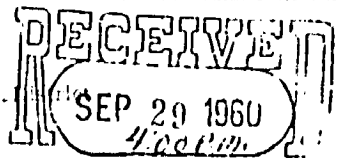


636-2

1. Considered 7-14, 1965
2. Name of Applicant V. L. CHAPPEL
3. Post Office Address EDGE MOUNT
4. Amount of Water Claimed 5.9
5. Source of water supply CHARLES RIVER
6. Water to be used for IRRIGATION
 Acres to be irrigated 402
7. Water to be diverted and used in FALL RIVER County about
1 Miles N of EDGE MOUNT
8. Proof of Publication Received ✓
 Not Received _____
9. Application Approved _____
 Subject to _____
 Not Approved _____
 Action deferred _____

10. Remarks:

No. 636-2
 Water Division No. 2 FALL RIVER
 (Blank to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT TO APPROPRIATE WATER RESOURCES COM. PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of applicant V. L. Childers
 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)
direct labor

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

2. Name of diversion work V. L. Childers Diversion #1
 3. Amount of water claimed 1.5 cubic feet per second
 4. Source of water supply Cheyenne River
 5. Location of point of diversion 3 1/20 mi. E, 1/4 mi. from the SE corner Sec 26
W 88 N 20 E on left bank Fall River County.
 6. Annual period or periods during which water is to be used April to October inclusive
 7. To be used for:

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

(a) Number of acres to be irrigated for acres
SEC 25, T8S, R2E - SW 1/4 116.2 acres; SE 1/4 117.56 acres
SEC 26, T8S, R2E - NW 1/4 61.6 acres; NE 1/4 102.17 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.) _____

stockwater

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 571-Z

8. Estimated cost of work:

(a) Head Gates, \$ 2000.00

(b) Pumping plant, \$ 5000.00

(c) Fluming, \$ 2000.00

(d) Canal-earth, \$ 7000.00

Rock, \$ 1000.00

(e) Other structures 2000.00 \$

Total, \$ 17000.00

9. Description of diversion works:

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

.....

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.....

(d) Canal: Total length.....miles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....years.

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

12. Choice of newspaper for publication of notice of intention to appropriate.....
Bismarck Herald Tribune

STATE OF SOUTH DAKOTA

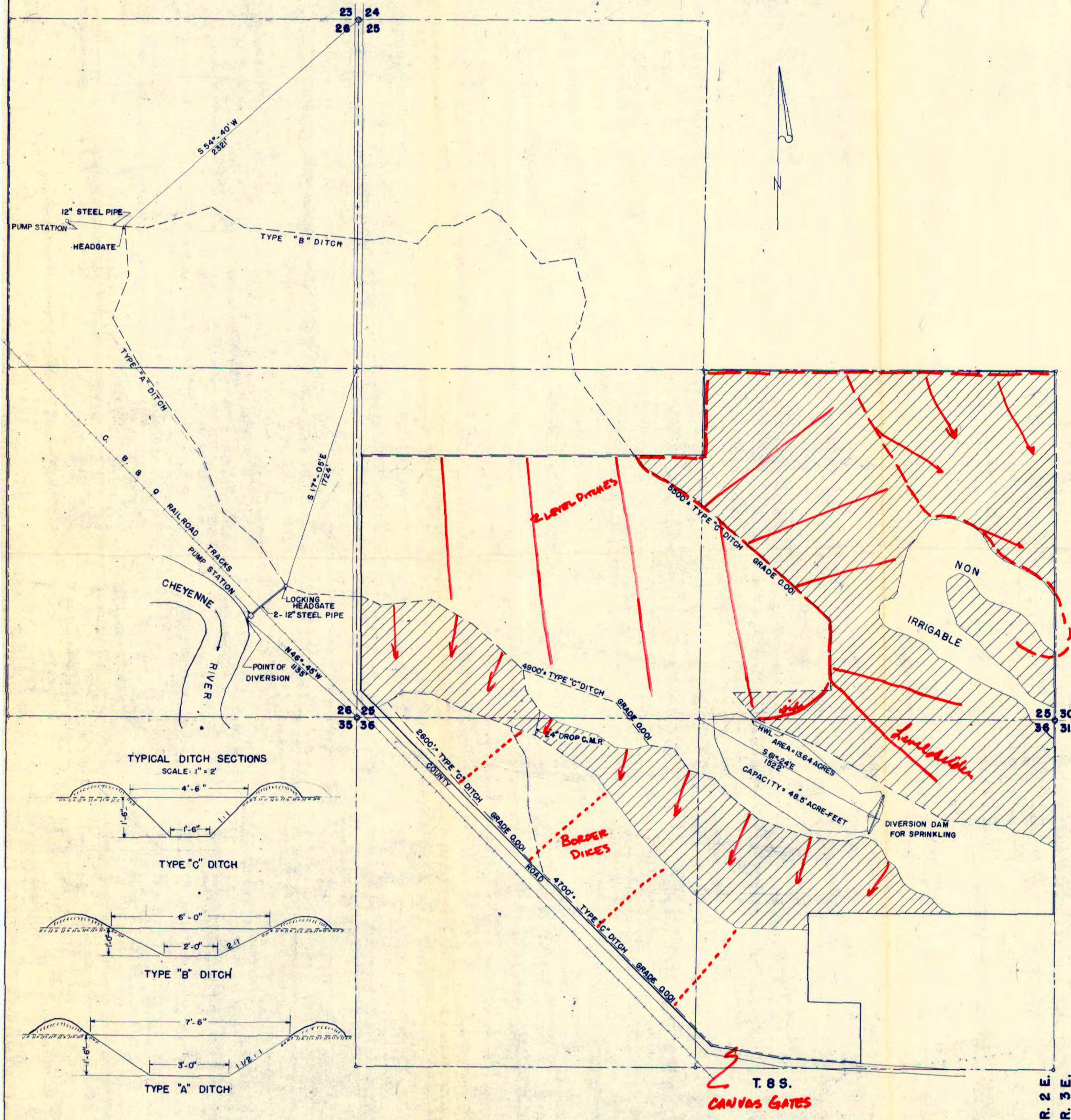
County of.....} ss.

