

No. 657-2Water Division No. 2

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

SOUTH CHEYENNE RIVERVESTIEP RIGHT

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

A. (NOTE—Draw a line through items not applicable.) TRANSFERRED
George W. and Augusta Lenders 5-21-681. Name of applicant _____
Postoffice address Hot Springs County Fall River State S. Dak.

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

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

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

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

Work is completed

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

2. Name of diversion work Long Hollow Diversion3. Amount of water claimed 2.18 cubic feet per second4. Source of water supply North and South Long Hollow Creek5. Location of point of diversion Between a point in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6, T11S-R5E,
and a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 31, T10S R5E
_____ on _____ bank _____ County.6. Annual period or periods during which water is to be used Whenever available during
annual growing season

7. To be used for:

1. Irrigation or domestic use. Gravity, overhead sprinkling or combination system?
- Waterspreading

(a) Number of acres to be irrigated 152.7 _____ ares.(b) Legal subdivisions to be irrigated See attachment

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction, with acreage thereof, should be written on a separate sheet and 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.) _____

11. 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 _____

8. Estimated cost of work:

(a) Head Gates, \$-----

(b) Pumping plant, \$-----

(c) Fluming, \$-----

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

Rock, \$-----

(e) Other structures ----- \$-----

Total, \$-----

9. Description of diversion works:

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

System consists of a series of 11 plugs in the creek and the water spreads out on the flats adjacent to the creek

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 ----- completed ----- years.

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

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

STATE OF SOUTH DAKOTA

County of ----- Hughes -----

SS.

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

Signed -----

Subscribed and sworn to before me this ----- 2010 ----- day ----- February ----- 19. 61

Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

"Vested Right Claimed"

STATE OF SOUTH DAKOTA

County of Hughes ss.

Pierre, South Dakota, March 22, 1961

This is to certify that the foregoing application was received by the Commission at 11:30 o'clock
a.m. upon the 20th day of February, 1961.

State Water Resources Commission

By: [Signature]
for Chief Engineer, Executive Officer

Number of permit 57-2

Date of first receipt of application February 20, 1961

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 1949, 19____

Approved MARCH 22, 1961, Recorded in Book 6 Page 210

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 _____

2nd. The whole of said work is ~~to be~~ completed on or before _____, 19____

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

completed, 19____

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 2.18 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 used

and beneficially applied for irrigation on or before June 30, 1955; said water to be used during the following described annual period:

when available during annual growing season

Witness my hand this _____ day of _____, 19____

State Water Resources Commission

By: [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 22, 1961

Water License Issued MARCH 22, 1961

STATE OF SOUTH DAKOTA

WATER LICENSE No. 657-2 . . .

WHEREAS, On the 20th day of February A. D. 1961George W. & Augusta Landera

of Hot Springs County of Fall River and State of
South Dakota duly made application (No. 657-2) to us for ^{Vested Right} permit to use 2.18
cubic feet per second of the waters of Long Hollow Creek (North & South Fork)
County of Fall River, State of South Dakota, for irrigation
purposes; and

Vested Right WHEREAS, On the 22nd day of March A. D. 1961
Permit No. 657-2 was issued to said applicant for the diversion of said water, and ^{recognizing} ~~permitting~~ the
completion of the works of diversion therein described ~~XXXXXXXXXXXX~~ ~~XXXXXX~~
~~XXXXXXXXXXXX~~ and for the application to beneficial use of said
water ~~XX~~
and,

WHEREAS, On the 20th day of February A. D. 1961
vested right
the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.18
cubic feet per second of said waters, as evidenced by our Certificate No. 657-2
dated March 22, 1961 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 2.18 cubic feet per second of water, with date of
priority of 1949 ~~XXXX~~ and,

WHEREAS, On the 20th day of February A. D. 1961
proof was duly made of the application to beneficial use of 2.18 cubic feet per second of said water;
To be used on portions of Section 31, T 10 S, R 5 E and Section
6, T 11 S, R 5 E for irrigating 152.7 acres.

