

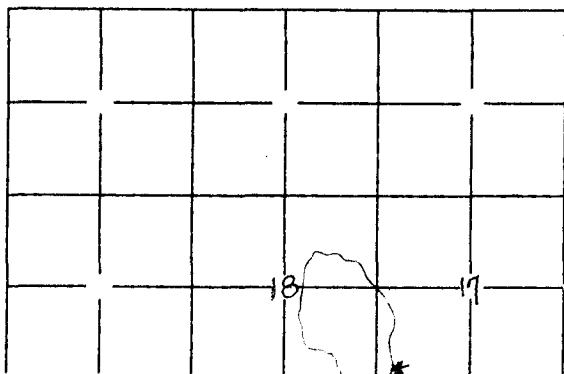
1. Considered: _____, 19____ Water Right No. 1837-2
2. Name of Applicant SEGER RANCH INC WS
3. Post Office Address Box 95, Oelrichs 57763
4. Amount of Water Claimed 2.00 maximum acre feet _____
5. Source of Water Supply Horsehead Creek WS
6. Water to be used for _____ acres to be irrigated 141
7. County Fall River about 5 N, 5 1/2 W miles _____ of Oelrichs
8. PROOF OF PUBLICATION: Received 1st 5-27-83 Not Received _____
APPLICATION: Approved 7-19-83 Subject to Agreement, low floor
Not Approved _____ Action Deferred _____

PRIORITY Dated Received 1/26/83 Application complete-yes x no _____ FEE 250.00
1/26/83 Remarks _____

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

WATER QUALITY Received 3/15/83 yes ✓ no _____ APPROVED/CONDITIONAL (Circle one)
WI-1 Description same as application-yes xx no _____ Remarks _____

Disapproved _____ Returned _____



Diversion Point _____
SW 1/4 SW 1/4 Section 17-T9S-R7E

Land to be irrigated _____
W 1/2 SW 1/4, Section 17 and SE 1/4: S 1/4 NE 1/4,
Section 18 both in T9S R7E

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

Remarks _____

MAP Map No. 1837-2 Map located in Water Right xx 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

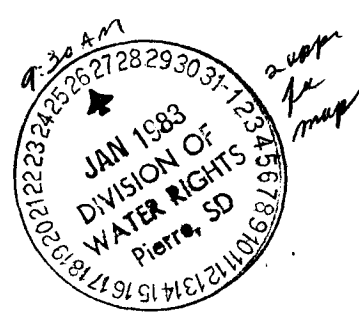
Betty Westlund

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. 1837-2Map No. 1837-2 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 ☒

Vis. Name of Applicant Vernon Seger Ranch, Inc Phone No. (605) 535-2045
 Post Office Address Box 95 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) Direct Labor3. Name of diversion work Seger Irrigation Project #24. Amount of water claimed (cubic feet per second) 2.0 CFS5. Source of water supply Horsehead Creek6. Location of point of diversion 330' East & 160' North of the SW Corner of Sec. 17, T9S, R7E,
(SW⁴SW⁴)County Fall River7. Annual period or periods during which water is to be used As available from April to October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation-Waterspreading9. For irrigation use, Total number of acres to be irrigated 141

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>SW¹SW¹SW¹ 17-9-7</u>	<u>5</u>
<u>W²SW¹SW¹ 17-9-7</u>	<u>14</u>
<u>SE¹NE¹ 18-9-7</u>	<u>15</u>
<u>SW¹NE¹ 18-9-7</u>	<u>10</u>

Land Description	No. Acres Irr.
<u>NE¹SE¹ 18-9-7</u>	<u>40</u>
<u>NW¹SE¹ 18-9-7</u>	<u>26</u>
<u>SW¹SE¹ 18-9-7</u>	<u>5</u>
<u>SE¹SE¹ 18-9-7</u>	<u>26</u>

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 2 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.
Short channel and culvert with control gate

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

The natural channels and slope of the land will be used both to transport & apply the water

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ 3,000

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

STATE OF SOUTH DAKOTA)