I, V.L. CHILDERS

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, V.L. ChildersSubscribed and sworn to before me this 29th day of Sept. 1960Alvin Agall
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

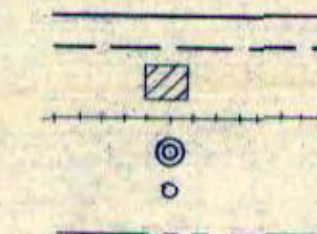


V.L. CHILDERS DIVERSION NO. 1
FROM
B.F. CHILDERS DIVERSION NO. 2
PROPOSED LAYOUT FOR IRRIGATION
IN
SECTIONS 25 & 36
TOWNSHIP 8 SOUTH - RANGE 2 EAST B.H.M.
SCALE: 1" = 400'
V.L. CHILDERS - OWNER

ACREAGE			
SW 1/4	SEC. 25	118.21	ACRES
SE 1/4	SEC. 25	117.56	ACRES
NW 1/4	SEC. 36	64.06	ACRES
NE 1/4	SEC. 36	102.17	ACRES
TOTAL		402.00	ACRES

LEGEND

OWNERSHIP BOUNDARIES
IRRIGATION DITCHES
SPRINKLE IRRIGATION
RAILROAD
SECTION CORNERS
SUBDIVISION CORNERS
SECTION LINES



SURVEYOR'S CERTIFICATE

I, JAMES T. FLETCHER, OF NEWCASTLE, WYOMING, HEREBY CERTIFY THAT AT THE REQUEST OF V.L. CHILDERS, FRED W. MINTER MADE A SURVEY OF THE TRACT OF LAND SHOWN HEREON UNDER MY DIRECTION ON MAY 24-27, 1960, AND THAT THIS MAP CORRECTLY REPRESENTS THE IRRIGATION WORKS, THE LOCATION, AND THE AREA OF THE LAND TO BE IRRIGATED IN EACH SUBDIVISION.

James T. Fletcher
S.D. DAK. P.E. & L.S. REG. NO. 780
DATE: 6-11-60

ACKNOWLEDGEMENT

COUNTY OF WESTON) SS
STATE OF WYOMING)

ON THIS 11th DAY OF June, 1960, BEFORE ME PERSONALLY APPEARED *James T. Fletcher*, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGE THAT HE EXECUTED THE SAME.

MY COMMISSION EXPIRES July 5, 1960

Don Nelson
NOTARY PUBLIC

FLETCHER-ROBINSON ENGINEERING COMPANY
NEWCASTLE, WYOMING

MAP NO 571-2
(APPL NO 636-2)

Remarks by State Water Resources Commission:

THE U.S. BUREAU OF RECLAMATION HOLDS WATER RIGHTS TO CERTAIN FLOWS IN THE CHEYENNE RIVER FOR STORAGE IN ANGOSTURA RESERVOIR. IT IS LIKELY THAT WATER DIVERSION RESTRICTIONS ~~WILL BE~~ UNDER THIS PERMIT TO APPROPRIATE WATER MAY BE NECESSARY AT TIMES TO ASSURE WATER FOR DOMESTIC USE, INCLUDING STOCK WATER, AND WATER SUPPLIES FOR PRIOR WATER RIGHTS, INCLUDING THE ANGOSTURA STORAGE.

STATE OF SOUTH DAKOTA
County of HUGHES

Pierre, South Dakota, JULY 19, 1965

This is to certify that the foregoing application was received by the Commission at 4:00 o'clock P.m. upon the 29TH day of SEPTEMBER, 1960

State Water Resources Commission

By:

[Signature]
for Chief Engineer, Executive Officer

Number of permit 636-2

Date of first receipt of application SEPTEMBER 29, 1960

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 SEPTEMBER 29, 1960

Approved JULY 14, 1965, Recorded in Book 9 Page 32

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 _____

JANUARY 14, 1968

2nd. The whole of said work is to be completed on or before JULY 14, 1970

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

JULY 14, 1974

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 5.9 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 JULY 14, 1974; said water to be used during the following described annual period:

APRIL TO OCTOBER, INCLUSIVE

Witness my hand this 19TH day of JULY, 1965

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 23, 1970

Water License Issued SEPTEMBER 23, 1970

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 636-2

(1) WHEREAS, On the 29th day of September A. D. 19 60
V. L. Childers

made Water Right Application No. 636-2 for a permit to use 5.9 cubic feet per second of the water of the Cheyenne River

County of Fall River State of South Dakota, for irrigation

purpose; and

(2) WHEREAS, On the 14th day of July A. D. 19 65

Permit No. 636-2 with a date of priority of September 29, 1960

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 14th day of July A. D. 19 70 and for the application to beneficial use of said water on or before the 14th day of July A. D. 19 74

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 5.9 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 T8S, R2E

Section 25	SW$\frac{1}{4}$	118.21 acres
	SE$\frac{1}{4}$	117.56 acres
Section 36	NW$\frac{1}{4}$	64.06 acres
	NE$\frac{1}{4}$	102.17 acres
Total		402.00 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, V.L. Childers

_____ of Edgemont

the holder _____ and owner _____ of said permit No. 636-2 a water right, dating from September 29, 1960

_____ to use of 5.9 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 17° 05' West, 1724 feet from the E½ corner, Section 26, T8S, R2E

and conduct to and upon portions of Sections 25 and 36, T8S, R2E, described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 636-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 23rd day of September A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer - J.W. GRIMES

Form 15.

Permit No. 636-2

Water Diversion No. 2 FALL RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That V.L. Childers

_____ the holder _____ of
Permit No. 636-2, issued upon Application No. 636-2, bearing date of priority of September 29, 1960
_____ authorizing the diversion of 7.2 cu. ft. per second of the waters of
the Cheyenne River County of Fall River, State of South Dakota at
a point South 17° 05' West, 1774 feet from the E $\frac{1}{2}$ Corner, Section 26, T8N, R2E

_____, for irrigation

purposes, has _____ 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 7.11 cu. ft. per second of water.

Date. September 23, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Fall River } ss.

Roy H. McKown being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Edgemont 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 Edgemont County of Fall River and State of South Dakota; that the said notice was published in said newspaper on the following dates:

June 17, 1965

June 24, 1965

July 1, 1965

July 8, 1965

in each and every issue of the full number thereof, the first publication being made on the 17 day of June 1965 and the last publication on the 8th day of July 1965, 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.

Subscribed and sworn to before me this 8th day of July

Notary Public Fall River County, S. D.

No. 1223, June 17-24-July 1-8,
 (First Publication on or before
 June 17, 1965.)
APPROPRIATION OF WATER
 Office of State Water Resources
 Commission, Pierre, S. Dak.,
 June 14, 1965.

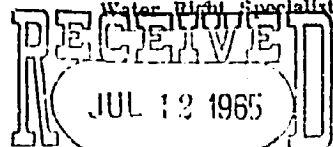
Notice is hereby given that
 V. L. Childers whose postoffice
 address is Edgemont, S. Dak.,
 has made an application in ac-
 cordance with the provisions of
 the water laws of South Dakota
 for a permit to appropriate for
 beneficial use 5.0 cubic feet of
 water per second of time from
 the Cheyenne River through the
 V. L. Childers Diversion No. 1,
 the point of diversion of which
 is to be located on the left
 bank of said stream in the SE1
 of the SE1 of Section 36, Twp.
 8S, Range 2E. Said water to be
 used for the purpose of provid-
 ing irrigation on portions of
 the following described land:
 SW1 and SE1, Section
 25; NW1 and NE1, Section
 36, T8S, R2E.