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 Geroge W. & Augusta Landers

of Hot Springs the holder and owner of Vested Right permit No. 657-2

a water right, dating from 1949 to the use of 2.18

cubic feet per second of the waters of North & South Long Hollow Creek

In the County of Fall River and State of South Dakota, or so much thereof as may be

necessary for the purposes hereinbelow mentioned, to be diverted x between a point in the

NE 1/4, Sec. 6, T 11 S, R 5 E, and a point in the NE 1/4 SW 1/4, Sec. 31, T 10 S, R 5 E.

and conducted to and upon Portions of Sections 6, T 11 S, R 5 E, and 31 T 10 S,

R 5 E, more specifically described in Certificate of Completion of

Works.

for the purpose of irrigation

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

WITNESS, My hand and seal of our office at Pierre, South Dakota.

this 22nd day of March A. D. Nineteen

Hundred and Sixty-One

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Acre' c. f. s. _____

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 657-2

South Cheyenne

Water Division No. -2----- River-----Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That George W. & Augusta Landers

of Hat Springs, County of Fall River, and State of South Dakota, the holder of Vested Right of Permit No. 657-2 issued upon Application

No. 657-2 bearing date of priority of 1949, authorizing the diversion of

2.18 cu. ft. per second of the waters of North & South Long Hollow Creek

County of Fall River, State of South Dakota, ~~xx~~ between a point in

the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, T 11 S, R 5 E, and a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.

31, T 10 S, R 5 E, for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of

completion of the works of diversion set out and described in said Permit; that said works are ~~shown~~ recognized as satisfactory

~~xxxxxx~~ for diverting and conveying to the place of intended use 2.18 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: SW $\frac{1}{4}$ Sec. 31, T 10 S, R 5 E 49.7 acres

SE $\frac{1}{4}$ Sec. 31, T 10 S, R 5 E 47.4 "

NE $\frac{1}{4}$, Sec. 6, T 11 S, R 5 E 55.6 "

Total 152.7 acres

Witness my hand this 22nd day of March A. D. 1961

State Water Resources Commission

By:

J. W. GRIMES,

Chief Engineer, Executive Officer

Lands to be irrigated

SW $\frac{1}{4}$	Sec. 31	T10S R5E	49.7 acres
SE $\frac{1}{4}$	Sec. 31	T10S R5E	47.4 "
NE $\frac{1}{4}$	Sec. 6	T11S R5E	55.6 "

Totals 152.7 acres

Location No. 2

Water Division No. _____ Water District _____

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. George W. Landers and Augusta C. Landers, RanchersHot Springs, South Dakota

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

Ans. _____

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

Ans. November, 1948 work started

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

Ans. Long Hollow NE $\frac{1}{4}$ Sec. 6-11-5 from southeast corner 6-11-5 150 rods west
35 rods north

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

Ans. Landers dike #2 12' high 100 long diverts entire flow. Lower dike
re-distributes flood water. Began use in 1949Water spread with a series of dikes with 12" tubes

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

Ans. Irrigation 152.7 acres native grasslandSW $\frac{1}{4}$ Sec. 31-10-5 49.7 acres SE $\frac{1}{4}$ Sec. 31-10-5 47.4 acresNE $\frac{1}{4}$ Sec. 6-11-5 55.6 acresNo water stored excess water returned to creek

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

Ans. none

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

Ans. 275 A. feet

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

Ans. Original owner vested right

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. 275 A. F. diverted with base grade diversion
starting in 1949

Began use in 1949 with 100 A. feet

Increased to 275 A. F.

(Sign)

(Sign)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Hot Springs, County of Fall River

State of South Dakota, on this 30th day of September A. D. 1960

Franklin Nigeman
R. W. Kocott

Witnesses.

James Wilson
Notary Public

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Franklin Nigeman
R. W. Kocott

Location No. _____

**PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE**

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

County _____

Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

NOTICE OF TRANSFER OF WATER PERMIT

May

1968

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

This is to notify you that George W. & Augusta Landers

who previously owned the land described below has sold his interests to A & T Cattle Company of
Hot Springs, Fall River County, South Dakota

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 657-2
and as provided for in section 61.01-11 of the SDC of 1939 and elsewhere

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

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

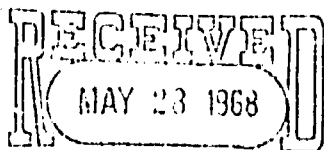
STATE OF SOUTH DAKOTA

County of Fall River

ss.

