

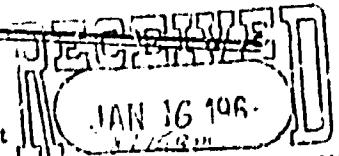
755-2

1. Considered 2-13, 1963
2. Name of Applicant BENICHO J.M. N. School
3. Post Office Address HOT SPRINGS
4. Amount of water claimed .10
5. Source of water supply CASCADE CREEK
6. Water to be used for IRRIGATION & OPERATION OF SCHOOL  
FIRE PROTECTION & RECREATION
7. Acres to be irrigate 3
8. Water to be diverted and used in FINE RIVER County  
 about 4 W 6 S miles of HOT SPRINGS
9. Proof of Publication      Received ✓  
     Not Received \_\_\_\_\_
10. Application      Approved ✓  
     Subject to \_\_\_\_\_  
     Not Approved \_\_\_\_\_  
     Action deferred \_\_\_\_\_

10. Remarks:

No. 755-2

Water Division No. 2 FALL RIVER District  
(Blanks to be filled by the Engineer for the W. R. C.)



STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

# APPLICATION FOR PERMIT To appropriate Water within the State of South Dakota

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

1. Name of applicant Brainerd Indian School  
Postoffice address Hot Springs County Fall River State South Dakota

I. If a corporation  
(a) Name of same Brainerd Indian (Training) School—(Word Training has been deleted by incorporation revision)  
(b) Date and place of incorporation 1946, Pierre, South Dakota

(c) Amount of capital stock none  
(d) Amount paid in

(e) Names and addresses of directors General Board of Administration of the Wesleyan Methodist Church of America, all living in the U. S. and the President of the Brainerd Indian School who resides at the Brainerd Indian School, Hot Springs, South Dakota.

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

II. Method of accomplishing the work and financial resources of the applicant:  
(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)  
Direct Labor, School employees making installation

(b) Cash on hand, \$ 1500.00 (c) Treasury stock, \$ \_\_\_\_\_  
(d) Bonds to be issued, \$ \_\_\_\_\_ (e) Other resources, \$ 1500.00 from to come in from Church pledges

2. Name of diversion work Hydraulic Run & Fire Protection System

3. Amount of water claimed one (1) cubic feet per second

4. Source of water supply Cascade Creek which is a tributary of the Cheyenne River.

5. Location of point of diversion N 17°-15' E From the SW Corner of Section 20, T8S, R5E, 1600 Feet on North bank Fall River County.

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

7. To be used for:  
I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity  
(a) Number of acres to be irrigated three acres.

(b) Legal subdivisions to be irrigated Campus Area in the SE 1/4 (Approx. 3 Acres) Sec. 19  
(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.) Installation of 4 fire hydrants and stock water in the SE 1/4 and Installation of 1 fire hydrant in SW 1/4 Sec. 19.

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

(a) Nature of use Stockwatering and Fire Protection  
Name any of the above uses claimed

(b) Amount of power to be generated none horse power.  
Amount claimed for engine cooling none

(c) Location of plant at point of diversion

(d) Method of developing power Hydraulic Run

(e) Point where water will be returned to stream Approximately 1600 feet West of the point of diversion by way of Payne Canyon.

MAP No 65B-2

8. Estimated cost of work:

Hydraulic Dam \$12,000

- (a) Head Gats, \$100,000
- (b) Hydraulic pipe & Valves \$200
- (c) Fluming, \$
- (d) Canal-earth, \$
- (e) Other structures \$

(b) Pumping plant, \$

Rock, \$

Total, \$ 100

Description of diversion works:

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

Hydraulic Dam and 12,000 gal. storage tank (see remarks)

II. Dimensions of works.

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

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

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

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work \_\_\_\_\_ years.
11. Time required for complete application of water to the proposed beneficial use \_\_\_\_\_ years.
12. Choice of newspaper for publication of notice of intention to appropriate \_\_\_\_\_  
Hot Springs Star, Hot Springs, South Dakota

STATE OF SOUTH DAKOTA

County of Fall River ss.

