

1. Considered 3-26 1980
2. Name of Applicant GLEN REASER
3. Post Office Address DELRIEHS, S.D.
4. Amount of Water Claimed 2.0
5. Source of Water Supply RUN-OFF - HORSEHEAD CRK. (PUTNAM DAM)
AVERAGE - ONE OUT OF THREE YEARS
6. Water to be used for IRRIGATION
7. Acres to be irrigated 146.9 maximum acre feet
8. Water to be diverted and used in FALL RIVER County
about _____ miles _____ of _____
9. PROOF OF PUBLICATION Received N/A
Not Received 3-27-80
Approved _____
Subject to _____
Not Approved _____
Action deferred _____

APPEAL

**VESTED RIGHT
CLAIMED**

Priority 1938 Date Received 2-28-80 Application Complete yes _____ no _____ FEE 13⁰⁰ V/R

Remarks _____

Date information and/or fee or corrected Application received _____
Period of Annual use FLOOD STAGE - WHEN AVAILABLE

WATER
QUALITY

Received yes X no _____ APPROVED/CONDITIONAL (Circle one)
3-2-80
WI-1 Description same as application yes X no _____ Remarks _____

Disapproved _____

Returned _____

Diversion Point _____

SE⁴SW⁴ 31-10S-8E

Lands to be Irrigated _____

W^{1/2}SW⁴; NE⁴NW⁴;

W^{1/2}NW⁴; NE⁴NW⁴; SW⁴;

Sec. 31 and W²SW⁴ Sec. 30 all
10S-8E

Remarks _____

Driller _____ Licensed yes _____ no _____

Depth _____

WELL
LOG

MAP Map No. 1461-2 Map located in Water Right X Map file _____
Type of Map Aerial Prepared by ASCS

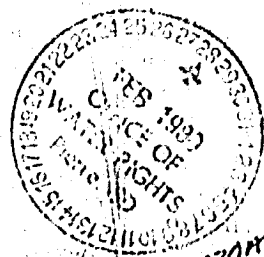
+++++
REVIEWED This Application was reviewed within 30 days of date received, accepted as a V/R
complete, Number assigned and written up for ~~adjudication~~ Hearing before the Board
on 3-26-80
Billy Westlund
(Signed)

+++++
PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
F.F. & C Final Decision, including F.F. & C of Law were adopted _____
OF LAW, Date _____
FINAL Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS was adopted _____
ETC. _____
Remarks _____

Form 2 - Application for Permit to Appropriate Water-Original (Includes Approval and Permit)

Map No. 1461-2 Water Division No. 2 UPPER SOUTH CHEYENNE RIVER District
Above for Office Use



APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New Vested Right ✓ Future Use

Change in Diversion Additional Diversion

Change in Acreage Additional Acreage

1. Name of Applicant Glen E Reaser Phone No. 535-2803
Post Office Address Box 127 Delrichs State SD 57763
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation

2. Method of accomplishing work (contract, employment of others, or by direct labor) Completed 1980 or Before

3. Name of diversion work Reaser-Putnam claim # 101-2 Runoff water from Putnam

4. Amount of water claimed (cubic feet per second) 2.0

5. Source of water supply Horsehead Creek

6. Location of point of diversion See map SE 1/4 SW 1/4 Sec 31 T10R8

County Fall River

7. Annual period or periods during which water is to be used Flood Stage

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Hay Irrigation

9. For irrigation use, Total number of acres to be irrigated 146.9

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.
NW 1/4 NW 1/4 Sec 31-10-8	23.7
SW 1/4 NW 1/4 " " " "	23.3
NW 1/4 SW 1/4 " " " "	22.4
SW 1/4 SW 1/4 " " " "	23.6

Land Description	No. Acres Irr.
SE 1/4 SW 1/4 Sec 31-10-8	18.0
NE 1/4 SW 1/4 " " " "	18.1
NE 1/4 NW 1/4 " " " "	1.2
SW 1/4 SW 1/4 Sec 30-10-8	15.8
SW 1/4 SW 1/4 Sec 30-10-8	1.1

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Completed years. Additional time required to complete application of water to the proposed beneficial use years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Hot Springs Star

12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$

Attachments: 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 SOUTH DAKOTA)
County of Fall River) ss.

I, Glen Reaser 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 Glen Reaser

Subscribed and sworn to before me this 25 day of Feb, 1980

Deputy Public
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 1702-2

GLEN REASER

(Applicant)

Box 127 - DELRICH

(Post Office Address)

SOUTH DAKOTA 57763

(State)

With the following qualifications.

