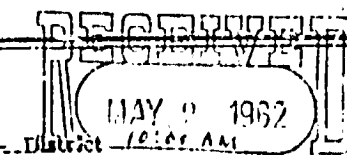


No. 763-2Water Division No. 2 SOUTH CHEYENNE RIVER  
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

## APPLICATION FOR PERMIT

## To Appropriate Water within the State of South Dakota

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

1. Name of applicant CARL KANNOLT  
 Postoffice address Blount Hotel Apt 201  
CHICKASAW County FALL RIVER, State S. 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)  
 completed

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Kannolt #13. Amount of water claimed 2.14 cubic feet per second4. Source of water supply Duck Creek (dry draw)5. Location of point of diversion between a point S 75° W 39' from the NE corner Sec. 33,  
and a point N 90° 400' from the SE corner,  
Sec. 34, all in T11S, R6E on both bank Fall River County.6. Annual period or periods during which water is to be used whenever available

## 7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? spreader(a) Number of acres to be irrigated 150 acres.(b) Legal subdivisions to be irrigated see back of this application

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

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

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

(a) Nature of use Name any of the above uses claimed(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

8. Estimated cost of work:

(a) Head Gates, \$----- (b) Pumping plant, \$-----  
 (c) Fluming, \$----- (d) Canal-earth, \$----- Rock, \$-----  
 (e) Other structures ----- \$----- Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.) System includes a storage dam of 23 acre feet and approximately 1 1/4 miles of ditches. In addition 13 plugs are in the creek to raise water out of the creek bed onto adjacent meadows.

II. Dimensions of works.  
 (a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top ----- feet; slope at front water face -----; slope at back face -----  
 material used in construction -----  
 (b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater mark ----- acres.

| DEPTH AT<br>OUTLET-FEET | SURFACE AREA AT EACH<br>DEPTH AT OUTLET--ACRES | ACRE-FEET<br>CAPACITY |
|-------------------------|------------------------------------------------|-----------------------|
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |
|                         |                                                |                       |

(c)\* Head gate: Width ----- feet; height ----- feet;  
 Material -----  
 (d) Canal: Total length ----- miles.

| LOCATION BELOW<br>HEADGATE | DEPTH      | BOTTOM<br>WIDTH | WIDTH AT<br>WATER-LINE | GRADE<br>PER MILE |
|----------------------------|------------|-----------------|------------------------|-------------------|
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- completed ----- years.  
 11. Time required for complete application of water to the proposed beneficial use ----- completed ----- years.  
 12. Choice of newspaper for publication of notice of intention to appropriate -----  
 ----- Not applicable -----

STATE OF SOUTH DAKOTA.  
 County of ----- Hughes ----- } ss.

I, ----- Carl Kannolt -----, 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 ----- Carl Kannolt -----

Subscribed and sworn to before me this ----- 2nd ----- day ----- May ----- 1962

-----  
 Notary Public (or other qualified officer.)

\*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

"Vested right claimed"

STATE OF SOUTH DAKOTA  
County of HUGHES } ss.

Pierre, South Dakota, MAY 8, 1962

This is to certify that the foregoing application was received by the Commission at 10:00 o'clock  
a. m. upon the 2<sup>nd</sup> day of May, 1962

State Water Resources Commission  
By: Burton Jones  
for Chief Engineer, Executive Officer

Number of permit 763-2

Date of first receipt of application MAY 2, 1962

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

Date of receipt of corrected application —, 19—

Date from which applicant may claim right 1949, 19—

Approved MAY 8, 1962, Recorded in Book 7 Page 86

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed ~~on or before~~

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

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

completed, to

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

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

6th. The amount of the appropriation herein granted shall not exceed 2.14  
cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water ~~is~~ actually was

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

Whenever available

Witness my hand this 8<sup>th</sup> day of MAY, 1962

State Water Resources Commission

By: J. W. GRIFFIN  
Chief Engineer, Executive Officer

Certificate of Construction Issued May 8, 1962

Remarks by the Applicant:

Section 33, T11S, R6E

|                  |                  |             |
|------------------|------------------|-------------|
| NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | 6 acres     |
| SE $\frac{1}{4}$ | NW $\frac{1}{4}$ | 7 "         |
| SW $\frac{1}{4}$ | NE $\frac{1}{4}$ | 17 "        |
| SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | <u>18 "</u> |
|                  |                  | 48 "        |

Section 34, T11S, R6E

|                  |                  |             |
|------------------|------------------|-------------|
| SW $\frac{1}{4}$ | NW $\frac{1}{4}$ | 16 acres    |
| SE $\frac{1}{4}$ | NW $\frac{1}{4}$ | 14 "        |
| NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | 7 "         |
| NE $\frac{1}{4}$ | SW $\frac{1}{4}$ | 27 "        |
| NW $\frac{1}{4}$ | SE $\frac{1}{4}$ | 16 "        |
| SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | 8 "         |
| SE $\frac{1}{4}$ | SE $\frac{1}{4}$ | <u>14 "</u> |
|                  |                  | 102 "       |

STATE OF SOUTH DAKOTA

WATER LICENSE No. 763-2 . . . . .

