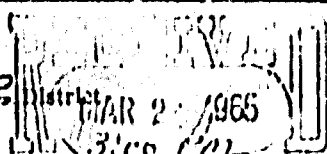


861-2

1. Considered 5-12, 1965
2. Name of Applicant Leo M. Reagle
3. Post Office Address Valentine, Idaho
4. Amount of water claimed 1.75
5. Source of water supply ground water
6. Water to be used for irrigation
Acres to be irrigated 122.6
7. Water to be diverted and used in Idaho County about
10 miles 5 of Princeton
8. Proof of Publication Received 1st
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

No. 861-2
 Water Division No. 2 KEYAPAH RIVER
 (Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT TO APPROPRIATE WATER RESOURCES COMM. To Appropriately Water within the State of South Dakota

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

1. Name of applicant Leo M. Rougle
 Postoffice address Valentine, Neb., County Todd, State S. Dak.

- I. If a corporation
- (a) Name of same
 - (b) Date and place of incorporation
 - (c) Amount of capital stock
 - (d) Amount paid in
 - (e) Names and addresses of directors

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

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Contract

- (b) Cash on hand, \$
- (c) Treasury stock, \$
- (d) Bonds to be issued, \$
- (e) Other resources, \$

2. Name of diversion work REAGLE IRRIGATION PROJECT #23. Amount of water claimed 1.75 cubic feet per second4. Source of water supply GROUND WATER
A POINT 1320' E AND 750' N FROM THE W 1/4 CORNER5. Location of point of diversion NW 1/4 Sec. 21 T-37-R2BSECTION 21, T 37N R 28W on Todd County.6. Annual period or periods during which water is to be used May-Sep.

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- Overhead Sprinkling

(a) Number of acres to be irrigated 122.6 acres.(c) Legal subdivisions to be irrigated NW 1/4 Sec. 21 T-37R2B

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

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

(a) Nature of use Agriculture
 Name any of the above uses claimed

(b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

(c) Location of plant NW 1/4 Sec. 21 T 37 R 28(d) Method of developing power WATERWHEEL

(e) Point where water will be returned to stream _____

MAP NO 743-2

8. Estimated cost of work:

(a) Head Gates, \$.....

(b) Pumping plant, \$.....

(c) Fluming, \$.....

(d) Canal earth, \$.....

Rock, \$.....

(e) Other structures \$.....

Total, \$.....

9. Description of diversion works:

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

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottomfeet; length at topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face material used in construction

(b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	ACRE-Feet CAPACITY

(c) Head gate: Width.....feet; heightfeet; Material

(d) Canal: Total lengthmiles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work5..... years.

