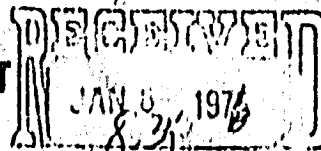


1. Considered 3-17, 19 76 1330-
2. Name of Applicant ARTHUR E. EAGLE, SR.
3. Post Office Address VALENTINE, NEBRASKA
4. Amount of water claimed 1.7
5. Source of water supply GROUND WATER (200' WELL)
6. Water to be used for IRRIGATION
- Acres to be irrigated 127
7. Water to be diverted and used in TODD county
about 125.15 miles of MISSION
8. Proof of Publication Received 3-3-76
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

Map No. 1124.2 Water Division No. 2 KEYAPAH RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of SOUTH DAKOTA

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Mr. L. H. F. Reagle, Sr.
Postoffice address Valentine, Ne. 69201 Todd Co. S. Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) contracted
3. Name of diversion work Reagle Irrigation Project No. 2
4. Amount of water claimed (cubic feet per second) 1.7 MAXIMUM ALLOWABLE
5. Source of water supply ground water
6. Location of point of diversion Well #1 SW 1/4 of Sec. 34 T39N R.28W
Well #2 1200 ft west of well #1
County Todd
7. Annual period or periods during which water is to be used May to September
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use, Total number of acres to be irrigated 127

List below each forty-acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.			
Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SW 1/4 of Sec. 34 T39N R.28W	80		
SW 1/4 of NW 1/4 of Sec. 34 T39N R.28W	80		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 6 months years. Additional time required to complete application of water to the proposed beneficial use as soon as well is completed years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Todd Co. Tribune
Mission, S. Dakota
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

well or wells

B. Works proposed to transport water to place of use.

pipeline from wells to sprinkler

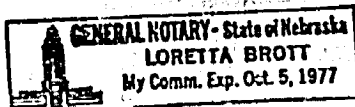
C. Works proposed to apply water to beneficial use.

over head sprinklerEstimated Total Cost \$ 50,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)STATE OF NebraskaCounty of CherryI, Arthur Reagle the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed

Arthur ReagleSubscribed and sworn to before me this 7th day of January 1976Loretta Brott

Notary Public (or other qualified officer)



WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1330-2ARTHUR E. REAGLE, SR.

(Applicant)

VALENTINE,

(Post Office Address)

NEBRASKA 69201

(State)

With the following modifications:

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application: JANUARY 8, 1976Date of return to applicant for correction, amendments or changes required: —, 19—Date of receipt of corrected application: —, 19—Approved MARCH 17, 1976, Recorded in Book 14 Page 278WATER RIGHT PERMIT NO. 1330-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1330-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JANUARY 8, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 17, 1976
3. The whole of said work is to be completed on or before MARCH 17, 1977
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 17, 1977
5. The water appropriated shall be used for the purpose of IRRIGATION

6. 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.

7. The amount of the appropriation herein granted shall not exceed 17 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 17, 1977; said water to be used during the following described annual period: MAY TO SEPTEMBER

Witness my hand this 19TH day of MARCH, 1976

WATER RIGHTS COMMISSION

By:


 Chief Engineer, Executive Officer
Certificate of Construction Issued —, 19—Water License Issued —, 19—

I DO HEREBY CERTIFY THAT A CHEMICAL ANALYSIS OF THE GROUND WATER TO BE
ACQUIRED FOR IRRIGATION FROM SOUTH DAKOTA STATE UNIVERSITY AND:

THE LAND CAPABILITY FOR IRRIGATION INFORMATION HAS BEEN ACQUIRED FROM

Todd County Conservation District office

AND:

THAT THE LEGAL DESCRIPTION FOR THE LOCATION OF THE WELL AND LAND TO BE
IRRIGATED IS TRUE AND CORRECT.