"VESTED RIGHT" CLAIMED

Date of first receipt of application FEBRUARY 28, 1980

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application 1938, 1919

Approved MARCH 27, 1980, Recorded in Book 21 Page 133

WATER RIGHT PERMIT NO. 1702-2

The Board of Water Management hereby grants and issues this Water Right Permit No. 1702-2, authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is 1938, 1919
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed on or before N/A, 19____
3. The whole of said work is to be completed on or before N/A, 19____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is N/A, 1919
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 2.0 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 irrigation purposes said appropriation must be limited to not more than 2 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 THIS DATE, 19, said water to be used during the following described

annual period: FLOOD STAGE - WHEN AVAILABLE

Witness my hand this 31st day of MARCH, 1980

THE BOARD OF WATER MANAGEMENT

By: John Ketch

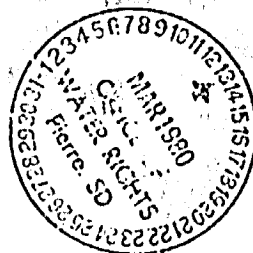
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 1980

CONFIDENTIAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION



NAME OF APPLICANT Glen Reaser, Delrichs, South Dakota

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:- unless kept in permanent vegetation

4. Arvada (slow permeability and excess sodium)

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than NA times during the irrigation season.
2. Each uninterrupted application (one rotation of center pivot) should be of at least NA inches of water.
3. () Yes () No Surface drainage suggested on any area that tends to pond
water.
4. () Yes () No Subsurface drainage suggested on _____
5. (x) Deep tillage (for the purpose of aiding movement of water through dense subsoils).

COMMENTS: See Below

6. () Heavy fall application of irrigation water.
7. Type of irrigation system recommended for use on this application waterspreading.

GENERAL COMMENTS:

On soils such as Aranda, the claypan area that extends from 4" to approximately 14 inches can be worked with deep chisel points. The amount of water you have available for waterflooded may well determine the most practical method; utilize natural crocking or deep chiseling.

On deep alluvial clayey soils, such as Kyle, chiselling at opportune (see May) permit alfalfa roots to go deeper. It should also allow more irrigation intake and to deeper depth.

Water with both low salinity and low sodium are similar to freshwater and will benefit natural soil salts by the flushing process. It will be beneficial to you to sample your water at different times, so you know exactly what your water

Copy to applicant
Copy to Water Rights

RECEIVED

FEB 28 1980

SOIL/WATER COMPATIBILITY APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Allen Reiser OWNERS ADDRESS: Box 127
COUNTY LAND LOCATED IN: Fall River PHONE: 535-2805 Delrich, SD
TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

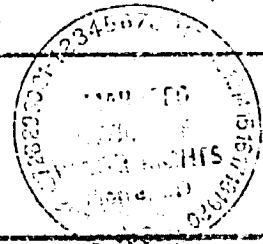
In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.
This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

1. WELL LOCATION OR DIVERSION POINT: SE 1/4 SW 1/4 Sec 31 T10 R25
2. SURFACE WATER SOURCE: Run-off (Dry Drain From Horsehead Can)
3. LOCATION OF AREA TO BE IRRIGATED: W 1/2 Section 31 & SW 1/4 30-10-8 Total = 146.9 ac.
4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.) see attached map for specific area
- TYPE OF IRRIGATION: (Show approximate acres under each type of system)
5. GRAVITY _____ TOWLINE _____ CENTER PIVOT _____ GUN _____ OTHER (Specify) Waterspreading
6. CROPS TO BE IRRIGATED: corn/soybeans
7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LAND: _____
IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

8. SAMPLE NUMBER: _____ see note
9. SALINITY (EC x 10⁶) _____
10. SODIUM (SAR) _____ ADJUSTED (SAR) _____



I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedure for the taking of the sample (see back) were followed, and that the sample was taken at 4:00 P.M. on _____, 19____, at the following location: *

by * (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I also hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from Fall River Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
25 DAY OF Feb., 1980.

Deputy Public
(NOTARY PUBLIC)

Allen Reiser
APPLICANT'S SIGNATURE

Booth L. Hansen
Director, Division of Conservation

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

* No water sample can be obtained as this stream only runs during snowmelt or rain.
IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

In all cases a WATER RIGHT must be obtained from the State Water Rights Commission.

NOTE

This Form is supplemental to Form 2, and is to be used when an affidavit pertaining to construction and water use, already completed, is needed.