WHEREAS, On the 2nd day of May A. D. 1962

Carl Kunnolt

of Gelrichs County of Fall River and State of South Dakota duly made application (No. 763-2) vested right to us for a permit to use 2.14 cubic feet per second of the waters of Duck Creek (dry draw) County of Fall River, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 8th day of May A. D. 1962

vested right /Permit No. 763-2 was issued to said applicant... for the diversion of said water, and recognizing the completion of the works of diversion therein described and application to beneficial use of said water and,

WHEREAS, On the 2nd day of May A. D. 1962

the holder... of said permit duly made proof of the completion of adequate works for the diversion of 2.14 cubic feet per second of said waters, as evidenced by our Certificate No. 763-2 dated May 8, 1962 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.14 cubic feet per second of water, with date of priority of 1949 and,

WHEREAS, On the 2nd day of May A. D. 1962

proof was duly made of the application to beneficial use of 2.14 cubic feet per second of said water; for irrigation on portions of Sections 33 and 34, T11S, R6E

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 Carl Kannolt

of Oelrichs vested right the holder and owner of said permit No. 763-2

a water right, dating from 1917 to the use of 2.14

cubic feet per second of the waters of Duck Creek (dry draw)

In the County of Fall River and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted ~~xx~~ between a point S75°W 2900' from the NE corner Sec. 33, and a point N90° 400' from the SE corner Sec. 34, all in T11S, R6E and conducted to and upon portions of Sections 33 and 34, T11S, R6E, more specifically described in the Certificate of Completion of Works

for the purpose of Irrigation

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

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

this 8th day of May A. D. Nineteen  
Hundred and sixty-two

State Water Resources Commission

By:

Chief Engineer, Executive Officer  
J. W. GRIMES

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 \_\_\_\_\_

Recorder \_\_\_\_\_

In Book \_\_\_\_\_ of \_\_\_\_\_ Page \_\_\_\_\_

Permit No. 763-2Water Division No. 2 So. Cheyenne River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Carl Kansolt

of Oelrichs County of Fall River, and State of South Dakota, the holder of Permit No. 763-2, issued upon Application No. 763-2, bearing date of priority of 1949, authorizing the diversion of 2.14 cu. ft. per second of the waters of Duck Creek (dry draw)

County of Fall River, State of South Dakota ~~between a point S75°~~  
N 39°00' from the NE corner Sec. 33, and a point 90° N 400' from the SE corner,  
Sec. 34, all in T11S, R6E, 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 ~~recognized as~~ recognized as satisfactory

~~recognized as~~ for diverting and conveying to the place of intended use 2.14 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: All in T11S, R6E

Section 33 NE $\frac{1}{4}$  NW $\frac{1}{4}$  6 acres

SE $\frac{1}{4}$  NW $\frac{1}{4}$  7 acres

SW $\frac{1}{4}$  NE $\frac{1}{4}$  17 acres

SE $\frac{1}{4}$  NE $\frac{1}{4}$  14 acres

Section 34 SW $\frac{1}{4}$  NW $\frac{1}{4}$  16 acres

SE $\frac{1}{4}$  NW $\frac{1}{4}$  14 acres

NW $\frac{1}{4}$  SW $\frac{1}{4}$  7 acres

NE $\frac{1}{4}$  SW $\frac{1}{4}$  27 acres

NW $\frac{1}{4}$  SE $\frac{1}{4}$  16 acres

SW $\frac{1}{4}$  SE $\frac{1}{4}$  8 acres

SE $\frac{1}{4}$  SE $\frac{1}{4}$  14 acres

150 acres

Witness my hand this 8th day of May A. D. 1962

State Water Resources Commission

By:

Chief Engineer, Executive Officer  
J. W. GRILES

Location No.-----

Water Division No.-----Water District

**Proof of Application of Water to Beneficial Use****PETITION OF HOLDER**

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

Ans. CARL KANNOIT, Rancher, Oelrichs, S. Dak.

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

Ans. Not applicable

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

Ans. Filings made in 1952, however system was constructed in 1949.

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

Ans. Duck Creek

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

Ans. System includes a storage dam of 23 acre feet and approximately  $1\frac{1}{2}$  miles of ditches. In addition 13 plugs are in the creek to raise water out of the creek bed onto adjacent meadows.

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

Ans. Irrigation of hay meadows as shown on the application and sketch map accompanying application.

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

Ans. livestock watering

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

Ans. 2.00

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

Ans. Purchase

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

Ans. System was built in 1949, and water has been used when available since construction.

(Sign) Carl Kennolt

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Pierre, County of Hughes State of South Dakota, on this 2nd day of May A. D. 1962

Witnesses.

Notary Public

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

Notary Public

Location No.-----

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

**PETITION OF HOLDER**

Amount of Water ----- c f s.

Source -----

County -----

Purpose -----

Place of Use -----

Date of recording -----

Received and filed -----

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

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

September 21, 1988

NOTICE

Carl Kannolt  
Blanie Hotel, Apt 207  
Chadron NE 69337

Dear Mr. Kannolt:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 762-2, 763-2, 801-2 until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

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

Very truly yours,

*Delvin W. Broeg*

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



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

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

December 1, 1988

Vested Water Right  
Claim No. 762-2,  
(763-2) 801-2

Carl Kannolt  
Blunie Hotel  
Apt 207  
Chadron NE 69337

Dear Mr. Kannolt:

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

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

If we can answer any questions, please contact us.