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

Signed

Augusta Sward
formerly Augusta LandersSubscribed and sworn to before me this 27th day of May 1968Allen G. Wilson
Notary Public

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

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

September 21, 1988

NOTICE

A & T Cattle Co.
Hot Springs SD 57747

Dear Sir:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 656-2, 657-2 until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

A staff member from the Division of Water Rights will be contacting you and scheduling an inspection of your water project. If we can answer any questions, please contact us.

Very truly yours,

Delvin W. Bragg

for JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352



SOUTH

Department of Water & Natural Resources

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

December 1, 1988

Vested Water Right
Claim No. 656-2 (657-2)

A & T Cattle Co.
Tom Landers
Hot Springs SD 57747

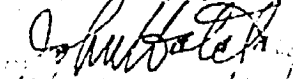
Dear Mr. Landers:

Enclosed is a copy of a letter received from the U.S. Department of Interior, Bureau of Reclamation. The Bureau of Reclamation is opposing those vested water right claims in Pennington, Perkins, Butte and Fall River counties which have never been investigated by the Division of Water Rights. Earlier, you received a letter stating that I was opposing your claim until an investigation can be completed.

After the investigation has been completed, you and the Bureau of Reclamation will be notified as to the date, place and time of the hearing on your vested water right claim. At that time all parties of record will have an opportunity to testify on the validation.

If we can answer any questions, please contact us.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

cc: Bruce Laymon, Bureau of Reclamation



SOUTH DAKOTA Department of
Water & Natural Resources

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

May 11, 1989

657-2

NOTICE

TO: Tom Landers
A & T Cattle Co.
Star Route
Hot Springs, SD 57747

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

John Hatch

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

Effective May 19, 1989, you are ordered to cease diversions of water under Water Right No. 657-2. The priority date for your water right is junior to the April 11, 1941 priority date for Angostura Irrigation District Water Right No. 579-2.

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

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

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

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

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



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

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

March 19, 1990

657-2

NOTICE

TO: Tom Landers
A & T Cattle Co.
Star Route
Hot Springs, SD 57747

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

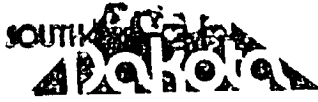


SUBJECT: Shut Off Order for Junior Water Rights Upstream of
Angostura Irrigation District

This is a follow-up notice to the May 10, 1990 notice that you received ordering you to cease diversion of water under Water Right No. 657-2. 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

657-2

NOTICE

TO: Tom Landers
A & T Cattle Co.
Star Route
Hot Springs, SD 57747

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

John 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

657-2

RESCISSION OF SHUTOFF ORDER

TO: Tom Landers
A & T Cattle Co.
Star Route
Hot Springs, SD 57747

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

Del 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.

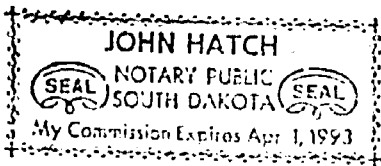
If you have any questions, please contact Mark Rath or Del Brosz (605) 773-3352.

6500

Chas. F. Frost

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

John [Signature]
Notary Public





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 25, 1992

657-2

NOTICE

TO: A & T CATTLE CO
TOM LANDERS
ST RT
HOT SPRINGS, SD 57747

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. 657-2 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.

