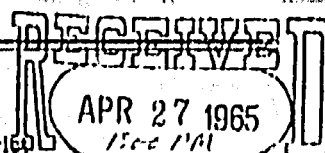


366-2

1. Considered 7-14, 1968
2. Name of Applicant A. J. L. L. L.
3. Post Office Address HOT SPRINGS
4. Amount of Water Claimed 12.6
5. Source of water supply CHEVENS RIVER & HOT CREEK
6. Water to be used for IRRIGATION
Acres to be irrigated 58.3
7. Water to be diverted and used in FAIR RIVER County about
12E 2S Miles of EDGEMONT
8. Proof of Publication Received 1st
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:

No. 866-2Water Division No. 2 SOUTH CHEYENNE RIVER District
(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 A. L. LANDERS
Postoffice address HOT SPRINGS, County FALL RIVER, State SOUTH DAKOTA

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

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

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

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

DIRECT LABOR

- (b) Cash on hand, \$ 2,000
- (c) Treasury stock, \$
- (d) Bonds to be issued, \$
- (e) Other resources, \$

2. Name of diversion work LANDERS SUPPLEMENTAL DITCH
3. Amount of water claimed 1.26 MAXIMUM ALLOWABLE cubic feet per second
4. Source of water supply CHEYENNE RIVER & HOT CREEK
5. Location of point of diversion: N25° 26' E, 1,664 FEET FROM SW CORNER OF SECTION 13, T 9 S,
R 4 E, BLACK HILLS MERIDIAN 1661 1661 FALL RIVER County.
HOT CREEK DIVERSION 511° 120 RODS FROM THE NE CORNER, SEC 36, T 9 S, R 4 E.
6. Annual period or periods during which water is to be used MAY - OCTOBER
7. To be used for:

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

- (a) Number of acres to be irrigated
- 88.3
- acres.

- (b) Legal subdivisions to be irrigated
- SEE ATTACHED SHEET

(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
- IRRIGATION

Name any of the above uses claimed

- (b) Amount of power to be generated
- NONE
- 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
- ALONG CHEYENNE RIVER FROM NW 1/4 SW 1/4, SECTION 13 TO SW 1/4 NW 1/4 SECTION 12.

MAP NO 746-2

8. Estimated cost of work:

(a) Head Gates, \$200

(b) Pumping plant, \$500

(c) Fluming, \$000

(d) Canal-earth, \$400

Rock, \$

(e) Other structures \$

Total, \$2,000.00

9. Description of diversion works:

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

1,480 FEET OF DITCH

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-FOOT CAPACITY

(c)* Head gate: Width TWO feet; height TWO feet,

Material CONCRETE

(d) Canal: Total length 2.27 miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ALL Mile	1 feet	4 feet	6 feet	5.28 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 TWO years.

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

12. Choice of newspaper for publication of notice of intention to appropriate HOT SPRINGS STAR,
HOT SPRINGS, SOUTH DAKOTA

STATE OF SOUTH DAKOTA

County of Fall River

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

Signed

A. J. Landers

Subscribed and sworn to before me this

26

day of

April

1965

Notary Public (or other qualified officer.)

HELEN MAGEE

Remarks by State Water Resources Commission:

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

STATE OF SOUTH DAKOTA

County of

HUGHES

ss.

Pierre, South Dakota,

DECEMBER 27 1965

This is to certify that the foregoing application was received by the Commission at 1:00 o'clock

P.m. upon the 27TH day of APRIL 1965

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Number of permit

866-2

Date of first receipt of application

APR 27

1965

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

MAY 6 1965

Date of receipt of corrected application

MAY 10

1965

Date from which applicant may claim right

DECEMBER 27

1965

Approved

JULY 14

1965

Recorded in Book

9

Page

70

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

JULY 14 1966

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

JULY 14

1965

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

JULY 14

1969

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

and beneficially applied for irrigation on or before JULY 14 1969; said water to be used during the following described annual period:

