

927-2

1. Considered Nov 8, 1967
2. Name of Applicant Bernard D. Simons
3. Post Office Address Edgemont
4. Amount of water claimed 6.5
5. Source of water supply Dry draws
6. Water to be used for irrigation
Acres to be irrigated 470
7. Water to be diverted and used in Fall River County
about 12 W miles of Edgemont
8. Proof of Publication
Received Oct 31
Not Received _____
9. Application
Approved V
Subject to _____
Not Approved _____
Action deferred _____

Statement

10. Remarks:

No. 927-2Water Division No. 2 So. Cheyenne River District
(Blanks to be filled by the Engineer for the W. R. C.)FEB 1 1967
10:30 AMSTATE WATER RESOURCES
CLARK SOUTH DAKOTAAPPLICATION FOR PERMIT
To Appropriate Water within the State of South Dakota

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

1. Name of applicant Bernard D. Simons Box 361
Postoffice address Edgemont 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 _____
- (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)

Improvements to be made by direct labor with the aid of the Soil Conservation Service Great Plains Program.

(b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Wheeler Diversion, Simons Diversions No. 1, 2, & Rasmussen Diversion3. Amount of water claimed 6.5 cubic feet per second4. Source of water supply Dry Draws A, B, C, and D5. Location of point of diversion See last sheet of this document102 ft. from S. of T. on R. 10 on 11 bank 11 County.6. Annual period or periods during which water is to be used March to September as available

7. To be used for:

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

(a) Number of acres to be irrigated 460 acres.(b) Legal subdivisions to be irrigated See form No. 24

(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.) Various stockwatering facilities atdams and dugouts. See map.

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

(a) Nature of use Stockwatering
Name of the above uses claimed

(b) Amount of power to be generated _____ horse power.

Amount claimed for engine rolling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

Map # 805-2

8. Estimated cost of work:

(a) Head Gates, \$ 250.00

(b) Pumping plant, \$

(c) Flaring, \$

(d) Canals earth \$ 9000.00

Rock, \$

(e) Other structures Dam \$ 1800.00

Total, \$ 11050.00

9. Description of diversion works:

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

Dam and Flow Line Grade diversion. Ditches and approach dikes

II. Dimensions of works:

No. 1 30' No. 2 18' No. 1 450' No. 2 260'

(a) Dam: Height No. 1 15' feet; length at bottom No. 1 160' No. 2 100' feet; length at top No. 1 800' feet; thickness at bottom No. 1 10' feet; thickness at top 12' feet slope at front water face 3 to 1; slope at back face 2 to 1 material used in construction Earth

(b) Reservoir: Capacity when filled No. 1 40 AF No. 2 12 AF No. 3 3.5 (Silted) acre feet. Surface area at highwater mark No. 1 7.1 No. 2 3.6 No. 3 3.8 acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	ACRE-Feet CAPACITY
	Does not apply	

(c) * Head gate: Width 24" CMC at Dam No. 1 feet; height feet;
Other diversions at flow line grade Metal
Material

(d) Canal: Total length 3.0 miles, plus or minus

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

(Give dimensions where reductions in size are made)

10. Time required for completion of work Original completed years. Extensive improvements planned.

11. Time required for complete application of water to the proposed beneficial use 4 years.

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

Edgemont Herald-Times Edgemont, So. Dak.

STATE OF SOUTH DAKOTA

County of Fall River

ss.

I, Bernard A. Simons, 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

Bernard A. Simons

Subscribed and sworn to before me this

16th

day of

Jan

1967

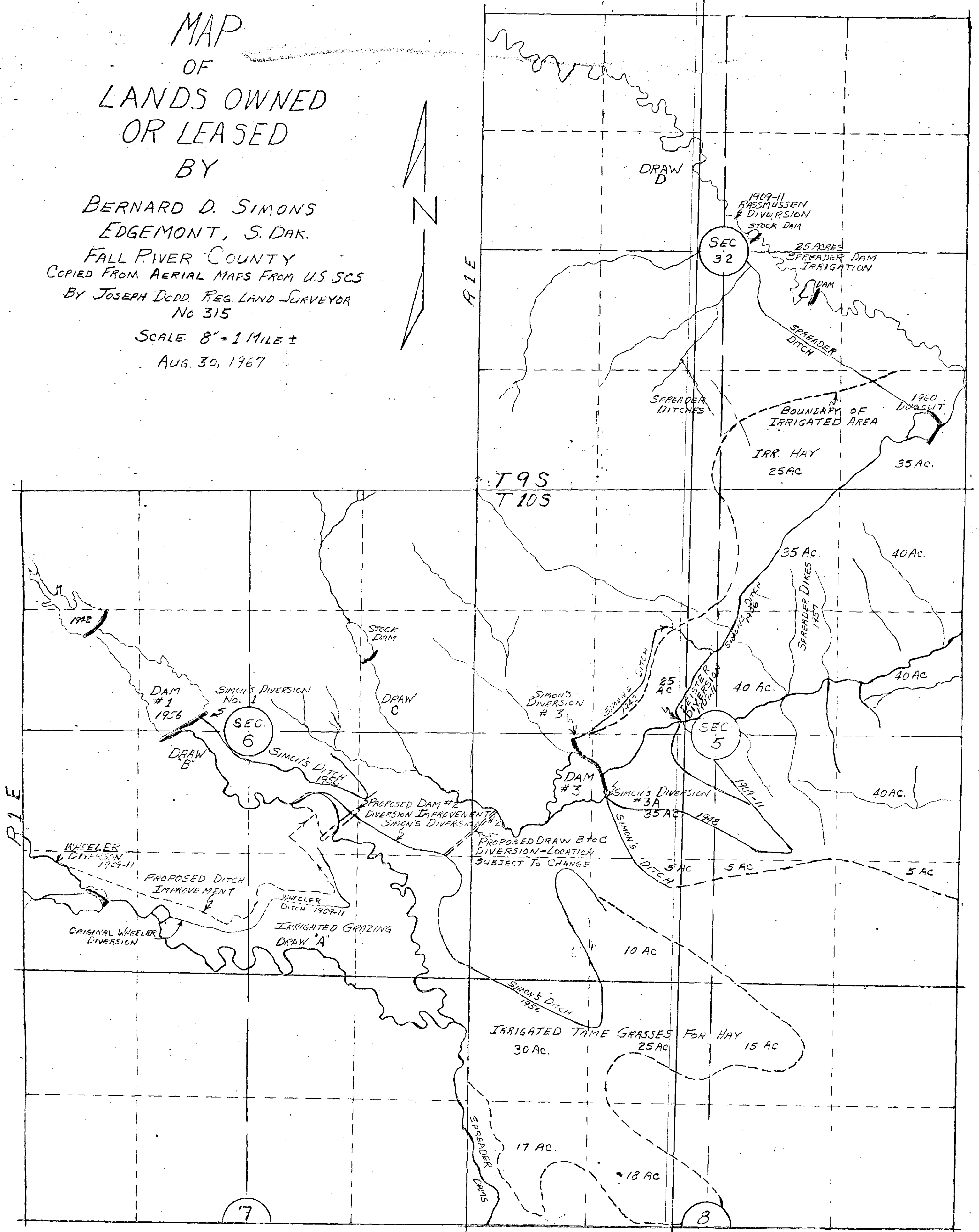
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

