

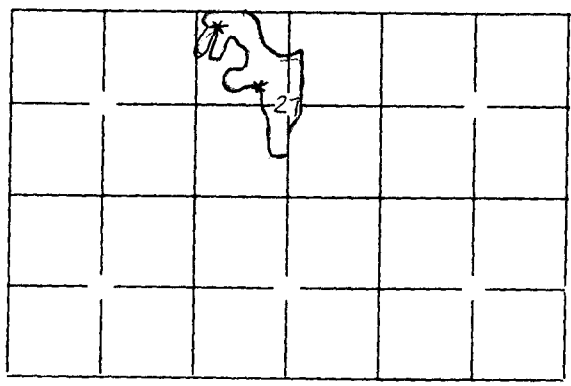
1. Considered: _____, 19____ Water Right No. 1836-2
2. Name of Applicant GLEN REASER
3. Post Office Address Start Route 2, Box 1, Oelrichs 57763
4. Amount of Water Claimed 1.50 maximum acre feet _____
5. Source of Water Supply Horsehead Creek
6. Water to be used for IRR acres to be irrigated 106.00
7. County Fall River about 4N 3W miles _____ of OELRICHS
8. PROOF OF PUBLICATION: Received 1st 5-25-83 Not Received _____
 APPLICATION: Approved 7-19-83 Subject to low flow, Augustana, I.B.
 Not Approved _____ Action Deferred _____

PRIORITY 1/27/83 Dated Received 1/27/83 Application complete-yes no _____ FEE 225.00
 Remarks _____

Corrected Application received _____ Period of Annual Use 4/1 to 10/31

WATER QUALITY Received yes no _____ APPROVED CONDITIONAL (Circle one)
 WI-1 Description same as application-yes no _____ Remarks _____

Disapproved _____ Returned _____



Diversion Point _____
 between points in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$
 Section 27-T9S-R7E
 Land to be irrigated _____
 NW $\frac{1}{4}$: W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27-
 T9S-R7E

WELL LOG Driller _____ Licensed - yes _____ no _____
 Depth _____
 Remarks _____

MAP Map No. 1836-2 Map located in Water Right x Map file _____
Type of Map aerial Prepared by scs

+++++

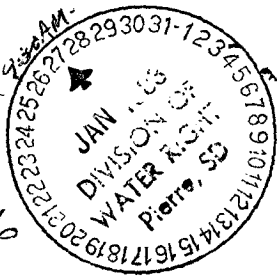
REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:
3/16/83

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 was
DECISIONS adopted _____
ETC. Remarks _____



No. 1836-2

Map No. 1836-2 Water Division No. 2 UPPER CHEYENNE District

Above for Office Use 10120106

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Glen Reaser Phone No. (605) 535-2805

Post Office Address Star Rt. 2, Box 1 Oelrichs State SD 57763
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of others

3. Name of diversion work Reaser Irrigation Project #2

4. Amount of water claimed (cubic feet per second) 1.5

5. Source of water supply Horsehead Creek

6. Location of point of diversion (A) 500' East & 740' South of the NW Corner of Sec. 27, T9S, R7E, NWNW
(B) 1820' East & 2390' South of the NW Corner, Sec. 27, T9S, R7E, SENW

County Fall River

7. Annual period or periods during which water is to be used As Available from April to October

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation

9. For irrigation use, Total number of acres to be irrigated 106

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.
<u>NW 1/4 NW 1/4 27-9-7</u>	<u>27</u>
<u>NE 1/4 NW 1/4 27-9-7</u>	<u>18</u>
<u>SW 1/4 NW 1/4 27-9-7</u>	<u>7</u>
<u>SE 1/4 NW 1/4 27-9-7</u>	<u>36</u>

Land Description	No. Acres Irr.
<u>W 1/2 SW 1/4 NE 1/4 27-9-7</u>	<u>5</u>
<u>NE 1/4 SW 1/4 27-9-7</u>	<u>13</u>

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Hot Springs Star
Hot Springs, SD

12. Principal Features of the Proposed Water Supply System.

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

None

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

None

C. Works proposed to apply water to beneficial use.

A high capacity pump will be used to flood the acreage when water is available. Pump location will be changed when irrigating different ends of the field to the approximate locations shown on the map.

Estimated Total Cost \$ 10,500

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)
)ss.
 County of Fall River)

I, Glen Reaser the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Glen Reaser

Subscribed and sworn to before me this 25th day of January, 19 83

Richard E. Miller
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1836-2

Glen Reaser

(Applicant)

Star Rt. 2 Box 1, Delrichs

(Post Office Address)

South Dakota

(State)

With the following qualifications.

Low flows as needed for downstream use including, livestock water and prior water rights, including US Bureau of Reclamation water rights to certain flows of the Cheyenne River for storage in Angostura Reservoir, must be by-passed. Diversions under this permit to appropriate water may not take place each year until the Angostura Reservoir, has received the flows necessary to bring the reservoir to elevation 3187.2 feet above msl.

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

Date of first receipt of application January 27, 1983

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

Date of receipt of corrected application _____, 19____

Approved July 19, 1983, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1836-2

The Water Management Board hereby grants and issues this Water Right Permit No. 1836-2 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 January 27, 1983
- 2. The equivalent of at least one-fifth of the work above specified is to be completed on or before January 19, 1986
- 3. The whole of said work is to be completed on or before July 19, 1988
- 4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is July 19, 1992
- 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 1.5 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial 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 July 19, 1992; said water to be used during the following described

annual period: April 1 thru October 31

Witness my hand this 26th day of July, 1983

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

RECEIPT

WATER RIGHTS COMMISSION

No 4 9130

State of South Dakota

PIERRE, January 27, 1983

RECEIVED OF Glen Reaser, SR#2, Box 1, Oelrichs, SD 57763

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

	1836-2		
Fee for Application for Permit to Appropriate Water No. ----- (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
JOHN HATCH (ms)

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

Office Use Only

4012

OWNERS NAME: Glen Reaser OWNERS ADDRESS: Star Route 2, Box 1
Oelrichs, SD 57763

COUNTY LAND LOCATED IN: Fall River PHONE: (605) 535-2805

TENANT'S NAME AND ADDRESS: _____

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: Horsehead Creek
495' East & 740' South of NW Corner
Sec. 27 T9 R7

Legal Description	Acres	Legal Description	Acres
<u>NW 1/4-27-9-7</u>	<u>27</u>	<u>W 1/2 SW 1/4-27-9-7</u>	<u>5</u>
<u>NE 1/4-27-9-7</u>	<u>18</u>	<u>NE 1/4-27-9-7</u>	<u>13</u>
<u>SW 1/4-27-9-7</u>	<u>7</u>		
<u>SE 1/4-27-9-7</u>	<u>36</u>		

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

LEGAL DESCRIPTION: NONE

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: X TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ (Specify) _____

6. CROPS TO BE IRRIGATED: Alfalfa

APPLICATION IS FOR A WATERSPREADING-FLOOD IRRIGATION SYSTEM TO BE USED WHEN WATER IS AVAILABLE

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

7. WATER SAMPLE NUMBER: _____

8. SALINITY (EC X 10⁶): _____

9. SODIUM (SAR): _____

10. ADJUSTED (SAR): _____

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

25th DAY OF January, 1983

[Signature]
(NOTARY PUBLIC)

[Signature]
APPLICANT'S SIGNATURE

[Signature]
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.

3-10-83

APPROVED

DISAPPROVED
X CONDITIONALLY APPROVED



CONDITIONAL APPROVAL

APPL. #4012

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Glen Reaser

LEGAL DESCRIPTION: Portions of Sec 27-9-7 = 106 acres

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

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



RECOMMENDED MANAGEMENT:

Lo - Lohmiller silty clay loam - You may have traction problems during wet periods of the year on these soils.

Glen Reaser
SIGNATURE

3-10-83
DATE

NOT TO SCALE



SCS-CONS-228 Rev. 6-71
 (File Code CONS-14)

CONSERVATION PLAN MAP

UNITED STATES DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE
 cooperating with
FALL RIVER
 Conservation District



Owner GLEN REASER Plan No. _____ Date 1/83
 Operator SAME Scale 8" = 1 MILE Acres _____
FALL RIVER County SD DAK State Photo No. _____
 Approximate Approximate

Location (Community, watershed, road & distance, etc.)

