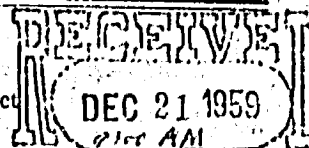


1. Considered 4-6, 1960 Appl. No. 567-2
2. Name of Applicant Rex Batic
3. Post Office Address Edgemont
4. Amount of water claimed 0.74
5. Source of water supply Flood Water Cheyenne River
6. Water to be used for irrigation
Acres to be irrigated 51.5
7. Water to be diverted and used in Ball River County about
4W 6N miles of Edgemont
8. Proof of Publication
Received ☒
Not Received ☐
9. Application
Approved ☒
Subject to State Engineer
Not approved ☐
Action deferred ☐
10. Remarks:

No. 567-2Water Division No. 2Fall River

District

(Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

STATE WATER RESOURCES COM.

PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

12-13-6

1. Name of applicant REF. BATTLE TRANSFERRED TO HAROLD DODSONPostoffice address EDGEMONT, County FALL RIVER, State SO. DAK.

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)

DIRECT LABOR

- (b) Cash on hand, \$2500.00
- (c) Treasury stock, \$ _____
- (d) Bonds to be issued, \$ _____
- (e) Other resources, \$ _____

2. Name of diversion work REF. BATTLE IRRIGATION PROJECT3. Amount of water claimed 0.74 cubic feet per second PER SEASON OR 3 ACRE-Feet per acre4. Source of water supply FLOOD WATER OF THE CHEYENNE RIVER.5. Location of point of diversion S. 75° 19' W. - 2694± FEET FROM NE CORNER SEC. 6, T8S;R2E; B.H.M. on LEFT bank FALL RIVER County.

ONLY WHEN RIVER IS AT FLOOD STAGE EXCEPT

6. Annual period or periods during which water is to be used WHEN HAY IS BEING HARVESTED.

7. To be used for:

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

(a) Number of acres to be irrigated 51.5 acres.(b) Legal subdivisions to be irrigated S.W. SEC. 31, T7S; R2E; B.H.M. --- 27.5 ACRE

(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.) NONE

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

(a) Nature of use _____

Name any of the above uses claimed

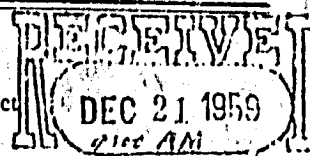
(b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

Map No 538-2

No. 567-1Water Division No. 2Fall River
(Blanks to be Filled by the Engineer for the W. R. C.)

District



APPLICATION FOR PERMIT

STATE WATER RESOURCES COM.
MILWAUKEE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

12-13-6

1. Name of applicant REX BATTIE TRANSFERRED TO HAROLD DODSON
 Postoffice address EDGEMONT, County FALL RIVER, State So. DAK.

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)

DIRECT LABOR

- (b) Cash on hand, \$
- 2500.00

(c) Treasury stock, \$ _____

- (d) Bonds to be issued, \$ _____

(e) Other resources, _____

2. Name of diversion work REX BATTIE IRRIGATION PROJECT3. Amount of water claimed 0.74 cubic feet per second OR 3 ACRE-FEET PER ACRE PER SEASONSource of water supply FLOOD WATER OF THE CHEYENNE RIVER5. Location of point of diversion S 75° 19' W - 2604± FEET FROM NE CORNER SEC. 6, T8S;R2E; B.H.M. on LEFT bank FALL RIVER County.6. Annual period or periods during which water is to be used ONLY WHEN RIVER IS AT FLOOD STAGE EXCEPT WHEN HAY IS BEING HARVESTED.

7. To be used for:

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

- (a) Number of acres to be irrigated
- 51.5
- acres

- (b) Legal subdivisions to be irrigated
- SWSE SEC. 31, T. 8S; R2E; B.H.M. --- 27.5 ACRE
-
- LOT 2 SEC. 6, T8S; R2E; B.H.M. --- 18.4 ACRE

(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.)
- NONE

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 _____

ITEM 7 -1(b) CONTINUATION OF ABOVE: LOT 3 SEC. 6, T8S; R2E; B.H.M. ---5.6 ACRE

Map No. 538-2

8. Estimated cost of work:

(a) Head Gate, \$50.00

(b) Pumping plant, \$1200.00

(c) Plumbing, \$0.00

(d) Canal-earth, \$400.00

Rock, \$

(e) Other structures, \$200.00

Total, \$2450.00

9. Description of diversion works: DIESEL ENGINE GMC #671; 10" DEMMING-MULLER CENTRIFUGAL PUMP #27503; PIS. 4042.

I. Nature of works: (Razvody, bank ditch, flume, pumping plant, etc.)

PUMPING PLANT, LATERALS, LAND LEVELING

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	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width feet; height feet;

Material STEEL AND CONCRETE

(d) Canal: Total length 0.86 miles. "V" TYPE 5:1 TO PERMIT CROSSING WITH MOWING EQUIPMENT, AND MOWING DITCH BOTTOM.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ALL POINTS Mile	2.0 feet	0 feet	10 feet	4 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 FIVE years.

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

EDMONT HERALD - TRIBUNE

STATE OF SOUTH DAKOTA

County of SIOUX } ss.

