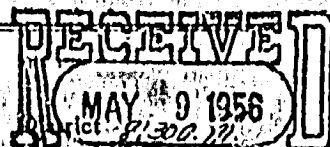


NO. 477-2Water Division No. 2South Cheyenne River
(Blanks to be filled by the State Engineer.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

(NOTE—Draw a line through items not applicable.) Edwin P Benton & Ethel E Benton

1. Name of applicant Edwin Benton James T. & Cynthia L. Benton
 Postoffice address Edgemont, County Fall River, State South Dakota

- I. If a corporation ---
 (a) Name of same ---
 (b) Date and place of incorporation ---
 (c) Amount of capital stock ---
 (d) Amount paid in ---
 (e) Names and address of directors: ---

(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 direct labor) Contract and Direct Labor
 (b) Cash on hand, \$ 3,500.00 (c) Treasury stock, \$ ---
 (d) Bonds to be issued, \$ --- (e) Other resources, \$ 1,500.00

2. Name of diversion work Benton No. 1
 3. Quantity of water claimed 0.96 cubic feet per second.
 4. Source of water supply Cheyenne River
 5. Location of point of diversion In NE 1/4 SE 1/4, Sec. 6, T8S, R2E, BHM; from SW corner, said Sec. 6 N 10° 10' W 1,794 ft. on right bank, Fall River County.
 6. Annual periods during which water is to be used Spring and Summer
 7. To be used for:

I. Irrigation or domestic use? Gravity, overhead sprinkling or combination system? Gravity

- (a) Number of acres to be irrigated 67.3 acres
 (b) Legal subdivisions to be irrigated See Attached Sheet

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction w/ acreage thereof, 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. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use Stockwatering
 Name any of the above uses claimed
 (b) Amount of power to be generated 0 horse power.
 Amount claimed for engin. cooling 0
 (c) Location of plant ---
 (d) Method of developing power ---
 (e) Point where water will be returned to stream ---

Map No. 444-2

(a) Estimated cost of work: Head gates, \$ 250.00 (b) Pumping plant, \$ 1,650.00
 (c) Fluming, \$ 0.00 (d) Canal-earth, \$ 200.00 Rock, \$ 0.00
 (e) Other structures Land leveling..... \$ 3,000.00 Total, \$ 5,100.00

9. Description of diversion works:
 I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)
 Pumping Plant, Laterals and Land Leveling - See Attached Sheet

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 at 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.....FEET DEPTH AT OUTLET-ACRES	ACRE-Feet CAPACITY

(c) Head gate: Width.....1.0.....feet; height.....1.0.....feet;
 Material Steel and Concrete
 (d) Canal: Total length.....1.2.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE PER MILE
Main Lateral Total Length	feet	1.0.....feet	feet	10.6.....feet
E-W Field Lat- Total Length	feet	1.0.....feet	feet	5.3.....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.)