Sandy Knaa, Dist. Cons.
MAP # 1836-2

451
BdE

STATE OF SOUTH DAKOTA

UNITED STATES WITHDRAWAL WATER LICENSE NO. 579-2
ANGOSTURA RESERVOIR - ANGOSTURA PROJECT

(1) WHEREAS, On the 12th day of March, 1946, the Bureau of Reclamation, United States of America filed with the State Engineer, *U.S. Withdrawal No. 579-2, supplementing and amending *U.S. Withdrawal No. 579-2 filed April 11, 1941, to reserve of the heretofore unappropriated waters of the Cheyenne River, the annual amount of 160,000 acre-feet of water for reclamation of 16,250 acres of land and for the reclamation of 25,300 acres of land adjacent to the Cheyenne River by pumping water therefrom, said water to be stored in a reservoir to be constructed by damming said stream at a point immediately below the mouth of Sheps Canyon in the Northwest Quarter of Section 20, T8S, R6E, BHM, Fall River County, South Dakota; and

(2) WHEREAS, On the 18th of March, 1946, the State Engineer issued a *"CERTIFICATE OF WITHDRAWAL OF WATER FOR APPROPRIATION to the United States of America" for U.S. Withdrawal No. 579-2, Supplemented and Amended, as specified in Section (1), above and certified it was effective as of April 11, 1941; and

(3) WHEREAS, It is hereby certified that the United States of America has completed construction of the Angostura Reservoir on the Cheyenne River, having storage capacities as follows: dead storage 11,203 acre-feet, inactive storage 41,398 acre-feet, active conservation storage 86,160 acre-feet, total storage being 138,761 acre-feet, the United States of America is entitled to an initial water storage fill of 138,761 acre-feet in Angostura Reservoir and an annual replenishment of storage to the top of the active storage space plus evaporation and natural water loss, and it is hereby certified the supply and distribution system has been completed as shown by Bureau of Reclamation, Angostura Unit *Maps No. 454-602-558, 559, 560, 561, 562 and 563, and the recreation development around Angostura Reservoir has been completed as shown by *Bureau of Reclamation, Angostura Reservoir, Map No. 454-OA-602-87; and

(4) WHEREBY, It is hereby certified the United States of America has made application of water to beneficial use of the following extent;

Water contained in the active storage space (up to 138,761 acre-foot of water) of Angostura Reservoir may be released for irrigation use, as provided in *"CONTRACT BETWEEN UNITED STATES OF AMERICA AND ANGOSTURA IRRIGATION DISTRICT", dated May 29, 1951 (116 Angostura Unit, Farm Unit, Series 454-602- Drawings show 12342 irrigable acres), and distributed as indicated in Section 3 of this U.S. Withdrawal Water License No. 579-2.

(5) NOW THEREFORE, By virtue of the authority vested in us by the laws of the State of South Dakota, we hereby grant and confirm to the United States of America, United States Withdrawal Water License No. 579-2, a water right dating from April 11, 1941 to store water annually in Angostura Reservoir on the Cheyenne River in the County of Fall River and State of South Dakota, or so much thereof as may be necessary for the purposes herein below mentioned to be diverted at a point immediately below the mouth of Sheps Canyon in the Northwest Quarter of Section 20, T8S, R6E, BHM, and conducted to and upon the locations described in Section (3) and (4) of this United States Withdrawal Water License No. 579-2 for the purpose of irrigation and recreational use plus incidental silt detention, water quality, fish and wildlife habitat, domestic, livestock watering and other beneficial use, with recreation being a year around use and irrigation uses being in the April 1st through October 15th period.

Subject to the following qualifications:

Flows (not exceeding inflows) shall be released as needed for downstream domestic use, including livestock watering, and prior downstream water right use;

The initial reservoir filling (138,761 acre-feet) having been accomplished, the authorized annual refill shall be equal to that volume of water needed to bring the reservoir water surface to the top of the active conservation storage space, elevation 3187.2 feet, *Bureau of Reclamation Table 454-600-163.

Annual irrigation diversions shall not exceed the irrigated acreage multiplied by 3, the maximum allowable acre-feet that can be applied to each irrigated acre, multiplied by $7/5$, the water transportation factor. **



WITNESS, My hand and seal of our office
at Pierre, South Dakota this 26th day
of November A.D.
Nineteen Hundred and Seventy-three.

WATER RIGHTS COMMISSION

By:

Donald Driscoll
DONALD DRISCOLL, Chief Engineer
and Executive Officer

* Indicates specified document is filed in U.S. Withdrawal File No. 579-2.

** By phone 2/25/75 Driscoll says this is 3.0 AF/A applied to land $\times 7/5 = 4.2$ AF/A gross diversion.

Hydrology of the Upper Cheyenne River Basin

A. Hydrology of Stock-Water Reservoirs in Upper
Cheyenne River Basin

By R. C. CULLER

B. Sediment Sources and Drainage-Basin Character-
istics in Upper Cheyenne River Basin

By R. F. HADLEY and S. A. SCHUMM

GEOLOGICAL SURVEY WATER-SUPPLY PAPER 1531

*Prepared in cooperation with the Bureau
of Reclamation as part of the soil and
moisture program of the Department of
the Interior*



UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON : 1961

HYDROLOGY OF THE UPPER CHEYENNE RIVER BASIN

HYDROLOGY OF STOCK-WATER RESERVOIRS IN UPPER CHEYENNE RIVER BASIN

By R. C. CULLER

ABSTRACT

The objective of this investigation was to determine the effect on runoff of the many stock reservoirs in the Cheyenne River basin above Angostura Dam. As a first step it was necessary to determine, within reasonable limits of accuracy, the number of reservoirs in the basin, the storage capacity, the drainage area, and the water loss from each. A sampling method was adopted because the size of the basin, 9,100 square miles, prohibited examination of all reservoirs within the drainage area. Forty-nine sample areas of 9 square miles each were selected as a 5-percent sample of the 955 complete quarter townships within the basin above Angostura Dam. All reservoirs located within the sample quarter townships were surveyed.

The 49 sample areas contain 466 operating reservoirs with an aggregate storage capacity of 2,618 acre-feet and an aggregate drainage area of 222 square miles. Applying the findings of the sampling to the area as a whole, it was estimated that the basin contained 9,320 reservoirs with an aggregate storage capacity of 52,360 acre-feet and an aggregate drainage area of 4,440 square miles. In addition there are 16 reservoirs in the basin having capacities in excess of 230 acre-feet. The aggregate total capacity of these reservoirs is 8,035 acre-feet.

A network of observation reservoirs was operated during the four runoff seasons from 1951 to 1954. The number of reservoirs observed ranged from 48 to 57 and produced a total of 212 station-years of record. A complete record for each observation reservoir is included in this report.

An analysis of the observation-reservoir records permitted the computation of volume of annual inflow to reservoirs in all parts of the basin, volume of inflow retained by reservoirs, and volume of retained inflow depleted by evaporation and seepage. Complete computations were made of one each of the two types of runoff producing storms, typical of the Cheyenne River basin.

Water retained by reservoirs is subjected to two major types of depletion—evaporation and seepage. Water evaporated from the water surface constitutes a complete loss chargeable against the reservoirs; but, because seepage may contribute in some degree to ground-water recharge, reservoir loss from

this source may in part be recovered. The collected data permitted a fairly comprehensive analysis of the variations of runoff and storage within the basin. Based on this analysis, estimates of losses chargeable to the reservoirs range from 19,000 acre-feet in a dry year to a maximum of 80,000 acre-feet in a very wet year. Discharge from the basin ranges from 50,000 to 180,000 acre-feet.

INTRODUCTION

The large number of stock reservoirs constructed in Cheyenne River basin above Angostura Dam has aroused considerable speculation regarding the effect of their impoundment of water on runoff from the drainage area. Recognizing the lack of data, not only on the number, capacity, and drainage areas of the reservoirs, but also on water losses and the effect on sediment movement that might be expected, the Bureau of Reclamation early in 1950 invited the Geological Survey to participate in a joint study for obtaining such data, and fieldwork was begun in April 1950.

The 1950 studies included the determination of the number, capacity, and drainage areas of the reservoirs by random sampling. During the runoff seasons of 1951 to 1954 a network of observation reservoirs was operated to determine the performance of reservoirs as a basis for estimating the losses chargeable to the aggregate reservoirs. This report covers the findings of both phases of this study.

ACKNOWLEDGMENTS

This report is based on work done by the Geological Survey in cooperation with the Bureau of Reclamation, Department of the Interior. Work of the Geological Survey was under the general supervision of R. W. Davenport, chief, Technical Coordination Branch, and under the direct supervision of H. V. Peterson, staff geologist.

Field investigations, surveys, observations, and computations were made under the direction of R. C. Culler. Two survey parties employed during the field season of 1950 and one reservoir observer employed in 1951 and 1952 were furnished by the Missouri-Oahe District Office, Bureau of Reclamation, Huron, S. Dak.

Field observations and computations of evaporation and seepage (computations of evaporation were based on the energy-budget method) were made under the direction of G. E. Harbeck, of the Geological Survey.