This application will be taken
 up by the State Water Resources
 Commission at their office at
 Pierre for consideration upon
 the 14th day of July, 1965, at
 7 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 considera-
 tion of any or all information
 presented.

State Water Resources
 Commission

By:
 BURTON F. JONES
 Water Rights Specialist



STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA, 1965

on or before
(First Publication June 17, 1965)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 14, 1965

Notice is hereby given that V. L. Childers 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 5.9 cubic feet of water per second of time from the Cheyenne River through the V. L. Childers Diversion #1, 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 SE $\frac{1}{4}$ of Section 25 Twp. 8S Range 2E. Said water to be used for the purpose of providing irrigation on the following described land:

SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 25; NW $\frac{1}{4}$ and NE $\frac{1}{4}$, Section 36, T8S, R2E

and for

purpose

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 14th day of July, 1965, at 2 P. M. All interested persons may appear and be heard.

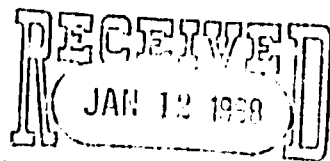
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

CC: Mr. Roy H. McKown, Publisher
Herald Tribune
Edgemont, S. Dak.

Permit No. 636-2Water Division No. 2 Fall River Water DistrictSTATE WATER RESOURCES COMM.
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. Dak.(Date) January 10, 1968

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

DEAR SIR: Notice is hereby given that on the 10 day of January, 1968, at Edgemont County of Fall River State of South Dakota, before 7 (Examining Engineer or Officer) proof will be submitted of the application to beneficial use

of 5.9 cubic feet per second of the waters of Cheyenne River

in accordance with the terms and conditions of Permit No. 636-2 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are V. L. Childers Box 723
Edgemont, S. Dak.

2. The use to which said water has been applied is Irrigation

3. The amount applied to beneficial use is 5.9 cu/ft.

4. The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated) Sec. 25, T8S R2E SW 1/4 - 118.21 acres
SE 1/4 - 117.56 acres; Sec 36 T8S R2E NW 1/4
64.06 acres; NE 1/4 - 102.17 acres

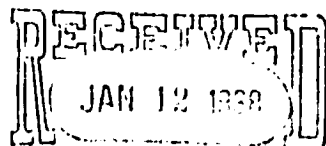
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is V. L. Childers Diversion #1

6. The right to take the water from such works is based upon permit No. 636-2

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

8. The date of priority which said user is prepared to establish is Sept. 29, 1960

(Sign) V. L. Childers

Permit No. 636-2Water Division No. 2 Fall River Water DistrictSTATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

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. Dak.(Date) January 10, 1968

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 5.9 cu/ft cu. ft. per second of the waters of the state from Cheyenne through the V. L. Childers Diversion #1 for of Irrigation purposes in accordance with the terms and conditions 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 V. L. Childers

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

3. The number of such permit is 636-2 and the date set for the completion of such work is December 1, 1967

4. Said water to be used for Irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 5.9 cubic feet per second.

6. The amount of land for which said water is available is 402 acres,
particularly described as follows: Sec. 25, T8S, R2E SW 1/4 - 118.21 acres
SE 1/4 - 117.56 acres Sec 36 T8S R2E NW 1/4 - 64.06
acres NE 1/4 - 102.17 acres

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

(Signature of Owners)

V. L. Childers

Permit No. 636-2Water Division 2 FALL RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources 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 V.L.CHILDERS of EDGEMONT holderof Permit No. 636-2, bearing date of priority of SEPTEMBER 29, 1960authorizing the diversion of 5.9 cu. ft. per second of the waters of CHEYENNE RIVERfor 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:

FAIRBANKS-MORSE 10" PUMP #5720 POWERED BY
F.M. 40 H.P. ELECTRIC MOTOR (2200 G.P.M.)8" PARMA WATER LIFTER PUMP W/ 15 H.P. G.E.
ELECTRIC MOTOR (1000 G.P.M.)

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

607' OF 12" IRON MAINLINE INTO MAIN DITCHES
ON THE N SIDE & S. SIDE OF PROJECT

C. Works used to apply water to beneficial use.

SERIES OF LEVEL DITCHES ON N OF PROJECT, AND
BORDER DICES ON LEVELLED FIELDS ON S OF
PROJECTThe system is in the following condition: GOODThe point of diversion is located S. 17° 05' W, 1724 FEET FROM THE
E 1/4 CORNER, SECTION 26, T8S, R2EThe works are capable of diverting and conveying to the place of use 7.11cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN T8S, R2ESECTION 25SW 1/4 118.21 AC.SE 1/4 117.56 AC.SECTION 26W 1/4 69.01 AC.NE 1/4 102.17comprising a total of 402.0 acres of land.Date SEPTEMBER 16, 1970Walter R. Smith
(Signature)WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

Storage Dams
Pumping Systems
Sprinkle Systems
Canvas Check Dams
Drainage Ditches
Sprinkler Irrigation
Fertilizer
Diversion Dams
Irrigation Supplies
Head Gates & Pipe

"Prepare for the Dry Years Ahead"

M. F.

Childers

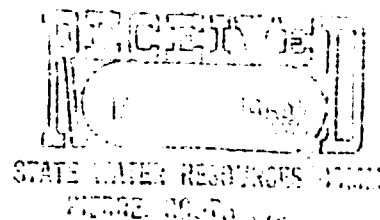
DEVELOPMENT COMPANY

IRRIGATION SPECIALISTS

TELEPHONE 7542 - POST OFFICE BOX 431 - LEDGEMONT, SOUTH DAKOTA

March 1, 1964

Water Resource Commission
Pierre, South Dakota



Dear Sir:

I have talked with V. L. Childers of a recent date, and we have agreed to the following.

I would like to transfer all lands lying outside of application No 637-2, Map No 572-2, from water right no 337-2. This would be land now owned by V. L. Childers and covered in his application.

The Angustora dam is nearly full now, so I feel that this is a good time to proceed.

Mr. V. L. Childers would like to have his application processed at time. The lands to be transferred would then be covered by V. L. Childers application.

Thanking you in advance for your prompt attention to this matter, I remain.

Yours truly,

A handwritten signature in dark ink, appearing to be "M. F. Childers".

M. F. Childers

March 7, 1962

Mr. V. L. Childers
Edgemont, South Dakota

Dear Mr. Childers:

The application you submitted to appropriate water from the Cheyenne River for irrigation is being held in abeyance.