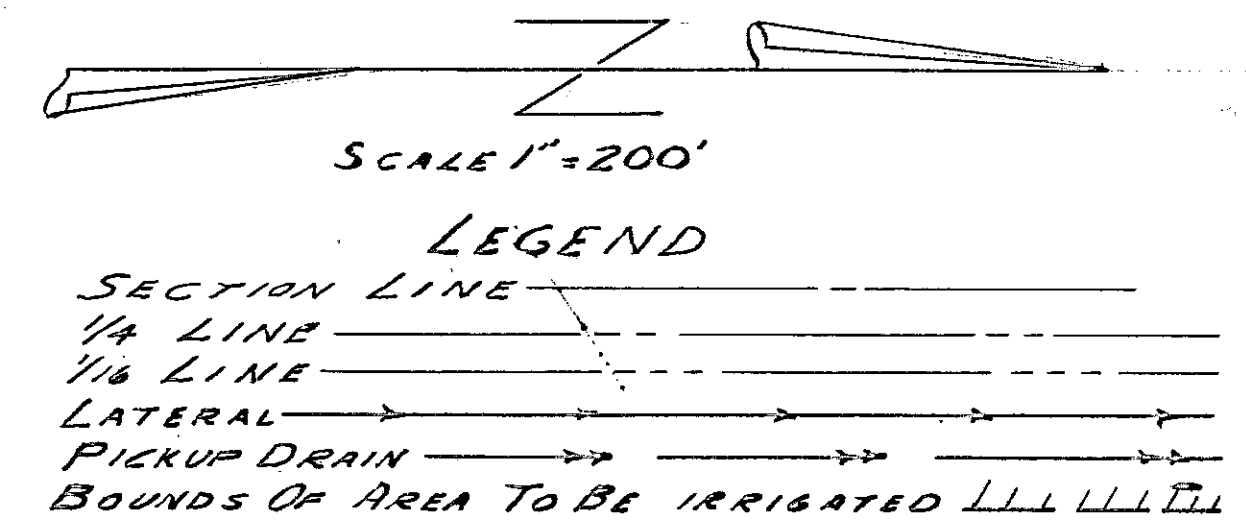
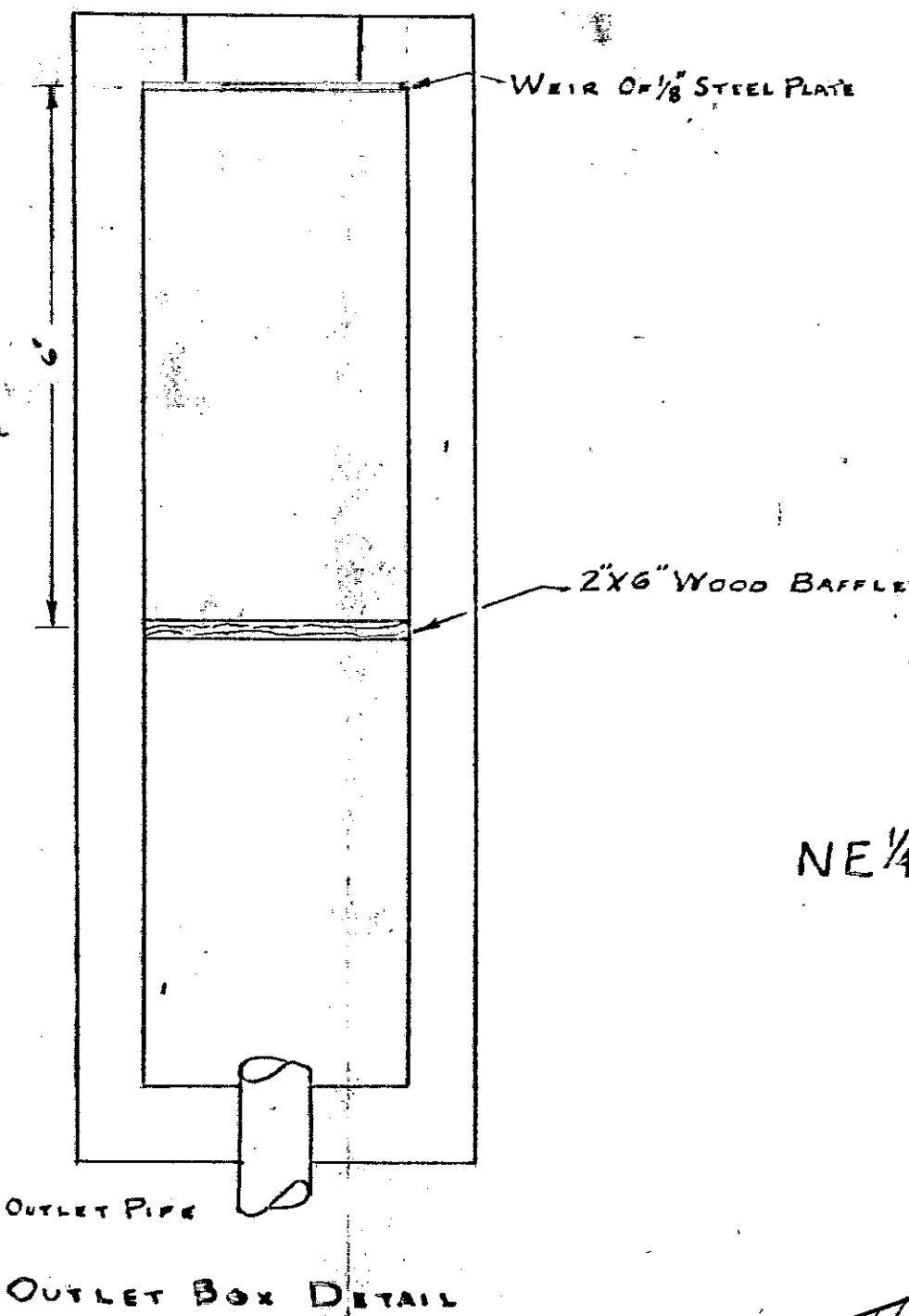
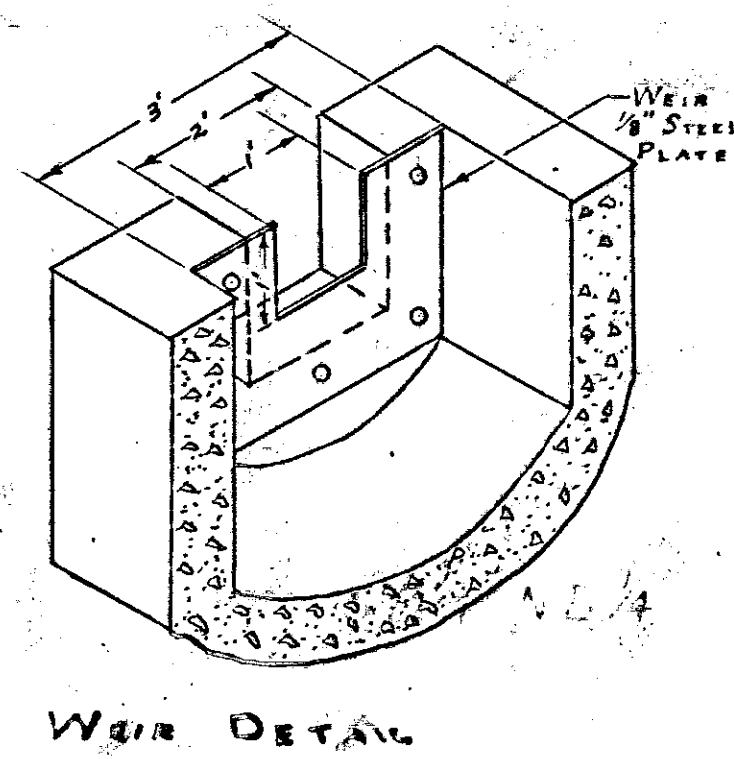
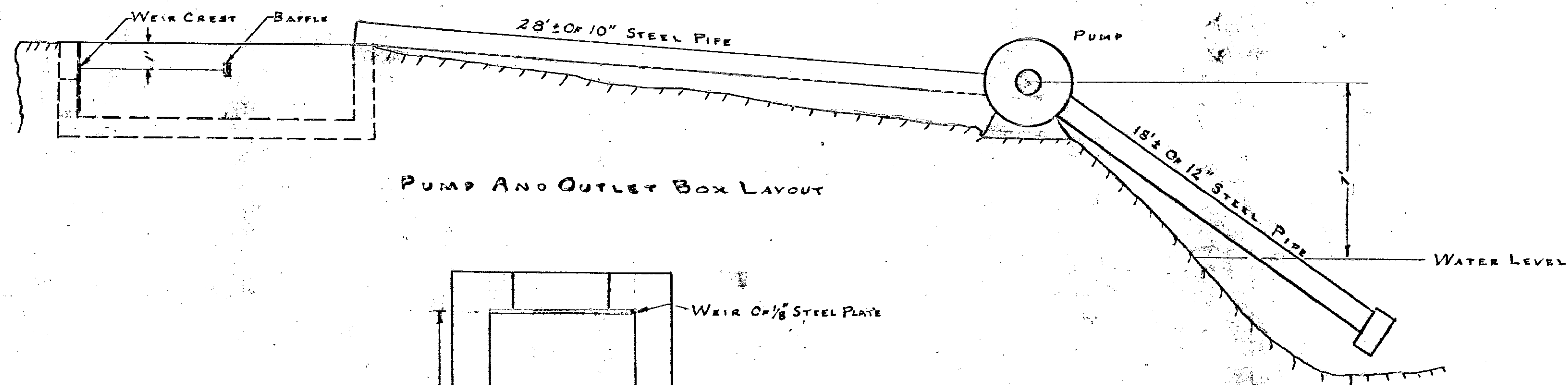
- Time required for completion of work five years.
- Time required for complete application of water to the proposed beneficial use nine years.
- Choice of newspaper for publication of notice of intention to appropriate Hot Springs Star, Hot Springs, South Dakota

STATE OF SOUTH DAKOTA
 County of FARA RIVER } ss.

I, EDWIN BENTON, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Edwin Benton
 Subscribed and sworn to before me this 7 day of May, 1956
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



MAP OF PROPOSED IRRIGATION PROJECT FOR PARTS OF SW 1/4 NW 1/4 AND NW 1/4 NW 1/4 SECTION 8; NE 1/4 NE 1/4 SECTION 7; SE 1/4 SE 1/4, NE 1/4 SE 1/4 AND NW 1/4 SE 1/4 SECTION 6; SW 1/4 SW 1/4 AND NW 1/4 SW 1/4 SECTION 5 ALL IN T8S R2E B.H.M. FALL RIVER COUNTY, SOUTH DAKOTA
DRAWN: MARCH 1956 BY R.W.

SURVEYORS CERTIFICATE:

I, FRANK R. BRADY, REGISTERED LAND SURVEYOR DO HEREBY CERTIFY THAT AT THE DIRECTION OF EDWIN BENTON, I HAVE SURVEYED THE PROPOSED IRRIGATION PROJECT AS SHOWN ON THIS MAP. THE BEARINGS, ANGLES AND DISTANCES ARE AS SHOWN.

