

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____

June 8, 19 94

1353C-2
414194

RECEIVED OF Bobbi Reagle, HC 14 Box 124, Valentine, NE 69201

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 1353A-2 (2)</u>	5	00
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	5 00

By John Hatch
Chief Engineer

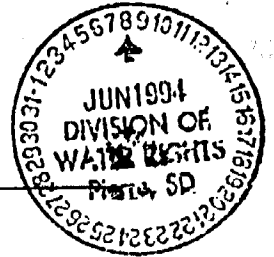
Reissued as: 1353C 2

NOTICE OF TRANSFER OF OWNERSHIP

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

No. _____

Date: 5-24-94



I/We request that Water Permit/Right No. 1353A-2

formerly owned by: Robert + Brinda Estate

be transferred to: (name & address); Marvin + Bobbie Reagle - HC 14 - Box 124

Valentine, No. 69201

(Telephone No) 605-328-3832

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

E 1/2 of Sec. 19, Twp. 3 N., R. 28, West of the 6th P.M., Todd County, SD. and
NE 1/4 and E 1/2 of the Sec. 30, Twp. 37 N., Range 28, West of the 4th P.M., Todd County, SD.

I/We understand that the validity of Water Permit/Right No. _____ 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.

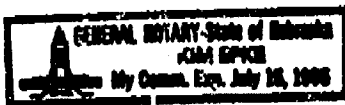
STATE OF ~~SOUTH DAKOTA~~ Nebraska)

County of Cherry)

I/We Bobbie Reagle 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.

Bobbie Reagle
(Signed)

Subscribed and sworn to before me this 7 day of June, 1994.



Ken Eshe
(Notary Public)

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 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.

**DIVISION OF WATER RIGHT NO. 1353A-2
INTO 1353B-2 & 1353C-2**

On June 8, 1994, a portion of Water Right No. 1353A-2 was transferred to Marvin and Bobbi Reagle. Water Right No. 1353A-2 is being divided and reissued as follows:

Water Right No. 1353B-2, Robert Brinda Estate authorizing diversion of 1.78 cfs from one well to irrigate 129 acres located in portions of Section 18, T37N, R28W;

Water Right No. 1353C-2, Marvin & Bobbi Reagle, authorizing diversion of 3.44 cfs from two wells to irrigate 262.9 acres in portions of Section 19 & 30, T37N, R28W.

<u>No. 1353B-2</u>	<u>No. 1353C-2</u>
Section 18, T37N, R28W	Section 19, T37N, R28W
SW¼ NW¼ 32.7 acres	SW¼ NE¼ 32.8 acres
SE¼ NW¼ 32.9 acres	SE¼ NE¼ 34.2 acres
NW¼ SW¼ 31.0 acres	NW¼ SE¼ 28.9 acres
NE¼ SW¼ 32.4 acres	NE¼ SE¼ 37.5 acres
129.0 acres	Section 30, T37N, R28W
	NE¼ NE¼ 11.6 acres
	SE¼ NE¼ 12.4 acres
	NW¼ NE¼ 37.5 acres
	SW¼ NE¼ 39.3 acres
	NE¼ NW¼ 14.1 acres
	SE¼ NW¼ 14.6 acres
	262.9 acres

**DIVISION OF WATER RIGHT NO. 1353A-2
INTO 1353B-2 & 1353C-2**

On June 8, 1994, a portion of Water Right No. 1353A-2 was transferred to Marvin and Bobbi Reagle. Water Right No. 1353A-2 is being divided and reissued as follows:

Water Right No. 1353B-2, Robert Brinda Estate authorizing diversion of 1.78 cfs from one well to irrigate 129 acres located in portions of Section 18, T37N, R28W;

Water Right No. 1353C-2, Marvin & Bobbi Reagle, authorizing diversion of 3.44 cfs from two wells to irrigate 262.9 acres in portions of Section 19 & 30, T37N, R28W.