FEDMET NO	FIRST NAME	LAST NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIPCODE	FEDNO	FEDNO2
657-2		A & T CATTLE CO	TOM LANDERS	ST RT	BOY SPRINGS	SD	57747		
508-2	RICHARD	ANDERSON	A CHAR ANDERSON	BOX 59 BOX 18	FICKMONT	SD	57735		
1011-2	LEONE R	ANDERSON		BOX 59 BOX 20	FICKMONT	SD	57735		
774-2		B & H RANCH INC	B F CHILDERS	PO BOX 723	FICKMONT	SD	57735		
534-2		BALL PROS		BOX 617	FICKMONT	SD	57735		
1045-2	LESTER E	BARKER		BOX 740	FICKMONT	SD	57735		
1093-2	NICK/MICHAEL	BOONER	ANICK BOONER JR	HC 45 BOX 24	OFFERTON	SD	57763	1734-2	
755-2		BRANDED INDIAN SCHOOL			BOY SPRINGS	SD	57747		
658-2	WAYNE F	CHILDERS		BOX 59 BOX 14	FICKMONT	SD	57735		
676-2	V L	CHILDERS		BOX 723	FICKMONT	SD	57735		
654-2	OSCAR	LOFF			OFFERTON	SD	57763		
1004-2	JOHN	DECKING		SR 1 BOX 135	LUCK	WY	82225		
507-2	HAROLD F	JACKSON		BOX 59 BOX 54	FICKMONT	SD	57735	1410-2	
2052-2	LEROY/BERTRHA	JACKSON		HC 4R BOX 242	PRIMO	SD	57774		
1095-2	DAVID M	JENSEN		RR BOX 32	OFFERTON	SD	57763		
768-2		RAID BROTHERS, INC.	CARL P HAID, PRES	BOX 46 BOX 5	OFFERTON	SD	57763	1095-2	
071-2	HEFMAN	HECK		BOX 441	FICKMONT	SD	57735		
504-2	DARRELL F	HEFMAN		BOX 402	FICKMONT	SD	57735		
1070-2	DORA R	HENDERSON	ATT 205	5142 INDIAN RIVER	LAS VEGAS	NV	89103		
1700-2	DON W	HENRY		BOX 276	ARMHORE	SD	57715		
772-2	HENRY C	ROLLINGBACK		PIPERY ROUTE	FICKMONT	SD	57735		
1503-2		HU RANCH INC	SH CORPORATION	BOX 52 BOX 102	FICKMONT	SD	57735		
750-2	DARRELL D	HUNTER		BOX 0	ARMHORE	SD	57715		
1041-2	JAMES/PATRICIA	JOHNSTON		HC 68 BOX 7	LAKEVIEW	NE	68351		
10770-2	JIM	KANE		BOX 124	PRIMO	SD	57774		
703-2	CARL	KANSOLT	ATT 207	FLANKE HOTEL	CHANDLER	NE	68347		
1096-2	JOHN R	KOLLER		BOX 115	FICKMONT	SD	57735		
800-2	A J	LANDERS	STAR CATTLE CO	BOX 153B BOX 52	BOY SPRINGS	SD	57747		
1040-2	R L/ALLEN	LANDERF		BOX 759	YUCCA	ND	58552		
070-2	MELVIN	LOFF			BOY SPRINGS	SD	57747		
17925-2	JOHN O/JACOB	MANSF	(ESTATE)	RR 41 BOX 172C	BOY SPRINGS	SD	57747		
11407-2	KENNETH	MARTINESON		BOX 361	FICKMONT	SD	57735		
705-2	ARONTH W	MULLEN		BOX 164	OFFERTON	SD	57763		
010-2	PAUL L	NEFFERD, JR		BOX 48 BOX 22	PRIMO	SD	57774		
1073-2	A J	NEELSON		FRONK'S STAGE	WILLES CITY	MT	59501		
2015-2		PETERSON & SON, INC		BOX 50 BOX 16	FICKMONT	SD	57735		
1010-2	PAUL A JEAN	PETTY	A NORMAN PETTY	BOX 52 BOX 135	BOY SPRINGS	SD	577472001		
1716-2	MELVIN	PORTER		WYO RT BOX 17	FICKMONT	SD	57735		
711-2	EDWARD	PUTNAM		BOX 184	OFFERTON	SD	57763	2013-2	
1046-2	CLAY	REASER		HC 46 BOX 49	OFFERTON	SD	57763		
072-2	EDWARD/ANITA	PIUTTER		BOX 59 BOX 90	FICKMONT	SD	57735	1700-2	
203-2	GRACE/NAIHEI	PRINCEIDE		BOX 59 BOX 28	FICKMONT	SD	57735	220-2	
009-2	OLIVER M	ROMBY		BOX 175	OFFERTON	SD	57763		
718-2	VERNON	SCHROSE		ST RT BOX 155	BOY SPRINGS	SD	57747	1700-2	
1042-2		SEGER RANCH INC		BOX 95	OFFERTON	SD	57763	071-2	1047-2
007-2	BERNARD D	SIMONS		BOX 341	FICKMONT	SD	57735		
1737-2	ROBERT/MARIE	TURNER		BOX 503	FICKMONT	SD	57735		
1019-2		WAR POANEE RANCH LTD	BOX 132	105 E 5TH ST	ARMHORE	SD	57759		
192-2	VINCENT M	WASSERFELDER		BOX 83	ARMHORE	SD	57715	853-2	2115-2

