

Laurel Chappin
9770
RECEIVED
SEP 11 1959

Full River

1954

LOCAL OFFICE

47-276
Adm Serial Number

FROM ALL MEMBERS OF THE BUREAU

OFFICE OF STATE ENGINEER
PUBLIC SAFETY DIVISION

On the 10th day of September 1954, I, Laurel Chappin, State Engineer of the State of South Carolina, do hereby certify that the following is a true and correct copy of the report of the State Engineer of the State of South Carolina, as filed in the State Engineer's Office, on the 10th day of September 1954, in accordance with the provisions of Section 15-1133 of the Code of Laws of the State of South Carolina, 1942, which provides that the State Engineer shall have the right to conduct a survey for a highway or for a public use, and to claim the right of eminent domain for the same, and to claim the right of way across any land for the purpose of constructing a highway or for a public use.

Said report states that the purpose of the survey is to determine the location of the main line of the Full River and to claim the right of way across any land for the purpose of constructing a highway or for a public use.

Estimated cost of survey 1024 dollars.

The location of the main line of the Full River is as follows:

From the SW Corner of Sec 10-10-3 10 rods North and 11 rods East

The line will run in a direction as shown on said map.

Said report was made by John H. September 10th day of September 1954.
Witness my hand and seal of office this 10th day of September 1954.

Laurel Chappin
State Engineer

Hereby I certify that the report of the State Engineer of the State of South Carolina, as filed in the State Engineer's Office, on the 10th day of September 1954, in accordance with the provisions of Section 15-1133 of the Code of Laws of the State of South Carolina, 1942, is a true and correct copy of the report of the State Engineer of the State of South Carolina, as filed in the State Engineer's Office, on the 10th day of September 1954, in accordance with the provisions of Section 15-1133 of the Code of Laws of the State of South Carolina, 1942.

STATE OF SOUTH CAROLINA

County of Full River

On the 10th day of September 1954, before me Clara E. Clay

a Notary Public in and for the State of South Carolina, personally appeared Cyril Kene to me known, known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the use and purposes therein set forth.

Witness my hand and official seal this 10th day of September 1954.

(Seal)
Commission Expires 8-10-57

Notary Public

State of South Dakota

LOCATION NOTICE Water License No. 8770-2

(1) Jim Kane

of Box 19A, Provo, South Dakota, located and filed Location Notice No. 8770-2

right
Application No. September 8, 1954 for a ~~water~~ permit to appropriate

35 acre cubic feet per second of water from annually from Plains Creek

Fall River County, South Dakota for irrigation purposes.

Location Notice

Permit No. 8770-2, with a priority date of September 8, 1954

was ~~applied~~ located & filed by the and issued to applicant(s) for diversion of water with construction of the described

water supply system to be completed on or before The system was and the water placed and for the application to beneficial use of said

water on or before

The applicable portions of Location Notices No. 196-2 and 445-2 have been incorporated into Location Notice No. 8770-2. The priority dates of September 8, 1954, March 19, 1912 and December 29, 1909, as established by these location notices for the lands irrigated are described in number 3 of this license.

Cyril Kane originally located and filed Location Notice No. 8770-2, June 24, 1985, Location Notice No. 8770-2 was transferred to Jim Kane.

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 4.6 cubic feet per second of water

for beneficial use. The location of the diversion point(s) is N88°W, 1960 feet and S39°W, 1050 feet

from the NE Corner of Section 26 and S16°E, 3300 feet from the NW Corner of Section 36,

all in T10S, R3E.

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 A"

(4) Pursuant to §16-5-30.1 Jim Kane

of Box 19A, Provo, South Dakota

Location Notice

the holder(s) and/or owner(s) of Water Permit No. 8770-2 is issued a license to appropriate water, the right to use

4.6 cubic feet per second of water from Plains Creek with priority dates

of September 8, 1954, March 19, 1912 and December 29, 1909 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 Location Notice 8770-2 and subject to South Dakota State Law.

