

No. 188-2
 Water Division No. 2 SOUTH CHEYENNE RIVER
 (Blanks to be filled by the Engineer for the W. R. C.)
 VESTED RIGHT
 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 P. Hald Lyle P Hald
 Postoffice address Oelrichs, County Fall River, State So. Dak.

I. If a corporation

- (a) Name of same _____
 (b) Date and place of incorporation _____
 (c) Amount of capital stock See also # 1695-2
 (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)

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

2. Name of diversion work Carl P. Hald Irrigation Project #1

3. Amount of water claimed 1.88 cubic feet per second

4. Source of water supply Dry Draw Run off

5. Location of point of diversion All From NW Corner Sec 7 T-15R-8E
1/4 246 Rods S 15° E,
1/4 254 Rods S 21° E, E 3 190 Rods S 55° E on _____ bank Fall River County.

6. Annual period or periods during which water is to be used _____

7. To be used for:

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

- (a) Number of acres to be irrigated 13.2 acres.
SW 1/4 NW 4, 38 Acres; SE 1/4 NW 4, 40 Acres; NW 1/4 NW 4, 28 Acres.
 (b) Legal subdivisions to be irrigated NE 1/4 SW 1, 24 Acres; Allen Sec. 7 T-11R-8

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

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

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 _____

V/R.

8. Estimated cost of work:

(a) Head Gates, \$ _____

(c) Fluming, \$ _____

(e) Other structures _____

(b) Pumping plant, \$ _____

Rock, \$ _____

Total, \$ _____

(d) Canal-earth, \$ 150.00

9. Description of diversion works:

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

Diversion & Sprinkler Ditches

II. Dimensions of works.

(a) Dam: Height _____ feet; length at bottom _____ feet; length at top _____ feet; thickness at bottom _____ feet; thickness at top _____ feet; slope at front water face _____; slope at back face _____

material used in construction _____

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

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET	ACRE-Feet CAPACITY

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

Material _____

(d) Canal: Total length 3 1/2 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

10. Time required for completion of work APPLYING FOR VESTED RIGHTS years. System was built in 1942
11. Time required for complete application of water to the proposed beneficial use _____ years.
12. Choice of newspaper for publication of notice of intention to appropriate _____

STATE OF SOUTH DAKOTA
County of Deuel } ss.

I, Carl P. Hald, 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 P. Hald

Subscribed and sworn to before me this 12 day of December 1942

Ray Allen
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 22

1963

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock

a.m. upon the 17TH day of DECEMBER, 1962

State Water Resources Commission

By:

By: *Byrdon L. Dineen*
for Chief Engineer, Executive Officer

Number of permit 788-2

Date of first receipt of application

DECEMBER 17, 1962

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

DECEMBER 17, 1962

Date of receipt of corrected application

APRIL 19

1963

Date from which applicant may claim right

1942

Approved

MAY 22

1963

Recorded in Book

8

Page 82

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 ~~not~~ completed ~~on or before~~

2nd. The whole of said work is ~~not~~ completed ~~on or before~~

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

COMPLETED

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

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

MARCH 1 TO SEPTEMBER 30

Witness my hand this

22ND

day of

MAY

1963

State Water Resources Commission

By:

By: *W. D. Dineen*

Chief Engineer, Executive Officer

Certificate of Construction Issued

MAY 22, 1963

Water License Issued

MAY 22, 1963

Permit No. 788-2Water 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 P. Hald

of Calvicks, County of Fall River, and State of
South Dakota, the holder of Permit No. 788-2, issued upon Application
 No. 788-2, bearing date of priority of 1942, authorizing the diversion of
1.88 cu. ft. per second of the waters of a dry draw

County of Fall River, State of South Dakota, at three points, all from
the NW corner, Section 7, T11S, R3E, the following bearings and distances: #1-S15°
E246 rods; #2-S21° E254 rods, & #3-S55° E190 rods
for irrigation

purposes, has ^s fully complied with the provisions of the laws of the State of South Dakota relating to proof of
 completion of the works of diversion set out and described in said Permit; that said works are ^{recognized as} ~~found to be~~ satisfactory
~~conditions~~ for diverting and conveying to the place of intended use 1.88 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 Section 7, T11S, R3E

