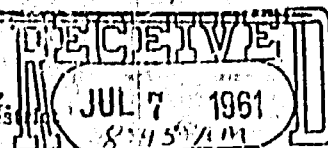


718-2

1. Considered 11-8, 1901
2. Name of Applicant Reed & Co. Inc.
3. Post Office Address Hot Springs
4. Amount of water claimed No addition to what granted under 480-2
5. Source of water supply May Creek & tributaries
6. Water to be used for irrigation
Acres to be irrigated 667-03
7. Water to be diverted and used in _____ County about
7-11-00 miles _____ of _____.
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 718-2Water Division No. 2 SOUTH CHEYENNE RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of applicant RUDOLPH LUEF
Postoffice address ELI SPRINGS, 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, \$ 2,420.00 (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work RUDOLPH LUEF IRRIGATION PROJECT
3. Amount of water claimed 7.71 cubic feet per second
4. Source of water supply DRY CREEK AND TRIBUTARIES
5. Location of point of diversion N. 55°00'W. 3905.7 FT. FROM SW COR SEC. 33
T9S, R6E, BHM on _____ bank FALL RIVER County.
6. Annual period or periods during which water is to be used SPRING, SUMMER AND FALL
7. To be used for:

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

- (a) Number of acres to be irrigated
- 667.3
- acres. { ORIGINAL
- 603.4
-
- ADDITIONAL
- 63.9

- (b) Legal subdivisions to be irrigated
- SEC. 32, T9S, R6E, BHM
-
- NE 1/4 NW 1/4, SE 1/4 NW 1/4, 1.3 AC OF NW 1/4 NW 1/4

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written out, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.) _____

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

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

- (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. 627-2 (SEE MAP # 481-2 FOR DETAILS)

8. Estimated cost of work:

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

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

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

(d) Canal-earth, \$2,300.00

Rock, \$-----

(e) Other structures 40' 24" CMP \$120.00

Total, \$2,420.00

9. Description of diversion works:

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

RAISE #2 DAM 2' CONSTRUCT DITCHES

II. Dimensions of works.

(i) Dam: Height 22 feet; length at bottom 124 feet; length at top 12 feet; thickness at bottom 12 feet; thickness at top 12 feet; slope at front water face 3:1; slope at back face 2:1; material used in construction EARTH FILL

(b) Reservoir: Capacity when filled 190.7 acre feet. Surface area at highwater mark 44.1 acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE-Feet CAPACITY
18	44.1	190.7
16	26.2	120.1
14	17.5	76.8
9	6.6	16.4
7.4	3.5	8.4

(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 4 years.

11. Time required for complete application of water to the proposed beneficial use 5 years.

12. Choice of newspaper for publication of notice of intention appropriate HOT SPRINGS STAR

STATE OF SOUTH DAKOTA

County of Fall River } ss.

I, Rudolph Lulfi, 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.

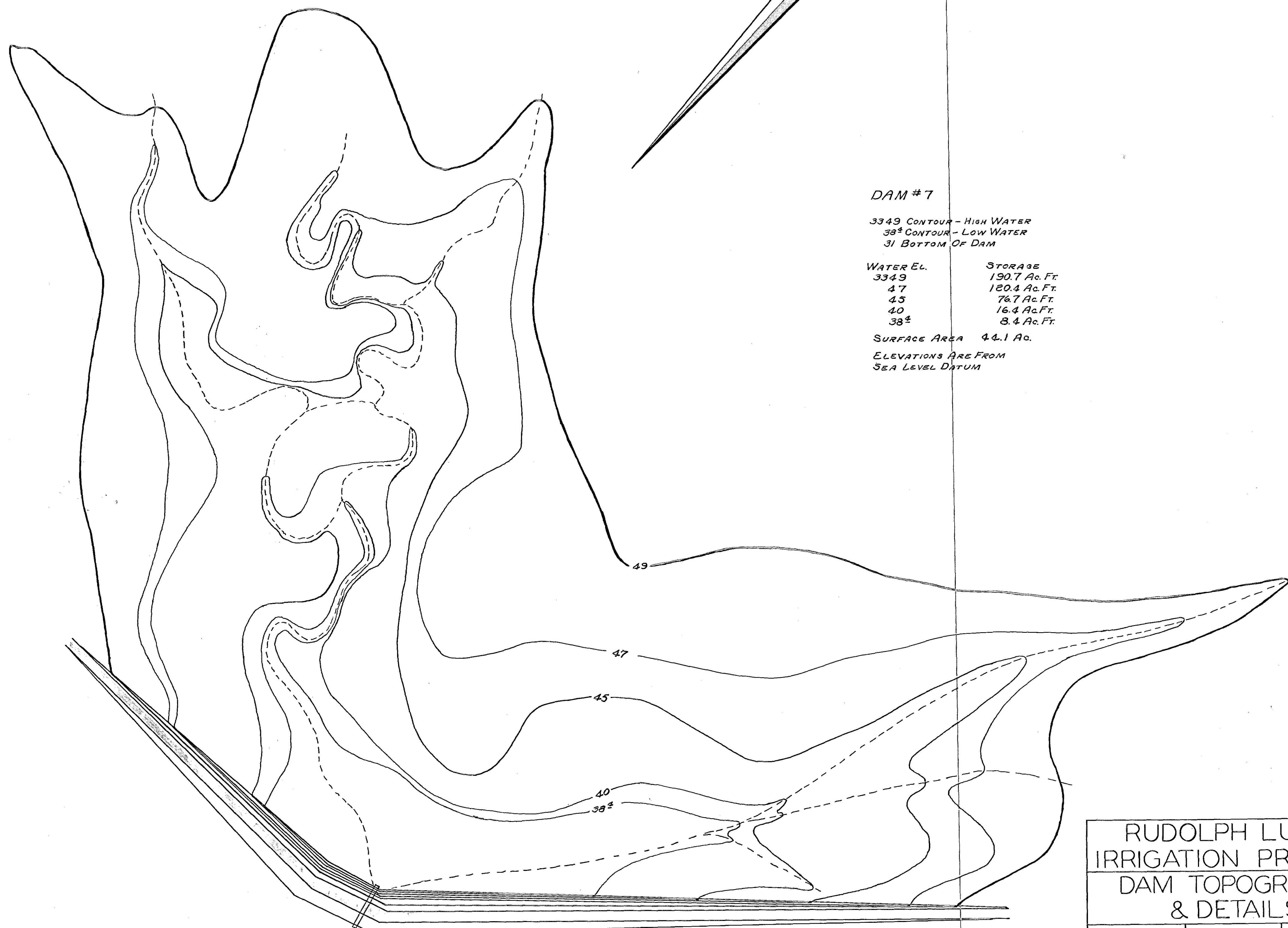
Signed Rudolph Lulfi

Subscribed and sworn to before me this 3 day of June 1961

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

My Commission Expires Jan. 15-1967.



DAM #7

3349 CONTOUR - HIGH WATER
38 1/2 CONTOUR - LOW WATER
31 BOTTOM OF DAM

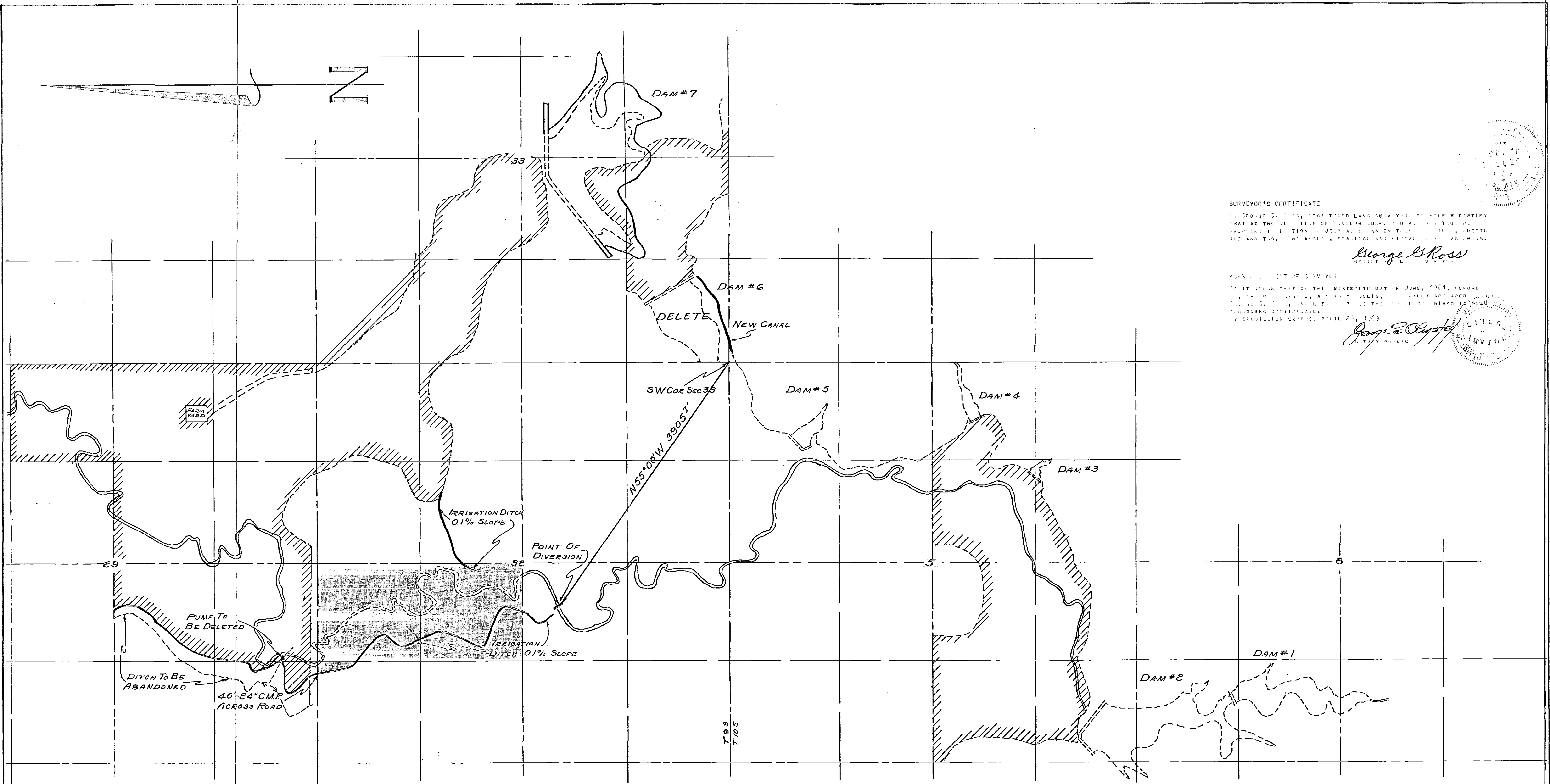
WATER EL.	STORAGE
3349	190.7 Ac. Ft.
47	120.4 Ac. Ft.
45	76.7 Ac. Ft.
40	16.4 Ac. Ft.
38 1/2	8.4 Ac. Ft.

