

350-2

No.

Office of State Engineer
DOCUMENT FILE

Jack Hunter
Ardmore, S. Dak.
Hall River County

Source of Supply -
District South Cheyenne River
Nat. Creek

Map No. - 382-2

NO. 350-2

Water Division No. 3

(Blanks to be filled by the State Engineer.)

District

8:15 A.M.
APR 16 1930

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

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

(NOTE—Draw a line through items not applicable.)

1. Name of applicant DARREL D. JACK HUNTER

Postoffice address ardmore County Fall River State S. Dak.

I. If a corporation NO

(a) Name of same A

(b) Date and place of incorporation A

(c) Amount of capital stock A

(d) Amount paid in A

(e) Names and address of directors: A

(NOTE—A certified copy of articles of incorporation must accompany the application)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by
by direct labor) Direct Labor

(b) Cash on hand, \$ adequate (c) Treasury stock, \$ A

(d) Bonds to be issued, \$ A (e) Other resources, \$ A

2. Name of diversion work Jack Hunter Diversion No. One

3. Quantity of water claimed 1.37 cubic feet per second.

4. Source of water supply Nat. Creek

5. Location of point of diversion S 83° 45' E 2144.3 ft from Sec. Corner

Common to Secs. 28, 29, 32, 34 T 11S, R 4E Left bank.

(Right or left bank looking down stream)

6. Annual periods during which water is to be used March through October

7. To be used for:

I. Irrigation or domestic use:

(a) Number of acres to be irrigated 117.93 acres.

(b) Legal subdivisions to be irrigated all located in 1/4 of Sec 28

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereon, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) None

II. Mining, power, manufacturing, transportation, or other purposes:

(a) Nature of use None

(b) Amount of power to be generated None horse power.

(c) Location of plant None

(d) Method of developing power None

(e) Point where water will be returned to stream None

8. Estimated cost of works:

(a) Head gates, \$ 200.00 (b) Pumping plant, \$ 3900.00
(c) Fluming, \$ None (d) Canal-earth, \$ 1200.00 Rock, \$
(e) Other structures Pipe \$ Total, \$ 4300.00

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)
Pumping Plant

II. Dimensions of works:

(a) Dam: Height feet; length at bottom feet; length at top feet; thickness at bottom feet; thickness at top feet; slope of front (water) face; slope of back face; material used in construction
(b) Reservoir: Capacity when filled acre feet. Surface area at highwater mark acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET OF	CAPACITY ACRE-FEET

(c) Head gate: Width two feet feet; height Three ft feet;
Material Concret
(d) Canal: Total length miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE PER MILE
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work Three years.
11. Time required for complete application of water to the proposed beneficial use one years.
12. Choice of newspaper for publication of notice of intention to appropriate Hot Springs,
Star, Hot Springs, South Dakota

