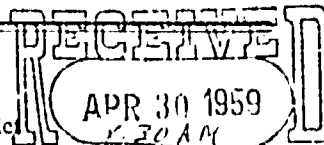


1. Considered June 17, 1959 Appl. No. 534-2
2. Name of Applicant Warren R. Hall
3. Post Office Address Edgewater, South Dakota
4. Amount of water claimed 0.3 cfs max.
5. Source of water supply Chadron River
6. Water to be used for irrigation
Acres to be irrigated 15.2
7. Water to be diverted and used in Edwards County about
14.5 miles SE of Edwards.
8. Proof of Publication Received ✓
Not Received
9. Application Approved
Subject to
Not approved
Action deferred

10. Remarks:

No. 534-2Water Division No. 2 Fall River District
(Blanks to be Filled by the Engineer for the W. R. C.)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.)

1. Name of applicant WARNER R. BALL
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 addresses 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)

EMPLOYMENT OF OTHERS

- (b) Cash on hand, \$ 1,350.00 (c) Treasury stock, \$
(d) Bonds to be issued, \$ (e) Other resources, \$

2. Name of diversion work WARNER R. BALL IRRIGATION PROJECT
6.22 cfs maximum allowable
3. Amount of water claimed 0.23 cubic feet per second
4. Source of water supply CHEYENNE RIVER
S27° 46' W FROM NE CORNER SEC 15; T9S; R4E; BHM IN SE¼ NE¼ SEC 15
5. Location of point of diversion T9S; R4E BHM

on LEFT bank FALL RIVER County

6. Annual period or 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
- 15.8
- acres
-
- SW¼ NW¼ SEC 14; T9S R4E BHM 11.7 ACRES

- (b) Legal subdivisions to be irrigated
- SE¼ NE¼ SEC 15; T9S R4E BHM 4.1 ACRES

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with 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.)

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use
-
- Name any of the above uses claimed

- (b) Amount of power to be generated
- horse power.

Amount claimed for engine cooling

- (c) Location of plant

- (d) Method of developing power

- (e) Point where water will be returned to stream

Map No. 5-17-2

8. Estimated cost of work:

(a) Head Gates, \$50,000

(b) Pumping plant, \$200,000

(c) Fluming, \$

(d) Canal-earth, \$500,000

Reck, \$

(e) Other structures \$

Total, \$1,350,000

9. Description of diversion works:

1. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.) **PUMP PLANT**
8" (BERKELEY) CENTRIFUGAL PUMP MODEL (6 YRE) - JOHN DEERE TRACTOR
PUMPING INTO 2840' OF EARTH CANAL

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 at 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	ACRE-Feet CAPACITY

(c)* Head gate: Width 1.5 ft. **JOHN WEIR** feet; height 3/4 feet; Material **CONCRETE-STEEL**

(d) Canal: Total length 0.5+ miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE PER MILE
At 0.10 0.53 mile	1.3 feet	1.5 feet	3.0 feet	7.8 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 **FIVE** years.

11. Time required for complete application of water to the proposed beneficial use **FOUR** years.

12. Choice of newspaper for publication of notice of intention to appropriate

THE EUGENIAN, TRIUMPH

STATE OF SOUTH DAKOTA

County of **Fall River**

ss.

I, **Warner R. Ball**, being first duly sworn or 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.

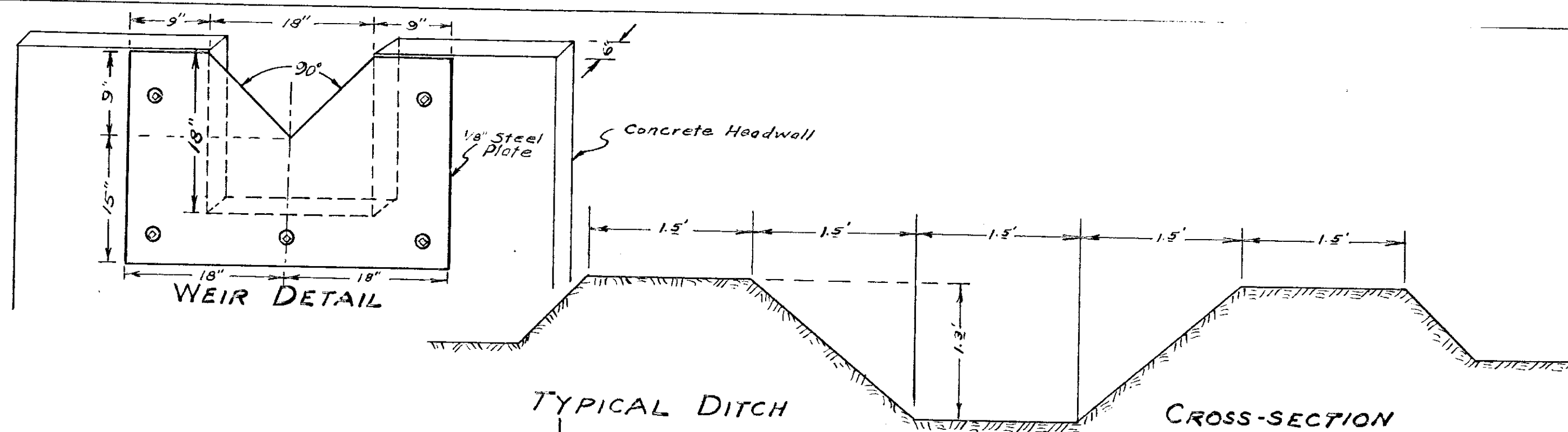
Signed **Warner R. Ball**

Subscribed and sworn to before me this **11th** day of **April** 19**59**.