I, Roy B. Bates, 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

Subscribed and sworn to before me this 20th day of Dec 1959

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

SURVEYOR'S CERTIFICATE:

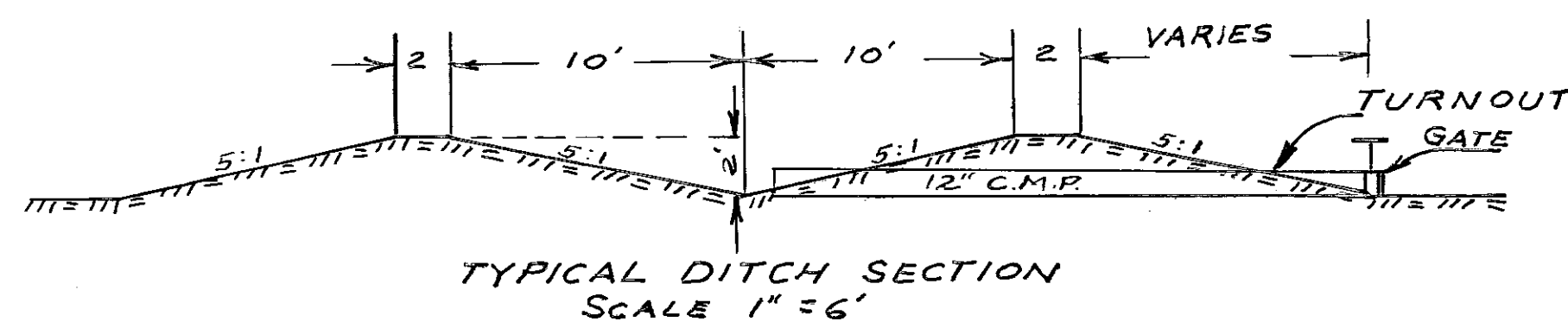
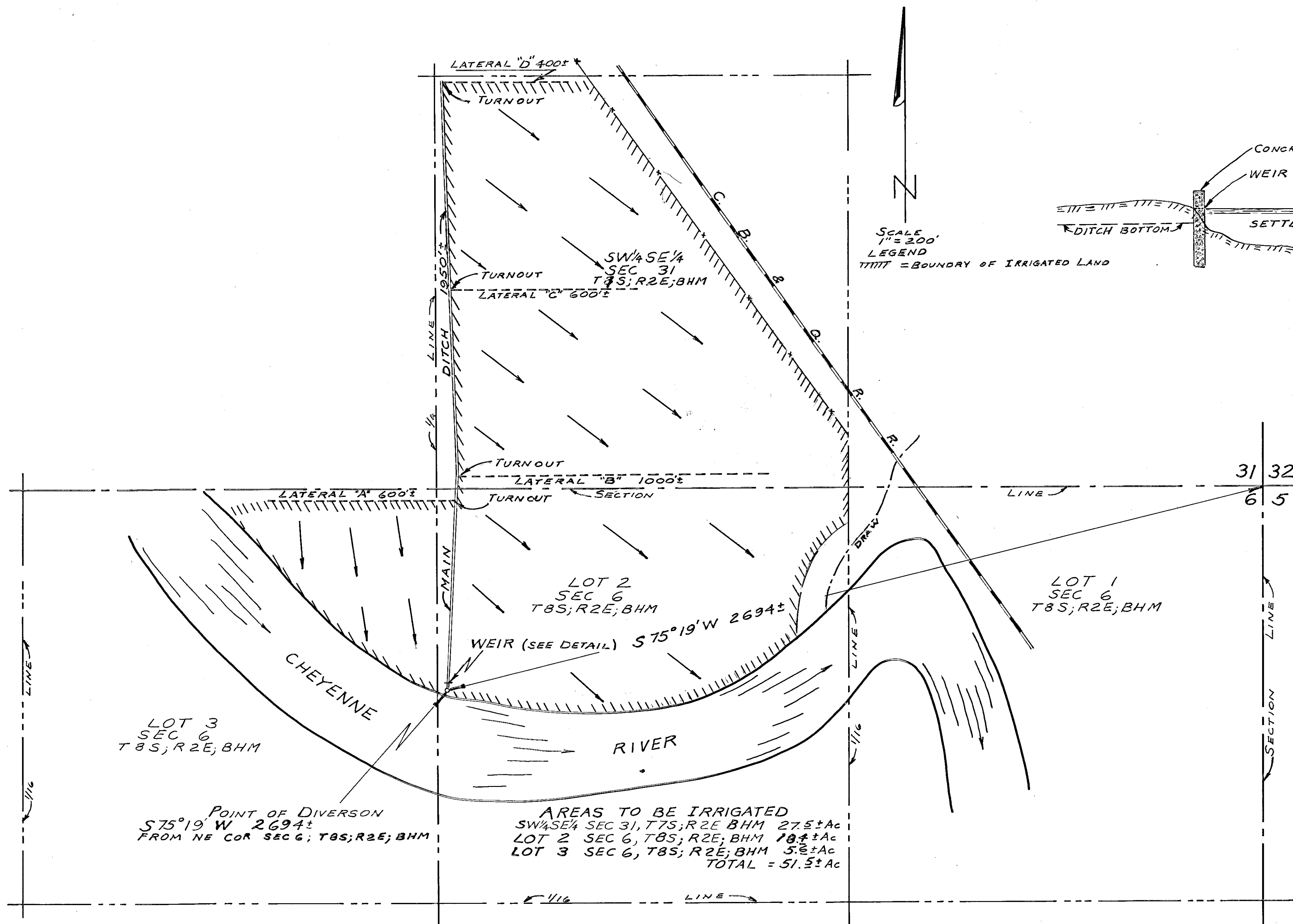