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 "

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 28 "

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 26 "

Total.....132 "

Witness my hand this 22nd day of May A. D. 1963

State Water Resources Commission

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

STATE OF SOUTH DAKOTA

WATER LICENSE No. 788-2

WHEREAS, On the 17th day of December A. D. 1962
 Carl P. Hald

of Oelrichs County of Fall River and State of
 South Dakota duly made application (No. 788-2) Vested Right 1.88
 to us for a permit to use 1.88
 cubic feet per second of the waters of a dry draw
 County of Fall River, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 22nd day of May A. D. 1963
 Vested Right Permit No. 788-2 was issued to said applicant... for the diversion of said water, recognizing
 completion of the works of diversion therein described ~~XXXXXX~~ the
~~XXXXXX~~ and ~~XXXXXX~~ application to beneficial use of said
 water ~~XXXXXX~~ ~~XXXXXX~~ A. D. 1963
 and,

WHEREAS, On the 19th day of April A. D. 1963
 the holder... of said permit duly made proof of the completion of adequate works for the diversion of 1.88
 cubic feet per second of said waters, as evidenced by our Certificate No. 788-2
 dated May 22, 1963 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 1.88 cubic feet per second of water, with date of
 priority of 1942 and,

WHEREAS, On the 19th day of April A. D. 1963
 proof was duly made of the application to beneficial use of 1.88 cubic feet per second of said water;
 for irrigation of 132 acres in Section 7, T11S, R8E

We hereby grant and confirm to Carl P. Hald _____

We hereby grant and confirm to Carl F. Harbo Vested Right
of Oelrichs the holder and owner of said permit No. 788-2

a water right, dating from 1942 to the use of 1.88

cubic feet per second of the waters of _____ a dry draw _____

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

three points, all from the NW corner, T11S, R8E, the following bearings and

distances: #1-S15⁰ E246 rods; #2-S21⁰ E254 rods and #3-S55⁰ E190 rods

and conducted to and upon 132 acres in the W $\frac{1}{2}$ Section 7, T11S, R8E 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 22nd day of May A. D. Nineteen
Hundred and Sixty-Three

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. -

U.I.

Source of Supply

County

mit ----- c. f. s.

Point of Diversion

Choice of Use

Curriculum

Gate of Priority-

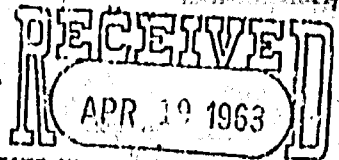
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Location No.

Water Division No.

Water District



STATE WATER RESOURCES COM. PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. Carl P. Hall Post Office address Oelrichs
County Fall River State So. Dakota

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

Ans. —

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

Ans. Recorded Dec. 17, 1962

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

Ans. Dry draw run off N. W. Corner Sec 7-R-8T11

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. Diversion spreader ditches built in 1942

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. Gravity irrigation S. W. 1/4 38 acres - S. E. 1/4
N. W. 1/4 40 acres - N. W. 1/4 S. W. 1/4 28 acres - N. E. 1/4
S. W. 1/4 26 acres - all in sec. 7-T-11-R-8

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

Ans. Irrigation only

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

Ans. For irrigation 11.0 acre feet a year minimum

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. Same Owner

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

Ans. Diversion was made in 1942 and has been used
since that date under a runoff permit as available
Runoff water was used to irrigate ground between all 132 acres of
about 10 inches of water applied and the necessary portion returned to the day basin. Annual
period of use March 1 to Sept 30.

(Sign) Carl P. Hald

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 Okla. Co., County of Full River

State of South Dakota, on this 27 day of March A. D. 1963

John H. McGowan } Witnesses. L. J. Allen
Orson Cooper } 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.

Location No. _____

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

County _____

Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

S½ NW¼, N½ SW¼ Sec. 7, T11S, R8E

formerly owned by Carl P. Hald, Oelrichs, SD 57763

has been transferred to Lyle P. Hald, Oelrichs, SD 57763

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

Water Right Permit No. 788-2 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 the Board of Water Management as evidence of the change of ownership.