SCOPE OF FIELD STUDIES

The studies were made in the Cheyenne River basin and the number of reservoirs given at first to the primary drainage area involved in choosing the method made this method power and funds, area on a strictly township basis within quadrangles of 9 square miles east limits of the township from east to west. The numbering section were numbered; the total basin was the total area of 8,590 square miles. A sample was selected for each township. The sampling represents a total of 9,100 square miles, slightly less than the total township quadrangles.

The selected sample reservoirs located within the drainage area and stadia. Contour lines were made where necessary within the sample area though parts of the drainage areas of the reservoirs are shown in photographs. A map of the Cheyenne River basin which also shows the location of the reservoirs is shown as follows:

3. Reservoir data

INVESTIGATION OF WATER AVAILABILITY
ABOVE THE ANGSTURA RESERVOIR ON THE
CHEYENNE RIVER AND TRIBUTARIES

March 15, 1978

INTRODUCTION

Presently there are two deferred applications from the Cheyenne River. Application No. 1593-2 is for Mason Miller of Edgemont, SD requesting 1.66 cfs to irrigate 116.2 acres out of the Cheyenne River. The location of this diversion would be 2.5 miles downstream from Edgemont, SD. Application No. 1614-2 is for Edwin Anderson of Edgemont, SD requesting 0.46 cfs to irrigate 32.50 acres out of the Cheyenne River. The location of the diversion would be near the Wyoming State Line.

These applications were deferred because of questions concerning water availability in the Upper Cheyenne River Basin and whether it would continue meeting the needs of existing water rights on the Cheyenne River.

DISCUSSION

The Upper Cheyenne River Basin is the source of runoff for the Angostura Reservoir and during 1975, 1976 and 1977 the reservoir levels have been declining because of insufficient flows in the Cheyenne River and tributaries. Figure 1 (attached) shows the highest elevations attained by the reservoir from 1954 through 1977. Elevation 3187.2 msl is the full water level elevation of the reservoir. In the past three years, the water level in the reservoir has declined because of the low annual runoff.

A total of 3045 acres is authorized for private irrigation out of the Upper Cheyenne River, plus 12,342 acres for the Angostura Irrigation District. Annual diversions from storage to the canals average 45,000 acre-feet. Evaporation losses are approximately 10,400 acre feet while precipitation will add approximately 4,000 acre feet. Total use by Angostura is 51,400 acre feet per year. Private irrigation above Angostura uses approximately 4,600 feet of the Cheyenne River flows.

Additional diversions occur on the tributaries to the Cheyenne River which would also reduce the available runoff above the reservoir. Water Rights with a priority junior to that of the Irrigation District may have to be restricted in 1978 if the runoff is again below normal. A listing of the Water Rights holding a priority junior to the Angostura Irrigation District is attached.

U.S. Withdrawal Water License No. 579-2 for the Angostura Irrigation District holds a priority date of April 14, 1941 to store water annually in Angostura Reservoir on the Cheyenne River for the purposes of irrigation and recreation use plus incidental silt detention, water quality, fish and wildlife habitat, domestic, livestock watering and other beneficial uses, with recreation being a year round use and irrigation uses being in the April 1st through October 15th period.

The qualifications and allocations included on the U.S. Withdrawal 579-2 include the following:

- (1) Flows (not exceeding inflows) shall be released as needed for downstream water right use;
- (2) The initial reservoir filling (138,761 acre feet) having been accomplished, the authorized annual refill shall be equal to that volume of water needed to bring the reservoir water surface to the top of the active storage space elevation 3,187.2 feet msl.
- (3) Annual irrigation diversions shall not exceed the irrigated acreage multiplied by 3, the maximum allowable acre feet that can be applied to each irrigated acre, multiplied by 7/5, the water transportation factor.

Historical records of the U.S. Geological Survey at the gaging station near Hot Springs were analyzed to determine water availability. These flow records have a period of record from 1943-1972. The gaging station has since then been discontinued. Figure 2 is a monthly hydrograph of the flows. This shows that there are times during most years when water would be available for appropriation. All flows including flood flows are used to fill the reservoir.

The flows are quite variable throughout the year with the highest flows occurring in the spring of the year. In order to meet the needs of existing water rights on the Cheyenne River above Angostura flows of 3,050 acre feet per month must be maintained as shown by the dashed line on Figure 2. From this hydrograph it was determined in each 10 year period water would be available for at least one month in 8 to 9 years (87%); for 2 months in 6 years (57%); 3 months in 2 years (20%); and 4 months in one year (7%). On an average, there would be about 1 year (13%) out of each 10 when water would not be available for additional irrigation. These assumptions are based on the premise that Angostura Reservoir was filled every year during spring runoff.

A flow frequency analysis of the yearly runoff gives an average flow of 102,870 acre feet per year. There is a 70% chance of equalling or exceeding a flow of 57,200 acre feet annually. This volume of water would meet the needs of the Angostura Irrigation District and private irrigation.

The storage of Angostura on December 31, 1977 was 77,819 acre feet leaving 60,942 acre feet required to fill the reservoir to elevation 3,187.2 as specified on U.S. Water Right 579-2. A year with an average flow would fill the reservoir, however present conditions in southwestern South Dakota would indicate that this may be another year of below average runoff.

CONCLUSIONS

A policy should be established as to when the feasibility and practicability of an irrigation project becomes unfeasible and unpractical. As more water becomes appropriated out of rivers and streams, more restrictions must be placed on the permit as to periods of use and the low flows which must be by-passed. At what point does the Commission decide that no further appropriation will be made from a certain reach of a river or stream?

There are presently 31 water rights above the Angostura Reservoir which could be subject to shut off until the reservoir has received the inflow necessary to

bring the Water Level elevation to 3187.2 feet msl. These water rights total 97.04 cfs for 6,647.99 acres of irrigation. A below average year may necessitate a shut off of these water rights.

There is a seventy per cent chance of equalling or exceeding the flows necessary for the Angostura Reservoir, however, during this time of adequate flows, a further restriction must be placed on the water right for a 50 cfs low flow by-pass to meet the needs of existing Water Rights. The dashed line on figure 2 represents the irrigation period within each year and the monthly volume which must be by-passed to meet downstream requirements.

RECOMMENDATIONS TO THE COMMISSION

It is recommended that:

Application numbers 1593-2 and 1614-2 be approved with the "Above Angostura" qualification which states:

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

In addition, a further restriction should be placed on the permit, that requires by-passing 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 (excluding storage diversions) 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 be into effect throughout the remainder of the irrigation season.

JAMES E. WINTERTON
Water Resources Engineer III



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501

Phone 605/773-3258

February 1, 1983

Glen Reaser
Star Route 2, Box 1
Oelrichs, SD 57763

Dear Mr. Reaser:

In reviewing your soil and water compatibility application for portions of Sec 27-9-7 = 106 acres, the irrigation staff is recommending a Conditional Approval of your application to the State Conservation Commission at their March 10, 1983 meeting. The Conditional recommendation is based on your soils, which are somewhat poorly drained and your application is for a Dry Draw. We urge you to have your water quality checked when there is water in the draw. Please be advised that surface water runoff must be the only source of water for this to be a valid permit. Your Management Recommendations are as follows:

MANAGEMENT RECOMMENDATIONS:

Lo - Lohmiller silty clay loam - You may have traction problems during wet periods of the year on these soils.

If you have any questions concerning your application please feel free to contact this office.

Sincerely,

Jim Stukel
Irrigation Program Director

cf

cc: ✓ Water Rights Division
Water Quality Lab
Red Pahl, SDSU
County Extension Service

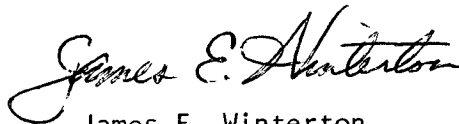


Report On
Water Permit Application No. 1836-2
March 31, 1983

Application No. 1836-2 for Glen Reaser is for a project located on Horsehead Creek approximately 4 miles North and 3 miles West of Oelrichs. The application is for diverting 1.5 cfs of the waters of Horsehead Creek to irrigate 106 acres. The diversion works will consist of two pumping locations to divert the waters directly from Horsehead Creek. A high capacity pump will be used to flood the acreage and will be used interchangeably between two locations.

The Horsehead Creek drainage area is more than sufficient to meet the needs of this irrigation system during the early spring. The flows are derived from snow melt and early spring rains. Low flows occurring occasionally would require the "low flow bypass" qualification.

It is recommended that application No. 1836-2 be approved with the Low-Flow Bypass qualification.



James E. Winterton
Water Resources Engineer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT APPLICATION
NO. 1836-2, Glen Reaser


Pursuant to Section 4, House Bill 1002, 1983 Legislature, the following is the recommendation of the Chief Engineer, Water Right Division, Department of Water and Natural Resources concerning Water Permit Application No. 1836-2, Glen Reaser, Star Route 2, Box 1, Oelrichs, SD 57763.