SURFACE AREA 44.1 AC.

ELEVATIONS ARE FROM
SEA LEVEL DATUM

RUDOLPH LULF
IRRIGATION PROJECT
DAM TOPOGRAPHY
& DETAILS

BRADY ENGINEERING CONSULTING ENG. SPEARFISH, S.D.	DRAWN BY: S. SISK CHECKED BY: [Signature]	SCALE 1"=100' DATE JUNE 1961 SHEET 2 OF 2
---	--	---



SURVEYOR'S CERTIFICATE
 I, GEORGE S. ROSS, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY
 THAT AT THE LOCATION OF RUDOLPH LULF, I HAVE REVEALED THE
 TRUE POSITION OF THE CORNERS AND THE TRUE BEARINGS AND DISTANCES
 ONE AND TWO, THE ANGLES, BEARINGS AND DISTANCES AS SHOWN.

George S. Ross
 REGISTERED LAND SURVEYOR

BE IT REMEMBERED THAT ON THIS SIXTEENTH DAY OF JUNE, 1961, BEFORE
 ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED
 GEORGE S. ROSS, KNOWN TO ME TO BE THE PERSON DESCRIBED IN THE FOREGOING
 INSTRUMENT, WHOSE COMMISSION EXPIRES APRIL 25, 1963.

George S. Ross
 NOTARY PUBLIC
 STATE OF ILLINOIS

IRRIGATED AREAS

T 9S, R 6E, B 1M

SECTION 29	SECTION 32
SE 1/4 NE 1/4 40.0 Ac.	NE 1/4 NE 1/4 37.9 Ac.
N 1/2 SE 1/4 40.0 Ac.	SE 1/4 NE 1/4 7.7 Ac.
SE 1/4 SE 1/4 40.0 Ac.	NW 1/4 NE 1/4 6.1 Ac.
NW 1/4 SE 1/4 40.0 Ac.	SW 1/4 NE 1/4 3.6 Ac.
SW 1/4 SE 1/4 36.5 Ac.	NE 1/4 NW 1/4 40.0 Ac.
** NE 1/4 SW 1/4 25.7 Ac.	** SE 1/4 NW 1/4 40.0 Ac.
** NW 1/4 SW 1/4 36.6 Ac.	* NW 1/4 NW 1/4 5.0 Ac.
*** SW 1/4 SW 1/4 3.4 Ac.	
TOTAL 261.2 Ac.	TOTAL 132.0 Ac.

T 10S, R 6E, B 1M

SECTION 33	SECTION 35
NW 1/4 NW 1/4 20.8 Ac.	NE 1/4 SE 1/4 7.5 Ac.
SW 1/4 NW 1/4 23.0 Ac.	NW 1/4 SE 1/4 34.9 Ac.
SE 1/4 NW 1/4 22.5 Ac.	SE 1/4 NW 1/4 7.1 Ac.
SW 1/4 NW 1/4 5.4 Ac.	NE 1/4 SW 1/4 24.5 Ac.
NE 1/4 SW 1/4 13.7 Ac.	SE 1/4 SW 1/4 16.5 Ac.
SE 1/4 SW 1/4 32.3 Ac.	NW 1/4 SW 1/4 33.5 Ac.
SW 1/4 SW 1/4 7.9 Ac.	SW 1/4 SW 1/4 15.0 Ac.
SE 1/4 SE 1/4 6.1 Ac.	
TOTAL 134.8 Ac.	TOTAL 143.3 Ac.

NOTE:
 THIS APPLICATION MAKES THE FOLLOWING
 CHANGES ON APPLICATION NO. 480-2

1. ELIMINATES PUMP (MAKES PROJECT ALL GRAVITY SYSTEM)
2. ELIMINATES DAM NO. 6
3. RAISES DAM NO. 7 2'
4. ADDS 63.9 ACRES TO BE IRRIGATED
5. CLAIMS NO ADDITIONAL WATER

- LEGEND
- SECTION LINE
 - 1/4 LINE
 - 1/8 LINE
 - PRESENTLY IRRIGATED
 - AREAS TO BE IRRIGATED
 - NEW DITCH OR CANAL
 - EXISTING DITCH OR CANAL

RUDOLPH LULF IRRIGATION PROJECT GENERAL LAYOUT

BRADY ENGINEERING
 CONSULTING ENG.
 SPEARFISH, S.D.

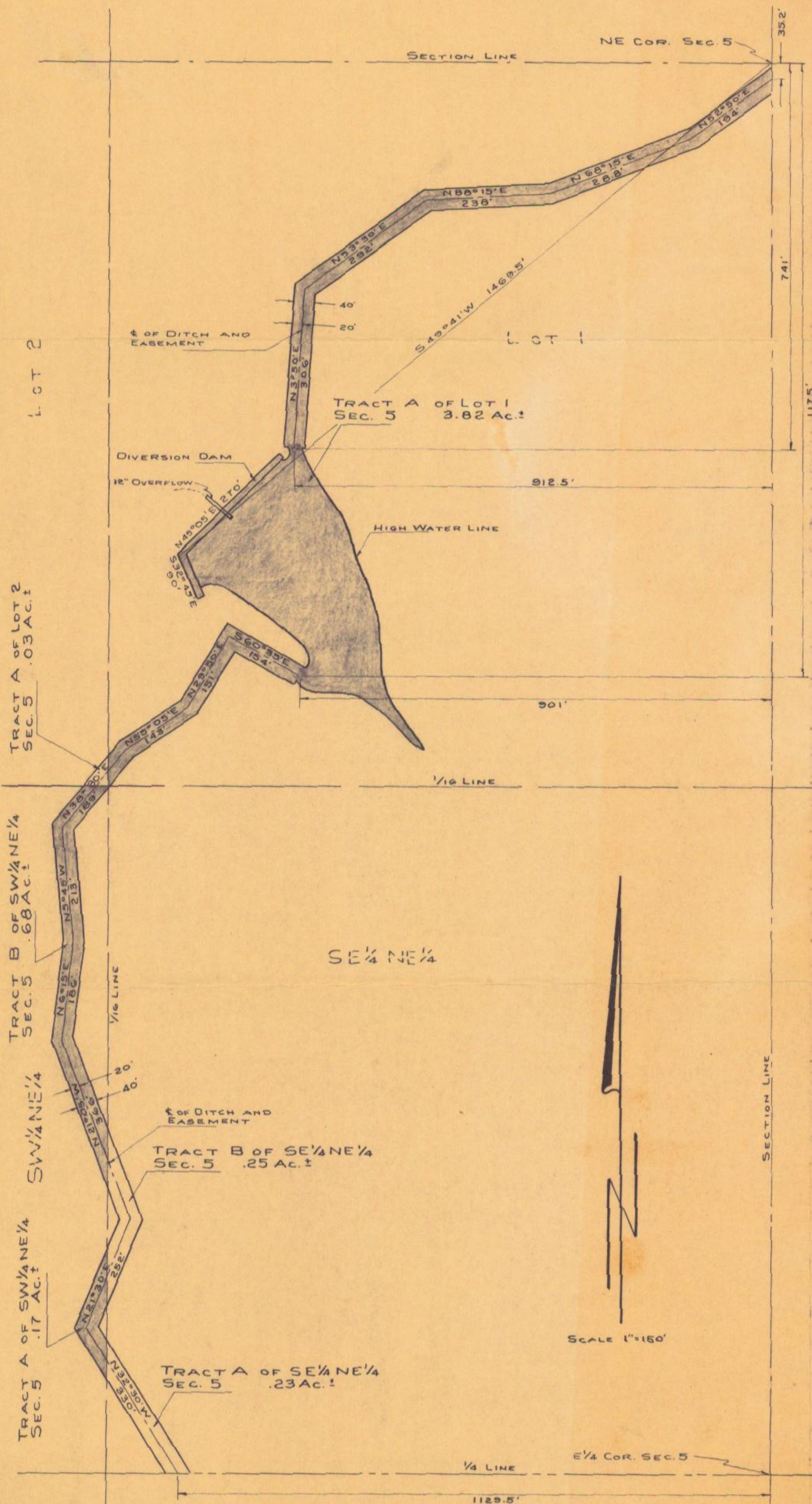
DRAWN BY: S. SISK
 CHECKED BY: *[Signature]*

SCALE 1"=600'
 DATE JUNE 1961
 SHEET 1 OF 2

TOTAL IRRIGATED AREA 667.3 AC.

PLAT OF IRRIGATION DITCH & DIVERSION DAM EASEMENT

TRACT A SE $\frac{1}{4}$ NE $\frac{1}{4}$, TRACT B SE $\frac{1}{4}$ NE $\frac{1}{4}$, TRACT A SW $\frac{1}{4}$ NE $\frac{1}{4}$,
TRACT B SW $\frac{1}{4}$ NE $\frac{1}{4}$, TRACT A LOT 2, TRACT A LOT 1
ALL IN SEC. 5, T10S, R6E, BHM



SURVEYOR'S CERTIFICATE

I, FRANK H. BRADY, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE TRACTS OF LAND AS SHOWN ON THE ATTACHED PLAT.

Frank H. Brady
REGISTERED LAND SURVEYOR

ACKNOWLEDGMENT OF SURVEYOR

STATE OF SOUTH DAKOTA, COUNTY OF LAWRENCE

BE IT REMEMBERED THAT ON THIS 11th DAY OF MARCH, 1956, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED FRANK H. BRADY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE. MY COMMISSION EXPIRES 3-15-1961.

Larry M. Carr
NOTARY PUBLIC

OWNER'S CERTIFICATE

WE, ANTON LULF AND LOIS LULF, HUSBAND AND WIFE, OWNERS OF THE NE $\frac{1}{4}$, SEC. 5, T10S, R6E, BHM, DO HEREBY JOIN IN AND APPROVE THE SURVEY AND ATTACHED PLAT. WITNESS OUR HANDS THIS 21 DAY OF November, 1960.