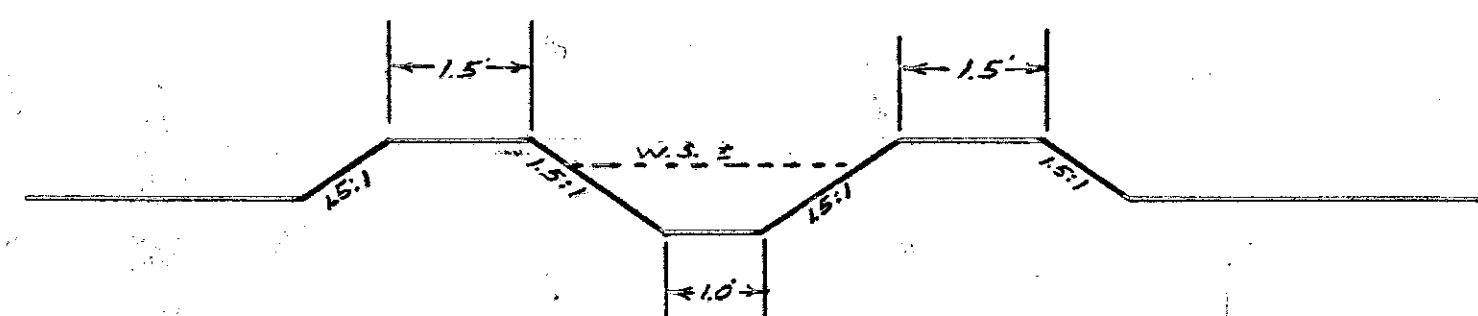
ACKNOWLEDGMENT OF SURVEYOR:

BE IT KNOWN THAT ON THIS 28 DAY OF April 1956 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED FRANK R. BRADY KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE ABOVE CERTIFICATE.
MY COMMISSION EXPIRES 8-17-58

H. A. Sullivan
NOTARY PUBLIC

AREA TO BE IRRIGATED

1/4	1/4 SEC.	ACRES	OWNER
SW 1/4	NW 1/4 SEC 8	1.5	EDWIN BENTON
NW 1/4	NW 1/4 SEC 8	13.9	
NE 1/4	NE 1/4 SEC 7	7.6	
SW 1/4	SW 1/4 SEC 5	6.2	
NE 1/4	SE 1/4 SEC 6	13.5	
NW 1/4	SE 1/4 SEC 6	0.3	
SE 1/4	SE 1/4 SEC 6	24.3	
TOTAL		67.3	



ALL OTHER LATERALS SLOPE 0.1%
SCALE 1/2" = 1'

Map No. 444-2
(Appl. No. 422-2)

STATE WATER RESOURCES COMMISSION
Remarks by State Engineer:

STATE OF SOUTH DAKOTA

County of Hughes

Pierre, South Dakota, May 19, 1956

This is to certify that the foregoing application was received at this office at 8:30 o'clock 2 m. upon the 2 day of May, 1956 and that after examination it was found to comply with the South Dakota water laws, was published in accordance with the provisions thereof and consideration given to any and all information presented.

Number of permit 422-2

Date of first receipt of application May 9, 1956

Date of return to applicant for correction —, 19—

Date of receipt of corrected application —, 19—

Date from which applicant may claim right May 9, 1956

Approved July 9, 1956, Recorded in Book 3 Page 161

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 February 10, 1959

2nd. The whole of said work is to be completed on or before August 10, 1961

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is August 10, 1965

4th. The water appropriated shall be used for the purpose of Irrigation and stockwater

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 0.96 cubic feet per second; 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 August 10, 1965; said water to be used during the following described annual period:

April to September inclusive

Witness my hand this 10 day of August, 1956

By: J. D. Brinner

Certificate of Construction issued September 4, 1962

Water License issued September 4, 1962

State Engineer,
Chief Engineer,
Executive Officer

Supplemental Sheet
APPLICATION FOR PERMIT - EDWIN BENTON

7.

(b) Legal subdivisions to be irrigated:

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T8S, R2E, BHM	- 1.5
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T8S, R2E, BHM	- 13.9
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T8S, R2E, BHM	- 7.6
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T8S, R2E, BHM	- 6.2
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T8S, R2E, BHM	- 13.5
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T8S, R2E, BHM	- 0.3
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T8S, R2E, BHM	- 24.3
Total 67.3 Acres	

9.

I. Pumping plant will consist of:

Pump: Dempster Model V-6
Ser. No. AC 61

Power Unit: John Deere Tractor,
Model D
42 H.P.

STATE OF SOUTH DAKOTA

WATER LICENSE No. 422-2

WHEREAS, On the 9th day of May A. D. 1956

Edwin Benton

of Edgemont County of Fall River and State of South Dakota

duly made application (No. 422-2) to us for a permit to use .96

cubic feet per second of the waters of the Cheyenne River

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

WHEREAS, On the 10th day of August A. D. 1956

Permit No. 422-2 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 10th day of

August

A. D. 1961 and for the application to beneficial use of said

water on or before the 10th day of August A. D. 1965 and,

WHEREAS, On the 1st day of August A. D. 1962

the holder... of said permit duly made proof of the completion of adequate works for the diversion of .96

cubic feet per second of said waters, as evidenced by our Certificate No. 422-2

Dated September 4, 1962 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use .96 cubic feet per second of water, with date of priority of May 10, 1956 and,

WHEREAS, On the 1st day of August A. D. 1962

proof was duly made of the application to beneficial use of .96 cubic feet per second of said water; for irrigating 67.3 acres in Sections 5, 6, 7 and 8, T8S, R2E

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to Edwin Benton

of Edimont the holder and owner of said permit No. 422-2

a water right, beginning from May 10, 1956 to the use of .96

cubic feet per second of the waters of the Cheyenne River

In the County of Fall River and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at a point N1°10'W, 1794' from the
SE corner Section 6, T8S, R2E, in the NE 1/4 SE 1/4 of said section

and conducted to and upon portions of Sections 5, 6, 7 & 8, T8S, R2E, more specifically
described in the Certificate of Completion of Works

for the purpose of 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 our office at Pierre, South Dakota,
this 4th day of September A. D. Nineteen
Hundred and Sixty-Two

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s. _____

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 422-2Water Division No. 2 So. Cheyenne River
Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Edwin Benton

of Edgemont, County of Fall River, and State of
South Dakota, the holder of Permit No. 422-2, issued upon Application
 No. 422-2 bearing date of priority of May 9, 1956, authorizing the diversion of
.96 cu. ft. per second of the waters of the Cheyenne River
 County of Fall River, State of South Dakota, at a point 10°W, 1794'
from the SE corner, Section 6, T8S, R2E in the NE 1/4 SE 1/4 of said section
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 works of diversion set out and described in said Permit; that said works are found in satisfactory
 condition for diverting and conveying to the place of intended use .96 cu. ft.
 per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: All in T8S, R2E;

<u>Section 5</u>	<u>SW 1/4 SW 1/4</u>	<u>6.2 acres</u>
<u>Section 6</u>	<u>NE 1/4 SE 1/4</u>	<u>13.5 "</u>
	<u>NW 1/4 SE 1/4</u>	<u>0.3 "</u>
	<u>SE 1/4 SE 1/4</u>	<u>24.3 "</u>
<u>Section 7</u>	<u>NE 1/4 NE 1/4</u>	<u>7.6 "</u>
<u>Section 8</u>	<u>SW 1/4 NW 1/4</u>	<u>1.5 "</u>
	<u>NW 1/4 NW 1/4</u>	<u>13.9 "</u>
	<u>Total...</u>	<u>67.3 "</u>

Witness my hand this 4th day of September A. D. 1962

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

(First Publication before June 8, 1956)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., May 24, 1956

Notice is hereby given that Edwin Denton whose postoffice address is Edgemont S. 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 0.36 cubic feet of water per second of time from the Cheyenne River through the Denton No. 1 Project, the point of diversion of which is to be located on the right (South-westerly) bank of said stream in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6 Twp. 8 S Range 2 E R1M. Said water to be used for the purpose of providing irrigation on the following described land:

Sections 5, 6, 7, and 8, all 1 T 8 S R 2 EXXXXXX
and forXXXXXX
purpose.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 9th day of JULY, 1956, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

J. W. Grimes,

Chief Engineer, Executive Officer

cc: C. T. and D. W. Leonard, Publishers
The Star
Hot Springs, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Fall River

ss.