MAP OF LANDS OWNED OR LEASED BY

BERNARD D. SIMONS
EDGEMONT, S. DAK.
FALL RIVER COUNTY
COPIED FROM AERIAL MAPS FROM U.S. SCS
BY JOSEPH DODD REG. LAND SURVEYOR
No 315

SCALE 8" = 1 MILE ±
AUG. 30, 1967

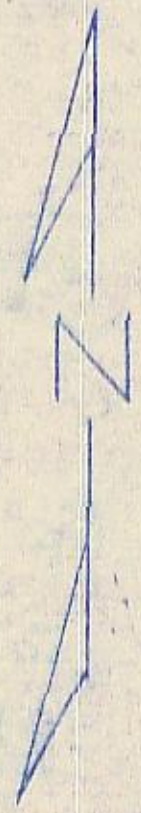


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BERNARD D. SIMONS
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SCALE, 8" = 1 MILE ±
AUG. 30, 1967



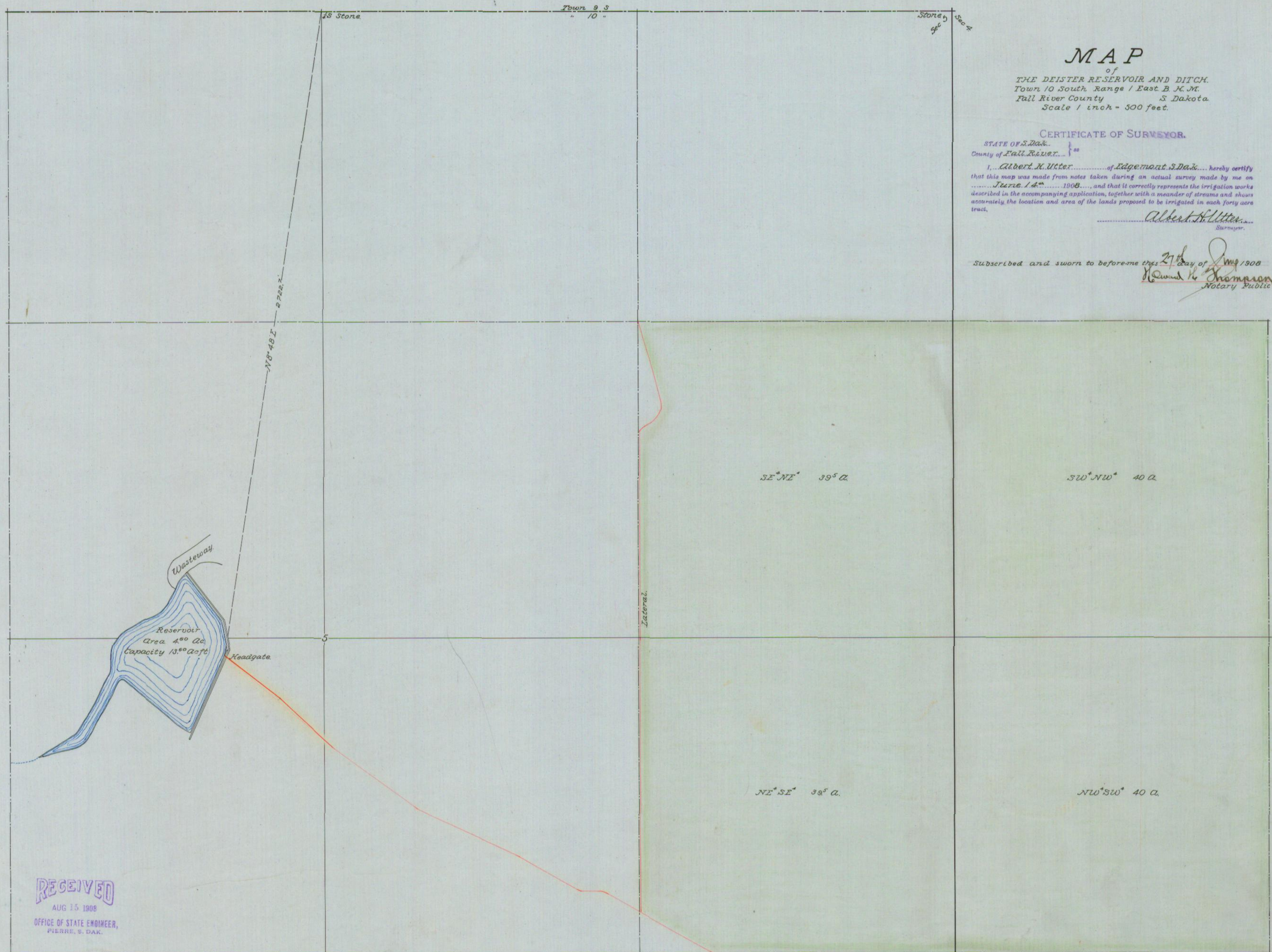
11-2-19. Diversion Point: Dam #1
2640' S + 1700' E of NW cor
Sec. 6, T10S, R1E
1500' E + 500' N of the SW cor
Sec. 6, T10S, R1E
Dam 3, 2350' N + 1450' E of
the SW cor of Sec. 5, T10S, R1E