Water Rights Division -DENR
Conversation or File Documentation

File No. 656-2
657-2

NAME OF PERSON OR FILE: George and Augusta Landers

ADDRESS: Hot Springs, SD

COUNTY: Fall River

DATE: 6/10/91

TELEPHONE: 745-5746

RE: Vested Right Claim Inspection

COMMENTS: On June 3, 1991, accompanied by Mr. Tom Landers, inspected the area claimed under Vested Right Nos. 656-2 and 657-2. The dams and the dikes were in excellent shape. Couple of the dams had been recently repaired. Mr. Landers stated that he irrigates a total of approximately 650 acres under both claims.

** Recommend validation of Vested Right Claim Nos. 656-2 and 657-2.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.



M. RASSOOL AHADI

Natural Resources Engineer III
DENR, Water Rights Division

SOUTH DAKOTA

VESTED WATER RIGHT NO. 657-2 FOR IRRIGATION

Date of Receipt of Claim February 20, 1961.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 657-2 for irrigation purposes for A & T Cattle Company, Tom Landers, St Rt, Hot Springs SD 57747 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 657-2 appropriates 2.18 cubic feet of water per second from Long Hollow Creek between points in the NE 1/4 NE 1/4 Section 6-T11S-R5E to the NE 1/4 SW 1/4 Section 31-T10S-R5E to irrigate 152.7 acres located in the SW 1/4, SE 1/4 Section 31-T10S-R5E and the NE 1/4 Section 6-T11S-R5E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: January 1 - December 31.
3. The priority date of the Vested Water Right is January 1, 1949.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

John H. Harts
Chief Engineer

JUL 2 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources

657-2.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUL 2 1992

A & T Cattle Company
Tom Landers
St Rt
Hot Springs SD 57747

Dear Sir:

The Water Management Board has validated the enclosed Vested Water Right Nos. 656-2 and 657-2. These validations give legal status to the claims and are the final document for your vested rights.

As long as you use the water beneficially, as stated in the validation, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures



657-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 1993

657-2

NOTICE

TO: A & T CATTLE CO
TOM LANDERS
ST RT
HOT SPRINGS, SD 57747

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

Delvin D. Brosz

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. 657-2 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

157-2

CERTIFICATION

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

Copy Sent To:

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

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

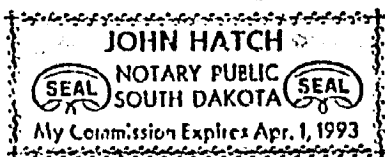
Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
COUNTY OF HUGHES) SS

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

John Hatch
Notary Public





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 14, 1993

657-2

RESCISSION OF SHUTOFF ORDER

TO: A & T CATTLE CO
TOM LANDERS
ST RT
HOT SPRINGS, SD 57747

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

657-2



IN REPLY
REFER TO

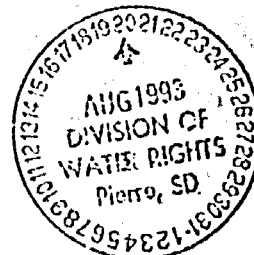
WTR 4.10
BF-430

United States Department of the Interior

BUREAU OF RECLAMATION

Great Plains Region
Belle Fourche Projects Office
P.O. Box 226
Newell, South Dakota 57760-0226

AUG 18 1993



Mr. John Hatch, Chief Engineer
Water Rights Division
South Dakota Department of Water and Natural Resources
523 E. Capitol
Pierre SD 57501-3181

Subject: Vested Water Right Claims in Western South Dakota (Your Letter
Dated April 20, 1993) (Water Rights)

Dear Mr. Hatch,

We have reviewed the vested water right claims located in Perkins, Pennington, Fall River, and Butte Counties as listed in your letter dated April 20, 1993. We have also discussed these rights with contract water users. We appreciate the assistance of your staff in providing documentation of inspections and validation proceedings for specific claims as we requested.