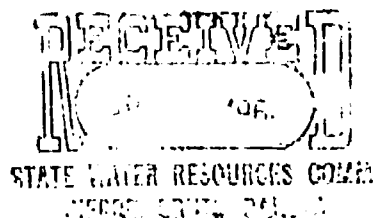
Upon the refusal of the Bureau of Reclamation to release water from their withdrawal for Angostura Reservoir, it was thought there was no use in carrying the processing further, as there is not unappropriated water available. Under the present circumstances, even if the application were processed and advertised, it would, no doubt, have to be rejected.

Under the present status, your application holds the priority of the date of receipt of the application, but no further action will be taken until water supplies become more plentiful.

Sincerely,

BURTON F. JONES
Water Right Specialist

BEJ:mf



Edgemont, South Dakota

April 6, 1964

State Water Resources Commission
Pierre, South Dakota

Attn: Mr. Burton F. Jones

Dear Sir:

I am writing to you concerning my application #636-2 for a water right on the Cheyenne River submitted on October 4, 1960.

This application was held in abeyance on March, 1962 due to the opinion of your commission and the Bureau of Reclamation that water was not available for aguse such as mine. Since this date it has been evident indeed that water is in surplus in the Cheyenne River and for this reason I am requesting that my application be reconsidered.

I should judge that an application of this type should merit your utmost concern since water in this part of South Dakota is of such vital importance. I am only trying to build a livestock operation that will not be subject to disaster in the dry years and this I am sure is the same line of thinking expressed by personel of your department at recent meetings held in this area.

I note with interest that many irrigation projects in this area have not operated in recent years due to lack of interest, etc., but even if they did the water appropriated by a pumping operation such as these or the one I propose could never hurt a big user such as Angostura Project.

Your prompt attention to the above request will be greatly appreciated.

Very truly yours

V. L. Childers

V. L. Childers
Box 723
Edgemont, South Dakota

June 9, 1964

M. E. Von Saggern
Bureau of Reclamation
Box 825
Huron, South Dakota

Dear Von:

Mr. M. F. Childers of Edgemont was in the office recently and indicated that he had stopped and discussed with you the possibility of obtaining water from the Cheyenne River above the Angostura Project.

We have an application that has been held in abeyance since 1962 from V. L. Childers which requests 5.9 c.f.s. from the Cheyenne River for irrigation of 402 acres just north of the town of Edgemont.

Release is requested of 5.9 c.f.s. of the unused portion of the U. S. Withdrawal of Water from Appropriation for storage in Angostura Reservoir (U.S. 579-2). This request is made so that we may fulfill Mr. Childers application.

Sincerely,

J. W. GRIMES

JWG:ls



IN REPLY
REFER TO: 400

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

REGION 6

MISSOURI-OAHE PROJECTS OFFICE
P.O. BOX 825

HURON, SOUTH DAKOTA 57350

636-2
RECEIVED
JUN 15 1964

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

Dear Mr. Grimes:

The Bureau's position for making releases from its Withdrawal Permit No. 579-2, to Mr. V. I. Childers, still remains the same as outlined in our letter to you dated January 6, 1961, concerning the application of Mr. M. F. Childers.

We cannot, in justice to the water users who are dependent upon the Angostura Reservoir for their water supply, make any releases from our appropriation except on a junior basis which would permit diversions from the Cheyenne River only when Angostura Reservoir is full, and assurance there would not be any unauthorized diversions from such permits.

We believe it would be appropriate to discuss this matter of releases from our permit with you, as the question has been raised at various times regarding possible hostile diversions by water permittees who have junior rights to our permit. We would be pleased to meet with you at your convenience.

Sincerely yours,

Don E. Keightley

Project Manager

Edgemont, South Dakota

February 2, 1965

State Water Resources Commission
Pierre, South Dakota

Written: Mr. J. W. Grimes

Dear Sir:

I am writing concerning my application #36-2 for a water right on the Cheyenne River submitted on October 4, 1960.

This application was held in abeyance in 1960 per a letter from Mr. B. Jones on March 7, 1962. Since that time it seems our people have been reluctant to process my application because they felt the Bureau of Reclamation would refuse to release the water.

I have correspondence from Mr. E. Van Bogaert of the Bureau of Reclamation indicating that my application was not been brought before them as of June 10, 1964.

I would like to bring this matter again to the attention of the commission and respectfully request your action to bring it to proper and final disposition.

Your prompt attention to the above request will be greatly appreciated.

Very truly yours

J. L. Childers

Mr. J. L. Childers

Box 723

Edgemont, South Dakota

February 3, 1965

Mr. M. E. Von Seggern
Project Manager
Bureau of Reclamation
P. O. Box 825
Huron, S. Dak.

Dear Von:

Under date of June 9, 1964, we sent a letter requesting release of waters under the Angostura withdrawal for the following.

Mr. M. F. Childers of Edgemont was in the office recently and indicated that he had stopped and discussed with you the possibility of obtaining water from the Cheyenne River above the Angostura Project.

We have an application that has been held in abeyance since 1962 from V. L. Childers which requests 5.9 c.f.s. from the Cheyenne River for irrigation of 400 acres just north of the town of Edgemont.

Release is requested of 5.9 c.f.s. of the unused portion of the U. S. Withdrawal of Water from Appropriation for storage in Angostura Reservoir (U. S. 579-2). This request is made so that we may fulfill Mr. Childer's application.

Sincerely,

J. W. GRIMES
Chief Engineer and
Executive Officer

JWG:mf

February 5, 1965

Mr. V. L. Childers
Edgemont, S. Dak.

Dear Mr. Childers:

This will inform you that we have again requested release of 5.9 c.f.s. from the Bureau of Reclamation withdrawal for Angostura dam. If the release is made, processing of your application will proceed.

Mr. M. F. Childers was in the office and has combined Permits 337-2 and 637-2 under one application. Under this action, the lands you propose in Application 636-2, previously included under 337-2, were deleted. This will have to be done before we can process your present application, or there would be two permits from the same source of water covering the same lands.

You will be notified as soon as we hear from the Bureau.

Sincerely,

BUFTON F. JONES
Water Right Specialist

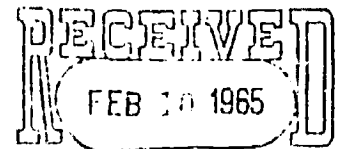
BFJ:mf
CC: M. F. Childers
Edgemont, S. Dak.



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGION 6
MISSOURI-OAHE PROJECTS OFFICE
P.O. BOX 825
HURON, SOUTH DAKOTA 57350

IN REPLY
REFER TO: 400



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

FEB 9 1965

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

Dear Mr. Grimes:

Enclosed is a copy of our reply to your letter of June 9, 1964,
concerning the application of Mr. V. L. Childers for Cheyenne
River water for irrigation purposes.

Our position regarding releases from our Withdrawal Permit No.
579-2 is unchanged from that outlined in the referenced letter.