Very truly yours,

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

cc: Bruce Laymon, Bureau of Reclamation



 **Department of  
Water & Natural Resources**

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

May 11, 1989

763-2

**NOTICE**

**TO:** Carl Kannolt  
Apt. 207, Blanie Hotel  
Chadron, NE 69337

**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. 763-2. The priority date for your water right is junior to the April 11, 1941 priority date for Angostura Irrigation District Water Right No. 579-2.

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

May 2, 1989

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

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

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

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





# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3131

March 19, 1990

763-2

## NOTICE

TO: Carl Kannolt  
c/o Melvin Schumacker  
Box 25  
Oelrichs SD 57763

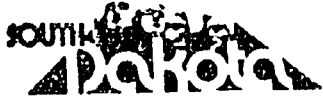
FROM: JOHN HATCH, CHIEF ENGINEER  
Water Rights Division  
(605)773-3352

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. 763-2. You are reminded that the order is still in effect and will remain in effect until Angostura Reservoir has filled. The May 10, 1989 order stated that the order was effective until the reservoir had reached an elevation of 3183.7 feet above mean sea level (msl). This has been changed and the order will remain in effect until the reservoir has reached the full elevation of 3187.2 msl. On March 6, 1990 the reservoir elevation was 3171.1 msl.

All water rights above Angostura Reservoir will be monitored until the reservoir has filled. I am asking for your cooperation in complying with this order. The Water Management Board can suspend any water right that does not comply. The option also exists in that a water use control area can be established to enforce compliance.

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



## Department of Water & Natural Resources

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

March 14, 1991

763-2

### NOTICE

TO: Carl Kannolt  
& Melvin Schumacker  
Box 25  
Oelrichs, SD 57763

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

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

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

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

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



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

May 20, 1991

763-2

RESCISSION OF SHUTOFF ORDER

TO: Carl Kannolt  
% Melvin Schumacker  
Box 25  
Oelrichs, SD 57763

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

*Delvin D. Brosz*

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

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

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

CERTIFICATION

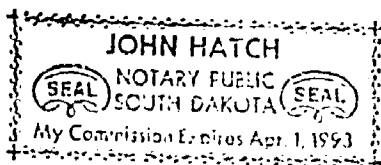
I hereby certify that on March 25, 1992, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 25, 1992, regarding Shut Off Order for Junior Water Right Holders Upstream of the Angostura Irrigation District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

*Cheryl F. Frost*

Cheryl F. Frost  
Secretary

STATE OF SOUTH DAKOTA )  
                                  ) SS  
COUNTY OF HUGHES         )

Sworn to, before me, this 26<sup>th</sup> 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

763-2

NOTICE

TO: CARL KANNOLT  
APT 207  
BLANIE HOTEL  
CHADRON, NE 69337

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

SUBJECT: Shut Off Order for Junior Water Right Holders Upstream  
of the Angostura Irrigation District

Please be advised that effective immediately no diversions of water will be allowed under your Water Right No. 763-2 which is junior in priority to Water Right No. US579-2 held by the US Bureau of Reclamation for the Angostura Irrigation District.

