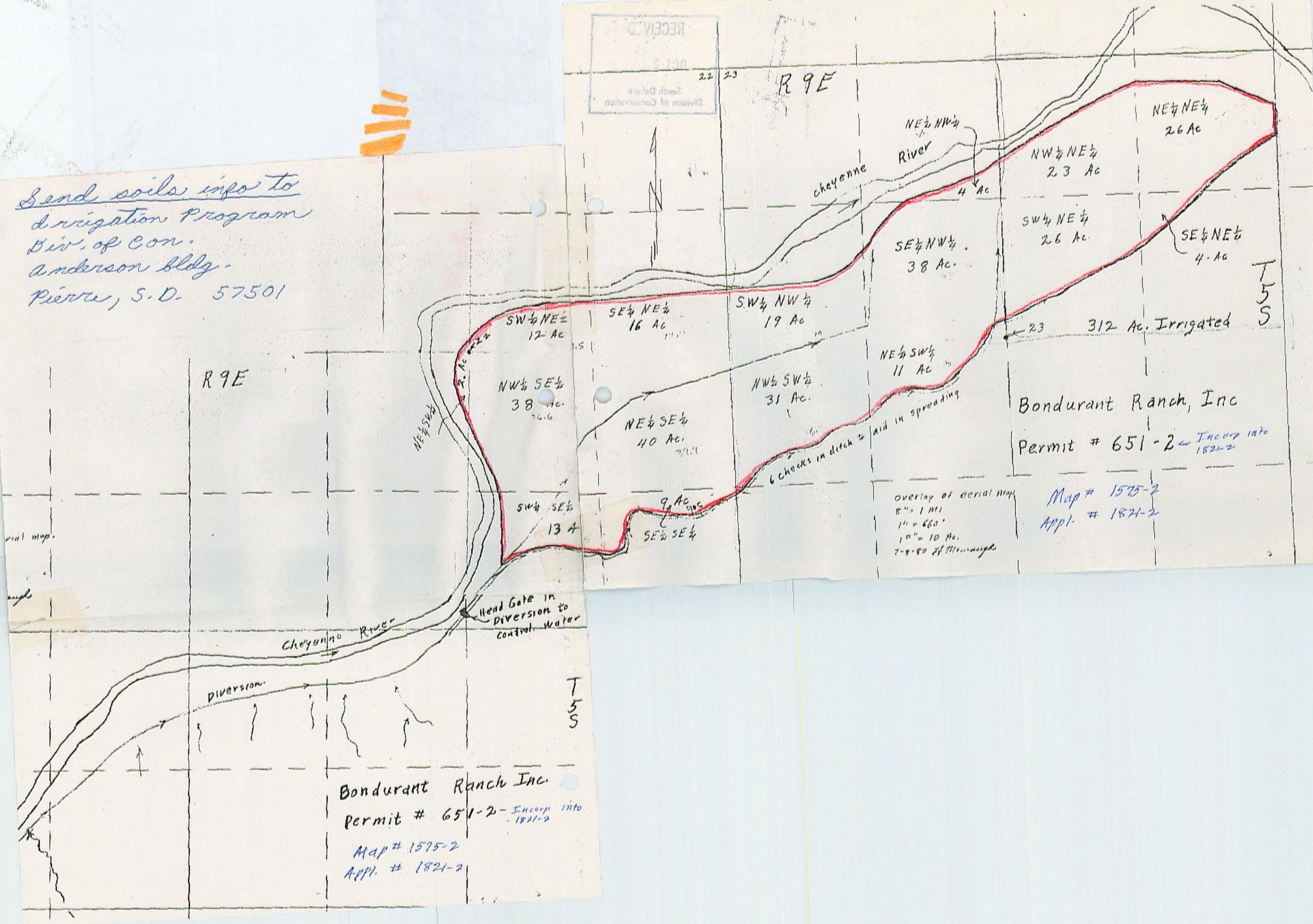
**CHARLES E. BONDURANT
WATERSPREADING PROJECT
NUMBER 1**

Custer County, South Dakota

**U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE**

Designed by <u>D.E.K.</u>	Date <u>12-60</u>	Approved by _____	Title _____
Drawn <u>D.E.K.</u>	Date <u>12-60</u>	Traced _____	Sheet <u>No. 1</u>
Checked _____	Date <u>12/60</u>	of <u>1</u>	Drawing No. _____

Send soils info to
Irrigation Program
Div. of Con.
Anderson Bldg.
Pierre, S.D. 57501



WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No.