County of Fall River) ss.I, Vernon Seger 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 Vernon Seger Pres.Subscribed and sworn to before me this 25 day of Jan, 1983

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1837-2

Segeer Ranch Inc.
(Applicant)
South Dakota
(State)

Box 95 Oelrichs
(Post Office Address)

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 use questionnaire being submitted each year.~~

Date of first receipt of application January 26 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. 1837-2

The Water Management Board hereby grants and issues this Water Right Permit No. 1837-2 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 26, 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 2.0 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

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

Office Use Only

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: V.S. ~~Werner~~ Seger Ranch, Inc OWNERS ADDRESS: Box 95
Oelrichs, SD 57763

COUNTY LAND LOCATED IN: Fall River PHONE: (605) 535-2045

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
330' E, 160' N of SW corner 17-9-7

Legal Description	Acres	Legal Description	Acres
<u>SW$\frac{1}{4}$SW$\frac{1}{4}$17-9-7</u>	<u>5</u>	<u>NE$\frac{1}{4}$SE$\frac{1}{4}$18-9-7</u>	<u>40</u>
<u>W$\frac{1}{2}$NW$\frac{1}{4}$SW$\frac{1}{4}$17-9-7</u>	<u>14</u>	<u>NW$\frac{1}{4}$SE$\frac{1}{4}$18-9-7</u>	<u>26</u>
<u>SE$\frac{1}{4}$NE$\frac{1}{4}$18-9-7</u>	<u>15</u>	<u>SW$\frac{1}{4}$SE$\frac{1}{4}$18-9-7</u>	<u>5</u>
<u>SW$\frac{1}{4}$NE$\frac{1}{4}$18-9-7</u>	<u>10</u>	<u>SE$\frac{1}{4}$SE$\frac{1}{4}$18-9-7</u>	<u>26</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)**

See Soils Map

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

6. CROPS TO BE IRRIGATED: Alfalfa

APPLICATION IS FOR WATERSPREADING ON AN INTERMITTENT BASIS

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

25 DAY OF Jan, 1983

Dewey G. Trent
(NOTARY PUBLIC)

Seger Ranch, Inc
APPLICANT'S SIGNATURE

John A. Fuglestad
Director, Division of Conservation

IMPORTANT

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

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED

called verified Jack Fuglestad signed Bar
3/11/83 Mat Shul signed

CONDITIONAL APPROVAL

APPL. #4011

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Sege Ranch, Inc.

LEGAL DESCRIPTION: Portions of Sec. 17 & 18-9-7 = 141 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:

Some of these soils may be somewhat poorly drained and cause problems with traction and ponding.



Signature

DATE

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. 1837-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Seeger Ranch, Inc. whose mailing address is Box 95
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 Legis-
lature; 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 preceeding SDCL Sections are amended by HB 1001 & 1002
of 1983 Legislature) for a permit to appropriate 2.00 cubic feet per second from Horsehead
Creek through the Seeger Irrigation Project #2, the point of diversion to be located in
the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, T9S, R7E. Said water to be used for the purpose of providing
water spreading irrigation on 141 acres in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 17 and SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$, Section
18, T9S, R7E.

Pursuant to Section 4 of HB 1002 the Chief Engineer of the Water Rights Division recommends
Approval of Application No. 1837-2 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, South Dakota 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 con-
clusion 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 petitioners
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)
) ss.
County Fall River)

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

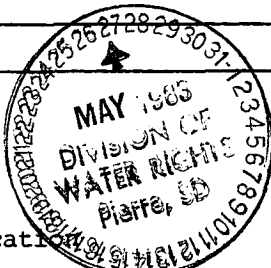
May 24, 1983

Charles Najacht
(Signature)

Publisher
(Title)

May 24, 1983
(Date Signed)

Cost of Printing: \$35.05



WNR-808-7/79

Proof of Publication

160
NOTICE OF HEARING
ON APPLICATION NO. 1837-2
TO APPROPRIATE WATER

Notice is hereby given that Seger Ranch, Inc., whose mailing address is Box 95, 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, Section 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 2.00 cubic feet per second from Horsehead Creek through the Seger Irrigation Project #2, the point of diversion to be located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, T9S, R7E. Said water to be used for the purpose of providing water spreading irrigation on 141 acres in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 17 and SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 18, T9S, R7E.

