

Considered: _____

WATER PERMIT NO. 1985-2

MAP No. Same

Name of Applicant David M. Dunbar

Post Office Address RR Box 32, Oelrichs SD 57763

Amount of Water Claimed 1.70 cfs Total Acres 1120

Source of Water Supply Lone Well Creek

Water to be used for irrigation County Fall River

About 1/2 miles N + W of Oelrichs

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved 12/10/86 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received June 30, 1986 Fee \$225.00 Remarks _____

9/15/86

^{S/W}
~~Corrected~~ Application Received Sept. 15, 1986 Period of Annual Use April - Sept 30

WATER QUALITY APPROVAL RECEIVED Sept. 15, 1986 APPROVED/CONDITIONAL (Circle one)

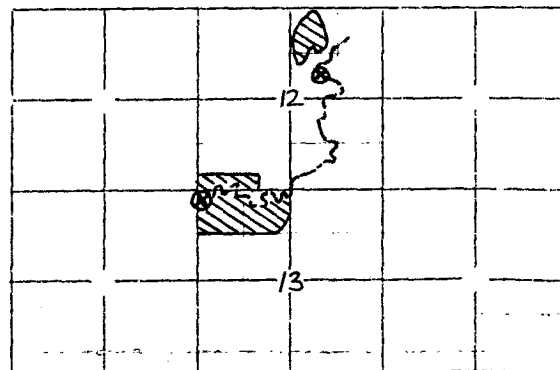
WI-1 Description same as Application YES ☒ NO _____ REMARKS _____

Diversion Point Lone Well Creek: SW 1/4 NE 1/4

section 12; NW 1/4 NW 1/4 section 13; all in
T10S - R7E

Land to be Irrigated W 1/2 NE 1/4, S 1/2 SW 1/4 section 12;

N 1/2 NW 1/4 section 13; all in T10S - R7E



Well Log: Driller NA Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map aerial photo PREPARED BY Gary Kruse SCS Reviewed and the Number
assigned on September 23, 1986 By Ron Duval

No. 1985-2 Hydrologic Unit 10120106
 Map No. same Basin Upper Cheyenne
 Newspaper Hot Springs Star Box 1000 (Tues)

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following;

New ☒ Vested Right ☐ Future Use ☐☐ Application to amend Permit No. _____ with old priority date retained☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐ _____☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____1. Name of Applicant David M. Dunbar Phone No. 605-535-2701Post Office Address RR., Box 32 Oelrichs, SD State 57763
(Street, RR or Box) Zip Code2. Amount of water claimed (c.f.s) 1.7 Total acres irrigated ~~120~~ 1193. Source of Water supply Runoff from Lone Well Creek4. Location of point of diversion #1)SW4NE4-12-T10-R7 #2)NW4NW4-13-T10-R7County Fall River5. Counties where water will be used Fall River6. Annual period during which water is to be used when available from April through September 30

7. 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.
NW4NE4-12-T10-R7	24
SW4NE4-12-T10-R7	2
SW4SW4-12-T10-R7	13
SE4SW4-12-T10-R7	4

Land Description	No. Acres Irr.
NW4NW4-13-T10-R7	40
NE4NW4-13-T10-R7	36
NW4NE4-13-T10-R7	1

Attach sheet if more space is needed

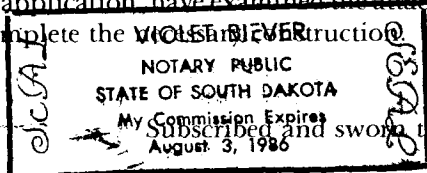
8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

This is a proposed waterspreading project to divert runoff water from Lone Well Creek, and apply it to adjacent bottomlands for hay production. No preliminary engineering reports or designs are available at this time.

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

STATE OF SOUTH DAKOTA
 County of Fall River ss

I, David M. Dunbar, the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the WATER RIGHTS instruction.

Signed David M. Dunbarbefore me this 28 day of June 1986

Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1985-2

David M. Dunbar (Applicant) RR, Box 32, Oelrichs (Post Office Address)

SD (State) 57763 (Zip Code) With the following qualifications.

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

Date of first receipt of application June 30, 1986.