Anton Lulf
ANTON LULF
Lois Lulf
LOIS LULF

GRANT OF EASEMENT FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF IRRIGATION WATER DITCH AND DIVERSION DAM

THIS AGREEMENT FOR GRANT OF EASEMENT FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF AN IRRIGATION WATER DITCH AND DIVERSION DAM IN AND ACROSS PARTS OF THE NE $\frac{1}{4}$, SEC. 5, T10S, R6E, BHM, FALL RIVER COUNTY, SOUTH DAKOTA, BY AND BETWEEN ANTON LULF AND LOIS LULF, HUSBAND AND WIFE, GRANTORS OF SAID EASEMENT, HEREINAFTER REFERRED TO AS PARTIES OF THE FIRST PART, AND RUDOLPH LULF AND DIXIE LULF, HUSBAND AND WIFE, HEREINAFTER REFERRED TO AS PARTIES OF THE SECOND PART, WITNESSETH:

THAT FOR AND IN CONSIDERATION OF THE SUM OF ONE DOLLAR AND OTHER VALUABLE CONSIDERATION IN HAND PAID TO PARTIES OF THE FIRST PART BY PARTIES OF THE SECOND PART, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, SAID PARTIES OF THE FIRST PART HEREBY GRANT, BARGAIN, SELL, CONVEY AND WARRANT TO PARTIES OF THE SECOND PART AND THEIR HEIRS, SUCCESSORS AND ASSIGNS FOREVER AND PERPETUALLY A RIGHT OF WAY AND EASEMENT TO THE TRACTS DESIGNATED ON THE ATTACHED PLAT AS TRACT A, SE $\frac{1}{4}$ NE $\frac{1}{4}$; TRACT B, SE $\frac{1}{4}$ NE $\frac{1}{4}$; TRACT A, SW $\frac{1}{4}$ NE $\frac{1}{4}$; TRACT B, SW $\frac{1}{4}$ NE $\frac{1}{4}$; TRACT A, LOT 2; AND TRACT A, LOT 1, ALL IN SEC. 5, T10S, R6E, BHM, FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING AN IRRIGATION WATER DITCH AND DIVERSION DAM TO BE LOCATED AS SHOWN ON THE ATTACHED PLAT, WITH THE RIGHT OF PRIVILEGE AND AUTHORITY, TO SAID PARTIES OF THE SECOND PART AND HEIRS, SUCCESSORS, ASSIGNS, LESSEES AND TENANTS TO CONSTRUCT, OPERATE AND MAINTAIN THE SAID IRRIGATION WATER DITCH AND DIVERSION DAM AS AFORESAID FOR THE PURPOSE OF CARRYING IRRIGATION WATER TO ADJACENT AND CONTIGUOUS REAL ESTATE OWNED BY PARTIES OF THE SECOND PART.

TOGETHER WITH THE RIGHTS, EASEMENTS, PRIVILEGES AND APPURTENANCES, IN OR TO SAID LANDS, WHICH MAY BE REQUIRED FOR THE FULL ENJOYMENT OF THE RIGHTS HEREIN GRANTED.

IN WITNESS WHEREOF, THE PARTIES OF THE FIRST PART HAVE HEREBY SET THEIR HANDS AND SEALS THIS 21 DAY OF November, 1960.

Anton Lulf
ANTON LULF
Lois Lulf
LOIS LULF

ACKNOWLEDGMENT OF OWNERS

STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER

BE IT REMEMBERED THAT ON THIS 21 DAY OF November, 1960, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED ANTON LULF AND LOIS LULF, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE ABOVE OWNER'S CERTIFICATE AND GRANT OF EASEMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

Floyd A. Trumbull
NOTARY PUBLIC
FLOYD A. TRUMBULL

CERTIFICATE OF COUNTY TREASURER

STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER

I, _____, COUNTY TREASURER OF FALL RIVER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIEING UPON THE TRACTS OF LAND AS SHOWN HEREON AS SHOWN BY RECEIPTS OF MY OFFICE, HAVE BEEN PAID TO DATE.

DATED: _____

COUNTY TREASURER

OFFICE OF REGISTER OF DEEDS

STATE OF SOUTH DAKOTA, COUNTY OF FALL RIVER

FILED FOR RECORD THIS 30th DAY OF Nov, 1960, AT 10:15 O'CLOCK A.M. AND RECORDED IN BOOK 7 OF PLATS ON PAGE 34 THEREIN.

Beverly K. Montgomery
DEPUTY REGISTER OF DEEDS

Remarks by State Water Resources Commission:

The priority established for this permit was transferred from Permit 480-2, and together with Permit 676-2 utilizes the full amount of water granted under 480-2 and hereby cancels 480-2. The reduced amount of water from the 8.62 cfs granted under 480-2 comes about from the transfer of .91 cfs to 676-2.

STATE OF SOUTH DAKOTA

County of Hughes ss.

Pierre, South Dakota, February 15, 1962

This is to certify that the foregoing application was received by the Commission at 8:45 o'clock

a.m. upon the 7th day of July, 1961.

State Water Resources Commission

By:

Burton Jones
Chief Engineer, Executive Officer

Number of permit 718-2

Date of first receipt of application

July 7

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

April 14

1958

Approved

November 8

1961

Recorded in Book

71

Page

36

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

November 8, 1962

2nd. The whole of said work is to be completed on or before

November 8, 1964

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

November 8, 1964

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

irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed ~~7.71~~ 7.71 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 by 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 November 8, 1964; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this

15th

day of

February, 1962

State Water Resources Commission

By:

J. O. Ruess

Chief Engineer, Executive Officer

Certificate of Construction Issued

SEPTEMBER 1, 1964

Water License Issued

SEPTEMBER 1, 1964

ATTACHMENT
TO
FORM 2 - APPLICATION FOR PERMIT TO APPROPRIATE WATER
RUDOLPH LULF, APPLICANT

ITEM 5. LOCATION OF POINT OF DIVERSION.

- DAM No. 1. ACROSS DRY CREEK S30°40'E 1,469.3 FEET FROM THE NORTHWEST CORNER OF SECTION 8, T10S, R6E, BHM.
- DAM No. 2. ACROSS DRY CREEK N22°36'E 838.4 FEET FROM THE SOUTHWEST CORNER OF SECTION 5, T10S, R6E, BHM.
- DAM No. 3. ACROSS DRY DRAW TRIBUTARY OF DRY CREEK N48°22'W 1,960.6 FEET FROM THE SOUTHEAST CORNER OF SECTION 5, T10S, R6E, BHM.
- DAM No. 4. ACROSS DRY DRAW TRIBUTARY OF DRY CREEK S50°33'W 960.9 FEET FROM THE EAST ONE-QUARTER CORNER OF SECTION 5, T10S, R6E, BHM.
- DAM No. 5. ACROSS DRY DRAW TRIBUTARY OF DRY CREEK S49°41'W 1,469.5 FEET FROM THE NORTHEAST CORNER OF SECTION 5, T10S, R6E, BHM.
- DAM No. 6. ACROSS DRY DRAW TRIBUTARY OF DRY CREEK N49°01'E 1,231.2 FEET FROM THE SOUTHWEST CORNER OF SECTION 33, T9S, R6E, BHM.
- DAM No. 7. ACROSS DRY DRAW TRIBUTARY OF DRY CREEK N6°20'W 2,323.4 FEET FROM THE SOUTH ONE-QUARTER CORNER OF SECTION 33, T9S, R6E, BHM.
- PUMP FROM DRY CREEK N72°21'E 1,771 FEET FROM SOUTHWEST CORNER OF SECTION 29, T9S, R6E, BHM.

ALL DIVERSIONS IN FALL RIVER COUNTY.

ITEM 9. DESCRIPTION OF DIVERSION WORKS.

1. NATURE OF WORKS:

SEE GENERAL LAYOUT

DAM No. 1 ACROSS DRY CREEK WILL NOT PERMANENTLY STORE WATER. IT WILL TEMPORARILY STORE FLOOD WATERS AND RELEASE THEM THROUGH AN OPEN 12-INCH PIPE AT THE BOTTOM OF THE DAM. THIS WATER WILL GO INTO DAM No. 2, WHICH WILL STORE WATER. ANY OVERFLOW FROM DAM No. 1 WILL ALSO FLOW INTO DAM No. 2 RESERVOIR.

THE IRRIGATION DITCH RUNNING NORTH FROM DAM No. 2 IS FED BY AN OPEN 12-INCH PIPE. THE WATER THAT IS NOT USED BY THE GROUND WILL DRAIN INTO DRY CREEK. ANY OVERFLOW FROM DAM No. 2 WILL ALSO RETURN TO DRY CREEK.

AS WATER IS NEEDED AT THE NORTH END OF THE PROJECT, THE 15-INCH PIPE AT THE BOTTOM OF DAM No. 2 WILL BE OPENED AND THIS WATER WILL GO DOWN THE MAIN CANAL. CANVAS DITCH BLOCKS WILL BE PLACED IN THIS CANAL TO FLOOD IRRIGATE THE AREA SHOWN IN THE S½, SECTION 5, SOUTH AND EAST OF DRY CREEK.

DAMS NOS. 3, 4 AND 5 SERVE TO STORE SOME OF THE FLOOD WATERS COMING DOWN THE DRAWS INTO DRY CREEK. THE OVERFLOW WATER IS DIVERTED INTO

SHEET 2

ATTACHMENT TO FORM 2

RUDOLPH LULF APPLICATION

THE MAIN CANAL, WHICH TERMINATES SOUTHWEST OF DAM NO. 6 AND DRAINS INTO DAM NO. 6. AN OPEN 12-INCH PIPE THROUGH DAM NO. 5 WILL RETURN EXCESS WATER TO DRY CREEK. THIS PIPE IS TO BE SET AT THE SAME ELEVATION AS THE OUTLET CANAL FROM DAM NO. 5 SO THAT AT ANY TIME DAM NO. 5 IS FULL WATER WILL BE RETURNED TO DRY CREEK.

DAM NO. 6 WILL STORE WATER FROM THE MAIN CANAL. THE IRRIGATION DITCH RUNNING TO THE EAST FROM DAM NO. 6 WILL IRRIGATE THE AREA BETWEEN THE DITCH AND DAM NO. 7. THERE IS TO BE A 15-INCH PIPE WITH A SHEAR GATE AT THE BOTTOM OF DAM NO. 6 THAT WILL BE OPENED WHEN WATER IS NEEDED IN DAM NO. 7. OVERFLOW FROM DAM NO. 6 FLOWS INTO DAM NO. 7.

DAM NO. 7 WILL SUPPLY THE TWO IRRIGATION DITCHES SHOWN BELOW THE DAM. IT STORES FLOOD WATERS FROM THE DRAWS TO THE SOUTH AND EAST AND OVERFLOW FROM THE UPPER DAMS. THERE WILL BE A 15-INCH PIPE AND SHEAR GATE AT THE BOTTOM THAT WILL CONTROL THE AMOUNT OF WATER USED FROM THE DAM.

THE TWO DITCHES BELOW DAM NO. 7 WILL IRRIGATE THE AREA BETWEEN THEM. A SPECIAL DITCH WITH A DITCH DROP WILL BE CONSTRUCTED AS SHOWN AT THE END OF THE WEST DITCH FROM DAM NO. 7. THIS DITCH WILL EMPTY INTO DRY CREEK. AS WATER IS NEEDED TO IRRIGATE THE AREA SOUTH OF DRY CREEK IN THE $10\frac{1}{2}$ SE $\frac{1}{4}$, SECTION 29, WATER WILL BE PUMPED FROM DRY CREEK INTO THE IRRIGATION DITCH AS SHOWN. ANY EXCESS WATER WILL RUN BACK INTO DRY CREEK.