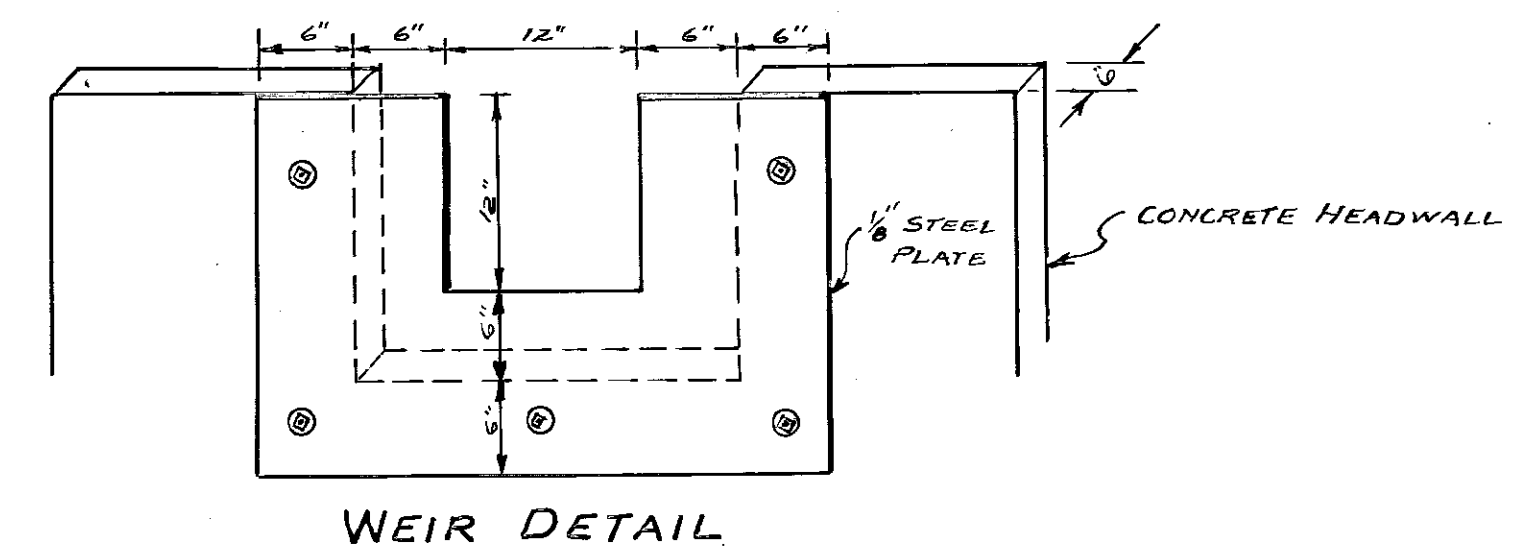
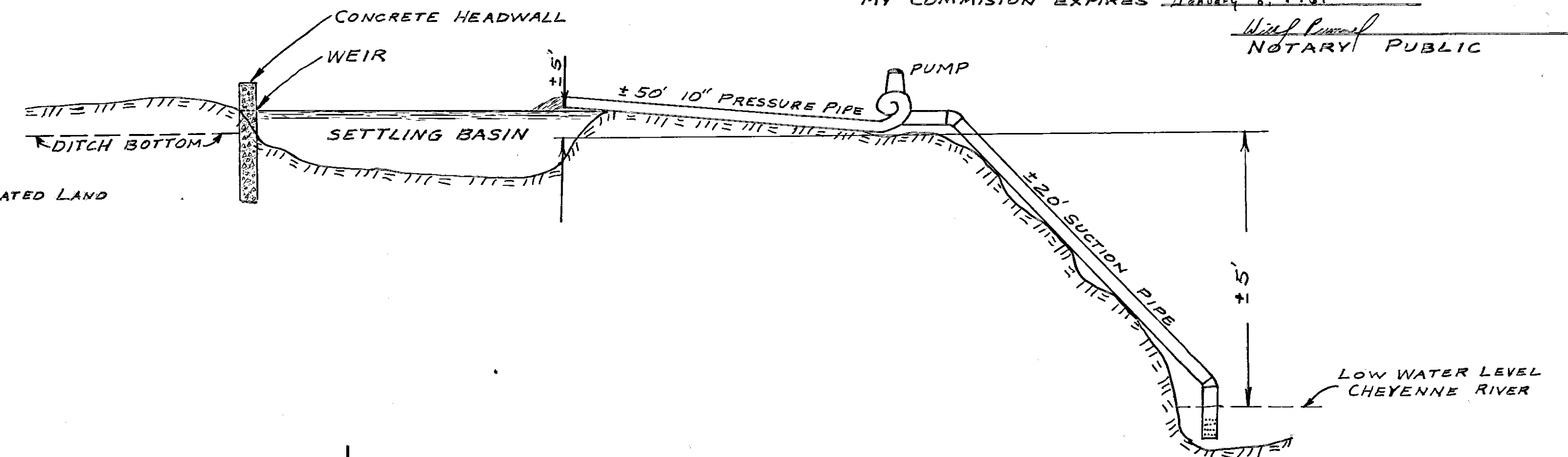
I, GEORGE G. ROSS, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF REX BATIE, I HAVE SURVEYED THE PROPOSED IRRIGATION PROJECT AS SHOWN ON THIS DRAWING. THE ANGLES, BEARINGS, AND DISTANCES ARE AS SHOWN.