MAY TO OCTOBER

Witness my hand this

27TH

day of

DECEMBER

1965

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction issued

JULY 2

1974

Water License issued

JULY 2

1974

Remarks by the Applicant: SUPPLEMENTAL SUPPLY FROM CHEYENNE RIVER TO BE PUMPED AS
NEEDED WHEN "LANDERS EXTENSION # 1" IS WAITING

FORM 2, ATTACHMENT

APPLICANT: A.J. LANDERS
HOT SPRINGS, SOUTH DAKOTA

7 (b) - Legal Subdivisions to be irrigated:

Section 13, T9S, R4E, B.H.M.

NW 1/4 NW 1/4: 15.4 acres; NE 1/4 NW 1/4: 0.9 acres;
SW 1/4 NW 1/4: 20.9 acres; NW 1/4 SW 1/4: 19.5 acres;
NE 1/4 SW 1/4: 8.2 acres; SE 1/4 SW 1/4: 0.8 acres;
SW 1/4 SW 1/4: 0.7 acres.

Section 12, T9S, R4E, B.H.M.

SW 1/4 SW 1/4: 4.5 acres; SE 1/4 SW 1/4: 13.0 acres;
SW 1/4 SE 1/4: 0.9 acres; NE 1/4 SE 1/4: 5.8 acres;
NE 1/4 SW 1/4: 7.1 acres; SE 1/4 NW 1/4: 5.2 acres;
SW 1/4 NW 1/4: 3.3 acres.

on or before
(First Publication June 17, 1965)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 8, 1965

Notice is hereby given that A. J. Landers whose postoffice address is Hot Springs S. Dak. has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.26 cubic feet of water per second of time from the Cheyenne River and Hat Creek through the Landers Supplemental Ditch the point of diversion of which is to be located on the right bank of said stream at a point in the NW 1/4 Sec. 13, and from Hat Creek at a point in the NE 1/4 of Section 36 Twp. 9S Range 4E portions of said water to be used for the purpose of providing irrigation on the following described land:

N 1/2 NW 1/4, SW 1/4 NW 1/4, SW 1/4 Section 13; S 1/2 SW 1/4, NE 1/4 SW 1/4, S 1/2 NW 1/4, SW 1/4 SE 1/4 and NE 1/4 SE 1/4, Sec. 12, T9S, R4E

XXXXXXXXXX

XXXXXXXXXX

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

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

State Water Resources Commission

By:
BURTON E. JONES
Water Right Specialist

CC: Mr. E. E. Hansen, Manager
Hot Springs Star
Hot Springs, S. Dak.

AFFIDAVIT OF PUBLICATION

State of South Dakota)
County of Fall River)

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

Notice of Application
for Appropriation No. 866-13
of Water
(A. J. Landers)

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

for four
successive issues, beginning with

the issue dated

June 12, 1965

and ending with the issue dated

July 8, 1965

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

notice is \$15.09 (Paid)

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

E. E. Haussen

Subscribed and sworn to before

me this 23 day of Dec.

1965

Notary Public

149
APPROPRIATION OF WATER

Office of State Water
Resources Commission
Pierre, S. Dak.
June 3, 1965

Notice is hereby given that A. J. Landers whose postoffice address is Hot Springs, S. Dak., has made application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.26 cubic feet of water per second time from the Cheyenne River and Hat Creek through the Landers Supplemental Ditch, the point of diversion of which is to be located on the right bank of said stream from the Cheyenne River at a point in the NW 1/4 SW 1/4, Sec. 13, and from Hat Creek at a point in the NW 1/4 of the NE 1/4 of Section 36 Twp. 9S Range 4E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

N 1/2, NW 1/4, SW 1/4, NW 1/4, SW 1/4, Section 13; S 1/2 SW 1/4, NE 1/4 SW 1/4, S 1/4 NW 1/4, SW 1/4 SE 1/4 and NE 1/4 SE 1/4, Sec. 12, T9S, R4E