Arthur Peigh

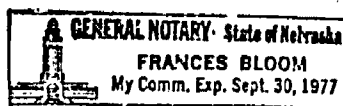
SUBSCRIBED AND SWORN BEFORE ME THIS

17 DAY OF October 1975.

Frances Bloom

Notary Public

(TITLE)



REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Arthur Rengle
 Address: Valentine, Nebraska
69201

Date Rec'd October 20, 1975
 Sample No. 75-1010
 Identification Wells
W2, Sec. 34, T. 37N, R. 28E

WATER ANALYSIS

Calcium (Ca)	33	ppm*	1.90	me/l**
Magnesium (Mg)	11	ppm	0.90	me/l
Sodium (Na)	9	ppm	0.39	me/l
Potassium (K)	10	ppm	0.25	me/l
Sulfate (SO ₄)	2	ppm	0.09	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.10	me/l
Bicarbonate (HCO ₃)	227	ppm	3.92	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	186	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	387	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.33			
Sodium	11.33	% of cations		
Residual sodium carbonate	0.92	me/l		
pH	7.60			
Dissolved Solids:				

*ppm==parts per million

***g.p.g.=grains per gallon

**me/l==millicivalents per liter

COMMENTS: Total cations 3.44 me/l
 Total anions 3.87 me/l

By: Shirley Hittan

Service Performed	Amount Due
Irrigation Analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-1010

Amount Enclosed \$

Signed

7230-2

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: _____ 1/4 _____ 1/4 _____ Section _____ Township _____ Range _____

Well owner Arthur Reagle Valentine, Nebraska
(Name) (Address)

Date well drilling completed 5-25-76 Purpose of well irrigation
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer _____ ft.
0-7	sand	Depth to static water level _____ 78 ft.
7-30	sand, ss, mag layers	Name of producing aquifer (if known) _____
30-57	med sand, ss	Total depth of drill hole _____ 200 ft.
57-59	mag	Depth to bottom of casing _____ 200 ft.
59-73	med sand, ss	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used. Casing is 16 inch .219 wall steel
73-77	med sand, ss, limestone layers	
77-80	med sand, ss	
80-89	med sand, ss, limestone layers	Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations. Perforated casing has 40 mill slots per foot. Slots are .150 x 3 inches.
89-94	med sand, ss	
94-96	limestone	
96-113	med sand, ss	If a flowing well, flow of completed well _____ G.P.M.
113-116	clay	
116-123	fine-med sand, ss	
123-127	clay	

Attach sheet if more space is needed

Sargent Irrigation Company
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump 8" Sargent Pipe HP 40
Type of pump turbine Capacity of installed pump 240 G.P.M.
Depth of pump placement 180 ft., Date of pump installation 5-28-76

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.40B of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____



Sargent Irrigation Company
Name of Pump Installation Contractor

Arthur Reagle

Valentine, Nebraska

Test log continued

127-140 fine med sand, sandstone

140-170 med sand

170-173 clay

173-196 med coarse sand

196-200 red rock

200-220 red rock, fine sand

ss - sandstone

1330-2

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: _____ 1/4 _____ 1/4 _____ Section _____ Township _____ Range _____

Well owner Arthur Reagle Valentine, Nebraska
(Name) (Address)

Date well drilling completed 5-26-76 Purpose of well irrigation
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layer, top to bottom in feet	Description of layer	Depth to top of water producing aquifer _____ 80 _____ ft.
0-10	sand	Depth to static water level _____ 78 _____ ft.
10-20	sand, ss	Name of producing aquifer (if known) _____
20-22	mag	Total depth of drill hole _____ 200 _____ ft.
22-32	sand, ss	Depth to bottom of casing _____ 200 _____ ft.
32-40	sand, ss, mag layers	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used. Casing is 16 inch .219 wall steel
40-60	med sand, ss	
60-80	med sand, ss, 1 sm. mag layer	
80-100	med sand, ss, mag layers	
100-118	fine-med sand, ss	
118-120	mag	Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations. Perforated casing has 40 mill slots per foot. Slots are .150 x 3 inches.
120-136	fine-med sand, ss	
136-140	clay	
140-160	med sand, ss	
160-180	med-coarse sand	
ss - sandstone		If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

Sargent Irrigation Company
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump 8" Sargent Pipe HP 40
Type of pump turbine Capacity of installed pump 240 G.P.M.
Depth of pump placement 180 ft., Date of pump installation 5-28-76

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.



Sargent Irrigation Company
Name of Pump Installation Contractor

Arthur Reagle
Valentine, Nebraska

Test log continued

180-194	med sand
194-197	clay
197-200	med sand
200-220	red rock, fine sand

Arthur Reagle
Valentine, Nebraska

Test log continued

180-194	med sand
194-197	clay
197-200	med sand
200-220	red rock, fine sand

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 310'
- (2) Casing, Type Concrete, Diameter 17", Thickness 5"
(wood, concrete, steel, etc.)
- (3) Perforated Screen.
Type Concrete, Diameter 17", Length 56'
- (4) Gravel Pack, Thickness 40 yards, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.) attached