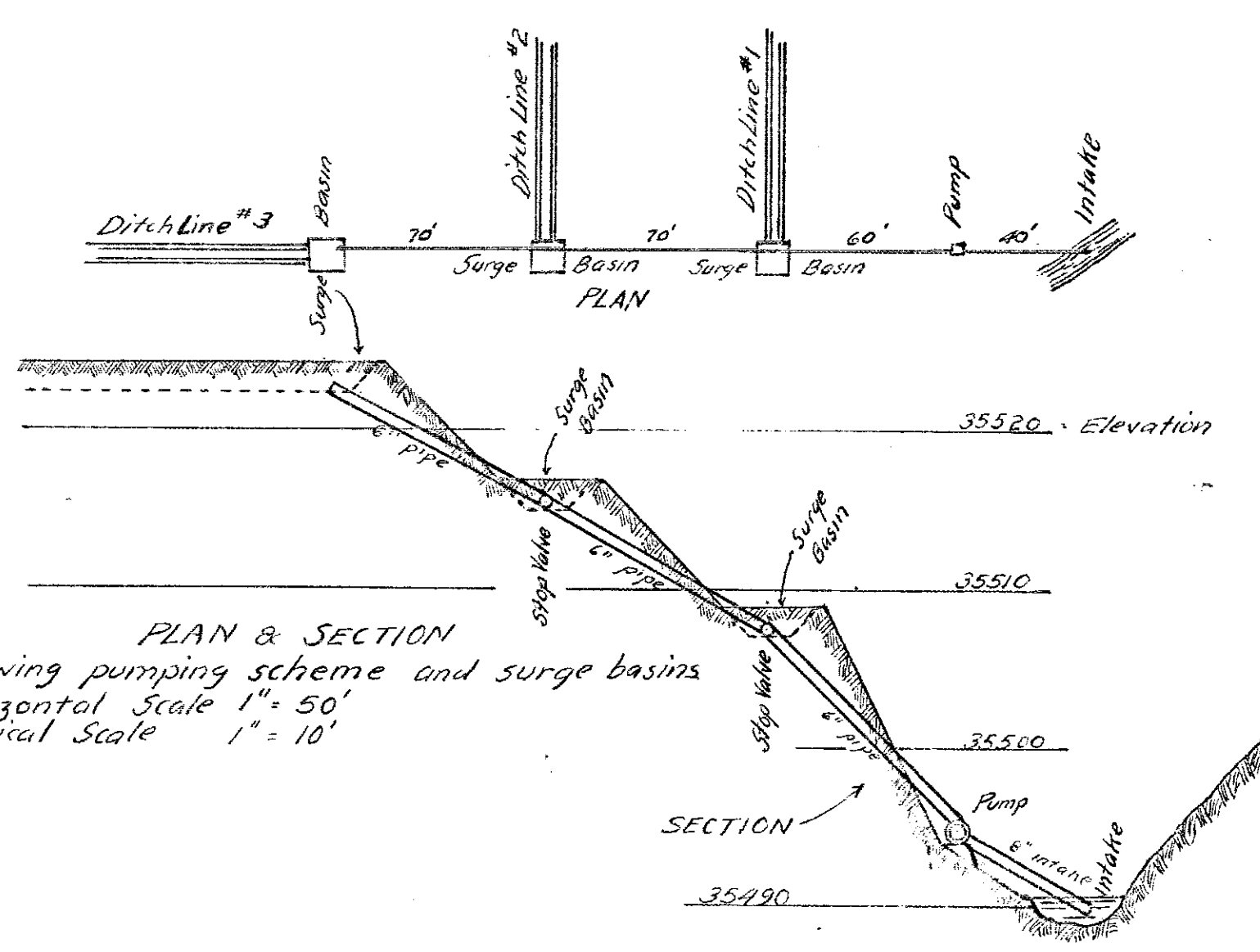
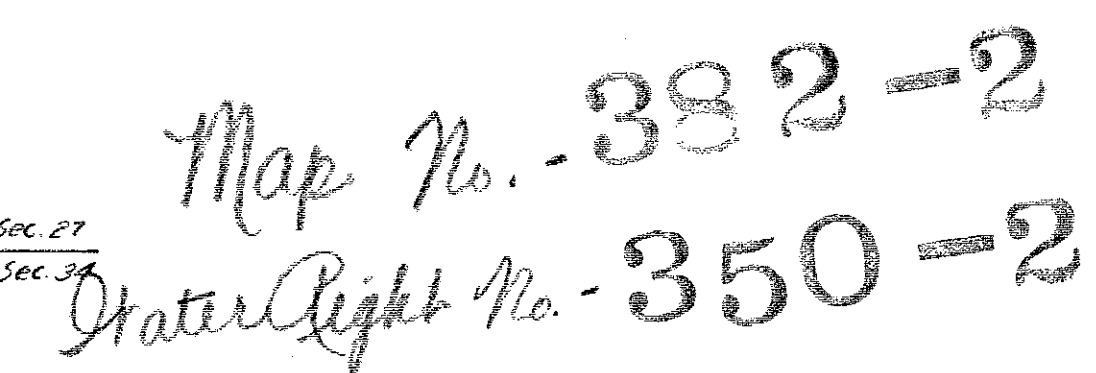
STATE OF SOUTH DAKOTA,
County of Fall River } ss.

I, Jack Hunter being first duly sworn
on my oath depose and say: That my relation to the above described, undertaking is that of
Land Owner, that I have read the above and
(Owner)
foregoing statement, and examined the map accompanying the same, and that I know of my own
personal knowledge that the matters herein stated and shown are true.

Signed Jack Hunter

Subscribed and sworn to before me this 13th day of June, 1926

Notary Public (or other qualified officer.)



Homer V. Morris
Clerk of Courts

Remarks by State Engineer:

STATE OF SOUTH DAKOTA,
County of Hughes } ss.

Pierre, South Dakota, July 21, 1950.

This is to certify that the foregoing application was received at this office at 8:15 o'clock
a. m. upon the 16 day of May, 1950 and that after examination it
was found to comply with the South Dakota Water Code, a notice was duly
advertised as required by law and no protests or objections were received.

Dean W. Loucks
DEAN W. LOUCKS State Engineer.

Number of permit 350-2

Date of first receipt of application May 16, 1950

Date of return to applicant for correction _____, 19---

Date of receipt of corrected application _____, 19---

Date from which applicant may claim right May 16, 1950

Approved July 21, 1950, Recorded in Book 2 Page 694-695

This is to certify that I have examined the foregoing application for a permit to appropriate water of the state of South Dakota, and I hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before January 21, 1952.

2nd. The whole of said work is to be completed on or before July 21, 1953.

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is July 21, 1953.

4th. The water appropriated shall be used for the purpose of _____

irrigation

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 1.67 c. of feet of water per second of time; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 21, 1953; said water to be used during the following described annual period:

March through October

Witness my hand this 21 day of July, 1950.

Dean W. Loucks
DEAN W. LOUCKS State Engineer.