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

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

State Water Resources
Commission By:
BURTON F. JONES
Water Right Specialist
(June 17, 24, July 1, 8)

RECEIVED
DEC 27 1965

STATE WATER RESOURCES COMM.
PIERRE, S. DAKOTA

Permit No. 866-2

Water Diversion No. 2 SOUTH CHEYENNE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That A. J. Landers

_____ the holder _____ of
Permit No. 866-2, issued upon Application No. 866-2, bearing date of priority of December 27,
1965 authorizing the diversion of 1.26 cu. ft. per second of the waters of the
Cheyenne River & Hot Creek County of Fall River, State of South Dakota at _____
a point North 25° 26' East, 1664 feet from the SW Corner, Section 13,
198, R4L
_____, for irrigation

_____ purposes, has ^ complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.00 cu. ft. per second of water.

Date July 2, 1974

By: WATER RIGHTS COMMISSION

DONALD DRISCOLL, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. ⁸⁶⁶⁻²

(1) WHEREAS, On the 27th day of April A. D. 19 65
A. J. Iander

made Water Right Application No. 866-2 for a permit to use 1.26 cubic feet per second of the waters of the Cheyenne River and Hat Creek

County of Fall River, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 27th day of December A. D. 19 65
 Permit No. 866-2, with a date of priority of December 27, 1965

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 14th day of July A. D. 19 66 and for the application to beneficial use of said water on or before the 14th day of July A. D. 19 69

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.26 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

for irrigating the following land in T9S, R4E

Section 12	SW $\frac{1}{4}$ SW $\frac{1}{4}$	4.5 acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	0.9 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	7.1 acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	3.3 acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	13.0 acres
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	5.8 acres
Section 13	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.2 acres
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	13.4 acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	10.9 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	3.2 acres
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	0.7 acres
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.9 acres
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	19.5 acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	0.8 acres

Total

88.5 Acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to A. J. Landers of Hot Springs, S.D. the holder and owner of said permit No. 866-2 a water right, dating from December 27, 1965 to use of 1.26 cubic feet per second of the waters of the Cheyenne River in the County of Fall River and State of South Dakota, or so much thereof as may be necessary for the purposes hereinafter mentioned, to be diverted at a point North 35° 26' East, 1664 Feet from the SW Corner, Section 13, T9S, R4E and conduct to and upon portions of Sections 12 and 13, T9S, R4E more fully described on the face of this license for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 866-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota this 2nd day of July A. D. Nineteen Hundred and Seventy-four

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer DONALD DRISCOLL



866-2

Department of Water & Natural Resources

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

January 29, 1988

A J LANDERS- STAR CATTLE CO
SR BOX 159B
HOT SPRINGS, SD 57747

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 866-2. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 866-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

 **Department of
Water & Natural Resources**

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

February 9, 1988

866-2

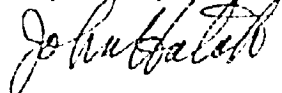
A J Landers
Star Cattle Co.
Sh Box 159B
Hot Springs SD 57747

Dear Mr. Landers:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 866-2 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

Permit No. 866-2Water Division 2 SOUTH CHEYENNE Water District
RIVERREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

WATER RIGHTS COMMISSION

TO: ~~Water Resources Commission~~, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by A. J.
LANDERS of HOT SPRINGS, S. D. holder
of Permit No. 866-2, bearing date of priority of DECEMBER 27, 1965
authorizing the diversion of ~~1.26~~ cu. ft. per second of the waters of CHEYENNE RIVER
for IRRIGATION purposes, in FALL RIVER County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

2 - 30 H.P. - NEWMAN ELECTRIC MOTORS - MODEL 1057
-204
2 - 12 INCH SUBMERCIBLE PARMA WATER LIFTER PUMPS

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

215 FEET OF 12 INCH ALUMINUM PIPE

C. Works used to apply water to beneficial use.

1500 FEET OF DITCHES - FLOOD IRRIGATEDThe system is in the following condition: FAIRThe point of diversion is located N 25° 26' E, 1664 FEET FROM SW
CORNER OF NW 1/4 SW 1/4 SEC. 13 T 9S R 4E BHMThe works are capable of diverting and conveying to the place of use 2.00 cfs
cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

AS SHOWN ON WATER RESOURCE MAP #746-2
SEE ATTACHMENT *

comprising a total of ~~100~~ 88.3 acres of land.