Charles T. Leonard being duly sworn, deposes and says the annexed printed copy of Notice of Intention 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 dates:

May 31, 1956

June 7-14-21, 1956

in each and every issue of the full number thereof, the first publication being made on the 31st day of May

1956 and the last publication on the 21st day of

June 1956 upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was _____ the printer x and publisher x of the said newspaper.

Charles T. Leonard

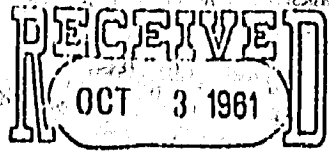
Subscribed and sworn to before me this 21st day of June A. D. 1956

Notary Public Fall River County, S. D.

RECEIVED
JUN 22 1956

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER
Office of State
Water Resources Commission
Pierre, S. Dak.
May 31, 1956
Notice is hereby given that Ed-
win Benton, whose postoffice ad-
dress is A. Edgemont, S. Dak., has
made application in accordance with
the provisions of the water laws of
South Dakota for a permit to ap-
propriate for beneficial use 0.96 cu-
bic feet of water per second of time
from the Cheyenne River through
the Benton No. 1 Project, the point
of diversion of which is to be locat-
ed on the right (Southwesterly)
bank of said stream in the NE 1/4 of
the SW 1/4 of Section 16, Twp. 6 S.,
Range 2 E., Bism. Said water to be
used for the purpose of providing
irrigation on the following describ-
ed land:
Sections 5, 6, 7, and 8, all in T. 8
R. 11, E. 1E.
This application will be taken up
by the State Water Resources Com-
mission at their office at Pierre for
consideration upon the 9th day of
JULY, 1956, at 2:00 P. M. All inter-
ested persons may appear and be
heard.
Appropriate action will be taken
by the Water Resources Commis-
sion after suitable time has elapsed
for the consideration of all or all
information presented.
State Water Resources
Commission
By: J. W. Grimes,
Chief Engineer,
Executive Officer
May 31, June 7-14-21

Permit No. 422-2

STATE WATER RESOURCES COMM.

Water Division No. 2 SOUTH CHAYENNE RIVER PIERRE SOUTH DAKOTA
Water District

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) EDGE MONT. S. D.

(Date) _____

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of IRRIGATION
WATER 0.96 cu. ft. per second of the waters of the state from 4 APRIL
through the SEPTEMBER inclusive (CHAYENNE RIVER)
for IRRIGATION purposes

NAME OF DIVERSION WORK BENTON NO. 1 In accordance with the terms and con-
ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is EDWIN BENTON

2. The postoffice address of such person or the place of business of such corporation is EDGE MONT.
County of FALL RIVER State of SOUTH DAKOTA

3. The number of such permit is 422-2 and the date set for the completion of such work is
AUGUST 10, 1961

4. Said water to be used for STOCKWATER AND 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 ac-
companying the application for such permit, is 0.96 cubic feet per second.

6. The amount of land for which said water is available is 67.3 acres,
particularly described as follows: S 1/4 NW 1/4 Sec 8, 1.50. NW 1/4 NW 1/4 Sec 8, 13.9A.
NE 1/4 NE 1/4 Sec 7, 7.6A. SW 1/4 SW 1/4 Sec 5, 6.2A. NE 1/4 SE 1/4 Sec 6, 13.5A. NW 1/4 SE 1/4 Sec 6,
0.3A. SE 1/4 SE 1/4 Sec 6, 24.3A. All in Twp 8 S, R 2 E, B 1 M. 67.3A.

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

Edwin Benton

(Signature of Owners) _____

RECEIVED
OCT 3 1961

Permit No. 422-2

Water Division No. 2 SOUTH CHEYENNE RIVER STATE WATER RESOURCES COMM.
Water District PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) EDMONT, S.D.

(Date)

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____
10. _____, at EDMONT, S.D. County of FALL RIVER State of South Dakota,
before _____ proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)

Of 0.96 cubic feet per second of the waters of Cheyenne River
In accordance with the terms and conditions of Permit No. 422-2
heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are

Edwin Benton EDMONT, S.D.

2. The use to which said water has been applied is IRRIGATION & STOCKWATER.

3. The amount applied to beneficial use is 0.96 Cubic Feet Per Second.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands ir-
rigated) SW¹/₄ NW¹/₄ Sec 2, NW¹/₄ NW¹/₄ Sec 8, NE¹/₄ NE¹/₄ Sec 7, SW¹/₄ SW¹/₄ Sec 5,
NE¹/₄ SE¹/₄ Sec 6, 135A, NW¹/₄ SE¹/₄ Sec 6, 13A, SE¹/₄ SE¹/₄ Sec 6, 24.3A
All land in Twp 8S, R 2E, B.H.M. FALL RIVER COUNTY 67.5A

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

Benton No. 1

6. The right to take the water from such works is based upon permit No. 422-1

7. The source of supply from which such water is diverted is Cheyenne River

8. The date of priority which said user is prepared to establish is May 3, 1956

(Sgt.) Edwin Benton

Permit No. 922-2Water Division No. 2 S. Cheyenne River Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____
 10_____, I have this day made a thorough examination of the diversion works constructed by Edwin
Benton of Fall River

County, South Dakota, holder of Permit No. 422-2, issued
 upon Application No. 422-2, bearing date of priority of May 9, 1956, authorizing the
 diversion of 0.76 cu. ft. per second of the waters of Cheyenne River for Irrigation
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Pump: Dempster Mod. V-6 10" I.P. Sec. No. AC'S
Power Unit: John Deere Tractor Mod. D 42 H.P.
One mile of ditches & canals

and the system is in the following condition: Good

The point of diversion is located NE 1/4 Sec. 6, T8S, R2E, EBM From SE
corner, said Sec. 6 N 10' W 1, 791' on Rt. 1/2 mi.

The works are capable of diverting and conveying to the place of use 0.76 cu. ft. per second of water
 which is to be used for Irrigation

The legal sub-divisions to be irrigated are:

<u>SW 1/4 NW 1/4</u>	<u>Sec. 8</u>	<u>T8S R2E</u>	<u>1.5</u>
<u>NW 1/4 NW 1/4</u>	<u>"</u>	<u>"</u>	<u>13.9</u>
<u>NE 1/4 NE 1/4</u>	<u>Sec. 7</u>	<u>"</u>	<u>7.6</u>
<u>SW 1/4 SW 1/4</u>	<u>Sec. 5</u>	<u>"</u>	<u>16.2</u>
<u>NE 1/4 NE 1/4</u>	<u>Sec. 6</u>	<u>"</u>	<u>15.5</u>
<u>NW 1/4 NE 1/4</u>	<u>"</u>	<u>"</u>	<u>0.3</u>
<u>SE 1/4 SE 1/4</u>	<u>"</u>	<u>"</u>	<u>24.3</u>

comprising a total of 67.3 acres of land.