BONDURANT RANCH, INC
(Applicant)
South Dakota 57722
(State)

RR, Box 5, Buffalo Gap
(Post Office Address)

With the following qualifications.

~~This permit is approved subject to the irrigation water use questionnaire being submitted each year.~~

not required for
spreader
system

Diversion of water under this Permit is contingent upon water supplies being first available to prior water rights downstream on the Cheyenne River. Flow records show that there are occasional years when the flows of the Cheyenne River are definitely and recognizably lower than usual during the months of July, August and September. Diversions of water are not to be made under this Permit during such low flow periods.

Date of first receipt of application June 29, 1982
Date of return to applicant for correction, amendments or changes required _____, 19____
Date of receipt of corrected application _____, 19____
Approved July 28, 1982, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1821-2

The Water Management Board hereby grants and issues this Water Right Permit No. 1821-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is 3.16 cfs from January 11, 1961 and 1.30 cfs from June 29, 1982, 19____
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed ~~on or before~~ 10, 19____
3. The whole of said work is ~~to be~~ completed ~~on or before~~ 10, 19____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is completed, 19____
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 4.46 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 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 this date, ~~10~~; said water to be used during the following described annual period: April 1st thru November 30th

Witness my hand this 5th day of August, 1982

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights
JOHN HATCH

Certificate of Construction Issued _____, 19____

Water License Issued 5th March 1, 1984

Bondurant Ranch, Inc.

	Acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, T5S, R9E	12
SE $\frac{1}{4}$ NE $\frac{1}{4}$ "	16
NE $\frac{1}{4}$ SW $\frac{1}{4}$ "	2
NW $\frac{1}{4}$ SE $\frac{1}{4}$ "	38
NE $\frac{1}{4}$ SE $\frac{1}{4}$ "	40
SW $\frac{1}{4}$ SE $\frac{1}{4}$ "	13
SE $\frac{1}{4}$ SE $\frac{1}{4}$ "	9

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, T5S, R9E	4
SW $\frac{1}{4}$ NW $\frac{1}{4}$ "	19
SE $\frac{1}{4}$ NW $\frac{1}{4}$ "	38
NW $\frac{1}{4}$ NE $\frac{1}{4}$ "	23
NE $\frac{1}{4}$ NE $\frac{1}{4}$ "	26
SW $\frac{1}{4}$ NE $\frac{1}{4}$ "	26
SE $\frac{1}{4}$ NE $\frac{1}{4}$ "	4
NW $\frac{1}{4}$ SW $\frac{1}{4}$ "	31
NE $\frac{1}{4}$ SW $\frac{1}{4}$ "	11

TOTAL 312 acres

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Office Use Only

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

2963

OWNERS NAME: Bondurant Ranch OWNERS ADDRESS: Buffalo Gap, SD 57722

COUNTY LAND LOCATED IN: Custer PHONE: _____

TENANT'S NAME AND ADDRESS: Robert Trew, Manager
Manager Buffalo Gap 57722

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, A COPY OF SUCH CONDITIONAL SOIL/WATER COMPATIBILITY PERMIT MUST BE FILED WITH THE COUNTY REGISTER OF DEEDS. THIS ACTION MUST BE TAKEN BY THE HOLDER OF A WATER PERMIT WITHIN 6 MONTHS OF RECEIPT OF SUCH WATER PERMIT.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION

2. SURFACE WATER SOURCE AND DIVERSION LOCATION:

Legal Description	Acres	Legal Description	Acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 22-5-9	12	NE NW 23-5-9	4
NW SE 22-5-9	38	NW NE 23-5-9	23
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 22-5-9	2	SW NE 23-5-9	26
SW SE 22-5-9	13	NE NE 23-5-9	26
SE NE 22-5-9	16	SE NE 23-5-9	4
NE SE 22-5-9	40	NE SW 23-5-9	11
SW NW 23-5-9	19	SE SE 22-5-9	9
SE NW 23-5-9	38	NW SW 23-5-9	31