**AFFIDAVIT OF CONSTRUCTION OF WATER USE
SYSTEM AND APPLICATION OF WATER TO BENEFICIAL USE**

Name of Applicant (Same as Form 2) Glen E. ReaserPost Office Address Box 127 Nebraska State SD

If a Corporation show date and place of incorporation _____

13. Notice of Appropriation (If available)

Date of Posting posted Date of Recording Not recorded - done Prior 1938 on 1955 onRecording Date Easement Railroad14. Date of start of construction of water supply system 193815. Date that water was first applied to beneficial use 193916. Name of owner of original water supply system Berton Bennett17. Amount of water originally applied to beneficial use unknown c. f. s.18. Present Use of Water Irrigating HaylandAmount of water now being used unknown c. f. s.Date that this amount of water was first used 1938

19. Chronological History of Water Use Used when creek ran, enough to Flood off Pottawamth 101-2 water right. Creek Floods average one out of three years.

Attach to this Form 2B, any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

STATE OF SOUTH DAKOTA)

County of Fall River) ss.

I, Glen Reaser, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed Glen ReaserSubscribed and sworn to before me this 25 day of Feb., 1980Deputy Trust
(Notary Public or other qualified Officer)

I, the undersigned, do hereby certify that I know about the water use system described above that I have read the foregoing and that the matters therein stated are true.

Deputy Trust
Deputy Trust

THIS AGREEMENT Made and entered into this 7th day of August, 1974,
by and between CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY, SUCCESSOR
in interest to CHICAGO AND NORTH WESTERN RAILWAY COMPANY
(hereinafter called the "Company"), BURTON L. BENNETT

(hereinafter called "Assignor") and OLEN H. REASER AND DAVID E. REASER, jointly
and severally
(hereinafter called "Assignee"),

WITNESSETH:

WHEREAS the following written agreements between the Company and the Assignor at Oelrichs, South Dakota, are still in effect:

DateFacility

November 8, 1938
December 20, 1950

a 24 inch water pipe
dikes and culverts

which agreements and all of the terms and conditions thereof are by this reference made a part hereof; and
WHEREAS it is the desire of all parties hereto that the Assignee become the successor in interest of
the Assignor under said agreements;

NOW, THEREFORE, in consideration of the premises it is hereby mutually agreed:

1. That the Assignee shall succeed to all of the rights and obligations of the Assignor under the said
agreements and shall be constituted the full and complete assignee thereof, subject to all of the terms and
conditions in said agreements set forth.

2. The Assignee hereby expressly assumes and agrees to perform and abide by all obligations and con-
ditions on the part of the Assignor to be kept and performed under the said agreements and the Assignor
hereby assigns unto the Assignee and relinquishes in favor of the Assignee all rights therein. The Com-
pany hereby expressly consents and agrees to the foregoing assignment on the conditions above set forth.

3. This assignment shall be effective from April 22, 1974
but it is not intended that its execution shall in any way affect the rights or obligations existing between
the Assignor and the Company which may have accrued under said agreements prior to said date.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed the day and year
first above written.

CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY

By [Signature]
Vice President-Operations

Attest [Signature]
Secretary

[Signature]
Burton L. Bennett

Witness: [Signature]
Address: [Signature]

Witness: [Signature]
MARTIN P. FARRELL
Address: 441 NORTH LEBANON STREET
HOT SPRINGS, S. DAK. 57749

[Signature]
Olen E. Reaser
[Signature]
David E. Reaser

Permit No 1702-2

Water Diversion No. 2 Upper Cheyenne Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Glen E. Reaser

the holder of

Permit No. 1702-2, issued upon Application No. 1702-2, bearing date of priority of 1938

authorizing the diversion of 2.0 cu. ft. per second of the waters of

Horsehead Creek County of Fall River, State of South Dakota

in the SE1 SW1, Section 31 - T10S - R5E

for irrigation

purpose, has 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 2.0 cu. ft. per second of water

Date April 1, 1980

John Hatch
JOHN HATCH, Chief Engineer
Water Rights, WND

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1702-2

(1) WHEREAS, On the 28th day of February A. D. 1980

Glen E. Reaser

made Water Right Application No. 1702-2 vested right for a permit to use 2.0 cubic feet per second of the waters of Horseshoe Creek County of Fall River State of South Dakota, for irrigation

purpose and

(2) WHEREAS, On the 27th day of March A. D. 1980

vested right

Permit No. 1702-2 with a date of priority of 1938

recognizing

was issued to said applicant for the diversion of said water, and ~~recognizing~~ the completion of construction of the water supply system therein described ~~xxxxxxx~~ ~~xxxx~~ ~~xxxxx~~ and for the application to beneficial use of said water ~~xxxxxxxx~~ ~~xxxx~~ ~~xxxxxx~~