The domestic use intended comprises _____

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

Witness my hand, this 1 day of Aug

A. D. 1962

—SEAL—

William Miller

Examining Engineer

SUMMARY OF RECORDS

C.A. TUBBS - ROBERT TUBBS WATER RIGHTS

Filing Date	Filing Ref.	Notes
11/16/1892	Bk.2 M, P.414	F.M. Vroman locates a water right claiming 10,000 inches of Cheyenne River flow diverted below Beaver Creek and running S.E. to Edgemont.
12/15/1893	Bk.2, P. 448	Irrigation notice. Francis C. Grable claims 20,000 inches of Cheyenne River flow diverted in Section 27, T7S, R1E, and conveyed in a S.E. direction to Edgemont, South Dakota
4/24/1894	Bk.9 D, P.571	Quit Claim Deed. Francis C. Grable to Edgemont Co. His water location filed December 1893.
4/20/1897	Bk.2, M, P.34	Clayton to Edgemont Co. - Right of Way Deed for canal. (There are a number of such deeds to the Edgemont Co.)
6/2/1897	Bk.3 M, P.39	Irrigation Notice. Charles T. Grable claims 500,000 inches of Cheyenne River flow to be diverted about 800 feet downstream from Beaver Creek. To run S.E. for 10 miles.
9/20/1897	Bk. 9, P.344	Quit Claim Deed. Charles T. Grable sells his water right filing of June 2, 1897 to the Interstate Land and Canal Co.
11/17/1898	Bk.9 D., P.619	Quit Claim Deed - F.M. Vroman sells his water location of November 16, 1892 to the Edgemont Co.
11/22/1898	Bk.11, P. 463	Sheriff's Cert. of Sale. Interstate's Charles T. Grable water filing sold to Thomas Bradley. (This seems to be last reference to the Interstate phase)

Summary of Records (Continued)

5/25/1901	Bk. 3 M., P. 313	Sheriffs Cert. of Sale. The Edgemont Ditch owned by Edgemont Improvement Co. sold to Joseph Lindsay.
11/6/1902	Bk. 3 M., P. 384	Notice of Water Right Location. N.S. Tubbs Sheep Co., claims 10,000 inches of Cheyenne River and Beaver Creek to run south easterly, 13 miles to Edgemont, S.D.
12/8/1903	Bk. 11, P. 504-5	N.S. Tubbs Sheep Co., mortgages 1/3 interest in land and November 1, 1902 water filing to D. Carrigan.
12/22/1903	Bk. 3 M., P. 507	Joseph Lindsay sold Edgemont Ditch back to Edgemont Improvement Co.
10/12/1907	Bk. 18, P. 318	Deed. Edgemont Ditch sold to J.C. Birdsell and George T. Paine.
10/19/1907	Bk. 4 M., P. 228	Amended Certificate of Water Right location, J.C. Birdsell & George T. Paine, claim 20,000 inches of Cheyenne R. flow. Diverted, in Section 27, T7S, R1E. Specifies Sections of land that existing ditch covers in reaching Edgemont. Also claims existing dams and storage basins. Also claims Grables 1893 filing and Vroman 1892 filing.
12/24/1907	W.R. File 40-2A	D.D. & N.S. Tubbs apply to State Engineer to divert 24 c.f.s. of water from Moss Agate and Dry Creek. Public hearing held on March 16, 1908. Protests by Edgemont Co., State Engineer eventually did not act on this application because the source of water was from dry draws.
2/29/1908	Bk. 4, M., P. 264	Certificate, Water, Right location, J.C. Birdsell and George T. Paine make same filing as the October 19, 1907 except that source of water, 10,000 inches is draws, channels, creeks, streams, and watersheds in area of Moss Agate Creek.

Summary of Records (Continued)

2/29/1908	Bk.4 M., P.266	Certificate, Water Right location. J.C. Birdsell and George T. Paine, 10,000 inches same as other 2/29/1908 filing except source of water is Dry Creek for existing Lake Nettleton.
3/26/1908	W.R. File 40-2A	D.D. & N.S. Tubbs apply to State Engineer same as 12/24/1907 application except source of water was the Cheyenne River. Approved by State Engineer 5/29/1908.
4/9/1908	Vol. 22, P. 147 Sup. court	Edgemont Improvement Co. vs. N.S. Tubbs Sheep Co., et al., Edgemont Improvement Co. had not abandoned its water right. Tubbs Sheep Co., did not own a portion of Edgemont Improvement Co., system.
5/5/1908	Bk.4 M., P.301	Notice of Water Right, N.S. Tubbs & D.D. Tubbs claim. 24 c.f.s. of waters of Moss Agate Creek. Specifies specific lands to be irrigated.
5/5/1908	Bk. 4 M., P.300	Notice of Water Right. N.S. Tubbs & D.D. Tubbs claim 4 c.f.s. of Dry Creek. Gives location of dam and specific lands to be irrigated.
9/28/1908	Bk. 18, P.602	Deed. J.C. Birdsell sells his share of Edgemont Ditch to George T. Paine.
3/9/1911	Bk. 25 D., P.196	Deed. George T. Paine, sells John L. Birdsell a 5/8 interest in Edgemont Ditch.
3/30/1911	Bk. 25, D., P.204	John C. Birdsell to I.M. Donaldson, Receiver and D.D. Tubbs - Land excepting Edgemont Canal.
5/6/1914	Bk.25, P.471	N.S. Tubbs Sheep Co., to M.J. Bailey, Receiver. Their Moss Agate and Dry Creek Water Right.
4/18/18	W.R. File 0550-2	Attorney Rice writes State Engineer that a water right controversy is pending between Birdsell and N.S. Tubbs.

Summary of Records (Continued)

12/16/22	Bk.34, P.205	Warranty Deed, George T. Paine sells 3/8 interest in Edgemont Ditch to Mable C. Petty.
8/6/23	Bk.12 M., P.410	D.D. Tubbs locates dam, and propose to irrigate (14.c.f.s.) in Section 6, and 21 and 28, T8S, R2E.
6/15/35	Bk.49D., P.202	Quit claim Deed - J.C. Birsell conveys his 5/8 interest in Edgemont Ditch to Arlene B. Martin.
5/10/48	Bk.66, P.109	Quit Claim Deed. Arlene B. Martin conveys her 5/8 interest in Edgemont Ditch from Moss Agate Creek through Sec. 21, T8S, R2E, to O.R. Heldman.
1950 received 5/13/59	W.R.File 540-2	Vested Water Right recorded of Darrell E. Heldman to divert water directly from Cheyenne River.
5/10/56	W.R.File 422-2	Modern Water Right of Edwin Benton to pump water from Cheyenne River. License Issued 9/4/62.
10/26/50	Bk.66, P.465	Quit claim Deed. Arlene B. Martin conveys her 5/8 interest in Edgemont Ditch from Moss Agate Creek thru Section 17, T8S, R2E to Edwin Benton.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7117