STATE OF SOUTH DAKOTA

WATER LICENSE No. 350--2

WHEREAS, On the 16th day of May A. D. 1950

JACK HUNTER

of Ardmore County of Fall River and State of South Dakota

duly made application (No. 350--2) to me for a permit to use 1.67 cubic feet per second of the waters of Hat Creek

County of Fall River, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 21st day of July A. D. 1950

Permit No. 350-2 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 21st day of July A. D. 1953

and for the application to beneficial use of said water on or before the 21st day of July A. D. 1953

and,

WHEREAS, On the 9th day of October A. D. 1950

the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.67

cubic feet per second of said waters, as evidenced by my Certificate No. 350-2

dated October 26, 1950 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.67 cubic feet per second of water, with date of priority of May 16, 1950 and,

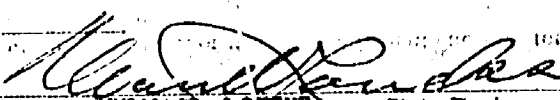
and, WHEREAS, On the 20th day of June A. D. 1953 proof was duly made of the application to beneficial use of 1.67 cubic feet per second of said water;

NOW, THEREFORE, By the virtue of the authority vested in me by the laws of the State of South Dakota,
I hereby grant and confirm to Jack Hunter
of Ardmore the holder and owner of said permit No. 350-2
a water right, dating from May 16, 1950 to the use of 1.67
cubic feet per second of the waters of Hat Creek
in the County of Fall River and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at S. 83° 45' E. 2144.3 ft. from
Sec. corner common to Sec. 28, 29, 32, 33, T. 11 S., R. 4E.
and conducted to and upon S½ of Sec. 28, T. 11 S., R. 4E.

for the purpose of providing irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of my office at Pierre, South Dakota,
this 15th day of July A. D. Ninteen
Hundred and 53


DEAN W. LOCKS, State Engineer.

State of South Dakota

Water License No. 350-2

To Jack Hunter

Ardmore, South Dakota

Source of Supply Hat Creek

Fall River County

Am't 1.67 Sec. Feet

Point of Diversion S½ Sec. 28

T. 11 S., R. 4E

Place of Use S½ Sec. 28, T. 11 S.,

R. 4E.

Purpose irrigation

Date of Priority May 16, 1950

Recorded July 21, 1950 6946

in Book 2 of 2 Page 695

Permit No. 350-2

Water Division No. 2 South Cheyenne River Water District

Certificate of Construction of Works.

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That JACK HUNTER

of Ardmore County of Fall River and State of South Dakota
 the holder of Permit No. 350-2, issued upon application
 No. 350-2, bearing date of priority of May 16, 1950, authorizing the diversion of
1.67 second-feet of the waters of Hat Creek
 County of Fall River State of South Dakota, at a point S. 83° 45' E., a
 distance of 2144.3 ft. from Section Corner common to Sec. 28, 29, 32 & 33, T 11S, R 4E.
 for irrigation
 purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of
 completion of the work of diversion set out and described in said Permit; that said works are adequate for divert-
 ing and conveying to the place of intended use 1.67
 second-feet of water; and that the lands proposed to be irrigated by the use of said water are described as follows,
S 1/2 of Sec. 28
 to-wit:

Witness my hand this 31stOctoberA. D. 19 50

Dean F. Locks
 DEAN F. LOCKS, State Engineer of South Dakota.

(First Publication _____, 19____)

APPROPRIATION OF WATER

Office of State Engineer,

Pierre, So. Dak., May 12, 19 50

Notice is hereby given that Jack Hunter whose post-office address is Ardmore, So. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.57 cubic feet of water per second of time from the Hat Creek through the Jack Hunter Diversion No. One, the point of diversion of which is to be located on the left bank of said stream, at 183° 45' E, 2144.3 feet from Sec. Corner Common to Sections 28, 29, 32, 33 Twp. 11 S. Range 4 E. Said water to be used for the purpose of providing irrigation on the following described land:

South 1/2 of Section 23

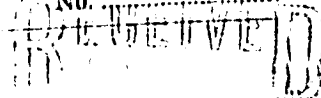
This application will be taken up by the State Engineer at his office at Pierre for consideration upon the 8th day of July, 19 50, at 2:00 P.M. All persons who believe that their prior rights would be injuriously affected, or that the allowance of the permit would be detrimental to the public welfare shall file such protest with the State Engineer in writing prior to the above date and may appear on the day above mentioned in person for the purpose of discussing further, the information presented.

Appropriation action will be taken by the State Engineer after suitable time has elapsed for the consideration of any or all information presented.

NCS:IT
cc: Gardner Cante

DEAN E. LOUCKS
State Engineer

No. 350-2



PROOF OF PUBLICATION

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

STATE OF SOUTH DAKOTA }
County of Fall River } ss.

Chas. Leonard being duly sworn, deposes and says the annexed printed copy of Notice of Intention to appropriate Water was taken from the Hat 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 Hat Springs Star County of Fall River and State of South Dakota; that the said notice was published in said newspaper on the following dates:

June 1 - 1950
June 8 - 1950
June 15 - 1950
June 22 - 1950

in each and every issue of the full number thereof, the first publication being made on the 1st day of June 1950 and the last publication on the 22 day of June 1950, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Editor and the printer and publisher of the said newspaper.