Character of Water bearing materials _____

fine sandstone, sand

Depth to top of water bearing material 83'

Depth to bottom of water bearing material 306'

Thickness of water bearing material 123'

Depth to water (ground surface to water level) about 65'

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property _____ rds. On property owned by others _____ rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map

*Gracch Inc Co, Inc.
Dick Gracch, Branch Mgr.
by Peg Nichols*

Arthur Beagle
Signature of Applicant

Form 6 - Notice of Intent to Appropriate Water

N 1330-2

Publish first publication, on or before March 4, 19 76

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 13, 19 76

Notice is hereby given that Arthur E. Reagle
whose post office address is Valentine, Nebraska, ~~South Dakota~~, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
1.7 cubic feet of water per second of time from the ground water through the
Reagle Irrigation Project #2, the point of diversion of which ~~will~~ be located in the
center of the NW 1/4 and NW 1/4 SW 1/4

of Section 34, Twp. 37N, Range 28W. Said water to be used for the purpose
of providing irrigation on the following described land:

SW 1/4 NW 1/4 & NW 1/4 SW 1/4, Section 34, T37N, R28W

This application No. 1330-2 will be considered by the Water Resources Commission at their office at
Pierre upon the 17th day of March, 19 76, at 1:00 P.M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

cc: Arthur E. Reagle

AND ON MICROFILM WHICH MAY BE REPRODUCED FOR THE PURPOSE OF RESEARCH OR REPRODUCTION. REPRODUCTION OF THIS NOTICE IS PROHIBITED. FILE NO. 17 3-25-81

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1330-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Todd) ss.

I, Emm Fugert hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Todd Co. Tribune

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

City of Mission
County of Todd and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

Thursday, Feb. 19, 1976

Thursday, Feb. 26, 1976

Emm Fugert
(Signature)

Owner
(Title)

3-1-76
(Date Signed)

Notice of Intent to
Appropriate Water

Notice is hereby given that
Arthur E. Reagle whose post
office address is Valentine, Ne-
braska, has made an application
in accordance with the provi-
sions of the water laws of South
Dakota for a permit to appropri-
ate for beneficial use 1.7 cubic
feet of water per second of time
from the ground water through
the Reagle Irrigation Project No.
2, the points of diversion of which
are to be located in the center of
the W $\frac{1}{2}$ and NW $\frac{1}{4}$, SW $\frac{1}{4}$ of
Section 34, Twp. 37N, Range 28W.
Said water to be used for the
purpose of providing irrigation
on the following described land:
S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 34,
T37N, R28W.

This application No. 1330-2 will
be considered by the Water
Resources Commission at their
office at Pierre upon the 17th day
of March, 1976, at 1.00 p.m. All
interested persons may appear
and be heard.

WATER RESOURCES
COMMISSION
Burton F. Jones
Water Rights
Specialist

Publ. Feb. 19 and 26, 1976.





United States Department of the Interior
OFFICE OF THE SOLICITOR

ROOM 211 - FEDERAL BUILDING
P.O. BOX 549
ABERDEEN, SOUTH DAKOTA 57401

March 18, 1976



Mr. Burton F. Jones
Water Rights Specialist
Water Rights Commission
Pierre, South Dakota 57501

Dear Mr. Jones:

The Area Director, Bureau of Indian Affairs, has advised that on March 17, 1976, at 1 p.m. a Hearing will be held by the Water Rights Commission at their office at Pierre, South Dakota, on the application of Arthur E. Reagle of Valentine, Nebraska, for a permit to appropriate for beneficial use 1.7 cubic feet of water per second of time from the ground water through the Reagle Irrigation Project # 2, the point of diversion being in the center of the W $\frac{1}{2}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34, T. 37 N. Range 28 W. for the purpose of irrigation.

This letter will serve as our written objection to such applications for permits to appropriate ground water from within the boundaries of the Rosebud Reservation. The issuance of such permit would be contrary to established law, which declares that the State lacks jurisdiction with respect to the adjudication of the waters of, or the lands within, the exterior boundaries of an Indian Reservation. See 25 U.S.C.A. Sec 381; Winters v. United States, 207 U.S. 564, 28 S. Ct 207; United States v. Powers, 94 F. 2d 783; United States v. McIntire, 101 F. 2d 650; and United States v. Alexander, 313 F. 2d 359.

In filing this objection to the issuance of such proposed permits and in writing this letter to you, we do not waive our right to challenge the State's jurisdiction by legal action or otherwise, and merely intend to call the State's attention to the fact that the State lacks jurisdiction in this matter.