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

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

I, Lyle P. Hald 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.

Lyle P. Hald
(Signed)

Subscribed and sworn to before me this 4th Day of February, 1980.

Harold W. Hamister
(Notary Public)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7311

PIERRE February 8 19 89

RECEIVED OF Lyle P. Wald, Delridge, SD 57763
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. _____	2 50
Fee for filling <u>transfer of water right No. 788-2</u> _____	
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 (97)

788-2

FARRELL, FARRELL & GINSBACH

LAWYERS

441 NORTH RIVER STREET

HOT SPRINGS, SOUTH DAKOTA 57747

Martin P. Farrell
Jane M. Farrell
Patrick M. Ginsbach

(605) 745-5151

February 17, 1988

Department of Water and Natural Resources
Joe Foss Building
Pierre, SD 57501



ATTN: John Hatch

RE: Hald Brothers, Inc.

Dear Mr. Hatch:

In order to comply with regulations of the Forestry Department in regard to leasing forestry land, the Hald Brothers, Carl and Lyle, have formed a corporation.

I am enclosing water right number 788-2 which pertains to a part of the property now in the corporation.

Would you send me such instruments that may be necessary to transfer the water rights from Carl P. Hald and Lyle P. Hald to Hald Brothers, Inc.

Their address is HCR 46, Box 5, Celrichs, SD, 57763.

I am enclosing a copy of the warranty deed and permit number 788-2 and water license number 1695-2.

Please send me the necessary papers that will be required together with the transfer fee.

Thank you very much.

Sincerely,

Martin P. Farrell

MARTIN P. FARRELL

MPF/re

Enclosures

CARL P. HALD, JR. and BONNIE J. HALD, husband and wife, and LYLE P. HALD, a single man,

grantor~~S~~, of Fall River County,

State of South Dakota for and in consideration of _____

ONE DOLLAR and other good and valuable consideration ~~XXXXXXXX~~

GRANT, CONVEY AND WARRANT, TO HALD BROTHERS, INC.

grantee, of HCR 46, Box 5, Oelrichs, SD 57763 P. O. the following described

real estate in the County of Fall River in the State of South Dakota:

See attached sheet for description of real property.

Exempt from transfer fee pursuant to SDCL 43-4-22(11).

**EXEMPT FROM
TRANSFER FEE**

Dated this 6th day of January, 1988

Carl P. Hald, Jr.
CARL P. HALD, JR.

Bonnie J. Hald

Bonnie J. Hald
LYLE P. HALD

Lyle P. Hald

STATE OF SOUTH DAKOTA, }
County of Fall River } ss.

Filed for record this 20th day of
January, 1988 at

12:10 o'clock P.M., and recorded in

Book 98, Page 569-570

Lyle P. Hald
Register of Deeds.

By _____
Deputy.

Fees, \$ _____

STATE OF SOUTH DAKOTA, }
County of FALL RIVER } ss.

On this the 6th day of JANUARY, 1988, before
me, M.P. Farrell
the undersigned officer, personally appeared CARL P. HALD,
JR. and BONNIE J. HALD, husband and wife, and
LYLE P. HALD, a single man,

known to me or satisfactorily proven to be the persons whose
name is subscribed to the within instrument and acknowl-
edged that they executed the same for the purposes therein
contained.

In witness whereof I hereunto set my hand and official seal.

M.P. Farrell
Notary Public
My commission expires APR 1, 1990
M.P. FARRELL, NOTARY PUBLIC
MY COMMISSION EXPIRES
APR 1, 1990

North Half (N $\frac{1}{2}$) and
North Half of the South Half (N $\frac{1}{2}$ S $\frac{1}{2}$) and
Lots One (1), Two (2), Three (3) and Four (4) of
Section Sixteen (16),
Township Twelve (12) South, Range Eight (8),
East of the Black Hills Meridian; and