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

Soil/Water approval received
~~Date of receipt of corrected application~~ Sept. 15, 1986. Approved December 10, 1986.

The Water Management Board hereby approves this Water Permit No. 1985-2 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is September 15, 1986.
2. One-fifth of the work is to be completed on or before May 10, 1989.
3. The whole of said work is to be completed on or before December 10, 1991.
4. The time limit for proof of beneficial use of water is December 10, 1995.
5. The water appropriated shall be used for the purpose of irrigation (water spreading).
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.70 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. 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 December 10, 1995; said water to be used during the following described annual period: April 1 - Sept. 30

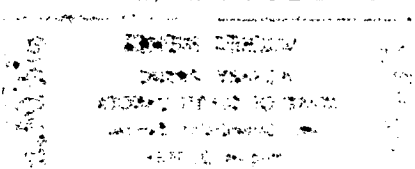
WATER MANAGEMENT BOARD

By: John Hatcher
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

FEB 17 1987

_____, 19____



SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

4170

WR#

OWNERS NAME: David M. Dunbar

OWNERS ADDRESS: RR, Box 32

Oelrichs, SD 57763

COUNTY LAND LOCATED IN: Fall River

PHONE: 605-535-2701

TENANT'S NAME AND ADDRESS:

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



1. WELL LOCATION

Depth

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: Lone Wolf Creek, #1) SWANP4-12-T10-R7

Diversion Location #2) NW4NW4-13-T10-R7 #3) SE4NW4-23-T10-R6 #4) NE4NW4-23-T10-R6

#5) SE4NE4-23-T10-R6

Legal Description	Acres	Legal Description	Acres
NW4 NE4 - 12 - T10 - R7	21	NE4 NW4 - 23 - T10 - R6	15
SW4 NE4 - 12 - T10 - R7	10	SE4 NW4 - 23 - T10 - R6	6
SW4 SW4 - 12 - T10 - R7	5	NW4 NE4 - 23 - T10 - R6	7
SE4 SW4 - 12 - T10 - R7	4	NE4 NE4 - 23 - T10 - R6	17
NW4 NW4 - 12 - T10 - R7	29	SE4 NE4 - 23 - T10 - R6	2
NE4 NW4 - 13 - T10 - R7	27	SW4 NE4 - 23 - T10 - R6	1
			137

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

LEGAL DESCRIPTION:

IN WHAT NAME:

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

OTHER:

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

6. CROPS TO BE IRRIGATED: Alfalfa and / or grass

* Waterspreading on grassland

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

7. WATER SAMPLE NUMBER:1

10. ADJUSTED (SAR):

8. SALINITY (EC X 10⁶):

11. PERCENT SODIUM

9. SODIUM (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.

Signature, of Water Sampler.

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land (46-5-8.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

24 DAY OF Feb, 1986

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

WAIVER

REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

Approved with Requirements

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: David Dunbar

LEGAL DESCRIPTION: W1/2 NE1/4 12; S1/2NW1/4 12; N1/2 NW1/4 13;
E1/2 NW1/4 23; NE1/4 23-10 = 137 acresSOIL REQUIREMENTS:

The areas mapped as Arvada (Ar) and Hiale Slickspots (He) shall not developed or irrigated because they are sodium bearing soils, not suitable for irrigation.

RECOMMENDED MANAGEMENT:

The areas of Lohmiller will require special water management ability to take water and the potential of moving salt up from the lower soil profile.

SIGNATURE

DATE



U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SCS - CPA - 16

2 - 81

CONSERVATION PLAN MAP

Appl. No. 1745-2

Owner DAVID M. DUNBAR Operator SAME
County FALL RIVER State SD Date 6/86
Approximate acres _____ Approximate scale 8" = 1 MILE
Cooperating with FALL RIVER Conservation District _____
Plan identification _____ Photo number _____
Assisted by Larry R. Kuse, Dist. Cons. USDA Soil Conservation Service

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410479

Pierre, July 2, 19 86

RECEIVED OF David M Dunbar, RR, Box 32, Oelrichs SD 57763

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

Fee for Application for Permit No. 1985-2 to Appropriate Water, to construct works and to put water to beneficial use	225	00
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.		
Fee for Filing Transfer Form		
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	225 00