THE EAST DITCH FROM DAM NO. 7 DIVIDES ON EACH SIDE OF A SLIGHT RIDGE THAT IS THE FARM HOUSE ROAD. THE LAND EAST OF THIS DITCH WILL BE IRRIGATED TO THE SECTION LINE.

NO WATER IS DIVERTED OUT OF THE DRY CREEK DRAINAGE AND ALL UNUSED OR SURPLUS WATER IS RETURNED TO DRY CREEK.

II. DIMENSIONS OF WORKS:

(A) DAMS:

DAM NO. 1. HEIGHT, 17.6 FEET; LENGTH AT BOTTOM, 110 FEET; LENGTH AT TOP, 320 FEET; THICKNESS AT BOTTOM, 97 FEET; THICKNESS AT TOP, 12 FEET; SLOPE AT FRONT WATER FACE, 3:1; SLOPE AT BACK FACE, 2:1; MATERIAL USED IN CONSTRUCTION, EARTH FILL.

DAM NO. 2. HEIGHT, 20 FEET; LENGTH AT BOTTOM, 280 FEET; LENGTH AT TOP, 900 FEET; THICKNESS AT BOTTOM, 132 FEET; THICKNESS AT TOP, 12 FEET; SLOPE AT FRONT WATER FACE, 3:1; SLOPE AT BACK FACE, 2:1; MATERIAL USED IN CONSTRUCTION, EARTH FILL.

DAM NO. 3. HEIGHT, 4.3 FEET; LENGTH AT BOTTOM, 50 FEET; LENGTH AT TOP, 230 FEET; THICKNESS AT BOTTOM, 32 FEET; THICKNESS AT TOP, 10 FEET; SLOPE AT FRONT WATER FACE, 3:1; SLOPE AT BACK FACE, 2:1; MATERIAL USED IN CONSTRUCTION, EARTH FILL.

DAM No. 4. HEIGHT, 11.6 FEET; LENGTH AT BOTTOM, 60 FEET; LENGTH AT TOP, 280 FEET; THICKNESS AT BOTTOM, 70 FEET; THICKNESS AT TOP, 10 FEET; SLOPE AT FRONT WATER FACE, 3:1; SLOPE AT BACK FACE, 2:1; MATERIAL USED IN CONSTRUCTION, EARTH FILL.

DAM No. 5. HEIGHT, 8.4 FEET; LENGTH AT BOTTOM, 100 FEET; LENGTH AT TOP, 360 FEET; THICKNESS AT BOTTOM, 67 FEET; THICKNESS AT TOP, 10 FEET; SLOPE AT FRONT WATER FACE, 3:1; SLOPE AT BACK FACE, 2:1; MATERIAL USED IN CONSTRUCTION, EARTH FILL.

DAM No. 6. HEIGHT, 18.6 FEET; LENGTH AT BOTTOM, 160 FEET; LENGTH AT TOP, 830 FEET; THICKNESS AT BOTTOM, 105 FEET; THICKNESS AT TOP, 12 FEET; SLOPE AT FRONT WATER FACE, 3:1; SLOPE AT BACK FACE, 2:1; MATERIAL USED IN CONSTRUCTION, EARTH FILL.

DAM No. 7. HEIGHT, 20 FEET; LENGTH AT BOTTOM, 670 FEET; LENGTH AT TOP, 1,600 FEET; THICKNESS AT BOTTOM, 112 FEET; THICKNESS AT TOP, 12 FEET; SLOPE AT FRONT WATER FACE, 3:1; SLOPE AT BACK FACE, 2:1; MATERIAL USED IN CONSTRUCTION, EARTH FILL.

(B) RESERVOIR:

DAM No. 1. CAPACITY WHEN FILLED, 65.5 ACRE FEET. SURFACE AREA AT HIGHWATER MARK, 11.4 ACRES.

DAM No. 2. CAPACITY WHEN FILLED, 143.8 ACRE FEET. SURFACE AREA AT HIGHWATER MARK, 20.8 ACRES.

DAM No. 3. CAPACITY WHEN FILLED, .4 ACRE FEET. SURFACE AREA AT HIGHWATER MARK, .5 ACRE.

DAM No. 4. CAPACITY WHEN FILLED, 3.5 ACRE FEET. SURFACE AREA AT HIGHWATER MARK, 1.3 ACRES.

DAM No. 5. CAPACITY WHEN FILLED, 7.2 ACRE FEET. SURFACE AREA AT HIGHWATER MARK, 2.3 ACRES.

DAM No. 6. CAPACITY WHEN FILLED, 83.1 ACRE FEET. SURFACE AREA AT HIGHWATER MARK, 14.8 ACRES.

DAM No. 7. CAPACITY WHEN FILLED, 120.4 ACRE FEET. SURFACE AREA AT HIGHWATER MARK, 26.2 ACRES.

TOTALS: TOTAL CAPACITY WHEN FILLED, 423.9 ACRE FEET. TOTAL SURFACE AREA AT HIGHWATER MARK, 77.3 ACRES.

SHEET 4
ATTACHMENT TO FORM 2
RUDOLPH LULF APPLICATION

DEPTH AT
OUTLET - FEET

SURFACE AREA
ACRES

CAPACITY
ACRE-Feet

DAM No. 1

17.6
6.
3

11.4
6.0
.4

65.5
16.7
.5

DAM No. 2

20.6
15
13
8
6

20.8
11.7
7.8
2.7
1.4

143.8
52.8
33.2
6.9
2.8

DAM No. 3

2.3

.5

.4

DAM No. 4

7.6

1.3

3.5

DAM No. 5

6.2
2

2.3
.9

7.2
.6

DAM No. 6

15.6
15.1
13
8
3

14.8
13.7
11.2
3.9
.6

83.1
76.0
49.9
12.0
.6

DAM No. 7

18
16
14
3
7.4

14.1
16.2
17.5
6.6
3.5

140.7
120.4
76.8
16.4
8.4

ITEM 7B. LEGAL SUBDIVISIONS TO BE IRRIGATED.

T9S, R6E, BHM

SECTION 29

SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	34.5 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	31.1 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	36.6 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	1.0 ACRE
SW $\frac{1}{4}$ SW $\frac{1}{4}$	11.4 ACRES

TOTAL, SECTION 29 274.6 ACRES

SECTION 32

NE $\frac{1}{4}$ NE $\frac{1}{4}$	37.3 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	7.7 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.1 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.6 ACRES

TOTAL, SECTION 32 50.7 ACRES

SECTION 33

NW $\frac{1}{4}$ NW $\frac{1}{4}$	20.8 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	23.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	28.5 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	.5 ACRE
NE $\frac{1}{4}$ SW $\frac{1}{4}$	13.7 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	32.3 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	7.9 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	8.1 ACRES

TOTAL, SECTION 33 134.8 ACRES

T10S, R6E, BHM

SECTION 5

NE $\frac{1}{4}$ SE $\frac{1}{4}$	7.5 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	36.9 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	7.1 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	24.5 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	18.8 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	33.5 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	15.0 ACRES

TOTAL, SECTION 5 143.3 ACRES

TOTAL IRRIGATED AREA 603.4 ACRES

STATE OF SOUTH DAKOTA

WATER LICENSE No. 718-2

WHEREAS, On the 7th day of July A. D. 1961
Rudolph Lulf

of Hot Springs County of Fall River and State of
South Dakota duly made application (No. 718-2) to us for a permit to use 7.71
cubic feet per second of the waters of Dry Creek and tributaries
County of Fall River, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 15th day of February A. D. 1962
Permit No. 718-2 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 8th day of
November A. D. 1964 and for the application to beneficial use of said
water on or before the November day of November A. D. 1964
and,

WHEREAS, On the 27th day of August A. D. 1964
the holder of said permit duly made proof of the completion of adequate works for the diversion of 10.0
cubic feet per second of said waters, as evidenced by our Certificate No. 718-2
dated September 1, 1964 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 10.0 cubic feet per second of water, with date of
priority of April 14, 1958 ~~xxxx~~ and,

WHEREAS, On the 27th day of August A. D. 1964
proof was duly made of the application to beneficial use of 7.71 * cubic feet per second of said water;
for irrigating 671.3 acres in portions of Section 5, T10S, R6E and Sections 29, 32
and 33, T9S, R6E

* Originally 8.62 cfs was released by the Bureau of Reclamation from U.S. Withdrawal
No. 579-2 for development of this project. .91 cfs was transferred to Anton Lulf
under Permit 676-2.

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 Rudolph Lulf
of Hot Springs the holder and owner of said permit No. 718-2
a water right, dating from April 14, 1958 to the use of 7.71
cubic feet per second of the waters of Dry Creek and tributaries
in the County of Fall River and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at (see below)

and conducted to and upon 671.3 acres in Section 5, T10S, R6E and Sections 29, 32 and 33,
T9S, R6E, more specifically described in the Certificate of Completion of Works

for the purpose of irrigation

subject, however, to the laws or 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 1st day of September A. D. Nineteen
Sixty-Four
Hundred and

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

- Dam #1 - S30°40'E, 1469.3' from NE corner, Section 8, T10S, R6E
Dam #2 - N22°36'E, 838.4' from SE corner, Section 5, T10S, R6E
Dam #3 - N48°22'E, 1960.6' from SE corner, Section 5, T10S, R6E
Dam #4 - S50°33'E, 960.6' from E½ corner, Section 5, T10S, R6E
Dam #7 - N72°21'E, 1774' from SE corner, Section 29, T9S, R6E

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

Permit No. 718-2Water Division No. 2 S. Cheyenne River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Rudolph Gelfof Hot Springs, County of Fall River and State ofSouth Dakota, the holder of Permit No. 718-2, issued upon ApplicationNo. 718-2, bearing date of priority of April 14, 1958, authorizing the diversion of7.71 cu. ft. per second of the waters of Dry Creek & TributariesCounty of Fall River, State of South Dakota, at (over)for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 7.71 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: Section 5, T10S, R6ESection 32, T9S, R6ENE $\frac{1}{4}$ SE $\frac{1}{4}$ 7.5 acresNE $\frac{1}{4}$ NE $\frac{1}{4}$ 37.3 acresNW $\frac{1}{4}$ SE $\frac{1}{4}$ 36.9 "SE $\frac{1}{4}$ NE $\frac{1}{4}$ 7.7 "SW $\frac{1}{4}$ SE $\frac{1}{4}$ 7.1 "NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.1 "NE $\frac{1}{4}$ SW $\frac{1}{4}$ 24.5 "SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.6 "SE $\frac{1}{4}$ SW $\frac{1}{4}$ 18.8 "NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 "NW $\frac{1}{4}$ SW $\frac{1}{4}$ 33.5 "SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 "SW $\frac{1}{4}$ SW $\frac{1}{4}$ 15.0 "NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.3 "Section 29, T9S, R6ESection 33, T9S, R6ESE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 acresNW $\frac{1}{4}$ NW $\frac{1}{4}$ 20.8 acresNE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 "SW $\frac{1}{4}$ NW $\frac{1}{4}$ 23.0 "SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 "SE $\frac{1}{4}$ NW $\frac{1}{4}$ 28.5 "SW $\frac{1}{4}$ SE $\frac{1}{4}$ 34.5 "SW $\frac{1}{4}$ NE $\frac{1}{4}$.5 "NE $\frac{1}{4}$ SW $\frac{1}{4}$ 26.7 "NE $\frac{1}{4}$ SW $\frac{1}{4}$ 13.7 "NW $\frac{1}{4}$ SE $\frac{1}{4}$ 11.0 "SE $\frac{1}{4}$ SW $\frac{1}{4}$ 32.3 "SE $\frac{1}{4}$ SW $\frac{1}{4}$ 6.6 "SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7.9 "SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3.4 "SW $\frac{1}{4}$ SE $\frac{1}{4}$ 8.1 "Total - 671.3 "Witness my hand this 1st day of September A. D. 1964

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

Permit No.