I, Robert W. Felton, President of the Brainard Indian School

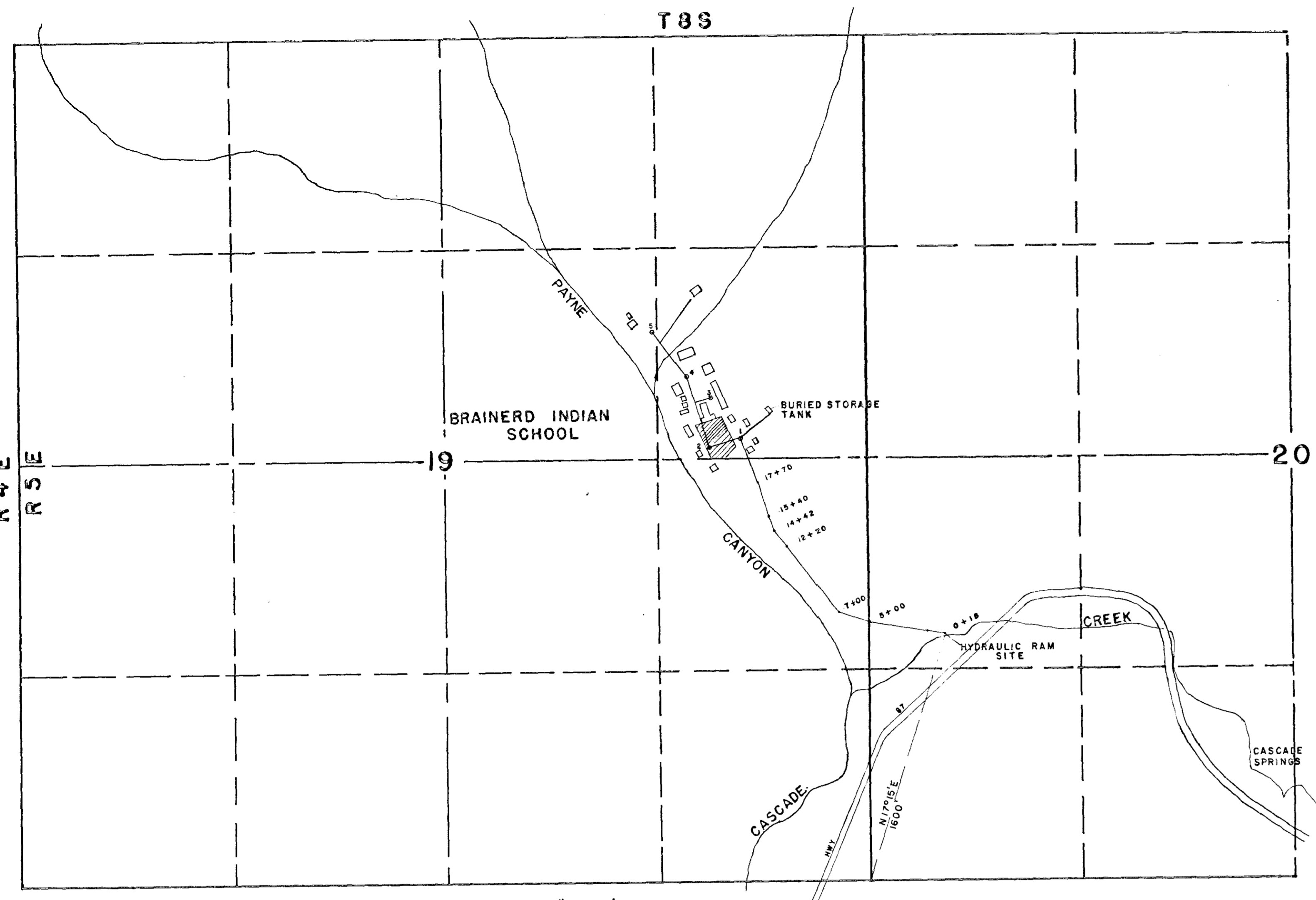
, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are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

Signed Robert W. Felton, Pres.