Subscribed and sworn to before me this 23 day of June A. D. 1950

Notary Public Chas. Leonard County, S. D.

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APPROPRIATION OF WATER
Office of State Engineer
Pierre, So. Dak., May 19, 1950
Notice is hereby given that Jack Hunter whose postoffice address is Ardmore, So. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.67 cubic feet of water per second of time from the Hat Creek through the Jack Hunter Diversion No. One, the point of diversion of which is to be located on the left bank of said stream S 81 degrees 15' E. 2144.31 feet from Sec. Corner Common to Sections 28, 29, 32, 34, Twp. 41 S., Range 41E. Said water to be used for the purpose of providing irrigation on the following described land:
S 1 of Section 28.
This application will be taken up by the State Engineer at his office at Pierre for consideration upon the 8th day of July, 1950, at 9:00 A. M. All persons who believe that their prior rights would be injuriously affected, or that the allowance of the permit would be detrimental to the public welfare shall file such protest with the State Engineer in writing to the above date and may appear on the day above mentioned in person for the purpose of discussing further, the information presented.
Appropriation action will be taken by the State Engineer after suitable time has elapsed for the consideration of any or all information presented.

DEAN W. LOUCKS
State Engineer
June 1-8-15-22

Permit No. 350-2

Jack Hunter
Water Division No. 1

Nat. Creek Water District

RECEIVED

OCT 9 1950

Notice of Completion of Works

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

(This blank must be filled out by the holder of permit and forwarded to the State Engineer at least 60 days before the time set for completion of works.)

(P. O.) Ardmore, South Dakota.

(Date)

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of
One and sixty-seven hundredths second feet of the waters of the state from Nat. Creek
through the Jack Hunter Diversion No. 1
for Irrigation purposes
in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of South Dakota.

1. The name of the person or corporation holding said permit is Jack Hunter
2. The postoffice address of such person or the place of business of such corporation is Ardmore
County of Fall River State of South Dakota.
3. The number of such permit is 350-2 and the date set for the completion of such work is
Completed in accordance with plan July 26, 1950.
4. Said water to be used for Irrigation purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is one and 67/100 cubic feet per second.
6. The amount of land for which said water is available is 117.83 acres,
particularly described as follows: Point of diversion is S 83 degrees 45 minutes E
from the NW corner of Section 36; T 11 S; R 4 E; of the B. F. L. in
Fall River County, South Dakota. Area under irrigation is in the
South 1/2 of Section 23; T 11 S; R 4 E; of the B. F. L. and is described
by metes and bounds on original plan submitted for permit and is on file
in the Office of the State Engineer at Pierre, South Dakota.

(In case of all canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the above notice are true.

Gardner Smith
Engineer.

(Signature)

Jack Hunter
J. W. Hunter
John Lloyd
Jennie Johnston

Permit No. 350-2.

Jack Hunter

Water Division No. 1.

Hat Creek Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated September 25, 1950

19 I have this day made a thorough examination of the diversion works constructed by Jack Hunter
of Ardmore, South Dakota.Fall River County, South Dakota, holder of permit No 350-2, issued
upon application No 350-2, bearing date of priority of May 19, 1950, authorizing the
diversion of 1.67 second feet of the waters of Hat Creek for Irrigation
purposes. I have to report on the condition of the same as follows:The diversion works comprise: 10-18 Fairbanks-Morse Pump motivated by a 30 HP Tractor.
This unit is capable of delivering 2200 gallons per minute against a 32' head.and the system is in the following condition: It has been constructed in a workman like manner
and is able to function at any time there is water in the creek which only occurs in the
spring of the year or in case of heavy up stream rains in the summer.The point of diversion is located South 83 degrees forty five minutes West from section
corner common to Sections 28, 29, 32 and 36 of T 11 S; R 4 E of the B. H. M. in Fall River
County, South Dakota.The works are capable of diverting and conveying to the place of use two second-feet of water,
which is to be used for Irrigation

The legal sub-divisions to be irrigated are: Section 28 (lot 1)

comprising a total of 117.85 acres of land.

The domestic use intended comprises None

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 26th day of October A. D. 1950.

Examining Engineer.

RECEIVED

JUL 13 1953

OFFICE OF STATE ENGINEER, REG. 7861
PIERRE, S. DAK.

Location No. 350-2

South Cheyenne
River

Water Division No. 2 Water District.

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Gardner Gantz, Professional Engineer, Custer, South Dakota.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. —

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. July 1, 1950

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Hat Creek, 2144.3 feet South 83° 45' E. from section corner common to Sections 28, 29, 32 & 33; T 11 S; R 4 E; of the BHM Fall River County, South Dakota.

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. Water is pumped from creek 17' to Ditch #1, 25' to Ditch #2 and 32' to Ditch #3.

Ques. 6. State for what purpose water is used and describe place of use (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Irrigation. The full 117.83 acres under Ditch Lines 1, 2 & 3 have been beneficially irrigated.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. —

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 1.67 Cubic Feet per Second.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Ownership was acquired by present owner by purchase in 1936.