02

#

App # 927-2

Map # 927-2



Remarks by State Water Resources Commission:

A VESTED RIGHT HAS BEEN CLAIMED, AS SHOWN
ON WATER RIGHT MAP # 805-2. VESTED RIGHT
PRIORITY DATES OF 1911 FOR THE WHEELER DITCH
AND 1942-1966 FOR THE SIMONS DITCH, HAVE BEEN
CLAIMED IN "PROOF OF APPLICATION OF WATER TO
BENEFICIAL USE" DATED JANUARY 16, 1967

STATE OF SOUTH DAKOTA

County of HUGHES } ss.

Pierre, South Dakota, DECEMBER 13, 1967

This is to certify that the foregoing application was received by the Commission at 10:30 o'clock
8 a.m. upon the 1ST day of FEBRUARY, 1967

State Water Resources Commission

By:

Burton Jones
Chief Engineer, Executive Officer

Number of permit 927-2

Date of first receipt of application FEBRUARY 1, 1967

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

Date of receipt of corrected application —, 19—

Date from which applicant may claim right FEBRUARY 1, 1967

Approved NOVEMBER 8, 1967 Recorded in Book 10 Page 36

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

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 8, 1970

2nd. The whole of said work is to be completed on or before NOVEMBER 8, 1977

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 8, 1976

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 6.5 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 NOVEMBER 8, 1972, said water to be used during the following described annual period:

MARCH TO SEPTEMBER

Witness my hand this 13TH day of DECEMBER, 1967

State Water Resources Commission

By:

Orrell Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 2, 1980

Water License Issued JANUARY 3, 1980

Remarks by the Applicant:

DIVERSION POINTS

Wheeler Diversion: On Dry Draw A, in the SW $\frac{1}{4}$ of Section 6 T10S R1E BHM between a point N38 Deg. 00 Min. E 1320' distant from the SW corner of above section and a point N17 Deg. 00 Min. E 1200' distant from the same corner. Improvement will require movement of this diversion from its original location.

Simon's Diversion No. 1 : At a headgate in Dam No. 1, located in Dry Draw B in the NW $\frac{1}{4}$ of Section 6 T10S R1E BHM. S 38 Deg. 00 Min. E. 3176' distant from the NW corner of said section.

Simon's Diversion No. 2: At a headgate in a proposed dam on Dry Draw B in the SE $\frac{1}{4}$ of Section 6 T10S R1E BHM. Between a point N 37 Deg. 30 Min. W, 2180' distant from the SE corner of above section and a point N 38 Deg. 00 Min. W 1320' distant from the same corner.

Simon's Diversion No. 3: At Dam No. 3 located on Dry Draw C in the SW $\frac{1}{4}$ of Section 5 T10S R1E BHM at a point N 30 Deg. 00 Min. E. 2700' distant from the SW corner of the above section. This is a double diversion to each bank.

Rasmussen Diversions: This is a multiple diversion of spreader dams on Dry Draw D in the E $\frac{1}{4}$ of section 32 T9S R1E BHM, between a point N 40 deg. 00 Min. W 3500' distant from the SE corner of above section and a point N 0 deg. 00 min. E 1320' distant from the same corner.

Lands to be irrigated under permit No. 927-2

Location	Sec.	Twp.	Rge.	Acres
S $\frac{1}{2}$ NE $\frac{1}{4}$ & N $\frac{1}{2}$ SE $\frac{1}{4}$	32	9S	1E	25
SW $\frac{1}{4}$ SE $\frac{1}{4}$	32	9S	1E	25
SE $\frac{1}{4}$ SE $\frac{1}{4}$	32	9S	1E	35
NE $\frac{1}{4}$ NE $\frac{1}{4}$	5	10S	1E	40
NW $\frac{1}{4}$ NE $\frac{1}{4}$	5	10S	1E	35
SW $\frac{1}{4}$ NE $\frac{1}{4}$	5	10S	1E	40
SE $\frac{1}{4}$ NE $\frac{1}{4}$	5	10S	1E	40
SE $\frac{1}{4}$ NW $\frac{1}{4}$	5	10S	1E	25
NE $\frac{1}{4}$ SW $\frac{1}{4}$	5	10S	1E	35
N $\frac{1}{2}$ SE $\frac{1}{4}$	5	10S	1E	40
SW $\frac{1}{4}$ SE $\frac{1}{4}$	5	10S	1E	5
SE $\frac{1}{4}$ SE $\frac{1}{4}$	5	10S	1E	5
SE $\frac{1}{4}$ SW $\frac{1}{4}$	5	10S	1E	15
NW $\frac{1}{4}$ NW $\frac{1}{4}$	8	10S	1E	30
NE $\frac{1}{4}$ NW $\frac{1}{4}$	8	10S	1E	25
NW $\frac{1}{4}$ NE $\frac{1}{4}$	8	10S	1E	15
SW $\frac{1}{4}$ NW $\frac{1}{4}$	8	10S	1E	17
SE $\frac{1}{4}$ NW $\frac{1}{4}$	8	10S	1E	18

Total 470

ON or before
November 8, 1967
APPROPRIATION OF WATER

Office of State Water Resources Commission

Division of Water

September 26, 1967

Name of person or firm: **Bernard D. Simons**

Address: **Edgemont**

The provisions of the water laws of South Dakota for a period of appropriation for November 8, 1967

the number of cubic feet of water per second of time from **the city of**

Simons Diversion #2

the point of diversion of which is in Section 32, both

of the NE 1/4 and SE 1/4 of Section 32

Twp. 10S

Range 1E

below described land:

SE 1/4 NE 1/4 and SE 1/4, Section 32, T9S, R1E, E4, E5, E6 and SW 1/4 NE 1/4, Section 32, T9S, R1E, E4, E5, E6 and SW 1/4 NE 1/4, Section 32, both in T10S, R1E.