We would be pleased to meet with you at your convenience and
further discuss this matter regarding possible unauthorized
diversions by water permittees who have junior rights to our permit.

Sincerely yours,

W. E. Donaghy
Project Manager

Enclosure

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

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

May 11, 1989

NOTICE

636-2, 324-2

TO: V.L. Childers
PO Box 723
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 Nos. 324-2 and 636-2. The priority date for your water rights is junior to the April 11, 1941 priority date for Angostura Irrigation District Water Right No. 579-2.

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

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

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

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

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





Department of Water & Natural Resources

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

636-2

March 19, 1990

NOTICE



TO: Vincent L. Childers
R & H Ranch, Inc.
PO Box 723
Edgemont, SD 57735

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

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

This is a follow-up notice to the May 10, 1990 notice that you received ordering you to cease diversion of water under Water Right Nos. 324-2 and 636-2. 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

324-2
636-2

NOTICE

TO: Vincent L. Childers
B & H Ranch, Inc.
PO Box 723
Edgemont, SD 57735

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

Deloris D. Brosz

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

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

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

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

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 20, 1991

324-2
636-2

RESCISSION OF SHUTOFF ORDER

TO: Vincent L. Childers
B & H Ranch, Inc.
PO Box 723
Edgemont, SD 57735

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

Delvin D. 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

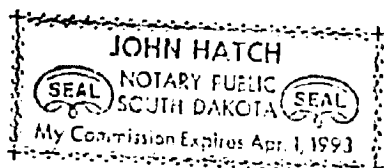
I hereby certify that on March 25, 1992, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 25, 1992, regarding Shut Off Order for Junior Water Right Holders Upstream of the Angostura Irrigation District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

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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



John Hatch
Notary Public



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 25, 1992

636-2

NOTICE

TO: V L CHILDERS
BOX 723
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 No. 636-2 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/CITY	PERM	PERM
557-2		A & T CATTLE CO	TOM JANDERS	ST RT	HOT SPRINGS	SD	57747		
308-2	RICHARD	ANDERSON	A THOR ANDERSON	BOX 59 BOX 18	FICKMONT	SD	57735		
1011-2	IRENE R	ANDERSON		BOX 59 BOX 20	FICKMONT	SD	57735		
334-2		B & H RANCH INC	B F CHILDERS	PO BOX 123	FICKMONT	SD	57735		
534-2		PAUL FROS		BOX 417	FICKMONT	SD	57735		
1035-2	LESTER E	PARTLEY		BOX 740	FICKMONT	SD	57735		
1053-2	NICK/MICHAEL	BOONER	ANTER BOONER JR	HC 40 BOX 24	OFFERTCHS	SD	57743	1734-2	
755-2		BRANDRED INDIAN SCHOOL			HOT SPRINGS	SD	57747		
658-2	WAYNE F	CHILDERS		BOX 59 BOX 14	FICKMONT	SD	57735		
636-2	V L	CHILDERS		BOX 723	FICKMONT	SD	57735		
654-2	OSCAR	COFF			OFFERTCHS	SD	57743		
1034-2	JOHN	DECKLING		SR 1 BOX 130	LUKE	WY	82225		
561-2	HAROLD F	DODSON		BOX 59 BOX 54	FICKMONT	SD	57735	1410-2	
2052-2	LEROY/BERTEA	EMERSON		HC 48 BOX 248	PROVO	SD	57774		
1085-2	DAVID W	EMBAR		PR BOX 32	OFFERTCHS	SD	57743		
788-2		HAUD BROTHERS, INC.	CARL P HAUD, PRES	BOX 46 BOX 5	OFFERTCHS	SD	57743	1635-2	
621-2	REEMAN	HECK		BOX 441	FICKMONT	SD	57735		
540-2	DARRELL F	REITMAN		BOX 402	FICKMONT	SD	57735		
1070-2	DORA R	HENDERSON	ATT 205	1041 INDIAN RIVER	LAS VEGAS	NV	89103		
1090-2	TOM W	HENRY		BOX 276	ARMORE	SD	57715		
379-2	HENRY C	HOLLANDER		DENNY ROAD	FICKMONT	SD	57735		
1593-2		HU RANCH INC	SD CORPORATION	BOX 59 BOX 102	FICKMONT	SD	57735		
350-2	DARRELL D	HUNTER		BOX 11	ARMORE	SD	57715		
1041-2	JAMES/PATRICIA	JOHNSTON		HC 68 BOX 7	LAKEVIEW	NE	68551		
10770-2	JIM	KANE		BOX 154	PROVO	SD	57774		
763-2	CAPE	KANSOLT	ATT 202	PLANT HOTEL	CHAMRON	NE	68337		
1056-2	JOHN W	KOLLER		BOX 715	FICKMONT	SD	57735		
602-2	A J	JANDERS	STAR CATTLE CO	BOX 1525 BOX 52	HOT SPRINGS	SD	57747		
1040-2	B L/ALAN	JANDERCE		BOX 752	TIOGA	ND	58552		
676-2	WELVIN	LUIS			HOT SPRINGS	SD	57747		
10735-2	JOHN DEJACK	MANE	(ESTATE)	PR 41 BOX 1780	HOT SPRINGS	SD	57747		
10407-2	KENNETH	MARTINSON		BOX 301	FICKMONT	SD	57735		
785-2	ARLITH W	METAIN		BOX 104	OFFERTCHS	SD	57743		
410-2	RUTH L	MEFFORD, JR		BOX 48 BOX 22	PROVO	SD	57774		
1071-2	A J	NEISON		BROWN'S STAGE	MILES CITY	MT	58301		
2015-2		PETERSON & SON, INC		BOX 59 BOX 16	FICKMONT	SD	57735		
1016-2	PAUL A JEAN	PETTY	A NORMAN PETTY	BOX 52 BOX 135	HOT SPRINGS	SD	577472003		
1716-2	WELVIN	PORTER		WYO RT BOX 17	FICKMONT	SD	57735		
711-2	DONALD	PUTNAM		BOX 158	OFFERTCHS	SD	57743	2043-2	
1010-2	CLEN	REASER		HC 45 BOX 49	OFFERTCHS	SD	57743		
492-2	EDWARD/RANDY	REUTER		BOX 59 BOX 90	FICKMONT	SD	57735	1755-2	
293-2	CHANCE/NETTE	REYNOLDS		BOX 59 BOX 28	FICKMONT	SD	57735	224-2	
669-2	OLIVER W	ROMNEY		BOX 175	OFFERTCHS	SD	57743		
718-2	VERNON	SCHNOSE		ST RT BOX 155	HOT SPRINGS	SD	57747	1700-2	
1043-2		SEGER RANCH INC		BOX 65	OFFERTCHS	SD	57743	611-2	1837-2
657-2	BERNARD D	SIMONS		BOX 381	FICKMONT	SD	57735		
1032-2	ROBERT/MARK	TLERS		BOX 563	FICKMONT	SD	57735		
1019-2		WAR BOARD RANCH LTD	BOX 132	105 F 5TH ST	MURDO	SD	57553		
302-2	VINCENT W	WASSERBURGER		BOX 83	ARMORE	SD	57715	653-2	2115-2