11. Time required for complete application of water to the proposed beneficial use5..... years.

12. Choice of newspaper for publication of notice of intention to appropriate

STATE OF SOUTH DAKOTA

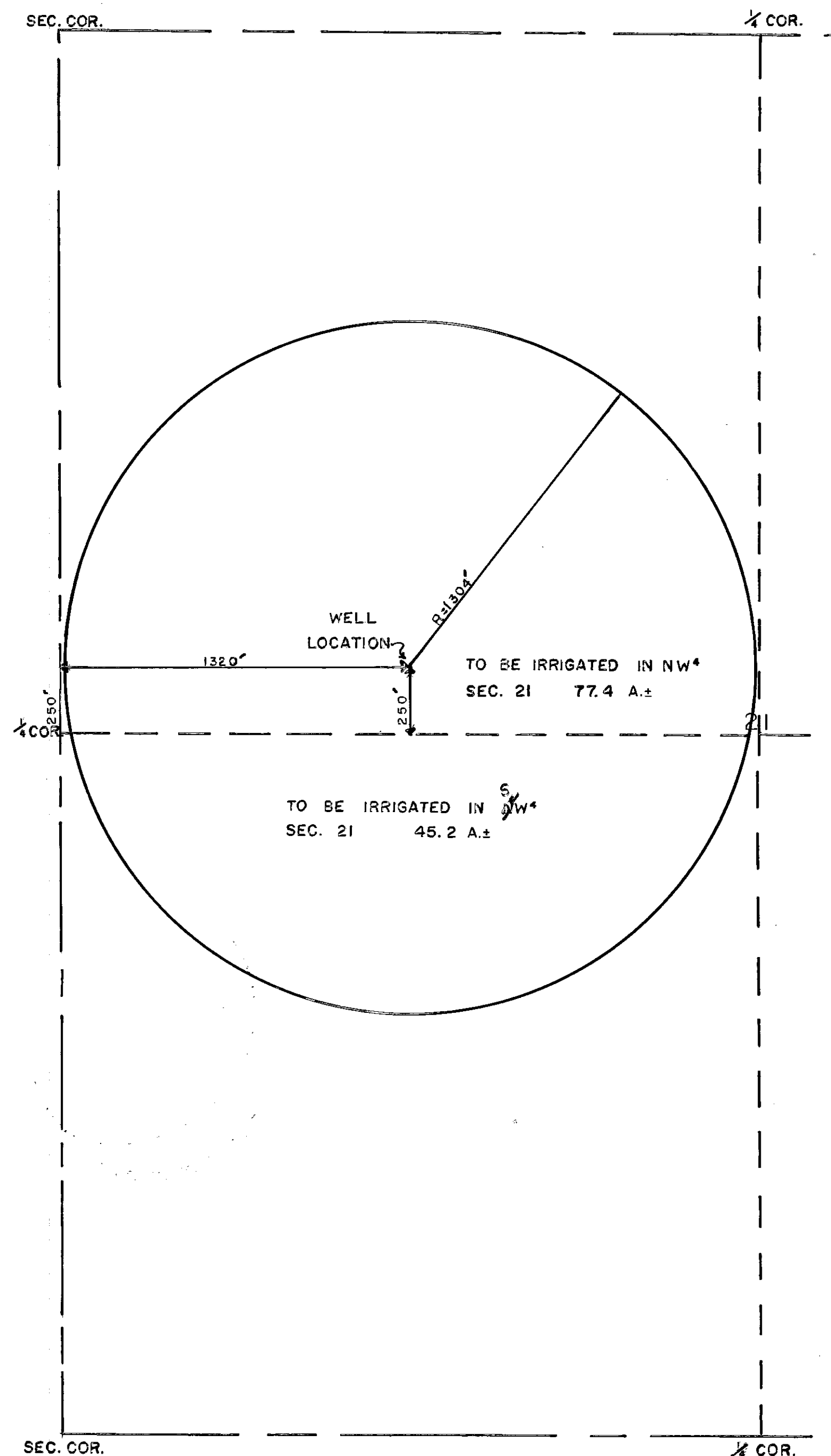
County of Todd ss.

I, Leo M. 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Leo M. Reagle

Subscribed and sworn to before me this 24th day of March 1965

Wayne Holmes
Notary Public (or other qualified officer.)



SIGNED AT Valentine NEBRASKA
DATE March 20 1965
MY COMMISSION EXPIRES 4-26-68
Wm. J. O'Donnell
NOTARY PUBLIC

WELL LOCATION MAP LEO REAGLE
SOUTH DAKOTA WATER RIGHT APPLICATION
LEGEND
SCALE 1" = 400' — — — = 1/4 SECTION LINE
— — — = SECTION LINE
NOTE: THIS TRACT LOCATED IN SECTION 21
T 37 N R 28 W

I HEREBY CERTIFY THIS IS A TRUE AND
CORRECT PLAT OF A WELL LOCATION SITE
FOR THE LEO REAGLE SOUTH DAKOTA
WATER RIGHT APPLICATION
DATE 3-20-65 Wm. J. O'Donnell
Wm. J. O'DONNELL P.E. 1221

MAP NO 743-2
(APPL NO 861-2)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MAY 13, 1965

This is to certify that the foregoing application was received by the Commission at 3:00 o'clock
P.m. upon the 24TH day of MARCH, 1965

State Water Resources Commission

By:

Durston Jones
for Chief Engineer, Executive Officer

Number of permit 861-2

Date of first receipt of application MARCH 24, 1965

Date of return to applicant for correction, amendments or changes required as follows: —, 19—

Date of receipt of corrected application —, 19—

Date from which applicant may claim right MARCH 24, 1965

Approved MAY 12, 1965, Recorded in Book 8 Page 327

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 12, 1967

2nd. The whole of said work is to be completed on or before MAY 12, 1970

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

MAY 12, 1970

4th. The water appropriated shall be used for the purpose of IRRIGATION

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to this use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 1.75 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MAY 12, 1970; said water to be used during the following described annual period:

MAY - SEPTEMBER

Witness my hand this 13TH day of MAY, 1965

State Water Resources Commission

By:

Durston Jones
Chief Engineer, Executive Officer

Certificate of Construction issued AUGUST 17, 1967

Water License issued AUGUST 17, 1967

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 31", Depth 205'

Type of casing Concrete
(wood, concrete, steel, etc.)