312 Acre

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED _____

LEGAL DESCRIPTION:

IN WHAT NAME:

4. LOCATION OF AREA TO BE IRRIGATED NOTE: **SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)**

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: _____
(Specify) _____

6. CROPS TO BE IRRIGATED: Alf. & Corn

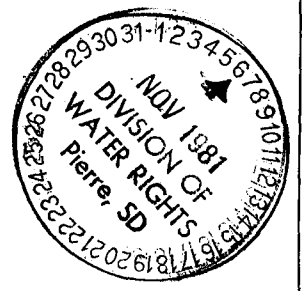
WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: Cheyenne River cf

8. SALINITY ($\text{EC} \times 10^6$): 2041

9. SODIUM (SAR): 2.75

10. ADJUSTED (SAR): 7.25 (5.08)



I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19_____, at the following location: _____

by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

APPLICANT'S SIGNATURE

(NOTARY PUBLIC)

Director, Division of Conservation

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

____APPROVED

 DISAPPROVED

1 CONDITIONALLY APPROVED

Conditional Approval

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Bondurant Ranch, Robert Trew Manager
Portions of Sec 22-599 & 20-5-9

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

THE SOIL(S) LISTED BELOW CAN BE IRRIGATED WITH THE FOLLOWING RESTRICTIONS:

RECOMMENDED MANAGEMENT

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8878

PIERRE, June 29, 19 82

RECEIVED OF Bondurant Ranch, Inc., Rural Route, Box #5, Buffalo Gap, SD 57722

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

Fee for Application for Permit to Appropriate Water No. <u>1821-2</u> (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 Hatch
Chief Engineer, Executive Officer

No. 1821-2

Publish first publication, on or before July 8, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

July 1, 1982

Notice is hereby given Bondurant Ranch, Inc. whose post office

address is RR, Box 5, Buffalo Gap, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 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, 46-5-25, 46-5-41 (ground) ~~46-6-3 thru 46-6-5, 46-6-6, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-38, (transfer lands) 46-5-33 thru 46-5-35~~ and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, ~~(future use) 74:02:01:23 thru 74:02:01:26 (10,000 AFM) 74:02:07:01 thru 74:02:07:03~~, for a permit to appropriate for beneficial use

4.46 (1.30 add) cubic feet of water per second of time from the Cheyenne River

through the Bondurant Waterspreading Project No. 1, the point ~~(a)~~ of diversion which is ~~(are) to be~~ located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 28, Twp. 5S, Range 9E. Said water to be used for purpose of providing irrigation on portions of the following described land:

S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 22, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 23, T5S,

R9E (portions of this land covered under Permit No. 651-2)

This Application No. 1821-2 will be considered by the Water Management Board at

~~Civil Defense Room, State Capitol Bldg., Pierre SD~~ upon the 28th day of July, 1982.

at 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 Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNRR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-806-2/82

No. 1821-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Custer)

Notice of hearing

ON APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
July 1, 1982

I, Jessie Y. Sundstrom

certify that the annexed printed copy of Notice of Intent

Water was taken from the CUSTER COUNTY C

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

county Custer of Custer

County of Custer and State
that the said notice was published in said newspaper
two dates:

July 8, 1982

July 15, 1982

Notice is hereby given Bondurant Ranch, Inc. whose post office address is RR, Box 5, Buffalo Gap, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 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, 46-5-25, 46-5-41 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, for a permit to appropriate for beneficial use 4.46 (1.30 add'l) cubic feet of water per second of time from the Cheyenne River through the Bondurant Waterspreading Project No. 1, the point of diversion which is located in the SW 1/4 NE 1/4 of Section 28, Twp. 5S, Range 9E. Said water to be used for purpose of providing irrigation on portions of the following described land: S 1/2 NE 1/4, NE 1/4 SW 1/4, SE 1/4 Section 22, NE 1/4 NW 1/4, S 1/2 NW 1/4, NE 1/4, N 1/2 SW 1/4, Section 23, T5S, R9E (portions of this land covered under Permit No. 651-2).