We are satisfied with all of the actions taken by the board. Our intent in opposing validation of the water rights was to assure that all of the rights were reviewed prior to validation. That review has been completed by your staff. Thank you for notifying us of the board's actions and extending the opportunity to reconsider the actions if it would have been deemed necessary. We understand that future notification will be made in advance of board actions.

If we can be of further assistance, please contact Craig Kjar or me at (605) 456-2695.

Sincerely,

Bruce M. Laymon
Bruce M. Laymon
Project Manager

cc: Mr. Joe Kramer, Manager
Angostura Irrigation District
PO Box 346
Oral SD 57766

Mr. James E. Winterton, Project Manager
Belle Fourche Irrigation District
PO Box 225
Newell SD 57760



657-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 30, 1995

656-2

657-2

1019-2

1974-2

Tom Landers
HC 52 Box 159A-1
Hot Springs, SD 57747

Dear Mr. Landers:

Enclosed, as we discussed, is a copy of Water Right No. 1019-2 and Vested Water Right No. 1974-2, currently listed in the name of War Bonnet Ranch, Inc.

Also enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change on Vested Water Right Nos. 656-2 and 657-2. The vested rights are currently listed in the name of A & T Cattle Company.

Please review the forms for accuracy and complete where necessary. The forms must be signed in the presence of a notary public and returned to our office with a \$2.50 filing fee for each (total of \$5.00).

If you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 15, 1995

657-2

NOTICE

TO: TOM LANDERS
ST RT
HOT SPRINGS, SD 57747

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. 657-2 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 Rasscol Ahadi, Division of Water Rights, 523 E. Capitol Ave, Pierre, SD 57501. Phone (605) 773-3352.

cc: US Bureau of Reclamation
Angostura Irrigation District

657-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 12, 1995

SECOND NOTICE
Permit No. 656-2
657-2

Tom Landers
HC 52, Box 159A-1
Hot Springs, SD 57747

Dear Mr. Landers:

On January 30 1995, notice was sent to you concerning the transfer of Vested Water Right Nos. 656-2 and 657-2 in the name of A & T Cattle Company. To date, we have not heard from you on this matter.

Transfer forms were previously sent to you, enclosed are additional forms. Please sign, have notarized and return the forms to this office with the required filing fee of \$2.50 per transfer, a total of \$5.00. The vested water rights can then be transferred to your name. If you are not the present owner of the land covered under these vested water rights, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Genny McMath, (605) 773-3352.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Ron Duvall', is written over a faint, larger signature.

RON DUVALL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 657-2

Date: 4-14-1995

I/We request that Vested Water Right No. 657-2

formerly owned by: A & T Cattle Company

be transferred to: (name & address)

Fanders Livestock Co Inc
Nc52-1304159A1-16T Springs SD (Telephone No) 605-748-8246
57787

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

152.7 acres in the S 1/2 Section 31, T10S, R5E and the NE 1/4 Section 6, T11S, R5E

I/We understand that the validity of Vested Water Right No. 657-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Fall River)

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

Tom Fanders
(Signed)

Subscribed and sworn to before me this 14 day of April, 1995.

Notary Public
(Notary Public)

Fall River Co
exp 3/1/99

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

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

RECEIPT

414466

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, April 17, 19 95

RECEIVED OF Tom Landers, Landers Livestock, HCR 52 Box 159 A1, Hot Springs, SD 57747
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>Vested Water Right No. 657-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

John Hatch, Jr.
Chief Engineer



657-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 19, 1995

No. 656-2
657-2

Tom Landers
Landers Livestock Company, Inc.
HC 52, Box 159A1
Hot Springs, SD 57747

Dear Mr. Landers:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Vested Water Right Nos. 656-2 and 657-2.

Our records now show you as the owner of Vested Water Right Nos. 656-2 and 657-2.

Sincerely,

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

enclosure



657-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 26, 1995

657-2

RESCISSION OF SHUTOFF ORDER

TO: TOM LANDERS
LANDERS LIVESTOCK CO INC
HC 52 BOX 159A1
HOT SPRINGS, SD 57747

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: LANDERS LIVESTOCK CO INC
TOM LANDERS
HC 52 BOX 159A1
HOT SPRINGS SD 57747

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. 657-2

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.