This application will be taken up by the State Water Resources Commission at their office at Pierre on consideration upon the **8th** day of **November**, 1967 at **2:00 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:

~~XXXXXXXXXXXXXXXXXXXX~~
RICHARD SCHMOYER
Water Rights Specialist

cc: Bernard D. Simons
Box 381, Edgemont, S.D.

No. 927-2

On or before
(First Publication October 5, 1967)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., September 29, 1967

Notice is hereby given that Bernard D. Simons whose postoffice address is Edgemont 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 6.5 cubic feet of water per second of time from the a dry draw through the Simons Diversion #2, the point of diversion of which is to be located on the both banks of said stream in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6 Twp. 10S Range 1E Said water to be used for the purpose of providing irrigation on the following described land:

S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 32, T9S, R1E; E $\frac{1}{2}$, E $\frac{1}{2}$ S $\frac{1}{2}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5; NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8; both in T10S, R1E.

applicant as above

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of November, 1967, at 2:00 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:

~~Chief Engineer~~
~~Executive Officer~~
RICHARD SCHMOYER
 Water Rights Specialist

cc: Bernard D. Simons
Cox 381, Edgemont, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Fall River } ss.

Roy H. McKown being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Edgemont Herald-Tribune a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the city Edgemont County of Fall River and State of South Dakota; that the said notice was published in said newspaper on the following dates:

October 5, 1967

October 12, 1967

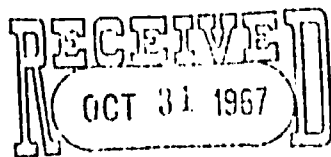
October 19, 1967

October 26, 1967

in each and every issue of the full number thereof, the first publication being made on the 5 day of October 1967 and the last publication on the 26 day of October 1967, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the editor the printer and publisher of the said newspaper.

Roy H. McKown

Subscribed and sworn to before me this 26 day of October A. D. 1967



STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

No. 1681 - Oct. 5, 12, 19 & 26
 No. 927-2
 (First Publication on or before
 October 5, 1967)

APPROPRIATION OF WATER
 Office of State Water Resources Commission,
 Pierre, S. Dak.,
 September 29, 1967

Notice is hereby given that Bernard D. Simons whose postoffice address is Edgemont, 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 6.5 cubic feet of water per second of time from a dry draw through the Simons Diversion No. 2, the point of diversion of which is to be located on both banks of said stream in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6 Twp. 10S Range 1E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 32, T9S, R1E; E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5; NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8; both in T10S, R1E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of November, 1967, at 2:00 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

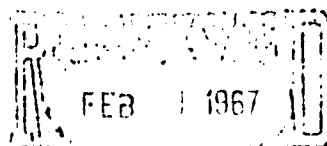
By: /s/ Richard Schmoyer

RICHARD SCHMOYER

Water Rights Specialist

cc: Bernard D. Simons
 Box 381, Edgemont, S. D.

Grand E. Dahl
 Notary Public Fall River County, S. D.

Location No. 927-2Water Division No. 2 So. Cheyenne River Water District 5 WATER RESOURCES COUNCIL

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. Bernard D. Simons Section 5 T10S R1E BHM Rancher
Box 381, Edgemont, Fall River County, South Dakota

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

Ans. _____

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

Ans. Vested Right. Original Postings Dating back to 1909

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

Ans. Dry Drawn with several diversion points. See locations on Form No. 2

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. Dam No. 1 30 x 660'. Proposed Dam No. 2 18' x 400'. Dam No. 3 15' x 800'. Ditches
to be improved under U.S. Soil Conservation Service Great Plains Program to adequately
carry water involved. Wheeler ditch completed in 1911. Simons Ditch completed in 1942
to 1956

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

Ans. Irrigation E $\frac{1}{2}$ Section 32 T9S R1E 85 acres
" E $\frac{1}{2}$ " 5 T10S R1E 270 Acres
" NW $\frac{1}{4}$ " 8 T10S R1E 110 Acres Total Acreage 465 Acres

Stockwater dams and dugouts at various locations. See Map.

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

Ans. _____

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

Ans. 6.5 Cu. Ft. per second

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

Ans. Purchase and lease of land involved.

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7192

PIERRE, December 31, 1979

RECEIVED OF Bernard L Strons, Box 510, Edgemont, SD 57735

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. 937-2		12.00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 937-2		
Fee for Issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____		
(any other work as provided by law)		
TOTAL		12.00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (97)

Permit No. 927-2Water Division 2 So. Cheyenne River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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 Bernard D. Simons of Box 381, Edgemont, S. Dak. holder of Permit No. 927-2, bearing date of priority of February 1, 1957 authorizing the diversion of 6.5 cu. ft. per second of the waters of Draws A, B, C, and D. 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:

Three diversion dams to raise water from draws to supply ditches

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

Supply Ditches

C. Works used to apply water to beneficial use.

Water Spreading DitchesThe system is in the following condition: FairThe point of diversion is located Dam #1, 2640' S + 1800' E of NW Cor of Sec. 6,1500' E + 500' N of SW Cor of Sec. 6, Dam #3, 2750' N + 1450' E of NW Cor Sec. 5, All in T10S - R1EThe works are capable of diverting and conveying to the place of use FS - 15.0cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: In Sec. 3, T10S - R1ESE 1/4 SE 1/4 - 17 cfs. In Sec. 5, T10S - R1E NW 1/4 NE 1/4 - 23 Ac, NE 1/4 NE 1/4 - 40 Ac,NW 1/4 NE 1/4 - 39 Ac, SE 1/4 NE 1/4 - 40 Ac, SE 1/4 NW 1/4 - 22 Ac, NW 1/4 SW 1/4 - 2 Ac,NE 1/4 SW 1/4 - 24 Ac, SW 1/4 SW 1/4 - 15 Ac, SE 1/4 SW 1/4 - 5 Ac, NW 1/4 SE 1/4 - 24 Ac,NE 1/4 SE 1/4 - 24 Ac. In Sec. 6, T10S - R1E, SW 1/4 SE 1/4 - 12 Ac, SE 1/4 SE 1/4 - 18 Ac,In Sec. 7, T10S - R1E, NE 1/4 NE 1/4 - 4 Ac, In Sec. 8, T10S - R1Ecomprising a total of _____ acres of land,NW 1/4 NW 1/4 - 30 Ac, SW 1/4 SW 1/4 - 11 Ac.comprising a total of 366 Acres of land.Flow is for 366 - 5.23 cfs.