The Chief Engineer is recommending APPROVAL of Application No. 1836-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) that the proposed diversion can be developed without unlawful impairment of existing rights, 3) that the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

Low flows as needed for downstream domestic use, including livestock water, and prior water rights must be by-passed.

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

The attached report is a part of this recommendation.



JOHN HATCH, Chief Engineer
April 27, 1983

Instructions to Newspaper - Publish first publication of following Notice on or before
May 17, 1983 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE of HEARING on Application No. 1836-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Glen Reaser whose mailing address is St Rt 2, Box 1

Oelrichs, South Dakota has made an application pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-14, Section 13 of HB 1001 enacted by 1983 Legislature; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, Section 32 of HB 1001; 46-5-1 thru 46-5-8, 46-5-10, thru 46-5-16, 46-5-24, 46-5-25, 46-5-31, Sections 38, 47, 59 & 67 of HB 1001, Sections 1, 4, 5, 6, 11, 12, 13, 16, 18, 19 & 21 of HB 1002; (ground) ~~46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-38 thru 46-5-40, Section 71 of HB 1001, (transfer lands) 46-5-33 thru 46-5-35, (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:26, (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05;~~ (several of the preceding SDCL Sections are amended by HB 1001 & 1002 of 1983 Legislature) for a permit to appropriate 1.50 cubic feet per second from Horsehead Creek through the Reaser Irrigation Project #2, the points of diversion are to be located between the NW $\frac{1}{4}$ NW $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T9S, R7E. Said water to be used for the purpose of providing irrigation of 106 acres located in the NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, T9S, R7E.

Pursuant to Section 4 of HB 1002 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1836-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Community Room, Day Co. Courthouse, 1st St W & 7th Ave W
Webster, SD upon the 19th day of July, 1983 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with the Chief Engineer and the Applicant by July 8, 1983. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by July 8, 1983.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Right Division, DWNR, Joe Foss Bldg., Pierre SD (605 773-3352) for assistance prior to the hearing date.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Fall River) ss.

I, Charles Najacht hereby

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

Water was taken from the Hot Springs Star

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 of Hot Springs

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

May 17, 1983

May 24, 1983

Charles Najacht
(Signature)

Publisher
(Title)

May 24, 1983
(Date Signed)

Cost of Printing: \$35.05

161
**NOTICE OF HEARING
ON APPLICATION No. 1836-2
TO APPROPRIATE WATER**

Notice is hereby given that Glen Reaser whose mailing address is St. Rt. 2, Box 1, Oelrichs, South Dakota, has made an application pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-14, Section 13 of HB 1001 enacted by 1983 Legislature; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, Section 32 of HB 1001; 46-5-1 thru 46-5-8, 46-5-10, thru 46-5-16, 46-5-24, 46-5-25, 46-5-31, Sections 38, 47, 59 & 67 of HB 1001, Sections 1, 4, 5, 6, 11, 12, 13, 16, 18, 19 & 21 of HB 1002; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (several of the preceding SDCL Sections are amended by HB 1001 and 1002 of 1983 Legislature) for a permit to appropriate 1.50 cubic feet per second from Horsehead Creek through the Reaser Irrigation Project #2, the points of diversion are to be located between the NW¹/₄ NW¹/₄ & SE¹/₄ NW¹/₄ of Section 27, T9S, R7E. Said water to be used for the purpose of providing irrigation of 106 acres located in the NW¹/₄; W¹/₂ SW¹/₄; NE¹/₄ and NE¹/₄ SW¹/₄, Section 27, T9S, R7E.

Pursuant to Section 4 of HB 1002 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1836-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Community Room, Day Co. Courthouse, 1st St. W & 7th Ave. W, Webster, SD, upon the 19th day of July, 1983, at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with the Chief Engineer and the Applicant by July 8, 1983.

The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition. The time of the hearing will be automatically

extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by July 8, 1983.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decision of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Right Division, DWNR, Joe Foss Bldg., Pierre, SD (605 773-3000) for assistance prior to the hearing date. May 17, 24

ASAT 1819 270

ANGOSTURA IRRIGATION DISTRICT

P. O. BOX 346
ORAL, SOUTH DAKOTA 57766

June 8, 1983

Water Rights Specialist
Water Management Board
Joe Foss Building
Pierre, South Dakota

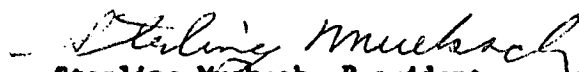
Dear Sir:

The Board of Directors of Angostura Irrigation District, along with the member Water Users of the District, hereby make known their objections to the following applications to appropriate water: Seger Ranch, Inc., Oelrichs, South Dakota (Application No. 1837-2, for 2.0 cfs from Horsehead Creek), with the point of diversion located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, T9S, R7E; Glen Reaser, Oelrichs, South Dakota (Application No. 1836-2, for 1.5 cfs from Horsehead Creek) with the point of diversion located between the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T9S, R7E; and B. L. & Allen Lawrence, Rapid City, South Dakota (Application No. 1840-2 for 1.37 cfs from (dams) and Cheyenne River with points of diversion located in N $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9 and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, T9S, R3E. All of the above applications to be considered on July 19, 1983 at the Community Room, Day County Courthouse, Webster, South Dakota.

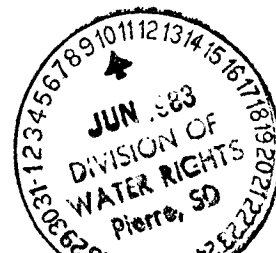
The Board and the Water Users on the Angostura Project feel that this or any further water rights on the Cheyenne River and its tributaries, Horsehead Creek in this instance, should be denied, because there are so many rights now in force, and the inflows at Angostura Reservoir seem to indicate that little, if any, water is available, in most years.

The Angostura Irrigation District, through the Bureau of Reclamation, has the right to one (1) filling of the Reservoir each year, and feel that any more rights issued further jeopardize the water supply to the Water Users on the Project.

Sincerely,


Sterling Muebsch, President
Board of Directors
Angostura Irrigation District

cc: James K. Leander, Chief
South Dakota Field Branch
Bureau of Reclamation
Pierre, South Dakota





United States Department of the Interior

BUREAU OF RECLAMATION
Upper Missouri Region
P.O. Box 2553
Billings, Montana 59103

IN REPLY
REFER TO: UM-450
870.

Mr. John Hatch, Chief Engineer
Division of Water Rights
State of South Dakota
Water Management Board
Foss Building
Pierre, SD 57501

JUN 28 1983



Dear Mr. Hatch:

Please find enclosed the U.S. Bureau of Reclamation's position statement which we will present at the scheduled hearing for: Seger Ranch, Inc. on Horsehead Creek, Glen Reaser on Horsehead Creek, and B. L. and Allen Lawrence on Cheyenne River, all for irrigational development. We understand that the hearing to consider these water appropriations will be held at the Day County Courthouse in Webster, South Dakota on Tuesday, July 19, 1983. We would appreciate it if you would send us a copy of the public notice setting the time, date, and place the hearing will be held in.

Sincerely yours,

Donald R. Glaser

For Joseph B. Marcotte, Jr.
Regional Director

Enclosure

Position Statement of U.S. Bureau of Reclamation
Concerning
Effect of Upstream Irrigational Developments
on Angostura Reservoir

The following have applied to appropriate water for irrigation in the Cheyenne River Basin above Angostura Reservoir: Seger Ranch, Inc., Application No. 1837-2, 2 ft³/s for irrigation of approximately 141 acres, by means of a dam on Horsehead Creek, tributary of Angostura Reservoir; Glen Reaser, Application No. 1836-2, 1.5 ft³/s for irrigation of approximately 106 acres, by means of a dam on Horsehead Creek, tributary of Angostura Reservoir; and, B. L. and Allen Lawrence, Application No. 1840-2, 1.37 ft³/s for irrigation of approximately 120 acres, by means of a dam on the Cheyenne River about 20 channel miles upstream from Angostura Reservoir. The U.S. Bureau of Reclamation and the Angostura Irrigation District possess senior water rights to water stored in Angostura Reservoir downstream of the proposed appropriations. We are very concerned with these new appropriations for irrigational development because of the additional depletions on the limited, available natural flow necessary to satisfy our prior, existing water rights at Angostura Reservoir.

On November 26, 1973, the Chief Engineer of the South Dakota Water Rights Commission issued to the United States Bureau of Reclamation and the Angostura Irrigation District a withdrawal water license, No. 579-2 for the Angostura Reservoir and Project. The priority date of the water rights is April 11, 1941. Angostura Reservoir is entitled to an annual refill of up to 138,761 acre-feet for the following purposes: Irrigation of 12,342 acres of the Angostura Irrigation District, recreation, silt detention, water quality, fish and wildlife habitat, domestic and livestock watering. The water rights are also restricted to releasing flows as needed for downstream domestic uses, livestock watering, and prior water right use. Copies of our water license are available for those who are interested.