December 1, 1992

V L Childers
PO Box 723
Edgemont, SD 57735

Dear Mr. Childers:

I am writing this letter in reference to the comments you made on your 1992 Irrigation Questionnaires. South Dakota Water Law is based on the priority date system, that is water rights with older priority dates have the first right to use the water. The US Bureau of Reclamation has the water right for storage in Angostura Reservoir with a priority date of April 11, 1941. In the past three years, shut off orders have been issued to junior water right holders located above Angostura Reservoir. The water right for Angostura Reservoir allows for one annual fill of the reservoir before junior upstream water rights are allowed to divert. The proposal you have made, allowing irrigation by junior water rights during May and June, would not protect the senior Angostura water right for storage as required by law.

The Division of Water Rights continuously monitors the storage, the inflow and outflow for Angostura Reservoir. At the beginning of the calendar year a determination is made of the required volume of water that would be needed to fill the reservoir. When sufficient water flows into the reservoir to meet this requirement, a notice rescinding the shutoff order is issued. In early 1991, the water level in Angostura Reservoir was several feet below the full level. Heavy rain fell in the river basin in middle part of May 1991, with significant river flow into the reservoir starting on May 12. On May 20 the US Bureau of Reclamation contacted this office and stated Angostura Reservoir would fill and begin to spill sometime on May 23. On May 20, I issued a notice rescinding the shutoff order for junior water rights above Angostura.

If you have other questions, feel free to contact Mark Rath or Del Brosz with the Division of Water Rights, phone 773-3352.

Very Truly Yours

John Hatch, Chief Engineer
Division of Water Rights

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

636-2
324-2



636-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 1993

636-2

NOTICE

TO: V L CHILDERS
BOX 723
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. 636-2 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

6:36-2

CERTIFICATION

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

Copy Sent To:

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

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

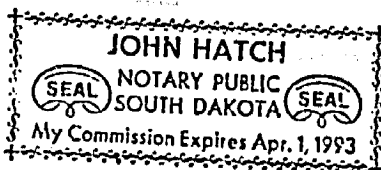
Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

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

John Hatch
Notary Public





636-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 14, 1993

636-2

RESCISSION OF SHUTOFF ORDER

TO: V L CHILDERS
BOX 723
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



636-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 4, 1994

324-2
636-2

V L Childers
B & H Ranch, Inc
P O Box 723
Edgemont, SD 57735

Dear Mr. Childers:

This letter is in response to your comments on the 1993 Water Management Board Irrigation Questionnaire. You stated that no irrigation was done in 1993 due to a shutoff order.

You were issued a shutoff order on March 12, 1993. At that time Angostura Reservoir was 10 feet and 41,000 acre feet below full.

On April 14, 1993 you were issued a rescission of the shutoff order. Angostura Reservoir was still 1.6 feet and 7,000 acre feet below full but was anticipated to fill. Therefore, on April 14, 1993 you had the right to irrigate for the remainder of 1993.

I have enclosed copies of the rescission order. If you have any other questions, please contact me.

Sincerely,

Delvin D. Brosz, PE
Natural Resources Engineer IV
for John Hatch, Chief Engineer
(605) 773-3352

enclosures



636-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 15, 1995

636-2

NOTICE

TO: V L CHILDERS
BOX 723
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. 636-2 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 Rassoul Ahadi, Division of Water Rights, 523 E. Capitol Ave, Pierre, SD 57501. Phone (605) 773-3352.

cc: US Bureau of Reclamation
Angostura Irrigation District



636-2

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

May 26, 1995

636-2

RESCISSION OF SHUTOFF ORDER

TO: V L CHILDERS
PO BOX 723
EDGEMONT, SD 57735 0723

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

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

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

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

cc: US Bureau of Reclamation
Angostura Irrigation District



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 30, 2004

NOTICE OF SHUTOFF ORDER

TO: V L CHILDERS
PO BOX 723
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. 636-2

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.



636-2

**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: B & H RANCH INC
V L CHILDERS
PO BOX 723
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. 324-2, 636-2

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.

636-2



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

IN REPLY REFER TO:

DK-700
PRJ 13.00

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: B & H RANCH INC
V L CHILDERS
PO BOX 723
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. 324-2, 636-2

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

July 18, 2006

NOTICE OF SHUTOFF ORDER

TO: V L CHILDERS
PO BOX 723
EDGEMONT SD 57735

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: Cheyenne River Shutoff Order for Junior Priority Date Water Rights

Shutoff Order for Water Right Nos. 636-2

To protect the senior priority water rights, the department is issuing additional shutoff orders to junior water right holders with priority dates between January 1, 1960 and December 31, 1969 for the river reach between the Angostura Dam to Belle Fourche River confluence. Effective immediately, no diversions of water from the Cheyenne River and tributaries will be allowed for those permits with a priority date after January 1, 1960. Shutoff orders were issued previously to Cheyenne River water rights junior to December 31, 1969.

Flow in the Cheyenne River continues to decline to the point where domestic use of water, which includes livestock watering from the river, has become a concern. This order will be rescinded as soon as conditions improve. If conditions do not improve, this order will remain in effect until the end of the calendar year.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

<http://waterdata.usgs.gov/sd/nwis/rt>

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river.

If you have any questions, please contact Mark Rath or Lynn Beck 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 19, 2008

NOTICE OF SHUTOFF ORDER

TO: B & H RANCH INC
PO BOX 723
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. 324-2, 636-2

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: V L CHILDERS
B & H RANCH INC
PO BOX 723
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. 324-2, 636-2

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.

636-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 18, 2012

324-2
636-2

V L Childers
B & H Ranch Inc
900 W 7th St
Chadron NE 69337 2874

Dear Mr. Childers:

Enclosed is a "Notice" dated October 12, 2012 concerning the 2012 irrigation questionnaire.