June 5, 1974

An investigation of water license 350-2 indicated that the original applicant, Jack Hunter, is still owner of the irrigated lands and he has been irrigating since Permit No. 350-2 was approved.

Thomas A. Gardner

THOMAS A. GARDNER, Water Resources Engineer

February 18, 1975

Mr. Darrel D. Hunter came to the Permit office of the Water Rights Commission and says that he is now the owner of the land and holder of water license No 350-2, originally held in the name of his father, Jack Hunter (now deceased).

Darrel D. Hunter
Chief Engineer
Water Rights Commission

653-2

Dry Draw Number _____

ACP Farm Serial No. _____

That Jack Hunter

W 1/2 of
SW, 28-11-
4

The location of the point of diversion of the reservoir is as follows:

The ditch es will run in a northwesterly direction to and on said land for distance of 3000 feet.

Said location was made on the 20th day of September 1949.
 Witness my hand and seal this 20th day of September 1949.

Locator

STATE OF SOUTH DAKOTA,
County of Fall River

)
) SS.
)

Witness my hand and official seal the day and date above written.

Notary Public

My commission expires 8-19-53.

John Hatch 9-6-85
JOHN HATCH, Chief Engineer (date)



Department of Water & Natural Resources

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

May 11, 1989

350-2

NOTICE

TO: Darrel D. Hunter
Box D
Ardmore, SD 57715

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. 350-2. The priority date for your water right is junior to the April 11, 1941 priority date for Angostura Irrigation District Water Right No. 579-2.

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

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

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

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

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



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

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

September 13, 1989

350-2

Les Englund
2693 Commerce Drive
Rapid City, SD 57702

Dear Mr. Englund:

Enclosed, as you requested, are copies of the following documents from Water Right No. 350-2:

- 1) Proof of Application of Water to Beneficial Use,
dated July 13, 1953;
- 2) Notice of Completion of Works, dated October 9, 1950.

Also enclosed are John Guhin's Proposed Findings of Fact, Conclusions of Law and Final Decision in the matter of cancellation of Water Permit Nos 40-2A and 1812-2.

If you have any other questions, please contact me.

Sincerely,

Genny McMath

GENNY MCMATH
Natural Resource Analyst
(605) 773-3352

enclosures





Department of Water & Natural Resources

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

October 25, 1989

350-2

Les Englund
2693 Commerce Drive
Rapid City, SD 57702

Dear Mr. Englund:

As you requested, enclosed are copies of the 1987 and 1988 irrigation questionnaires for Water Right No. 350-2. The water right is currently listed in the name of Darrell D Hunter.

If you have any questions, please contact me.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures



Department of Water & Natural Resources

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

March 19, 1990

350-2

NOTICE

TO: Darrel D. Hunter
Box D
Ardmore, SD 57715

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

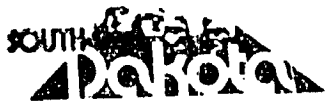


SUBJECT: Shut Off Order for Junior Water Rights Upstream of
Angostura Irrigation District

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. 350-2. 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

350-2

NOTICE

TO: Darrel D. Hunter
Box D
Ardmore, SD 57715

FROM: *for* JOHN HATCH, CHIEF ENGINEER *Deloris 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.

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 20, 1991

350-2

RESCISSION OF SHUTOFF ORDER

TO: Darrel D. Hunter
Box D
Ardmore, SD 57715

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.