Pursuant to Section 4 of HB 1002 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1837-2 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, South Dakota, 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 petitioners 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. May 17, 24

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9128

PIERRE, January 26, 1983

RECEIVED OF Segar Ranch, Inc., Vernon Segar, Box 95, Delrichs, SD 57763

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

Fee for Application for Permit to Appropriate Water No. 1837-2 (examination, processing, recording and filing) -----	250	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	250	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

JOHN HATCH/ms

CONSERVATION PLAN MAP

UNITED STATES DEPARTMENT OF AGRICULTURE

SOIL CONSERVATION SERVICE



cooperating with

FALL RIVER

Conservation District

Owner VERNON SEGER

Operator SAME

Plan No. 1

Date 1/83

Scale 8" = 1 MILE

Acres

Approximate

Approximate

FALL RIVER

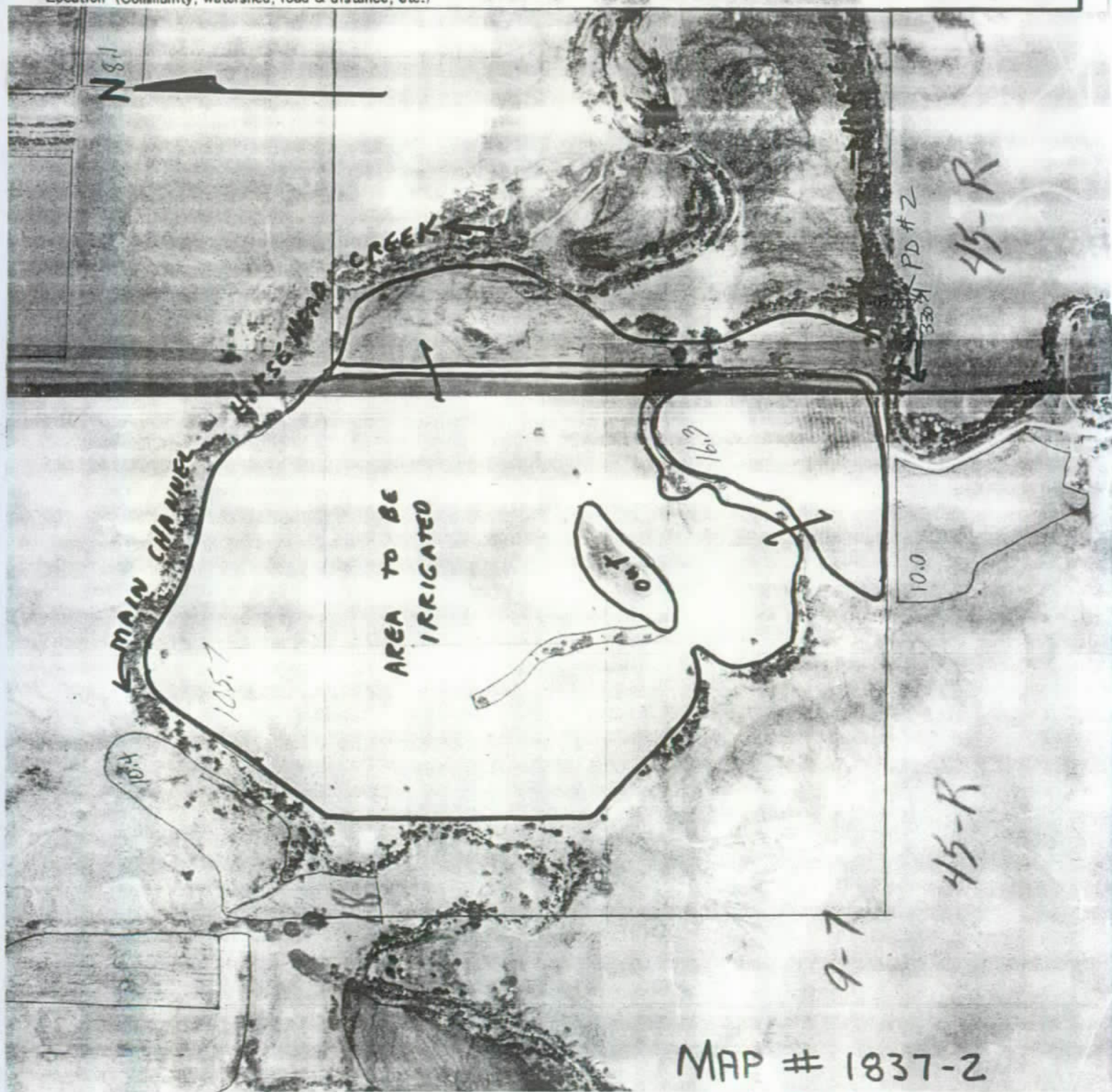
County

SO. DAK

State

Photo No. _____

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



MAP # 1837-2

Water Right 1837-2

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.

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-feet 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*



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 study. The primary drainage areas involved in choosing the sample made this method in part a matter of power and funds, in part a matter of area on a strictly township basis within the basin. The quadrangles of 9 square miles east limits of the basin were taken from east to west and numbered sections. The sections were numbered; the total area of 8,595 square miles. A sample was selected from the sampling represents 49,100 square miles slightly less than 50,000 square miles. The ship quadrangles and

The selected sample of reservoirs located within the basin and stadia. Contour maps were made to develop a number to develop a sample made where necessary within the sample. Although parts of the drainage areas of the reservoirs are shown in photographs. A type of map which also shows the drainage areas obtained from the maps. The number of reservoirs is shown as follows: 3. Reservoir data