Subscribed and sworn to before me this 15th day of January 1963

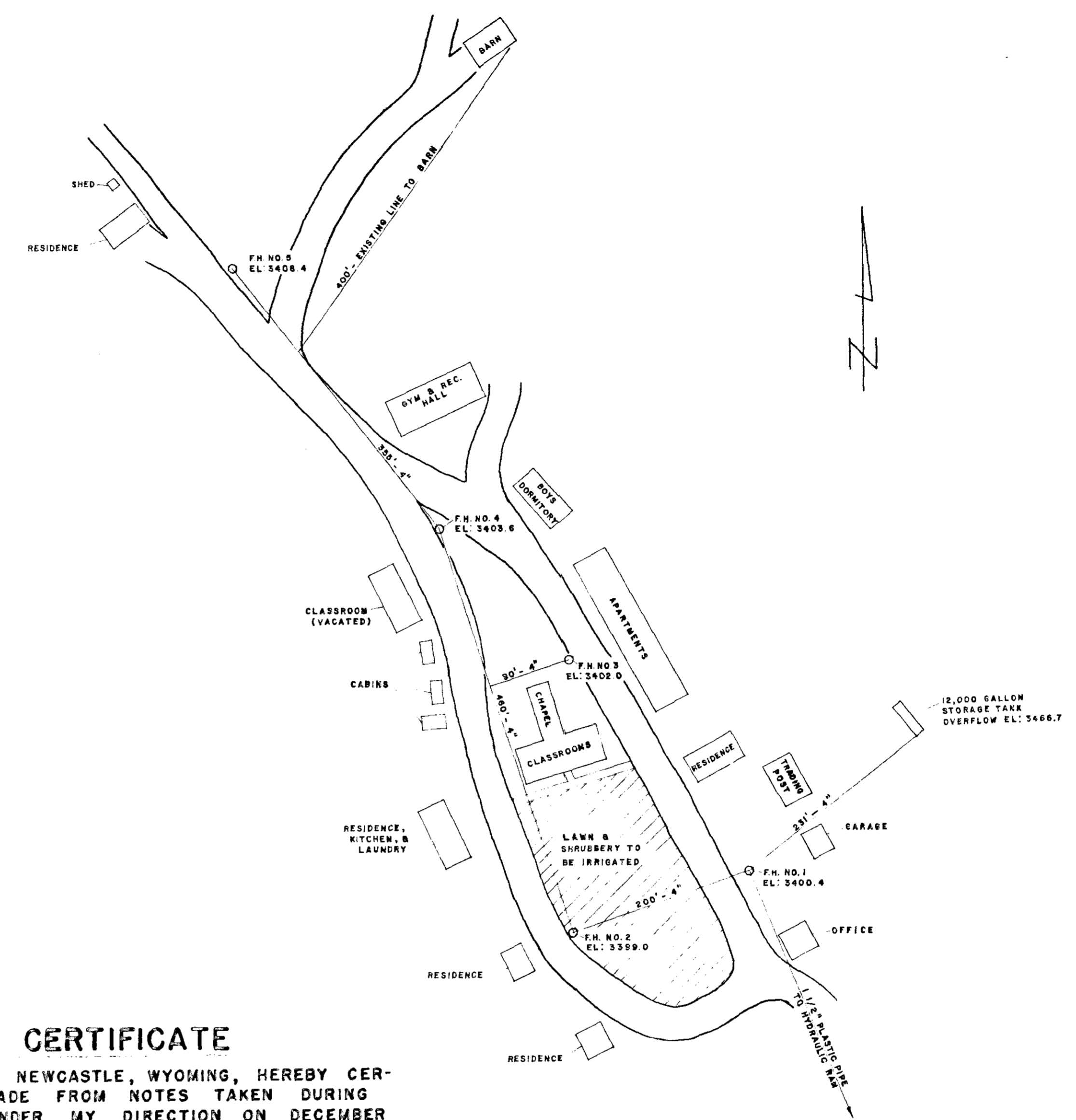
June M. Gerow  
Notary Public (or other qualified officer.)

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



SCALE 1" = 500'

- LEGEND:
- FIRE HYDRANT
  - ▨ LAND TO BE IRRIGATED
  - BUILDING



PLAN VIEW OF STORAGE TANK & FIRE PROTECTION SYSTEM  
SCALE: 1" = 100'

**SURVEYOR'S CERTIFICATE**

I, JAMES T. FLETCHER OF NEWCASTLE, WYOMING, HEREBY CERTIFY THAT THIS MAP WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY MADE UNDER MY DIRECTION ON DECEMBER 4, 1962, AND THAT IT CORRECTLY REPRESENTS THE PROPOSED WATER WORKS AND LOCATION OF STREAMS AS DESCRIBED IN THE ACCOMPANYING APPLICATION.