By John Hatch
Chief Engineer

JOHN HATCH ks

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Office Use Only

Division of Conservation

WR#

OWNERS NAME: David M. Dunbar

OWNERS ADDRESS: RR, Box 32

Oelrichs, SD 57763

COUNTY LAND LOCATED IN: Fall River PHONE: (605) 535-2701

TENANT'S NAME AND ADDRESS:

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

1. WELL LOCATION

Depth

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: Lone Well Creek

Diversion Location 1) SW4 NE4-12-T10-R7 2) NW4 NW4-13-T10-R7

Legal Description	Acres	Legal Description	Acres
<u>NW4 NE4 -12-T10-R7</u>	<u>24</u>	<u>NW4 NW4-13-T10-R7</u>	<u>40</u>
<u>SW4 NE4-12-T20-R7</u>	<u>2</u>	<u>NE4 NW4-13-T10-R7</u>	<u>36</u>
<u>SW4 SW4-12-T10-R7</u>	<u>13</u>	<u>NW4 NE4-13-T10-R7</u>	<u>1</u>
<u>SE4 SW4-11-T10-R7</u>	<u>4</u>		

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

LEGAL DESCRIPTION: Description above includes those areas described on previous permit # issued 5/8/86.

IN WHAT NAME:

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

OTHER:

(Specify)

5. TYPE OF IRRIGATION: GRAVITY: TOWLINE: CENTER PIVOT: GUN:

6. CROPS TO BE IRRIGATED: Grass and Alfalfa

* Waterspreading on grassland

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

7. WATER SAMPLE NUMBER: 1

10. ADJUSTED (SAR):

8. SALINITY (EC X 10⁶):

11. PERCENT SODIUM

9. SODIUM (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.

Signature, of Water Sampler.

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

28th DAY OF July, 1986

(NOTARY PUBLIC)

My Commission Expires:
03-03-94

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

WAIVER

REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

February 27, 1986

David Dunbar
RR, Box 32
Oelrichs SD 57763

Dear Mr. Dunbar:

I have reviewed your water permit application claiming vested rights to runoff from Lone Well Creek. To qualify for a vested right water has to have been utilized and the diversion works kept in operable condition since prior to 1955. In your affidavit of water use you state that many of the original dams have been washed out. Any vested right claims to the dams that have been washed out and were inoperable for more than three consecutive years may have been abandoned. The remaining dams that meet the requirements may qualify as vested rights.

An on site inspection should be made to determine the existence of structures, ditches, water spreading works and lands irrigated that may qualify for vested rights. I am planning to be in Fall River County sometime during the month of April. I could do an inspection at that time.

I am returning your check to you. A fee can be determined when we know the present situation and your plans for new construction. If I can answer any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Delvin D. Brosz".

DELVIN D BROSZ, P.E.
Hydrologist

DDB:ks

enclosure

cc: Gary Kruse
Soil Conservation Service
HCR 52, Box 201
Hot Springs SD 57747

Dave Dunbar
R.R. Box 32
Oelrichs, S.D.
57763

March 11, 1986

Mr. Delvin Brosz
Water Rights Division
Dept. of Natural Resources
Joe Foss Building
523 East Capitol
Pierre, S.D. 57501



Dear Mr. Brosz:

I received your letter concerning my water permit application and would appreciate your inspection of the proposed area.

I will be waiting to hear from you so we can set up an appointment this coming April.

Sincerely,

Dave Dunbar
Dave Dunbar

Report on Application No. 1985-2

David M. Dunbar

October 17, 1986

Application No. 1985-2 submitted by David M Dunbar, Oelrichs, S. D. proposes to appropriate 1.7 cfs of water from Lone Well Creek to irrigate 119 acres. The points of diversion are to be located in the SW1/4 of the NE1/4 of section 12 and the NW1/4 of the NW1/4 of section 13; T10S, R7E. The land to be irrigated is located in the W1/2 NE1/4, S1/2 SW1/4 section 12 and N1/2 NW1/4 section 13 of the same township. The location is immediately west and north of Oelrichs. The project proposes to divert runoff water from Lone Well Creek for a water-spreading project on adjacent bottom lands for hay production.