Very truly yours,

Wallace G. Dunker
Wallace G. Dunker
Field Solicitor

cc: Office of the Area Director
Superintendent, Rosebud Reservation
Mr. Parnell Hagen, Area Soil Conservationist, B.I.A.
Mr. Arthur E. Reagle, Valentina, Nebraska 69212

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1330-2

November 7, 1984

Arthur E. Reagle, Sr.
Mission Route
Valentine, Nebraska 69201

Dear Mr. Reagle:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1330-2 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

ms/

NOTE: On form of payment, please include the number of the water permit. This insures proper handling of the fee.

DWNR-814 8/83



Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1330-2

November 7, 1984

Arthur E. Reagle, Sr.
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Sincerely,

Maxine Stirling
Staff Assistant

ms/

NOTE: On form of payment, please include the number of the water permit. This insures proper handling of the fee.

DWNR-814 8/83

LICENSE FOR PERMIT NUMBER 1330-2

1. Legal location of wells: 2 wells - 1320' South and 960' East
and well #2 1620' south and 890' east of NW corner of section 34
T 37 N R 28 W
dams & structures: _____

2. Well Information: Well Drilling Firm Sargent

No. of wells 2 Depth 220 feet

Casing	a) diameter <u>16"</u>	Screen	a) type <u>10 mill slots/foot - .150" x 3"</u>
	b) length <u>200'</u>		b) length _____
	c) type <u>steel</u>	Static Water Level	<u>78'</u>
Pump	a) make <u>Sargent</u>	Motor	a) make <u>US Electric</u>
	b) model <u>24976 24876</u>		b) model no. <u>R-6227-01-24 R209708</u>
	c) size <u>10 F.P.C.</u>		c) horsepower rating <u>40 : 40 900226</u>
	d) capacity <u>250/gal</u> GPH		d) motor efficiency rating _____
	e) turbine pump no. of stages <u>6</u>		

3. Distribution lines:

a) size of lines 6"
b) type PVC
c) length 570'

4. Dam Information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

- 1) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/H) _____
4) valve type _____
5) location on structure _____

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 _____

5. System Type: c) center pivot

- 1) make Rainco
- 2) number of towers 12
- 3) distance between towers
128'
- 4) overall length _____
- 5) End gun (Y/N) N
- 6) high or low pressure H
- 7) make & size of nozzles
Rainbird
- 8) PSI reading while system is
running 60-65
- 9) GPM 450
225 GPM/well

g) Gur.

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES NO

Check Items

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
2. Special Qualifications to permit being abided by.
3. All Structures, wells and lands on map.

REMARKS:

Permit No. 1330-2Keyapaha 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 Arthur Reagle Sr. of Mission Route, Valentine NE holder of Permit No. 1330-2, bearing the priority of January 8 1976 authorizing the diversion of 1.7 cu. ft. per second of the waters of groundwater (Ogallala) for irrigation purposes, in Todd County.

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

A. Works used to divert the water: 2 wells approximately 220' deep having a static water level of 78' and having 16" steel casing.

Both wells have Sargent pumps capable of putting out 250-300 GPM.
The motors are 40 HP U.S. Electric.

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

The delivery line from well #1 is 6" PVC pipe approximately 570' long.
Well #2 is connected to the pivot with 10' of 8" steel pipe.

C. Works used to apply water to beneficial use:

The irrigation is accomplished with a Ruincaut center pivot having 10 towers with 125' spacing between towers. The pivot has an over all length of 1320', no end gun and operates at 60 psi with about 450-500 GPM.

The system is in the following condition good

The point of diversion is located - 2 wells; well #1 1320' South & 960' East
well #2 1620' South & 840' East all from NW 1/4 corner of sec 34 T37N R28W

The works are capable of diverting and conveying to the place of use 1.3 cfs
 cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: SW 1/4 NW 1/4 - 39.0,
SE 1/4 NW 1/4 - 32.3, NW 1/4 SW 1/4 - 33.5, NE 1/4 SW 1/4 - 32.9 all of sec 34
T 37 N, R 28 W

comprising a total of 132.7 acres of land and the license should be issued for 1.3 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date 10-30-1984

(signature)

State of South Dakota
Water License No. 1330-2

(1) Arthur Reagle, Sr.
of HC 12, Box 10, Valentine, Nebraska 69201
made Application No. 1330-2 January 8, 1976 for a water permit to appropriate
1.70 cubic feet per second of water from groundwater (two wells)
Todd County, South Dakota for Irrigation purposes.
Permit No. 1330-2, with a priority date of January 8, 1976
was approved March 17, 1976 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before March 17, 1977 and for the application to beneficial use of said
water on or before March 17, 1977.