*James T. Fletcher*  
SOUTH DAKOTA P.E. & L.S. NO. 760  
DATE: Dec. 24, 1962

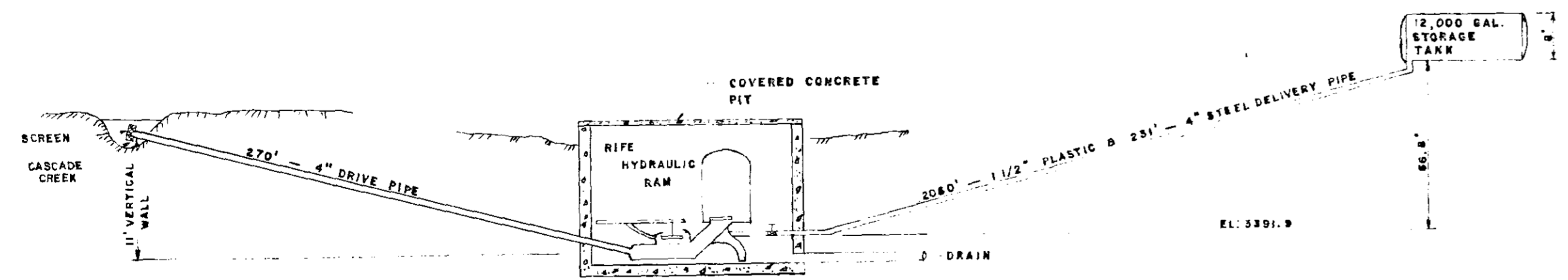
**ACKNOWLEDGEMENT**

COUNTY OF WESTON)  
STATE OF WYOMING ) SS  
ON THIS 24<sup>th</sup> DAY OF December, 1962, BEFORE ME PERSONALLY APPEARED JAMES T. FLETCHER, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE EXECUTED.

MY COMMISSION EXPIRES Jan 15, 1966  
*Earl A. Kerk*  
NOTARY PUBLIC

**HYDRAULIC RAM & FIRE PROTECTION SYSTEM**

PROPOSED LAYOUT  
IN  
SECTIONS 19 & 20, T8S, R5E, B.H.M.  
FALL RIVER COUNTY, SO. DAK.  
APPLICANT  
BRAINERD INDIAN SCHOOL  
HOT SPRINGS, SO. DAK.



HYDRAULIC RAM DETAIL  
NO SCALE

FLETCHER-ROBINSON ENGINEERING CO.  
NEWCASTLE, WYOMING

*James T. Fletcher*

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA }  
County of HUGHES } ss.

Pierre, South Dakota, MARCH 18, 1963

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock  
a.m. upon the 16<sup>th</sup> day of JANUARY, 1963

State Water Resources Commission

By:

*[Signature]*  
Chief Engineer, Executive Officer

Number of permit 755-2

Date of first receipt of application JANUARY 16, 1963

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 JANUARY 16, 1963

Approved MARCH 18, 1963, Recorded in Book 8 Page 47

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 SEPTEMBER 15, 1963

2nd. The whole of said work is to be completed on or before MARCH 15, 1964

3rd. The limit of time for 1/2 of beneficial use of water appropriated in accordance herewith is MARCH 15, 1966

4th. The water appropriated shall be used for the purpose of IRRIGATION & OPERATION OF SCHOOL

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 .10 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 MARCH 15, 1966; said water to be used during the following described annual period:

CONTINUOUSLY

Witness my hand this 18<sup>th</sup> day of MARCH, 1963

State Water Resources Commission

By: *[Signature]*  
Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 9, 1970

Water License Issued NOVEMBER 9, 1970

Form 15.

Permit No. 755-2

Water Diversion No. 2 FALL RIVER Water District

**CERTIFICATE OF CONSTRUCTION**

This is to Certify, That the Brainerd Indian School

\_\_\_\_\_ the holder \_\_\_\_\_ of  
Permit No. 755-2, issued upon Application No. 755-2, bearing date of priority of January 16,  
1963 authorizing the diversion of .10 cu. ft. per second of the waters of \_\_\_\_\_  
Cascade Creek County of Fall River, State of South Dakota at \_\_\_\_\_  
a point North 17° 15' East, 1500 feet from the SW Corner, Section 20,  
T88, R5E

\_\_\_\_\_, for irrigation and stockwater

purposes, has <sup>8</sup> 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 .11 cu. ft. per second of water.

Date November 9, 1970

**WATER RESOURCES COMMISSION**

By:

**J.W. GRIMES, Executive Officer**

WATER LICENSE NO. 72,755-2

(1) WHEREAS, On the 16th day of January A. D. 19 63 the Brainerd Indian School

made Water Right Application No. 755-2 for a permit to use .10 cubic feet per second of the waters of Cascade Creek

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

purposes; and (2) WHEREAS, On the 18th day of March A. D. 19 63

Permit No. 755-2, with a date of priority of January 16, 1963

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 13th day of March A. D. 19 64

and for the application to beneficial use of said water on or before the 13th day of March A. D. 19 66

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 .10 cubic feet per second of water for beneficial use and.