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

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

to irrigate the following lands all in T103 - R8E

Section 30	ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	15.8
NW $\frac{1}{4}$ SW $\frac{1}{4}$	1.1
Section 31	
NW $\frac{1}{4}$ NW $\frac{1}{4}$	23.7
SW $\frac{1}{4}$ NW $\frac{1}{4}$	23.2
NW $\frac{1}{4}$ SW $\frac{1}{4}$	22.4
SW $\frac{1}{4}$ SW $\frac{1}{4}$	23.6
SE $\frac{1}{4}$ SW $\frac{1}{4}$	18.0
NE $\frac{1}{4}$ SW $\frac{1}{4}$	18.1
NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.0
	146.9 TOTAL

(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 **Glen E. Reaser**

Oelrichs, SD

the holder **Vested Right** and owner **1702-2** of said permit No. **1938** a water right, dating from **2.6** to use of **2.6** cubic feet per second of the waters

of **Horsehead Creek** in the County of **Fall River** and State of South Dakota, or so much thereof as may be necessary for the purpose, hereinafter mentioned, to be diverted **XX** **in the SE 1/4 SW 1/4, Section 31 - T10S - R8E**

ed and conducted to and upon **portions of lands in Sections 30 and 31 - T10S - R8E**

for the purpose of **irrigation**
This Water License No. 1702-2 is based on a Vested Right Claim recorded and filed by the Water Management Board

Subject to any limitations listed in Water Right Permit No. **1702-2** and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this **1st** day of **April** **Eighty** A. D.
Nineteen Hundred and **Eighty**

Board of Water Management

By:

John Hatch
Chief Engineer **JOHN HATCH**

№ 4 7369

March 10

90

PIERRE, -----, 19-----

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

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

 **Department of
Water & Natural Resources**

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

September 21, 1988

NOTICE

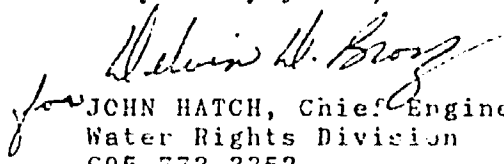
Glen E. Reaser
Box 127
Oelrichs SD 57763

Dear Mr. Reaser:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 1702-2 until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

A staff member from the Division of Water Rights will be contacting you and scheduling an inspection of your water project. If we can answer any questions, please contact us.

Very truly yours,


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



**SOUTH DAKOTA Department of
Water & Natural Resources**

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

December 1, 1988

Vested Water Right
Claim No. 1702-2

Glen E. Reaser
Box 127
Oelrichs SD 57763

Dear Mr. Reaser:

Enclosed is a copy of a letter received from the U.S. Department of Interior, Bureau of Reclamation. The Bureau of Reclamation is opposing those vested water right claims in Pennington, Perkins, Butte and Fall River counties which have never been investigated by the Division of Water Rights. Earlier, you received a letter stating that I was opposing your claim until an investigation can be completed.

After the investigation has been completed, you and the Bureau of Reclamation will be notified as to the date, place and time of the hearing on your vested water right claim. At that time all parties of record will have an opportunity to testify on the validation.

If we can answer any questions, please contact us.

Very truly yours,



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

cc: Bruce Laymon, Bureau of Reclamation



**SOUTH DAKOTA Department of
Water & Natural Resources**

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

March 23, 1990

1702-2

NOTICE

TO: Glen E Reaser
BOX 127
OELRICHS, SD 57763

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

SUBJECT: Low Water Levels in Angostura Reservoir

The water level in Angostura Reservoir on March 6, 1990 was at 3171.1 feet above mean sea level (msl). This is approximately 16 feet below the full elevation of 3187.2 msl. The present estimates are that the Angostura Irrigation District will be able to deliver less than 50% of full service water to project lands during the 1990 irrigation season. We are contacting you to advise you of the actions we have taken due to the low water situation in Angostura Reservoir. Junior Water Right owners above Angostura have been ordered not to use water until Angostura fills.

Since your Water Right No. 1702-2 has a priority date that is senior to the April 11, 1941 priority for Angostura Irrigation Water Right No. 579-2, your permit is not directly affected by the Junior Priority Order. However, I am requesting that all Senior Water Right holders comply with any qualifications and limitations as stated on their water right. With the existing low runoff conditions, we expect to monitor all water rights above Angostura Reservoir.

I want to thank all Water Right Holders above Angostura for the cooperation that we have received up to this time. If you have any questions, please contact Del Brosz (605 773-3352).