Southwest Quarter (SW $\frac{1}{4}$) of
Section Five (5),
Township Twelve (12) South, Range Nine (9),
East of the Black Hills Meridian; and
Southwest Quarter (SW $\frac{1}{4}$) of Section Five (5), and
Northeast Quarter (NE $\frac{1}{4}$) and
Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
(Lot Two) and
Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) and
Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$),
(Lot Three) and
East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) of
Section Seven (7),
Township Eleven (11) South, Range Eight (8),
East of the Black Hills Meridian; and

Northwest Quarter (NW $\frac{1}{4}$) of
Section Eighteen (18),
Township Eleven (11) South, Range Eight (8),
East of the Black Hills Meridian; and

Northeast Quarter (NE $\frac{1}{4}$) of
Section Fourteen (14),
Township Twelve (12) South, Range Seven (7),
East of the Black Hills Meridian; and

Lot Three (3), sometimes designated as the
Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of
Section Fourteen (14),
Township Twelve (12) South, Range Seven (7),
East of the Black Hills Meridian; and

Northwest Quarter (NW $\frac{1}{4}$) and
North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) and
East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$),
Section Twelve (12); and
Northwest Quarter (NW $\frac{1}{4}$),
Section Thirteen (13); and
Southeast Quarter (SE $\frac{1}{4}$),
Section Fourteen (14), all in
Township Twelve (12) South, Range Seven (7),
East of the Black Hills Meridian; and

North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) and
Lots Three (3) and Four (4),
Section Thirteen (13),
Township Twelve (12) South, Range Eight (8),
East of the Black Hills Meridian;

subject to prior exceptions and reservations of oil, gas and minerals.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

February 25, 1983

788-2
1695-2

Martin P Farrell
FARRELL, FARRELL, & GINSBACH
441 North River Street
Hot Springs, SD 57747

RE: Hald Brothers, Inc.

Dear Mr. Farrell:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 788-2 and 1695-2. The forms will need to be signed and notarized before returning them to our office with a required filing fee of \$2.50 each (total of \$5.00). The water rights will then be transferred to the Hald Brothers.

South Dakota Water Law 46-54-30.3 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.

I am returning the copies of Water Right Nos. 788-2 and 1695-2 to you for your records. If you have any questions, please contact us.

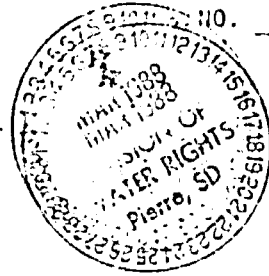
Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

132 acres - S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 7, T11S, R5E

formerly owned by Carl P Hald, Oelrichs, SD 57765

has been transferred to HALD BROTHERS INC, HCR 46, BOX 5, OELRICHS, SD 57763
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 788 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)
) ss.
County of FALL RIVER)

HALD BROTHERS INC, BY CARL P. HALD ^{PRESIDENT} 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.

ATTEST:
J. G. B. Hald
SECRETARY

HALD BROTHERS INC, A CORPORATION
By Carl P. Hald
(Signature)
ITS PRESIDENT

Subscribed and sworn to before me this 14 Day of March, 1983.

W. P. Farrell
(Notary Public)

W.P. FARRELL, NOTARY PUBLIC
MY COMMISSION EXPIRES
APRIL 1, 1990

RECEIPT

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

441197

Pierre, March 7, 1922

RECEIVED OF Lyle Hald, Hald Brothers, HCR 46, Box 5, Oelrichs, SD 57752
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>788-2</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 (Signature)
Chief Engineer

JOHN HATCH (S)



Department of Water & Natural Resources

Joe Foss Building

Water Rights Division

Pierre, South Dakota 57501

Phone (605) 773-3352

March 17, 1988

Lyle Hald
Hald Brothers
HCR 46, Box 5
Oelrichs, South Dakota 57763

Dear Mr. Hald:

Enclosed is receipt No. 411167 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 788-2.

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

Sincerely,

Maxine Stirling
Secretary

ins/
Enc.
cc: Martin C. Farrell

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

September 21, 1988

NOTICE

Hald Brothers, Inc.
HCR 46, Box 5
Oelrichs SD 57763

Dear Sirs:

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). 788-2 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,

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. 788-2

Hald Brothers, Inc.
HCR 46, Box 5
Oelrichs SD 57763

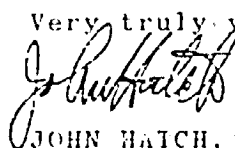
Dear Sirs:

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

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

If we can answer any questions, please contact us.