During the period 1950-1954, the U.S. Geological Survey (USGS) conducted an extensive investigation of the numerous stockponds above Angostura Dam and their effect on runoff to Angostura Reservoir. As part of the investigation, the stockwater reservoirs' operations were monitored and a basis for estimating the losses due to these reservoirs was established. The USGS concluded that the large number of stockwater reservoirs built in the Cheyenne River Basin above Angostura Dam, depleted inflows to the Angostura Reservoir by 19,000 acre-feet in dry years (or 28 percent reduction in runoff) and 80,000 acre-feet in wet years (31 percent reduction in runoff). Copies of the abstract from USGS Water Supply Paper, 1531 - Hydrology of Upper Cheyenne River Basin, are available.

On March 15, 1978, the State of South Dakota, Water Rights Commission issued a report entitled "Investigation of Water Availability above the Angostura Reservoir on the Cheyenne River and Tributaries" by James Winterton. In their discussion of runoff above Angostura Reservoir, much concern was given to additional diversions above the dam and the declining reservoir levels at the dam. Indeed, since 1955, Angostura Reservoir has failed to fill 9 years, and more recently, in the years 1975, 1976, 1977, 1979, 1981 the reservoir has failed to fill. The Water Rights Commission concluded "as more water becomes

appropriated out of rivers and streams, more restrictions must be placed on the permit as to periods of use and the low flows which must be by-passed." The final recommendation was to restrict further water use applications to the following conditions:

1. The U.S. Bureau of Reclamation holds water rights to certain flows in the Cheyenne River for storage in Angostura Reservoir. It is likely that water diversion restrictions under this permit to appropriate water may be necessary at times to assure water for domestic use, including stockwater, and water supplies for prior water rights, including the Angostura storage.
2. The further restriction should be placed on the permit that requires by-passing 50 cubic-feet per second.
3. These restrictions mean that no diversions will take place during the spring until the Angostura Reservoir has received the flows (excluding storage diversions) necessary to bring the reservoir to elevation 3,187.2 feet, the top of active conservation storage. Upon meeting this requirement then the low flow by-pass of 50 cubic-feet per second would go into effect throughout the remainder of the irrigation season.

We also have available copies of this report.

Since the Water Rights Commission report several water appropriations have been issued with the restrictions on them. It is obvious from the two reports mentioned earlier, and the fact that Angostura Reservoir has not filled 5 years in the last 9 years, that there is a substantial basis that the senior water rights for Angostura Reservoir will be injured by new upstream diversions for irrigation.

The Bureau of Reclamation would like to go on record as opposing the proposed appropriations by Seger Ranch, Inc., Glen Reaser, and B. L. and Allen Lawrence for irrigation of approximately 367 acres above Angostura Reservoir. However, if the Water Management Board determines that each applicant should be awarded a water appropriation permit, the Bureau of Reclamation requests that the Water Management Board require each applicant to install adequate drainage devices or outlet structures to satisfy prior, existing water rights downstream and that the final permits be restricted to conditions as dictated in the March 15, 1978, Water Rights Commission report.

Water Rights Division
605 773-3352

June 30, 1983

Joseph B. Marcotte, Jr.
Bureau of Reclamation
PO Box 2553
Billings MT 59103

Dear Mr. Marcotte:

In accordance with your request dated June 28, 1983 enclosed please find copies of the public notices for water permit applications for: Seger Ranch, Inc., Glen Reaser and B.L. and Allen Lawrence.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosures

1836-2
1837-2
1840-3

July 25, 1983

Joseph B. Marcotte, Jr.
Bureau of Reclamation
P.O. Box 2553
Billings, Montana 59103

Dear Mr. Marcotte:

The Water Management Board at its meeting July 19, 1983, after review of your comments, approved Applications No. 1836-2, Glen Reaser, 1837-2, Seger Ranch, Inc., and 1840-3, B. L. and Allen Lawrence with the following qualification:

Low flows as needed for downstream use including, livestock water and prior water rights, including US Bureau of Reclamation water rights to certain flows of the Cheyenne River for storage in Angostura Reservoir, must be by-passed. Diversions under this permit to appropriate water may not take place each year until the Angostura Reservoir has received the flows necessary to bring the reservoir to elevation 3187.2 feet above msl.

South Dakota Statutes provide that the decision by the Board may be appealed to the Courts.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

August 2, 1983

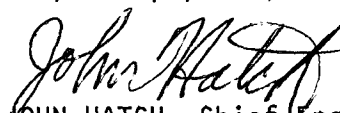
Glen Reaser
Star Route #2, Box 1
Oelrichs, South Dakota 57763

Dear Mr. Reaser:

Enclosed herewith is your Water Permit No. 1836-2 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 1836-2.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



Department of Water & Natural Resources

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

May 11, 1989

1836-2

NOTICE

TO: Glen Reaser
HC 46, Box 48
Oelriches, SD 57763

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

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

Effective May 19, 1989, you are ordered to cease diversions of water under Water Right No. 1836-2. The priority date for your water right is junior to the April 11, 1941 priority date for Angostura Irrigation District Water Right No. 579-2.

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

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

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

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

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





Department of Water & Natural Resources


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

March 19, 1990

1836-2

NOTICE

TO: Glen Reaser
HC 46, Box 48
Oelriches, SD 57763

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

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

This is a follow-up notice to the May 10, 1990 notice that you received ordering you to cease diversion of water under Water Right No. 1836-2. 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

1836-2

NOTICE

TO: Glen Reaser
HC 46, Box 48
Oelriches, SD 57763

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

A handwritten signature in cursive script, reading "Delbert U. Brosz".

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

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

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

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



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 20, 1991

1836-2

RESCISSION OF SHUTOFF ORDER

TO: Glen Reaser
HC 46, Box 48
Oelriches, SD 57763

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

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 25, 1992

1836-2

NOTICE

TO: GLEN REASER
HC 46 BOX 48
OELRICHS, SD 57763

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

A handwritten signature in black ink, appearing to read "John Hatch", is written over the typed name and title.