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

JOHN HATCH

DEC 20 1985

Attachment "A" Location Notice Water License No. 8770-2

LN 196-2, Priority date - December 29, 1909

NE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 26, T10S, R3E	5 Acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 26, T10S, R3E	39 Acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 25, T10S, R3E	31 Acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 25, T10S, R3E	14 Acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 25, T10S, R3E	40 Acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 25, T10S, R3E	29 Acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 25, T10S, R3E	36 Acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 25, T10S, R3E	24 Acres

Sub Total 218 Acres - 3.1 cfs

LN 445-2, Priority date - March 19, 1912

NE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 26, T10S, R3E	1 Acre
NW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 26, T10S, R3E	22 Acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 26, T10S, R3E	16 Acres

Sub Total 39 Acres - 0.5 cfs

LN 8770-2, Priority date - September 8, 1954

NE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 26, T10S, R3E	22 Acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 26, T10S, R3E	4 Acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 36, T10S, R3E	10 Acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 36, T10S, R3E	26 Acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 36, T10S, R3E	5 Acres

Sub Total 67 Acres - 1.0 cfs

TOTAL ACRES 324

Permit No. LN 8770-2

Upper Chayenne Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Jim Kane of Box 19A, Proulx, SD 57774 holder of Permit No. LN 8770-2, bearing the priority of Sept 8, 1959; March 19, 1912 & Dec 29, 1909 authorizing the diversion of 15 cfs & 35 AF of the waters of Plains Creek for irrigation purposes, in Fall River County.

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

A. Works used to divert the water: There are 3 diversion points for this project. The two on the north end of the project are dikes across the channel of Plains Creek. The dike divert the water into a canal. The south diversion point is a storage dam with an uncontrolled pipe outlet into the canal.

B. Works used to transport water to place of use: Canal from the diversion points to the field

C. Works used to apply water to beneficial use: The canal contains pipe outlets that allow the water to spread onto the grassland.

The system is in the following condition Fair

The point of diversion is located N 88° W, 1960 feet and S 35° W, 1050 feet from the NE corner of section 26 and S 16° E, 2200 feet from the NW corner of section 36 all in T105 R23E

The works are capable of diverting and conveying to the place of use 15

cfs. 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:

(see attachment)

comprising a total of 328 acres of land and the license should be issued for 4.6 cfs

Applicable permit qualifications have been complied with ✓ Yes No

Exceptions to compliance are:

Date May 6, 1985

William H. Brown, P.E.
Hydrologist

Irrigated Acres

LN 196-2, Priority date - Dec. 29, 1909

NE⁴NE⁴, Sec 26, T10S, R3E - 5 acres

SE⁴NE⁴, " " " - 39 acres

SW⁴NW⁴, Sec 25, " " - 31 "

SE⁴NW⁴, " " " - 12 "

NW⁴SW⁴, " " " - 40 "

NE⁴SW⁴, " " " - 29 "

SW⁴SW⁴, " " " - 36 "

SE⁴SW⁴, " " " - 24 "

Total 218 acres - 3.1 cfs

LN 445-2, Priority date - March 19, 1912

NE⁴NW⁴, Section 26, T10S, R3E - 1 acre

NW⁴NE⁴, " " " - 22 "

SW⁴NE⁴, " " " - 16 "

Total 39 acres - 0.8⁵ cfs

LN 8770-2, Priority date - September 8, 1954

NE⁴SE⁴, Section 26, T10S, R3E - 22 acres

SE⁴SE⁴, " " " - 4

NW⁴NW⁴, Section 36, " " - 10

NE⁴NW⁴, " " " - 26

SE⁴NW⁴, " " " - 5

Total 67 acres - 1.0 cfs

LICENSE FOR PERMIT NUMBER LN 8770-2

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells: _____ Depth _____

Casing a) diameter _____
b) length _____
c) type _____

Screen a) type _____

b) length _____

Static Water Level _____

Pump a) make _____
b) model _____
c) size _____
d) capacity _____ GPM
e) turbine pump
no. of stages _____

Motor a) make _____

b) model no. _____

c) horsepower rating _____

d) motor efficiency rating _____

3. Distribution lines:

a) size of lines _____
b) type _____
c) length _____

4. Dam information:

a) height to crest 12'
b) height to spillway 9'
c) crest width 10'
d) crest length 1300'
e) spillway length —
f) spillway width —
g) approx. storage 14 AF

h) Distribution lines or canals:

1) size variable

2) type earth

3) length 7600' - Main Canal

i) Outlet tubes:

1) diameter 18"

2) type CMP

3) valued (Y/N) N

4) valve type _____

5) location on structure:

400' from NW end

Water spreading

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

WATER RIGHTS DIVISION
(605) 773-3352

May 21, 1985

Jim Kane
Box 19 A
Provo, South Dakota 57774

Dear Mr. Kane:

Enclosed is a Notice of Transfer of Water Permit form. Please sign this form in the presence of a Notary and return it to this office with a filing fee of \$2.50. Upon receipt of the enclosed form and the filing fee, Location Notices 8770-2, 445-2 and 196-2 will be transferred to your name. We will then issue a Water License for these Notices. The Water License will combine the Notices under the number 8770-2. Your water spreading project will then be completely updated.