Water Div. No. Water Dist.

Certificate of Completion of Works

Dated 19.....

Stream

County

Amount

Date of priority

Recorded in Book

of page

Points of Diversion:

Dam #1 S30°40'E, 1469.3' from NE corner, Section 8, T10S, R6E

Dam #2 N22°36'E, 838.4' from SE corner, Section 5, T10S, R6E

Dam #3 N48°22'E, 1960.6' from SE corner, Section 5, T10S, R6E

Dam #4 S50°33'E, 960.6' from E $\frac{1}{4}$ corner, Section 5, T10S, R6E

*

Dam #1' N72°21'E, 1774' from SE corner, Section 29, T9S, R6E

* Dam #5 Now under Permit #676-2

Dam #6 Deleted and 2' added to Dam #7

on or before
(First Publication October 12, 1961)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., Oct. 10, 1961

Notice is hereby given that Rudolph Lulf whose postoffice address is Hot Springs S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to ~~change lands to be irrigated~~ change lands to be irrigated with no additional water used than previously granted under Permit 480-2, ~~change lands to be irrigated~~ through the Rudolph Lulf Irrigation Project with water to be diverted from Dry Creek and tributaries in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 32 Twp. 9S Range 6E will now be portions of said water ~~used~~ for the purpose of providing irrigation on the following described land:

E $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32, T 9S, R 6E

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of November, 1961, 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.

CC: Chas. T. Leonard, Publisher
Hot Springs Star
Hot Springs, S. Dak.

State Water Resources Commission

By:

~~XXXXXXXXXXXXXXXXXXXX~~
BURTON F. JONES
Water Right Specialist

43d

AFFIDAVIT OF PUBLICATION

State of South Dakota)
County of Fall River) ss.

Charles T. Leonard of Hot Springs, Fall River County, South Dakota, being duly sworn, upon oath says that he is the publisher of The Hot Springs Star, a legal weekly newspaper published at Hot Springs, county and state aforesaid; that the advertisement headed—

*Appropriation
for water*

a true printed copy whereof is hereunto annexed, was published in the said Hot Springs Star, in the regular and entire issue of said paper,

for *Jan* successive issues, beginning with

the issue dated

Oct 12 196*1*

and ending with the issue dated

Nov 7 196*1*

That the full amount of the fee charged for the publication of said

notice is \$ *18.67*, and

that no agreement or understanding, for the division thereof, has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever, that the whole amount inures to the benefit of the publishers of said newspaper.

Charles T. Leonard

Subscribed and sworn to before me this *13* day of *Nov*

196*1*

R. B. Baird
Notary Public

218
(First Publication on or before October 12, 1961)
APPROPRIATION OF WATER
Office of State Water Resources Commission.
Pierre, S. Dak., Oct. 10, 1961
Notice is hereby given that Rudolph Lulf whose postoffice address is Hot Springs, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to change lands to be irrigated with no additional water used than previously granted under Permit 186-2, through the Rudolph Lulf Irrigation Project with water to be diverted from Dry Creek and tributaries in the NE1 of the SW1 of Section 32 Twp. 9S Range 6E. Said water will now be used for the purpose of providing irrigation on portions of the following described land:
E1NW1 and NW1NW1, Section 32, T 9S, R 6E
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 5th day of November, 1961, 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.
By: WURTON P. JONES
Water Right Specialist

RECEIVED
OCT 27 1961
STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

Permit No. 718-2Water Division No. 2 Cheyenne River Water District**NOTICE OF COMPLETION OF WORKS**

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

(P. O.) Hot Springs, So. Dak.(Date) August 1964

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 Rudolph Lulf
Irrigation Project 7.71 cu. ft. per second of the waters of the state from N55° 00' W
through the 3205.7 ft. from SW cor. Sec. 33, T19S, R6E, BHM
for stockwater and irrigation purposes
718-2 permit number in accordance with the terms and con-
ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Rudolph Lulf

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

3. The number of such permit is 718-2 and the date set for the completion of such work is
November 8th 1964

4. Said water to be used for stockwater and irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of
water which said works are capable of conducting to the place of intended use, in accordance with the plans ac-
companying the application for such permit, is 7.71 cubic feet per second.

6. The amount of land for which said water is available is 667.3 acres,
particularly described as follows: See original application number 480-2. Attachment sheet
5 (duplicate). Additional plus application number 718-2 for 63.9 acres. NW 1/4, SE 1/4,
L3 A. of NW 1/4, NW 1/4 Sec. 32, T19S, R6E, BHM

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

(Signature of Owners)

Sheet 5 Attachment for Rudolph Lulf Application

Total irrigated area on application number 480-2

T98, R6E, BHM

Section 29

SE 1/4 NE 1/4	40.0 Acres
NE 1/4 SE 1/4	40.0 Acres
SE 1/4 SE 1/4	40.0 Acres
NW 1/4 SE 1/4	40.0 Acres
SW 1/4 SE 1/4	34.5 Acres
NE 1/4 SW 1/4	31.1 Acres
SE 1/4 SW 1/4	36.6 Acres
NW 1/4 SW 1/4	1.0 Acres
SW 1/4 SW 1/4	11.4 Acres

Total, Section 29

274.6 Acres

Section 32

NE 1/4 NE 1/4	37.3 Acres
SE 1/4 NE 1/4	7.7 Acres
NW 1/4 NE 1/4	2.1 Acres
SW 1/4 NE 1/4	3.6 Acres

Total, Section 32

50.7 Acres

Section 33

NW 1/4 NW 1/4	20.8 Acres
SW 1/4 NW 1/4	23.0 Acres
SE 1/4 NW 1/4	28.5 Acres
SW 1/4 NE 1/4	1.5 Acres
NE 1/4 SW 1/4	13.7 Acres
SE 1/4 SW 1/4	32.3 Acres
SW 1/4 SW 1/4	7.9 Acres
SW 1/4 SE 1/4	8.1 Acres

Total, Section 33

134.8 Acres

T 10S, R6E, BHM

Section 5

NE 1/4 SE 1/4	7.5 Acres
NW 1/4 SE 1/4	36.9 Acres
SW 1/4 SE 1/4	7.1 Acres
NE 1/4 SW 1/4	24.5 Acres
SE 1/4 SW 1/4	18.8 Acres
NW 1/4 SW 1/4	33.5 Acres
SW 1/4 SW 1/4	15.0 Acres

Total Section 5

143.3 Acres

43.4 603.4 acres

Permit No. 718-2Water Division No. 2 Cheyenne River Water District**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.) Hot Springs(Date) August 21, 1964

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

DEAR SIR: Notice is hereby given that ^{after} the 21 day of August 1964, at Hot Springs County of Fall River State of South Dakota,before _____ proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)of 7.71 cubic feet per second of the waters of Dry Creek & tributaries_____ in accordance with the terms and conditions of Permit No. 718-2

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 _____

Rudolph Lulf2. The use to which said water has been applied is irrigation3. The amount applied to beneficial use is 7.714. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) as shown in the application &Map # 627-2

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

Lulf Irrigation Project6. The right to take the water from such works is based upon permit No. 718-27. The source of supply from which such water is diverted is Dry Creek & Tributaries8. The date of priority which said user is prepared to establish is April 14, 1958(Sign) Rudolph Lulf

Permit No. 718-2
2 SOUTH CHEYENNE
 Water Division No. 2 RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

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

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____

I have this day made a thorough examination of the diversion works constructed by RUDOLPH LULE of HOT SPRINGS FALL RIVER County, South Dakota, holder of Permit No. 718-2, issued upon Application No. 718-2, bearing date of priority of APRIL 14, 1958, authorizing the diversion of 7.71 cu. ft. per second of the waters of DRY CREEK & TRIBUTARIES for IRRIGATION purposes. I have to report on the condition of the same as follows:

The diversion works comprise: A SERIES OF SIX DAMS, ALL CONNECTED BY A CANAL SYSTEM WITH DRAIN DITCHES & FACILITIES TO BY-PASS ALL FLOWS IF DESIRED. APPROXIMATELY 8 MILES OF MAIN DITCHES ARE CONTAINED IN THE SYSTEM, WITH ALMOST ALL OF THE ACREAGE LEVELLED and the system is in the following condition: EXCELLENT (OVER)

The point of diversion is located (OVER)

The works are capable of diverting and conveying to the place of use 100 cu. ft. per second of water, which is to be used for IRRIGATION.

The legal sub-divisions to be irrigated are: T.10S., R.26E., SECTION 5
NE⁴SE⁴ 7.5 ACRES, NW⁴SE⁴ 36.9 AC., SW⁴SE⁴ 7.1 AC.
NE⁴SW⁴ 24.5 AC., SE⁴SW⁴ 18.8 AC., NW⁴SW⁴ 33.5 AC.
SW⁴SW⁴ 15.0 AC. (OVER)

comprising a total of 671.3 ~~667.3~~ acres of land.

The domestic use intended comprises _____

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

Witness my hand, this 27TH day of _____

AUGUST

A. D. 1964

--SEAL--

Justin Z. Jones
 Examining Engineer

OFFICER

Permit No. _____

Water Div. No. _____ Water Dist. _____

Certificate of Examination
of Works

Date _____ 19____

Stream _____

County _____

Amount _____ c. f. s.

Date of Priority _____

Recorded in Book _____ Page _____

Filed in the office of the State Water Resources Commission

this _____ day of _____ A. D. 19____

State Water Resources Commission

By: _____

Chief Engineer, Executive Officer

WITH BORDER DIKES. ALL DAMS ARE EQUIPPED WITH 24" CMP TUBES, WITH SHEAR GATES AT DAM #3 & #7. TOTAL STORAGE IN THE PROJECT IS APPROXIMATELY 400 ACRE FEET, 6" TUBES THRU DITCH WALLS ARE ABOVE WATER LEVEL OF DITCH. LEVEL WILL BE RAISED TO 6" OUTLETS BY CANVAS OR PLASTIC DAMS IN THE DITCH.