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. 1836-2 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	PERM2	PERM3
657-2		A & T CATTLE CO	TOM LANDERS	ST RT	HOT SPRINGS	SD	57747		
308-2	RICHARD	ANDERSON	& CHAR ANDERSON	HCR 59 BOX 18	EDGE MONT	SD	57735		
1614-2	IRENE R	ANDERSON		HCR 59 BOX 20	EDGE MONT	SD	57735		
324-2		B & H RANCH INC	B F CHILDERS	PO BOX 723	EDGE MONT	SD	57735		
534-2		BALL BROS		BOX 617	EDGE MONT	SD	57735		
1995-2	LESTER I	BARKLEY		BOX 740	EDGE MONT	SD	57735		
1693-2	NICK/MICHAEL	BOGNER	& NICK BOGNER JR	HC 46 BOX 24	DEL RICH	SD	57763	1734-2	
755-2		BRAINERD INDIAN SCHOOL			HOT SPRINGS	SD	57747		
858-2	WAYNE F	CHILDERS		HCR 59 BOX 1A	EDGE MONT	SD	57735		
636-2	V L	CHILDERS		BOX 723	EDGE MONT	SD	57735		
654-2	OSCAR	COPE			DEL RICH	SD	57763		
1994-2	JOHN	DEGERING		SR 1 BOX 136	LUSK	WY	82225		
567-2	HAROLD E	DODSON		HCR 59 BOX 5A	EDGE MONT	SD	57735	1410-2	
2058-2	LEROY/BERTHA	DUFERSON		HC 48 BOX 248	PROVO	SD	57774		
1985-2	DAVID M	DUNBAR		RR BOX 32	DEL RICH	SD	57763		
788-2		HALD BROTHERS, INC.	CARL P HALD, PRES	HCR 46 BOX 5	DEL RICH	SD	57763	1695-2	
421-2	HERMAN	HECK		BOX 441	EDGE MONT	SD	57735		
540-2	DARRELL E	HELMAN		BOX 402	EDGE MONT	SD	57735		
1879-2	DORA R	HENDERSON	APT 265	5141 INDIAN RIVER	LAS VEGAS	NV	89103		
1980-2	DON W	HENRY		BOX 276	ARMORE	SD	57715		
379-2	HENRY C	HOLLENBECK		DENEY ROUTE	EDGE MONT	SD	57735		
1593-2		HU RANCH INC	SD CORPORATION	HCR 59 BOX 102	EDGE MONT	SD	57735		
350-2	DARREL D	HUNTER		BOX D	ARMORE	SD	57715		
1641-2	JAMES/PATRICIA	JOHNSTON		HC 68 BOX 7	LAKESIDE	NE	69351		
18770-2	JIM	KANE		BOX 19A	PROVO	SD	57774		
763-2	CARL	KANNOLT	APT 207	BLANIE HOTEL	CHADRON	NE	69337		
1696-2	JOHN W	KOLLER		BOX 715	EDGE MONT	SD	57735		
866-2	A J	LANDERS	STAR CATTLE CO	BOX 159B HCR 52	HOT SPRINGS	SD	57747		
1840-2	R L/ALLEN	LAWRENCE		BOX 759	TIOGA	ND	58852		
676-2	MELVIN	LULF			HOT SPRINGS	SD	57747		
17295-2	JOHN D(JACK)	MANKR	(ESTATE)	RR #1 BOX 179C	HOT SPRINGS	SD	57747		
11447-2	KENNETH	MARTINSON		BOX 361	EDGE MONT	SD	57735		
785-2	ARDITH W	MCCLAIN		BOX 164	DEL RICH	SD	57763		
410-2	RALPH L	MEFFERD, JR		HCR 48 BOX 22	PROVO	SD	57774		
1973-2	A J	NELSON		BROADUS STAGE	WILES CITY	MT	59301		
2015-2		PETERSON & SON, INC		HCR 59 BOX 16	EDGE MONT	SD	57735		
1046-2	PAUL & JEAN	PETTY	& NOREEN PETTY	HCR 52 BOX 136	HOT SPRINGS	SD	577479603		
1716-2	MELVIN	PORTER		WYO RT BOX 17	EDGE MONT	SD	57735		
711-2	DONALD	PITNAM		BOX 188	DEL RICH	SD	57763	2043-2	
1836-2	GLEN	REASER		HC 46 BOX 48	DEL RICH	SD	57763		
422-2	EDWARD/WANDA	REUTTER		HCR 59 BOX 90	EDGE MONT	SD	57735	1789-2	
293-2	CHANCE/NETERI	REYNOLDS		HCR 59 BOX 28	EDGE MONT	SD	57735	294-2	
669-2	OLIVER M	ROMEY		BOX 175	DEL RICH	SD	57763		
718-2	VERNON	SCHNOSE		ST RT BOX 155	HOT SPRINGS	SD	57747	1700-2	
1649-2		SEGER RANCH INC		BOX 95	DEL RICH	SD	57763	671-2	1837-2
927-2	BERNARD D	SIMONS		BOX 381	EDGE MONT	SD	57735		
1732-2	ROBERT/MARK	TURBS		BOX 563	EDGE MONT	SD	57735		
1019-2		WAR BONNET RANCH LTD	BOX 132	105 E 5TH ST	WURDO	SD	57559		
392-2	VINCENT M	WASSERBURGER		BOX 83	ARMORE	SD	57715	853-2	2115-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 12, 1993

1836-2

NOTICE

TO: GLEN REASER
HC 46 BOX 48
OELRICHS, SD 57763

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

A handwritten signature in black ink, which appears to read "Delvin D. Brosz".

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

Effective immediately no diversions of water under your Water Right No. 1836-2 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 14, 1993

1836-2

RESCISSION OF SHUTOFF ORDER

TO: GLEN REASER
HC 46 BOX 48
OELRICHS, SD 57763

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

A handwritten signature in black ink, appearing to read "John Hatch", is written over the typed name and title of the sender.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 15, 1995

1836-2

NOTICE

TO: GLEN REASER
HC 46 BOX 48
OELRICHS, SD 57763

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

A handwritten signature in black ink, appearing to read "John Hatch", is written over the typed name in the "FROM:" field.

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. 1836-2 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 26, 1995

1836-2

RESCISSION OF SHUTOFF ORDER

TO: GLEN REASER
HC 46 BOX 48
OELRICHS, SD 57763

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

A handwritten signature in black ink, which appears to read "Deloris D. Brosz". The signature is written in a cursive style and is positioned to the right of the typed name in the "FROM:" field.

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**

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

December 4, 1997

1836-2

Glen Reaser
HC 46 Box 48
Oelrichs, SD 57763

Dear Mr. Reaser:

Enclosed is your 1997 irrigation questionnaire. I noticed when reviewing the form that you stated 105.6 acres were irrigated, however the back side of the form was not completed.

In order for us to calculate how much water was used from a particular source of water, the following information is needed: pump rate (gallons per minute), days per month and average hours per day the system was run. Please complete the back side of the questionnaire and return it to our office by December 15th.

If you have any questions, or need assistance in completing the form, please contact me.

Sincerely,

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

encl

Licensing of Acreage Outside of Permitted Area

NAME: Glen Reaser

ADDRESS: HC 46 Box 48, Oelrichs SD 57763

DATE: March 6, 1998 **COUNTY:** Fall River **TELEPHONE:** 605-535-2805

AUTHORITY

Pursuant to SDCL 46-5-30.5, acreage developed for irrigation outside of the area described on the permit may be licensed provided the following conditions are met:

NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:

The acreage developed for irrigation is 106 acres as compared to 106 acres authorized by the permit. Licensing of the permit will result in no change in the amount of water appropriated.

UNPERMITTED ACREAGE:

• **Contiguous to Permitted Acreage**

Yes, NW1/4 NE1/4 – 1 acre and NW1/4 SE1/4 – 1 acre, Both Section 27 T9S-R7E

• **Owned by Same Property Owner**

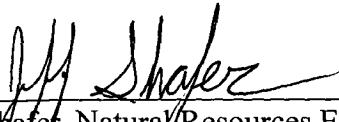
Yes

• **Developed Prior to Expiration of Construction Period**

Yes

RECOMMENDED ACTION

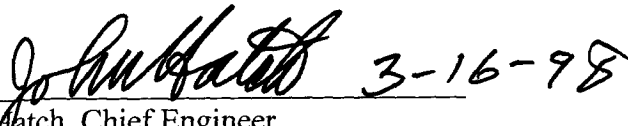
Based on the above criteria, it is recommended that the 2 acres area be included in the water license.



Jeff Shafer, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-30.5 that:

This acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.



John Hatch, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 24, 1998

1836-2

Glen Reaser
HC 46, Box 48
Oelrichs, SD 57763

Dear Mr. Reaser:

The investigation of your water use system was conducted on January 28, 1998, by Jeff Shafer, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1836-2. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

49 415714

Water Rights Program

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 31, 19 98

RECEIVED OF Reaser Ranch, HC 46, Box 48, Oelrichs, SD 57763
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. 1836-2

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By _____
Chief Engineer

John Hatch

Permit No. 1836-2
Upper Cheyenne River - Water District

**Report Of Examination Of Works And/Or Application of Water To
Beneficial Use**

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

On, **January 28, 1998**, I made a thorough examination of the water use system constructed by **Glen Reaser of HC 46 Box 48, Oelrichs SD 57763** holder of Permit No. **1836-2**, bearing the priority of **January 27, 1983** authorizing the diversion of **1.5** cu. ft. per second of the waters of **Horsehead Creek** for **Irrigation** purposes, in **Fall River** County.

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

A. Works used to divert the water:
12 inch Crisafulli pump, Tractor powered

B. Works used to transport water to place of use:
12" collapsible plastic pipe

The system is in the following condition **Very Good**. The point of diversion is located between points **100' south and 50' east of the NW corner of Section 27 and 1200' south and 400' west of the center of Section 27, both T9S-R7E**. The works are capable of diverting and conveying to the place of use **5000** cu. ft. per second of water which is to be used for **Irrigation**. Water has been put to beneficial use to the maximum extent as follows:

All Section 27 T9S-R7E

NW1/4 NW1/4: 26 ac.

NE1/4 NW1/4: 16 ac.

SW1/4 NW1/4: 5 ac.

SE1/4 NW1/4: 38 ac.

NW1/4 NE1/4: 1 ac.

SW1/4 NE1/4: 5 ac.

NW1/4 SE1/4: 1 ac.

NE1/4 SW1/4: 14 ac.

comprising a total of **106** acres of land and the license should be issued for **1.5** cfs.

Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: **none**



Jeff Shafer

4-1-98

Date

Natural Resources Engineer
DENR, Water Rights Program

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Glen Reaser

ADDRESS: HC 46 Box 48, Oelrichs SD 57763

DATE: March 6, 1998

COUNTY: Fall River

TELEPHONE: 605-535-2805

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

Yes

- **If irrigation, no new land is irrigated**

Yes

- **Review of Existing Diversions**

The diversion points were advertised as 1) NW1/4 NW1/4 of Section 27 T9S-R7E and 2) SE1/4 NW1/4 of Section 27 T9S-R7E. Upon inspection the owner stated that when the creek water level was high enough, he could place his pump almost anywhere along the creek. The new diversion should be between points in the NW1/4 NW1/4 of Section 27 T9S-R7E and the NE1/4 SW1/4 of Section 27 T9S-R7E. There are no existing diversions located between the new diversion points.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.