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

for irrigating 3 acres of garden and school campus in the SE 1/4 NE 1/4, Section 19, T8S, R5E, and for stockwater and fire protection purposes

(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 the Brainerd Indian School

of Hot Springs, S.D.  
the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 755-2 a water right, dating from January 16, 1963  
to use of .10 cubic feet per second of the waters  
of Cascade Creek

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 a point North 17° 15' East, 1600 feet from the SW corner, Section 20, T86, R5E

and conduct to and upon repair a portion of the SE 1/4 NE 1/4, Section 19, T86, R5E

for the purpose of irrigation, stockwater and fire protection

Subject to any limitations listed in Water Right Permit No. 755-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota  
this 5th day of November A. D.  
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMBS



on or before February 14, 1963  
(First Publication)

## APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., February 6, 1963

Notice is hereby given that the Brainard Indian School whose postoffice address is Hot Springs S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use .10 cubic feet of water per second of time from ~~the~~ Cascade Creek through the hydraulic ram, the point of diversion of which is to be located on the north bank of said stream in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 20 Twp. 8S Range 5E. Said water to be used for the purpose of providing irrigation on a portion of the following described land:

SE $\frac{1}{4}$ , NE $\frac{1}{4}$  Section 19, T8S, R5E

and for stockwatering and fire protection purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 13th day of March, 1963, at 2 P. M. All interested persons may appear and be heard.

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

State Water Resources Commission

By:

BURTON F. JONES  
Water Right Specialist

CC: Publisher  
Hot Springs Star  
Hot Springs, South Dakota

**AFFIDAVIT OF PUBLICATION**

State of South Dakota )

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

*Notice of Appropriation of Water (Braunerd)*

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

for *four* successive issues, beginning with

the issue dated

*Feb. 14, 1963*

and ending with the issue dated

*Mar. 7, 1963*

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

notice is \$ *17.70*, and

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

*Ernie M. Leonard*

Subscribed and sworn to before

me this *8* day of *Mar.*

196 *3*.

*Ernie M. Leonard*  
Notary Public

**APPROPRIATION OF WATER**  
Office of State Water Resources Commission

Notice is hereby given that the Braunerd Indian School whose post-office address is Hot Springs, S. Dak. has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 10 cubic feet of water per second of time from Cascade Creek through the hydraulic ram, the point of diversion of which is to be located on the north bank of said stream in the NE 1/4 of the SW 1/4 of Section 20, Twp. 88 Range 5E. Said water to be used for the purpose of providing irrigation on a portion of the following described land:  
SE 1/4 NE 1/4 Section 19, T88, R5E and for stockwatering and fire protection purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 13th day of March, 1963, at 2 P.M. All interested persons may appear and be heard.

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

State Water Resources Commission  
By **HURTON F. JONES**  
Water Right Specialist  
Feb. 14-21-28 Mar. 7

**RECEIVED**  
MAR 11 1963  
STATE WATER RESOURCES COMMISSION  
PIERRE, SOUTH DAKOTA

Permit No. 755-2Water Division 2 FALL RIVER Water District

REPORT 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 BRAUNERD  
INDIAN SCHOOL of HOT SPRINGS holder  
of Permit No. 755-2, bearing date of priority of JANUARY 16 1963  
authorizing the diversion of 10 cu. ft. per second of the waters of CASCADE CREEK  
for IRRIGATION & STOCKWATER 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:

HYDRAULIC RAM 4"

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

2100' OF 1 1/2" PLASTIC LINE TO 12,000 GALLON  
STORAGE TANK

C. Works used to apply water to beneficial use.

4" PLASTIC LINE TO 9 HYDRANTS PLACED AT  
INTERVALS ON CAMPUSThe system is in the following condition: GOODThe point of diversion is located N 17° 15' E, 1600 FEET FROM THE  
SW CORNER, SECTION 20, T8S, R5EThe works are capable of diverting and conveying to the place of use 11cu. ft. per second of water which is to be used for IRRIGATION & STOCKWATERING

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

3 ACRES IN SE<sup>2</sup> NE<sup>1</sup>, SECTION 19, T8S, R5E,  
AND FOR STOCKWATER & FIRE PROTECTIONcomprising a total of 3 acres of land.Date OCTOBER 15, 1970Aurton Jones

January 31, 1963

Mr. Robert W. Felton, President  
Brainerd Indian School  
Hot Springs, South Dakota

Dear Mr. Felton:

In reviewing your application to appropriate water, I note you have requested 1.00 cfs, or 450 gallons per minute.

Statutes limit the amount of water for irrigation to one cubic foot per second for each 70 acres. With the three acres you propose, you would be entitled to .043, or approximately 20 gallons per minute for the irrigation portion of the application. Possibly the other uses would require about the same amount. In other words, the 1.0 cfs seems excessive, and I am sure the Commission would be hesitant about approving such an amount.

I would suggest you request that we reduce the amount to .17 cfs (45 gallons per minute) or a reduced figure which is more in line with your actual use.