I have enclosed a map of your project and copies of the original Location Notices. You may keep these for your files.

If I can answer any questions, please contact me.

Sincerely,

Darvin D. Brosz, P.E.
Hydrologist

DDB:ms
Enc.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

N^o 4 18089

Pierre, _____ June 24, 19__

RECEIVED OF Jim Kane, Box 12A, Provo, SD 57774

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years. _____		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>LN No. 8770-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

John Hatchings
JOHN HATCHINGS

NO. LN 8770-2
LN 445-2
LN 196-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

S1/4 NW1/4 and SW1/4 of Section 25; NE1/4, NE1/4 NW1/4 and E1/4 SE1/4; NW1/4 and N1/4 SW1/4 of Section 36
all in T10S, R3E.

formerly owned by Fred May, Theresa Konrath and Cyril Kane

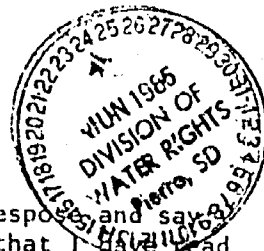
has been transferred to Jim Kane, Box 19 A, Provo, South Dakota 57774
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. LN 8770-2 as provided for in SDCL 46-5-32 and 46-5-33.

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

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

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



I, Jim Kane being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Jim Kane
(Signed)

Subscribed and sworn to before me this 20th Day of June, 1985.

Harold A. Reichardt
(Notary Public)

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

Joe Foss Building
523 East Capitol
Pierro, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

no. LN 8770-2

DEC 20 1995

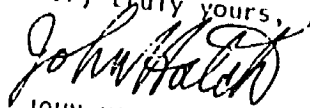
Jim Kane
Box 19A
Provo, South Dakota 57774

Dear Mr. Kane:

Location Notice
Enclosed herewith is, Water License No. 8770-2. This is the
final water right document completing your process of obtaining a
water right.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

Enclosed is receipt No. 4 10089 which you paid for the transfer of
Location Notice No. 8770-2.

Applicable portions of LN #196-2 and LN #445-2 have been incorporated
into LN #8770-2.

WNR-617 3/83

Transmittal of Water License

L

LOCATION NOTICE

KNOW ALL MEN BY THESE PRESENTS:

THAT Fred J. May 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: Section Twenty-five township Ten South range Three East B. H. M. in Fall River County, South Dakota. Said lands comprising Desert Entry No. _____ Land District, availing himself 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 NW 1-4 of the NE 1-4 section Twenty-five township Ten South range Three East B. H. M. 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 Three cubic feet of water per second during the following described annual periods when water available inclusive each year.

The location of the point of diversion of the reservoir is as follows:

From the _____

The ditch _____ will run in a _____ direction to and on said land for a distance of _____ feet.

Said location was made on the 19th day of March 1912

Witness my hand and seal this 19th day of March 1912

Fred J. May Locator.

State of South Dakota.

County of Fall River } ss.

On the 19th day of March 1912, before me James D. Stewart Initial State Commissioner, a notary public in and for the County and State aforesaid, personally appeared Fred J. May 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.

James D. Stewart Notary Public.

Pierre, South Dakota, April 22nd 1912

This is to certify that the foregoing location notice was received at this office at 7 o'clock A. M., upon the 6th day of April 1912, and after examination it was filed per record

Samuel Hobbs State Engineer.

• 176-2

THAT Theresa Kinnath whose post office is
Sioux Falls, South Dakota, a citizen of the United States, above the age of
21 years, being in possession of the following described land, to-wit: 20 1/2 1/2 section 20
Twenty township Ten south range Three east B. H. M.
in Deuel County, South Dakota. Said lands comprising Desert Entry No. _____
_____ Land District, availing her self of the right granted her under the provisions
of Section 31 of Chapter 150 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 NE 1/4 of the NE 1/4 section Twenty
township Ten south range Three 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 location was made on the 20th day of December 1919

Witness my hand and seal this 22nd day of October, 1912

Lucas, Frank Lecter.

STATE OF SOUTH DAKOTA)
COUNTY OF Fuller) ss

On the 29th day of December, 1912, before me _____

James B. Stewart, D. S. Brown, a Notary Public in and for the County and State aforesaid, personally appeared, *Frederick H. Brown* 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.

James B. Stewart Notary Public.

Pierre, South Dakota, Feb 22 1910

This is to certify that the foregoing location notice was received at this office at 1:27 o'clock P. M., upon the 24th day of January, 1915, and after examination it was filed for recd.