Discussion:

Above Mr. Dunbar's initial point of diversion, the drainage area consists of approximately 18,000 acres. The drainage area is sufficient to provide adequate water for the waterspreading project. There are no water rights on Lone Well Creek below the proposed project. The problem that does exist, however, is that Lone Well Creek is a tributary to Horsehead Creek which contributes water to the Angostura Reservoir. On Horsehead Creek, a total of 7.0 cfs is appropriated to irrigate approximately 500 acres below the confluence of Lone Well Creek. The contributing drainage area to Horsehead Creek is approximately 160,000 acres so the impact of this project should have little affect on the downstream appropriations. The affect of the waterspreading on the Bureau of Reclamation's rights for runoff to fill Angostura Reservoir would be negligible. Characteristically, runoff from tributaries in Fall River County is a feast or famine situation. Previous studies have shown that an average flow year would fill Angostura Reservoir plus provide adequate water to meet the needs of the existing water rights.

Conclusions:

Normal flow years would provide adequate supplies of water to meet the needs of this application for water from Lone Well Creek with no adverse impacts to existing appropriations. Application No. 1985-2 proposes to use water for a waterspreading irrigation system to produce additional hay production on the bottom lands along the creek which is a beneficial use of the water.

It is recommended that application no. 1985-2 for David M. Dunbar be approved with the "Low Flow Bypass" qualification.



JAMES WINTERTON

Natural Resources Engineer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1985-2

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1985-2, David M Dunbar, RR, Box 32, Oelrichs SD.

The Chief Engineer is recommending APPROVAL of Application No. 1985-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) 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.

See the attached report for additional information.

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
October 29, 1986



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

October 08, 1986

NOTE:

TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

David M. Dunbar
RR, Box 32
Oelrichs, South Dakota 57763

Dear Mr. Dunbar:

Your Application No. 1985-2 for a permit to appropriate water for

Irrigation use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Hot Springs Star printed at Hot Springs

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your notice
of intent to appropriate water and to arrange for payment. Early contact with
the paper can eliminate delays. The publisher has been instructed to publish
your notice once each week for two consecutive weeks with the last publication
to occur at least thirty days before the board meeting. We must receive
Proof of Publication before the application can be considered by the Water
Management Board.

Sincerely,

RON DUVALL
Natural Resources Engineer

enclosures



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

October 30, 1986

Hot Springs Star
Box 1000
Hot Springs, South Dakota 57747

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by David M. Dunbar
Application No. 1985-2, in Fall River County, South Dakota. Please
publish this notice once each week for two consecutive weeks in your paper. The
first publication should be on, or before November 4, 1986.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you
make the first publication. The applicant is to pay the cost of publication and
should make the necessary arrangements with you to pay these costs.

A copy of BOTH publications must be sent to the Water Rights Division. IMMEDIATELY
after the FIRST publication, return a copy of the notice with the FIRST Publication
Transmittal form on the bottom of this page. The first copy is needed to check
the publication for errors so any corrections can be made before the second
notice is published.

Please be sure the SECOND publication is returned with the enclosed Proof of
Publication form. The permit application cannot be considered by the Water
Management Board until proof of publication has been received.

Thank you for your assistance.

Sincerely,

RON DUVAL
Natural Resources Engineer

cc: applicant

***** CUT HERE *****

FIRST
Publication
Transmittal

No. _____ Date _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

We are in receipt of your letter dated _____ and Notice of Hearing to
Appropriate Water by Application No. _____. The notice was first published
in our issue dated _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

NAME _____ NEWSPAPER _____

Equal Opportunity Employer

Instruction to Newspaper - Publish first publication of the following Notice on or before November 4, 1986 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1985-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that David M. Dunbar whose mailing address is RR, Box 32, Oelrichs, South Dakota has made an application for a permit

to appropriate 1.70 cubic feet of water per second from Lone Well Creek to irrigate 119 acres through a water spreading project. The points of diversion are to be located along the creek in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13; all in T10S-R7E. The land to be irrigated is located in the W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 12; N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 13; all in T10S-R7E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 1985-2 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 room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, December 10 1986 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 BOTH the applicant and the Chief Engineer by November 28, 1986. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons 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.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; ~~(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; (transfer lands) 46-5-30.4, 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 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

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 Rights Division, DWNr, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. 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 November 28, 1986.