INVESTIGATION OF WATER AVAILABILITY
ABOVE THE ANGOSTURA 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 to into effect throughout the remainder of the irrigation season.

JAMES E. WINTERTON
Water Resources Engineer III

SOUTH Dakota
Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 ● Pierre, South Dakota 57501
Phone 605/773-3258



February 1, 1983

Seeger Ranch, Inc.
Box 95
Oelrichs, S.D. 57763

Dear Mr. Seeger:

In reviewing your soil and water compatibility application for portions of Sec. 17 & 18-9-7 = 141 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:

Some of these soils may be somewhat poorly drained and cause problems with traction and ponding.

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

Sincerely,

Jim Stukel
Irrigation Program Director

ah

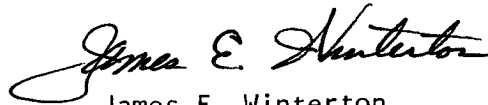
cc: ✓ Water Rights Division
Water Quality Lab
Red Pahl, SDSU
County Extension Service

Report On
Water Permit Application No. 1837-2
April 26, 1983

The application for Seger Ranch, Incorporated is for a project located on Horsehead Creek about 5 miles north and $5\frac{1}{2}$ miles west of Oelrichs, South Dakota. The application is for 2.00 cfs to irrigate 141 acres by the use of a former channel of Horsehead Creek by diking the channel and placing a gated culvert in the bottom of the dike to control the inflow of water. This will be a spreader type system which will be used when water is available.

Horsehead Creek generally runs in the early spring from snow melt and spring rainstorms. The drainage area consists of over 160,000 acres above the point of diversion. Observations of Horsehead Creek are that the flows are either sufficient to meet the needs of all water rights or there is not sufficient flows to irrigate. This application would require the "Low Flow Bypass" qualification during times of abnormally low flows.

It is recommended that the application for Seger Ranch Incorporated, No. 1837-2 be approved with the Low-Flow Bypass qualification.



James E. Winterton
Water Resources Engineer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT APPLICATION

NO. 1837-2, Seger Ranch, Inc.

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. 1837-2, Seger Ranch, Inc., Box 95, Oelrichs, South Dakota.