 4-1-98

Jeff Shafer, Natural Resources Engineer
Water Rights Program

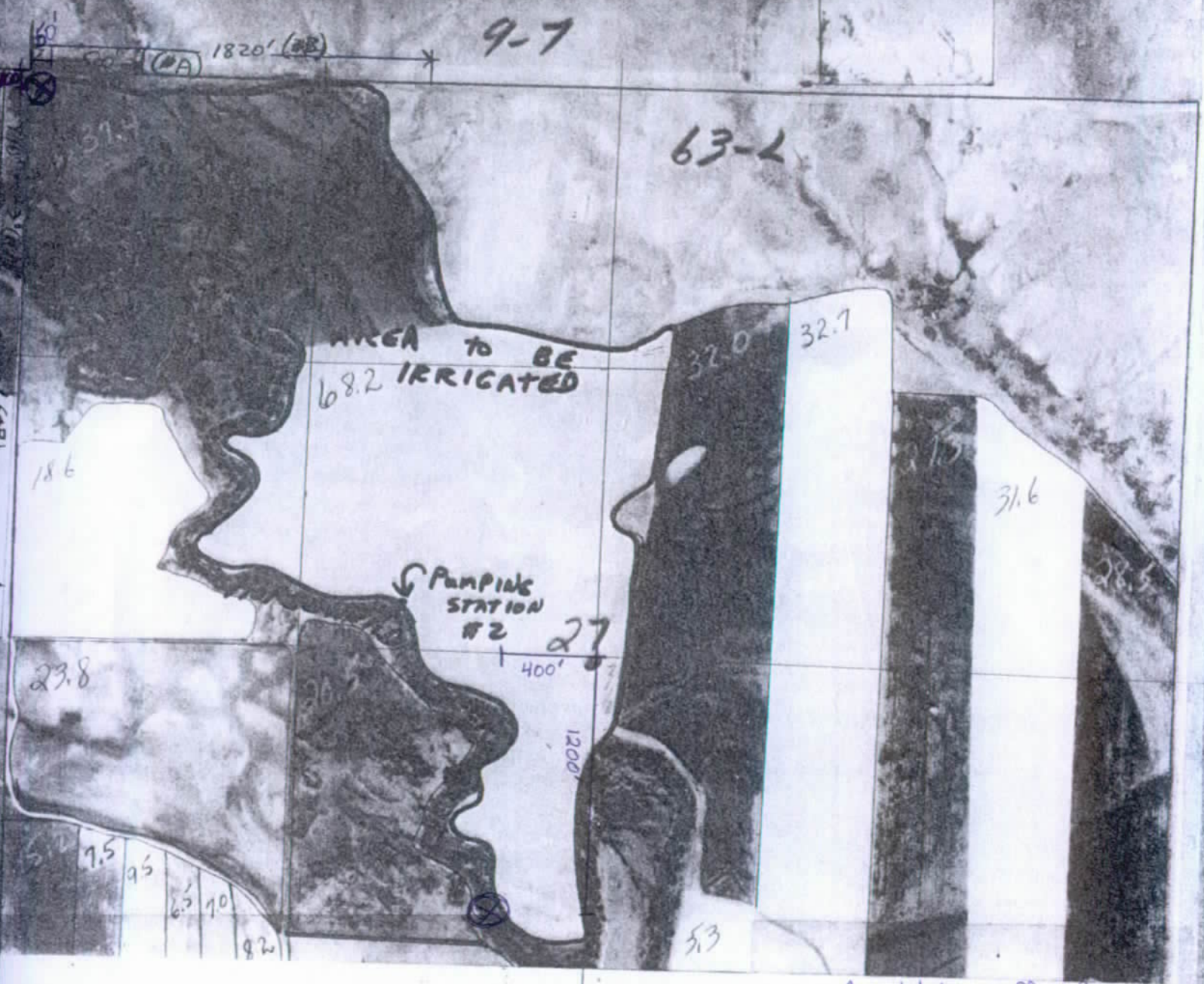
The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.

 4-3-98

John Hatch, Chief Engineer
Water Rights Program

NOT TO SCALE



Amended by: Jeff Shoter
Natural Resources Engineer

SCS-CONS-228 Rev. 6-71
(File Code CONS-14)

CONSERVATION PLAN MAP

UNITED STATES DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE

cooperating with

FALL RIVER
Conservation District



Owner GLEN REASER

Operator SAME

Plan No. _____ Date 1/83

Scale 8" = 1 MILE Acres _____

FALL RIVER
County

SD DAK
State

Photo No. _____ Approximate Approximate

Location (Community, watershed, road & distance, etc.)

Sandy Kruze, Dist. Cons.
MAP # 1836 Z

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1836-2

(1) Glen Reaser, HC 46 Box 48, Oelrichs SD 57763 made Application No. 1836-2, January 27, 1983 for a water permit to divert 1.5 cubic feet of water per second from Horsehead Creek, Fall River County, South Dakota for irrigation purposes. Permit No. 1836-2, with a priority date of January 27, 1983 was approved July 19, 1983 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 19, 1988 and for the application to beneficial use of said water on or before July 19, 1992.

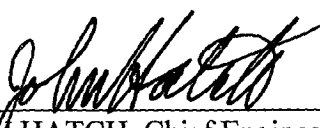
An investigation conducted for licensing purposes found the location of the diversion points and the acreage developed for irrigation under Water Permit No. 1836-2 were not in the locations authorized by the permit. Pursuant to SDCL 46-5-13.1 and 46-5-30.5, the Chief Engineer makes a finding that the changes in location of diversion points and the acreage do not increase the potential for interference with existing water rights.

(2) It is certified that the applicant 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 1.5 cubic feet of water per second for beneficial use. The location of the diversion points are between points 100 feet south and 50 feet east of the northwest corner of Section 27 (NW 1/4 NW 1/4) and 1,200 feet south and 400 feet west of the center of Section 27 (NE 1/4 SW 1/4); both in T9S-R7E.

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

Section 27-T9S-R7E			
NW 1/4 NW 1/4	26 acres	NW 1/4 NE 1/4	1 acre
NE 1/4 NW 1/4	16 acres	SW 1/4 NE 1/4	5 acres
SW 1/4 NW 1/4	5 acres	NW 1/4 SE 1/4	1 acre
SE 1/4 NW 1/4	38 acres	NE 1/4 SW 1/4	14 acres
Total 106 acres			

(4) Pursuant to South Dakota Water Law 46-5-30.1 Glen Reaser, HC 46 Box 48, Oelrichs SD 57763 the holder and/or owner of Water Permit No. 1836-2 is issued a license to appropriate water, the right to use 1.5 cubic feet of water per second from Horsehead Creek with a priority date of January 27, 1983 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. 1836-2 and subject to South Dakota State Law.


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

APR 23 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 1998

1836-2

Glen Reaser
HC 46, Box 48
Oelrichs, SD 57763

Dear Mr. Reaser:

Enclosed is Water License No. 1836-2 and Receipt No. 415714 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 1836-2 is the final document which completes the process of obtaining a water right.

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

Very truly yours,

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

ks
enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 27, 2001

No. 1836-2

Gayle Huber
HC 46 Box 48
Oelrichs SD 57763

Dear Mr. Huber:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 1836-2. The water right is currently listed in the name of Glen Reaser. Mr. Reaser indicated on his 2001 Irrigation Questionnaire that you are in the process of buying this property and will close after the first of the year.

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

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

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

2001 Water Management Board Irrigation Questionnaire

Please fill out and return before **December 1, 2001**

No. 1836-2

GLEN REASER
 HC 52 BOX 171C2-2
 HOT SPRINGS SD 57747 9626

Any address corrections?