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

NOTARY PUBLIC, FALL RIVER COUNTY, S. DAK.
My commission expires April 2, 1961



NW CORNER SEC. 15
T9S; R4E; BHM

TYPICAL DITCH

CROSS-SECTION

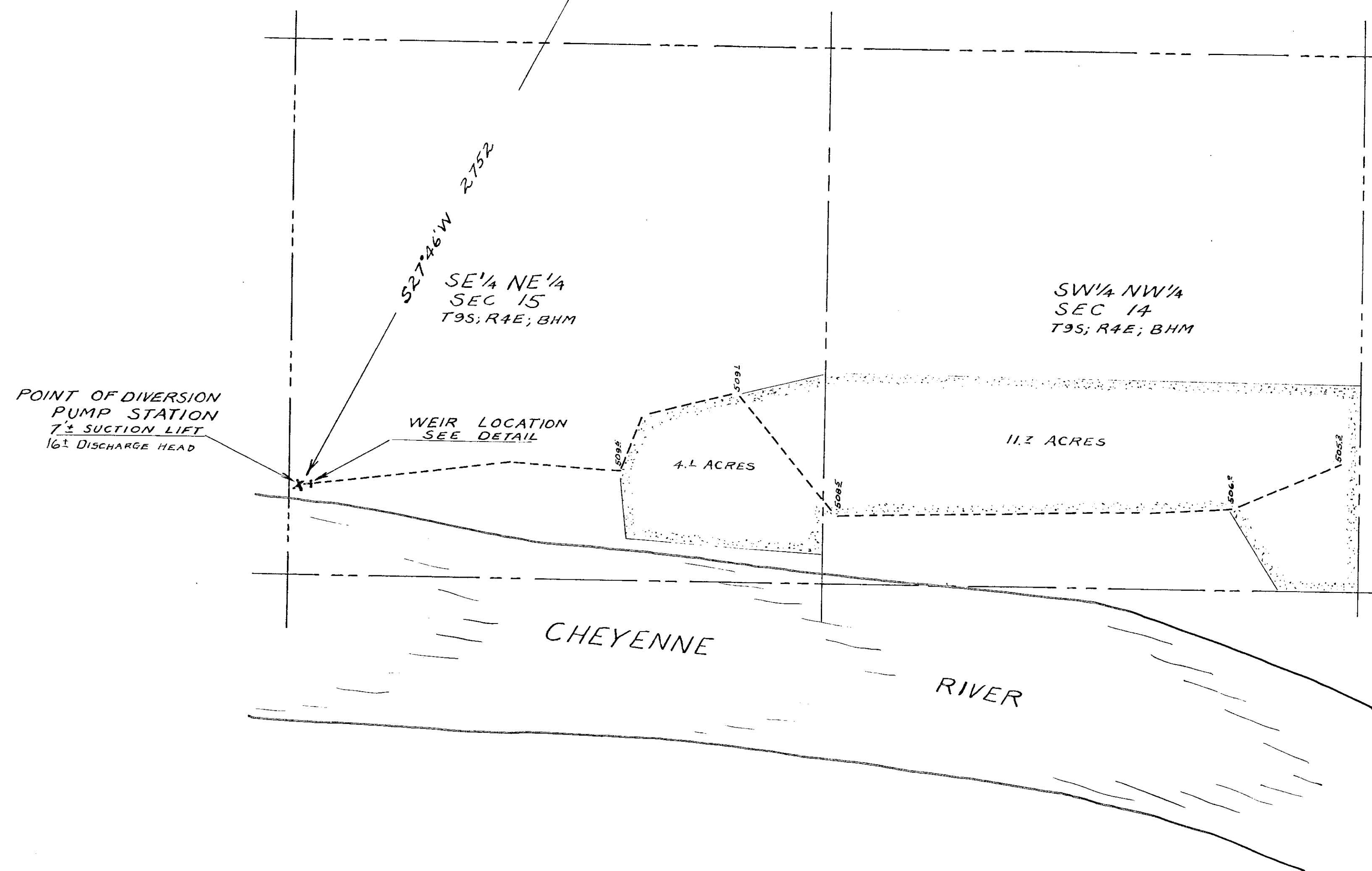
SURVEYOR'S CERTIFICATE:
I, George G. Ross, Registered Land Surveyor, Do Hereby
Certify that, At the Direction of Warner R. Ball, Owner, I have
Surveyed the proposed Warner R. Ball Irrigation Project, As
Shown on this Plat. The bearings and distances are as shown.
George G. Ross
Registered Land Surveyor