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

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

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

| PERMIT NO | FIRST NAME   | LAST NAME              | ADDRESS 1         | ADDRESS 2         | CITY        | STATE | ZIP CODE | PERMIT | STATUS |
|-----------|--------------|------------------------|-------------------|-------------------|-------------|-------|----------|--------|--------|
| 657-2     |              | A & T CATTLE CO        | TOM LANDERS       | ST RT             | MOY SPRINGS | SD    | 57747    |        |        |
| 308-2     | RICHARD      | ANDERSON               | A CHAP ANDERSON   | HCR 50 BOX 18     | WYOMONT     | SD    | 57735    |        |        |
| 1611-2    | IRVING R     | ANDERSON               |                   | HCR 50 BOX 20     | WYOMONT     | SD    | 57735    |        |        |
| 324-2     |              | B A H RANCH INC        | B F CHILDERS      | PO BOX 723        | WYOMONT     | SD    | 57735    |        |        |
| 534-2     |              | BALL BROS              |                   | BOX 617           | WYOMONT     | SD    | 57735    |        |        |
| 1895-2    | LYSTER I     | BARTLEY                |                   | BOX 740           | WYOMONT     | SD    | 57735    |        |        |
| 1623-2    | NICK/RICHARD | BOGNER                 | ANICK BOGNER JR   | HC 45 BOX 24      | WYOMONT     | SD    | 57763    | 1734-2 |        |
| 755-2     |              | BRANKERD INDIAN SCHOOL |                   |                   | MOY SPRINGS | SD    | 57747    |        |        |
| 858-2     | WAYNE F      | CHILDERS               |                   | HCR 52 BOX 1A     | WYOMONT     | SD    | 57735    |        |        |
| 632-2     | V L          | CHILDERS               |                   | BOX 723           | WYOMONT     | SD    | 57735    |        |        |
| 654-2     | OSCAR        | COFF                   |                   |                   | WYOMONT     | SD    | 57763    |        |        |
| 1220-2    | JOHN         | DECKING                |                   | SR 1 BOX 136      | WYOMONT     | SD    | 82225    |        |        |
| 567-2     | HAROLD E     | EDMONSON               |                   | HCR 50 BOX 5A     | WYOMONT     | SD    | 57735    | 1410-2 |        |
| 2059-2    | ESRAH/BERNHA | EDMONSON               |                   | HC 48 BOX 248     | WYOMONT     | SD    | 57774    |        |        |
| 1295-2    | DAVID W      | EDMONSON               |                   | RR BOX 32         | WYOMONT     | SD    | 57763    |        |        |
| 708-2     |              | HAID BROTHERS, INC.    | CARL P HAID, PRES | HCR 45 BOX 5      | WYOMONT     | SD    | 57763    | 1625-2 |        |
| 121-2     | HERMAN       | HECK                   |                   | BOX 441           | WYOMONT     | SD    | 57735    |        |        |
| 540-2     | HARRELL E    | HEIDMAN                |                   | BOX 402           | WYOMONT     | SD    | 57735    |        |        |
| 1879-2    | DOXA R       | HENDERSON              | ALT 265           | 5141 INDIAN RIVER | EAS AFRAS   | VA    | 82103    |        |        |
| 1580-2    | DOX W        | HENRY                  |                   | R-X 277           | WYOMONT     | SD    | 57715    |        |        |
| 372-2     | HENRY C      | HOLLINGER              |                   | DIXIE ROUTE       | WYOMONT     | SD    | 57735    |        |        |
| 1593-2    |              | HU RANCH INC           | SD CORPORATION    | HCR 50 BOX 102    | WYOMONT     | SD    | 57735    |        |        |
| 750-2     | DARREL D     | HUNTER                 |                   | BOX D             | WYOMONT     | SD    | 57715    |        |        |
| 1611-2    | JAMES/ETHEL  | JOHNSTON               |                   | HC 68 BOX 7       | WYOMONT     | NE    | 68351    |        |        |
| 18770-2   | JIM          | KANE                   |                   | BOX 12A           | WYOMONT     | SD    | 57774    |        |        |
| 763-2     | CARL         | KANOLD                 | ALT 307           | PLANT HOTEL       | WYOMONT     | NE    | 68351    |        |        |
| 1520-2    | JOHN W       | KOLLER                 |                   | BOX 715           | WYOMONT     | SD    | 57735    |        |        |
| 856-2     | A J          | LANDERS                | STAR CATTLE CO    | BOX 1538 HCR 52   | MOY SPRINGS | SD    | 57747    |        |        |
| 1810-2    | R L/ALLEN    | LAMPSON                |                   | BOX 752           | WYOMONT     | SD    | 57747    |        |        |
| 676-2     | WELVIN       | LEIF                   |                   |                   | MOY SPRINGS | SD    | 57747    |        |        |
| 11925-2   | JOHN D/JACK  | MAKKE                  | 16-2474           | PP 41 BOX 1720    | MOY SPRINGS | SD    | 57747    |        |        |
| 11407-2   | BENNETH      | MARTINSON              |                   | BOX 341           | WYOMONT     | SD    | 57735    |        |        |
| 785-2     | ARLITH W     | MULLEN                 |                   | BOX 164           | WYOMONT     | SD    | 57763    |        |        |
| 410-2     | RUTH L       | MURPHY, JR             |                   | HCR 45 BOX 22     | WYOMONT     | SD    | 57774    |        |        |
| 1273-2    | A J          | NELSON                 |                   | EDDIE'S STAGE     | WYOMONT     | SD    | 57735    |        |        |
| 2015-2    |              | EDDERSON & SON, INC    |                   | HCR 50 BOX 16     | WYOMONT     | SD    | 57735    |        |        |
| 1016-2    | PAUL A JEAN  | NETTY                  | A MURPHY NETTY    | HCR 52 BOX 136    | MOY SPRINGS | SD    | 57747    |        |        |
| 1716-2    | WELVIN       | NETTY                  |                   | WYO RT BOX 17     | WYOMONT     | SD    | 57735    |        |        |
| 711-2     | DONALD       | NEVIN                  |                   | BOX 188           | WYOMONT     | SD    | 57763    | 2043-2 |        |
| 1916-2    | CLYN         | NEASER                 |                   | HC 46 BOX 41      | WYOMONT     | SD    | 57763    |        |        |
| 472-2     | EDWARD/MANNA | NETTER                 |                   | HCR 50 BOX 98     | WYOMONT     | SD    | 57735    | 1723-2 |        |
| 721-2     | CHANCE/NETTE | REYNOLDS               |                   | HCR 52 BOX 28     | WYOMONT     | SD    | 57735    | 231-2  |        |
| 669-2     | OLIVER W     | ROMF                   |                   | BOX 175           | WYOMONT     | SD    | 57763    |        |        |
| 718-2     | VERNON       | SCHNOSE                |                   | ST RT BOX 155     | MOY SPRINGS | SD    | 57747    | 1700-2 |        |
| 1642-2    |              | SEGER RANCH INC        |                   | BOX 95            | WYOMONT     | SD    | 57763    | 471-2  | 1837-2 |
| 227-2     | BERNARD D    | SIMONS                 |                   | BOX 381           | WYOMONT     | SD    | 57735    |        |        |
| 1732-2    | ROBERT/MAK   | TUBS                   |                   | BOX 565           | WYOMONT     | SD    | 57735    |        |        |
| 1019-2    |              | WAR BOWNET RANCH LTD   | BOX 132           | 195 E 5TH ST      | WYOMONT     | SD    | 57559    |        |        |
| 702-2     | VINCENT W    | WASSERBURGER           |                   | BOX 83            | WYOMONT     | SD    | 57715    | 853-2  | 2115-2 |