* THE INSPECTION REVEALED THAT AN ADDITIONAL 20 ACRES
WEST OF THE CHEYENNE RIVER IS IRRIGATED (WN 1/4 SEC 13)

Date MAY 22, 1974

Thomas Gardner
(Signature)

THOMAS GARDNER
WATER RESOURCES ENGINEER

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

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

May 11, 1989

866-2

NOTICE

TO: A.J. Landers
Star Cattle Co.
St. Rt., Box 159B
Hot Springs, SD 57747

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

John Hatch

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

Effective May 19, 1989, you are ordered to cease diversions of water under Water Right No. 866-2. 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 57501-3181

March 19, 1990

866-2

NOTICE

TO: A.J. Landers
Star Cattle Co.
St. Rt., Box 159B
Hot Springs, SD 57747

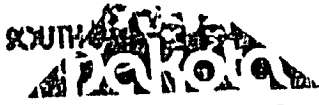
FROM: JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605)773-3352

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

This is a follow-up notice to the May 10, 1990 notice that you received ordering you to cease diversion of water under Water Right No. 866-2. 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

866-2

NOTICE

TO: A.J. Landers
Star Cattle Co.
St. Rt., Box 159B
Hot Springs, SD 57747

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

Delwin 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.



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 20, 1991

366-2

RESCISSION OF SHUTOFF ORDER

TO: A.J. Landers
Star Cattle Co.
St. Rt., Box 159B
Hot Springs, SD 57747

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

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.

South Dakota



GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

May 15, 1991

A. J. Landers
% Ralph Landers
Star Route, Box 159B
Hot Springs, SD 57747

866-2

Dear Mr. Landers:

On the morning of April 14, 1991, we were notified that you were pumping water from the Cheyenne River for irrigation. Del Brosz, from this office called you that afternoon and informed you that you were in violation of your water rights. Vested Right Claim No. 519-2 is for diversion from Hat Creek and is senior to the Angostura Water Right. Water Right No. 866-2 is for diversion from the Cheyenne River and is junior to the Angostura Water Right.

You were informed by Notice on March 19, 1990 and March 14, 1991 not to divert from the Cheyenne River until Angostura Reservoir has filled. Subsequent violations of your water rights will result in a hearing before the Water Management Board. The Water Management Board can suspend a water right, if the holder violates conditions of the right.

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

Very truly yours,

A handwritten signature in cursive script, reading "John Hatch".

John Hatch, Chief Engineer
Division of Water Rights

cc: Angostura Irrigation District

866-2

CERTIFICATION

I hereby certify that on May 15, 1991 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Violation of water rights on Vested Right Claim No. 519-2 and Water Right No. (866-2) addressed:

A. J. Landers, % Ralph Landers, Star Rt., Box 159B, Hot Springs, SD 57747.

Copy of letter to:

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

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 20th day of May, 1991.

John Hatch
Notary Public

CERTIFICATION

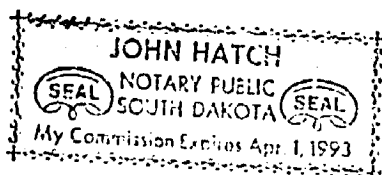
I hereby certify that on March 25, 1992, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 25, 1992, regarding Shut Off Order for Junior Water Right Holders Upstream of the Angostura Irrigation District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

Chas. 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

866-2

NOTICE

TO: A J LANDERS
STAR CATTLE CO
BOX 159B HCR 52
HOT SPRINGS, SD 57747

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

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

Please be advised that effective immediately no diversions of water will be allowed under your Water Right No. 866-2 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.