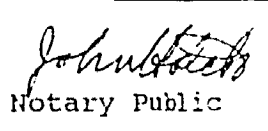
Page 2

Chas. F. Frost

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 25, 1992

350-2

NOTICE

TO: DARREL D HUNTER
BOX D
ARDMORE, SD 57715

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. 350-2 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 Kath, 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	PERM1	PERM2
557-2		A & T CATTLE CO	TOM LANDERS	ST RT	BOX 27400S	SD	57747		
302-2	RICHARD	ANDERSON	A CHAR ANDERSON	BOX 59 BOX 18	BOXWAY	SD	57735		
1616-2	LENN E	ANDERSON		BOX 59 BOX 22	BOXWAY	SD	57735		
134-2		B & B RANCH INC	B F CHILDERS	PO BOX 123	BOXWAY	SD	57735		
174-2		RAIL FROS		BOX 217	BOXWAY	SD	57735		
1345-2	LESTER E	BARRETT		BOX 740	BOXWAY	SD	57735		
1693-2	WICK/MICHAEL	BOGNER	BNICK BOGNER JR	HC 45 BOX 24	GEORGETOWN	SD	57763	1734-2	
755-2		BEAINE/INDIAN SCHOOL			BOX 27400S	SD	57747		
352-2	WAYNE F	CHILDERS		BOX 59 BOX 14	BOXWAY	SD	57735		
676-2	V L	CHILDERS		BOX 723	BOXWAY	SD	57735		
650-2	OSCAR	COFF			GEORGETOWN	SD	57763		
1974-2	JOHN	OFFERING		SR 1 BOX 135	LUSK	WY	82225		
567-2	HAROLD F	JOHNSON		BOX 59 BOX 5A	BOXWAY	SD	57735	1410-2	
2058-2	LEROY/REBECCA	JOHNSON		HC 48 BOX 218	BOXWAY	SD	57774		
1955-2	DAVID M	JENKINS		RR BOX 32	GEORGETOWN	SD	57763		
788-2		HAID BROTHERS, INC.	CARL P HAID, TRGS	HC 48 BOX 5	GEORGETOWN	SD	57763	1695-2	
421-2	HELMAN	HICK		BOX 441	BOXWAY	SD	57735		
540-2	DARRELL F	HELMAN		BOX 402	BOXWAY	SD	57735		
1872-2	DORA R	HENDERSON	ATT 265	5141 INDIAN RIVER	LAKE VILLAGE	NY	73162		
1980-2	P N W	HENRY		BOX 276	GEORGETOWN	SD	57763		
172-2	HENRY C	HOLLENBECK		DEWEY ROUTE	BOXWAY	SD	57735		
1533-2		HU RANCH INC	SD CORPORATION	BOX 59 BOX 102	BOXWAY	SD	57735		
350-2	HAROLD D	HUNTER		BOX D	GEORGETOWN	SD	57763		
1641-2	JAMES/PATRICIA	JOHNSTON		HC 48 BOX 7	LAKEVILLE	NE	68351		
18730-2	JIM	KANE		BOX 124	BOXWAY	SD	57774		
743-2	CARL	KANONET	ATT 207	PLANT HOTEL	CHANDLER	NE	68337		
1626-2	JOHN M	KOLLER		BOX 715	BOXWAY	SD	57735		
666-2	A J	LANDERS	STAR CATTLE CO	BOX 1528 BOX 52	BOX 27400S	SD	57747		
1240-2	R J ALLEN	LAMPENY		BOX 752	TIGER	SD	56852		
474-2	MEVIN	LUE			BOX 27400S	SD	57747		
17225-2	JOHN DEJACCI	MANN	(ESTATE)	PR 41 BOX 1726	BOX 27400S	SD	57747		
11447-2	KENNETH	MARTINSON		BOX 361	BOXWAY	SD	57735		
785-2	ARLITH W	MCLAIN		BOX 164	GEORGETOWN	SD	57763		
410-2	RAITH L	MEEFFORD, JR		BOX 48 BOX 22	BOXWAY	SD	57774		
1973-2	A J	MELSON		BRADY'S STAGE	MILES CITY	MT	59301		
2015-2		PETERSON & SON, INC		BOX 59 BOX 14	BOXWAY	SD	57735		
1016-2	PAUL A JEAN	FETTY	A NORMAN FETTY	BOX 52 BOX 136	BOX 27400S	SD	57747	2043-2	
1716-2	MEVIN	FOSTER		WYO RT BOX 17	BOXWAY	SD	57735		
711-2	DONALD	JUTENOW		BOX 188	GEORGETOWN	SD	57763		
1677-2	GLENN	KEASER		HC 45 BOX 43	GEORGETOWN	SD	57763		
472-2	EDWARD/WANDA	KUNTER		BOX 59 BOX 28	BOXWAY	SD	57735	1782-2	
223-2	GRANCE/STELLA	KENNEDY		BOX 59 BOX 28	BOXWAY	SD	57735	224-2	
660-2	OLIVER M	KENNY		BOX 175	GEORGETOWN	SD	57763		
718-2	VERNON	SCHNOSE		ST RT BOX 155	BOX 27400S	SD	57747	1700-2	
1643-2		SEGER RANCH INC		BOX 95	GEORGETOWN	SD	57763	671-2	1837-2
627-2	BERNARD D	SIMONS		BOX 381	BOXWAY	SD	57735		
1732-2	ROBERT/MADE	TURNER		BOX 563	BOXWAY	SD	57735		
1619-2		WAR POWNEY RANCH LTD	BOX 132	105 E 5TH ST	MILBURN	SD	57559		
162-2	VINCENT M	WASSERBURGER		BOX 83	GEORGETOWN	SD	57763	853-2	2115-2



350-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 1993

350-2

NOTICE

TO: DARREL D HUNTER
BOX D
ARDMORE, SD 57715

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

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

Effective immediately no diversions of water under your Water Right No. 350-2 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

350-2

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.

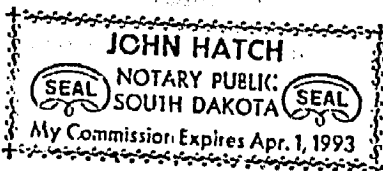
Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

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

350-2

RESCISSION OF SHUTOFF ORDER

TO: DARREL D HUNTER
BOX D
ARDMORE, SD 57715

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

350-2

1994 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE PLEASE FILL OUT AND RETURN BEFORE DECEMBER 16, 1994

350-2
DARRELL D HUNTER
HC 48 BOX 235
ARDMORE, SD 57715

CHANGES TO ADDRESS LABEL, IF ANY:

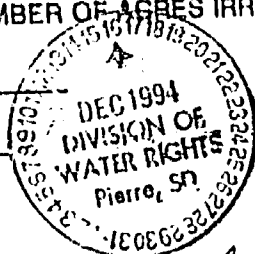
COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS DIVISION AT 523 E CAPITOL, PIERRE, SD 57501-7181 (605) 773-3352

HAS SYSTEM BEEN CONSTRUCTED? YES ☒ NO ☐

DID YOU IRRIGATE IN 1994? YES ☒ NO ☐ IF YES, NUMBER OF ACRES IRRIGATED 80

SOURCE OF WATER Hot Creek

DID YOU CHEMIGATE IN 1994? YES ☐ NO ☒



TYPE OF SYSTEM (CHECK ALL THAT APPLY):

CENTER PIVOTS ☐ TOWNLINES ☐ BIG GUN ☐
FLOOD ☒ SPRINKLERS ☐ OTHER ☐

COMMENT SECTION:

started ranching before state had used the creek since 1936 we had to stop irrigating. This was the 1st time we had to stop irrigating. We are not planning to angustee as we were irrigating before the dam was built. on 1991, was stopped one day and state issued a water permit the next day for construction. Look at my water right no then look at angustee numbers

THE PORTION OF THE FORM FOR REPORTING ACRES IRRIGATED IS ON THE BACK OF THIS PAGE. LISTED BELOW ARE TWO EXAMPLES OF HOW TO COMPLETE THE FORM:

EXAMPLE 1: IN JUNE & JULY, 130 ACRES WERE IRRIGATED USING A CENTER PIVOT SYSTEM (70 ACRES OF CORN & 60 ACRES OF BEANS). THE PUMP RATE OF THE PIVOT IS 800 GALLONS PER MINUTE AND YOU PUMPED 10 DAYS (@ 24 HOURS PER DAY) ON THE CORN AND 20 DAYS ON THE BEANS:

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	10	24
	BEANS	60	800 GPM	10	24
JULY	BEANS	60	800 GPM	10	24

EXAMPLE 2: IN JUNE, 40 ACRES OF ALFALFA WERE IRRIGATED (USING GATED PIPE @ 3000 GPM) FOR 10 DAYS - 20 HOURS PER DAY; 60 ACRES OF BEANS WERE IRRIGATED (USING BIG GUN @ 500 GPM) FOR 10 DAYS AT 24 HOURS PER DAY:

JUNE	ALFALFA	40	3000 GPM	10	20
	BEANS	60	500 GPM	10	24

NOTE: PLEASE SPECIFY UNDER HOURS PUMPED WHETHER YOU ARE REPORTING IN REGULAR HOURS OR KILOWATT HOURS.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 29, 1994

350-2

Darrell D Hunter
HC 48 Box 235
Ardmore, SD 57715

Dear Mr. Hunter:

This letter will acknowledge receipt of your 1994 irrigation questionnaire and will also attempt to answer your comments and concerns included with the questionnaire.

Your irrigation system is authorized under Water Right No. 350-2. The application was applied for May 16, 1950, by Jack Hunter. A "Notice of Completion of Works" was submitted October 9, 1950. The "Notice" (signed by Jack Hunter) indicates the project was completed on July 25, 1950. I have enclosed a copy of the water permit, notice of completion of works, and the water license for your review.

The Bureau of Reclamation holds US Withdrawal No. 579-2 for the Angostura project which authorizes an annual fill of water in the reservoir to elevation 3187.2 mean sea level. The priority date for the project is April 11, 1941.

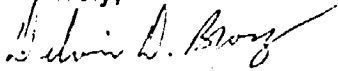
You stated that irrigation took place on this property before the Angostura Reservoir was built. South Dakota Water Law is based on the priority date system. Senior water right holders have first claim to water. This division administers the water rights laws according to records that are on file which show your water right being junior to the Angostura project. If you feel the priority date of your water right is in error and should predate the Angostura project, you have the right to file a vested water right claim.

Enclosed is a set of vested water right application forms for your use in filing the claim. You will need to include documentation which supports your claim to an earlier priority date. Unless additional information and/or claims are filed, our office will administer shutoff orders based on priority dates of existing water rights.

Page 2
December 29, 1994
Darrell D Hunter

If you have any questions or need assistance in completing the forms, please contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Delvin D. Brosz".

Delvin D Brosz, PE
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

enclosures

350-2



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

March 15, 1995

350-2

NOTICE

TO: DARREL D HUNTER
HC 48
ARDMORE, SD 57715

FROM: John Hatch, Chief Engineer *John Hatch*
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. 350-2 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



350-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 26, 1995

350-2

RESCISSION OF SHUTOFF ORDER

TO: **DARREL D HUNTER**
HC 48 BOX 235
ARDMORE, SD 57715

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



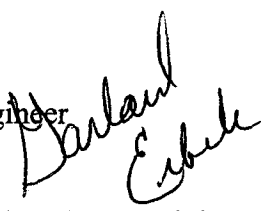
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 30, 2004

NOTICE OF SHUTOFF ORDER

TO: DARREL D HUNTER
HC 48 BOX 235
ARDMORE SD 57715

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. 350-2

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: DARREL D HUNTER
HC 48 BOX 235
ARDMORE SD 57715

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. 350-2

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.