(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 1.30 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is are Well #1 - 1320'S and 960'E;
Well #2 - 1620'S and 840'E all from the NW Corner of Section 34, T37N, R28W

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, to irrigate the following land all in Section 34,

T37N, R28W

SW1/4 34.6 Acres (BC)

SE1/4 32.3 Acres (BD)

NW1/4 33.5 Acres (CB)

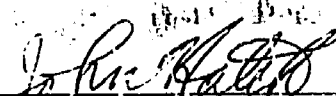
NE1/4 32.9 Acres (CA)

TOTAL 132.7 ACRES

(1) Pursuant to §46-5-30.1 Arthur Reagle, Sr.
of HC 12, Box 10, Valentine, Nebraska 69201

the holder(s) and/or owner(s) of Water Permit No. 1330-2 is issued a license to appropriate water, the right to use 1.30 cubic feet per second of water from groundwater (one well) with a priority date of January 8, 1976 from the location specified in (2) of this license. The water to be conducted to and up on lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1330-2 and subject to South Dakota State Law.


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

JOHN HATCH

November 21, 1984

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4 9832

Pierre, November 21, 19 84

RECEIVED OF Arthur E. Reagle, Reagles Farm & Ranch Inc., HC 12 Box 10, Valentine, NE
the following amount in fees for services rendered as provided for by law: 69201

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. 1330-2

50 00

Fee for Filing Transfer Form _____

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

50 00

By

Chief Engineer

JOHN HATCH (ms)

No. 1330-2

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

November 21, 1984

Arthur Reagle, Sr.
HC 12, Box 10
Valentine, Nebraska 69201

Dear Mr. Reagle:

Enclosed herewith is, Water License No. 1330-2. 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

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

WNR-817 3/83
Transmittal of Water License

898-2
1330-2



Department of Water & Natural Resources

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

February 17, 1989

Arthur E Reagle
HC 12, Box 10
Valentine, NE 69201

Dear Mr. Reagle:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

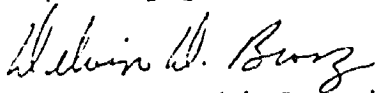


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

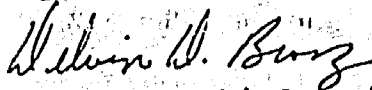
for 
JOHN HATCH, Chief Engineer
Water Rights Division

Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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Very truly yours,

for 
JOHN HATCH, Chief Engineer
Water Rights Division



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

March 16, 1992

898-2
1330-2

Ivan Reagle
HC 14 Box 110
Valentine, NE 69201

Dear Mr. Reagle:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 898-2 and 1330-2. You indicated on the 1991 irrigation questionnaires that the water rights should no longer be listed under Arthur Reagle.

The transfer forms should be checked over for accuracy and signed in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$5.00).

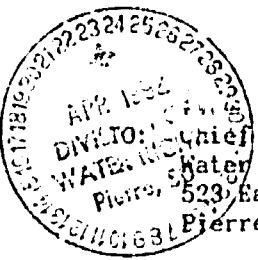
South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures



NOTICE OF TRANSFER OF OWNERSHIP

No. 1330-2

Chief Engineer
Water Rights Division, DWNH
523 East Capitol
Pierre, SD 57501-3181

Date: _____

I/We request that Water Permit/Right No. 1330-2

formerly owned by: Arthur Reagle

be transferred to: (name & address) Reagles Farming Ranch, Inc.

c/o Ivan Reagle, President (telephone No. (605) 398-3821)

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

132.7 acres - S $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 34, T37N, R28W

I/We understand that the validity of Water Permit/Right No. 1330-2 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 at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of Ty. pp)

I/We Ivan Reagle, President of Reagles Farming Ranch, Inc. 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 that I know of my own personal knowledge that the information herein stated is true.

Reagles Farming Ranch, Inc.
Ivan Reagle, PRES.
(Signed)

Subscribed and sworn to before me this 20th day of March, 19 92.