866-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 1993

866-2

NOTICE

TO: A J LANDERS
STAR CATTLE CO
BOX 159B HCR 52
HOT SPRINGS, SD 57747

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

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

Effective immediately no diversions of water under your Water Right No. 866-2 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

CERTIFICATION

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

Copy Sent To:

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

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

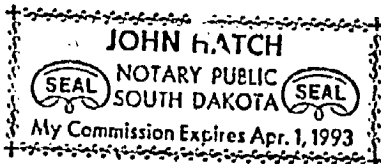
Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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

John H. H. H.
Notary Public



PERMIT NO	FIRST NAME	LAST NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP/CODE	PERM	CDP
657-2		A A T CATTLE CO	TIM LANDERS	ST RT	HOT SPRINGS	SD	57747		
372-2	RICHARD	ANDERSON	A CYAR ANDERSON	HCR 59 BOX 18	FICKMONT	SD	57735		
1516-2	DENE R	ANDERSON		HCR 59 BOX 20	FICKMONT	SD	57735		
396-2		B A H RANCH INC	B F CHILBERS	PO BOX 723	FICKMONT	SD	57735		
574-2		BALL FROS		BOX 417	FICKMONT	SD	57735		
1995-2	LESTER E	BARTLEY		BOX 749	FICKMONT	SD	57735		
1993-2	NICK/MICHAEL	BOONER	ANICK BOONER JR	HC 45 BOX 24	OFFRICHS	SD	57763	1734-2	
755-2		BRATNERD INDIAN SCHOOL			HOT SPRINGS	SD	57747		
658-2	WAYNE F	CHILBERS		HCR 59 BOX 14	FICKMONT	SD	57735		
676-2	V L	CHILBERS		BOX 723	FICKMONT	SD	57735		
654-2	OSCAR	COFF			OFFRICHS	SD	57763		
1974-2	JIM	DEGERING		SR 1 BOX 135	LUCK	WY	82225		
567-2	HAROLD F	JACKSON		HCR 59 BOX 54	FICKMONT	SD	57735	1410-2	
2052-2	LYON/BERTHA	JACKSON		HC 48 BOX 246	PRIMO	SD	57774		
1985-2	DAVID W	JENNER		RR BOX 37	OFFRICHS	SD	57763		
794-2		HAID BROTHERS, INC.	CARL P HAID, PRES	HCR 48 BOX 5	OFFRICHS	SD	57763	1625-2	
421-2	HEFMAN	HEER		BOX 441	FICKMONT	SD	57735		
540-2	DARRELL E	HELMAN		BOX 402	FICKMONT	SD	57735		
1873-2	DONA R	HENDERSON	ATT 265	5141 INDIAN VILLGE	LAS VEGAS	NV	89103		
1560-2	DW W	HENRY		BOX 276	ARMORE	SD	57715		
379-2	HENRY C	HOLLINBECK		HEWY ROUTE	FICKMONT	SD	57735		
1593-2		HU RANCH INC	SD CORPORATION	HCR 59 BOX 102	FICKMONT	SD	57735		
350-2	DARRELL D	HUNTER		BOX D	ARMORE	SD	57715		
1601-2	JAMES/PATRICIA	JOHNSTON		HC 48 BOX 7	LAKEVIEW	NE	68351		
18720-2	JIM	KANE		BOX 124	PRIMO	SD	57774		
765-2	COLE	KANSOLT	ATT 207	FLANIE HOTEL	CHAMON	NE	69347		
1636-2	JOHN W	KOLTER		BOX 715	FICKMONT	SD	57735		
824-2	A J	LANDERS	STAR CATTLE CO	BOX 1526 BOX 52	HOT SPRINGS	SD	57747		
1840-2	R L/ALLEN	LANDRICE		BOX 159	TIOGA	ND	58252		
676-2	WELVIN	LIFE			HOT SPRINGS	SD	57747		
17735-2	JOHN DEJACK	MANK	(ESTATE)	PR 11 BOX 1730	HOT SPRINGS	SD	57747		
11447-2	KENNETH	MARTINSON		BOX 341	FICKMONT	SD	57735		
795-2	ARDETH W	MICHAEL		BOX 184	OFFRICHS	SD	57763		
410-2	RALPH E	MEEFERD, JR		HCR 48 BOX 22	PRIMO	SD	57774		
1373-2	A J	NELSON		PRIMAUS STAGE	WHEELS CITY	MT	59001		
2015-2		PETERSON & SON, INC		HCR 59 BOX 14	FICKMONT	SD	57735		
1615-2	PAUL & JEAN	PETTY	A NOREEN PETTY	HCR 52 BOX 416	HOT SPRINGS	SD	577472403		
1716-2	WELVIN	PORTER		WYO RT BOX 47	FICKMONT	SD	57735		
711-2	DONALD	PUTNAM		BOX 184	OFFRICHS	SD	57763	2043-2	
1716-2	CLEN	REASER		HC 45 BOX 48	OFFRICHS	SD	57763		
492-2	EDWARD/WANDA	REUTTER		HCR 59 BOX 29	FICKMONT	SD	57735	1792-2	
223-2	CHANCE/NEFERE	REYNOLDS		HCR 59 BOX 25	FICKMONT	SD	57735	234-2	
662-2	OLIVER M	ROMFY		BOX 175	OFFRICHS	SD	57763		
712-2	VERNON	SCHNOLZ		ST RT BOX 155	HOT SPRINGS	SD	57747	1700-2	
1642-2		SEGER RANCH INC		BOX 95	OFFRICHS	SD	57763	671-2	1837-2
227-2	EDWARD D	SIMONS		BOX 381	FICKMONT	SD	57735		
1732-2	ROBERT/MARL	TIERS		BOX 563	FICKMONT	SD	57735		
1019-2		VAR BOWNET RANCH LTD	BOX 132	105 E 5TH ST	ARMORE	SD	57552		
102-2	VINCENT W	WASSERBURGER		BOX 85	ARMORE	SD	57715	153-2	2115-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 14, 1993