ACKNOWLEDGEMENT OF SURVEYOR
On This 2nd Day of April, 1959, Before me, A Notary Public,
Personally Appeared George G. Ross, Known to me to be The
person Who is Described in and Who Executed The foregoing
Instrument and Certificate, and Acknowledged To me that
He Executed the Same
State of SOUTH DAKOTA
County of LAWRENCE
My Commission Expires Feb 18, 1961
Harry M. Carr
Notary Public

Scale 1"=200'

LEGEND
--- SECTION LINE
--- 1/4 LINE
--- 1/16 LINE
--- DITCH
--- BOUNDARY OF LAND
TO BE IRRIGATED

AREAS TO BE IRRIGATED
SE 1/4 NE 1/4 SEC 15, T9S; R4E; BHM 4.1 ACRES
SW 1/4 NW 1/4 SEC 14, T9S; R4E; BHM 11.2 ACRES
TOTAL 15.3 ACRES



PLAT FOR APPLICATION FOR WATER RIGHT

LAND OWNER AND APPLICANT:- WARNER R. BALL
EDGEMONT, S. DAK.

DESCRIPTION OF LAND:- SE 1/4 NE 1/4 SEC 15, T9S; R4E; BHM
SW 1/4 NW 1/4 SEC 14, T9S; R4E; BHM

DIVERSION WORK NAME:- WARNER R. BALL IRRIGATION PROJECT
APRIL 1959

Map No. 517-2 (App. No. 5342)

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, May 14, 1959

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
a.m. upon the 30 day of April, 1959

State Water Resources Commission

By: Geo. L. Miller
Chief Engineer, Executive Officer

Number of permit 534-2

Date of first receipt of application April 30, 1959

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right April 30, 1959

Approved June 17, 1959, Recorded in Book 5 Page 192

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we 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 December 17, 1961

2nd. The whole of said work is to be completed on or before June 17, 1964

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

June 17, 1968

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 0.23 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 June 17, 1968; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 18 day of August, 1959

State Water Resources Commission

By: Geo. L. Miller
Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 31, 1974

Water License Issued MAY 31, 1974

Form 15.

Permit No. 534-2

Water Diversion No. 2 FALL RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Ball Brothers

the holder of
Permit No. 534-2, issued upon Application No. 534-2, bearing date of priority of April 30, 1959
authorizing the diversion of .22 cu. ft. per second of the waters of Cheyenne River
County of Fall River, State of South Dakota at
a point South 27° 46' West, 2752 feet from the NE Corner, Section 15, T9S,
R4E.
for irrigation

purposes, has vp 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 2.2 cu. ft. per second of water.

Date May 31, 1974

WATER RIGHTS COMMISSION

By:

DEWALD DRISCOLL, Chief Engineer

DD/BVJ/bw
Encl:

WATER LICENSE NO. 534-2

(1) WHEREAS, On the 30th day of April A. D. 19 59
Warner R. Ball

made Water Right Application No. 534-2 for a permit to use .22 cubic feet per second of the waters
 of the Cheyenne River
 County of Fall River State of South Dakota, for irrigation

purposes; and
 (2) WHEREAS, On the 18th day of August A. D. 19 59
 Permit No. 534-2, with a date of priority of April 30, 1959

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
 supply system therein described on or before the 17th day of June A. D. 19 64 and for the
 application to beneficial use of said water on or before the 17th day of June A. D. 19 68

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to completion of the construction of the water supply system and is entitled to divert .22 cubic feet
 per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to the application of water to beneficial use of the following extent.

for irrigating the following land in T9S, R4E

Section 14, SW $\frac{1}{4}$ NW $\frac{1}{4}$ 11.7 acres

Section 15, SE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.1 acres

Total 15.8 acres

(5) 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 Ball Brothers

_____ of Edgemont, S.D.

the holder _____ and owner _____ of said permit No. 534-2 a water right, dating from April 30, 1959

_____ to use of .22 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 South 27° 46' West, 2752 feet from the NE Corner, Section 15, T9S, R4E

and conduct to and upon portions of Sections 14 and 15, T9S, R4E, more fully described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 534-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 21st day of May A. D.
Nineteen Hundred and Seventy-four

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer **DONALD DRISCOLL**

PROOF OF PUBLICATION

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

L. K. Kopriva

being duly sworn, deposes and says the annexed printed copy of Notice of Intention to appropriate Water was taken from the

Edgemont Tribune

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 Edgemont

Fall River

County of

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

May 21, 1959

May 28, 1959

June 4, 1959

June 11, 1959

In each and every issue of the full number thereof, the first publication being made on the 21st day of May

1959 and the last publication on the 11th day of June

1959, 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 and publisher of the said newspaper.

L. K. Kopriva

Subscribed and sworn to before me this 12 day of June A. D. 1959

Emma Kopriva

Notary Public Fall River County, S. D.