George G. Ross
REGISTERED LAND SURVEYOR

ACKNOWLEDGEMENT OF SURVEYOR

BE IT KNOWN THAT ON THIS 11th DAY OF Dec. 1959, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED, GEORGE G. ROSS, KNOWN TO ME TO BE THE PERSON DESCRIBED IN THE FOREGOING CERTIFICATE. MY COMMISSION EXPIRES January 8, 1961

W. J. P. [Signature]
NOTARY PUBLIC



REX BATIE IRRIGATION PROJECT GENERAL LAYOUT (WITH DETAILS)

BRADY ENGINEERING
CONSULTING ENGR
SPEARFISH, S.D.

DRAWN BY: G.G.R.
CHECKED BY:

SCALE 1" = 200'
DEC. 1959
SHEET 1 OF 1

Map No 538-2 (App 1 No 567-2)

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, May 27, 1960

This is to certify that the foregoing application was received by the Commission at 9:00 o'clock
a.m. upon the 21st day of December, 1959

State Water Resources Commission

By:

Frederick J. Jones
for Chief Engineer, Executive Officer

Number of permit 567-2

Date of first receipt of application December 21, 1959

Date of return to applicant for correction, amendments or changes required as follows: Dec 22, 1959

Date of receipt of corrected application December 30, 1959

Date from which applicant may claim right December 21, 1959

Approved April 6, 1960, Recorded in Book 6 Page 67

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

October 6, 1962

2nd. The whole of said work is to be completed on or before April 6, 1965

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

April 6, 1964

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 .74 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 April 6, 1959; said water to be used during the following described annual period:

whenever River is at flood stage during annual periods of irrigation

Witness my hand this 27th day of May, 1960

State Water Resources Commission

By:

Joe Krinner

Chief Engineer, Executive Officer

Certificate of Construction Issued DECEMBER 13, 1965

Water License Issued DECEMBER 13, 1965

STATE OF SOUTH DAKOTA

WATER LICENSE No. 567-2

WHEREAS, On the 21st day of December A. D. 1959

Rex Batie

of Edgemont County of Fall River and State of South Dakota duly made application (No. 567-2) to us for a permit to use .74

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 6th day of April A. D. 1960

Permit No. 567-2 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 6th day of April

A. D. 1965 and for the application to beneficial use of said water on or before the 6th day of April A. D. 1969

and, WHEREAS, On the 9th day of December, 1965 the permit was transferred to Harold Dodson, and

WHEREAS, On the 9th day of December A. D. 1965

the holder of said permit duly made proof of the completion of adequate works for the diversion of .74

cubic feet per second of said waters, as evidenced by our Certificate No. 567-2

dated December 13, 1965 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use .74 cubic feet per second of water, with date of priority of December 21, 1959 and,

WHEREAS, On the 9th day of December A. D. 1965

proof was duly made of the application to beneficial use of .74 cubic feet per second of said water; for irrigating 51.5 acres in portions of Section 31, T7S, R2E, and Section 6, T8S, R2E

Permit No. 567-2Water Division No. 2 Fall River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Harold Dodson

of Edgemont, County of Fall River, an State of South Dakota, the holder of Permit No. 567-2, issued upon Application No. 567-2, bearing date of priority of December 21, 1959, authorizing the diversion of .74 cu. ft. per second of the waters of the Cheyenne River County of Fall River, State of South Dakota, at a point S 75° 19' W, 2694 feet from the NE corner, Section 6, T8S, R2E for irrigation

purposes, has s 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 .74 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:	<u>SW$\frac{1}{4}$ SE$\frac{1}{4}$ Sec. 31, T7S, R2E</u>	<u>27.5 acres</u>
	<u>Lot 1 Sec. 6, T8S, R2E</u>	<u>18.4 "</u>
	<u>Lot 3 Sec. 6, T8S, R2E</u>	<u>5.6 "</u>
	<u>Total</u>	<u>51.5 "</u>

Witness my hand this 13th day of December 65 A. D. 19

State Water Resources Commission

By:

J. W. GRAYES
Chief Engineer, Executive Officer

(First Publication on or before March 10, 1960...)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 21, 1960

Notice is hereby given that Rex Patia 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 0.71 cubic feet of water per second of time from the Chayange River through the Rex Patia Irrigation Project, the point of diversion of which is to be located on the left bank of said stream in the 1st 2 4 of Section 6 Twp. 8S Range 2R Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW 1/4 Sec 31 T 7S R 2E, and Lots 2 and 3, Sec 6 T 8S R 2E

and for purpose

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 6th day of April, 1960, at 2 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

cc: Charles E. Donnelly J. Publisher by:
Edgemont Herald-Tribune
Edgemont, South Dakota

Chief Engineer, Executive Office
Burton F. Jones
Water Right Specialist

PROOF OF PUBLICATION

STATE WATER RESOURCES COMMISSION

PIERRE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA

County Fall River

SS.