The notice was originally mailed to PO Box 723, Edgemont SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

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

enclosures



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: V L CHILDERS
900 W 7TH ST
CHADRON NE 69337

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. (636-2)**

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:

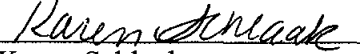
LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
INDIAN CREEK CATTLE LLP		32296 190TH ST	SLEEPY EYE	MN	56085
INDIAN CREEK LAND & CATTLE LLC		PO BOX 538	EDGEMONT	SD	57735
WEINREIS BROTHERS		230908 HIGHLAND RD	SCOTTSBLUFF	NE	69361
SEGER RANCH INC		RR 1 BOX 100A1	HOT SPRINGS	SD	57747
REUTTER	EDWARD/WANDA	HCR 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 S2	HOT SPRINGS	SD	57747
LANDERS LIVESTOCK CO INC		29088 ASH CREEK RD	HOT SPRINGS	SD	57747
MANKE LAND & CATTLE CO LLC		PO BOX 599	EDGEMONT	SD	57735
MARTINSON	KENNETH	BOX 361	EDGEMONT	SD	57735
NELSON	A J	503 S CENTER AVE	MILES CITY	MT	59301
PETERSON & SON INC		27389 BURDOCK LOOP	BURDOCK	SD	57735
PORTER	EVERETT	10413 MOSS AGATE RD	EDGEMONT	SD	57735
PUTNAM	DONALD	BOX 188	OELRICHS	SD	57763
PUTNAM RANCH INC	DONALD	BOX 188	OELRICHS	SD	57763
QUINTO LTD		PO BOX 69	EDGEMONT	SD	57735
ROMEY	JOHN R OR TRACY	29773 HARD SCRABBLE RD	OELRICHS	SD	57763
SCHNOSE	ROBERT A & KIMBERLY L	29037 OLD HWY 79	OELRICHS	SD	57763

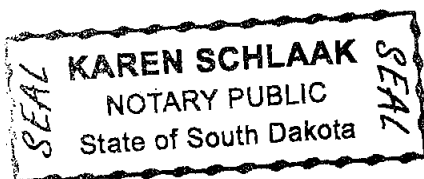
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK &	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	THOMAS	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC	BERNARD D	10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD	WAYNE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


 Gail Jacobson
 Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

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


 Karen Schlaak
 Notary Public
 My Commission expires April 1, 2013





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

November 2, 2015

324-2
636-2

V L Childers
B & H Ranch Inc
PO Box 222
Edgemont SD 57735-0222

Dear Mr. Childers:

Enclosed is a "Notice" dated October 23, 2015 concerning the 2015 irrigation questionnaires.

The notice was originally mailed to 900 W 7th St, Chadron NE. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures



636-2
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 26, 2018

NOTICE

TO: V L CHILDERS, B & H RANCH, INC, PO BOX 222, EDGEMONT, SD 57735 0222

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

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Permit No(s) 324-2 & 636-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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 7, 2018 at 10:00 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:

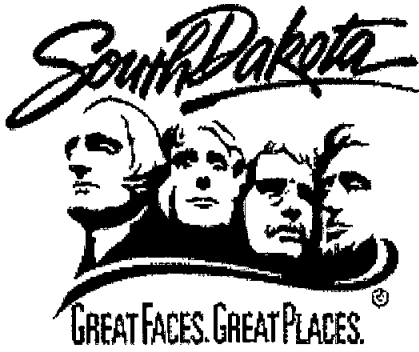
1. Amend Permit No(s) 324-2 & 636-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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 7, 2018** 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.

636-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 16, 2018

324-2
636-2

V L Childers
B & H Ranch Inc
PO Box 222
Edgemont SD 57735-0222

Dear Sir:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 324-2 and 636-2. 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 black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



636-2
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: B & H RANCH, INC, PO BOX 222, EDMONT, SD 57735 0222

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) 324-2 & 636-2 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) 324-2 & 636-2 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.

636-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 8, 2019

324-2
636-2

B & H Ranch Inc
PO Box 222
Edgemont SD 57735-0222

Dear Sirs:

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

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Right Nos. 324-2 and 636-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

For informational purposes, Water Right No. 324-2 is listed under B & H Ranch Inc., and Water Right No. 636-2 is listed in the name of V L Childers. It is our understanding that Mr. Childers passed away last fall. When you are ready, Water Right No. 636-2 should be transferred to reflect current ownership. Enclosed is a partially completed form.

If you have any questions, please contact me.

Sincerely,

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

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

enclosure

636-2

CAMPBELL LAW OFFICE
2630 JACKSON BLVD., SUITE 201
RAPID CITY, SD 57702-3467
(605) 348-7763
FAX (605) 348-9721
EMAIL: ken@taxcrew.com

KENNETH G. CAMPBELL
Attorney at Law

January 2, 2020

CYNDI GOETZE
Office Manager

RECEIVED

JAN 06 2020

**WATER RIGHTS
PROGRAM**

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

Re: Water Right No. 636-2

Dear Chief Engineer:

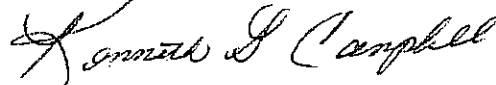
Enclosed please find the Notice of Transfer of Ownership from V. L. Childers to BLC Land, LLC along with my check in the amount of \$50.00 to over the filing fee.

Please let me know if you need anything further.

Once recorded, please return confirmation of the transfer to me at the above address.

Thank you for your assistance.

Sincerely yours,



Kenneth G. Campbell

KGC/cg

Enclosures

water-rights01-02-2020.childers

[Faint, illegible text at the bottom of the page, possibly a carbon copy or bleed-through from another document.]

NOTICE OF TRANSFER OF OWNERSHIP

PAID
JAN - 6 2020
Ck# 13124

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

RECEIVED

JAN 06 2020

WATER RIGHTS
PROGRAM

No. 636-2

Date: OCT 22, 2019

I/We request that Water Right No. 636-2

formerly owned by: V L Childers

be transferred to: (name & address) BLCZLand, LLC, PO Box 222, Edgemont, SD 57735

Telephone No. 605-891-1931

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

402 acres - S 1/2 Section 25 and N 1/2 Section 36, T8S, R2E

I/We understand that the validity of Water Right No. 636-2 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 Brian L. Childers, the new owner, certify that the above information is true and correct.

BLC LAND, LLC

BY



(Signed by new owner)

Brian L. Childers, Manager

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.

636-2

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Environment and Natural Resources

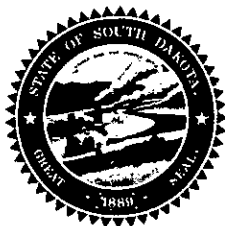
Date January 6, 20 20

RECEIVED OF Kenneth G Campbell 2630 Jackson Blvd Ste 201 Rapid City SD 57702

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$
Fee to retain Future Use Permit No. _____ after period of seven years.	\$
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$
Fee for Filing Transfer Form <u>636-2</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law)	
TOTAL	\$50.00

By Jeanne Goodman
Chief Engineer
vm



OFFICE OF THE SECRETARY OF STATE
STEVEN J. BARNETT, SECRETARY OF STATE
JASON LUTZ, DEPUTY SECRETARY OF STATE

Filing Information

Name: **BLC LAND, L.L.C.**

General Information

SOS Business ID DL172119
Filing Type: Limited Liability Company - Domestic
 10/24/2019
Status: Good Standing
Duration Term: Perpetual
Managed By: Manager-Managed

Registered Agent Address

BRIAN L CHILDERS
 28221 HOMESTEAD ROAD
 EDGEMONT, SD 57735

Principal Address

28221 HOMESTEAD ROAD
 EDGEMONT, SD 57735

The following document(s) was/were filed in this office on the date(s) indicated below:

Date Filed	Filing Description	Image #
10/24/2019	Initial Filing	B0118-0989



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 7, 2020

636-2

Kenneth G Campbell
Campbell Law Office
2630 Jackson Blvd Suite 201
Rapid City SD 57702-3467

Dear Mr. Campbell:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 636-2.