1702-2



United States Department of the Interior

BUREAU OF RECLAMATION
Great Plains Region
Belle Fourche Projects Office
P.O. Box 225
Newell, South Dakota 57760-0225



WTR 4.10
BF-430

AUG 18 1993



Mr. John Hatch, Chief Engineer
Water Rights Division
South Dakota Department of Water and Natural Resources
523 E. Capitol
Pierre SD 57501-3181

Subject: Vested Water Right Claims in Western South Dakota (Your Letter
Dated April 20, 1993) (Water Rights)

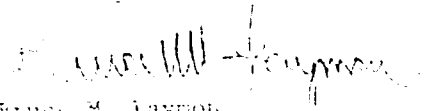
Dear Mr. Hatch,

We have reviewed the vested water right claims located in Perkins, Pennington, Fall River, and Butte Counties as listed in your letter dated April 20, 1993. We have also discussed these rights with contract water users. We appreciate the assistance of your staff in providing documentation of inspections and validation proceedings for specific claims as we requested.

We are satisfied with all of the actions taken by the board. Our intent in opposing validation of the water rights was to assure that all of the rights were reviewed prior to validation. That review has been completed by your staff. Thank you for notifying us of the board's actions and extending the opportunity to reconsider the actions if it would have been deemed necessary. We understand that future notification will be made in advance of board actions.

If we can be of further assistance, please contact Craig Kjar or me at (605) 456-1695

Sincerely,


Bruce M. Laymon
Project Manager

cc: Mr. Joe Kramer, Manager
Angostura Irrigation District
PO Box 546
Oral SD 57766

Mr. James E. Winterton, Project Manager
Belle Fourche Irrigation District
PO Box 225
Newell SD 57760

File Read

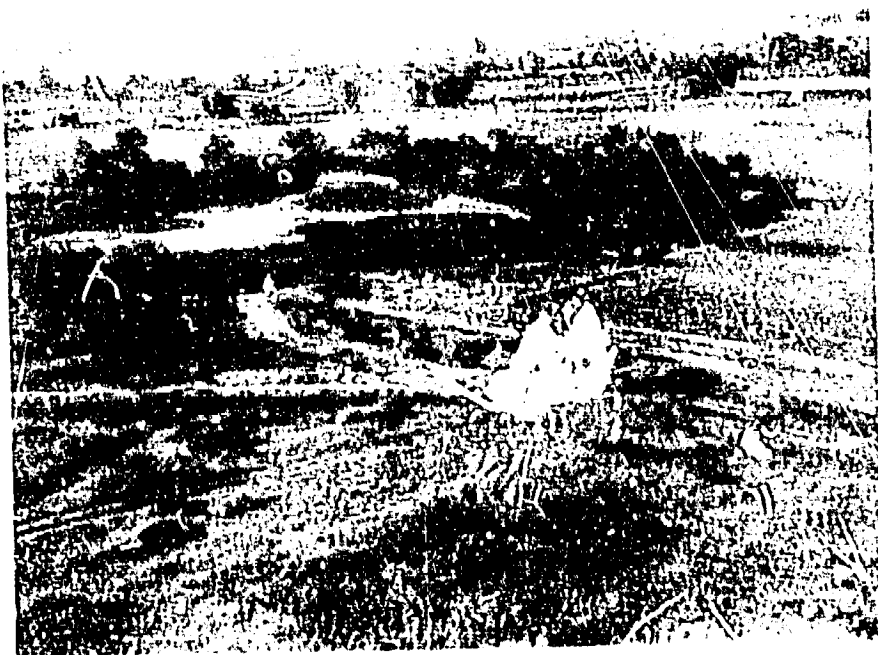
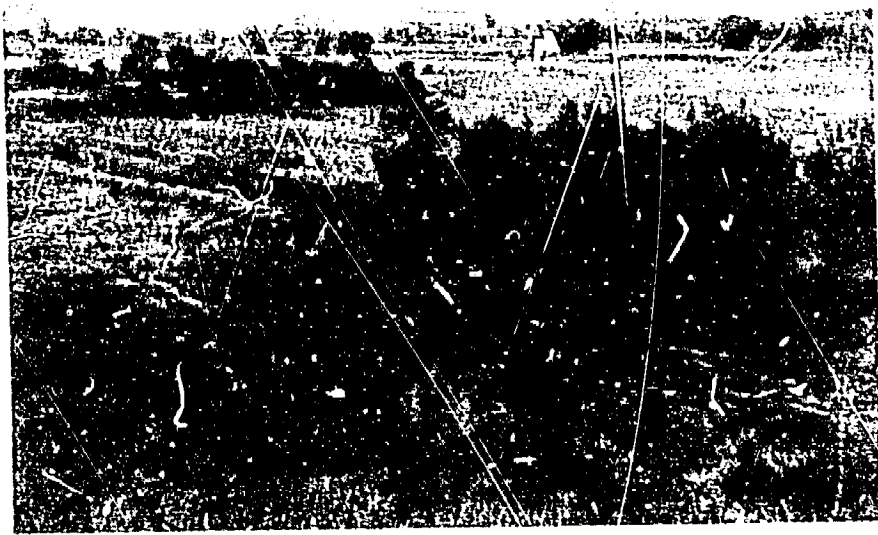
File No. 1702-2

DATE: May 11, 1984
TO: File
FROM: James Winterton *Jim Winterton*
SUBJECT: Priority Date on Water License No. 1702-2 for Glen Reaser questioned by Nick Bogner.