Sincerely,

BURTON F. JONES  
Water Right Specialist

BFJ:mf



# Department of Water & Natural Resources

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

May 11, 1989

## NOTICE

755-2

TO: Robert W. Pelton, Pres.  
Brainard Indian School  
Hot Springs, SD 57747

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

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

Effective May 19, 1989, you are ordered to cease diversions of water under Water Right No. 755-2. 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

755-2

**NOTICE**

**TO:** Robert W. Pelton, Pres.  
Brainard Indian School  
Hot Springs, SD 57747

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



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

This is a follow-up notice to the May 10, 1990 notice that you received ordering you to cease diversion of water under Water Right No. 755-2. You are reminded that the order is still in effect and will remain in effect until Angostura Reservoir has filled. The May 10, 1989 order stated that the order was effective until the reservoir had reached an elevation of 3183.7 feet above mean sea level (msl). This has been changed and the order will remain in effect until the reservoir has reached the full elevation of 3187.2 msl. On March 6, 1990 the reservoir elevation was 3171.1 msl.

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

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



# Department of Water & Natural Resources

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

March 14, 1991

755-2

## NOTICE

TO: Robert W. Pelton, Pres.  
Brainard Indian School  
Hot Springs, SD 57747

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

755-2

RESCISSION OF SHUTOFF ORDER

TO: Robert W. Pelton, Pres.  
Brainard Indian School  
PO Box 7038  
Rapid City, SD 57709

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

*Delvin W. Brosz*

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

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

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







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

March 25, 1992

755-2

NOTICE

TO: BRAINERD INDIAN SCHOOL  
HOT SPRINGS, SD 57747

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

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

Please be advised that effective immediately no diversions of water will be allowed under your Water Right No. 755-2 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 Path, 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	PERMID	EXPIRE
850-2		A & T CASTLE CO	TCM LANDERS	ST RT	HOT SPRINGS	SD	57747		
302-2	RICHARD	ANDERSON	A LVAR ANDERSON	BOX 59 BOX 18	FREMONT	SD	57735		
1610-2	LESLIE R	ANDERSON		BOX 59 BOX 20	FREMONT	SD	57735		
390-2		B & H RANCH INC	B F CHILDERS	PO BOX 723	FREMONT	SD	57735		
530-2		BALL PEGS		BOX 817	FREMONT	SD	57735		
1035-2	LESTER E	BARTLEY		BOX 749	FREMONT	SD	57735		
1090-2	NICK/MICHAEL	BECKER	ANTON BOMER JR	HC 46 BOX 24	OFFICERS	SD	57743	1734-2	
755-2		BRAINARD INDIAN SCHOOL			HOT SPRINGS	SD	57747		
658-2	WAYNE F	CHILDERS		BOX 59 BOX 1A	FREMONT	SD	57735		
630-2	V L	CHILDERS		BOX 723	FREMONT	SD	57735		
650-2	OSCAR	COFF			OFFICERS	SD	57743		
1074-2	JOHN	DOERING		SR 1 BOX 136	TRUSE	WI	22225		
507-2	HAROLD E	JACKSON		BOX 59 BOX 5A	FREMONT	SD	57735	1410-2	
2058-2	LEROY/BERNHA	JEFFERSON		HC 48 BOX 248	PROVO	SD	57774		
1085-2	DAVID M	JENSEN		PR BOX 32	OFFICERS	SD	57743		
700-2		HAID BROTHERS, INC.	CAEL P HAID, TRUS	BOX 40 BOX 5	OFFICERS	SD	57743	1695-2	
491-2	HEFMAN	HUFF		BOX 441	FREMONT	SD	57735		
500-2	DARRELL F	HUTMAN		BOX 402	FREMONT	SD	57735		
1870-2	LENA R	HENDERSON	ACT 255	5101 INDIAN RIVER	EAS VEGAS	NV	89163		
1980-2	DON W	HENRY		BOX 276	ARMORY	SD	57715		
370-2	HENRY C	HOLLENBECK		TENNY ROUTE	FREMONT	SD	57735		
1590-2		HU RANCH INC	SD CORPORATION	BOX 59 BOX 102	FREMONT	SD	57735		
350-2	DARREL D	HUNTER		BOX D	ARMORY	SD	57715		
1001-2	JAMES/PATRICIA	JACKSON		HC 68 BOX 7	EASTSIDE	NE	68351		
1870-2	JIM	KANG		BOX 124	PROVO	SD	57774		
700-2	CAEL	KANWIT	ACT 202	FLANKE HOTEL	CHARON	WV	26037		
1030-2	JOHN W	KOHLER		BOX 715	FREMONT	SD	57735		
600-2	A J	LANDERS	STAR CASTLE CO	BOX 1528 BOX 52	HOT SPRINGS	SD	57747		
1000-2	R L/ALLEN	LAWRENCE		BOX 759	TIGON	SD	58852		
670-2	MELVIN	LUFF			HOT SPRINGS	SD	57747		
1735-2	JOHN D(JACK)	MANKE	(ESTATE)	PR 01 BOX 1700	HOT SPRINGS	SD	57747		
1007-2	KENNETH	MARTINSON		BOX 341	FREMONT	SD	57735		
735-2	ARLITH W	MULLEN		BOX 104	OFFICERS	SD	57743		
410-2	RALPH L	NEFFERD, JR		BOX 48 BOX 22	PROVO	SD	57774		
1371-2	A J	NEFSON		FROAIR'S 2, 10E	MILES CITY	MT	59301		
2015-2		PETERSON & SON, INC		BOX 59 BOX 18	FREMONT	SD	57735		
1016-2	PAUL A JEAN	PETTY	A NORMAN PETTY	BOX 52 BOX 136	HOT SPRINGS	SD	577479003		
1716-2	MELVIN	PORTER		WIO RT BOX 17	FREMONT	SD	57735		
711-2	DONALD	REINAM		BOX 188	OFFICERS	SD	57743	2043-2	
1020-2	CLYD	REASER		HC 45 BOX 48	OFFICERS	SD	57743		
492-2	EDWARD/MICHA	REUTTER		BOX 59 BOX 50	FREMONT	SD	57735	1780-2	
235-2	CHANCE/ETHEL	REYNOLDS		BOX 59 BOX 28	FREMONT	SD	57735	224-2	
660-2	OLIVER W	ROMFY		BOX 175	OFFICERS	SD	57743		
710-2	VERNON	SCHROSE		ST RT BOX 155	HOT SPRINGS	SD	57747	1700-2	
1040-2		SEGER RANCH INC		BOX 95	OFFICERS	SD	57743	671-2	1837-2
327-2	BERNARD D	SIMONS		BOX 381	FREMONT	SD	57735		
1030-2	ROBERT/MARK	TUEBS		BOX 563	FREMONT	SD	57735		
1010-2		WAR BONNET RANCH LTD	BOX 32	105 E 5TH ST	MURDO	SD	57559		
302-2	VINCENT M	WASSERBURGER		BOX 83	ARMORY	SD	57715	853-2	2 15-2