Charles E. Donnelly, Jr. being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the THE EDMONTON HERALD-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 Edmonton County of Fall River and State of South Dakota; that the said notice was published in said newspaper on the following dates:

January 28, 1960February 4, 1960February 11, 1960February 18, 1960in each and every issue of the full number thereof, the first 28thpublication being made on the 4th day of January1960 and the last publication on the 18th day ofFebruary 1960, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was editor the printer and publisher of the said newspaper.No. 59, Jan. 28, Feb. 4, 11, 18 1960
No. 567-2

(First Publication on or before March 10 1960.)

APPROPRIATION OF WATER
Office of State Water Resources Commission, Pierre, S. Dak., January 21, 1960.

Notice is hereby given that Rex Battle, 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 0.4 cubic feet of water per second of time from the Cheyenne River through the Rex Battle Irrigation Project, the point of diversion of which is to be located on the left bank of said stream in Lot 2 of Section 6, Twp. 8S, Range 2E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW 1/4 Sec. 31, T. 7S, R. 2E; and Lots 2 and 3, Sec. 6, T. 8S, R. 2E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 6th day of April, 1960, at 2 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
Burton F. Jones
Water Right Specialist

Subscribed and sworn to before me this 4th day of March A. D. 1960Notary Public James Russell County, S. D.

NOTICE OF TRANSFER OF WATER PERMIT

DECEMBER 9, 1965

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that

REX BATTLE

who previously owned the land described below has sold his interests to

HAROLD DOPSON

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 567-2
and as provided for in section 61.0141 of the SDC of 1939 and elsewhere

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the OFFICE OF WATER RESOURCES COMMISSION as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1806 of the SDC of 1939.

STATE OF SOUTH DAKOTA

County of Beauregard

} ss.

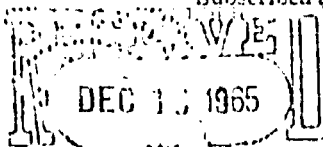
I, Harold Dopson being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Signed

Harold Dopson

Subscribed and sworn to before me this

10 day of Dec, 1965



Notary Public

STATE WATER RESOURCES COMM
PIERRE SOUTH DAKOTA

6/3/69

Permit No. 567-2Water Division No. 2 FALL 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 _____
 19____, I have this day made a thorough examination of the diversion works constructed by _____
HAROLD DODSON, of EDGEMONT
FALL RIVER County, South Dakota, holder of Permit No. 567-2, issued
 upon Application No. 567-2, bearing date of priority of DECEMBER 21, 1959, authorizing the
 diversion of 74 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 8" PIRMA 65 WATER LIFT PUMP
POWERED BY JOHN DEERE A TRACTOR - PUMPED
INTO MAIN DITCH APPROX 1/2 MILE LONG & THENCE
ONTO LEVELLED LAND

and the system is in the following condition: GOOD

The point of diversion is located AS SHOWN ON MAP

The works are capable of diverting and conveying to the place of use 74 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 SE 1/4, SEC. 31, T. 75, R. 2E</u>	<u>27.5 AC.</u>
<u>LOT 2 SEC. 6, T. 85, R. 2E</u>	<u>18.4 AC.</u>
<u>LOT 3 " 6, T. 85, R. 2E</u>	<u>5.6 AC.</u>

comprising a total of 51.5 acres of land.

The domestic use intended comprises _____

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

Witness my hand, this

21

day of

DECEMBER

1965

—SEAL—

Examining Engineer

officer

 **Department of
Water & Natural Resources**

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

May 11, 1989

NOTICE

567-2, 1410-2

TO: Harold Dodson
HCR 59, Box 5
Edgemont, SD 57735

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

John Hatch

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. 567-2 and 1410-2. 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 3172.4 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 Wierterton (605 773-3352).





Department of Water & Natural Resources

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

March 19, 1990

567-2

NOTICE

TO: Harold Dodson
HCR 59, Box 5
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. 567-2. 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

567-2
1410-2

NOTICE

TO: Harold Dodson
HCR 59, Box 5
Edgemont, SD 57735

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

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

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

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

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

South Dakota

GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 20, 1991

(567-2)
1410-2

RESCISSION OF SHUTOFF ORDER

TO: Harold Dodson
HCR 59, Box 5
Edgemont, SD 57735

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

Delvin W. Brosz

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

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

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

CERTIFICATION

I hereby certify that on March 23, 1992, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 25, 1992, regarding Shut Off Order for Junior Water Right Holders Upstream of the Angostura Irrigation District addressed as stated on the attached list:

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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



John Hatch
Notary Public



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 25, 1992

567-2
1410-2

NOTICE

TO: HAROLD E DODSON
HCR 59 BOX 5A
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. 567-2, 1410-2 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.