Note: No interfering priorities
observed OK as per written
BW

Date June 26, 1978

LeRoy J. McManis
(Signature)

Permit No. 927-2

Water Diversion No. 2 South Cheyenne R. Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify That Bernard D. Simons

_____ the holder _____ of
Permit No. 927-2, issued upon Application No. 927-2, bearing date of priority of February 1,
1967 authorizing the diversion of 6.5 cu. ft. per second of the waters of _____
three diversion dams County of Fall River, State of South Dakota at _____
Dam #1 - 2640 feet south and 1500 feet east of NW corner of Section 6; Dam #2 -
1500 feet east and 500 feet north of SW corner of Section 6; - Dam #3 - 2250 feet
north and 1430 feet east of the SW corner of Section 5; all in T10S, R1E

_____ for irrigation

_____ purposes, he S 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 15.0 ± cu. ft. per second of water

Date January 2, 1980


JOHN HATCH, Chief Engineer
Water Rights, WMD

WATER LICENSE NO. ⁹²⁷⁻².....

(1) WHEREAS, On the 1st day of February A. D. 1967
Bernard D. Simons

made Water Right Application No. 927-2 for a permit to use 6.5 cubic feet per second of the waters of three diversion dams

County of Fall River, State of South Dakota, for Irrigation

(2) WHEREAS, On the 8th day of November A. D. 1967
 Permit No. 927-2, with a date of priority of February 1, 1967

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 8th day of November A. D. 1972 and for the application to beneficial use of said water on or before the 8th day of November A. D. 1976

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 5.23 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,

to irrigate the following lands:

Section 32, TOS, R1E	acres	Section 6, T1OS, R1E	acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$	17	SW $\frac{1}{4}$ SE $\frac{1}{4}$	12
Section 5, T1OS, R1E		SE $\frac{1}{4}$ SE $\frac{1}{4}$	18
NW $\frac{1}{4}$ NE $\frac{1}{4}$	25	Section 7, T1OS, R1E	
NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	NE $\frac{1}{4}$ NE $\frac{1}{4}$	4
SW $\frac{1}{4}$ NE $\frac{1}{4}$	39	Section 8, T1OS, R1E	
SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	NW $\frac{1}{4}$ NW $\frac{1}{4}$	30
SE $\frac{1}{4}$ NW $\frac{1}{4}$	22	SW $\frac{1}{4}$ SW $\frac{1}{4}$	11
NW $\frac{1}{4}$ SW $\frac{1}{4}$	2		
NE $\frac{1}{4}$ SW $\frac{1}{4}$	24	TOTAL	306
SW $\frac{1}{4}$ SW $\frac{1}{4}$	15		
SE $\frac{1}{4}$ SW $\frac{1}{4}$	5		
NW $\frac{1}{4}$ SE $\frac{1}{4}$	36		
NE $\frac{1}{4}$ SE $\frac{1}{4}$	26		

(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 Bernard D. Simons

_____ of Edgemont SD
the holder _____ and owner _____ of said permit No. 927-2 a water right, dating from February 1, 1967
_____ to use of 5.23 cubic feet per second of the waters
of three diversion dams

in the County of Fall River and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at X Dam #1 - 2640 feet south and 1800 feet east of NW
corner of Section 6; Dam #2 - 1500 feet east and 500 feet north of SW corner of Section
6; Dam #3 - 2250 feet north and 1450 feet east of the SW corner of Section 5; all in
T10S, R1E

and conduct to and upon portions of land in Section 32, T9S; and Sections 5, 6, 7 and 8, T10S,
R1E more fully described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 927-2 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 January A. D.
Nineteen Hundred and Eighty

Board of Water Management
By: John Hatch
Chief Engineer, JOHN HATCH

INVESTIGATION REPORT

Water Right No. 927-2 and
Location Notices 45-2 and 193-2

In reviewing Water Right License 927-2 and Location Notices 45-2 and 193-2, I found that the priority date for Water Right 927-2 is in error. This is also evident when reviewing the Water Right Map.

Location Notices 45-2 and 193-2 should be incorporated into Water Right 927-2. The following priority dates apply to Water Right 927-2.

Location Notice 45-2 - June 27, 1908

Section 5, T10S, R1E - SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 Acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 26 Acres

Location Notice 193-2 - November 9, 1909

Section 6, T10S, R1E - SW $\frac{1}{4}$ SE $\frac{1}{4}$ 12 Acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 18 Acres

Section 7, T10S, R1E - NE $\frac{1}{4}$ NE $\frac{1}{4}$ 4 Acres

Simon's Ditch - 1942

Section 5, T10S, R1E - SE $\frac{1}{4}$ NW $\frac{1}{4}$ 22 Acres

Simon's Diversion - 1948

Section 5, T10S, R1E - NE $\frac{1}{4}$ SW $\frac{1}{4}$ 24 Acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 36 Acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 5 Acres

Bernard D. Simon Application - February 1, 1967

Section 32, T9S, R1E - SE $\frac{1}{4}$ SE $\frac{1}{4}$ 17 Acres

Section 5, T10S, R1E - NW $\frac{1}{4}$ NE $\frac{1}{4}$ 25 Acres

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 Acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 39 Acres

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 Acres

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 15 Acres

Section 8, T10S, R1E - NW $\frac{1}{4}$ NW $\frac{1}{4}$ 30 Acres

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 11 Acres

All other portions of Water License 927-2 are correct.