755-2

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

March 12, 1993

755-2

NOTICE

TO: BRAINERS INDIAN SCHOOL  
PO BOX 7038  
RAPID CITY, SD 57107038

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

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

Effective immediately no diversions of water under your Water Right No. 755-2 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 level 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 Broz 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

755-2

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 )  
COUNTY OF HUGHES ) SS

Sworn to, before me, this 15<sup>th</sup> day of March, 1993.

*John Hatch*

Notary Public





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

April 14, 1993

755-2

RESCISSION OF SHUTOFF ORDER

TO: BRAINERD INDIAN SCHOOL  
PO BOX 7038  
RAPID CITY, SD 577097038

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

A handwritten signature in black ink, appearing to read "John Hatch", is written over the typed name and title of the sender.

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



755-2

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

March 15, 1995

755-2

NOTICE

TO: BRAINERD INDIAN SCHOOL  
PO BOX 7038  
RAPID CITY, SD 57709

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. 755-2 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



755-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

May 26, 1995

755-2

**RESCISSION OF SHUTOFF ORDER**

TO: BRAINERD INDIAN SCHOOL  
PO BOX 7038  
RAPID CITY, SD 57709 7038

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

April 30, 2004

**NOTICE OF SHUTOFF ORDER**

**TO:** BRAINERD INDIAN SCHOOL  
PO BOX 7038  
RAPID CITY SD 57709

**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. (755-2)**

To protect the US Bureau of Reclamation's Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941, the Bureau of Reclamation has asked that we issue shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River and tributaries by holders of junior water rights upstream of Angostura Dam will be allowed. On April 30, 2004, the water elevation in Angostura Reservoir was 3179.1 feet, a little over 8 feet below the full elevation of 3187.2 feet. Current storage is at 96,912 acre-feet, about 33,850 acre-feet below full and inflows are only about 38 acre-feet per day.

The Angostura Reservoir storage level will be closely monitored and if the Cheyenne River flows upstream of dam increase such that the reservoir will fill, this shutoff order will be rescinded at that time. If conditions do not improve, this order will remain in effect until December 31, 2004.