<u>No. 1353B-2</u>	<u>No. 1353C-2</u>
Section 18, T37N, R28W	Section 19, T37N, R28W
SW¼ NW¼ 32.7 acres	SW¼ NE¼ 32.8 acres
SE¼ NW¼ 32.9 acres	SE¼ NE¼ 34.2 acres
NW¼ SW¼ 31.0 acres	NW¼ SE¼ 28.9 acres
NE¼ SW¼ 32.4 acres	NE¼ SE¼ 37.5 acres
129.0 acres	Section 30, T37N, R28W
	NE¼ NE¼ 11.6 acres
	SE¼ NE¼ 12.4 acres
	NW¼ NE¼ 37.5 acres
	SW¼ NE¼ 39.3 acres
	NE¼ NW¼ 14.1 acres
	SE¼ NW¼ 14.6 acres
	262.9 acres

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 1353C-2
DIVISION OF NO. 1353A-2 INTO NO. 1353B-2 AND 1353C-2

(1) The Robert Brinda Estate, % Cathy Boie was issued Water License No. 1353A-2, November 30, 1992, for a water right to appropriate 5.22 cubic feet of water per second from groundwater (three wells), Todd County, South Dakota for irrigation purposes. Water License No. 1353A-2, with a priority date of March 1, 1976 was issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

On June 8, 1994, a portion of Water Right No. 1353A-2 was transferred to Marvin and Bobbi Reagle. Water Right No. 1353A-2 is being divided and reissued as follows:

Water Right No. 1353B-2, Robert Brinda Estate authorizing diversion of 1.78 cfs from one well to irrigate 129 acres located in portions of Section 18, T37N, R28W;

Water Right No. 1353C-2, Marvin & Bobbi Reagle, authorizing diversion of 3.44 cfs from two wells to irrigate 262.9 acres in portions of Section 19 & 30, T37N, R28W.

(2) It is certified that the water right holders have 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 3.44 cubic feet of water per second for beneficial use. The location of the diversion points are 1350'S & 2030'W of the NE corner of Section 30; 2670'N & 1340'W of the SE corner of Section 19, T37N, R28W.

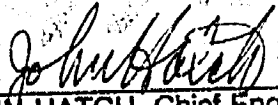
(3) The water right holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 19, T37N, R28W	SW¼ NE¼	32.8 acres
	SE¼ NE¼	34.2 acres
	NW¼ SE¼	28.9 acres
	NE¼ SE¼	37.5 acres
Section 30, T37N, R28W	NE¼ NE¼	11.6 acres
	SE¼ NE¼	12.4 acres
	NW¼ NE¼	37.5 acres
	SW¼ NE¼	39.3 acres
	NE¼ NW¼	14.1 acres
	SE¼ NW¼	14.6 acres
Total		262.9 acres

PAGE 2

WATER LICENSE NO. 1353C-2
MARVIN & BOBBI REAGLE

(4) Pursuant to South Dakota Water Law 46-5-30.1 Marvin and Bobbi Reagle of HC 14 Box 124, Valentine, NE 69201 the holders and/or owners of Water Right No. 1353C-2 are issued a license to appropriate water, the right to use 3.44 cubic feet of water per second from groundwater (two wells) with a priority date of March 1, 1976 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit Nos. 1353-2 and 1353A-2 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

NOV 14 1994

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 14 1994

Robert Brinda Estate
% Cathy Boje
PO Box 85
Killdeer, ND 58640-0085

Marvin & Bobbi Reagle
HC 14 Box 124
Valentine, NE 69201

Dear Ms. Boje and Mr. & Mrs. Reagle:

Enclosed are your reissued Water Licenses. Water License No. 1353A-2 was divided and reissued to reflect separate ownership.