1. Nick Bogner claims the area irrigated by Glen Reaser had not been irrigated for a long period of time and should not have qualified for a "Vestal" right. The system had been abandoned or forfeited for non-use.
2. Evidence of this is contained on ASCS aerial photos, photos of the repair work taken by Michael Bogner on June 26, 1983, and letter from Ray Hanson regarding repair work conducted in the year 1976. Hanson's letter is dated January 22, 1981.
3. Mr. Bogner stated that he would not pursue the matter at this time unless at some future date problems occur which would force an issue between priority dates.
4. See the attachments to this memo: These include 3 pictures of diversion works, letter from Ray Hanson and letter to Bogner from me dated July 26, 1983. The pictures will be retained in the Fall River County file. An ASCS photo is being held by Mr. Bogner, and this memo, letter from Ray Hanson, and letter to Nick Bogner is microfilmed and placed in Water Right No. 1702-2, Glen Reaser.

cc: Nick Bogner
Oelrichs, SD 57763

"Rick Bogner complaint against Priority of Water Right No. 1702-1
in the name of Glen Reasor"





Dirt Work on Reasers Point of Diversion
Built 6-26-83
Pictures taken shortly after

Pictures taken by Michael Bogner

January 22, 1981

To whom it may concern,
I repaired washed-out dikes
and banks on the west one-half (1/2)
of Section 31-10-8 in the fall
of the year 1976.

Ray Hanson

Mr. [unclear] area. Recd from [unclear] Bognes
concerning the validity of [unclear]'s "vested"
Right

Water Rights Division
605 773-3352

July 26, 1983

Nick Bogner
Delrichs,
South Dakota 57763

Dear Mr. Bogner:

In reply to our telephone conversation on July 25, 1983 regarding the vested right claim by Glen Reasor, the rules of the Water Management Board allow an individual to request the board for a declaratory ruling. This is accomplished by petitioning the Board.

Enclosed you will find General Rules Chapter 74:02:01. The procedure to follow would be included in sections 74:02:01:46 through 74:02:01:49 of these rules.

Please note that you are to notify Mr. Reasor pursuant to Rule No. 74:02:01:48 by sending him a copy of the petition. Proof of such service shall be filed with the board with the petition.

If you have any questions regarding the procedure, do not hesitate to contact this office.

Very truly yours,

JAMES E WINTERTON
Water Resources Engineer

JW:ks

enclosures

1702-2

File No. 1702-2

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Glen Reaser

ADDRESS: Box 127, Delrichs, SD 57763

COUNTY: Fall River

DATE: 6/10/91

TELEPHONE: 535-2805

RE: Vested Right Claim Inspection

COMMENTS: On June 4, 1991, I inspected the area claimed by Mr. Reaser as a vested right. Mr. Jerry Ferle, Mr. Putnam's son-in-law (Vested Right Claim No. 711-1), showed me the area. Runoffs from the dam on Putnam's land irrigate the area claimed under Vested Right Claim No. 1702-2. Due to standing water, I was not able to inspect the whole area. From the road, however, most part of the claimed land was visible. The area is irrigated whenever water is available.

** Recommend validation of Vested Right Claim No. 1702-2

File in Permit or other file as necessary. Use to document conversations and what the other party was told: why action or decision was made.

M. Rassoul Ahadi
M. RASSOUL AHADI
Natural Resources Engineer III
DENR, Water Rights Division



1702-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 27, 1993

NOTICE

TO: Glen E. Reaser
Box 127
Oelrichs SD 57763

Bruce Laymon, Project Manager
Bureau of Reclamation
PO Box 225
Newell SD 57760-0226

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

John Hatch

SUBJECT: Hearing to Consider Validation of Recognized Vested Right Claim No. 1702-2

A Notice of Intent to validate Claim No. 1702-2 was published on June 7 and 14, 1988 in the Hot Springs Star. The Water Rights Division opposed validation of No. 1702-2 for the purpose of completing an on-site inspection of the claim. The Bureau of Reclamation also filed a petition to become a party to the validation of the claim. The inspection of Claim No. 1702-2 was completed on June 4, 1991, by Passool Ahadi, staff engineer. The inspection found the claim developed as specified on the original vested right claim.

The Water Management Board will consider validation of Claim No. 1702-2 at 9:30 am, December 1, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD. The agenda time is an estimate. The actual time of the hearing may be later than 9:30 am due to prior agenda items. Prior to November 22, 1993 contact the Water Right 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.