The Chief Engineer is recommending APPROVAL of Application No. 1837-2 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 watering, and prior water rights must be by-passed.

The attached report is a part of this recommendation.

A handwritten signature in cursive script, reading "John Hatch", is written over a horizontal line.

JOHN HATCH, Chief Engineer
April 27, 1983

ANGOSTURA IRRIGATION DISTRICT

P.O. BOX XXX 346

ORAL, SOUTH DAKOTA 57766

June 8, 1983

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

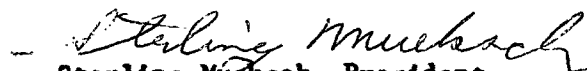
Dear Sir:

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 Mueksch, President
Board of Directors
Angostura Irrigation District

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



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

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



1837-2

Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

August 2, 1983

Seeger Ranch Incorporated
Vernon Seeger
Box 95
Oelrichs, South Dakota 57763

Dear Mr. Seeger:

Enclosed herewith is your Water Permit No. 1837-2 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. 1837-2.

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: ma

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.

WNR-809-5/83



Department of Water & Natural Resources

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

May 11, 1989

671-2, 1649-2, 1837-2

NOTICE

TO: Vernon Seger
P.O. Box 95
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 Nos. 671-2, 1649-2 and 1837-2. The priority date for your water rights is junior to the April 11, 1941 priority date for Angostura Irrigation District Water Right No. 579-2.

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

May 2, 1989	24,673 acre feet available for 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).





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

Joseph B. Marcotte, Jr.
Regional Director

Enclosure

SOUTH Dakota Department of
Water & Natural Resources

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

March 19, 1990

NOTICE

671-2
1649-2
1836-2

1837-2

TO: Vernon Seger, Pres.
Seger Ranch, Inc.
Box 95
Oelriches, SD 57763

FROM: JOHN HATCH, CHIEF ENGINEER *John Hatch*
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 Nos. 671-2, 1649-2 and 1837-2. 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).



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

June 28, 1990

1837-2

Vernon Seger, Pres.
Seger Ranch Inc
Box 95
Oelrichs, SD 57763

Dear Mr. Seger:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 1837-2, has been completed. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

A handwritten signature in cursive script, reading "Genny McMath". The signature is written in dark ink and is positioned below the word "Sincerely,".

Genny McMath
Natural Resources Analyst
(605) 773-3352

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412295

Pierre, July 3, 19 90

RECEIVED OF Seger Ranch Inc, Box 123, Oelrichs, SD 57763-0123

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>Water Permit No. 1837-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch (ma)
Chief Engineer

Upper Cheyenne Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Seger
Ranch, Inc. of Box 95, Delrichs, SD 57763 holder of
 Permit No. 1837-2, bearing the priority of January 26, 1983 authorizing
 the diversion of 2.0 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:

short channel leading from Horsehead Creek to a
gated 36 inch cmp.

B. Works used to transport water to place of use:

a small canal which discharges back into Horsehead
Creek. The canal overtops onto the fields. The main channel of Horsehead
Creek also overtops onto the fields.

C. Works used to apply water to beneficial use:

Natural and manmade spreader ditches

The system is in the following condition good

The point of diversion is located 330 Feet East and 160 Feet North of the SW
corner of Section 17, T9S, R7E. (SW⁴SW⁴)

The works are capable of diverting and conveying to the place of use 2.0 cfs
 cu. ft. per second of water which is to be used for irrigation purposes

Water has been put to beneficial use to the maximum extent as follows:

SW⁴SW⁴, sec 17, T9S, R7E = 5 acres; NE⁴SE⁴, sec 18, T9S, R7E = 40 acres
NW⁴SW⁴, " " " = 14 " ; NW⁴SE⁴, " " " = 26 "
SE⁴NE⁴, sec 18, " " = 15 " ; SW⁴SE⁴, " " " = 5 "
SW⁴NE⁴, " " " = 10 " ; SE⁴SE⁴, " " " = 26 "

comprising a total of 141 acres of land and the license should be issued for 2.0 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date June 20, 1990