PIERRE, November 7, 1979

RECEIVED OF Ethel E. Benton, Edgemont, SD 57735

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____	
Fee for Inspecting Construction, and Issuing Cert. of Construction No. _____	
Fee for Inspecting Beneficial Use, and Issuing Water License No. _____	
Fee for Issuing Location Certificate-Dry Draw, No. _____	
Fee for filing transfer on water right No. 422-2	250
Fee for certified copy of _____	
Fee for Print copy of map _____	
Fee for Certifying _____	
Fee for _____ (any other work as provided by law)	
TOTAL	250

WATER RIGHTS COMMISSION

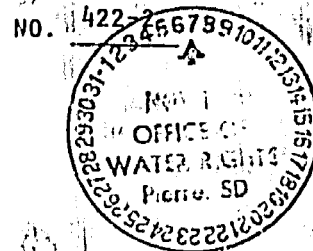
By John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

gy

REPRODUCTION OF THIS RECEIPT IS PROHIBITED
DATE MICROFILMED
CERDA OPERATOR

FORM 20



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: ☒ November 5, 1979

This is to notify you that the title to the lands described as follows:

67.3 acres in Sections 5,6,7 and 8, T8S, R2E "

formerly owned by Edwin Benton, Edgemont, SD 57735

has been transferred to ☒ JAMES T. BENTON & CYNTHIA C. BENTON, husband and wife,
as joint tenants with right of survivorship and not as tenants in common,
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 422-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit"
in its appropriate file at the Office of the Board of Water Management as evidence
of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of FALL RIVER) ss.

I, Edwin Benton being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read
the above foregoing statement, and I know of my own personal knowledge that the infor-
mation herein stated is true.

Edwin Benton
(Signed)

Subscribed and sworn to before me this 5th Day of November, 1979.

M. P. Farrell
(Notary Public)

M. P. FARRELL, Notary Public
My commission expires
April 1, 1982.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8000

Martin P Farrell, FOR: PIERRE, February 23, 1981
Edwin P. and Ethel E. Denton, Edgemont, SD 57735

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for Inspecting Construction, and Issuing Cert. of Construction No.	
Fee for Inspecting Beneficial Use, and issuing Water License No.	
Fee for Issuing Location Certificate-Dry Draw, No.	
Fee for filing transfer of WR # 422-2	2 50
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for (any other work as provided by law)	
TOTAL	2.50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / *CH*



NO. 422-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Feb. 17, 1981

This is to notify you that the title to the lands described as follows:

67.3 acres in Sections 5, 6, 7, and 8, T8S, R2E

formerly owned by James T Benton & Cynthia C Benton

has been transferred to Edwin P Benton and Ethel E Benton, Edgemont, SD 57735

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 422-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
) ss.
County of FALL RIVER)

I, James T & Cynthia C. Benton being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

James T. Benton Cynthia C. Benton
(Signed)

Subscribed and sworn to before me this 17 Day of FEBRUARY, 1981.

M. P. Farrell
(Notary Public)

M. P. FARRELL, Notary Public
My commission expires:
April 1, 1982.

FARRELL, FARRELL & GINSBACH

LAWYERS

441 NORTH RIVER STREET

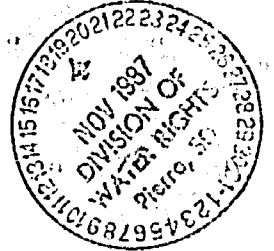
HOT SPRINGS, SOUTH DAKOTA 57747

Martin P. Farrell
Jane M. Farrell
Patrick M. Ginsbach

(305) 745-5161

November 17, 1987

South Dakota Dept. of Water and
Natural Resources
ATTN: John Hatch
Water Rights Division
Joe Foss Building
Pierre SD 57501



RE: Water Licenses and Permits #422-2 and #1789-2

Dear Mr. Hatch:

Ed Benton, Edgemont, South Dakota, recently sold most of his ranch to Edward C. Reutter and Wanda L. Reutter.

Mr. Benton would like to transfer the above two numbered water rights to Edwrd and Wanda Reutter.

I am enclosing quite a number of instruments relating to these two permits.

Please return any of the enclosed documents that you do not need. However, I am including the Contract Agreement and Revocation of Instruments so that if you so desire, you can check the description of the real property and certain information contained in paragraph one of the Contract Agreement and Revocation of Instruments.

Please send me such instruments as may be necessary for either the Owner or the Buyers to sign.

Please let me know the amount of the fee for doing this.

Sincerely,

Martin P. Farrell

MARTIN P. FARRELL

MPF/re

Enclosure

SOUTH DAKOTA
Department of
Water & Natural Resources

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

605 773-3352

422-2
1789-2

December 2, 1987

Martin P. Farrell
Farrell, Farrell & Ginsbach
441 North River Street
Hot Springs, SD 57747

RE: Water Right Nos. 422-2 & 1789-2, Edwin Benton

Dear Mr. Farrell:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 422-2 and 1789-2. I understand from your letter of November 17, 1987, that the land covered under these water rights are now owned by Edward and Wanda Reutter.

The enclosed forms should be signed by the new owners in the presence of a notary public. Upon completion of the forms, please forward them to our office with a required filing fee of \$2.50 each (total of \$5.00).

South Dakota Water Law 46-54-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

I am returning the documents you forwarded to us. These copies are not required for filing a transfer of ownership.

If you have any questions, please contact me.

Sincerely,

Genny McMath

GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl



NO. 422-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

This is to notify you that the title to the lands described as follows:
67.3 acres - SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5; N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7;
W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 8, T8S, R2E

formerly owned by Edwin & Ethel Benton, Edgemont, SD

has been transferred to EDWARD C. REUTTER & WANDA L. REUTTER ^{AS JOINT TENANTS} Edgemont SD
(please include complete mailing address) RR 59 Box 90
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 422-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of FALL RIVER) ss.

EDWARD C. REUTTER and WANDA L. REUTTER being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Edward C. Reutter
Wanda L. Reutter
(Signed)

Subscribed and sworn to before me this 11th Day of DECEMBER, 1987.

W. P. Farrell
(Notary Public)

W.P. FARRELL, NOTARY PUBLIC
MY COMMISSION EXPIRES
April 1, 1990

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411109

Pierre, December 19, 1987

RECEIVED OF Edward/Wanda Reutter, HCR 59, Box 90, Edgemont, SD 57735

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 422-2 _____	2	50
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	2 50

By John Hatch

Chief Engineer JOHN HATCH-MS

 **Department of
Water & Natural Resources**

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

WATER RIGHTS DIVISION

(605) 773-3352

December 22, 1987

Edward & Wanda Reutter
HCR 59, Box 90
Edgemont, South Dakota 57735

Dear Mr. & Mrs. Reutter:

Enclosed are receipt Nos. 411108 and 411109 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 1789-2 and 422-2.

Our records now show you as the owner of these Water Rights.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.



Department of Water & Natural Resources

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

May 11, 1989

422-2, 1789-2

NOTICE

TO: Edward Reutter
HCR 59, Box 90
Edgemont, SD 57735

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

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

Effective May 19, 1989, you are ordered to cease diversions of water under Water Right Nos. 422-2 and 1789-2. The priority date for your water rights is junior to the April 11, 1941 priority date for Angostura Irrigation District Water Right No. 579-2.