No. 1985-2

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:

November 4, 1986

November 11, 1986

Charles Najacht
(Signature)

Publisher
(Title)

November 11, 1986
(Date Signed)



Cost of Printing: 38.39

NOTICE OF HEARING
ON APPLICATION NO. 1985-2
TO APPROPRIATE WATER

Notice is hereby given that David M. Dunbar whose mailing address is RR, Box 32, Oelrichs, South Dakota, has made an application for a permit to appropriate 1.70 cubic feet of water per second from Lone Well Creek to irrigate 119 acres through a water spreading project. The points of diversion are to be located along the creek in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13; all in T10S-R7E. The land to be irrigated is located in the W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 12; N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 13; all in T10S-R7E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1985-2 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 Room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, December 10, 1986 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 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 BOTH the applicant and the Chief Engineer by November 28, 1986.

The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons 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.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15; 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

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 Rights Division, DWNR, Joe Foss Bldg., Pierre, SD (605 773-3352) for assistance prior to the hearing date. 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 November 28, 1986.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

FEB 17 1987

David M. Dunbar
RR, Box 32
Oelrichs, South Dakota 57763

Dear Mr. Dunbar:

Enclosed herewith is your Water Permit No. 1985-2 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. 1985-2.

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 m:s

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

1985-2

NOTICE

TO: David M. Dunbar
RR, Box 32
Oelrichs, 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. 1985-2. 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

1985-2

NOTICE

TO: David M. Dunbar
RR, Box 32
Oelrichs, 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. 1985-2. 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

1985-2

NOTICE

TO: David M. Dunbar
RR, Box 32
Oelrichs, SD 57763

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

A handwritten signature in dark ink, appearing to read "Del 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

1985-2

RESCISSION OF SHUTOFF ORDER

TO: David M. Dunbar
RR, Box 32
Oelrichs, 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

1985-2

NOTICE

TO: DAVID M DUNBAR
RR BOX 32
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 No. 1985-2 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	FTYFPMONT	SD	57735		
1614-2	IRENE R	ANDERSON		HCR 59 BOX 20	FTYFPMONT	SD	57735		
324-2		B & H RANCH INC	B F CHILDERS	PO BOX 723	FTYFPMONT	SD	57735		
534-2		RAIL BROS		BOX 617	FTYFPMONT	SD	57735		
1995-2	LESTER I	BARKLEY		BOX 740	FTYFPMONT	SD	57735		
1693-2	NICK/MICHAEL	BOGNER	&NICK BOGNER JR	HC 46 BOX 24	OFLRICHS	SD	57763	1734-2	
755-2		BRAINERD INDIAN SCHOOL			HOT SPRINGS	SD	57747		
858-2	WAYNE F	CHILDERS		HCR 59 BOX 1A	FTYFPMONT	SD	57735		
636-2	V L	CHILDERS		BOX 723	FTYFPMONT	SD	57735		
654-2	OSCAR	COPE			OFLRICHS	SD	57763		
1994-2	JOHN	DEGERING		SR 1 BOX 136	LUCK	WY	82225		
567-2	HAROLD R	DONSON		HCR 59 BOX 5A	FTYFPMONT	SD	57735	1410-2	
2058-2	LEROY/BERTHA	DUNSON		HC 48 BOX 248	PROVO	SD	57774		
1985-2	DAVID M	DUNBAR		RR BOX 32	OFLRICHS	SD	57763		
788-2		HALD BROTHERS, INC.	CARL P HALD, PRES	HCR 46 BOX 5	OFLRICHS	SD	57763	1695-2	
421-2	HERMAN	HECK		BOX 441	FTYFPMONT	SD	57735		
540-2	DARRELL R	HELMAN		BOX 402	FTYFPMONT	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	FTYFPMONT	SD	57735		
1593-2		HU RANCH INC	SD CORPORATION	HCR 59 BOX 102	FTYFPMONT	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	FTYFPMONT	SD	57735		
866-2	A J	LANDERS	STAR CATTLE CO	BOX 1598 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		
17995-2	JOHN D(JACK)	MANKE	(ESTATE)	RR #1 BOX 179C	HOT SPRINGS	SD	57747		
11447-2	KENNETH	MARTINSON		BOX 361	FTYFPMONT	SD	57735		
785-2	ARDITH W	MCCLAIN		BOX 164	OFLRICHS	SD	57763		
410-2	RALPH L	MEFFERD, JR		HCR 48 BOX 22	PROVO	SD	57774		
1973-2	A J	NELSON		BROADUS STAGE	MILES CITY	MT	59301		
2015-2		PETERSON & SON, INC		HCR 59 BOX 16	FTYFPMONT	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	FTYFPMONT	SD	57735		
711-2	DONALD	PUTNAM		BOX 188	OFLRICHS	SD	57763	2043-2	
1836-2	GLEN	REASER		HC 46 BOX 48	OFLRICHS	SD	57763		
422-2	EDWARD/WANDA	REUTTER		HCR 59 BOX 90	FTYFPMONT	SD	57735	1789-2	
293-2	CHANCE/NETERI	REYNOLDS		HCR 59 BOX 28	FTYFPMONT	SD	57735	294-2	
669-2	OLIVER M	ROMNEY		BOX 175	OFLRICHS	SD	57763		
718-2	VERNON	SCHNOSE		ST RT BOX 155	HOT SPRINGS	SD	57747	1700-2	
1649-2		SPICER RANCH INC		BOX 95	OFLRICHS	SD	57763	671-2	1837-2
927-2	BERNARD D	SIMONS		BOX 381	FTYFPMONT	SD	57735		
1732-2	ROBERT/MARK	TUBBS		BOX 563	FTYFPMONT	SD	57735		
1019-2		WAR BOWNET RANCH LTD	BOX 132	105 E 5TH ST	WYRMO	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