350-2



IN REPLY REFER TO:

DK-700
PRJ 13.00

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: DARREL D HUNTER
HC 48 BOX 235
ARDMORE SD 57715

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. 350-2

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.



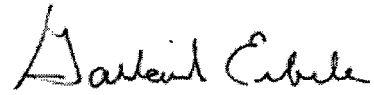
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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: DARREL D HUNTER
HC 48 BOX 235
ARDMORE, SD 57715

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. 350-2

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: DARREL D HUNTER
12047 BAR BOX BAR DRIVE
ARDMORE SD 57715

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. 350-2

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:

DARREL D HUNTER
12047 BAR BOX BAR DR
ARDMORE SD 57735

FROM:

GARLAND ERBELE, Chief Engineer
Water Rights Program

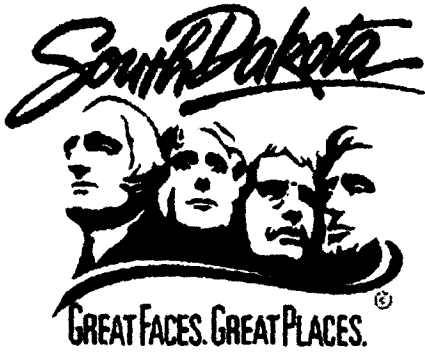
SUBJECT: Shutoff Order for Junior Priority Date Water Rights Upstream of
Angostura Dam

Shutoff Order for Water Right Nos. 350-2

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**

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

October 31, 2011

350-2

Charles Weinreis
Weinreis Brothers
PO Box 367
Minatare NE 69356-0367

Dear Mr. Weinreis:

Thank you for returning my call concerning the Darrel Hunter water right. In the event you do not have one, I have included a copy of the water right for you to keep.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

Also enclosed is the 2011 irrigation questionnaire. The questionnaire, transfer of ownership form and filing fee can be returned to us in the enclosed postage paid envelope.

If you have any questions, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

DEC - 7 2011

WATER RIGHTS
PROGRAM

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

No. 350-2

Date: 12-2-11

I/We request that Water Right No. 350-2

formerly owned by: Darrel D Hunter

be transferred to: (name & address) WEINREIS BROTHERS
230908 HIGHLAND RD
SCOTTSBLUFF, NE 69361 Telephone No. 308-220-3700

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

S ½ Section 28, T11S, R4E

I/We understand that the validity of Water Right No. 350-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

I/We WEINREIS BROTHERS, the new owner, certify that the above information is true and correct.

Charles Weinreis
Charles Weinreis
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/7, 20 11

RECEIVED OF Weinreis Bros PO Box 367 Minatare NE 69356

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	50	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 <u>350-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **05100**

By

[Signature]
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 12, 2011

350-2

Charles Weinreis
Weinreis Brothers
230908 Highland Rd
Scottsbluff NE 69361

Dear Mr. Weinreis:

Thank you for sending in the transfer of ownership form, filing fee and the 2011 irrigation questionnaire for Water Right No. 350-2.

The ownership change has been completed. The water right formerly held by Darrel D Hunter is now listed in the name of "Weinreis Brothers".

Enclosed for your records is Receipt No. 05100 in the amount of \$50.00. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure



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: WEINREIS BROTHERS
CHARLES WEINREIS
230908 HIGHLAND RD
SCOTTSBLUFF NE 69361

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. 2042B-2 1019-2 718-2 (350-2)**

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:

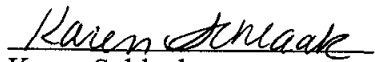
LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
INDIAN CREEK CATTLE LLP		32296 190TH ST	SLEEPY EYE	MN	56085
INDIAN CREEK LAND & CATTLE LLC		PO BOX 538	EDGEMONT	SD	57735
WEINREIS BROTHERS		230908 HIGHLAND RD	SCOTTSBLUFF	NE	69361
SEGER RANCH INC		RR 1 BOX 100A1	HOT SPRINGS	SD	57747
REUTTER	EDWARD/WANDA	HCR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

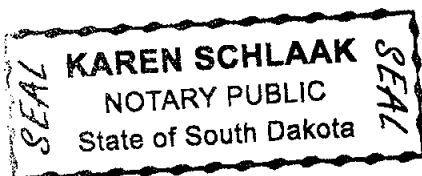
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK &	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	THOMAS	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC	BERNARD D	10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD	WAYNE 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



350-2



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 27, 2022

350-2
1019-2
1210-2

Charles Weinreis
Weinreis Brothers
12284 Horse Creek Loop
Edgemont SD 57735-7354

Dear Mr. Weinreis:

Enclosed is a "Notice" dated October 21, 2022 concerning the 2022 irrigation questionnaires.

The notice was originally mailed to Scottsbluff, NE. The post office notified us that your address has changed, and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



**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: WEINREIS BROTHERS
12284 HORSE CREEK LOOP
EDGEMONT, SD 57735

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). 350-2, 718-2 and 1019-2

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.