PROPERTY NO.	OWNER NAME	LAST NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE	PHONE	STATUS
651 2		C & T EATIE CO	JOE HANDBS	ST RT	HOT SPRINGS	SD	57141		
302 2	EDWARD	ANDERSON	A CHAD ANDERSON	BOX 59 BOX 18	FICKMONT	SD	57735		
1511 2	LENE R	ANDERSON		BOX 59 BOX 20	FICKMONT	SD	57735		
331 2		P A M PACHE INC	R F CHILDERS	PO BOX 723	FICKMONT	SD	57735		
531 2		DILL EROS		BOX 617	FICKMONT	SD	57735		
1235 2	LESTER E	CHATEAU		BOX 710	FICKMONT	SD	57735		
1293 2	NICK/MICHAEL	PO 459	ANITA BOWEN JR	HC 45 BOX 24	OSHTERICH	SD	57763	1134 2	
355 2		DAWNEED INDIAN SCHOOL			HOT SPRINGS	SD	57141		
656 2	WASNE F	CHILDERS		BOX 59 BOX 14	FICKMONT	SD	57735		
616 2	V L	CHILDERS		BOX 723	FICKMONT	SD	57735		
654 2	OSCAR	COFF			OSHTERICH	SD	57763		
1534 2	JOHN	DEERING		SR 1 BOX 137	ELK	WY	81225		
561 2	HAROLD F	EDSON		BOX 59 BOX 54	FICKMONT	SD	57735	1410 2	
2052 2	ERNO/BERTR	EDSON		HC 42 BOX 248	PRIMO	SD	57774		
1555 2	DAVID M	EDWARD		RR BOX 37	OSHTERICH	SD	57763		
789 2		EMER BROTHERS, INC.	CARL E EMER, PRES	BOX 45 BOX 5	OSHTERICH	SD	57763	1655 2	
421 2	IRFMAN	EMER		BOX 441	FICKMONT	SD	57735		
510 2	DARRELL E	HEITMAN		BOX 402	FICKMONT	SD	57735		
1875 2	DEBRA R	HENDERSON	ATT 265	5141 INDIAN RIVER	LAS VEGAS	NV	89103		
1580 2	TON W	HENSE		BOX 276	ARMORE	SD	57715		
179 2	HENRY C	HOLLENBECK		HENRY ROUTE	FICKMONT	SD	57735		
1591 2		HUI RANCH INC	SH CORPORATION	BOX 53 BOX 102	FICKMONT	SD	57735		
356 2	DARRELL D	HUNTER		BOX D	ARMORE	SD	57715		
1641 2	JAMES/PATRICIA	JOHNSTON		RR 48 BOX 7	LAKEVIEW	NE	68151		
19120 2	JIM	KANE		BOX 134	PRIMO	SD	57774		
763 2	CARL	KANSOFF	ATT 292	FRANKIE HOTEL	CHADRON	NE	69337		
1656 2	JOHN W	KOLTER		BOX 715	FICKMONT	SD	57735		
666 2	A J	LANDERS	STAR EATIE CO	BOX 1528 BOX 52	HOT SPRINGS	SD	57747		
1210 2	D L/ALLEN	LAMPINE		BOX 752	THORA	ND	58569		
676 2	MURVIN	LUFF			HOT SPRINGS	SD	57737		
17235 2	JAMES DEJACQ	MAKES	(ESTATE)	RR 41 BOX 1750	HOT SPRINGS	SD	57747		
11487 2	BERNATH	MARTINSON		BOX 381	FICKMONT	SD	57735		
725 2	ADRIAN W	MCLAIN		BOX 164	OSHTERICH	SD	57763		
410 2	RAUL E	MEFFORD, JR		BOX 48 BOX 22	PRIMO	SD	57774		
3231 2	A J	NEILSON		PROBING STAFF	WILKS CITY	MT	59301		
2015 2		NEEDERSON & SON, INC		BOX 59 BOX 18	FICKMONT	SD	57735		
1016 2	PAUL A JEAN	NETTY	A NORTON EATIE	BOX 52 BOX 136	HOT SPRINGS	SD	57747SDA		
1716 2	MELVIN	PORTER		W10 RT BOX 17	FICKMONT	SD	57735		
711 2	DONALD	TUTMAN		BOX 188	OSHTERICH	SD	57763	2011 2	
1616 2	CLAY	PEASER		HC 45 BOX 46	OSHTERICH	SD	57763		
172 2	EDWARD/MANDA	REUTTER		BOX 52 BOX 80	FICKMONT	SD	57735	1722 2	
221 2	CHANCE/REYER	REYNOLDS		BOX 52 BOX 28	FICKMONT	SD	57735	221 2	
662 2	GLAVER M	REIFF		BOX 175	OSHTERICH	SD	57763		
719 2	VERNON	SCHMOSE		ST RT BOX 155	HOT SPRINGS	SD	57747	1709 2	
1642 2		SEDER RANCH INC		BOX 95	OSHTERICH	SD	57763	671 2	1831 2
572 2	BERNARD D	SEMONS		BOX 181	FICKMONT	SD	57735		
1732 2	ROBERT/MAK	THURS		BOX 503	FICKMONT	SD	57735		
1819 2		WAR BOWMAN RANCH LTD	BOX 132	165 E 5TH ST	MURDOCK	SD	57558		
322 2	VINCENT M	WASSERMEYER		BOX 81	ARMORE	SD	57715	851 2	2115 2