On June 8, 1994, a portion of Water Right No. 1353A-2 was transferred to Marvin and Bobbi Reagle. Water Right No. 1353A-2 was divided and reissued as follows:

Water Right No. 1353B-2, Robert Brinda Estate authorizing diversion of 1.78 cfs from one well to irrigate 129 acres located in portions of Section 18, T37N, R28W;

Water Right No. 1353C-2, Marvin & Bobbi Reagle, authorizing diversion of 3.44 cfs from two wells to irrigate 262.9 acres in portions of Section 19 & 30, T37N, R28W.

As long as you use the water beneficially, as stated in Water License No. 1353B-2 and No. 1353C-2, SD Water Laws provide that you have a continuing right to the use of the water.

If you have any questions, please contact us.

Very truly yours,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

NOTICE

TO: MARVIN & BOBBI REAGLE
HC 14 BOX 124
VALENTINE, NE 69201

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Failure to Report Chemical Use under Water Permit No(s) 1353C-2

The first notice to file chemigation report(s) for Permit No(s) 1353C-2 was dated November 3, 1994. Our records indicate that we have not received the 1994 chemigation report for Permits No(s) 1353C-2. The Water Management Board has directed that owners of water permits who have not submitted the 1994 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:30 A.M. on March 8, 1995, in the Crown Room, 3RD Floor, Kings Inn Best Western Convention Center, 220 South Pierre Street, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. suspend or cancel Permit No(s). 1353C-2 in accordance with applicable provisions of SDCL 46-1-12;
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. Prior to March 3, 1995, contact the Water Rights Division, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to March 3, 1995, you will no longer be in violation and your name will be deleted from the Board agenda.



1353C-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

MARVIN & BOBBI REAGLE
HC 14 BOX 124
VALENTINE NE 69201

NOTICE

RE: Violation of Water Permit No(s) 861-2 & 1565-2, 1353C-2 & 1950-2 and 1994 Irrigation Questionnaire Requirements

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No(s) 861-2 & 1565-2, 1353C-2 & 1950-2. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 861-2 & 1565-2 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1353C-2 & 1950-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S 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 SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1353C-2 & 1950-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 861-2 & 1565-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or 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 questionnaires are received in this office on/or before March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

SENDER: • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee):	
		1. ☐ Addressee's Address 2. ☒ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: Marvin & Bobbi Reagle HC 14, Box 124 Valentine, NE 69201		4a. Article Number: P 757 526 432	
5. Signature (Addressee) <i>Marvin Reagle</i>		4b. Service Type ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise	
6. Signature (Agent)		7. Date of Delivery 2-8-95	
		8. Addressee's Address (Only if requested and fee is paid)	
PS Form 3811, December 15/91 • U.S. GPO: 1993-382-714 • DOMESTIC RETURN RECEIPT			

Is your RETURN A

Thank you for using Return Receipt Service



1353C-2

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

February 23, 1995

861-2

1353C-2

1555-2

1950-2

Marvin & Bobbie Reagle
HC 14 Box 124
Valentine, NE 69201

Dear Mr. & Mrs. Reagle:

I am writing to acknowledge receipt of your 1994 irrigation questionnaires and chemigation report. You may disregard the February 7, 1995, Notice of Violation of Water Permit and 1994 Irrigation Questionnaire Requirements and the Notice of Failure to Report Chemical Use.

The questionnaires and chemical reporting form were received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 17, 2009

Bobbi Reagle
149 S Western
Valentine NE 69201

RE: Water Right Nos. 861-2, 1353B-2, 1353C-2, 1565-2 and 1950-2

Thank you for the return of the 2009 irrigation questionnaires for the above listed water rights. It is my understanding from the notation you made on all the forms that you now own the land described in the water rights.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 each (total of \$250.00). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads 'Genny McMath'.