RECEIVED
JUN 13 1959STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., May 14, 1959

Notice is hereby given that Warner R. Ball, 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 0.23 cubic feet of water per second of time from the Cheyenne River, through the Warner R. Ball Irrigation Project, the point of diversion of which is to be located on the left bank of said stream in the SE 1/4 of the NE 1/4 of Section 15, Twp. 9 S, Range 4 E, said water to be used for the purpose of providing irrigation on part of the following described land:

SW 1/4 Sec. 14 and SE 1/4 Sec. 15 both in T. 6 S., R. 4 E. B.H.M. and for purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of June, 1959, 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:

Les Wyborny, Water Rights Engineer

Pub. May 21, 28; June 4, 11

(First Publication before May 22, 1959)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., May 14, 1959

Notice is hereby given that Warner R. Ball 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 0.23 cubic feet of water per second of time from the Chayenne River through the Warner R. Ball Irrigation Project the point of diversion of which is to be located on the left bank of said stream in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15 Twp. 9 S Range 4 E. Said water to be used for the purpose of providing irrigation on part of the following described land:

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14 and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14 both in T 9 S, R 4 E.B.H.F.

and for _____ purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of June, 1959, 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:

cc L. K. Kopriva, Publisher
The Edgemont Tribune
Edgemont, South Dakota

~~CHAYENNE RIVER~~
Les Wyborny, Water Rights Engineer

August 27, 1974

Stanley Ball
Ball Brothers
Edgemont, S.D. 57725

Dear Mr. Ball:

Reference is made to your letter received August 20, 1974, regarding your question on the amount of water diverted under Water License No. 534-2.

Quoted below is one section of South Dakota laws that deals with this question:

46-5-6. Appropriation of water for irrigation--Limitation of amount.--In the issuance of permits to appropriate water for irrigation or in the adjudication of rights to the use of water for such purpose, the amount allowed shall not be in excess of the rate of one cubic foot of water per second for each seventy acres, or the equivalent thereof, and the volume of water diverted for use shall not exceed three acre-feet per acre delivered on the land for a specified time each year. The above rate of one cubic foot per second for each seventy acres shall not apply in cases of flood water at such times when the flow of the stream is much in excess of the total recorded and approved rights on the stream.

The field inspection of your irrigation system indicated that you applied water to 15.8 acres of land, which divided by 70 acres per cubic foot per second, would be .22 cubic feet per second. The .22 cubic feet per second on Water License No. 534-2 is correct.

You may note that Title 46-5-6 of SDCL states that during flood stages the rate of one cubic foot per second for each seventy acres does not apply. You may then divert water at the maximum rate of your pumping system.

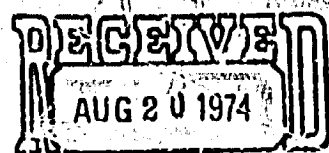
If you have any further questions, please contact this office.

Sincerely,

Thomas A. Gardner
Water Resources Engineer
Water Rights Commission

Edgemont, So. Dak.

Dept. of Natural Resources
Division of Water Rights
Pierre So. Dak.



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

Sir,

In looking over my Water Licence 74.534-2
I notice it was made out for 22 (Twenty two
hundredths) cubic feet per ~~minute~~ ^{second}. It should
have been 2.2 (Two and 2 tenths) cubic feet
per second.

Was this an error in typing?

Yours truly
Ball Brothers
by Stanley Ball
Edgemont
So. Dak

Permit No. 534-2Water Division 2 FALL RIVER Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

WATER RIGHTS COMMISSIONTO: Water ~~Resource~~ Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by WARNER R. BALL of EDGEMOUNT, SOUTH DAKOTA holder...
of Permit No. 534-2, bearing date of priority on APRIL 30, 19 59
authorizing the diversion of .22 cu. ft. per second of the waters of CHEYENNE RIVER
for IRRIGATION purposes, in FALL RIVER County.

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

The Water Use System consists of,

A. Works used to divert the water:

45 H.P. JOHN DEERE TRACTOR - MODEL "D"
6 INCH BERELEY CENTRIFICAL PUMP - MODEL BYRE

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

30 FEET OF 8 INCH STEEL PIPE
40 FEET OF 8 INCH ALUMINUM PIPE
200 FEET OF "V" DITCH, 2 FEET DEEP WITH 1:2 SLOPE

C. Works used to apply water to beneficial use.

The system is in the following condition: FAIR

The point of diversion is located S 27° 46' W FROM NE CORNER
SEC. 15 T9S R4E BHM IN SE 1/4 NE 1/4 SEC 15 T9S R4E BHM

The works are capable of diverting and conveying to the place of use .22cu. ft. per second of water which is to be used for: IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: AS SHOWN ONWATER RESOURCES MAP 517-2

<u>SW 1/4 NW 1/4 SEC. 14 T9S R4E BHM</u>	<u>11.7 ACRES</u>
<u>SE 1/4 NE 1/4 SEC. 15 T9S R4E BHM</u>	<u>4.1 ACRES</u>

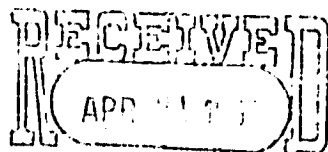
comprising a total of 15.8 acres of land.

SEND LETTER OF NOTIFICATION AND LICENCE TO
BALL BROTHERS, EDGEMOUNT, SOUTH DAKOTA

Date MAY 8, 1974

Thomas Gardner
(Signature)

THOMAS GARDNER
ENGINEER I

Permit No. 534-2Water Division No. 2 Fall River District
STATE WATER RESOURCES COMMISSION
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.)