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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



John Hatch
Notary Public



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 12, 1993

1985-2

NOTICE

TO: DAVID M DUNBAR
RR BOX 32
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 No. 1985-2 are authorized. Your water right is junior in priority to the US Bureau of Reclamation Water Right No. 579-2 (April 11, 1941 priority date). The Bureau of Reclamation water right for the Angostura Irrigation District allows one annual fill of the reservoir.

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

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

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

cc: US Bureau of Reclamation
Angostura Irrigation District

CERTIFICATION

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

Copy Sent To:

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

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

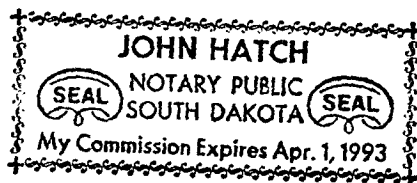
Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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

John Hatch
Notary Public





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 14, 1993

1985-2

RESCISSION OF SHUTOFF ORDER

TO: DAVID M DUNBAR
RR BOX 32
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

1985-2

NOTICE

TO: DAVID M DUNBAR
RR BOX 32
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 No. 1985-2 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

1985-2

RESCISSION OF SHUTOFF ORDER

TO: DAVID M DUNBAR
RR BOX 32
OELRICHS, SD 57763

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

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

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

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

cc: US Bureau of Reclamation
Angostura Irrigation District

Permit No. 1985-2
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 **David Dunbar** of **RR Box 32, Oelrichs SD 57763** holder of Permit No. **1985-2**, bearing the priority of **September 15, 1986** authorizing the diversion of **1.70** cu. ft. per second of the waters of **Lone Well Creek and Tributary** 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:

Diversion Dyke and Ditch Cuts

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

Spreader Dykes and Ditches

C. Works used to apply water to beneficial use:

Overland Flooding

The system is in the following condition: **Fair**. The points of diversion are located **approximately 1) 160' north of the NW corner of Section 13 2) 660' south of the NW corner of Section 13 and 3) 1480' north and 320' east of the center of Section 12 all T10S-R7E**. The works are capable of diverting and conveying to the place of use **6.68** 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 T10S-R7E

Section 13

NW1/4 NW1/4 40 ac.

NE1/4 NW1/4 36 ac.

Section 12

NW1/4 NE1/4 24 ac.

SW1/4 NE1/4 2 ac.

SW1/4 SW1/4 13 ac.