Gayle Huber
 Hc 46 Box 48
 Delrichs, SD 57763

Telephone No. _____

Return the completed form to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352

1. Is the system constructed? *yes no

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

center pivots _____ towlines _____ big gun _____
 flood sprinklers _____ other _____

2. Did you irrigate in 2001? *yes _____ **no

*If yes, number of acres irrigated _____

**If no, list reason(s) in comment section:

Comment Section Short of water

Property has been sold to
 Gayle Huber, we will close
 Jan 3, 2002

3. Is land enrolled in CRP? *yes _____ no

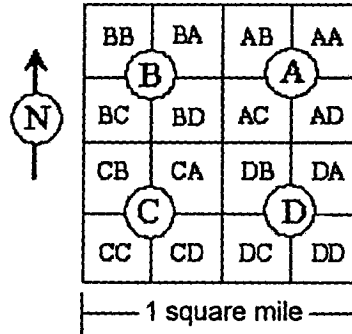
*If yes, through what year? _____

4. Did you apply chemicals or fertilizer through the system in 2001? yes _____ no

5. If permitted for more than one water source, circle each source used. 1: HORSEHEAD CREEK

2:

3:



Office use only



Acreage permitted for irrigation under No. 1836-2

(see above section map for help reading legal descriptions)

- sec 27-T009S-R07E, BB -- 27.00 acres
- sec 27-T009S-R07E, BA -- 18.00 acres
- sec 27-T009S-R07E, BC -- 7.00 acres
- sec 27-T009S-R07E, BD -- 36.00 acres
- sec 27-T009S-R07E, ACB/C -- 5.00 acres
- sec 27-T009S-R07E, CA -- 13.00 acres

Please provide your 2001 water use to irrigate the above acreage on the REVERSE side of this form.

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

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1836-2

Date: 11-30-01

I\We request that Water Right No. 1836-2

formerly owned by: Glen Reaser

be transferred to: (name & address) Gayle Huber + Linda Huber

HC 46 Box 48 Oelrichs S.D. 57763 Telephone No. 605 535-2121

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

106 acres - NW 1/4, W 1/2 NE 1/4, NW 1/4 SE 1/4, NE 1/4 SW 1/4 Section 27-T9S-R7E

I\We understand that the validity of Water Right No. 1836-2 has not been determined by this transfer action. If I\We have any questions on validity, I\We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

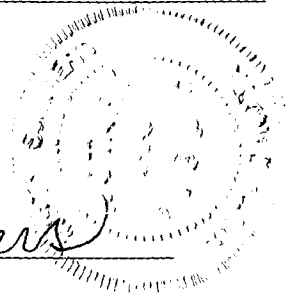
STATE OF SOUTH DAKOTA)
County of Fall River)

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

Gayle Huber
(Signed)

Subscribed and sworn to before me this 20th day of December, 20 01.

Misty Summers
(Notary Public)



My Commission Expires October 22, 2005

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:
1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

417033

Pierre, December 31, 20 01

RECEIVED OF Gayle Huber, HC 81, Box 108, Hobson, MT 59452
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form 1836-2

2 50

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Darland Ebele

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 7, 2002

1836-2

Gayle & Linda Huber
HC 46 Box 48
Oelrichs, SD 57763

Dear Mr. & Mrs. Huber:

Thank you for following up on the ownership change for Water Right No. 1836-2. The transfer has been completed. The water right formerly listed in the name of Glen Reaser is now listed in your names.

Enclosed is your Receipt No. 417033 in the amount of \$2.50, which you paid for filing the ownership change. Also enclosed is a copy of the water right and a sample copy of the yearly irrigation questionnaire. This will give you an idea of what type of records you will need to keep track of during the irrigation season.

We realized after mailing you the "Notice of Transfer of Ownership" form for No. 1836-2, that Mr. Reaser had another water right on record. He also holds Vested Water Right No. 1702-2. No. 1702-2 authorizes diversion of water from Horsehead Creek to irrigate land in portions of the SW ¼ Section 30 and the W ½ Section 31, T10S, R8E in Fall River County. Did you also purchase the land in Sections 30 and 31 from Mr. Reaser? If so, let me know and I can forward you a transfer form for changing the ownership to your names.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 30, 2004

NOTICE OF SHUTOFF ORDER

TO: GAYLE & LINDA HUBER
HC 46 BOX 48
OELRICHS SD 57763

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

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

Shutoff Order for Water Right Nos. 1836-2

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.



**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: GAYLE & LINDA HUBER
HC 46 BOX 48
OELRICHS SD 57763

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. 1836-2

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.

1836-2



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

IN REPLY REFER TO:

DK-700
PRJ 13.00

FEB 24 2006

RECEIVED
FEB 27 2006
WATER RIGHTS
PROGRAM

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

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

Dear Mr. Erbele:

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

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

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

Sincerely,

For Jeffrey L. Nettleton
Rapid City Field Office Manager

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 2006

NOTICE OF SHUTOFF ORDER

TO: GAYLE & LINDA HUBER
HC 46 BOX 48
OELRICHS SD 57763

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. 1836-2

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: GAYLE & LINDA HUBER
HC 46 BOX 48
OELRICHS, SD 57763

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. 1836-2

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: GAYLE & LINDA HUBER
28797 LENNON SCHOOL RD
OELRICHS SD 57763

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. 1836-2

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:

GAYLE & LINDA HUBER
28797 LENNON SCHOOL
OELRICHS SD 57763

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. 1836-2

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: GAYLE & LINDA HUBER
28797 LENNON SCHOOL RD
OELRICHS SD 57763

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

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

**Shutoff Order for
Water Right Nos. 1836-2**

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



1836-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: GAYLE & LINDA HUBER, 28797 LENNON SCHOOL RD, OELRICHS, SD 57763 7831
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program
SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1836-2. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1836-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1836-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



1836-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 16, 2017

1836-2

Gayle & Linda Huber
28797 Lennon School Rd
Oelrichs SD 57763 7831

Dear Mr. & Mrs. Huber:

I am writing to acknowledge receipt of your 2016 irrigation questionnaire.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 1836-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



1836-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 2018

NOTICE

TO: GAYLE & LINDA HUBER, 28797 LENNON SCHOOL RD, OELRICHS, SD 57763 7831

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1836-2. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1836-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1836-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

1836-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 8, 2018

1836-2

Gayle & Linda Huber
28797 Lennon School Rd
Oelrichs SD 57763 7831

Dear Mr. & Mrs. Huber:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 1836-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



1836-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2019

NOTICE

TO: GAYLE & LINDA HUBER, 28797 LENNON SCHOOL RD, OELRICHS, SD 57763 7831

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

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1836-2. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1836-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1836-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is (are) received in this office before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

1836-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 11, 2019

1836-2

Gayle & Linda Huber
28797 Lennon School Rd
Oelrichs SD 57763-7831

Dear Mr. & Mrs. Huber:

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

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 1836-2. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

1836-2



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 7, 2021

1836-2

Chris Glines
PO Box 66
Smithwick SD 57782-0066

Dear Mr. Glines:

We were notified that you now own the land described in Water Right No. 1836-2, held by Gayle & Linda Huber. Enclosed is a copy of the water right for your records.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have questions about the water right or completion of the transfer form, please let me know. Thank you in advance for updating the water right.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

PAID

AUG 12 2021

Ck# 1299

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

AUG 12 2021

WATER RIGHTS PROGRAM

No. 1836-2

Date: August 9, 2021

I/We request that Water Right No. 1836-2

formerly owned by: Gayle and Linda Huber, 28797 Lennon School Rd, Oelrichs SD

be transferred to: (name & address) William Lloyd & Joan Woodbury
47858 Sharptail Rd Smithwick SD 57782

Telephone No. 701 425 1108

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

106 acres – NW ¼, W ½ NE ¼, NW ¼ SE ¼ and NE ¼ SW ¼ Section 27, T9S, R7E

I/We understand that the validity of Water Right No. 1836-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We William Lloyd & Joan Woodbury, the new owner, certify that the above information is true and correct.

William Lloyd & Joan Woodbury
(Signed by new owner)

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

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

1836-2

RECEIPT

WATER RIGHTS PROGRAM
South Dakota Department of Agriculture and Natural Resources

Date August 12, 2021

RECEIVED OF Woodbury Glines Ranch PO Box 66 Smithwick SD 57782

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>1836-2</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
me

1836-2



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 25, 2021

1836-2

William Lloyd & Joan Woodbury
47858 Sharptail Rd
Smithwick SD 57782

Dear Mr. & Mrs. Woodbury:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 1836-2.

The ownership change has been completed. The water right formerly held by Gayle and Linda Huber is now listed in your names.

Each year we mail irrigators in South Dakota an irrigation questionnaire for reporting how much water they pumped during that specific crop season. These forms will be mailed out to irrigators in mid-October and are due back by the first week in December.

Enclosed for your records is a receipt for the filing fee that was paid. If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 25, 2021

1836-2

W Lloyd Woodbury
47858 Sharptail Rd
Smithwick SD 57782

Dear Mr. Woodbury:

Thank you for visiting with me about the check you sent to us and the irrigation questionnaire.

Enclosed is your check in the amount of \$50. The transfer was completed back in August and a fee paid at that time. No further fees are necessary.

With respect to the irrigation questionnaire, I completed one for you for 2021 indicating no irrigation took place due to lack of water.

If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosure: check



**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: WILLIAM, LLOYD & JOAN WOODBURY
47848 SHARPTAIL RD
SMITHWICK, SD 57782

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

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

Shutoff Order for Water Permit No(s). 1836-2

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.