This Application No. 1821-2 will be considered by the Water Management Board at Civil Defense Room, State

Capitol Bldg., Pierre, SD upon the 28th day of July, 1982 at 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 Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNRR, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

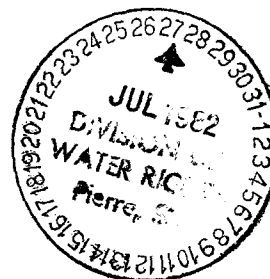
For the Water
Management Board
/s/Betty Westlund
Water Rights Specialist
#209 7-15-82

Jessie Y. Sundstrom
(Signature)

Publisher
(Title)

July 15, 1982
(Date Signed)

Cost of Printing: \$22.45



RECEIPT

Division of Water Rights

No 4 9562

South Dakota Department of Water and Natural Resources

Pierre, February 29, 1984
RR, Box #5

RECEIVED OF Bondurant Ranch, Inc., Buffalo Gap, South Dakota 57722

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1821-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH/ms



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1821-2

February 14, 1984

Bondurant Ranch, Inc.
Rural Route, Box #5
Buffalo Gap, South Dakota 57722

Dear Sir:

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. 1821-2 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,

Genny McMath
Water Resources Analyst

GM:ms

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

LeRoy J. Merriam
(signature)

Area Irrigated

Acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 22, T5S, R9E 12SE $\frac{1}{4}$ NE $\frac{1}{4}$ " 22 " " 16NE $\frac{1}{4}$ SW $\frac{1}{4}$ " 22 " " 2NW $\frac{1}{4}$ SE $\frac{1}{4}$ " 22 " " 38NE $\frac{1}{4}$ SE $\frac{1}{4}$ " 22 " " 40SW $\frac{1}{4}$ SE $\frac{1}{4}$ " 22 " " 13SE $\frac{1}{4}$ SE $\frac{1}{4}$ " 22 " " 9NE $\frac{1}{4}$ NW $\frac{1}{4}$ " 23 " " 4SW $\frac{1}{4}$ NW $\frac{1}{4}$ " 23 " " 19SE $\frac{1}{4}$ NW $\frac{1}{4}$ " 23 " " 38NW $\frac{1}{4}$ NE $\frac{1}{4}$ " 23 " " 23NE $\frac{1}{4}$ NE $\frac{1}{4}$ " 23 " " 26SW $\frac{1}{4}$ NE $\frac{1}{4}$ " 23 " " 26SE $\frac{1}{4}$ NE $\frac{1}{4}$ " 23 " " 4NW $\frac{1}{4}$ SW $\frac{1}{4}$ " 23 " " 31NE $\frac{1}{4}$ SW $\frac{1}{4}$ " 23 " " 11

Total

312 Acres

State of South Dakota
Water License No. 1821-2

(1) Bondurant Ranch, Inc.
of RR, Box 5, Buffalo Gap, South Dakota 57722
made Application No. 1821-2, June 29, 1982 for a water permit to appropriate
1.30 cubic feet per second of water from the Cheyenne River,
Custer County, South Dakota for Irrigation purposes.
Permit No. 1821-2, with a priority date of June 29, 1982
was approved July 28, 1982 and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be~~ completed ~~on or before~~ _____ and for the application to beneficial use of said
water ~~on or before~~ _____.

**The applicable portions of Water Permit No. 651-2 have been incorporated into this
Water License No. 1821-2 with a priority date of 3.16 cfs from January 11, 1961
and 1.30 cfs from June 29, 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 4.46 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 400 ft. North; 750 ft East of the Center
of Section 28, T5S, R9E (AC)

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 T5S, R9E

Section 22	SW $\frac{1}{4}$ NE $\frac{1}{4}$	12 Acres	(AC)	Section 23	SW $\frac{1}{4}$ NE $\frac{1}{4}$	26 Acres	(AC)
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	16 Acres	(AD)		SE $\frac{1}{4}$ NE $\frac{1}{4}$	4 Acres	(AD)
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	2 Acres	(CA)		NW $\frac{1}{4}$ SW $\frac{1}{4}$	31 Acres	(CB)
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	38 Acres	(DB)		NE $\frac{1}{4}$ SW $\frac{1}{4}$	11 Acres	(CA)
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40 Acres	(DA)		TOTAL	312 ACRES	
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	13 Acres	(DC)				
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	9 Acres	(DD)				
Section 23	NE $\frac{1}{4}$ NW $\frac{1}{4}$	4 Acres	(BA)				
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	19 Acres	(BC)				
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	38 Acres	(BD)				
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	23 Acres	(AB)				
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	26 Acres	(AA)				