Witness my hand and seal this 14th day of June, 1907.

State Engineer.

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

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

March 19, 1990

L8870-2

NOTICE

TO: Jim Kane
Box 19A
Provo, SD 57774

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

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. L8870-2. 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

May 11, 1989

L8870-2

NOTICE

TO: Jim Kane
Box 19A
Provo, SD 57774

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

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. L8870-2. 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
23 East Capitol
Pierre, South Dakota 57501-3181

March 14, 1991

L8770-2
L8870-2

NOTICE

TO: Jim Kane
Box 19A
Provo, SD 57774

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

Delwin H. Brosz

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

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

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

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

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 20, 1991

L 8770-2
~~L 8870-2~~

RESCISSION OF SHUTOFF ORDER

TO: Jim Kane
Box 19A
Provo, SD 57774

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.

JOHN HATCH
 (SEAL) NOTARY PUBLIC (SEAL)
 SOUTH DAKOTA
 My Commission Expires Apr. 1, 1993



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 25, 1992

L8770-2

NOTICE

TO: JIM KANE
BOX 19A
PROVO, SD 57774

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. L8770-2 which is junior in priority to Water Right No. US579-2 held by the US Bureau of Reclamation for the Angostura Irrigation District.

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

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

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

PERMIT NO	FIRST NAME	LAST NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE	PERMIT	DATE
652-2		A A T CATTLE CO	TOM LANDERS	ST RT	HOT SPRINGS	SD	57747		
308-2	RICHARD	ANDERSON	A CHAR ANDERSON	BOX 53 BOX 19	FICKMONT	SD	57735		
1614-2	IRVINE R	ANDERSON		BOX 53 BOX 20	FICKMONT	SD	57735		
324-2		B & R RANCH INC	B F CHILDERS	PO BOX 723	FICKMONT	SD	57735		
534-2		RAIL FADS		BOX 417	FICKMONT	SD	57735		
1995-2	LESTER I	RABLEY		BOX 740	FICKMONT	SD	57735		
1693-2	NICK/MICHAEL	BOGNER	ANICK BOGNER JR	PO 45 BOX 21	OFFERTCHS	SD	57763	1734-2	
755-2		BRAINERD INDIAN SCHOOL			HOT SPRINGS	SD	57747		
258-2	WAYNE F	CHILDERS		BOX 53 BOX 14	FICKMONT	SD	57735		
618-2	V L	CHILDERS		BOX 723	FICKMONT	SD	57735		
654-2	OSCAR	COFF			OFFERTCHS	SD	57763		
1996-2	JOHN	DEGERING		SR 1 BOX 136	LUSK	WY	82225		
567-2	HAROLD E	DODSON		BOX 59 BOX 54	FICKMONT	SD	57735	1414-2	
2058-2	LEROY/BERTHA	DUNBAR		RR 48 BOX 248	PROVO	SD	57774		
1985-2	DAVID W	DUNBAR		RR BOX 32	OFFERTCHS	SD	57763		
788-2		HAID BROTHERS, INC.	CARL P HAID, PRES	BOX 45 BOX 5	OFFERTCHS	SD	57763	1495-2	
421-2	HEFMAN	HECK		BOX 111	FICKMONT	SD	57735		
540-2	DARRELL E	HEFMAN		BOX 402	FICKMONT	SD	57735		
1879-2	DORA R	HENDERSON	ATT 285	5141 INDIAN RIVER	LAS VEGAS	NV	89103		
1980-2	DON M	HENRY		BOX 176	ARMORE	SD	57715		
179-2	HENRY C	HOLLENBECK		HWY ROUTE	FICKMONT	SD	57735		
1593-2		HU RANCH INC	SD CORPORATION	BOX 53 BOX 102	FICKMONT	SD	57735		
350-2	DARRELL D	HUNTER		BOX D	ARMORE	SD	57715		
1641-2	JAMES/PATRICIA	JOHNSTON		RR 68 BOX 7	LAKEVIEW	NE	68351		
18710-2	JIM	KANE		BOX 134	PROVO	SD	57774		
763-2	CAPEL	KANOLT	ATT 207	PLANTIE HOTEL	CHADRON	NE	69307		
1626-2	JOHN M	KOLTER		BOX 715	FICKMONT	SD	57735		
856-2	A J	LANDERS	STAR CATTLE CO	BOX 1538 BOX 52	HOT SPRINGS	SD	57747		
1810-2	R L/ALLEN	LAWRENCE		BOX 750	TRIGA	ND	58852		
670-2	MELVIN	LUIF			HOT SPRINGS	SD	57747		
17995-2	JOHN D(JACK)	MANKS	(ESTATE)	RR #1 BOX 1190	HOT SPRINGS	SD	57747		
11447-2	BYNETH	MARTINSON		BOX 361	FICKMONT	SD	57735		
785-2	ARLITH W	MCLAIN		BOX 164	OFFERTCHS	SD	57763		
410-2	RAITH L	MEEFERD, JR		BOX 48 BOX 22	PROVO	SD	57774		
1973-2	A J	NELSON		BROAD'S STAGE	MILES CITY	MT	58301		
2015-2		PETERSON & SON, INC		BOX 59 BOX 16	FICKMONT	SD	57735		
1816-2	PAUL A JEAN	FETTY	A NORTON FETTY	BOX 52 BOX 136	HOT SPRINGS	SD	577479603		
1716-2	MELVIN	PORTER		WYO RT BOX 17	FICKMONT	SD	57735		
311-2	DONALD	TUTNAM		BOX 188	OFFERTCHS	SD	57763	2043-2	
1616-2	JOHN	REASER		RR 45 BOX 48	OFFERTCHS	SD	57763		
472-2	EDWARD/WANDA	REUTTER		BOX 59 BOX 90	FICKMONT	SD	57735	1763-2	
233-2	CHANCE/NEFFREI	REYNOLDS		BOX 53 BOX 28	FICKMONT	SD	57735	234-2	
669-2	OLIVER M	ROMFY		BOX 115	OFFERTCHS	SD	57763		
718-2	VERNON	SCHNOSE		ST RT BOX 155	HOT SPRINGS	SD	57747	1700-2	
1642-2		SEGER RANCH INC		BOX 95	OFFERTCHS	SD	57763	421-2	1937-2
227-2	BERNARD D	SIMONS		BOX 331	FICKMONT	SD	57735		
1332-2	ROBERT/MARA	TIERS		BOX 503	FICKMONT	SD	57735		
1419-2		WAR POANET RANCH LTD	BOX 132	105 E 5TH ST	MURDO	SD	57552		
392-2	VINCENT M	WASSERBURGER		BOX 83	ARMORE	SD	57715	853-2	2115-2