DIVERSION POINTS

- DAM #1 - S 30° 40' E 1469.3' FROM NE CORNER, SEC 8, T10S, R6E
- DAM #2 - N 22° 36' E 238.4' FROM SE CORNER, SEC 5, T10S, R6E
- DAM #3 - U 48° 22' E 1960.6' FROM SE CORNER, SEC 5, T10S, R6E
- DAM #4 - S 50° 33' E 960.6' FROM E 1/4 CORNER, SEC 5, T10S, R6E
- * DAM #5 S 49° 41' W 469.5' FROM NE CORNER, SEC 5, T10S, R6E
- DAM #6 DELETED (2' ADDITIONAL HEIGHT ON DAM #7)
- DAM #7 N 72° 21' E, 1774' FROM SE CORNER, SECTION 29, T9S, R6E

LANDS TO BE IRRIGATED (CONTINUED) ALL IN T9S, R6E

SECTION 29

SE ¹ NE ⁴	40.0 ac.
NE ⁴ SE ¹	40.0 "
SE ⁴ SE ¹	40.0 "
NW ¹ SE ¹	40.0 "
SW ¹ SE ¹	34.5 "
NE ¹ SW ⁴	26.7 "
SE ¹ SW ⁴	36.6 "
SW ⁴ SW ⁴	3.4 "

SECTION 32

NE ¹ NE ¹	37.3 ac.
SE ¹ NE ¹	7.7 "
NW ¹ NE ¹	2.1 "
SW ¹ NE ¹	3.6 "
NE ¹ NW ¹	40.0 "
SE ¹ NW ¹	40.0 "
NW ¹ NW ¹	1.3 "

SECTION 33

NW ¹ NW ¹	20.8 ac.
SW ¹ NW ¹	23.0 "
SE ¹ NW ¹	28.5 "
SW ¹ NE ¹	.5 "
NE ¹ SW ¹	13.7 "
SE ¹ SW ¹	32.3 "
SW ¹ SW ¹	7.9 "
SW ¹ SE ¹	8.1 "

* THIS DAM IS PART OF THE ORIGINAL APPLICATION, AND IS NOW USED BY ANTON LULF UNDER PERMIT 616-2.

Water Rights Division - DWR

File No. 718-2

Conversation or File Documentation

NAME OF PERSON OR FEE: OAKLEY Lamphere
 ADDRESS: RR Sturgeon COUNTY Fall River
 DATE: 11-10-82 TELEPHONE 347-3689

RE: Transfer of 718-2 Rudolph Lutz; cancellation of 1035-1 Jerry Fowler
 COMMENTS: and application for Pleasant Valley Tree Corp.

Mr. Lamphere indicated that he is now the owner of the land, covered under Water Right No. 718-2 listed under Rudolph Lutz's name.

A letter in our files dated Dec. 30, 1981 indicated application forms were sent to him for applying for permit for suburban housing. I asked him if he'd ever went ahead with the project - he stated yes - he has about 10 houses there. I told him I'd send him more app. forms - he should obtain a water right for that use.

During the conversation we discussed an old permit for recreation & commercial use in the name of Jerry Fowler (which Edg. Lamphere now owns). Mr. Lamphere indicated that the project was nearly completed. OK to cancel.

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.

NAME: Denny Young

Water Rights Division
605 773-3352

November 12, 1982

718-2

Oakley Lamphere
RR
Sturgis SD 57785

Dear Mr. Lamphere:

This letter is in regard to our telephone conversation on November 10, 1982, concerning the transfer of Water Right No. 718-2 listed in the name of Rudolph Lulf.

Enclosed please find a partially completed Form 20, "Notice of Transfer". Please check over, date, sign and have notarized before returning it to this office with a filing fee of \$2.50. The Water Right will then be transferred to your name.

As discussed in our phone conversation, also enclosed is a set of application forms and instruction sheet to apply for a permit for suburban housing development for the Pleasant Valley Development Corporation.

If you have any questions concerning either the transfer or the application forms, please contact this office.

Sincerely,

GENNY YOUNG
Water Rights Specialist

GY:ks

enclosures

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

January 25, 1983

SECOND NOTICE
718-2

Oakley Lamphere
RR
Sturgis SD 57785

Dear Mr. Lamphere:

On November 12, 1982 notice was sent to you concerning the transfer of Water Permit No. 718-2 in the name of Rudolph Lulf which covers irrigation of 671.3 acres in portions of Section 5, T10S R6E and Sections 29, 32 & 33, T9S, R6E. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name.

If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current.

On the above date, you were also sent application forms for applying for a water permit for suburban housing development for the Pleasant Valley Development Corporation. To date, we have not received an application from you for this purpose.

If you need assistance, or need an additional set of forms, please advise.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:GY:ks

enclosure

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9142

PIERRE, February 2, 1983

RECEIVED OF ~~Oakley O. Leashore, Box 476, Sturgis, SD 57785~~

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing TRANSFER of WR# 718-2	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (ms)

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Nov 15, 1982

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

671.3 acres - N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ Section 5, R10S, R6E; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$,

SW $\frac{1}{4}$, Section 29; NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32; NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,

S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, T9S, R6E
formerly owned by Rudolph Lulf

has been transferred to Oakley Lamphere, ^{& Sons} BR, Sturgis SD 57785

(please include complete mailing address)

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

Water Right Permit No. 718-2 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

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

I, Oakley O Lamphere & Sons 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.

Oakley O Lamphere & Sons
(Signed)

Subscribed and sworn to before me this 23rd Day of November, 1982:

Anne Fick
(Notary Public)

NOTARY COMMISSION EXPIRES
January 12, 1985

WNR-820-7/79

Notice of Transfer of Water Permit



No. 718-2



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

February 2, 1983

Oakley Lamphere & Sons
Box 476
Sturgis SD 57785

Dear Sirs:

Enclosed is receipt No. 4 9142 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 718-2.

Our records now show you as the owner of this Water Right.

Sincerely,

KAREN SCHLAAK
Administrative Aide

enclosure

WNR-821-7/79

Receipt & Notice of filing of Transfer of Water Right



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

February 28, 1984

718-2

Oakley Lamphere
Box 476
Sturgis SD 57785

Mr. Lamphere:

Enclosed please find several transfer forms to be used for transferring land covered under Water Right No. 718-2. A separate transfer should be completed if more than one new owner is involved. We will then issue a new license for each of the new owners. Any agreement as to separation of maintenance responsibilities between the new owners should also be included. In reference to your phone conversation with LeRoy Mernaugh yesterday, the only water rights on file in our office in this area are the ones I sent you. If you have any further questions, please contact this office.

Thank you,

KEVIN C LARSON
Water Resources Engineer

KCL:ks

enclosures

Equal Opportunity Employer

SOUTH



Department of Water & Natural Resources

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

718-2

September 2, 1988

Vernon Schnose
St Rt Box 155,
Hot Springs, SD 57747

Dear Mr. Schnose:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 718-2. The form should be checked over and signed in the presence of a notary public by the new owner. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water right will then be transferred to the proper name.

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 us.

Sincerely,

Lenny McMath

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



SOUTH DAKOTA Department of
Water & Natural Resources

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

September 28, 1938

676-2
718-2

Jim Hollenbeck
Farm Credit Services
PO Box 3130
Rapid City, SD 57709

Dear Mr. Hollenbeck:

In response to our telephone conversation, enclosed are copies of Water Right Nos. 676-2, Anton Lulf and 718-2, Oakley Lamphere and Sons. Also enclosed is a copy of the map for each water right.

If you have any questions, or need additional information, please contact us.

Sincerely,

Genny McMATH

GENNY McMATH
Natural Resources Analyst
606 773-3352

enclosures



NO. 718-2

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 11/11/1988

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

N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ Section 5, T10S, R6E; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ Section 29,

NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 33, T9S, R6E

formerly owned by Oakley Lamphere & Sons

has been transferred to Frank Stearns, P.O. Box 73, Cheyenne WY 82003
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 718-2 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
County of Pennington) ss.

I, Frank Stearns 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.

Frank Stearns
(Signed)

Subscribed and sworn to before me this 10th Day of November, 1988

David Louis Beach
(Notary Public)

My Comm. Expires Feb. 12, 1989

WNR-820-9/83

Notice of Transfer of Water Permit

SOUTH



Department of Water & Natural Resources

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

November 16, 1988

718-2

Frank Stearns
PO Box 73
Cheyenne, WY 82003

Dear Mr. Stearns:

I am contacting you in regard to the "Notice of Transfer" you submitted for filing an ownership change on Water Right No. 718-2. The form was completed properly, however, it can not be filed for record without the required filing fee of \$2.50.

Upon receipt of the \$2.50 fee, Water Right No. 718-2 will be transferred to you.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352



RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

A11503

Pierre, December 2, 1928

RECEIVED OF Frank Stearns, PO Box 73, Cheyenne, WY 82003
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>718-2</u> _____	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

December 2, 1988

Frank Stearns
PO Box 73
Cheyenne, Wyoming 82003

Dear Mr. Stearns:

Enclosed is receipt No. 411526 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 718-2.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

WNR-821-7/79
Receipt & Notice of filing of Transfer of Water Right

 **Department of
Water & Natural Resources**

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

April 12, 1989

718-2

Gary Kruse
Soil Conservation Service
HC 51 Box 201
Hot Springs, SD 57747

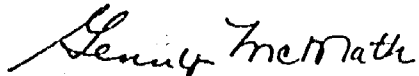
Dear Mr. Kruse:

In followup to our telephone conversation of April 11, 1989, enclosed are copies of Water Right Nos. 718-2 and 676-2. Water Right No. 718-2 is currently listed in the name of Frank Stearns and Water Right No. 676-2 is listed in the name of Melvin Lulf. I included a copy of No. 676-2 because it authorizes irrigation near the acreage you were concerned with in No. 718-2.

During our discussion, you inquired about a permit in which Oakley Lamphere may have requested to have it cancelled. I was unable to find anything in the legal description you gave me. I did find a permit in Meade County, originally filed by Jerry Fowler, later owned by Mr. Lamphere that was cancelled at his request. Enclosed is a copy of Water Permit No. 1035-1 and the correspondence which followed.

If you have any questions concerning the enclosed information, or need copies of other water permits, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures



L

SOUTH DAKOTA
Department of
Water & Natural Resources

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

May 11, 1989

718-2

NOTICE

TO: Frank Stearns
P.O. Box 73
Cheyenne, WY 82003

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. 718-2. 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 Boss Building
523 East Capitol
Pierre, South Dakota 57501-3181

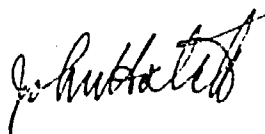
March 19, 1990

718-2

NOTICE

TO: Frank Stearns
P.O. Box 73
Cheyenne, WY 82003

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. 718-2. 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).