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

May 2, 1989

24,673 acre feet available for
irrigation at elevation 3173.4 ft. msl

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

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

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



SOUTH



Department of Water & Natural Resources

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

March 19, 1990

1789-2
422-2

NOTICE

TO: Edward/Wanda Reutter
HCR 59, Box 90
Edgemont, SD 57735

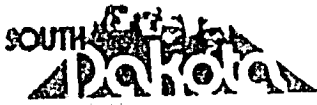
FROM: JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605)773-3352

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 Nos. 422-2 and 1789-2. 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

422-2
1789-2

NOTICE

TO: Edward Reutter
HCR 59, Box 90
Edgemont, SD 57735

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

Delvin H. 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.

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

422-2
1789-2

RESCISSION OF SHUTOFF ORDER

TO: Edward Reutter
HCR 59, Box 90
Edgemont, SD 57735

FROM: *for* JOHN HATCH, CHIEF ENGINEER *Delvin D. Brosz*
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 Mar. Rath or Del Brosz (605) 773-3352.

452-22

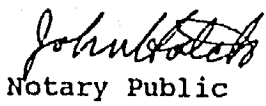
CERTIFICATION

J

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

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

422-2
1789-2

NOTICE

TO: EDWARD/WANDA REUTTER
HCR 59 BOX 90
EDGEMONT, SD 57735

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

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

Please be advised that effective immediately no diversions of water will be allowed under your Water Right Nos. 422-2, 1789-2 which are junior in priority to Water Right No. US579-2 held by the US Bureau of Reclamation for the Angostura Irrigation District.

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

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

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

FAMILY NO	FIRST NAME	LAST NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE	FEDNO	FEDNO
657-2		A & Y CATTLE CO	TOM LANDERS	ST RT	HOT SPRINGS	SD	57747		
308-2	RICHARD	ANDERSON	A CHAR ANDERSON	HCR 59 BOX 18	EDGEWATER	SD	57735		
1614-2	IRFNE R	ANDERSON		HCR 59 BOX 20	EDGEWATER	SD	57735		
324-2		B & H RANCH INC	B F CHILDERS	PO BOX 723	EDGEWATER	SD	57735		
534-2		RAIL FROS		BOX 617	EDGEWATER	SD	57735		
1995-2	LESTER I	BARDLEY		BOX 740	EDGEWATER	SD	57735		
1693-2	NICK/MICHAEL	BOGNER	ANITA BOGNER JR	HC 46 BOX 21	OFIRICHS	SD	57763	1134-2	
755-2		BRANFORD INDIAN SCHOOL			HOT SPRINGS	SD	57747		
858-2	WAYNE F	CHILDERS		HCR 59 BOX 1A	EDGEWATER	SD	57735		
614-2	Y L	CHILDERS		BOX 723	EDGEWATER	SD	57735		
652-2	OSCAR	COFF			OFIRICHS	SD	57763		
1991-2	JOHN	DEGERING		SR 1 BOX 136	LUSK	WY	82225		
567-2	HAROLD E	DODSON		HCR 59 BOX 52	EDGEWATER	SD	57735	1410-2	
2052-2	LEROY/BERNHA	DUNSON		HC 48 BOX 248	PROVO	SD	57774		
1985-2	DAVID M	DUNBAR		RR BOX 32	OFIRICHS	SD	57763		
784-2		HALD BROTHERS, INC.	CARL P HALD, PRES	HCR 46 BOX 5	OFIRICHS	SD	57763	1695-2	
421-2	HERMAN	HFCG		BOX 441	EDGEWATER	SD	57735		
510-2	DARRELL E	HELMAN		BOX 402	EDGEWATER	SD	57735		
1879-2	IRGA R	HENDERSON	AFT 265	5141 INDIAN RIVER	LAS VEGAS	NV	89103		
1980-2	RON W	HENRY		BOX 276	ARMORE	SD	57715		
119-2	HENRY C	HOLLENBECK		DEWEY ROUTE	EDGEWATER	SD	57735		
1593-2		HU RANCH INC	SD CORPORATION	HCR 59 BOX 102	EDGEWATER	SD	57735		
350-2	DARREL D	HUNTER		BOX D	ARMORE	SD	57715		
1641-2	JAMES/PATRICIA	JOHNSTON		HC 68 BOX 7	FAKESIDE	NE	69351		
18770-2	JIM	KANE		BOX 12A	PROVO	SD	57774		
763-2	CAPI	KANNOLT	AFT 207	FLANIE HOTEL	CHADRON	NE	69337		
1696-2	JOHN W	KOLLER		BOX 715	EDGEWATER	SD	57735		
866-2	A J	LANDERS	STAR CATTLE CO	BOX 1598 HCR 52	HOT SPRINGS	SD	57747		
1810-2	R L/ALLEN	LAWRENCE		BOX 759	TIOGA	ND	58852		
676-2	WELVIN	LUIF			HOT SPRINGS	SD	57747		
1795-2	JOHN D(JACK)	MANKE	(ESTATE)	RR #1 BOX 179C	HOT SPRINGS	SD	57747		
11447-2	KENNETH	MARTINSON		BOX 351	EDGEWATER	SD	57735		
785-2	ARLITH W	MULAIN		BOX 164	OFIRICHS	SD	57763		
410-2	RALPH L	WEEFERD, JR		HCR 48 BOX 22	PROVO	SD	57774		
1973-2	A J	NELSON		BROAD'S STAGE	WILES CITY	MT	59301		
2015-2		PETERSON & SON, INC		HCR 59 BOX 14	EDGEWATER	SD	57735		
1910-2	PAUL & JEAN	PETTY	A NORFEN PETTY	HCR 52 BOX 136	HOT SPRINGS	SD	577479603		
1714-2	MELVIN	PORTER		N10 RT BOX 17	EDGEWATER	SD	57735		
711-2	DONALD	PUTNAM		BOX 188	OFIRICHS	SD	57763	2013-2	
1814-2	CLYN	REASER		HC 46 BOX 43	OFIRICHS	SD	57763		
192-2	FINARD/WANDA	REUTTER		HCR 59 BOX 94	EDGEWATER	SD	57735	1789-2	
233-2	CHANCE/NETER	REYNOLDS		HCR 59 BOX 28	EDGEWATER	SD	57735	234-2	
669-2	OLIVER W	ROMY		BOX 175	OFIRICHS	SD	57763		
714-2	VERNON	SCHNOSE		ST RT BOX 155	HOT SPRINGS	SD	57747	1700-2	
1639-2		SEGER RANCH INC		BOX 95	OFIRICHS	SD	57763	611-2	1837-2
927-2	BERNARD D	SIMONS		BOX 341	EDGEWATER	SD	57735		
1732-2	ROBERT/MARK	TUERS		BOX 563	EDGEWATER	SD	57735		
1019-2		BAR BONNET RANCH LTD	BOX 132	105 E 5TH ST	MURDO	SD	57559		
192-2	VINCENT M	WASSERBERGER		BOX 81	ARMORE	SD	57715	853-2	2115-2



422-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 1993

422-2
1789-2

NOTICE

TO: EDWARD/WANDA REUTTER
HCR. 59 BOX 90
EDGEMONT, SD 57735

FROM: *for* JOHN HATCH, CHIEF ENGINEER *Delvin W. 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 Nos. 422-2 and 1789-2 are authorized. Your water rights are junior in priority to the US Bureau of Reclamation Water Right No. 579-2 (April 11, 1941 priority date). The Bureau of Reclamation water right for the Angostura Irrigation District allows one annual fill of the reservoir.