866-2

RESCISSION OF SHUTOFF ORDER

TO: A J LANDERS
STAR CATTLE CO
BOX 159B HCR 52
HOT SPRINGS, SD 57747

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

SUBJECT: Rescission of the Shutoff Order for Junior Water Right
Holders Upstream of the Angostura Irrigation District
for the 1993 Irrigation Season.

Recent wet conditions in the Upper Cheyenne River Basin have provided large inflows and the Angostura Reservoir is expected to fill shortly. The shutoff order for all junior water rights upstream of the reservoir is rescinded for the 1993 irrigation season.

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

cc: US Bureau of Reclamation
Angostura Irrigation District



866-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 15, 1995

866-2

NOTICE

TO: A J LANDERS
BOX 159B HCR 52
HOT SPRINGS, SD 57747

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

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

Effective immediately no diversions of water under your Water Right No. 866-2 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



866-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 26, 1995

866-2

RESCISSION OF SHUTOFF ORDER

TO: A J LANDERS
BOX 159B HCR 52
HOT SPRINGS, SD 57747

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

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

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

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

cc: US Bureau of Reclamation
Angostura Irrigation District



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 30, 2004

NOTICE OF SHUTOFF ORDER

TO: STAR CATTLE CO
A J LANDERS
BOX 159B HCR 52
HOT SPRINGS SD 57747

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program 

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

Shutoff Order for Water Right Nos. 866-2

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.