Very truly yours,



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

cc: Bruce Laymon, Bureau of Reclamation



South Dakota Department of
Water & Natural Resources

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

May 11, 1989

1695-2, 788-2

NOTICE

TO: Carl Hald
Hald Brothers, Inc.
HCR 46, Box 5
Oelrichs, SD 57763

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

John Hatch

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

Effective May 19, 1989, you are ordered to, cease diversions of water under Water Right Nos. 788-2 and 1695-2. The priority date for your water rights is junior to the April 11, 1941 priority date for Angostura Irrigation District Water Right No. 579-2.

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

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

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

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

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





Department of Water & Natural Resources

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

March 19, 1990

1695-2
788-2

NOTICE

TO: Carl Hald
Hald Brothers, Inc.
HCR 46, Box 5
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 Nos. 788-2 and 1695-2. 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 3103.7 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

788-2
1695-2

NOTICE

TO: Carl P. Hald, Pres.
Hald Brothers, Inc.
HCR 46, Box 5
Oelriches, SD 57763

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

Delvin D. Brosz

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

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

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

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

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 20, 1991

788-2
1695-2

RESCISSION OF SHUTOFF ORDER

TO: Carl P. Hald, Pres.
Hald Brothers, Inc.
HCR 41 X 5
Oelriches, SD 57763

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

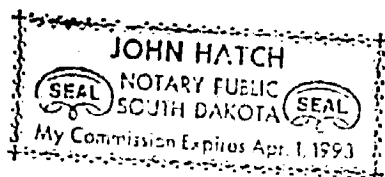
I hereby certify that on March 25, 1992, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 25, 1992, regarding Shut Off Order for Junior Water Right Holders Upstream of the Angostura Irrigation District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

Charles 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 H. H. H.
Notary Public



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

March 25, 1992

788-2
1695-2

NOTICE

TO: HALD BROTHERS, INC.
CARL P HALD, PRES
HCR 46 BOX 5
OELRICHS, SD 57763

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. 788-2, 1695-2 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.