Delvin D. Brosz

Delvin D. Brosz, P.E.
Hydrologist
September 6, 1984

Water License No. 927-2

was approved _____ and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before _____ and for the application to beneficial use of said water on or before _____ completed _____

*Based on a September 6, 1984 inspection of the water use system and further review of records on file for Water Right No. 927-2, the license is being reissued to reflect the correction of discrepancies pertaining to the priority date of Water Right No. 927-2.

Lands covered under Water Right No. 927-2 are found in Location Notice Nos. 45-2 and 193-2. Location Notice Nos. 45-2 and 193-2 are being incorporated into the re-license of Water Right No. 927-2. The priority dates from these Location Notices should have been reflected in the original license. The priority dates and acreages are described in number 3 of this License.

and

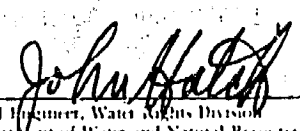
(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 5.23 cubic feet per second of water for beneficial use. The location of the diversion point(s) is are Dam #1-2640'S and 1800'E of NW corner Section 6; Dam #2-1500'E and 500'N of SW corner Section 6; Dam #3-2250'N and 1450'E of SW corner Section 5; all in T10S, R1E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, see attachment

(4) Pursuant to §16-5-30.1 Bernard T Simons
of Box 510, Edgemont SD 57735
the holder(s) and or owner(s) of Water ^{Right} Permit No. 927-2 is issued a license to appropriate water, the right to use 5.23 cubic feet per second of water from three diversion dams with a priority date June 27, 1908; November 9, 1909;
of 1942; 1948 and February 1, 1967 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 927-2 and subject to South Dakota State Law.


John H. Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

APR 24 1985

Attachment to Water License No. 927-2

Location Notice No. 4502 - June 27, 1908

Section 5, T10S, R1E - SE 1/4 NE 1/4 40 acres
NE 1/4 SE 1/4 26 acres

Location Notice No. 193-2 - November 9, 1909

Section 6, T10S, R1E - SW 1/4 SE 1/4 12 acres
SE 1/4 SE 1/4 18 acres
Section 7, T10S, R1E - NE 1/4 NE 1/4 4 acres

Simon's Ditch - 1942

Section 5, T10S, R1E - SE 1/4 NW 1/4 22 acres

Simon's Diversion - 1948

Section 5, T10S, R1E - NE 1/4 SW 1/4 24 acres
NW 1/4 SE 1/4 36 acres
SE 1/4 SW 1/4 5 acres

Bernard D Simon Application - February 1, 1967

Section 32, T9S, R1E - SE 1/4 SE 1/4 17 acres
Section 5, T10S, R1E - NW 1/4 NE 1/4 25 acres
NE 1/4 NE 1/4 40 acres
SW 1/4 NE 1/4 39 acres
NW 1/4 SW 1/4 2 acres
SW 1/4 SW 1/4 15 acres
Section 8, T10S, R1E - NW 1/4 NW 1/4 30 acres
SW 1/4 SW 1/4 11 acres

TOTAL 366 acres

LOCATION NOTICE

193

KNOW ALL MEN BY THESE PRESENTS:

THAT Dessie Wheeler whose post office is Edgemont, South Dakota, a citizen of the United States, above the age of 21 years, being in possession of the following described land, to-wit: SE 1/4 Sec 6 and NE 1/4 section seven township Ten South range one East B. H. M. in Hall River County, South Dakota. Said lands comprising Desert Entry No. _____ Land District, availing him self of the right granted him under the provisions of Section 31 of Chapter 180 of the Session Laws of South Dakota of 1907, has located and claims the right to construct a certain dam across a dry draw situated in the SW 1-4 of the SW 1-4 section six township Ten South range one East and has located and claims the right to construct ditches and flumes for the purpose of directing flood waters from said dam for irrigation of the land first above described, and claims the right of way across any land for the purpose of conveying said waters for said purpose.

Said locator claims for the above purpose Ten cubic feet of water per second during the following described annual periods whenever available inclusive, each year.

Said location was made on the 9th day of November 1909

Witness my hand and seal this 9th day of November 1909

Dessie Wheeler

Locator.

STATE OF SOUTH DAKOTA }
COUNTY OF Hall River } ss

On the 9th day of November 1909, before me Samuel A. Starnes, D.S. Notary Public in and for the County and State aforesaid, personally appeared Dessie Wheeler to me personally known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the uses and purposes therein set forth.

Witness my hand and official seal, the day and date above written.

Samuel A. Starnes, D.S.
Notary Public.

Pierre, South Dakota, December 10th 1909

This is to certify that the foregoing location notice was received at this office at 2 o'clock PM, upon the 10th day of December 1909, and after examination it was filed for record.

Recorded

LOCATION NOTICE

45-2

KNOW ALL MEN BY THESE PRESENTS:

THAT Joseph F. Bieister whose post office is
Edgemont, South Dakota, a citizen of the United States, above the age of
 21 years, being in possession of the following described land, to-wit: SW 1/4 NW 1/4 SE 1/4 NE 1/4 section
Five township Ten South range one East B. H. M.
 in Fall River County, South Dakota. Said lands comprising Desert Entry No. _____
 Land District, availing _____ self of the right granted _____ under the provisions
 of Section 31 of Chapter 180 of the Session Laws of South Dakota of 1907, has located and claims the right to
 construct a certain dam across a dry draw situated in the SW 1/4 NW 1/4 of the NW 1/4 NE 1/4 section Five
 township Ten South range one East and has located and claims the right to construct ditches and
 flumes for the purpose of directing flood waters from said dam for irrigation of the land first above described, and
 claims the right of way across any land for the purpose of conveying said waters for said purpose.

Said locator claims for the above purpose 2.3 cubic feet of water per second during the following
 described annual periods When ever needed on land inclusive, each year.

Said location was made on the 27th day of June 1908

Witness my hand and seal this 1st day of August 1908

Joseph F. Bieister
 Locator.