Glenn E. Corey
(Notary Public)

My Commission Expires 8/8/98

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water 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

Division of Water Rights

South Dakota Department of Water and Natural Resources

413185

Pierre, April 23, 1992

RECEIVED OF Ivan Reagles Reagles Farm & Ranch, HC 14 Box 110, Valentine NE 69201
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>Water Right No. 1330-2</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 *John H. [Signature]*
Chief Engineer



April 27, 1992

1330-2

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

No. 898-2
(1330-2)

Reagles Farm & Ranch, Inc.
%Ivan Reagle, President
HC 14, Box 110
Valentine, NE 69201

Dear Mr. Reagle:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 898-2 and 1330-2.

Our records now show you as the owner of Water Right Nos. 898-2 and 1330-2.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. To complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

REAGLES FARM & RANCH, INC
IVAN REAGLE, PRESIDENT
HC 14 BOX 110
VALENTINE NE 69201 8901

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery
1-20-01

C. Signature

[Signature]

☐ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0026 9814 3062

PS Form 3811, July 1999

Domestic Return Receipt

102595-00 M-0952



1330-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 19, 2001

NOTICE

TO: REAGLES FARM & RANCH, INC, IVAN REAGLE, PRESIDENT, HC 14 BOX 110,
VALENTINE, NE 69201 8901

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaires

Our records indicate that the 2000 Irrigation Questionnaire has not been submitted for Permit Nos. 898-2 & 1330-2. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 7, 2001, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit Nos. 898-2 & 1330-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 2, 2001, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2001

898-2
1330-2

Ivan Reagle
Reagles Farm & Ranch, Inc
HC 14 Box 110
Valentine NE 59201-8901

Dear Mr. Reagle:

I am writing to acknowledge receipt of your 2000 irrigation questionnaires. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 898-2 and 1330-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

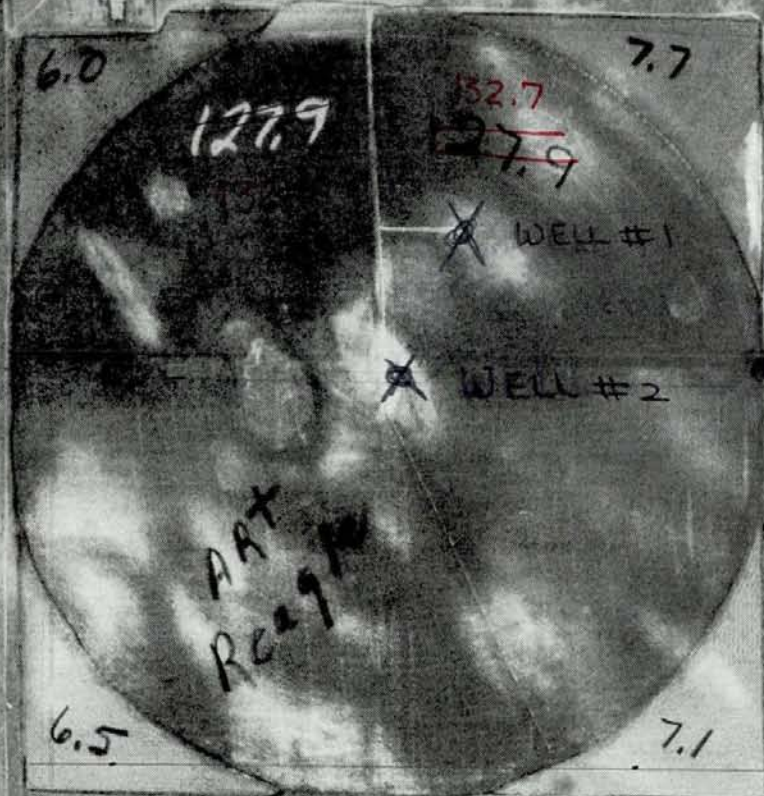
Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

NOT TO SCALE

512

Tribal Irrigation
Project #22



650' between
wells

34

Tribal Irrigation
Project #23

100 R

37-28

~~Map #1121-2~~
W/R #1330-2

4.2

134.4

134.4

51.2

(1-41)

154.4

19.6

17.7

19.7

19.3

18.9

Corrley

19.3

15.8

17.5

NW 1/4 of Sec 24
T 37N
R 28W

32.9

Ant
Rough

34

20.8 87.3

80 rod

well sites

150.4

Kenneth W. Stephens
Todd Co. Ext Agent

23.1

20.8

22.9

23.9

21.6

20.1

SW 1/4 of Sec 34
T 37N
R 28W

37-28

Key

• well sites

— Permanent pipelines

MAP NO 1124.2 APPL NO 1330.2

2.3

8.5