763-2

Water Rights Division -DENR  
Conversation or File Documentation

File No. 762-2  
763-2  
801-2

NAME OF PERSON OR FILE: Carl Kannolt

ADDRESS: Delrichs, SD

COUNTY: Fall River

DATE: 6/6/91

TELEPHONE:

RE: Vested Right Claim Inspection

COMMENTS: On June 4, 1991, accompanied by Mr. Martin Miller (535-2201), on a four wheeler ATV inspected land claimed under Vested Right Claim Nos. 762-2, 763-2, and 801-2. The plugs, diversion ditches and other structures for irrigation seemed to be in a good condition. Most of the area was covered with water. The land seemed to be the same as plotted on the maps submitted with the original applications.

- Recommend validation of Vested Right Claim Nos. 762-2, 763-2, and 801-2.

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

M. Rassool Ahadi

M. RASSOOL AHADI  
Natural Resources Engineer III  
DENR, Water Rights Division

763-2

SOUTH DAKOTA

VESTED WATER RIGHT NO. 763-2 FOR IRRIGATION

Date of Receipt of Claim May 2, 1962.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 763-2 for irrigation purposes for Carl Kannolt, Blaine Hotel, Apt 207, Chadron NE 69539 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 763-2 appropriates 2.14 cubic feet of water per second from Duck Creek located between the NE 1/4 NW 1/4 Section 33 and the SE 1/4 SE 1/4 Section 34 to irrigate 150 acres located in the E 1/2 NW 1/4, S 1/2 NE 1/4 Section 37, E 1/2 NW 1/4, N 1/2 SW 1/4, S 1/2 SE 1/4, NW 1/4 SE 1/4 Section 34; all located T11S-R6E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: January 1 - December 31.
3. The priority date of the Vested Water Right is January 1, 1949.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: \_\_\_\_\_

Chief Engineer

JUL 1 1992

date

Division of Water Rights  
Dept. of Environment and Natural Resources



763-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

JUL 1 1992

Carl Kannolt  
Blaine Hotel  
Apt 209  
Chadron NE 69539

Dear Mr. Kannolt:

The Water Management Board has validated the enclosed Vested Water Right Nos. 762-2, (763-2) and 801-2. These validations give legal status to the claims and are the final document for your vested rights.

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

Very truly yours,

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

enclosures

## Water Rights Division - DWR

File No. 762-2

## Conversation or File Documentation

763-2  
801-2NAME OF PERSON OR FILE: NEELAN S MARINE SCHUMACHERADDRESS: HC 75 Box 135A <sup>CHADRON, NE</sup> 69357 COUNTY FALL RIVERDATE: 3/11/93 TELEPHONE 308-432-4117RE: CONVERSION OF LAND PREVIOUSLY OWNED BY CHAL KANAVET

## COMMENTS:

I CALLED MARINE SCHUMACHER, DAUGHTER OF CHAL KANAVET.  
ASKED HER WATER RIGHTS. SHE SAID THEY OWN THE LAND NOW.  
I TOLD HER WE WOULD SEND TRANSFER FORMS. I ALSO  
TOLD HER WE WOULD BE SENDING SHUTOFF ORDERS FOR ONE OF  
THE WATER RIGHTS.

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.

4/82

NAME: M. D. K.



763-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

March 11, 1993

762-2  
763-2  
801-2

Helvin & Maxine Schumacher  
HC 75 Box 135A  
Chadron, NE 69337

Dear Mr. & Mrs. Schumacher:

Enclosed are three partially completed "Notice of Transfer" forms for use in filing ownership changes on Vested Water Right Nos. 762-2, 763-2 and 801-2. These are currently listed in the name of Carl Kannolt.

Please review the forms and complete where necessary. The forms will need to be signed in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$7.50).

The vested right claims were validated by the Water Management Board on May 6, 1992. I have enclosed your copy of Vested Right Nos. 762-2, 763-2 and 801-2. We attempted to mail them in July, 1992, however they were returned to us by the post office.

If you have any questions concerning completion of the transfer forms or with regard to the vested rights enclosed, please contact me at (605) 773-3352.

Sincerely,

*Genny McNath*

Genny McNath  
Natural Resources Analyst  
(605) 773-3352

enclosures



763-2

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

March 12, 1993

763-2

NOTICE

TO: MELVIN/MAXINE SCHUMACHER  
HC 75 BOX 135A  
CHADRON, NE 69337

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

SUBJECT: Shutoff Order for Junior Water Right Holders Upstream  
of the Angostura Irrigation District.

Effective immediately no diversions of water under your Water Right No. 763-2 are authorized. Your water right is junior in priority to the US Bureau of Reclamation Water Right No. 579-2 (April 11, 1941 priority date). The Bureau of Reclamation water right for the Angostura Irrigation District allows one annual fill of the reservoir.