L 8770-2

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

March 12, 1993

L8770-2

NOTICE

TO: JIM KANE
BOX 19A
PROVO, SD 57774

FROM: 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. L8770-2 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 2, 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 326, Newell, SD 57760.

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

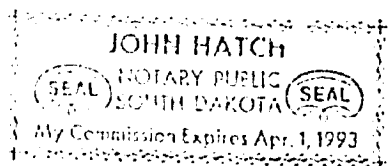
Chapel of Rest

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) ss.
COUNTY OF BUCHANAN)

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

John H. H. H. H.
Notary Public



L 8770-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3191

April 14, 1993

I.8770-2

RESCISSION OF SHUTOFF ORDER

TO: JIM KANE
BOX 19A
PROVO, SD 57774

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

A handwritten signature in dark ink, appearing to read "John Hatch", is written over the printed name and title of the Chief Engineer.

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



L 8770-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 15, 1995

L8770-2

NOTICE

TO: JIM KANE
RR 1
BUFFALO GAP, SD 57722

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. L8770-2 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



L8770-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 26, 1995

L8770-2

RESCISSION OF SHUTOFF ORDER

TO: JIM KANE
RR 1 BOX 3
BUFFALO GAP, SD 57722

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

Del Brosz

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: JIM KANE
RR 1 BOX 3
BUFFALO GAP SD 57722

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. L8770-2

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.

L 8770-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 14, 2004

L8770-2

Jerry & Kathy Styles
15435 226th St
Box Elder SD 57719

Dear Mr. & Mrs. Styles:

I am contacting you in regard to land as described in Location Notice Water License No. 8770-2. Jim Kane notified our office that you now own the land and the location notice should be transferred to your names.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the L8770-2 for your review. You may keep this for your records. If you have any questions, please contact us.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

MAY 20 2004

WATER RIGHTS
PROGRAM

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

No. L8770-2

Date: _____

I/We request that Location Notice Water License No. 8770-2

formerly owned by: Jim Kane

be transferred to: (name & address) Jerry & Kathy Styles

15435 22nd St

Box Elder SD 57119 Telephone No. (605) 923-4609

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

324 acres – SW ¼ and S ½ NW ¼ Section 25; NE ¼, NE ¼ NW ¼, E ½ SE ¼ Section 26;