Pursuant to the findings of the on-site inspection, validation of Claim No. 1702-2 is recommended for a diversion rate of 2.0 cfs from Horsehead Creek to irrigate 140.9 acres. Following the hearing, the Board is authorized to 1) validate the claim as recommended by the chief engineer, 2) validate the claim based on evidence presented at the public hearing, or 3) defer validation of the claim. Applicable provisions of the published notice of intent to validate Claim No. 1702-2 will still apply at this hearing. A copy of the June 7 & 14, 1988, publication is available upon request.

This hearing is an adversary proceeding. You have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

cc: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on October 27, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated October 27, 1993, regarding Hearing to Consider Validation of Recognized Vested Right Claim No. 1702-2 addressed as stated below:

Glen E. Reaser, Box 127, Oelrichs, SD 57763.

Bruce Laymon, Project Manager, Bureau of Reclamation, P.O. Box 225, Newell, SD 57760-0226.

Copy Sent Inter-office to:

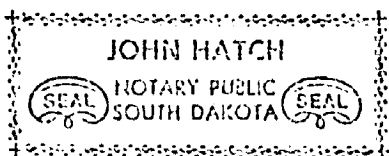
Diane Best, Assistant Attorney General, Capitol building.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 1st day of November, 1993.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001



1702-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 2, 1993

Craig Kjar
Bureau of Reclamation
P.O. Box 226
Newell, SD 57760-0226

Dear Craig:

As you requested, I have enclosed a copy of License No. 1702-2, Glen Reaser. I have also sent you a copy of my inspection report. As you notice, Mr. Reaser claims a priority date of 1938.

The position, I talked with you about it on the phone, has not been advertised yet. I will send you a copy of the announcement whenever it is advertised.

If you have any other questions, please do not hesitate to contact me.

Sincerely,

M. Rassool Ahadi
Natural Resources Engineer

enclo.



United States Department of the Interior
BUREAU OF RECLAMATION
Great Plains Region
Belle Fourche Projects Office
P.O. Box 226
Newell, South Dakota 57760

TAKE PRIDE IN AMERICA

IN REPLY
REFER TO:

WTR 4.10-
BF-430

NOV 18 1993



Mr. John Hatch, Chief Engineer
Water Rights Division
South Dakota Department
of Water and Natural Resources
523 E Capitol
Pierre SD 57501-3181

Subject: Validation of Vested Water Right Claim No. 1702-2 (Water Rights)

Dear Mr. Hatch:

We have reviewed the Inspection Report for the vested right claim and forwarded the information to the Angostura Irrigation District for their review and comment. Based on our review, we concur with the findings of the inspection report and with the recommendation to validate the vested water right. This information is provided for your records in the event Reclamation is unable to send a representative to the December meeting of the Water Management Board.

We appreciate the information provided by your staff. If you have any questions, please contact Craig Kjar at (605) 456-2695.

Sincerely,

Bruce M. Laymon
Project Manager

~~Enclosure~~_____

cc: Mr. Joseph Kramer, Manager
Angostura Irrigation District
PO Box 345
Oral SD 57766

1702-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE LOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-1181

November 19, 1993

Glen E. Reaser
Box 127
Oelrichs, SD 57763

Dear Mr. Reaser:

Please find enclosed a copy of a letter submitted by the Bureau of Reclamation in regards to validation of Vested Water Right Claim No. 1702-2. The letter states that the Bureau concurs with the recommendation to validate the vested water right claim.

Please feel free to contact me if you have any questions.

Sincerely,

Eric Gronlund
Eric Gronlund
Water Rights Division
605 773-3352

enclosure



1702-2

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

DEC 23 1993

Glen E. Reaser
Box 127
Oelrichs SD 57763

Dear Mr. Reaser:

The Water Management Board has validated the enclosed Vested Water Right No. 1702-2. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch", is written over a faint, larger version of the same signature.

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

enclosure

cc: Bruce Laymon, Project Manager, Bureau of Reclamation

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1702-2 FOR IRRIGATION

Date of Receipt of Claim February 28, 1980.

Date of Validation December 1, 1993.