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

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

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

cc: US Bureau of Reclamation
Angostura Irrigation District

422-2

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.

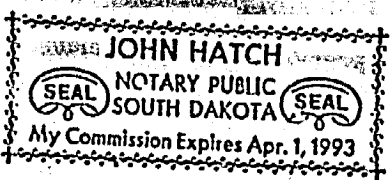
Cheryl F. Frost

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





422-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 14, 1993

422-2
1789-2

RESCISSION OF SHUTOFF ORDER

TO: EDWARD/WANDA REUTTER
HCR 59 BOX 90
EDGEMONT, SD 57735

FROM: JOHN HATCH, CHIEF ENGINEER *John Hatch*
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



422-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 15, 1995

422-2
1789-2

NOTICE

TO: EDWARD/WANDA REUTTER
HCR 59 BOX 90
EDGEMONT, SD 57735

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

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

Effective immediately no diversions of water under your Water Right Nos. 422-2 and 1789-2 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



422-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 26, 1995

422-2
1789-2

RESCISSION OF SHUTOFF ORDER

**TO: EDWARD/WANDA REUTTER
HCR 59 BOX 90
EDGEMONT, SD 57735 9710**

**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/denr

April 30, 2004

NOTICE OF SHUTOFF ORDER

TO: EDWARD C/WANDA L REUTTER
HCR 59 BOX 90
EDGEMONT 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. 540-2, 422-2, 1789-2

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.



422-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 15, 2005

NOTICE OF SHUTOFF ORDER

TO: EDWARD C/WANDA L REUTTER
HCR 59 BOX 90
EDGEMONT 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. 540-2, 422-2, 1789-2

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.

422-2



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



RECEIVED
FEB 27 2006
WATER RIGHTS
PROGRAM

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

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

Dear Mr. Erbele:

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

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

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

Sincerely,

FOR Jeffrey L. Nettleton
Rapid City Field Office Manager

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 2006

NOTICE OF SHUTOFF ORDER

TO: EDWARD C/WANDA L REUTTER
HCR 59 BOX 90
EDGEMONT 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. 540-2, 422-2, 1789-2

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: EDWARD C & WANDA L REUTTER
HCR 59 BOX 90
EDGEMONT, 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. 540-2 (422-2) 1789-2

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: EDWARD C/WANDA L REUTTER
HCR 59 BOX 90
EDGEMONT 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. 540-2, 422-2, 1789-2

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:

EDWARD/WANDA REUTTER
HCR 59 BOX 90
EDGEMONT 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. 1789-2, 422-2, 540-2

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.

422-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 10, 2010

Representative Lance Russell
PO Box 184
Hot Springs, SD 577477

Dear Representative Russell:

Thank you for your letter of November 24th concerning junior water right holders on the Cheyenne River.

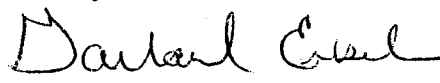
As you're probably aware, the Bureau of Reclamation holds a 1941 water right to Angostura Reservoir. During years in which it appears the reservoir won't fill, the Bureau has asked DENR to issue shut off orders to those junior water right holders upstream of the reservoir. This occurred in 2008 and 2009. A copy of one of those letters is enclosed. Since Angostura Reservoir filled in 2010, the Bureau did not place a call on their water right.

The shut off letter clearly states that, "If conditions do not improve, this order will remain in effect until the end of the calendar year." It should have been clear, to anyone who read their letter that the shut off orders terminate at the end of the calendar year.

That being said, we will agree to discount the 2010 water year and not count it against those individuals who failed to irrigate during the 2010 year. A copy of this letter will be added to the files of those who indicated on their irrigation questionnaire that they did not irrigate.

Please let me know if there anything else I can assist you with.

Sincerely,


Garland Erbele, Chief Engineer

Encl.



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: EDWARD/WANDA REUTTER
HCR 59 BOX 90
EDGEMONT 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. 1789-2 540-2 422-2**

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:

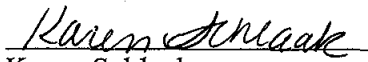
LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
INDIAN CREEK CATTLE LLP		32296 190TH ST	SLEEPY EYE	MN	56085
INDIAN CREEK LAND & CATTLE LLC		PO BOX 538	EDGEMONT	SD	57735
WEINREIS BROTHERS		230908 HIGHLAND RD	SCOTTSBLUFF	NE	69361
SEGER RANCH INC		RR 1 BOX 100A1	HOT SPRINGS	SD	57747
REUTTER	EDWARD/WANDA	HCR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

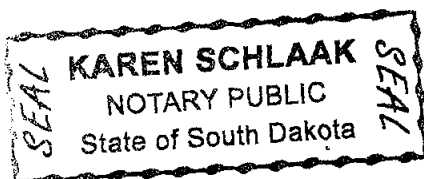
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK &	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	THOMAS	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC	BERNARD D	10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD	WAYNE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

EDWARD/WANDA REUTTER
28061 RED CANYON RD
EDGEMONT, SD 57735

**422-2
540-2**

April 09, 2026

Dear Cheyenne River Water Right Holder:

Due to the ongoing drought I am advising Cheyenne River water right holders of the possibility of shutoff orders in 2026 for the river reach from the Wyoming-South Dakota state line to Angostura Dam. This is not a shutoff order.

As a result of the continuing lack of precipitation, tributary flows throughout the Cheyenne River basin remain well below the historical average. Angostura Reservoir ended March 12 feet below full (top of active conservation pool) and the current forecast throughout the summer months is not favorable for improved conditions.

This letter is only intended to give you advanced warning that your ability to divert water may be cut short this year. If shut-off orders are issued, you will receive another letter from the Department. In the meantime, water right holders can help by closely monitoring water usage to minimize use and trying to avoid wasting water.

South Dakota water law gives the highest priority to domestic use, which includes livestock watering. There is generally adequate water available to meet both domestic use and other needs. However, once water availability reaches critically low levels, other uses, including irrigation, will begin to interfere with domestic uses and senior water rights. If levels become critically low, the department must issue shut-off orders to protect domestic water uses and senior water rights. Once these orders are issued, the department will continue to monitor water availability and should conditions improve, the shutoff orders would be rescinded.

If you are interested, the US Geological Survey has an Internet site showing river flows at 150 stream gauging stations across the state. Go to <https://waterdata.usgs.gov/state/south-dakota/> and click on "View monitoring location page" for the USGS gages above Angostura Dam.

Thank you for your cooperation. If you have any questions, please contact Nakaila Steen or another member of the DANR-Water Rights Program at (605) 394-2229 (Rapid City Office) or (605) 773-3352 (Pierre Office).

Sincerely,

Adam Mathiowetz, PE
Acting Chief Engineer
Water Rights Program



**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: EDWARD/WANDA REUTTER
28061 RED CANYON RD
EDGEMONT, SD 57735

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

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

Shutoff Order for Water Permit No(s). 422-2 and 540-2

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.