STATE OF SOUTH DAKOTA } ss
 COUNTY OF Fall River

On the 1st day of August 1908, before me

Harold H. Thompson Notary Public in and for the County and State aforesaid, personally
 appeared Joseph F. Bieister to me personally known to be the person who executed
 the foregoing instrument and acknowledged that he executed the same for the uses and purposes therein set forth.

Witness my hand and official seal, the day and date above written.

Harold H. Thompson
 Notary Public.

Pierre, South Dakota, August 12th 1908

This is to certify that the foregoing location notice was received at this office at 7 o'clock P.M.,
 upon the 12th day of August 1908, and after examination it was filed for
record

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

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

Water Rights Division
605 773-3352

APR 24 1985

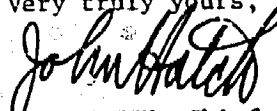
Bernard T Simons
Box 510
Edgemont SD 57735

Dear Mr. Simons:

Enclosed is your Water Right License No. 927-2. The water license has been reissued to the extent of what is actually being used. The relicense is based on a September 6, 1984 inspection of your water use system.

If you have any questions concerning the enclosed Water License, please contact us.

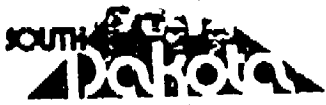
Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:

enclosure



Department of Water & Natural Resources

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

May 11, 1989

927-2

NOTICE

TO: Bernard D. Simons
Box 381
Edgemont, SD 57735

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

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

Effective May 13, 1989, you are ordered to cease diversions of water under Water Right No. 927-2. The priority date for your water right is junior to the April 11, 1941 priority date for Angostura Irrigation District Water Right No. 579-2.

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

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

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

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

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



South Dakota Department of
Water & Natural Resources

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

March 19, 1990

927-2

NOTICE

TO: Bernard D. Simons
Box 381
Edgemont, SD 57735

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. 927-2. 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).

927-2

South Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 14, 1991

927-2

NOTICE

TO: Bernard D. Simons
Box 381
Edgemont, SD 57735

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

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

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

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

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

9.27-2

CERTIFICATION

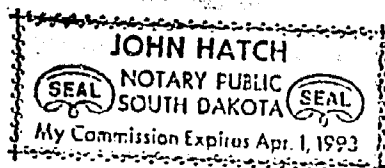
I hereby certify that on March 25, 1992, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 25, 1992, regarding Shut Off Order for Junior Water Right Holders Upstream of the Angostura Irrigation District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

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 26th day of March, 1992.



John Hatch
Notary Public

927-2

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

927-2

RESCISSION OF SHUTOFF ORDER

TO: Bernard D. Simons
Box 381
Edgemont, SD 57735

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

Delvin H. 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.



927-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 25, 1992

927-2

NOTICE

TO: BERNARD D SIMONS
BOX 381
EDGEMONT, SD 57735

FROM: JOHN HATCH, CHIEF ENGINEER *John Hatch*
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. 927-2 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.

927-2

PERMIT NO	FIRST NAME	LAST NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE	1992	1993
457-2		A & T CATTLE CO	TCM LANDERS	ST RT	HOT SPRINGS	SD	57747		
308-2	RICHARD	ANDERSON	A CHAR. ANDERSON	HCR 59 BOX 18	EDGEWATER	SD	57735		
1614-2	IRVING R	ANDERSON		HCR 59 BOX 20	EDGEWATER	SD	57735		
324-2		B & R RANCH INC	B F CHILDERS	PO BOX 723	EDGEWATER	SD	57735		
531-2		RAIL BROS		BOX 617	EDGEWATER	SD	57735		
1985-2	LESTER I	BARTLEY		BOX 740	EDGEWATER	SD	57735		
1693-2	NICK/MICHAEL	BOGNER	ANICK BOGNER JR	HC 46 BOX 24	OFIRICHS	SD	57763	1734-2	
755-2		BRAINERD INDIAN SCHOOL			HOT SPRINGS	SD	57747		
858-2	WAYNE F	CHILDERS		HCR 59 BOX 1A	EDGEWATER	SD	57735		
416-2	V L	CHILDERS		BOX 723	EDGEWATER	SD	57735		
451-2	OSCAR	COFF			OFIRICHS	SD	57763		
1994-2	JACK	DEERING		SR 1 BOX 136	LUSK	WY	82225		
567-2	HAROLD E	DODSON		HCR 59 BOX 5A	EDGEWATER	SD	57735	1410-2	
2058-2	LEROY/BERTHA	DUNSON		HC 48 BOX 218	PROVO	SD	57774		
1985-2	DAVID M	DUNBAR		RR BOX 32	OFIRICHS	SD	57763		
782-2		HAID BROTHERS, INC.	CARL P HAID, PRES	HCR 45 BOX 5	OFIRICHS	SD	57763	1695-2	
421-2	HEFMAN	HECK		BOX 441	EDGEWATER	SD	57735		
540-2	DARRELL R	HEFMAN		BOX 402	EDGEWATER	SD	57735		
1879-2	JOHN R	HENDERSON	APT 265	5141 INDIAN RIVER	LAS VEGAS	NY	89103		
1900-2	JOHN W	HENRY		BOX 276	ARMORE	SD	57715		
379-2	HENRY C	HOLLENBECK		DEWEY ROUTE	EDGEWATER	SD	57735		
383-2		HU RANCH INC	SD CORPORATION	HCR 59 BOX 102	EDGEWATER	SD	57735		
350-2	DARRELL D	HUNTER		BOX D	ARMORE	SD	57715		
1611-2	JAMES/PATRICIA	JOHNSTON		HC 68 BOX 7	LAKEVIEW	NE	69351		
1870-2	JIM	LANE		BOX 12A	PROVO	SD	57774		
763-2	CARL	LAMOLT	APT 207	FLAMIE HOTEL	CHADRON	NE	69337		
1696-2	JOHN W	KOLLER		BOX 715	EDGEWATER	SD	57735		
866-2	A J	LANDERS	STAR CATTLE CO	BOX 1588 HCR 52	HOT SPRINGS	SD	57747		
1810-2	B L/ALLEN	LAWRENCE		BOX 752	TOGA	ND	58852		
474-2	WELVIN	LIFE			HOT SPRINGS	SD	57747		
17295-2	JOHN D(JACK)	MANKE	(ESTATE)	RR 21 BOX 179C	HOT SPRINGS	SD	57747		
11417-2	KENNETH	MARTINSON		BOX 361	EDGEWATER	SD	57735		
785-2	ARNDT W	MCLAIN		BOX 164	OFIRICHS	SD	57763		
410-2	RAITH L	MEFFERD, JR		HCR 48 BOX 22	PROVO	SD	57774		
1973-2	A J	NELSON		FRONTIER STAGE	MILES CITY	MT	59301		
2015-2		PETERSON & SON, INC		HCR 59 BOX 16	EDGEWATER	SD	57735		
1016-2	PAUL & JEAN	PETTY	A DOUGLAS PETTY	HCR 52 BOX 136	HOT SPRINGS	SD	577479603		
1716-2	MELVIN	FOSTER		410 RT BOX 17	EDGEWATER	SD	57735		
711-2	EDWARD	FUTNAM		BOX 188	OFIRICHS	SD	57763	2013-2	
1816-2	CLYD	FRASER		HC 46 BOX 48	OFIRICHS	SD	57763		
472-2	EDWARD/WANDA	FRUTTER		HCR 59 BOX 98	EDGEWATER	SD	57735	1780-2	
291-2	CHANCE/NEFERI	REYNOLDS		HCR 59 BOX 28	EDGEWATER	SD	57735	224-2	
669-2	OLIVER M	ROWEY		BOX 175	OFIRICHS	SD	57763		
718-2	VERNON	SCHMIDT		ST RT BOX 155	HOT SPRINGS	SD	57747	1700-2	
1619-2		SCHER RANCH INC		BOX 95	OFIRICHS	SD	57763	611-2	1831-2
927-2	BERNARD D	SIMONS		BOX 381	EDGEWATER	SD	57735		
1737-2	ROBERT/MARK	TURBS		BOX 363	EDGEWATER	SD	57735		
1019-2		WAR BONNET RANCH LTD	BOX 132	105 E 5TH ST	MURDO	SD	57559		
392-2	VINCENT M	WASSERBURGER		BOX 83	ARMORE	SD	57715	853-2	2115-2