PERMIT NO	FIRST NAME	LAST NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE	PERMIT	PERMIT
457-2		A & T CATTLE CO	TOM LANDERS	ST RT	HOT SPRINGS	SD	57747		
352-2	RICHARD	ANDERSON	A ERIC ANDERSON	BOX 52 BOX 18	FINDSMONT	SD	57735		
1911-2	JOSEF R	ANDERSON		BOX 52 BOX 20	FINDSMONT	SD	57735		
374-2		B & B RANCH INC	B F CHILDERS	BOX 723	FINDSMONT	SD	57735		
534-2		BALL FROS		BOX 417	FINDSMONT	SD	57735		
1295-2	LESTER E	BARTLEY		BOX 740	FINDSMONT	SD	57735		
1623-2	NICK/MICHAEL	BEGGER	NICK BEGGER JR	BOX 45 BOX 24	OFFERICH	SD	57763	1734-2	
755-2		BEAUFORD INDIAN SCHOOL			HOT SPRINGS	SD	57747		
658-2	WAYNE F	CHILDERS		BOX 52 BOX 14	FINDSMONT	SD	57735		
616-2	A L	CHILDERS		BOX 723	FINDSMONT	SD	57735		
654-2	OSCAR	COFF			OFFERICH	SD	57763		
1324-2	JOHN	DOERING		SR 1 BOX 136	BUCK	WY	82225		
567-2	HAROLD E	EDDSON		BOX 52 BOX 5A	FINDSMONT	SD	57735	1410-2	
2058-2	ERON/BERNHA	ERFSON		BOX 48 BOX 248	ERON	SD	57774		
1985-2	DAVID M	DENEAR		PR BOX 32	OFFERICH	SD	57763		
788-2		HAID PROPERTIES, INC.	CARL F HAID, PRES	BOX 45 BOX 5	OFFERICH	SD	57763	1635-2	
821-2	HERMAN	HECK		BOX 411	FINDSMONT	SD	57735		
540-2	DARRELL F	HELMAN		BOX 402	FINDSMONT	SD	57735		
1972-2	EDNA R	HENDERSON	ACT 275	5141 INDIAN RIVER	LAS VEGAS	NV	89104		
1981-2	DON W	HENRY		BOX 276	ARIZONA	SD	57715		
379-2	HENRY C	HOLLENBECK		POWELL HOTEL	FINDSMONT	SD	57735		
1593-2		HU RANCH INC	SD CORPORATION	BOX 52 BOX 102	FINDSMONT	SD	57735		
750-2	DARRELL D	HUNTER		BOX D	ARIZONA	SD	57715		
1641-2	JAMES/PATRICIA	JOHNSTON		BOX 68 BOX 2	LAKEVIEW	NE	68351		
18770-2	JIM	KANE		BOX 124	ERON	SD	57774		
763-2	CARL	KANOLY	ACT 207	FLANIG HOTEL	CHADRON	NE	69317		
1996-2	JOHN W	KOLLER		BOX 715	FINDSMONT	SD	57735		
614-2	A J	LANDERS	STAR CATTLE CO	BOX 1538 BOX 52	HOT SPRINGS	SD	57747		
1940-2	R L ALLEN	LANDENCE		BOX 159	YOGA	ND	58552		
677-2	WELVIN	LUTE			HOT SPRINGS	SD	57747		
13225-2	JOHN DEJACK	MANKE	(ESTATE)	PR 41 BOX 1780	HOT SPRINGS	SD	57747		
14447-2	KENNETH	MARTINSON		BOX 341	FINDSMONT	SD	57735		
785-2	ARLITH R	MULLEN		BOX 164	OFFERICH	SD	57763		
610-2	RAITH L	MURPHY, JR		BOX 48 BOX 22	ERON	SD	57774		
1373-2	A J	NELSON		ERON'S STAGE	WILKS CITY	MT	59301		
2015-2		PETERSON & SON, INC		BOX 52 BOX 14	FINDSMONT	SD	57735		
1916-2	PAUL A JEAN	PETTY	A NORTON PETTY	BOX 52 BOX 136	HOT SPRINGS	SD	57747	57747	
1716-2	WELVIN	PORTER		WYO RT BOX 17	FINDSMONT	SD	57735		
711-2	DOUGLAS	PUTNAM		BOX 184	OFFERICH	SD	57763	2043-2	
1916-2	JOHN	REASER		BOX 45 BOX 43	OFFERICH	SD	57763		
472-2	EDWARD/MANDA	RIVETER		BOX 52 BOX 90	FINDSMONT	SD	57735	1733-2	
233-2	CHANCE/DETTRE	REYNOLDS		BOX 52 BOX 28	FINDSMONT	SD	57735	234-2	
669-2	OLIVER W	ROMAN		BOX 175	OFFERICH	SD	57763		
719-2	VERNON	SCHROFF		ST RT BOX 155	HOT SPRINGS	SD	57747	1700-2	
1443-2		SEGER RANCH INC		BOX 95	OFFERICH	SD	57763	671-2	1931-2
277-2	BERNARD D	SIMONS		BOX 351	FINDSMONT	SD	57735		
1732-2	ROBERT/MARK	TUBBS		BOX 563	FINDSMONT	SD	57735		
1619-2		WAR BOWNET RANCH LTD	BOX 132	105 E 5TH ST	WYOMING	SD	57552		
322-2	VINCENT M	WASSERBURGER		BOX 83	ARIZONA	SD	57715	853-2	2115-2

Water Rights Division -DENR
Conversation or File Documentation

File No. 788-2

NAME OF PERSON OR FILE: Carl P. Hald

ADDRESS: Oelrichs, SD

COUNTY: Fall River

DATE: 6/6/91

TELEPHONE: 535-2182

RE: Inspection of Vested Right Claim

COMMENTS: Accompanied by Mr. Lyle Hald, Carl's son inspected the area claimed under Vested Water Right Claim No. 788-2. The dikes were still in good shape and had a very good grass cover. The land seemed to be the same land plotted on the original map submitted with the application.