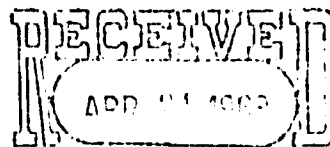
(P. O.) Edgemont, S. Dakota(Date) April 22, 1963

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

DEAR SIR: Notice is hereby given that on the 1st day of July
1963, at Edgemont County of Fall River State of South Dakota,
before _____ proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)
of 0.23 cubic feet per second of the waters of Cheyenne River
_____ in accordance with the terms and conditions of Permit No. 534-2
heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are _____
Werner R. Ball
- The use to which said water has been applied is irrigation or domestic
- The amount applied to beneficial use is 0.23 cfs
- The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14-9-4 Fall River County S. D.
SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15-9-4 "
- The name of the canal or ditch or other works by which said water is conducted to such place of use is Werner R. Ball Irrigation Ditch
- The right to take the water from such works is based upon permit No. 534-2
- The source of supply from which such water is diverted is Cheyenne River
- The date of priority which said user is prepared to establish is July 1, 1963

(Sign) Werner R. Ball

Permit No. 534-2STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTAWater Division No. 2Fall River 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.) Edgemont, S. D.(Date) April 22, 1963

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 _____
0.23 cu. ft. per second of the waters of the state from _____
 through the spring and summer _____
 for irrigation or domestic uses _____ purposes
 _____ 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 _____
Warner R. Ball

2. The postoffice address of such person or the place of business of such corporation is Edgemont
 County of Fall River State of South Dakota

3. The number of such permit is 534-2 and the date set for the completion of such work is
July 1, 1963

4. Said water to be used for irrigation or domestic _____ 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 0.23 cubic feet per second.

6. The amount of land for which said water is available is 12 acres,
 particularly described as follows: SW 1/4 Sec. 14 9-4 8 acres

SE 1/4 Sec. 15 9-4 4 acres

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

Warner R. Ball

(Signature of Owners) _____



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

IN REPLY
REFER TO: 400

REGION 6
MISSOURI-OAHE PROJECTS OFFICE
P. O. BOX 825
HURON, SOUTH DAKOTA

MAY 22 1959

Mr. J. W. Grimes
Chief Engineer and Executive Officer
State Water Resources Commission
Pierre, South Dakota

Dear Mr. Grimes:

In conformity with the request contained in your letter of May 14, 1959, that you may honor the application by Warner R. Ball, Edgemont, South Dakota, for permit to appropriate waters from the Cheyenne River, the United States of America hereby releases so much of the waters of the Cheyenne River, but not to exceed 0.22 cubic feet per second as are not and will not be required for full enjoyment by the United States of America of the use of the waters of the Cheyenne River and its tributaries, pursuant to South Dakota Withdrawal No. 579-2.

Very truly yours,

G. J. Cheney
Project Manager

RECEIVED
MAY 23 1959

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

May 14, 1959

Mr. George Cheney
Projects Manager
Bureau of Reclamation
Box 825
Huron, South Dakota

Dear George:

I have received an application for a water right permit from Warner R. Ball, Edgemont, South Dakota. Mr. Ball requests an appropriation of 0.22 c.f.s. of the flows of the Cheyenne River to irrigate 15.8 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14 and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15 both in T 9 S, R 4 E, B.H.M.

This portion of the Cheyenne River is above Angostura Dam and the flows therefrom are included in the United States withdrawal for storage in Angostura Reservoir.

Release is requested of 0.22 c.f.s. of the unused portion of the United States withdrawal of water from appropriation for storage in Angostura Reservoir (No. U.S.579-2). This request is made in order to grant Mr. Ball's permit.

Sincerely,

LW:la

J. W. GRIMES
Chief Engineer



Department of Water & Natural Resources

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

May 11, 1989

534-2

NOTICE

TO: Warner R. Ball
Ball Brothers
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 No. 534-2. The priority date for your water right is junior to the April 11, 1941 priority date for Angostura Irrigation District Water Right No. 579-2.

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

May 2, 1989

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

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

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

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





Department of Water & Natural Resources

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

March 19, 1990

534-2

NOTICE

TO: Warner R. Ball
Ball Brothers
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 No. 534-2. 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

534-2

NOTICE

TO: Warner R. Ball
Ball Brothers
Edgemont, SD 57735

FROM: *for* JOHN HATCH, CHIEF ENGINEER *William U. 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.



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 20, 1991

534-2

RESCISSION OF SHUTOFF ORDER

TO: Warner R. Ball
Ball Brothers
Edgemont, SD 57735

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

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

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

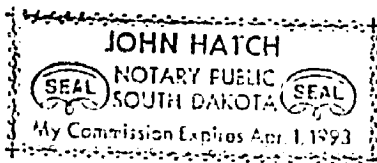
If you have any questions, please contact Mark Rath or Del Brocz (605) 773-3352.

534-2

Chas. F. Hunt

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

John B. [Signature]
Notary Public





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 25, 1992

534-2

NOTICE

TO: BALL BROS
BOX 617
ELGEMONT, 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 No. 534-2 which is junior in priority to Water Right No. US579-2 held by the US Bureau of Reclamation for the Angostura Irrigation District.