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

May 12, 1992

567-2
1410-2

Jim Hollenbeck
Farm Credit Services
PO Box 3130
Rapid City, SD 57702

Dear Mr. Hollenbeck:

Enclosed, as you requested, are copies of Water Right Nos. 567-2
and 1410-2 for Harold Dodson.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

encl



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

May 28, 1992

Mark Hollenbeck
241 Doolittle
Rapid City, SD 57701

Dear Mr. Hollenbeck:

Enclosed, as requested, are copies of Water Right Nos. 567-2 and 1410-2. These water rights are currently listed in the name of Harold Dodson, Edgemont, SD.

Also enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change for each water right. The forms should be checked over for accuracy and completed with the name and mailing address of the new owner(s). Upon completion, they need to be signed by the new owner in the presence of a notary public. A \$2.50 filing fee is required for filing each of the transfers.

The ownership changes will be processed upon receipt of the completed transfer forms and filing fees (total of \$5.00). If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resource Analyst
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 567-2



6-27-92

I\We request that Water Right No. 567-2

formerly owned by: Harold Dodson

be transferred to: (name & address) Mark Hollenbeck

241 Doolittle, Rapid City, SD 57701 (Telephone No.) 341-1386 (H); 342-0160 (W)

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

SW 1/4 SE 1/4 Section 31, T7S, R2E and Lots 1 & 3, Section 6, T8S, R2E

I\We understand that the validity of Water Right No. 567-2 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 at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of PENNINGTON)

I\We MARK J HOLLENBECK 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 that I know of my own personal knowledge that the information herein stated is true.

Mark J Hollenbeck
(Signed)

Subscribed and sworn to before me this 29th day of June, 1992.

Esther I. Carstensen
(Notary Public)
Esther I. Carstensen

My Commission Expires Oct. 29, 1992

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____, July 1, 1977

RECEIVED OF Mark Hollenbeck, 241 Deolittle, Rapid City, SD 57701

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 <u>Water Right No. 567-2</u>	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 H. H. [Signature]*
Chief Engineer



464-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 7, 1992

No. 567-2
1410-2

Mark Hollenbeck
241 Doolittle
Rapid City, SD 57701

Dear Mr. Hollenbeck:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 567-2 and 1410-2.

Our records now show you as the owner of Water Right Nos. 567-2 and 1410-2.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure



567-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 1993

567-2
1410-2

NOTICE

TO: MARK J HOLLENBECK
241 DOOLITTLE
RAPID CITY, SD 57701

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 Nos. 567-2 and 1410-2 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

CERTIFICATION

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

Copy Sent To:

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

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

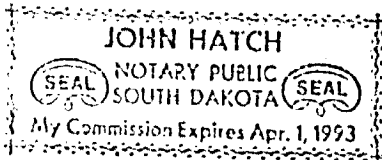
Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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

John Hatch
Notary Public



567-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 14, 1993

567-2

1410-2

RESCISSION OF SHUTOFF ORDER

TO: MARK J HOLLENBECK
241 DOOLITTLE
RAPID CITY, SD 57701

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

A handwritten signature in cursive script, appearing to read "John Hatch", is written over the typed name and title of the sender.

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



5672

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 15, 1995

567-2
1410-2

NOTICE

TO: MARK J HOLLENBECK
212 PORT CHARLOTTE AVE
FT. PIERRE, SD 57532

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. 567-2 and 1410-2 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



567-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 26, 1995

567-2
1410-2

RESCISSION OF SHUTOFF ORDER

TO: **MARK J HOLLENBECK**
212 PORT CHARLOTTE
FT PIERRE, SD 57532

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

Delvin W. Brosz

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**

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

ADDRESS CORRECTION REQUESTED

CERTIFIED

P 378 0815361100-001

MAIL



U.S. POSTAGE

0.52

567-2

MARK J HOLLENBECK
212 PORT CHARLOTTE AVE
PIERRE SD 57532

RETURNED TO SENDER
REFUSED
UNCLAIMED

RETURNED TO SENDER
REFUSED
UNCLAIMED

First Notice 2-5
Second Notice 2-15
Returned 2-20

the right of the return address
to be affixed over top of envelope (if
applicable)

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:

MARK J HOLLENBECK
212 PORT CHARLOTTE AVE
FT PIERRE SD 57532

4a. Article Number

P378 081 361

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

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

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.



567-2

February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: MARK J HOLLENBECK, 212 PORT CHARLOTTE AVE, FT PIERRE, SD 57532

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) 567-2 & 1410-2. 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) 567-2 & 1410-2 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.



567-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 1997

567-2 ✓
1410-2

Mark Hollenbeck
HC 59 Box 5
Edgemont, SD 57735

Dear Mr. Hollenbeck:

I am writing to acknowledge receipt of your 1996 irrigation questionnaires. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaires.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you and if you have any questions, please contact me.