** Recommend validation of Vested Right Claim No. 788-2

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



M. RASSOOL AHADI

Natural Resources Engineer III
DENR, Water Rights Division

SOUTH DAKOTA

VESTED WATER RIGHT NO. 788-2 FOR IRRIGATION

Date of Receipt of Claim December 17, 1962.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 788-2 for irrigation purposes for Hald Brothers, Inc., HCR 46, Box 5, Oelrichs SD 57763 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 788-2 appropriates 1.88 cubic feet of water per second from dry draws located in the SE 1/4 NW 1/4, NW 1/4 SW 1/4, NE 1/4 SW 1/4 Section 7 to irrigate 132 acres located in the S 1/2 NW 1/4, N 1/2 SW 1/4 Section 7; all in T11S-R8E.
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, 1942.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: *John H. Hattis* JUL 1 1992
Chief Engineer date

Division of Water Rights
Dept. of Environment and Natural Resources



788-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUL 1 1992

Hald Brothers, Inc.
HCR 46, Box 5
Oelrichs SD 57763

Dear Sirs:

The Water Management Board has validated the enclosed Vested Water Right No. 788-2. This validation gives legal status to the claim and is the final document for your vested right.

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

enclosure



788-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 1993

788-2
1695-2

NOTICE

TO: HALD BROTHERS, INC.
CARL P HALD, PRES
HCR 46 BOX 5
OELRICHS, SD 57763

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

Delvin D. Brosz

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

Effective immediately no diversions of water under your Water Right Nos. 788-2 and 1695-2 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

788-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 14, 1993

788-2
1695-2

RESCISSION OF SHUTOFF ORDER

TO: HALD BROTHERS, INC.
CARL P HALD, PRES
HCR 46 BOX 5
OELRICHS, SD 57753

FROM: JOHN HATCH, CHIEF ENGINEER *John Hatch*
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

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



788-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 15, 1995

788-2
1695-2

NOTICE

TO: CARL P HALD, PRES
HALD BROTHERS, INC.
HCR 46 BOX 5
OELRICHS, SD 57763

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. 788-2 and 1695-2 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 Irrigator District



788-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 26, 1995

788-2

1695-2

RESCISSION OF SHUTOFF ORDER

TO: **CARL P HALD
HALD BROTHERS INC
HCR 46 BOX 5
OELRICHS, SD 57763**

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

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

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

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

cc: US Bureau of Reclamation
Angostura Irrigation District



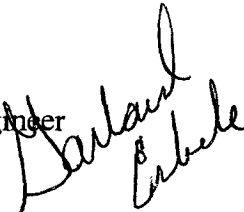
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 30, 2004

NOTICE OF SHUTOFF ORDER

TO: HALD BROTHERS INC
CARL P HALD
HCR 46 BOX 5
OELRICHS SD 57763

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. 1695-2, 788-2

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.