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

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

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

cc: US Bureau of Reclamation  
Angostura Irrigation District



763-2

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 763-2  
Date: 3/17/93

I/We request that Vested Water Right No. 763-2

formerly owned by: Carl Kannolt

be transferred to: (name & address) Edward Marine Schumacher  
54135th Avenue NE 69537 (Telephone No) 308-432-4117

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

150 acres: E 1/2 NW 1/4, S 1/2 NE 1/4 Section 33; S 1/2 NW 1/4, N 1/2 SW 1/4, S 1/2 SE 1/4, NW 1/4 SE 1/4 Section 34, all in T11S, R6E

I/We understand that the validity of Vested Water Right No. 763-2 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.

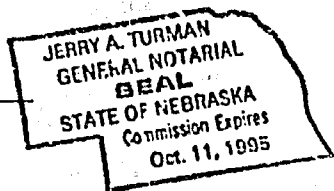
STATE OF SOUTH DAKOTA )  
County of \_\_\_\_\_ )

I/We \_\_\_\_\_ 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.

Edward Marine Schumacher  
Edward Marine Schumacher  
(Signed)

Subscribed and sworn to before me this \_\_\_\_\_ day of March, 19 93.

Jerry A. Turman  
(Notary Public)



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

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

# RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

763-2  
413690

Pierre, \_\_\_\_\_ March 22, 1993

RECEIVED OF \_\_\_\_\_ Commissioner, 14175 Box 135A, Chadron, NE 69337

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

|                                                                                                                      |       |      |
|----------------------------------------------------------------------------------------------------------------------|-------|------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____ |       |      |
| Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____                                  |       |      |
| Fee to retain Future Use Permit No. _____ after period of seven years.                                               |       |      |
| Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____                  |       |      |
| Fee for Filing Transfer Form _____ Right No. 765-2                                                                   |       | 2 50 |
| Fee for Filing Extension Request _____                                                                               |       |      |
| Fee for _____                                                                                                        |       |      |
| _____                                                                                                                |       |      |
| _____                                                                                                                |       |      |
| (Any Other Work Provided by Law)                                                                                     | Total | 2 50 |

By

*John H. H. H.*  
Chief Engineer



763-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

March 23, 1993

No. 762-2  
763-2  
801-2

Melvin and Maxine Schumacher  
HC 75, Box 135A  
Chadron, NE 69337

Dear Mr. and Ms. Schumacher:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 762-2, 763-2 and 801-2.

Our records now show you as the owner of Water Right Nos. 762-2, 763-2 and 801-2.

Sincerely,

*Cheryl F. Frost*

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

enclosure

763-2



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

April 14, 1993

763-2

RESCISSION OF SHUTOFF ORDER

TO: MELVIN/MAXINE SCHUMACHER  
HC 75 BOX 135A  
CHADRON, NE 69337

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

A handwritten signature in cursive script, appearing to read 'John Hatch', is written over the printed name and title.

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



U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION

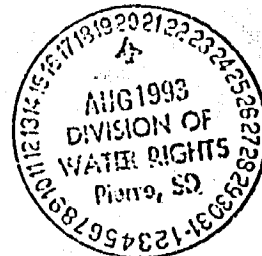
WTR 4.10  
BF-430

# United States Department of the Interior

## BUREAU OF RECLAMATION

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

AUG 18 1993



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

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

Dear Mr. Hatch,

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

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

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

Sincerely,

*Bruce M. Laymon*  
Bruce M. Laymon  
Project Manager

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

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



763-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

March 15, 1995

763-2

NOTICE

TO: MELVIN/MAXINE SCHUMACHER  
HC 75 BOX 135A  
CHADRON, NE 69337

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

SUBJECT: Shutoff Order for Junior Water Right Holders  
Upstream of the Angostura Irrigation District.

Effective immediately no diversions of water under your Water Right No. 763-2 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



763-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

May 26, 1995

763-2

**RESCISSION OF SHUTOFF ORDER**

TO: MELVIN & MAXINE SCHUMACHER  
HC 75 BOX 135A  
CHADRON, NE 69337

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

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

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

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

cc: US Bureau of Reclamation  
Angostura Irrigation District

L



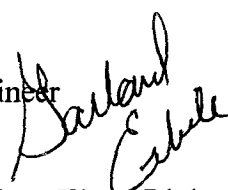
**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

April 30, 2004

**NOTICE OF SHUTOFF ORDER**

**TO:** MELVIN & MAXINE SCHUMACHER  
HC 75 BOX 135A  
CHADRON NE 69337

**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. 763-2**

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.



763-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

March 15, 2005

**NOTICE OF SHUTOFF ORDER**

**TO:** MELVIN & MAXINE SCHUMACHER  
HC 75 BOX 135A  
CHADRON NE 69337

**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. 763-2**

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.



March 17, 2005

763-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

763-2  
801-2  
1872-2

Dell & Janet Anderson  
1401 Tompkins  
Rapid City SD 57701

Dear Mr. & Mrs. Anderson:

Recently, when mailing out shutoff orders for junior water right holders, it came to our attention that ownership on Vested Water Right Nos. 763-2, 801-2 and 1872-2 had changed. The vested rights are currently listed in the names of Melvin & Maxine Schumacher.

Don Stroup with our program visited with the Fall River County Assessor's office to obtain current ownership. It is our understanding that you now own the land. Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please review them and make any necessary corrections. Upon completion, please sign the forms and return them to our office with a required filing fee of \$2.50 each (total of \$7.50). The check or money order for the fee can be made payable to the Water Rights Program.