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



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

March 15, 2005

**NOTICE OF SHUTOFF ORDER**

**TO:** BRAINERD INDIAN SCHOOL  
PO BOX 7038  
RAPID CITY SD 57709

**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. 755-2**

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

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

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



IN REPLY REFER TO:

DK-700  
PRJ 13.00

755-2  
United States Department of the Interior

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

FEB 24 2006



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

RECEIVED  
FEB 27 2006  
WATER RIGHTS  
PROGRAM

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

Dear Mr. Erbele:

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

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

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

Sincerely,

FOR Jeffrey L. Nettleton  
Rapid City Field Office Manager

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

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



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

March 10, 2006

**NOTICE OF SHUTOFF ORDER**

**TO:** BRAINERD INDIAN SCHOOL  
PO BOX 7038  
RAPID CITY SD 57709

**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. 755-2**

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

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

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



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

March 9, 2007

**NOTICE OF SHUTOFF ORDER**

**TO:** BRAINERD INDIAN SCHOOL  
PO BOX 7038  
RAPID CITY, SD 57709

**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. 755-2**

To protect the US Bureau of Reclamation's Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941, the Bureau of Reclamation has asked that we issue shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River and tributaries by holders of junior water rights upstream of Angostura Dam will be allowed. On March 9, 2007, the water elevation in Angostura Reservoir was 3166.9-feet, 20.3-feet below the full elevation of 3187.2-feet. Storage is at 51652 acre-feet, about 87109 acre-feet below full. Angostura Reservoir is not expected to fill with the current low inflows.

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

I am asking for your cooperation in complying with this shutoff order. If you have any questions, please contact Mark Rath at (605) 773-3352 or Aaron Tieman at (605) 394-2229 with the Water Rights Program. Thank you.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

March 19, 2008

**NOTICE OF SHUTOFF ORDER**

**TO:** BRAINERD INDIAN SCHOOL  
PO BOX 7038  
RAPID CITY SD 57709

**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. 755-2**

The US Bureau of Reclamation holds Water Right No. US579-2 for Angostura Reservoir with a senior priority date of April 11, 1941. To protect this right, the Bureau of Reclamation has asked that we issue shutoff orders for junior water right holders. Effective immediately no diversions of water from the Cheyenne River and tributaries by holders of water rights junior to the priority date of April 11, 1941 upstream of Angostura Dam will be allowed. On March 17, 2008, the water elevation in Angostura Reservoir was 3168.8-feet, 18.4-feet below the full elevation of 3187.2-feet. Storage is at 56785 acre-feet, about 66263 acre-feet below full. Angostura Reservoir is not expected to fill with the current low inflows.

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

I am asking for your cooperation in complying with this shutoff order. If you have any questions, please contact Mark Rath at (605) 773-3352 or Aaron Tieman at (605) 394-2229 with the Water Rights Program. Thank you.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

March 19, 2009

**NOTICE OF SHUTOFF ORDER**

**TO:**

BRAINERD INDIAN SCHOOL  
PO BOX 7038  
RAPID CITY SD 57709

**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. 755-2**

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:** BRAINERD INDIAN SCHOOL  
PO BOX 7038  
RAPID CITY SD 57709

**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. 755-2**

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:

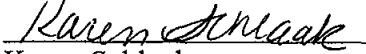
LAST_NAME	FIRST_NAME	ADDRESS2	CITY	STATE	ZIP
INDIAN CREEK CATTLE LLP		32296 190TH ST	SLEEPY EYE	MN	56085
INDIAN CREEK LAND & CATTLE LLC		PO BOX 538	EDGEMONT	SD	57735
WEINREIS BROTHERS		230908 HIGHLAND RD	SCOTTSBLUFF	NE	69361
SEGER RANCH INC		RR 1 BOX 100A1	HOT SPRINGS	SD	57747
REUTTER	EDWARD/WANDA	HCR 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 & THOMAS	2533 PARK AVE	LARAMIE	WY	82070
SIMONS	BERNARD D	BOX 381	EDGEMONT	SD	57735
TUBBS LAND & CATTLE LLC		10891 RIVER RD	EDGEMONT	SD	57735
WALKER	FRED S & CYNTHIA K	30301 CASCADE RD	ARDMORE	SD	57735
WYOMING DAKOTA RAILROAD PROPERTIES INC	WAYNE F	120 S 6TH ST - 9TH FLOOR	MINNEAPOLIS	MN	55402

  
 Gail Jacobson  
 Secretary/Water Rights

STATE OF SOUTH DAKOTA     )  
   ) SS  
 COUNTY OF HUGHES         )

Sworn to, before me, this 6<sup>th</sup> day of March, 2013.

  
 Karen Schlaak  
 Notary Public  
 My Commission expires April 1, 2013