788-2

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: HALD BROTHERS INC
CARL P HALD
HCR 46 BOX 5
OELRICHS SD 57763

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

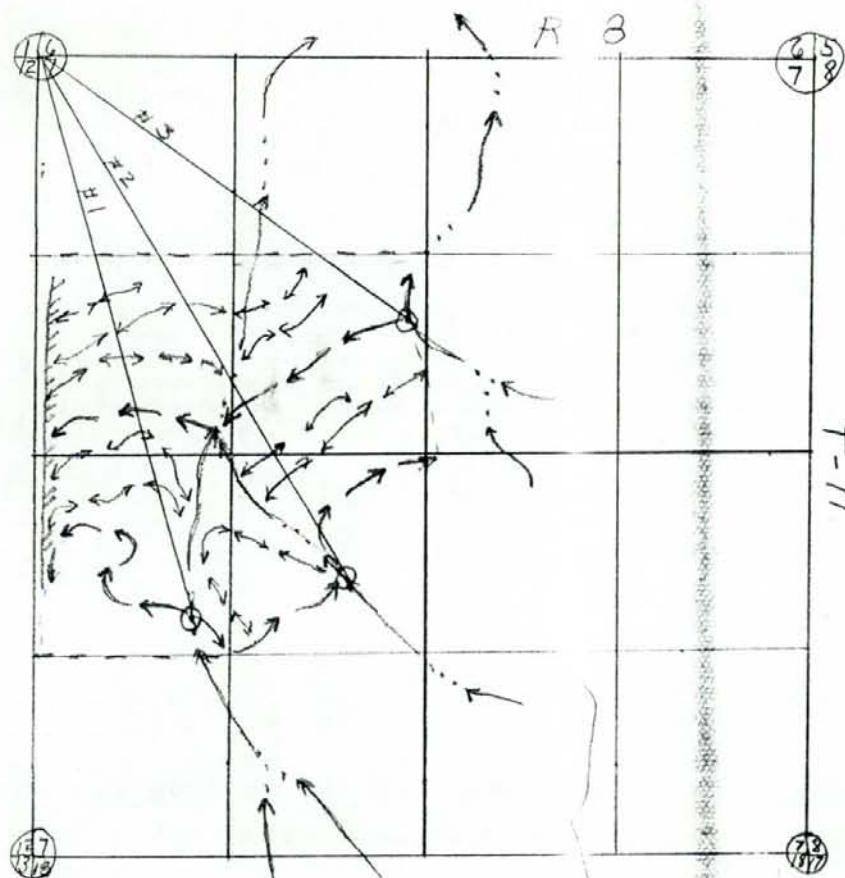
SUBJECT: Shutoff Order for Junior Priority Date Water Rights Upstream of
Angostura Dam

Shutoff Order for Water Right Nos. 1695-2, 788-2

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.



Hold Brothers
(Lyle)

788-2

Scale 4 inch
Dry Draw —→
Diversion Ditch
Spreader Ditch

Carl P Hold Sketch Map
for Vested Water Rights 788-2

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
ASSISTING
Fall River County
SOIL CONSERVATION DISTRICT

DRAW
SHEET
DATE



IN REPLY REFER TO:

DK-700
PRJ 13.00

788-2

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



788-2
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 2006

NOTICE OF SHUTOFF ORDER

TO: HALD BROTHERS INC
CARL P HALD
HCR 46 BOX 5
OELRICHS SD 57763

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. 1695-2, 788-2

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 10, 2006

NOTICE OF SHUTOFF ORDER

TO: HALD BROTHERS INC
CARL P HALD
HCR 46 BOX 5
OELRICHS SD 57763

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. 1695-2, 788-2

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: HALD BROTHERS INC
HCR 46 BOX 5
OELRICHS, SD 57763

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. 1695-2 788-2

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: HALD BROTHERS INC
30195 HWY 385
OELRICHS SD 57763

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. 1695-2, 788-2

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: CARL HALD
HALD BROTHERS INC
30195 HIGHWAY 385
OELRICHS SD 57763

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. 1695-2, 788-2

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: HALD BROTHERS INC
CARL P HALD
30195 HIGHWAY 385
OELRICHS SD 57763

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. 1695-2 788-2**

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:

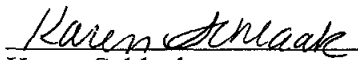
LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
INDIAN CREEK CATTLE LLP		32296 190TH ST	SLEEPY EYE	MN	56085
INDIAN CREEK LAND & CATTLE LLC		PO BOX 538	EDGEMONT	SD	57735
WEINREIS BROTHERS		230908 HIGHLAND RD	SCOTTSBLUFF	NE	69361
SEGER RANCH INC		RR 1 BOX 100A1	HOT SPRINGS	SD	57747
REUTTER	EDWARD/WANDA	HCR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

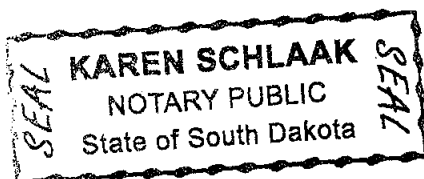
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK &	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	THOMAS	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC	BERNARD D	10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD	WAYNE 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: HALD BROTHERS INC
30195 HIGHWAY 385
OELRICHS, SD 57763

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). 788-2

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.