Enclosed are copies of each of the vested water rights. You may keep them for your records. I have included a copy of the shutoff order pertaining to this land. If you have any questions concerning the shutoff order or completion of the transfer forms, please contact me. If the records are in error and you do not own the land, let me know.

Sincerely,

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

enclosures

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 25, 2005

RECEIVED OF Dale E Anderson MD, 725 Indiana St., Rapid City SD 57701

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

|                                                                                                                |       |      |
|----------------------------------------------------------------------------------------------------------------|-------|------|
| Fee for Application for Permit No. _____ to Appropriate Water, to construct 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>763-2</u>                                                                      |       | 2.50 |
| 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. _____                                         |       |      |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                      |       |      |
| (Any Other Work Provided by Law)                                                                               | TOTAL | 2.50 |

No.

**001819**

By

Darlene E. Eichel

Chief Engineer

*gm*

## NOTICE OF TRANSFER OF OWNERSHIP

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

No. 763-2  
Date: 3-22-05

RECEIVED  
MAR 25 2005  
WATER RIGHTS  
PROGRAM

I/We request that Vested Water Right No. 763-2

formerly owned by: Melvin & Maxine Schumacher

be transferred to: (name & address) Dale & Jeanette Anderson  
725 Indiana St, Rapid City SD 57701  
Telephone No. \_\_\_\_\_

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

150 acres – E ½ NW ¼ & S ½ NE ¼ Section 33; S ½ NW ¼, N ½ SW ¼, NW ¼ SE ¼ & S ½ SE ¼

Section 34, all in T11S, R6E

I/We understand that the validity of Vested Water Right No. 763-2 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 Dale & Jeanette Anderson, the new owner, certify that the above information is true and correct.

  
(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.



763-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

March 31, 2005

763-2  
801-2  
1872-2

Dale & Jeanette Anderson  
725 Indiana St  
Rapid City SD 57701

Dear Mr. & Mrs. Anderson:

Thank you for following up on the ownership changes for Vested Water Right Nos. 763-2, 801-2 and 1872-2. The transfers have been completed.

The vested water rights formerly held by Melvin and Maxine Schumacher are now listed in your names. Enclosed are your Receipt Nos. 001817, 001818 and 001819 in the amounts of \$2.50 each. You may keep them for your records.

A check of ownership shows portions of the lands described in at least one other vested right (listed in the name of Donald Putnam) may be owned by you. We will be contacting you in the near future regarding that specific water right.

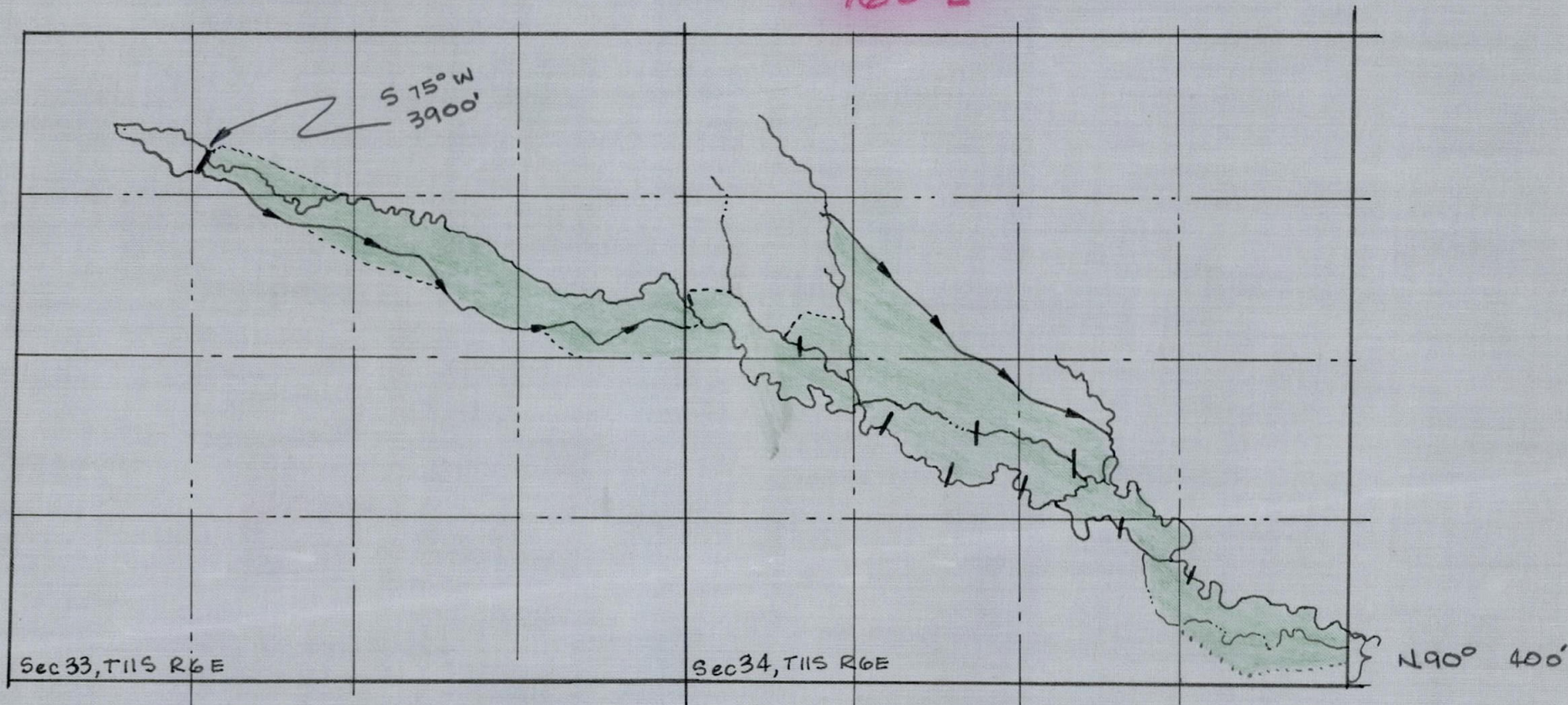
If I can answer any questions for you, please contact me.