William W. Brown, P.E.
 (signature) N.R. Engineer IV

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1837-2

(1) Seger Ranch Inc. of Box 95, Oelrichs, SD 57763-0095 made Application No. 1837-2, January 26, 1983 for a water permit to appropriate 2.00 cubic feet per second of water from Horsehead Creek, Fall River County, South Dakota for irrigation purposes. Permit No. 1837-2, with a priority date of January 26, 1983 was approved July 19, 1983 and issued to applicant(s) 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.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Laws relating to completion of the construction of the water supply system and is entitled to divert 2.00 cubic feet per second of water for beneficial use. The location of the diversion point(s) is: 330 feet east and 160 feet north of the SW corner of Section 17, T9S, R7E (SW1/4 SW1/4).

(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:

T9S, R7E Section 17	SW1/4 SW1/4	5	acres
	NW1/4 SW1/4	14	"
Section 18	SE1/4 NE1/4	15	"
	SW1/4 NE1/4	10	"
	NE1/4 SE1/4	40	"
	NW1/4 SE1/4	26	"
	SW1/4 SE1/4	5	"
	SE1/4 SE1/4	26	"
	Total	141	acres

(4) Pursuant to Section 46-5-30.1 Seger Ranch Inc. of Box 95, Oelrichs, SD 57763-0095 the holder(s) and/or owner(s) of Water Permit No. 1837-2 is issued a license to appropriate water, the right to use 2.00 cubic feet per second of water from Horsehead Creek with a priority date of January 26, 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. 1837-2 and subject to South Dakota Law.


JUL 10 1990
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources

SOUTH DAKOTA Department of
Water & Natural Resources

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

JUL 10 1990

1837-2

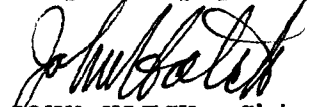
Vernon Seger
Seger Ranch Inc.
Box 95
Oelrichs, SD 57763-0095

Dear Mr. Seger:

Enclosed is Water License No. 1837-2. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 412295 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

 **Department of
Water & Natural Resources**

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

March 14, 1991

1649-2
1837-2

NOTICE

TO: Vernon Seger, Pres.
Seger Ranch, Inc.
Box 95
Oelriches, SD 57763

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

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

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

May 20, 1991

1649-2
1837-2

RESCISSION OF SHUTOFF ORDER

TO: Vernon Seger, Pres.
Seger Ranch, Inc.
Box 95
Oelriches, SD 57763

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

Delvin W. Brosz

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

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 25, 1992

1649-2
671-2
1837-2

NOTICE

TO: SEGER RANCH INC
BOX 95
OELRICHS, SD 57763

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

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

Please be advised that effective immediately no diversions of water will be allowed under your Water Right Nos. 1649-2, 671-2, 1837-2 which are junior in priority to Water Right No. US579-2 held by the US Bureau of Reclamation for the Angostura Irrigation District.

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

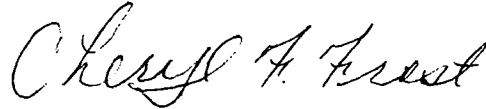
All water rights above Angostura Reservoir will be monitored until the reservoir has filled. I am asking for your cooperation in complying with this order.