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

RECEIVED

NOV 24 2009

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1353C-2

Date: 11/23/09

I/We request that Water Right No. 1353C-2

formerly owned by: Marvin L & Bobbi Reagle

be transferred to: (name & address) Bobbi Reagle, 149 S Western, Valentine NE 69201

Telephone No. 402 376-4860

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

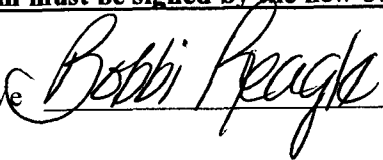
262.9 acres – S ½ NE ¼, N ½ SE ¼ Section 19; NE ¼, E ½ NW ¼ Section 30, T37N, R28W

I/We understand that the validity of Water Right No. 1353C-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

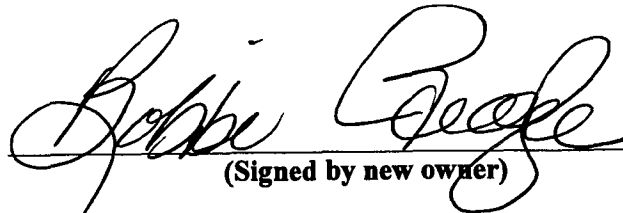
You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

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

I/We



, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/24, 20 09

RECEIVED OF Bobbi Reagle 149 S Western 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 and to put water to beneficial use	50	00
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>1353C-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 04251

By

Michael Erbe

Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 24, 2009

Bobbi Reagle
149 S Western
Valentine NE 69201

RE: Water Right Nos. 861-2, 1353B-2, 1353C-2, 1565-2 and 1950-2

I am writing to acknowledge receipt of the ownership changes you filed for the above listed Water Rights. The transfers have been completed and the water rights are now listed in your name.

Enclosed are your Receipt Nos. 04248, 04249, 04250, 04251 and 04252 in the amounts of \$50.00 each which you paid for filing the ownership changes. You may keep these for your records.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures

FILE DOCUMENTATION

DIVISION OF WATER RIGHT NO. 1353C-2 INTO 1353D-2 & 1353E-2

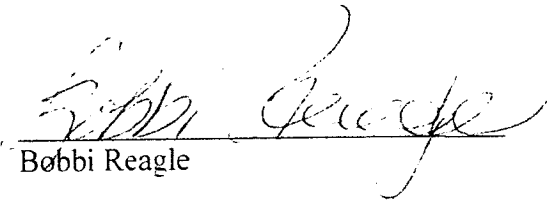
Water Right No. 1353C-2 authorizes diversion of 3.44 cfs from two wells to irrigate 262.9 acres. The wells and irrigated land are located in portions of the E ½ Section 19 and N ½ Section 30, T37N, R28W. Due to an ownership change filed for a portion of the land described in No. 1353C-2, the water right is being divided and reissued as follows:

- **Water Right No. 1353D-2 Bobbie Reagle, 149 S Western, Valentine NE 69201:** authorizing diversion of 1.74 cfs from one well located in Section 19 to irrigate 133.4 acres in portions of the E ½ Section 19, T37N, R28W.
- **Water Right No. 1353E-2 Danielski Harvesting and Farming LLC, PO Box 230, Valentine, NE 69201-0230:** authorizing diversion of 1.70 cfs from one well located in Section 30 to irrigate 129.5 acres in portions of the N ½ Section 30, T37N, R28W. *

* Not all of the land in Section 30 described in Water Right No. 1353C-2 was transferred to Danielski Harvesting and Farming LLC. By letter dated May 9, 2011, Bobbi Reagle relinquished the remaining diversion authority from her land in the E ½ NE ¼ Section 30 by allowing the pivot to be moved 300 feet west on the land owned now by Danielski's. The acres irrigated are within the area originally permitted and movement of the pivot simply reallocates the number of acres within the authorized quarter-quarter section. There is not an increase in the number of acres irrigated or an increase in diversion rate.

I, Bobbi Reagle, hereby agree that my water rights on the E1/2NE1/4 of Section 30, Township 37 North, Range 28, West of the 6th P.M., in Todd County, South Dakota, may be moved the W1/2NE1/4 and the E1/4NW1/4 of Section 30, Township 37 North, Range 28, West of the 6th P.M., in Todd County, South Dakota.

DATED this 9th day of May, 2011.


Bobbi Reagle