927-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 12, 1993

927-2

NOTICE

TO: BERNARD D SIMONS
BOX 381
EDGEMONT, SD 57735

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

Delvin D. Brosz

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

Effective immediately no diversions of water under your Water Right No. 927-2 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

927-2

CERTIFICATION

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

Copy Sent To:

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

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

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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

John Hatch
Notary Public





927-2

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

April 14, 1993

927-2

RESCISSION OF SHUTOFF ORDER

TO: BERNARD D SIMONS
BOX 381
EDGEMONT, SD 57735

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

927-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 15, 1995

927-2

NOTICE

TO: BERNARD D SIMONS
BOX 381
EDGEMONT, SD 57735

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. 927-2 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



927-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 26, 1995

927-2

RESCISSION OF SHUTOFF ORDER

TO: BERNARD D SIMONS
BOX 381
EDGEMONT, SD 57735

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: BERNARD D SIMONS
BOX 381
EDGEMONT SD 57735

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. 927-2

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.



927-2

**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: BERNARD D SIMONS
BOX 381
EDGEMONT SD 57735

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. 927-2

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.

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Bob Hodorff, USDA Forest Service, 209 N River St, Hot Springs SD

DATE: August 16, 2005

TELEPHONE: 745-4107

RE: Water Right No. 927-2 – Bernard Simons

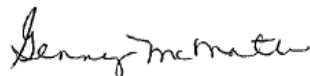
COMMENTS:

I called to ask who to send notification to on cancellation consideration of Water Right No. 927-2. Mr. Hodorff indicated correspondence could be directed to his attention.

We briefly talked about the three diversion dams described in the water right. He said the Forest Service owned the land where two of them were (those in Section 6).

The dam described as being in Section 5, T10S, R1E would be on land owned by Tom Simons. Tom is the son of Bernard Simons.

Prior to scheduling the water right for cancellation consideration, Mr. Simons needs to be contacted to determine the existence of the dam in Section 5 and to find out who owns the land described in the water right (470 acres)



Genny McMath
Environmental Scientist

927-2



IN REPLY REFER TO:

DK-700
PRJ 13.00

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



RECEIVED
FEB 27 2006
WATER RIGHTS
PROGRAM

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

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: BERNARD D SIMONS
BOX 381
EDGEMONT SD 57735

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. 927-2

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: BERNARD D SIMONS
BOX 381
EDGEMONT, SD 57735

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. 927-2

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: BERNARD D SIMONS
BOX 381
EDGEMONT SD 57735

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. 927-2

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:

BERNARD D SIMONS
BOX 381
EDGEMONT SD 57735

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. 927-2

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: BERNARD D SIMONS
BOX 381
EDGEMONT SD 57735

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. 927-2**

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:

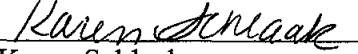
LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
INDIAN CREEK CATTLE LLP		32296 190TH ST	SLEEPY EYE	MN	56085
INDIAN CREEK LAND & CATTLE LLC		PO BOX 538	EDGEMONT	SD	57735
WEINREIS BROTHERS		230908 HIGHLAND RD	SCOTTSBLUFF	NE	69361
SEGER RANCH INC		RR 1 BOX 100A1	HOT SPRINGS	SD	57747
REUTTER	EDWARD/WANDA	HCR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

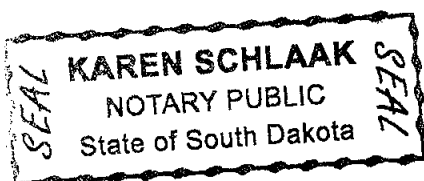
SCHNOSE	VERNON	12685 MAITLAND RD	HOT SPRINGS	SD	57747
SEABECK	DORIS SEABECK &	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	THOMAS	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC	BERNARD D	10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD	WAYNE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

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

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

Shutoff Order for Water Permit No(s). 927-2

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.