Sincerely,

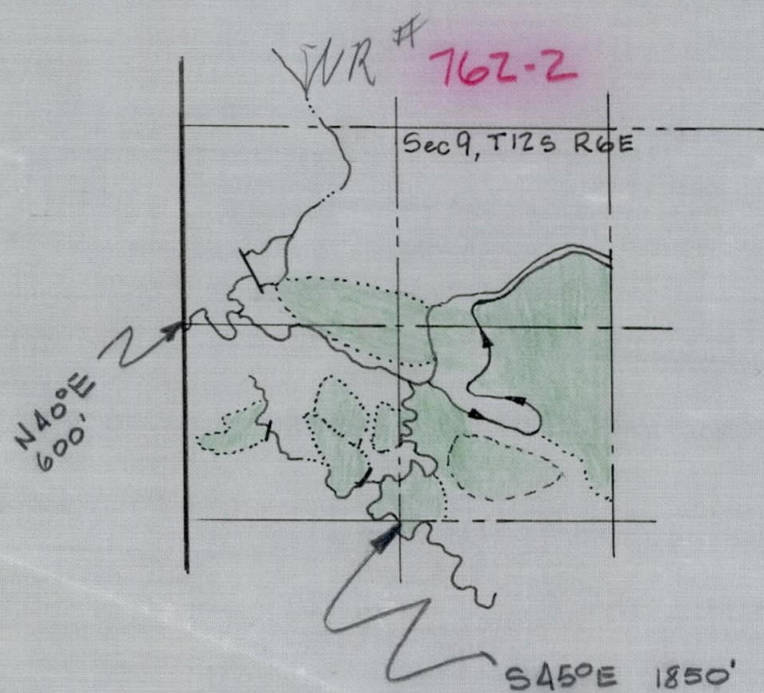
Genny McMath  
Environmental Scientist  
Water Rights Program  
(605) 773-3352  
email: [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us)

enclosures

763-2



Carl Kannolt



(WR # 762-2)



IN REPLY REFER TO:

DK-700  
PRJ 13.00

763-2  
United States Department of the Interior

BUREAU OF RECLAMATION  
Dakotas Area Office  
Rapid City Field Office  
515 9<sup>th</sup> 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](http://www.state.sd.us/denr)

March 10, 2006

**NOTICE OF SHUTOFF ORDER**

**TO:** DALE ANDERSON  
1401 TOMPKINS ST  
RAPID CITY SD 57701

**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. 763-2**

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](http://www.state.sd.us/denr)

March 9, 2007

**NOTICE OF SHUTOFF ORDER**

**TO:** DALE ANDERSON  
1401 TOMPKINS ST  
RAPID CITY, SD 57701

**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. 763-2**

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](http://www.state.sd.us/denr)

March 19, 2008

**NOTICE OF SHUTOFF ORDER**

**TO:** DALE ANDERSON  
1401 TOMPKINS ST  
RAPID CITY SD 57701

**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. 763-2**

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](http://www.state.sd.us/denr)

March 19, 2009

**NOTICE OF SHUTOFF ORDER**

**TO:**

DALE & JEANETTE ANDERSON  
1401 TOMPKINS ST  
RAPID CITY SD 57701

**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. 763-2**

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:** DALE & JEANETTE ANDERSON  
1401 TOMPKINS ST  
RAPID CITY SD 57701

**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. 763-2**

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:

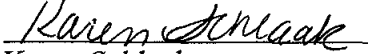
| LAST_NAME                      | FIRST_NAME            | ADDRESS2               | CITY        | STATE | ZIP   |
|--------------------------------|-----------------------|------------------------|-------------|-------|-------|
| INDIAN CREEK CATTLE LLP        |                       | 32296 190TH ST         | 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 |

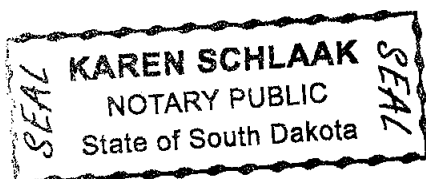
|                                           |                           |                          |             |    |       |
|-------------------------------------------|---------------------------|--------------------------|-------------|----|-------|
| SCHNOSE                                   |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

  
 Gail Jacobson  
 Secretary/Water Rights

STATE OF SOUTH DAKOTA     )  
                                               ) SS  
 COUNTY OF HUGHES         )

Sworn to, before me, this 6<sup>th</sup> 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:** DALE & JEANETTE ANDERSON  
1401 TOMPKINS ST  
RAPID CITY, SD 57701

**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). 763-2**

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.