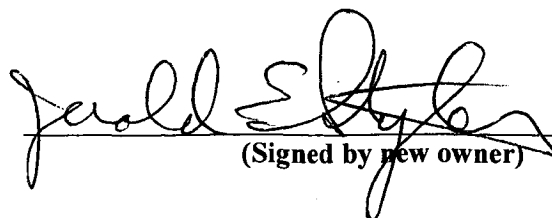
N ½ NW ¼, SE ¼ NW ¼ Section 36; all in T10S, R3E

I/We understand that the validity of that Location Notice Water License No. 8770-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Jonald Styles, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date May 20, 20 04

RECEIVED OF Jerry Styles, 15435 226th St., Box Elder SD 57719

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>L8770-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No. 009328

By

Darland Ebele

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 21, 2004

L8770-2

Jerry & Kathy Styles
15435 226th St
Box Elder SD 57719

Dear Mr. & Mrs. Styles:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee you submitted for transferring Location Notice Water License No. 8770-2. The transfer has been completed. No. L8770-2 formerly held by Jim Kane is now listed in your names.

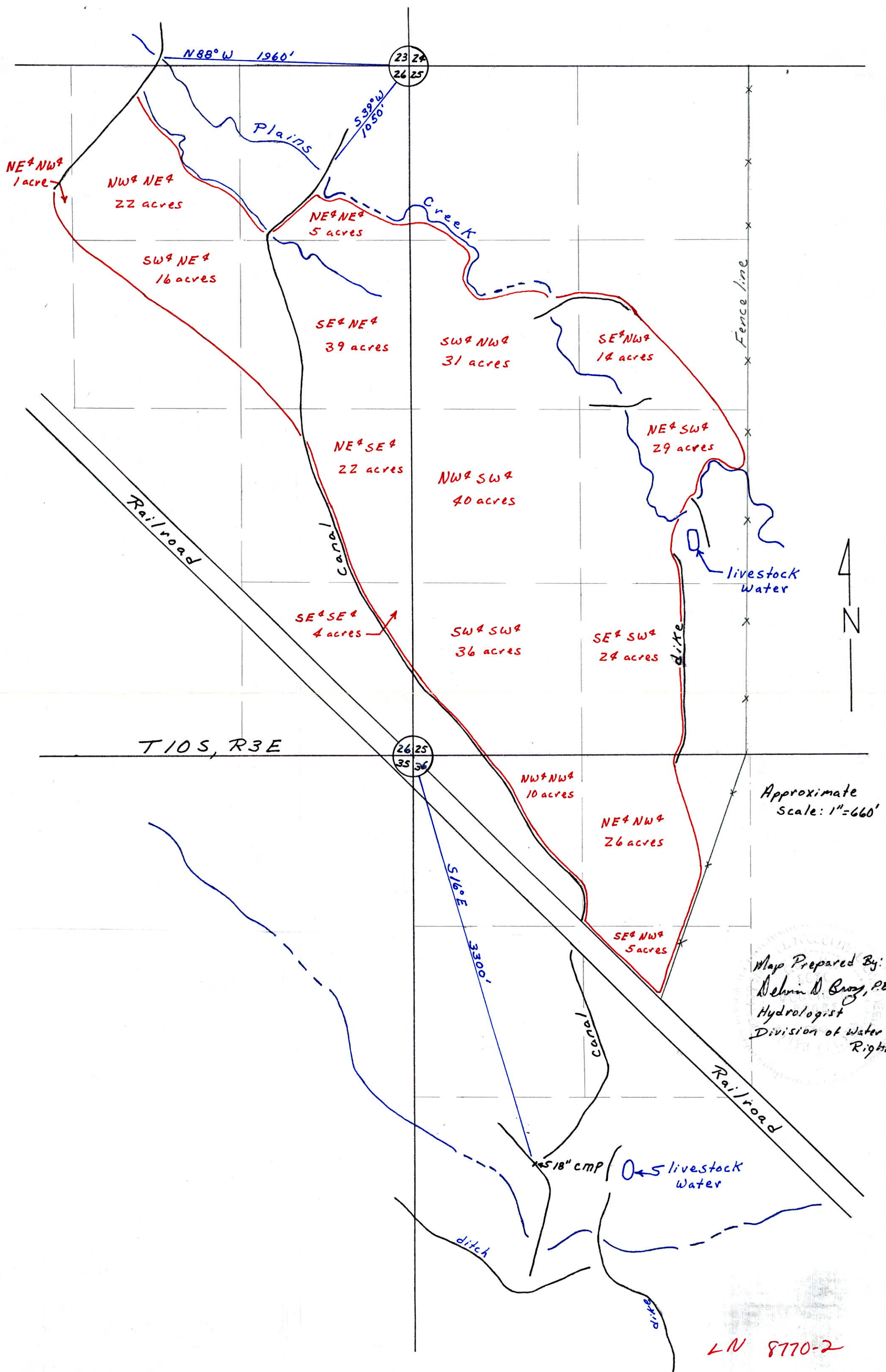
Enclosed is your Receipt No. 001326 in the amount of \$2.50. You may keep this for your records.