Sincerely,

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



January 9, 1998

367-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: MARK J HOLLENBECK, HC 59 BOX 5, EDGEMONT, SD 57735

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 567-2 & 1410-2. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, February 25, 1998, 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) 567-2 & 1410-2 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 20, 1998, 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.

567-2



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 1998

567-2

1410-2

Mark Hollenbeck
HC 59 Box 5
Edgemont, SD 57735

Dear Mr. Hollenbeck:

I am writing to acknowledge receipt of your 1997 irrigation questionnaires. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Right Nos. 567-2 and 1410-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**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: MARK J HOLLENBECK
HC 59 BOX 5
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. 567-2

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.



567-2

**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: MARK J HOLLENBECK
HC 59 BOX 5
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. 567-2

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.

567-2



United States Department of the Interior



IN REPLY REFER TO:

DK-700
PRJ 13.00

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: MARK J HOLLENBECK
HC 59 BOX 5
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. 567-2

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.



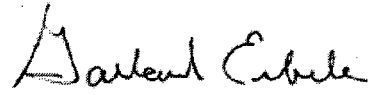
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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: MARK J HOLLENBECK
HC 59 BOX 5
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. 567-2

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: MARK J HOLLENBECK
27772 ELBOW CANYON RD
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. 567-2

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:

MARK J HOLLENBECK
27772 ELBOW CANYON R
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. 567-2

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: MARK J HOLLENBECK
27772 ELBOW CANYON RD
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. (567-2)**

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:

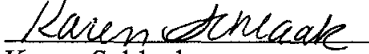
LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
INDIAN CREEK CATTLE LLP		32296 190TH ST	SLEEPY EYE	MN	56085
INDIAN CREEK LAND & CATTLE LLC		PO BOX 538	EDGEMONT	SD	57735
WEINREIS BROTHERS		230908 HIGHLAND RD	SCOTTSBLUFF	NE	69361
SEGER RANCH INC		RR 1 BOX 100A1	HOT SPRINGS	SD	57747
REUTTER	EDWARD/WANDA	HCR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

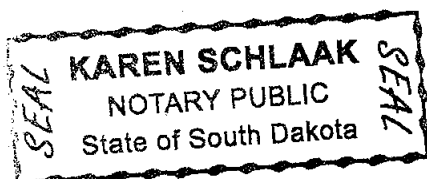
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK & THOMAS	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	BERNARD D	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC		10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD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





567-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2017

NOTICE

TO: MARK J HOLLENBECK, 27772 ELBOW CANYON RD, EDGEMONT, SD 57735

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire has not been submitted for Permit No(s) 567-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

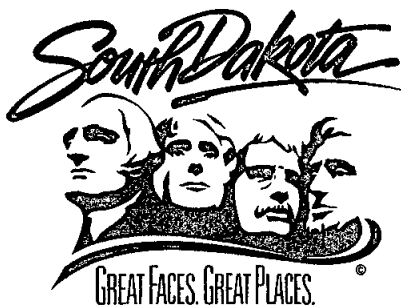
The hearing will be held at **Wednesday, March 1, 2017 at 11:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 567-2 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 before the **March 1, 2017** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 21, 2017

567-2

Mark J Hollenbeck
27772 Elbow Canyon Rd
Edgemont SD 57735

Dear Mr. Hollenbeck:

I am writing to acknowledge receipt of your 2016 irrigation questionnaire.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 567-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



567-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 25, 2019

NOTICE

TO: MARK J HOLLENBECK, 27772 ELBOW CANYON RD, EDGEMONT, SD 57735

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire has not been submitted for Permit No(s) 567-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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) 567-2 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 before the **March 6, 2019** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.

567-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 21, 2019

567-2

Mark J Hollenbeck
27772 Elbow Canyon Rd
Edgemont SD 57735

Dear Mr. Hollenbeck:

I am writing to acknowledge receipt of your 2018 irrigation questionnaire.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right No. 567-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

I would ask that in future years, your irrigation questionnaire is returned by the December deadline. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive.

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



567-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: MARK J HOLLENBECK, 27772 ELBOW CANYON RD, EDGEMONT, SD 57735

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire has not been submitted for Permit No(s) 567-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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) 567-2 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 before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: SNJVPQ**

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.

567-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 6, 2020

567-2

Mark J Hollenbeck
27772 Elbow Canyon Rd
Edgemont SD 57735

Dear Mr. Hollenbeck:

I am writing to acknowledge receipt of your 2019 irrigation questionnaire.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right No. 567-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

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

567-2



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2022

NOTICE

TO: MARK J HOLLENBECK, 27772 ELBOW CANYON RD, EDMONT, SD 57735

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire has not been submitted for Permit No(s) 567-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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) 567-2 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 before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: KOWFHB**

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 31, 2022

567-2

Mark J Hollenbeck
27772 Elbow Canyon Rd
Edgemont SD 57735

Dear Mr. Hollenbeck:

I am writing to acknowledge receipt of your 2021 irrigation questionnaire.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 567-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

MARK J HOLLENBECK
27772 ELBOW CANYON RD
EDGEMONT, SD 57735

567-2

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: MARK J HOLLENBECK
27772 ELBOW 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). 567-2

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.