MICHAEL A. PORTER

P.O. BOX 292
112 NORTH CHICAGO
HOT SPRINGS, SOUTH DAKOTA 57747

TELEPHONE: (605) 745-4866
FAX: (605) 745-3119

cc: Vernon Schnose

QUIT CLAIM DEED

FRANK F. STEARNS and CAROL A. STEARNS, husband and wife, of Box 73, Cheyenne, Wyoming, GRANTORS, for and in consideration of the sum of ONE (\$1.00) DOLLAR and other good and valuable consideration, hereby convey and quitclaim unto VERNON SCHNOSE and MARY J. SCHNOSE, husband and wife, as joint tenants with rights of survivorship and not as tenants in common, of Star Route Box 155, Hot Springs, South Dakota, GRANTEES, the following described real property, to-wit:

TOWNSHIP 9¹ SOUTH, RANGE 6¹ EAST, OF THE BLACK HILLS MERIDIAN:

Section

NW¹/₄NW¹/₄; S¹/₂N¹/₂; and S¹/₂ 28 ✓
SE¹/₄NE¹/₄; SW¹/₄NW¹/₄; and S¹/₂ 29 ✓
NW¹/₄NW¹/₄; S¹/₂N¹/₂; and S¹/₂ 30 ✓
N¹/₂; and NE¹/₄SE¹/₄ 31 ✓
N¹/₂; and N¹/₂SW¹/₄ 32 ✓
All of 33 ✓

TRANSFER FEE
PAID \$ 3.50

TOWNSHIP 10 SOUTH, RANGE 6 EAST, OF THE BLACK HILLS MERIDIAN:

Section

All of 4 ✓
S¹/₂ 5 ✓
All of 7 ✓
W¹/₂ 8 ✓
All of 9 ✓
Lots 1, 2 and 3; E¹/₄W¹/₄; and E¹/₂ 18 ✓
N¹/₂NE¹/₄ 20 ✓



Subject to all outstanding real estate taxes due to Fall River County, South Dakota, which taxes shall become the sole obligation of Schnoses.

Stearns further reserve forty-nine percent (49%) of all mineral and oil and gas rights held, owned or possessed by Stearns as of this date, together with forty-nine percent (49%) of any incentive payments made thereupon.

Schnoses shall be entitled to receive all of the annual and surface damage payments made as a result of any exploration or development of any such leases.

DATED this 13th day of September, 1989.

Frank F. Stearns
FRANK F. STEARNS

Carol A. Stearns
CAROL A. STEARNS

Schnose/Stearns
Quit Claim Deed
Page Two (2)

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON) SS

ON THIS, the 13th day of September, 1989, before me, the undersigned officer, personally appeared Frank F. Stearns and ^{FRANK F. STEARNS ATTORNEY-IN-FACT FOR} Carol A. Stearns known to me or satisfactorily proven to me to be the persons whose names are attached to the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF I Hereunto Set My Hand and Official Seal.

My Commission Expires 6-5-94

James H. Dineen
NOTARY PUBLIC - SOUTH DAKOTA



Department of Water & Natural Resources

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

August 8, 1990

718-2

Kenneth R Dewell
Dewell Law Office
PO Box 292
Hot Springs, SD 57747

Dear Mr. Dewell:

In response to your letter of July 24, 1990, enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 718-2. The water right is currently listed in the name of Frank Stearns.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.7 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 me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure

KENNETH R. DEWELL
MICHAEL A. PORTER

Dewell Law Office

P.O. BOX 292
112 NORTH CHICAGO
HOT SPRINGS, SOUTH DAKOTA 57747

TELEPHONE (605) 745-4966
FAX (605) 745-3119

August 28, 1990

Genny McMath
Natural Resources Analyst
Department of Water and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

RE: Vernon Schnose Water Permit

Dear Genny:

Enclosed please find the original of the Notice Of Transfer Of Ownership with regard to Water Permit #718-2. Also enclosed please find check #2294 drawn on my Office Trust Account in the amount of \$2.50 for the filing fees.

I trust this document meets with your approval but should you have any questions or need any further documentation before issuing a new Permit in Mr. Schnose's name, please feel free to contact my office. Once issued, please forward that original document so that I can make the proper notation in my file. I will then see that it is forwarded on to Mr. Schnose.

In advance, both I and Mr. Schnose would like to thank you for your prompt and courteous attention to this matter.

Respectfully submitted,

Kenneth R. Dewell

Kenneth R. Dewell

KRD(mt)

Enc.

cc: Vernon Schnose

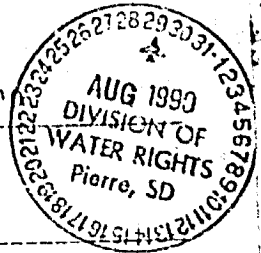


NOTICE OF TRANSFER OF OWNERSHIP

No. 718-2

TO: Chief Engineer //
Water Rights Division, DWNR
523 East Capitol
Pierre, SD 57501-3181

Date: August 28, 1990



I/We request that Water Permit/Right No. 718-2

formerly owned by: Frank Stearns, P.O. Box 73, Cheyenne, WY 82003

be transferred to: (name & address) Vernon Schnose, Star Route Box 155,

Hot Springs, SD 57747

(telephone No.) 745-5746

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

See attached Legal Description in Assignment of Equity in Contract

For Deed dated September 15, 1990.

I/We understand that the validity of Water Permit/Right No. 718-2 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, Vernon Schnose, 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.

Vernon Schnose
(Signed)

Subscribed and sworn to before me this 28th day of August, 1990.

My Commission Expires: 6-5-94

Kenneth R. Dewell
(Notary Public)
Kenneth R. Dewell

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 water 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.

ASSIGNMENT OF EQUITY IN CONTRACT FOR DEED

For the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00), the receipt and sufficiency of which is hereby acknowledged, we, Frank F. Stearns and Carol A. Stearns, husband and wife, of Box 73, Cheyenne, Wyoming, hereinafter referred to as "Stearns", hereby transfer and assign to Vernon Schnose and Mary J. Schnose, husband and wife, of Star Route Box 155, Hot Springs, South Dakota, hereinafter referred to as "Schnose", as joint tenants with right of survivorship and not as tenants in common, all of our right, title and equity in that certain Contract For Deed dated the 26th day of March, 1987, wherein the Federal Land Bank of Omaha, was Seller, and we, Frank F. Stearns and Carol A. Stearns are Buyers, and which Contract For Deed relates to the following described real property:

TOWNSHIP 9 SOUTH, RANGE 6 EAST, OF THE BLACK HILLS MERIDIAN:

	<u>Section</u>
NW $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ N $\frac{1}{2}$; and S $\frac{1}{2}$ ✓	28 ✓
SE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; and S $\frac{1}{2}$ ✓	29 ✓
NW $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ N $\frac{1}{2}$; and S $\frac{1}{2}$ ✓	30 ✓
N $\frac{1}{2}$; and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ✓	31 ✓
N $\frac{1}{2}$; and N $\frac{1}{2}$ SW $\frac{1}{4}$ ✓	32 ✓
All of ✓	33 ✓

TOWNSHIP 10 SOUTH, RANGE 6 EAST, OF THE BLACK HILLS MERIDIAN:

	<u>Section</u>
All of ✓	4 ✓
S $\frac{1}{2}$ ✓	5 ✓
All of ✓	7 ✓
W $\frac{1}{2}$ ✓	8 ✓
All of ✓	9 ✓
Lots 1, 2 and 3; E $\frac{1}{2}$ W $\frac{1}{2}$; and E $\frac{1}{2}$ ✓	18 ✓
N $\frac{1}{2}$ Ne $\frac{1}{4}$ ✓	20 ✓

Subject to all outstanding real estate taxes due to Fall River County, South Dakota, which taxes shall become the sole obligation of Schnoses.

Stearns further reserve forty-nine percent (49%) of all mineral and oil and gas rights held, owned or possessed by Stearns as of this date, together



Schnose/Stearns
Assignment of Contract
For Deed
Page Two (2)

with forty-nine percent (49%) of any incentive payments made thereupon.
Schnoses shall be entitled to receive all of the annual and surface damage
payments made as a result of any exploration or development of any such leases.

Dated this 13th day of September, 1989.

Frank F. Stearns
FRANK F. STEARNS

Carol A. Stearns Attorney-in-fact for
CAROL A. STEARNS

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

ON THIS, the 13th day of September, 1989, before me, the undersigned
officer, personally appeared Frank F. Stearns and Carol A. Stearns known to me
or satisfactorily proven to me to be the persons whose names are attached to the
foregoing instrument, and acknowledged that they executed the same for the pur-
poses therein contained.

IN WITNESS WHEREOF I Hereunto Set My Hand and Official Seal.

[Signature]
NOTARY PUBLIC - SOUTH DAKOTA

My Commission Expires 6-5-94.



Frank F. Stearns

TO

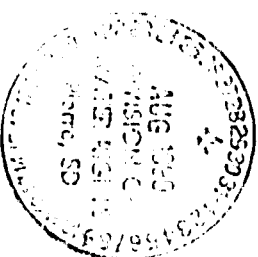
Vernon Schnose

STATE OF SOUTH DAKOTA } SS
COUNTY OF SIOUX

FILED FOR RECORD
14th day of September 1989

AT 2:20 P. M. 1989
Bk. 121 Misc. 380 thru 386
Richard Stearns
RECEIVED

FEES 15.00 chg Dewell



RECORDED
INDEXED
FILED
jn

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, August 27, 1977

RECEIVED OF Dawell Law Office, 112 E. Chicago, P.O. Box 222, Hot Springs, SD 57704
 the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		2 50
Fee for Filing Transfer Form <u>Water Permit No. 71-1</u>		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)	Total	2 50

By [Signature]
 Chief Engineer



Department of Water & Natural Resources

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

718-2

September 28, 1990

Kenneth R. Dewell
Dewell Law Office
112 N. Chicago - PO Box 292
Hot Springs SD 57747

Dear Mr. Dewell:

Enclosed is Receipt No. 412356 in the amount of \$2.50 which you paid for transfer of Water Right No. 718-2.

Our records now reflect "Vernon Schnose" as the owner of this Water Right.

Sincerely,

MARIE R. APTHUR
Secretary
Water Rights Division
(605) 773-3352

enclosure

cc: Vernon Schnose, SR Box 115, Hot Springs SD 57747

 **Department of
Water & Natural Resources**

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

March 14, 1991

718-2

NOTICE

TO: Frank Stearns
P.O. Box 73
Cheyenne, WY 82003

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

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

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

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

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

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

718-2

RESCISSION OF SHUTOFF ORDER

TO: Frank Stearns
P.O. Box 73
Cheyenne, WY 82003

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

Delvin W. Brosz

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

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

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

CERTIFICATION

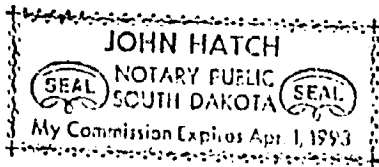
I hereby certify that on March 25, 1992, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 25, 1992, regarding Shut Off Order for Junior Water Right Holders Upstream of the Angostura Irrigation District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

718-2
1700-2

NOTICE

TO: VERNON SCHNOSE
ST RT BOX 155
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 Nos. 718-2, 1700-2 which are junior in priority to Water Right No. US579-2 held by the US Bureau of Reclamation for the Angostura Irrigation District.