(4) Pursuant to §46-5-30.1 Bondurant Ranch, Inc.,

of RR#5, Box #5, Buffalo Gap, South Dakota 57722

the holder(s) and/or owner(s) of Water Permit No. 1821-2 is issued a license to appropriate water, the right to use

4.46 cubic feet per second of water from the Cheyenne River with a priority date of 3.16 cfs from January 11, 1961 and 1.30 cfs from June 29, 1982 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. 1821-2 and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

March 1, 1984



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

March 1, 1984

Bondurant Ranch, Inc.
RR Box #5
Buffalo Gap, South Dakota 57722

Dear Sir:

Enclosed herewith is, Water License No. 1821-2. 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

Applicable portions of Water Permit No. 651-2 have been incorporated into this Water License No. 1821-2 with a priority date of 3.16 cfs from January 11, 1961 and 1.30 cfs from June 29, 1982.

R 9 E

22

Overlay of Aerial map.
8" = 1 mile
1" = 660 ft
1 A" = 10 Ac.
7-8-80 P. J. Hefernan

Cheyenne River

Head Gate in
Diversion to
Control Water

Diversion

T
5
S

Point of
Diversion
Rock Dam

750'

400'

Bondurant Ranch Inc.

Permit # 651-2 - Incorporate into
1821-2

Map # 1575-2
App'l # 1821-2

22 23

R 9 E



cheyenne

River

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

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

26 Ac.

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

23 Ac.

4 Ac.

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

26 Ac.

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

4 Ac.

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

38 Ac.

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

19 Ac.

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

16 Ac.

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

12 Ac.

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

38 Ac.

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

40 Ac.

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

31 Ac.

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

11 Ac.

312 Ac. Irrigated

Bondurant Ranch, Inc

Permit # 651-2

Incorp into
1821-2

overlay of aerial map
8" = 1 mi
1" = 660'
1" = 10 Ac.
7-8-80 JH Mendenhall

map # 1575-2
Appl # 1821-2
(Licensed)

1821-2

T 5 S

6 checks in ditch to aid in spreading

9 Ac

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

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

13 Ac.

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

2 Ac.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 18, 2006

NOTICE OF SHUTOFF ORDER

TO: BONDURANT RANCH INC
RR 5 BOX 5
BUFFALO GAP SD 57722

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: Cheyenne River Shutoff Order for Junior Priority Date Water Rights

Shutoff Order for Water Right Nos. 1821-2

To protect the senior priority water rights, the department is issuing additional shutoff orders to junior water right holders with priority dates between January 1, 1960 and December 31, 1969 for the river reach between the Angostura Dam to Belle Fourche River confluence. Effective immediately, no diversions of water from the Cheyenne River and tributaries will be allowed for those permits with a priority date after January 1, 1960. Shutoff orders were issued previously to Cheyenne River water rights junior to December 31, 1969.

Flow in the Cheyenne River continues to decline to the point where domestic use of water, which includes livestock watering from the river, has become a concern. This order will be rescinded as soon as conditions improve. If conditions do not improve, this order will remain in effect until the end of the calendar year.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

<http://waterdata.usgs.gov/sd/nwis/rt>

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river.

If you have any questions, please contact Mark Rath or Lynn Beck with the Water Rights Program at (605) 773-3352. Thank you.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

1821-2

August 28, 2006

Bondurant Ranch
RR 5 Box 5
Buffalo Gap, SD 57722

Dear Sir:

This letter is in regards to your Water Right No. 1821-2 from the Cheyenne River. The Chief Engineer recently issued you a shutoff order due to low flows in the Cheyenne River. Recently a rainstorm over the area is causing flows to for the short term increase downstream on the Cheyenne River. The Chief Engineer is going to temporarily allow you pump under this water right due to this increased runoff until noon September 1, 2006. After that, the shutoff order will go back into effect.