657-2

**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: LANDERS LIVESTOCK CO INC
TOM LANDERS
HC 52 BOX 159A1
HOT SPRINGS SD 57747

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. 657-2

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.

Year

Address

Farm Land

195 Farm No.

Crop Land

195 Farm No.

N C O P

Center of
Dec. 31-18-5

§ W $\frac{1}{4}$ 31-10-5

SE / 31-105
E / 4
AA NW

187 p. 03

46-11-5

~~SW~~ 1/4 6-11-5
NE

NE 1/4 6-11
Lang Hollow Creek

Century
Sec. 6-11-5

(# 657-2)



IN REPLY REFER TO:

DK-700
PRJ 13.00

657-2
United States Department of the Interior

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

FEB 24 2006



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

RECEIVED
FEB 27 2006
WATER RIGHTS
PROGRAM

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

Dear Mr. Erbele:

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

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

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

Sincerely,

For Jeffrey L. Nettleton
Rapid City Field Office Manager

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 2006

NOTICE OF SHUTOFF ORDER

TO: LANDERS LIVESTOCK CO INC
TOM LANDERS
HC 52 BOX 159A1
HOT SPRINGS SD 57747

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. 657-2

To protect the US Bureau of Reclamation's Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941, the Bureau of Reclamation has asked that we issue shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River and tributaries by holders of junior water rights upstream of Angostura Dam will be allowed. On March 7, 2006, the water elevation in Angostura Reservoir was 3170.3-feet, almost 17-feet below the full elevation of 3187.2-feet. Storage is at 64,524 acre-feet, about 74,237 acre-feet below full. Angostura Reservoir is not expected to fill with the current low inflows.

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 9, 2007

NOTICE OF SHUTOFF ORDER

TO: LANDERS LIVESTOCK CO INC
HC 52 BOX 159A1
HOT SPRINGS, SD 57747

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. 657-2

To protect the US Bureau of Reclamation's Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941, the Bureau of Reclamation has asked that we issue shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River and tributaries by holders of junior water rights upstream of Angostura Dam will be allowed. On March 9, 2007, the water elevation in Angostura Reservoir was 3166.9-feet, 20.3-feet below the full elevation of 3187.2-feet. Storage is at 51652 acre-feet, about 87109 acre-feet below full. Angostura Reservoir is not expected to fill with the current low inflows.

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 19, 2008

NOTICE OF SHUTOFF ORDER

TO: LANDERS LIVESTOCK CO INC
29088 ASH CREEK RD
HOT SPRINGS SD 57747

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. 657-2

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: TOM LANDERS
LANDERS LIVESTOCK CO INC
29088 ASH CREEK RD
HOT SPRINGS SD 57747

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. 657-2

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

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

March 06, 2013

NOTICE OF SHUTOFF ORDER

TO: LANDERS LIVESTOCK CO INC
TOM LANDERS
29088 ASH CREEK RD
HOT SPRINGS SD 57747

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. (657-2)**

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

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

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

CERTIFICATION

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

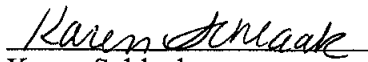
LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
INDIAN CREEK CATTLE LLP		32296 190TH ST	SLEEPY EYE	MN	56085
INDIAN CREEK LAND & CATTLE LLC		PO BOX 538	EDGEMONT	SD	57735
WEINREIS BROTHERS		230908 HIGHLAND RD	SCOTTSBLUFF	NE	69361
SEGER RANCH INC		RR 1 BOX 100A1	HOT SPRINGS	SD	57747
REUTTER	EDWARD/WANDA	HCR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

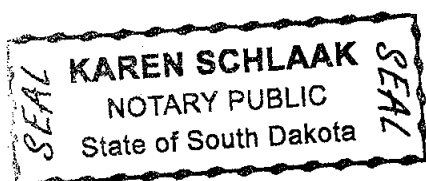
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK &	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	THOMAS	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC	BERNARD D	10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD	WAYNE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


 Gail Jacobson
 Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

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


 Karen Schlaak
 Notary Public
 My Commission expires April 1, 2013





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 05, 2026

TO: LANDERS LIVESTOCK CO INC
29088 ASH CREEK RD
HOT SPRINGS, SD 57747

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

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

Shutoff Order for Water Permit No(s). 657-2

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.