If you have any questions, please contact us.

Sincerely,

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

enclosure





DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

June 25, 2020

L8770-2

Darrell Vermeer
Midwest Farms LLLP
1506 Crown Ridge Dr
Sioux Center IA 51250

Dear Mr. Vermeer:

I am writing regarding the ownership change you filed for L8770-2 listed in the name of Jerry & Kathy Styles.

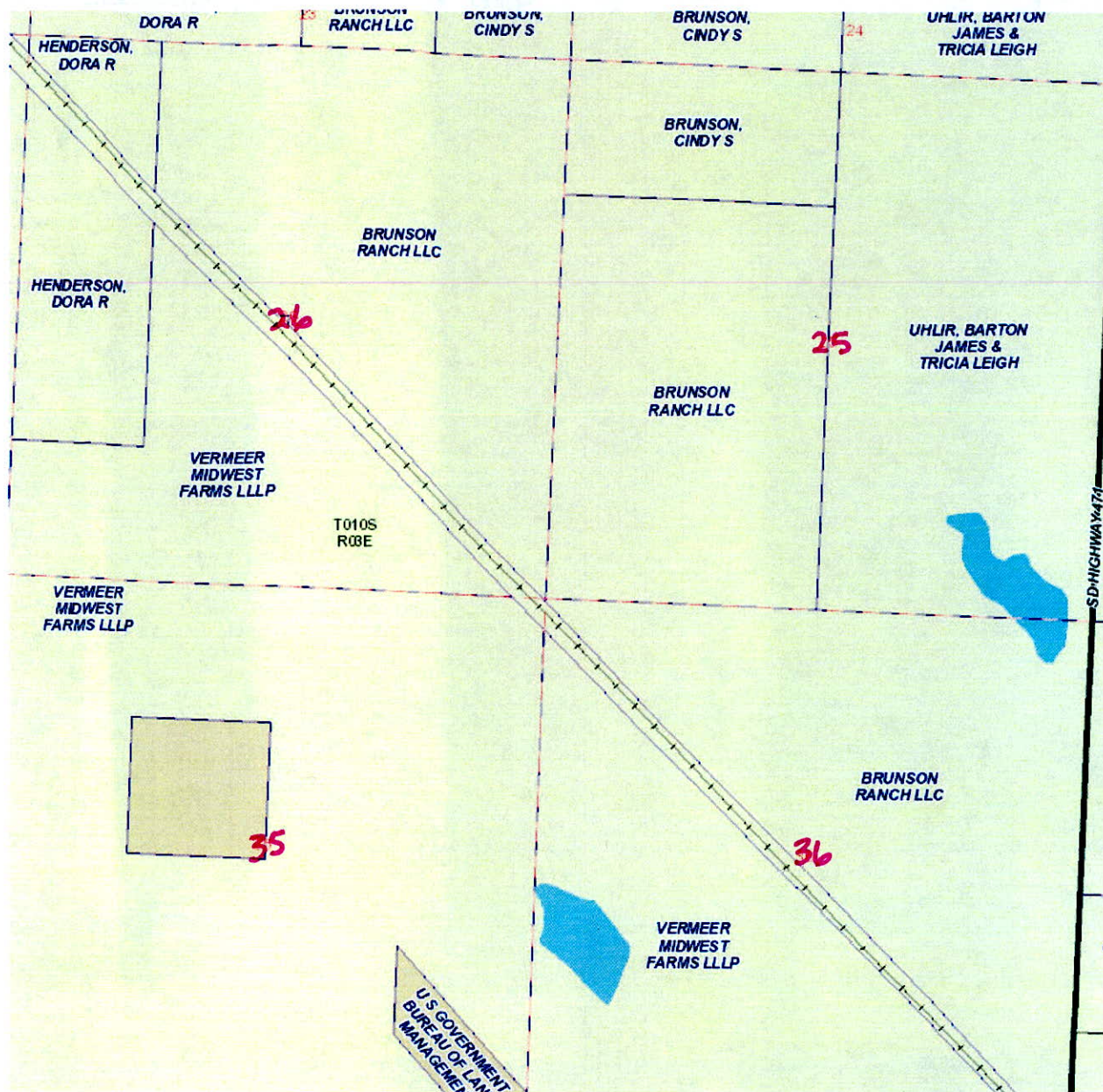
In reviewing the map with the water right and subsequent phone conversation with you, it is our understanding the land you own is south of the railroad tracks. All the covered acreage is located north of the railroad tracks on land owned by Sterling Brunson.