If you have any additional questions, please contact me at phone (605) 773-3352.

Sincerely,

Mark D. Rath
Natural Resources Engineering Specialist
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 5, 2006

1821-2

BONDURANT RANCH INC
RR 5 BOX 5
BUFFALO GAP SD 57722

Dear Sir:

This letter is to inform you that until further notice pumping **will be allowed** to continue under your junior priority water right(s) from the Cheyenne River. Due to recent rains and cooler temperatures, flow in the Cheyenne River has improved and appears to holding steady.

We will continue to monitor the daily stream flows. If flow conditions worsen and domestic use flow is again being impacted, DENR may be forced to again limit pumping.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the Cheyenne River and it's tributaries at the following web address:

<http://waterdata.usgs.gov/sd/nwis/rt>

If you have any questions, please contact Mark Rath or Lynn Beck with the Water Rights Program at (605) 773-3352. Thank you.

GARLAND ERBELE, Chief Engineer
Water Rights Program



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 5, 2007

Dear Water Right Holder;

Due to the ongoing drought I am advising Cheyenne River water right holders of the possibility of shutoff orders in 2007 for the river reach from Angostura Dam to the Belle Fourche River confluence. 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 February almost 21-feet below full and the forecast for improved conditions throughout the summer months is not favorable.

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 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 critical low levels, other uses, including irrigation, will begin to interfere with domestic use. If levels become critically low, the department must issue shut-off orders to protect domestic water uses. 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 sd.water.usgs.gov and click on "[Realtime streamflow data via satellite](#)".

Thank you for your cooperation. If you have any questions, please contact Mark Rath or Mike DeFea at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE OF SHUTOFF ORDER

June 27, 2007

TO: BONDURANT RANCH INC
RR 5 BOX 5
BUFFALO GAP SD 57722

FROM: GARLAND ERBELE, Chief Engineer
SD DENR Water Rights Program

SUBJECT: Cheyenne River Shutoff Order for Junior Priority Date Water Rights

Shutoff Order for Water Right Nos. 1821-2

To protect the senior priority water rights, the department is issuing shutoff orders to junior water right holders with priority dates between January 1, 1970 and present for the river reach between the Angostura Dam to Belle Fourche River confluence. Effective immediately, diversions of water from the Cheyenne River and tributaries will not be allowed for those permits with a priority date after January 1, 1970. This shutoff order applies only to the junior priority portion of No. 1821-2 for 1.30 cfs.

Flow in the Cheyenne River continues to decline to the point where domestic use of water, which includes livestock watering from the river, has become a concern. This order will be rescinded as soon as conditions improve. If conditions do not improve, this order will remain in effect until the end of the calendar year.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

<http://waterdata.usgs.gov/sd/nwis/rt>

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river.

If you have any questions concerning this order, please contact either Mark Rath at (605) 773-3352 or Aaron Tieman at (605) 394-2229. 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

NOTICE OF SHUTOFF ORDER

July 10, 2007

TO: BONDURANT RANCH INC
RR 5 BOX 5
BUFFALO GAP SD 57722

FROM: GARLAND ERBELE, Chief Engineer
SD DENR Water Rights Program

SUBJECT: Cheyenne River Shutoff Order for Junior Priority Date Water Rights

Shutoff Order for Water Right Nos. 1821-2

To protect the senior priority water rights, the department is issuing shutoff orders to junior water right holders with priority dates between January 1, 1955 and December 31, 1969 for the river reach between the Angostura Dam to Belle Fourche River confluence. Effective immediately, diversions of water from the Cheyenne River and tributaries will not be allowed for those permits with a priority dates after January 1, 1955.

Flow in the Cheyenne River continues to decline to the point where domestic use of water, which includes livestock watering from the river, has become a concern. This order will be rescinded as soon as conditions improve. If conditions do not improve, this order will remain in effect until the end of the calendar year.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

<http://waterdata.usgs.gov/sd/nwis/rt>

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river.

If you have any questions, please contact Mark Rath or Lynn Beck with the Water Rights Program at (605) 773-3352. Thank you.