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

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

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

PERMIT NO	FIRST NAME	LAST NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE	FORM	FORM
651-2		A & T CATTLE CO	TOM LANDERS	ST RT	HOT SPRINGS	SD	57747		
308-2	RICHARD	ANDERSON	3 CHAP ANDERSON	HCR 59 BOX 19	EDGEWATER	SD	57735		
1411-2	IRENE R	ANDERSON		HCR 59 BOX 20	EDGEWATER	SD	57735		
321-2		B & H RANCH INC	B F CHILDERS	PO BOX 713	EDGEWATER	SD	57735		
510-2		BALL FROS		BOX 617	EDGEWATER	SD	57735		
1995-2	LESTER I	BARTLEY		BOX 746	EDGEWATER	SD	57735		
1499-2	NICK/MICHAEL	BOGNER	ANICK BOGNER JR	HC 46 BOX 24	OPERICHS	SD	57763	1734-2	
755-2		BRATNERD INDIAN SCHOOL			HOT SPRINGS	SD	57747		
858-2	WAYNE F	CHILDERS		HCR 59 BOX 1A	EDGEWATER	SD	57735		
414-2	V L	CHILDERS		BOX 723	EDGEWATER	SD	57735		
651-2	OSCAR	COLE			OPERICHS	SD	57763		
1994-2	JOHN	DEGERING		SR 1 BOX 136	LUSE	WY	82225		
567-2	HAROLD E	DODSON		HCR 59 BOX 54	EDGEWATER	SD	57735	1410-2	
2058-2	LEROY/BERNHA	EDERSON		HC 48 BOX 248	PROSO	SD	57774		
1985-2	DAVID M	DUNBAR		RR BOX 32	OPERICHS	SD	57763		
784-2		HALD BROTHERS, INC.	CARL P HALD, PRES	HCR 46 BOX 5	OPERICHS	SD	57763	1695-2	
821-2	HELMAN	HICK		BOX 441	EDGEWATER	SD	57735		
510-2	DARRELL E	HELLMAN		BOX 402	EDGEWATER	SD	57735		
1873-2	DORA R	HENDERSON	ATT 265	5141 INDIAN RIVER	LAS VEGAS	NV	89101		
1910-2	DM W	HENRY		BOX 276	ARMORE	SD	57715		
179-2	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		
1441-2	JAMES/PATRICIA	JOHNSTON		HC 68 BOX 7	LAFESIDE	NE	69351		
18770-2	JIM	KANE		BOX 192	PROVA	SD	57774		
763-2	CAVE	KANNOLT	ATT 207	ELANIE HOTEL	CHOCOS	NE	69337		
1626-2	JOHN W	KOLTER		BOX 715	EDGEWATER	SD	57735		
844-2	A J	LANDERS	STAR CATTLE CO	BOX 1538 HCR 52	HOT SPRINGS	SD	57747		
1210-2	R L/ALLEN	LAWRENCE		BOX 759	TILOGA	ND	58852		
476-2	WELVIN	LULF			HOT SPRINGS	SD	57747		
17235-2	JOHN D/JACK	MANKE	(ESTATE)	RR 41 BOX 179C	HOT SPRINGS	SD	57747		
14417-2	WYNETH	MARTINSON		BOX 361	EDGEWATER	SD	57735		
385-2		MCLAIN		BOX 164	OPERICHS	SD	57763		
410-2		MEFFERD, JR		HCR 48 BOX 22	PROSO	SD	57774		
1971-2		NELSON		PROGAS STAGE	MILES CITY	MT	59301		
2015-2		PETERSON & SON, INC		HCR 59 BOX 16	EDGEWATER	SD	57735		
1916-2	PAUL & JEAN	PETTY	A NORREN PETTY	HCR 52 BOX 136	HOT SPRINGS	SD	577479603		
1716-2	WELVIN	PORTER		WIO RT BOX 17	EDGEWATER	SD	57735		
711-2	RONALD	TUTMAN		BOX 188	OPERICHS	SD	57763	2013-2	
1614-2	CHES	REASER		HC 46 BOX 48	OPERICHS	SD	57763		
172-2	EDWARD/WANDA	REUTTER		HCR 59 BOX 90	EDGEWATER	SD	57735	1789-2	
293-2	CHANCE/RETERI	REYNOLDS		HCR 59 BOX 28	EDGEWATER	SD	57735	231-2	
669-2	OLIVER M	ROMY		BOX 175	OPERICHS	SD	57763		
718-2	VERNON	SCHNOSE		ST RT BOX 155	HOT SPRINGS	SD	57747	1700-2	
1449-2		SEGER RANCH INC		BOX 95	OPERICHS	SD	57763	671-2	1831-2
927-2	BERNARD D	SIMONS		BOX 311	EDGEWATER	SD	57735		
1732-2	ROBERT/MARK	TUBBS		BOX 563	EDGEWATER	SD	57735		
1012-2		WAR BOWNET RANCH LTD	BOX 132	105 E 5TH ST	WURDO	SD	57559		
392-2	VINCENT M	WASSERBURGER		BOX 63	ARMORE	SD	57715	853-2	2115-2



534-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 1993

534-2

NOTICE

TO: BALL BROS
%STANLEY BALL
BOX 617
EDGEMONT, SD 57735

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.