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

PERMIT NO	FIRST NAME	LAST NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE	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	ANICK BOGNER JR	HC 46 BOX 24	OELRICHS	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			OELRICHS	SD	57763		
1994-2	JOHN	DEGERING		SR 1 BOX 136	LUSK	WY	82225		
567-2	HAROLD R	DODSON		HCR 59 BOX 5A	EDGE MONT	SD	57735	1410-2	
2058-2	LEROY/BERTHA	DIVERSON		HC 48 BOX 248	PROVO	SD	57774		
1985-2	DAVID M	DUNBAR		RR BOX 32	OELRICHS	SD	57763		
788-2		HALD BROTHERS, INC.	CARL P HALD, PRES	HCR 46 BOX 5	OELRICHS	SD	57763	1695-2	
421-2	HERMAN	HECK		BOX 441	EDGE MONT	SD	57735		
540-2	DARRELL R	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		DEWEY ROUTE	EDGE MONT	SD	57735		
1593-2		HU RANCH INC	SD CORPORATION	HCR 59 BOX 102	EDGE MONT	SD	57735		
350-2	DARREL D	HUNTER		BOX D	ARMORE	SD	57715		
1641-2	JAMES/PATRICIA	JOHNSTON		HC 68 BOX 7	LAKE SIDE	NE	69351		
18770-2	JIM	KANE		BOX 19A	PROVO	SD	57774		
763-2	CARL	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	B 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	ARLITH W	MCLAIN		BOX 164	OELRICHS	SD	57763		
410-2	RALPH L	MEFFERD, JR		HCR 48 BOX 22	PROVO	SD	57774		
1973-2	A J	NELSON		BROADUS STAGE	MILLERS CITY	MT	59301		
2015-2		PETERSON & SON, INC		HCR 59 BOX 16	EDGE MONT	SD	57735		
1016-2	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	PUTNAM		BOX 188	OELRICHS	SD	57763	2043-2	
1836-2	GLEN	REASER		HC 46 BOX 48	OELRICHS	SD	57763		
422-2	EDWARD/WANDA	REUTTER		HCR 59 BOX 90	EDGE MONT	SD	57735	1789-2	
293-2	CHANCE/NETER	REYNOLDS		HCR 59 BOX 28	EDGE MONT	SD	57735	294-2	
669-2	OLIVER M	ROMEY		BOX 175	OELRICHS	SD	57763		
718-2	VERNON	SCHNOSE		ST RT BOX 155	HOT SPRINGS	SD	57747	1700-2	
1649-2		SEGER RANCH INC		BOX 95	OELRICHS	SD	57763	671-2	1837-2
927-2	BERNARD D	SIMONS		BOX 381	EDGE MONT	SD	57735		
1737-2	ROBERT/MARK	TURNB		BOX 563	EDGE MONT	SD	57735		
1019-2		WAR BONNET RANCH LTD	BOX 132	105 E 5TH ST	MURDO	SD	57559		
392-2	VINCENT M	WASSERBURGER		BOX 83	ARMORE	SD	57715	853-2	2115-2

CERTIFICATION

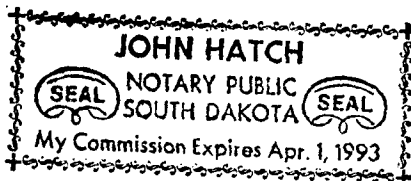
I hereby certify that on March 25, 1992, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 25, 1992, regarding Shut Off Order for Junior Water Right Holders Upstream of the Angostura Irrigation District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



Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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



Notary Public



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 12, 1993

1649-2

671-2

1837-2

NOTICE

TO: SEGER RANCH INC
BOX 95
OELRICHS, SD 57763

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

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

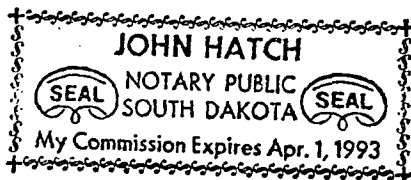
Effective immediately no diversions of water under your Water Right Nos. 1649-2, 671-2 and 1837-2 are authorized. Your water rights are junior in priority to the US Bureau of Reclamation Water Right No. 579-2, April 11, 1941 priority date. The Bureau of Reclamation water right for the Angostura Irrigation District allows one annual fill of the reservoir.

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

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

If you have any questions, please contact Del Brosz or Mark 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

1649-2

671-2

1837-2

RESCISSION OF SHUTOFF ORDER

TO: SEGER RANCH INC
BOX 95
OELRICHS, SD 57763

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

SUBJECT: Rescission of the Shutoff Order for Junior Water Right
Holders Upstream of the Angostura Irrigation District
for the 1993 Irrigation Season.