**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: STAR CATTLE CO
A J LANDERS
BOX 159B HCR 52
HOT SPRINGS SD 57747

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

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

Shutoff Order for Water Right Nos. 866-2

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

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

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



IN REPLY REFER TO:

DK-700
PRJ 13.00

866-2
United States Department of the Interior

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

FEB 24 2006



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

RECEIVED
FEB 27 2006
WATER RIGHTS
PROGRAM

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

Dear Mr. Erbele:

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

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

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

Sincerely,

FOR Jeffrey L. Nettleton
Rapid City Field Office Manager

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 10, 2006

NOTICE OF SHUTOFF ORDER

TO: STAR CATTLE CO
A J LANDERS
BOX 159B HCR 52
HOT SPRINGS SD 57747

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

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

Shutoff Order for Water Right Nos. 866-2

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

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 18, 2006

NOTICE OF SHUTOFF ORDER

TO: A J LANDERS
BOX 159B HCR 52
HOT SPRINGS SD 57747

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

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

Shutoff Order for Water Right Nos. 866-2

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

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

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

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

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

If you have any questions, please contact Mark Rath or Lynn Beck with the Water Rights Program at (605) 773-3352. Thank you.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 9, 2007

NOTICE OF SHUTOFF ORDER

TO: STAR CATTLE CO
BOX 159B HCR 52
HOT SPRINGS, SD 57747

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

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

Shutoff Order for Water Right Nos. 866-2

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: STAR CATTLE CO
BOX 159B HCR 52
HOT SPRINGS SD 57747

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

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

Shutoff Order for Water Right Nos. 866-2

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: AJ LANDERS
STAR CATTLE COMPANY
BOX 159B HCR 52
HOT SPRINGS SD 57747

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

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

Shutoff Order for Water Right Nos. 866-2

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: A J LANDERS
BOX 159B HCR 52
HOT SPRINGS SD 57747

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. 866-2**

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

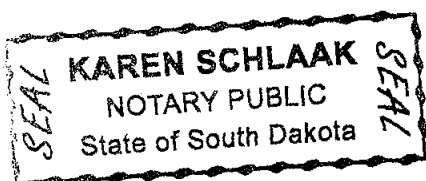
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK &	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	THOMAS	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC	BERNARD D	10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD	WAYNE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

AJ LANDERS
BOX 159B HCR 52
HOT SPRINGS, SD 57747

866-2

April 09, 2026

Dear Cheyenne River Water Right Holder:

Due to the ongoing drought I am advising Cheyenne River water right holders of the possibility of shutoff orders in 2026 for the river reach from the Wyoming-South Dakota state line to Angostura Dam. This is not a shutoff order.

As a result of the continuing lack of precipitation, tributary flows throughout the Cheyenne River basin remain well below the historical average. Angostura Reservoir ended March 12 feet below full (top of active conservation pool) and the current forecast throughout the summer months is not favorable for improved conditions.

This letter is only intended to give you advanced warning that your ability to divert water may be cut short this year. If shut-off orders are issued, you will receive another letter from the Department. In the meantime, water right holders can help by closely monitoring water usage to minimize use and trying to avoid wasting water.

South Dakota water law gives the highest priority to domestic use, which includes livestock watering. There is generally adequate water available to meet both domestic use and other needs. However, once water availability reaches critically low levels, other uses, including irrigation, will begin to interfere with domestic uses and senior water rights. If levels become critically low, the department must issue shut-off orders to protect domestic water uses and senior water rights. Once these orders are issued, the department will continue to monitor water availability and should conditions improve, the shutoff orders would be rescinded.

If you are interested, the US Geological Survey has an Internet site showing river flows at 150 stream gauging stations across the state. Go to <https://waterdata.usgs.gov/state/south-dakota/> and click on "View monitoring location page" for the USGS gages above Angostura Dam.

Thank you for your cooperation. If you have any questions, please contact Nakaila Steen or another member of the DANR-Water Rights Program at (605) 394-2229 (Rapid City Office) or (605) 773-3352 (Pierre Office).

Sincerely,

Adam Mathiowetz, PE
Acting Chief Engineer
Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 05, 2026

TO: AJ LANDERS **FROM:** Adam Mathiowetz, PE
BOX 159B HCR 52 Acting Chief Engineer
HOT SPRINGS, SD 57747 Water Rights Program

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

Shutoff Order for Water Permit No(s). 866-2

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.