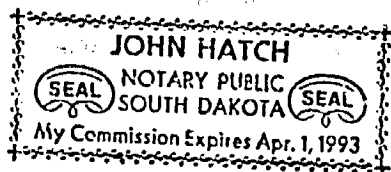
Effective immediately no diversions of water under your Water Right No. 534-2 are authorized. Your water right is junior in priority to the US Bureau of Reclamation Water Right No. 579-2 (April 11, 1941 priority date). The Bureau of Reclamation water right for the Angostura Irrigation District allows one annual fill of the reservoir.

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

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

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

cc: US Bureau of Reclamation
Angostura Irrigation District





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 14, 1993

534-2

RESCISSION OF SHUTOFF ORDER

TO: BALL BROS
%STANLEY BALL
BOX 617
EDGEMONT, SD 57735

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



534-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 29, 1993

Stanley Ball
Ball Brothers
Box 617
Edgemont, SD 57735

Dear Mr. Ball:

Thank you for the prompt return of your 1993 irrigation questionnaire.

On the questionnaire, you indicated the reason you did not irrigate was due to a shutoff order you received stating you could not irrigate. A shutoff order for junior water right holders upstream of Angostura Irrigation District was issued in 1993. However, the order, issued on March 12, 1993, was rescinded on April 14, 1993. No further shutoff orders were issued for 1993.

Due to the heavy rainfall in most areas of South Dakota, irrigation was very limited. If permit holders did not irrigate, it would have been due to excessive rainfall and not shutoff orders issued by this office.

If you have any questions, please contact us.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352



534-2

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

March 15, 1995

534-2

NOTICE

TO: STANLEY BALL
BALL BROS
BOX 617
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 No. 534-2 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



534-2

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

May 26, 1995

534-2

RESCISSION OF SHUTOFF ORDER

TO: STANLEY BALL
BALL BROS
BOX 617
EDGEMONT, SD 57735

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

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

BALL BROTHERS
STANLEY BALL
HC 48 BOX 16
EDGEMONT SD 57735

4a. Article Number

P378 081 321

4b. Service Type

☐ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

☒ Certified

☐ Insured

☐ COD

7. Date of Delivery

2-5-97

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Delon Miller*

8. Addressee's Address (Only if requested and fee is paid)

Domestic Return Receipt

PS Form 3811, December 1994

Thank you for using Return Receipt Service.



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: BALL BROTHERS, STANLEY BALL, HC 48 BOX 16, EDMONT, SD 57735

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 534-2. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 534-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



February 4, 1997

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: BALL BROTHERS, STANLEY BALL, HC 48 BOX 16, EDGEMONT, SD 57735

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 534-2. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

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1. Amend Permit No(s) 534-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

I had been in the Hospital in Rapid City N.D. Oct. 21, 1996 and then in the Nursing Home in Hot Springs since then and did not receive a questionnaire.

Stanley Ball - Edgemont, S. D.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 19, 1997

534-2

Stanley Ball
Ball Brothers
HC 48 Box 16
Edge mont, SD 57735

Dear Mr. Ball:

I am contacting you in regard to your letter received February 14th concerning the 1996 irrigation questionnaire. Enclosed is a questionnaire pertaining to Water Right No. 534-2.

Please complete the form with 1996 irrigation data. If the land was not irrigated in 1996, please indicate this on the form and return it to our office. I am enclosing a postage paid envelope for your reply.

If you would like future irrigation questionnaires directed to someone else, please make a notation on the questionnaire and I will change our records accordingly. Thank you and if you have any questions, please contact me.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 1997

NOTICE OF AMENDMENT OF WATER RIGHT

TO: STANLEY BALL, BALL BROTHERS, HC 48 BOX 16,
EDGEMONT, SD 57735

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

SUBJECT: Amendment to Water Right No. 534-2

Pursuant to the provisions of the notice dated February 4, 1997, and following the hearing March 5, 1997, the Water Management Board has amended Water Right No. 534-2 to add the following qualification:

"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

This action was taken for failure to return the 1996 irrigation questionnaire prior to the hearing date. Your questionnaire was received in our office on March 7, 1997.

The addition of this qualification to your Water Right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

I hereby certify that on March 11, 1997, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 10, 1997, regarding Amendment to Water Right Nos. 534-2 and 1156-3, addressed as stated below:

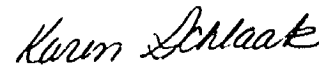
W.R. #534-2: Stanley Bail, Ball Brothers, HC 48, Box 16, Edgemont, SD 57735.

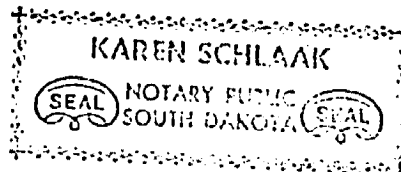
W.R. #1156-3: Mrs. John M. Ryan, 96 Carmel Ave. West, West St. Paul, MN 55118.


Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 12th day of March, 1997


Karen Schlaak
Notary Public



KAREN SCHLAACK, Notary Public
My Commission Expires
April 1, 2001



**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: BALL BROS
RICHARD W BALL
BOX 527
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. (534-2)

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.