One of the authorized diversion points is located on your land. Water rights for irrigation are appurtenant to the land and not the diversion point. The transfer form you submitted can not be filed for the diversion point location.

The \$50 filing fee you submitted will be returned to you under separate cover in a couple weeks. If you have any questions, please give us a call.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



T10S, R3E



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

June 25, 2020

L8770-2

Sterling Brunson
28937 Hwy 471
Edgemont SD 57735

Dear Mr. Brunson:

I am writing regarding ownership of land described in Location Notice Water Right No. 8770-2. The water right authorizes diversion of water from Plains Creek for irrigation of 324 acres with priority dates from 1909, 1912 and 1954.

Recently we were contacted by Darrell Vermeer concerning the water right. He indicated you own the land north of the railroad tracks (see enclosed map of the area). All the area authorized for irrigation under No. 8770-2 is located on land you now own. Water rights for irrigation are appurtenant to the land.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please sign and return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

I have also included a copy of the water right for you to keep for your records. If I can answer any questions for you, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352

Genny.mcmath@state.sd.us

enclosures

PAID
JUL - 6 2020
Ck# 2814

NOTICE OF TRANSFER OF OWNERSHIP
RECEIVED

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

JUL 06 2020

WATER RIGHTS
PROGRAM

No. L8770-2

Date: _____

I/We request that Location Notice Water Right No. 8770-2

formerly owned by: Jerry & Kathy Styles

be transferred to: (name & address) Sterling Brunson of Brunson

Branch LLC 28937 HWY 471 Edgemont SD
57735 Telephone No. 605-441-0010

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

324 acres - NE ¼, NE ¼ NW ¼, E ½ SE ¼ Section 26; S ½ NW ¼, SW ¼ Section 25;

N ½ NW ¼, SE ¼ NW ¼ Section 36, all in T10S, R3E

I/We understand that the validity of Water Right No. L8770-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Sterling Brunson, the new owner, certify that the above information is true and correct.

Sterling Brunson
(Signed by new owner)

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

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

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

Date July 6, 2020RECEIVED OF Brunson Ranch LLC 28937 Hwy 471 Edgemont SD 57735

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$
Fee to retain Future Use Permit No. _____ after period of seven years.	\$
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$
Fee for Filing Transfer Form <u>L8770-2</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law) TOTAL	\$50.00

By Eric Gronlund
Chief Engineer



OFFICE OF THE SECRETARY OF STATE
STEVEN J. BARNETT, SECRETARY OF STATE
JASON LUTZ, DEPUTY SECRETARY OF STATE

Filing Information

Name: **Brunson Ranch, LLC**

General Information

SOS Business ID **DL036342**
Filing Type: Limited Liability Company - Domestic
 12/09/2013
Status: Good Standing
Duration Term: Perpetual
Managed By: Member-Managed

Registered Agent Address

STERLING M BRUNSON
 28937 HWY 471
 EDGEMONT, SD 57735

Principal Address

28937 HWY 471
 EDGEMONT, SD 57735

The following document(s) was/were filed in this office on the date(s) indicated below:

Date Filed	Filing Description	Image #
12/08/2019	2019 Annual Report	B0122-0077
10/28/2018	2018 Annual Report	B0078-5523
10/03/2017	2017 Annual Report	B0041-1375
12/05/2016	2016 Annual Report	B0019-0023
11/28/2015	2015 Annual Report	
12/01/2014	2014 Annual Report	
12/09/2013	Initial Filing	DL036342



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

July 6, 2020

L8770-2

Sterling Brunson
Brunson Ranch LLC
28937 Hwy 471
Edgemont SD 57735

Dear Mr. Brunson:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for Location Notice Water Right No. 8770-2.

Location Notice Water Right No. 8770-2 formerly held by Jerry & Kathy Styles is now listed under "Sterling Brunson of Brunson Ranch LLC".

Enclosed is a receipt for the filing fee you paid. Thank you for updating the water right. If I can answer any questions for you, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosure



**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: BRUNSON RANCH LLC
28937 HWY 471
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). L8770-2

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.