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

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

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

REPORT NO	FIRST NAME	LAST NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIPCODE	FIRM#	FIRM
657 2		A & T CATTLE CO	104 LANDERS	ST RT	HOT SPRINGS	SD	57747		
302 2	RICHARD	ANDERSON	A CHAR ANDERSON	HER 54 BOX 18	FICKMONT	SD	57735		
1016 2	IRENE R	ANDERSON		HER 52 BOX 20	FICKMONT	SD	57735		
304 2		B & B RANCH INC	B F CHILDERS	PO BOX 791	FICKMONT	SD	57735		
534 2		BAILEY PROS		BOX 617	FICKMONT	SD	57735		
1235 2	LESTER E	BARTLEY		BOX 710	FICKMONT	SD	57735		
1032 2	NICO/MILLIE	BOESER	ANITA BOESER JR	HC 48 BOX 24	OPFELTCHS	SD	57763	1234 2	
755 2		BOENFORD INDIAN SCHOOL			HOT SPRINGS	SD	57747		
254 2	WAYNE F	CHILDERS		HER 50 BOX 14	FICKMONT	SD	57735		
616 2	V L	CHILDERS		BOX 723	FICKMONT	SD	57735		
654 2	OSCAR	COFF			OPFELTCHS	SD	57763		
1704 2	JOHN	DEWEERING		SR 1 BOX 136	LUSK	WY	82225		
504 2	HAROLD F	DUNSON		HER 50 BOX 54	FICKMONT	SD	57735	1410 2	
2058 2	LEROY/BERNHA	DUNSON		HC 48 BOX 248	PROVO	SD	57774		
1095 2	DAVID M	DUNBAR		RR BOX 32	OPFELTCHS	SD	57763		
248 2		DUNN BROTHERS, INC.	CARL F DUNN, PRES	HER 46 BOX 5	OPFELTCHS	SD	57763	1635 2	
421 2	HERMAN	HELF		BOX 141	FICKMONT	SD	57735		
510 2	DARRELL F	HELMAN		BOX 102	FICKMONT	SD	57735		
1810 2	JOHN R	HENDERSON	APT 265	5141 INDIAN RIVER	LAS VEGAS	NV	89103		
1080 2	JOHN W	HENRY		BOX 276	ARMORE	SD	57745		
322 2	HENRY C	HOLTFEBBER		HENRY WHITE	FICKMONT	SD	57735		
1993 2		HU RANCH INC	CO CORPORATION	HER 50 BOX 102	FICKMONT	SD	57735		
250 2	DARRELL D	HUNTER		BOX D	ARMORE	SD	57745		
1041 2	JAMES/PATRICIA	JOHNSTON		HC 48 BOX 7	LAKESIDE	NE	68361		
10720 2	JOH	KONE		BOX 124	PROVO	SD	57774		
703 2	CARL	KANNOIT	APT 207	PLAZER HOTEL	CHAMPAIGN	NE	68317		
1006 2	JOHN W	KATLER		BOX 715	FICKMONT	SD	57735		
606 2	A J	LANDERS	STAR CATTLE CO	BOX 1508 HER 52	HOT SPRINGS	SD	57747		
1910 2	R J/ALLEN	LANDRESE		BOX 753	TIOGA	ND	58552		
616 2	WELSH	LEIF			HOT SPRINGS	SD	57747		
1235 2	JOHN H(JACK)	MANLY	(FESTIFF)	RR 41 BOX 1720	HOT SPRINGS	SD	57747		
11467 2	BRANDEN	MARTINSON		BOX 301	FICKMONT	SD	57735		
285 2	ARLITH W	MELAIN		BOX 184	OPFELTCHS	SD	57763		
610 2	PAUL E	MERRITT, JR		HER 46 BOX 22	PROVO	SD	57774		
1713 2	A J	NEELSON		PROVINS STAGE	WHEELS CITY	MT	59301		
2015 2		PETERSON & SON, INC		HER 50 BOX 14	FICKMONT	SD	57735		
1016 2	PAUL A JEAN	PETTY	A NORTON PETTY	HER 50 BOX 136	HOT SPRINGS	SD	577470603		
1716 2	MELVIN	PORTER		W10 RT BOX 17	FICKMONT	SD	57735		
211 2	HOWARD	RENNUM		BOX 108	OPFELTCHS	SD	57763	2013 2	
1016 2	ELLEN	REASER		HC 46 BOX 48	OPFELTCHS	SD	57763		
422 2	EDWARD/MANDA	REUTTER		HER 50 BOX 90	FICKMONT	SD	57735	1100 2	
221 2	CLAUDE/HESTER	REYNOLDS		HER 50 BOX 35	FICKMONT	SD	57735	220 2	
609 2	CLAUDE W	RIMBY		BOX 125	OPFELTCHS	SD	57763		
710 2	VERNON	SCHNOSE		ST RT BOX 155	HOT SPRINGS	SD	57747	1700 2	
1045 2		SEGER RANCH INC		BOX 95	OPFELTCHS	SD	57763	671 2	1991 2
222 2	BERNARD D	SIMMONS		BOX 181	FICKMONT	SD	57735		
1212 2	ROBERT/MAR	TUBBS		BOX 563	FICKMONT	SD	57735		
1012 2		WAR BONNET RANCH LTD	BOX 132	105 F 5TH ST	WORTH	SD	57552		
302 2	VINCENT M	WASSERBERGER		BOX 83	ARMORE	SD	57745	853 2	2015 2



718-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 1993

718-2
1700-2

NOTICE

TO: VERNON SCHNOSE
ST RT BOX 155
HOT SPRINGS, SD 57747

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

Delvin W. 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 Nos. 718-2 and 1700-2 are authorized. Your water rights are junior in priority to the US Bureau of Reclamation Water Right No. 579-2 (April 11, 1941 priority date). The Bureau of Reclamation water right for the Angostura Irrigation District allows one annual fill of the reservoir.

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

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

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

cc: US Bureau of Reclamation
Angostura Irrigation District

CERTIFICATION

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

Copy Sent To:

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

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

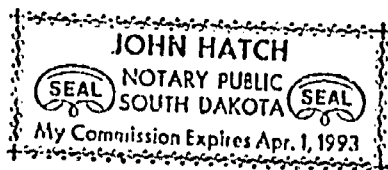
Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
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

718-2
1700-2

RESCISSION OF SHUTOFF ORDER

TO: VERNON SCHNOSE
ST RT BOX 155
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



7/8-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 15, 1995

718-2
1700-2

NOTICE

TO: VERNON SCHNOSE
ST RT BOX 155
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 Nos. 718-2 and 1700-2 are authorized. Your water right is junior in priority to the US Bureau of Reclamation Water Right No. US579-2 (April 11, 1941 priority date). Water Right No. US579-2 allows one annual fill of the reservoir.

On March 14, 1995, the water elevation in Angostura Reservoir was 7 feet and 30,000 acre feet below full. The Division of Water Rights, in cooperation with the Bureau of Reclamation, will closely monitor the reservoir storage level. If inflows increase and the reservoir will fill, this shutoff order will be rescinded. Any 1994 irrigation releases from the reservoir will be included in the inflow calculations.

The Division of Water Rights will monitor all water rights above Angostura Reservoir until the reservoir has filled. I am asking for your cooperation in complying with this order.

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

cc: US Bureau of Reclamation
Angostura Irrigation District



718-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 26, 1995

718-2
1700-2

RESCISSION OF SHUTOFF ORDER

TO: VERNON SCHNOSE
ST RT BOX 155
HOT SPRINGS, SD 57747

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

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

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

MAR 30 2004

WATER RIGHTS
PROGRAM

No.

718-2

Date:

I/We request that Water Right/Permit No. 718-2formerly owned by: Vernon Schmoze

be transferred to: (name & address) Weinreis Brothers, a partnership
P.O. Box 367, Mingus, Nebraska 69356

Telephone No. (308) 783-1008

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

for irrigating 671.3 acres in portions of Section 5, T10S,
R6E and Sections 29, 32 and 33, T9S, R6E, BHM, Fall River County, S.D.

I/We understand that the validity of Water Right/Permit No. 718-2 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 Two Dollars and Fifty Cents (\$2.50) 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 Weinreis Brothers, a partnership, the new owner, certify that the above information is true and correct.

Charles Hession, Partner
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 30, 2004

RECEIVED OF First American Title Company, po Box 8181, Rapid City SD 57709

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	2	50
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>718-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No. 00000007

By Darland Erbe

Chief Engineer gm



**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 30, 2004

718-2

Charles Weinreis
Weinreis Brothers
PO Box 367
Minatare, NE 69356

Dear Mr. Weinreis:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee for Water Right No. 718-2. The transfer has been completed. The water right formerly listed in the name of Vernon Schnose is now listed in the name of "Weinreis Brothers – a partnership" with you listed as the contact person.

The receipt for the filing fee is being forwarded by copy of this letter to First American Title Company in Rapid City, SD.

If I can answer any questions for you, please contact me.

Sincerely,

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

c: First American Title Company w/Receipt No. 001257



**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: WEINREIS BROTHERS
CHARLES WEINREIS
PO BOX 367
MINATARE NE 69356

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. 1019-2, 718-2, 2042B-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.



718-2
**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: WEINREIS BROTHERS
CHARLES WEINREIS
PO BOX 367
MINATARE NE 69356

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. 1019-2, 718-2, 2042B-2

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

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

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



IN REPLY REFER TO:

DK-700
PRJ 13.00

718-2
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: WEINREIS BROTHERS
CHARLES WEINREIS
PO BOX 367
MINATARE NE 69356

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. 1019-2, 718-2, 2042B-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: WEINREIS BROTHERS
PO BOX 367
MINATARE, NE 69356

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. 1019-2 718-2 2042B-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: WEINREIS BROTHERS
PO BOX 367
MINATARE NE 69356

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. 1019-2, 718-2, 2042B-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: CHARLES WEINREIS
WEINREIS BROTHERS
PO BOX 367
MINATARE NE 69356

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. 1019-2, 2042B-2, 718-2

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: WEINREIS BROTHERS
CHARLES WEINREIS
230908 HIGHLAND RD
SCOTTSBLUFF NE 69361

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. 2042B-2 1019-2(718-2)350-2**

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

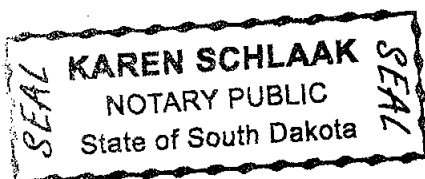
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK &	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	THOMAS	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC	BERNARD D	10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD	WAYNE 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: WEINREIS BROTHERS
12284 HORSE CREEK LOOP
EDGEMONT, SD 57735

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). 350-2, 718-2 and 1019-2

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.