534-2

**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: BALL BROS
RICHARD W BALL
BOX 527
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. 534-2

To protect the US Bureau of Reclamation's Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941, the Bureau of Reclamation has asked that we issue shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River and tributaries by holders of junior water rights upstream of Angostura Dam will be allowed. On March 8, 2005, the water elevation in Angostura Reservoir was 3169.5 feet, almost 18-feet below the full elevation of 3187.2 feet. Storage is at 65,521 acre-feet, about 73,240 acre-feet below full and inflows are 14.9 acre-feet per day.

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

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



IN REPLY REFER TO:

DK-700
PRJ 13.00

534-2
United States Department of the Interior

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

FEB 24 2006



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

RECEIVED
FEB 27 2006
WATER RIGHTS
PROGRAM

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

Dear Mr. Erbele:

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

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

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

Sincerely,

For Jeffrey L. Nettleton
Rapid City Field Office Manager

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 2006

NOTICE OF SHUTOFF ORDER

TO: BALL BROS
RICHARD W BALL
BOX 527
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. 534-2

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: BALL BROS
BOX 527
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. 534-2

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.



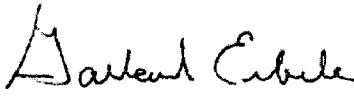
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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: BALL BROS
BOX 527
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. 534-2

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: RICHARD BALL
BALL BROS
BOX 527
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. 534-2

The US Bureau of Reclamation holds Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941. To protect this right, the Bureau of Reclamation has asked that we issue shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River and tributaries by holders of water rights junior to the priority date of April 11, 1941 upstream of Angostura Dam will be allowed. On March 18, 2009, the water elevation in Angostura Reservoir was 3176.7-feet, 10.5-feet below the full elevation of 3187.2-feet. Storage is at 80792 acre-feet, about 42256 acre-feet below full. Angostura Reservoir is not expected to fill with the current low inflows.

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 06, 2013

NOTICE OF SHUTOFF ORDER

TO: BALL BROS
RICHARD W BALL
BOX 527
EDGEMONT SD 57735

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. 534-2**

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

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

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

CERTIFICATION

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

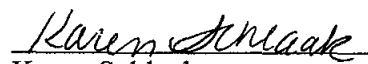
LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
INDIAN CREEK CATTLE LLP		32296 190TH ST	SLEEPY EYE	MN	56085
INDIAN CREEK LAND & CATTLE LLC		PO BOX 538	EDGEMONT	SD	57735
WEINREIS BROTHERS		230908 HIGHLAND RD	SCOTTSBLUFF	NE	69361
SEGER RANCH INC		RR 1 BOX 100A1	HOT SPRINGS	SD	57747
REUTTER	EDWARD/WANDA	HCR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

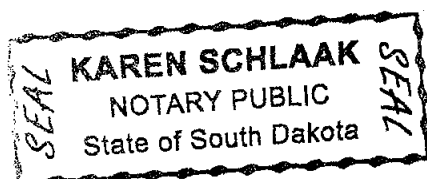
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK & THOMAS	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	BERNARD D	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC		10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD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


 Gail Jacobson
 Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

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


 Karen Schlaak
 Notary Public
 My Commission expires April 1, 2013



534-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 16, 2018

534-2

Richard R Ball
27489 Whitetail Rd
Hot Springs SD 57747

Dear Mr. Ball:

Thank you for the prompt return of the 2018 irrigation questionnaire.

In reference to your notation on the questionnaire, I am enclosing a partially completed Notice of Transfer of Ownership form for your use in filing an ownership change. 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.

I have enclosed a copy of the water license for your records. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures

534-2
PAID

NOV 26 2018

Ck# 2430

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

NOV 26 2018

WATER RIGHTS
PROGRAM

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

No. 534-2

Date: Nov 21 2018

I/We request that Water Right No. 534-2

formerly owned by: Ball Brothers, % Richard W Ball

be transferred to: (name & address)

Ball Family Ranch LLC

27489 Whitetail Rd, Hot Springs SD 57747

(% Richard R Ball)

Telephone No. 605 745 5438

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

15.8 acres - SW 1/4 NW 1/4 Section 14 and SE 1/4 NE 1/4 Section 15, T9S, R4E

I/We understand that the validity of Water Right No. 534-2 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 Ball Family Ranch LLC, the new owner, certify that the above information is true and
% Richard R. Ball correct.

Richard R. Ball

(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 November 26, 20 18

RECEIVED OF R.W. Ball PO Box 527 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 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>534-2</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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **08817**

By Jeanne Goodman
Chief Engineer *JMG*



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 26, 2018

534-2

Richard R Ball
27489 Whitetail Rd
Hot Springs SD 57747

Dear Mr. Ball:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 534-2.

The ownership change has been completed. Water Right No. 534-2 formerly listed in the name of Ball Brothers % Richard W Ball is now listed under Ball Family Ranch LLC in-care-of you.

Enclosed for your records is Receipt No. 08817 in the amount of \$50 which you paid for filing the ownership change. If I can answer any questions for you, please let me know.

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

BALL FAMILY RANCH LLC
27489 WHITETAIL RD
HOT SPRINGS, SD 57747

534-2

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: BALL FAMILY RANCH LLC
27489 WHITETAIL RD
HOT SPRINGS, SD 57747

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). 534-2

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.