SE1/4 SW1/4 4 ac.

comprising a total of **119** acres of land and the license should be issued for **1.70** cfs.

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

REPORT ON INSPECTION OF PERMIT NO. 1985-2

DATE OF INSPECTION: 1/28/98

Other permit(s) associated with the project: none

Contact Person & Address: David M. Dunbar, RR Box 32, Oelrichs SD 57763

DIVERSION POINT LEGAL LOCATION: NW1/4 NW1/4 of Section 13, NW1/4 NE1/4 of Section 12, and SW1/4 SW1/4 of Section 12, all T10S-R7E

WATER SUPPLY Source: Lone Well Creek, Tributary to Lone Well Creek

DISTRIBUTION LINES OR CANALS:

1) Type Spreader Dykes 2) Size Variable

DIVERSION DYKE INFORMATION:

- | | |
|--|---|
| 1) Height to crest <u>5</u> feet | 2) Height to primary spillway <u>5</u> feet |
| 3) Height to secondary spillway <u>none</u> ft | 4) Crest width <u>8</u> feet |
| 5) Crest length <u>200</u> feet | 6) Spillway length <u>none</u> feet |
| 7) Spillway width <u>none</u> feet | 8) Approx. storage <u>1</u> ac-ft |
| 9) Approx. storage to crest <u>1</u> ac-ft | 10) Date constructed: <u>Unknown</u> |
| 11) Outlet tubes: <u>none</u> | |

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by Yes
- 2) All structures, wells and lands on map Yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA, Spreader System

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

NAME: David M. Dunbar

ADDRESS: RR Box 32, Oelrichs SD 57763

DATE: March 6, 1998

COUNTY: Fall River

TELEPHONE: 605-535-2701

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**

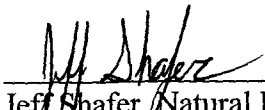
Irrigation is same as listed on permit.

- **Review of Existing Diversions**

The diversion points listed on the permit were advertised in the NW1/4 NW1/4 of Section 13 and SW1/4 NE1/4 of Section 12 both T10S-R7E. The diversion in the NW1/4 NW1/4 of Section 13 was not constructed. Two diversion points were developed, one in the NW1/4 NW1/4 of Section 13 and one in the SW1/4 SW1/4 of Section 12. Road cuts through an abandoned section road were made as the diversion points. The water source is runoff water from the upstream property. The runoff water is diverted through the road cuts before it reenters Lone Well Creek, on which the original diversion was to be located. The diversion in the SW1/4 NE1/4 of Section 12 has been moved to a tributary of Lone Well creek located in the NW1/4 NE1/4 of Section 12. The move was made because an existing dam on Lone Well creek was not repaired and does not divert water.

RECOMMENDED ACTION

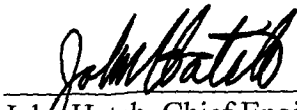
Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



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:

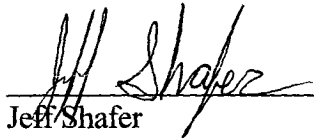
This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



John Hatch, Chief Engineer
Water Rights Program

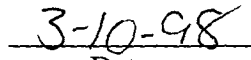
3-16-98

Exceptions to compliance are: None



Jeff Shafer

Natural Resources Engineer
DENR, Water Rights Program



Date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 24, 1998

1985-2

David Dunbar
RR, Box 32
Oelrichs, SD 57763

Dear Mr. Dunbar:

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. 1985-2. 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

Water Rights Program

South Dakota Department of Environment and Natural Resources

49 415757

Pierre, May 5, 19 98

RECEIVED OF David or Karel Dunbar, HC 46, box A48, 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. 1985-2

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 (signature)

65.9
T 491

17.9

11.3

15.5

21

22

23

24

T 458

AREA 2
BE
IRRIGATED

PD/S

10-7

AREA TO BE
IRRIGATED 12

T 458

Amended by:
Jeff Shafer
Natural Resources Eng.

40

36

1985-2

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1985-2

(1) David M Dunbar, RR 2 Box 32, Oelrichs, SD 57763 made Application No. 1985-2, June 30, 1986 for a water permit to divert 1.70 cubic feet of water per second from Lone Well Creek and tributary, Fall River County, South Dakota for irrigation purposes. Permit No. 1985-2, with a priority date of September 15, 1986 was approved December 10, 1986 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 10, 1991 and for the application to beneficial use of said water on or before December 10, 1995.