Recent wet conditions in the Upper Cheyenne River Basin have provided large inflows and the Angostura Reservoir is expected to fill shortly. The shutoff order for all junior water rights upstream of the reservoir is rescinded for the 1993 irrigation season.

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

cc: US Bureau of Reclamation
Angostura Irrigation District



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 15, 1995

1649-2

671-2

1837-2

NOTICE

TO: VERNON SEGER
SEGER RANCH INC
BOX 95
OELRICHS, SD 57763

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

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

Effective immediately no diversions of water under your Water Right Nos. 1649-2, 671-2 and 1837-2 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



1837-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 26, 1995

1649-2

671-2

1837-2

RESCISSION OF SHUTOFF ORDER

TO: VERNON SEGER
SEGER RANCH INC
BOX 95
OELRICHS, SD 57763

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

SUBJECT: Rescission of the Shutoff Order for Junior Water Right Holders Upstream of the Angostura Reservoir for 1995 Irrigation Season.

Recent wet conditions in the Upper Cheyenne River Basin have provided large inflows and the Angostura Reservoir is expected to fill shortly. The shutoff order for all junior water rights upstream of the reservoir is rescinded for the 1995 irrigation season.

If you have any questions, please contact Del Brosz or Rassool Ahadi, Division of Water Rights, 523 E. Capitol Ave., Pierre, SD 57501.

cc: US Bureau of Reclamation
Angostura Irrigation District



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 30, 2004

NOTICE OF SHUTOFF ORDER

TO: SEGER RANCH INC
VERNON SEGER
RR 1 BOX 100A1
HOT SPRINGS SD 57747

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. 1649-2, 1837-2

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.



1837-2

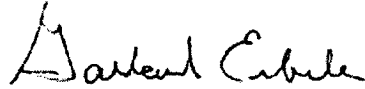
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 15, 2005

NOTICE OF SHUTOFF ORDER

TO: SEGER RANCH INC
VERNON SEGER
RR 1 BOX 100A1
HOT SPRINGS SD 57747

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. 1649-2, 1837-2, 671-2

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.



CONSERVATION PLAN MAP

UNITED STATES DEPARTMENT OF AGRICULTURE

SOIL CONSERVATION SERVICE

cooperating with

FALL RIVER

Conservation District

Owner VERNON SEGER

Operator SAME

County FALL RIVER

State S.D.A.K.

Photo No. _____

Plan No. 100-1183 Date 1/83

Scale 8" = 1 mile Acres _____

Approximate

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



MAP # 1837-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 9, 2007

NOTICE OF SHUTOFF ORDER

TO: SEGER RANCH INC
RR 1 BOX 100A1
HOT SPRINGS, SD 57747

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. 1649-2/1837-2/671-2

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: SEGER RANCH INC
RR 1 BOX 100A1
HOT SPRINGS SD 57747

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. 1649-2, 1837-2, 671-2

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: VERNON SEGER
SEGER RANCH INC
RR 1 BOX 100A1
HOT SPRINGS SD 57747

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. 1649-2, 1837-2, 671-2

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
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denr.sd.gov

March 06, 2013

NOTICE OF SHUTOFF ORDER

TO: SEGER RANCH INC
VERNON SEGER
RR 1 BOX 100A1
HOT SPRINGS SD 57747

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. 1837-2 1649-2 671-2**

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

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

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

CERTIFICATION

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

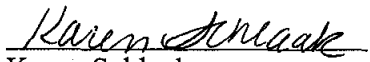
LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
INDIAN CREEK CATTLE LLP		32296 190TH ST	SLEEPY EYE	MN	56085
INDIAN CREEK LAND & CATTLE LLC		PO BOX 538	EDGEMONT	SD	57735
WEINREIS BROTHERS		230908 HIGHLAND RD	SCOTTSBLUFF	NE	69361
SEGER RANCH INC		RR 1 BOX 100A1	HOT SPRINGS	SD	57747
REUTTER	EDWARD/WANDA	HCR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

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


 Gail Jacobson
 Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

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


 Karen Schlaak
 Notary Public
 My Commission expires April 1, 2013