The Water Management Board validated Vested Water Right Claim No. 1702-3 for irrigation purposes for Glen E. Reaser, Box 127, Oelrichs SD 57763 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1702-2 appropriates 2.0 cubic feet of water per second from Horsehead Creek located in the SE 1/4 SW 1/4 Section 31 to irrigate 146.9 acres located in the W 1/2 SW 1/4 Section 30, W 1/2 NW 1/4, N 1/4 NW 1/4, SW 1/4 Section 31; all in T10S-R8E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: January 1 - December 31.
3. The priority date of the Vested Water Right is January 1, 1938.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: J. Hatch
John Hatch, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

DEC 23 1993

date

Map # 1702-2

Map # 1702-2



62D

15.9

31

This map prepared
by Richard E. Milled
Fall River County ASCS
Hot Springs, SD 57147
2/8/80

10-8

62D

17.4

201

Point of
Diversion

138.8

Map # ~~1702-2~~ Appl. #1702-2

10-8

640

30

68.7

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 30 T10R8
(1.1) acre total

This map prepared
by Richard E. Miller

Fall River County ASLS
Hot Springs, SD 57117

2/8/80

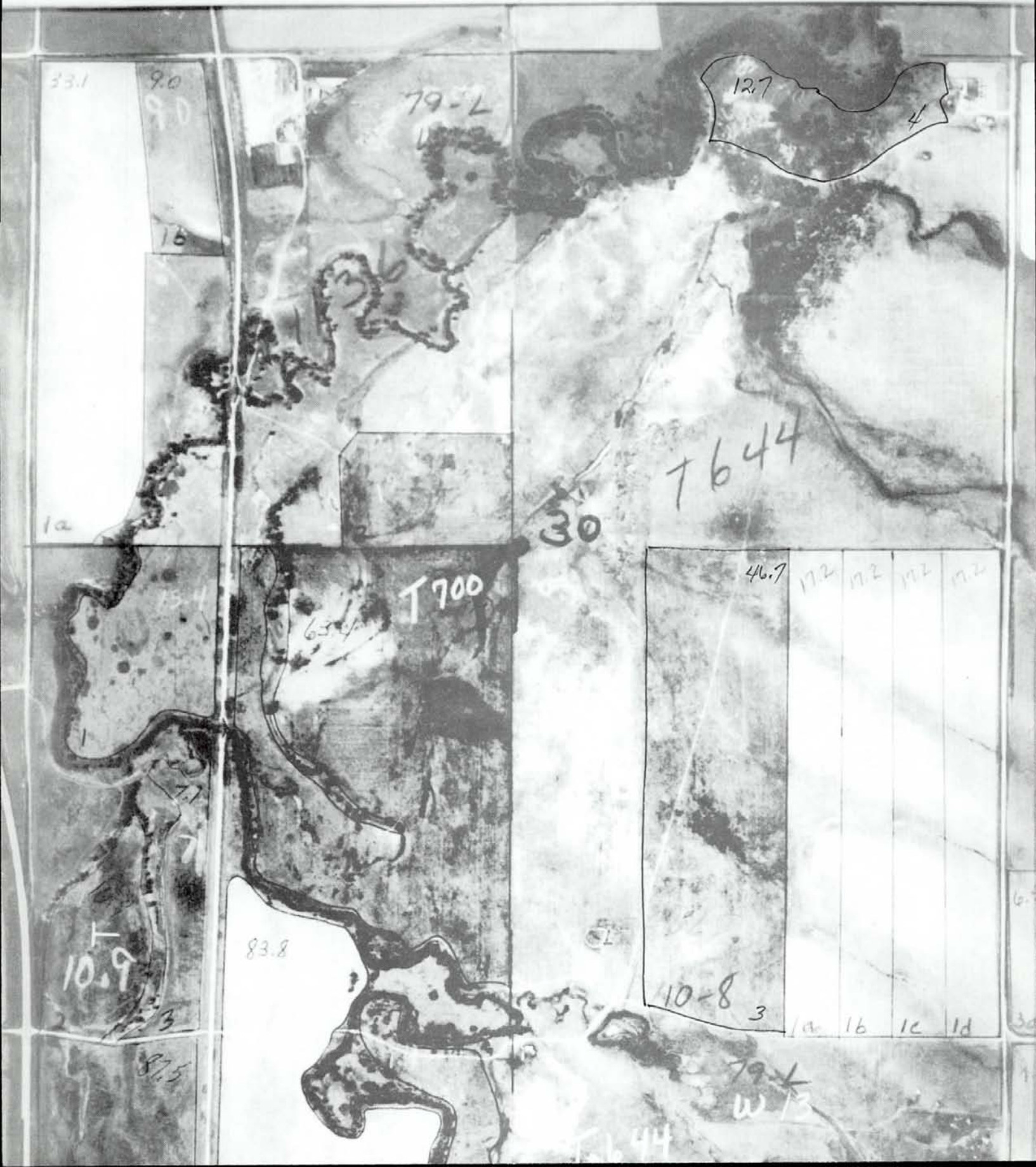
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 30 T10R8

9.5
(158) acres Total

10-8

1702-2

NOT TO SCALE



1702-2

NOT TO SCALE