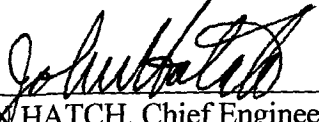
A January 28, 1998, investigation of the water use system found the diversion point locations had changed and an additional diversion point had been added. Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be approved if the new or additional point of diversion is from the same water source, no additional water is appropriated and no additional acres are irrigated. Pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14.01, the change in location of the diversion points and the additional diversion point does not increase the potential for adverse effects to existing diversions.

(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 1.70 cubic feet of water per second for beneficial use. The location of the diversion points are approximately 1) 160'N of the NW corner of Section 13 (SW ¼ SW ¼ Section 12); 2) 660'S of the NW corner of Section 13 (NW ¼ NW ¼ Section 13); and 3) 1480'N and 320'E of the center of Section 12 (NW ¼ NE ¼ Section 12), all in T10S, 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 12		Section 13	
NW ¼ NE ¼	24.0 acres	NW ¼ NW ¼	40.0 acres
SW ¼ NE ¼	2.0 acres	NE ¼ NW ¼	36.0 acres
SW ¼ SW ¼	13.0 acres		
SE ¼ SW ¼	4.0 acres		
Total acres irrigated: 119.0			

(4) Pursuant to South Dakota Water Law 46-5-30.1 David M Dunbar, RR Box 32, Oelrichs, SD 57763 the holder and/or owner of Water Permit No. 1985-2 is issued a license to appropriate water, the right to use 1.70 cubic feet of water per second from Lone Well Creek and tributary with a priority date of September 15, 1986 from the locations 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. 1985-2 and subject to South Dakota State Law.


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

JUN 17 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 17 1998

1985-2

David M. Dunbar
RR Box 32
Oelrichs, SD 57763

Dear Mr. Dunbar:

Enclosed is Water License No. 1985-2 and Receipt No. 415757 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 1985-2 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

gm
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: DAVID M DUNBAR
HC 46 BOX 48A
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. 1985-2

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.



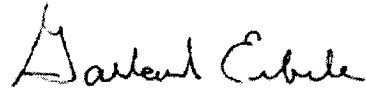
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 15, 2005

NOTICE OF SHUTOFF ORDER

TO: DAVID M DUNBAR
HC 46 BOX 48A
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. 1985-2

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.



IN REPLY REFER TO:

DK-700
PRJ 13.00

1985-2

United States Department of the Interior

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

FEB 24 2006



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

RECEIVED
FEB 27 2006
WATER RIGHTS
PROGRAM

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

Dear Mr. Erbele:

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

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

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

Sincerely,

For Jeffrey L. Nettleton
Rapid City Field Office Manager

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 2006

NOTICE OF SHUTOFF ORDER

TO: DAVID M DUNBAR
HC 46 BOX 48A
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. 1985-2

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: DAVID M DUNBAR
HC 46 BOX 48A
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. 1985-2

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: DAVID M DUNBAR
HC 46 BOX 48A
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. 1985-2

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:

DAVID M DUNBAR
HC 46 BOX 48A
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. 1985-2

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: DAVID M DUNBAR
HC 46 BOX 48A
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. 1985-2**

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

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

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

CERTIFICATION

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

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

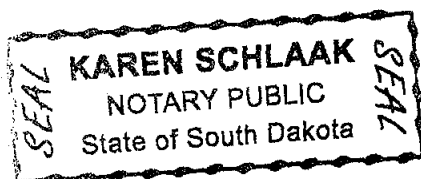
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK &	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	THOMAS	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC	BERNARD D	10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD	WAYNE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


 Gail Jacobson
 Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

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


 Karen Schlaak
 Notary Public
 My Commission expires April 1, 2013





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

RAPID CITY ONE-STOP
221 MALL DRIVE, SUITE 201
RAPID CITY, SD 57701
danr.sd.gov

June 05, 2026

TO: DAVID M DUNBAR
HC 46 BOX 48A
OELRICHS, SD 57763

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). 1985-2

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.