The ownership change has been completed. Water Right No. 636-2, formerly held by V L Childers is now listed under BLC Land, LLC with Brian L Childers listed as Manager.

Enclosed for your records is a receipt for the filing fee you submitted on behalf of Mr. Childers. If I can answer any questions, please let me know.

Sincerely,

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

Genny McMath
Water Rights Program
605 773-3352

enclosure

636-2

CAMPBELL LAW OFFICE
2630 JACKSON BLVD., SUITE 201
RAPID CITY, SD 57702-3467
(605) 348-7763
FAX (605) 348-9721
EMAIL: ken@taxcrew.com

KENNETH G. CAMPBELL
Attorney at Law

January 2, 2020

CYNDI GOETZE
Office Manager

RECEIVED

JAN 06 2020

**WATER RIGHTS
PROGRAM**

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

Re: Water Right No. 636-2

Dear Chief Engineer:

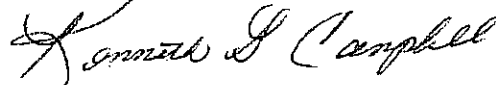
Enclosed please find the Notice of Transfer of Ownership from V. L. Childers to BLC Land, LLC along with my check in the amount of \$50.00 to over the filing fee.

Please let me know if you need anything further.

Once recorded, please return confirmation of the transfer to me at the above address.

Thank you for your assistance.

Sincerely yours,



Kenneth G. Campbell

KGC/cg

Enclosures

water-rights01-02-2020.childers

[Faint, illegible text at the bottom of the page, possibly a carbon copy or bleed-through from another document.]

NOTICE OF TRANSFER OF OWNERSHIP

PAID
JAN - 6 2020
Ck# 13124

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

RECEIVED

JAN 06 2020

WATER RIGHTS
PROGRAM

No. 636-2

Date: OCT 22 2019

I/We request that Water Right No. 636-2

formerly owned by: V L Childers

be transferred to: (name & address) BLCZLand, LLC, PO Box 222, Edgemont, SD 57735

Telephone No. 605-891-1931

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

402 acres - S 1/2 Section 25 and N 1/2 Section 36, T8S, R2E

I/We understand that the validity of Water Right No. 636-2 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 Brian L. Childers, the new owner, certify that the above information is true and correct.

BLC LAND, LLC

BY



(Signed by new owner)

Brian L. Childers, Manager

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.

636-2

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Environment and Natural Resources

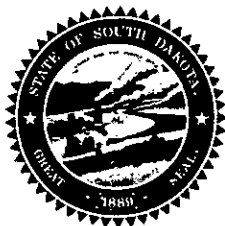
Date January 6, 20 20

RECEIVED OF Kenneth G Campbell 2630 Jackson Blvd Ste 201 Rapid City SD 57702

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	\$
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Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law)	
TOTAL	\$50.00

By Jeanne Goodman
Chief Engineer vm



OFFICE OF THE SECRETARY OF STATE
STEVEN J. BARNETT, SECRETARY OF STATE
JASON LUTZ, DEPUTY SECRETARY OF STATE

Filing Information

Name: **BLC LAND, L.L.C.**

General Information

SOS Business ID DL172119
Filing Type: Limited Liability Company - Domestic
 10/24/2019
Status: Good Standing
Duration Term: Perpetual
Managed By: Manager-Managed

Registered Agent Address

BRIAN L CHILDERS
 28221 HOMESTEAD ROAD
 EDGEMONT, SD 57735

Principal Address

28221 HOMESTEAD ROAD
 EDGEMONT, SD 57735

The following document(s) was/were filed in this office on the date(s) indicated below:

Date Filed	Filing Description	Image #
10/24/2019	Initial Filing	B0118-0989



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 7, 2020

636-2

Kenneth G Campbell
Campbell Law Office
2630 Jackson Blvd Suite 201
Rapid City SD 57702-3467

Dear Mr. Campbell:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 636-2.

The ownership change has been completed. Water Right No. 636-2, formerly held by V L Childers is now listed under BLC Land, LLC with Brian L Childers listed as Manager.

Enclosed for your records is a receipt for the filing fee you submitted on behalf of Mr. Childers. If I can answer any questions, please let me know.

Sincerely,

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

Genny McMath
Water Rights Program
605 773-3352

enclosure

636-2



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: BLC LAND LLC, BRIAN L CHILDERS, MGR, PO BOX 222, EDGEMONT, SD 57735 0222

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

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire has not been submitted for Permit No(s) 636-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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 3, 2021 at 10:00 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) 636-2 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 3, 2021** 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: ODYLSB**

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.



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2021

324-2
636-2

Brian L Childers
PO Box 222
Edgemont SD 57735-0222

Dear Mr. Childers:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires for BLC Land LLC and -C- Ranch LLC.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right Nos. 324-2 and 636-2. 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 blue ink that reads "Genny McMath". The signature is fluid and cursive.

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



**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: BLC LAND LLC, BRIAN L CHILDERS, MGR, PO BOX 222, EDMONT, SD 57735 0222

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) 636-2 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) 636-2 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: HKCYLV**

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.

636-2



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 1, 2022

324-2
636-2

Brian Childers
PO Box 222
Edgemont SD 57735-0222

RE: Irrigation Questionnaires for BLC Land LLC and -C- Ranch LLC

Dear Mr. Childers:

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

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 324-2 and 636-2. 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



636-2

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2023

NOTICE

TO: BLC LAND LLC, BRIAN L CHILDERS, MGR, PO BOX 222, EDMONT, SD 57735 0222

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire has not been submitted for Permit No(s) 636-2 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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 8, 2023 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) 636-2 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 8, 2023** 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: VFBVSJ**

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.

636-2



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 23, 2023

324-2
636-2

Brian Childers
PO Box 222
Edgemont SD 57735-0222

Dear Mr. Childers:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 324-2 and 636-2. 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

BLC LAND LLC
PO BOX 222
EDGEMONT, SD 57735

636-2

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 DANK-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: BLC LAND LLC
PO BOX 222
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). 636-2

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.