Size of casing 22", Thickness of casing 2 1/2"

Length of casing 70' If collection gallery, length, size and depth of gallery/

(b) Screens

Type of perforated screen Slots

Size of perforated screen 22" 135'
(diameter) (length)
Total

Thickness of gravel pack 6", length of gravel pack

(c) Water Bearing Materials

Distance to water 18 1/2' Character of water bearing materials Mixed

Thickness of water bearing material 125'

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, etc.)

Name of pump Western Land Roller, size

Kind of motor (gasoline, electric, diesel, etc.)

Horsepower Name of Motor

(e) Complete well

Capacity a. drawdown of Estimated cost \$4691.50

(f) Owner of land upon which well is located Leo M. Reagle
Name

Valentine A. Reagle Todd S. Drake
Address

(g) Distance to nearest existing wells

On same owner's property 160 rods. On property owned by others 4 mi 1/2 rods

Permit No. 861-2Water Division No. 2 Keyapaha River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Leo M. Rongloof Valantion, County of Todd, and State of Nebraska, the holder of Permit No. 861-2, issued upon ApplicationNo. 861-2, bearing date of priority of March 24, 1965, authorizing the diversion of 1.75 cu. ft. per second of the waters of ground waterCounty of Todd, State of South Dakota, at a point 1320' E & 250' N. of the NW Corner, Section 21, T37N, R28Wfor irrigation purposes, has fully 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; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: all in Section 21, T37N, R28WSW $\frac{1}{4}$ 45.2 AcresNW $\frac{1}{4}$ 77.4 AcresTotal 122.6 AcresWitness my hand this 17th day of August A. D. 1967

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

on or before
(First Publication April 15, 1965)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., March 29, 1965

Notice is hereby given that Leo M. Kunglo whose postoffice address is Valentino, Nebraska ~~XXXXXX~~, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.75 cubic feet of water per second of time from the ground water through the Reagle Irrigation Project #2, the point of diversion of which is to be located ~~on the~~ bank of said stream in the S $\frac{1}{2}$ ~~XXX~~ of the N $\frac{1}{2}$ $\frac{1}{4}$ of Section 21 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 $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 21, T37N, R28W

~~XXXXXX~~

~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 12th day of May, 1965, at 2 P. M. All interested persons may appear and be heard.

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

State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

CC: Mr. C. W. Figert, Publisher
Todd County Tribune
Mission, S. Dak.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 Town _____ ss.
 County _____

_____ being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____ County 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 _____ County of _____ and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Thursday, April 8, 1965
 Thursday, April 15, 1965
 Thursday, April 22, 1965
 Thursday, April 29, 1965

In each and every issue of the full number thereof, the first publication being made on the _____ day of _____ 1965 and the last publication on the _____ day of _____ 1965, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was _____ the printer and publisher of the said newspaper.

Leo P. Reagle

Subscribed and sworn to before me this _____ day of _____ A. D. 1965

C. W. Jones

Notary Public _____ Town _____ County, S. D.

No. 861-2
 (First Publication on or before April 15, 1965)
 Appropriation of Water
 Office of State Water Resources Commission
 Pierre, S. Dak.
 March 29, 1965
 Notice is hereby given that Leo M. Reagle whose postoffice address is Valentine, Nebraska, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.75 cubic feet of water per second of time from ground water through the Reagle Irrigation Project No. 2, the point of diversion of which is to be located in the S½ of the NW¼ of Section 21, Twp. 37N Range 28W. Said water to be used for the purpose of providing irrigation on portions of the following described land: S½NW¼ and N½SW¼, Section 21, T37N, R28W.
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 12th day of May, 1965, at 2 P. M. All interested persons may appear and be heard.
 Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.
 State Water Resources Commission
 By: BURTON G. JONES
 Water Right Specialist
 Publ. April 8-15-22-29.

STATE OF SOUTH DAKOTA

WATER LICENSE No. 861-2

WHEREAS, On the 24th day of March A. D. 1965

Leo M. Rengle

of Valentine County of Todd and State of
Sout Nebraska duly made application (No. 861-2) to us for a permit to use 1.75
 cubic feet per second of the waters of ground water
 County of Todd, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 13th day of May A. D. 1965
 Permit No. 861-2 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 12th day of
May A. D. 1970 and for the application to beneficial use of said
 water on or before the 12th day of May A. D. 1970
 and,

WHEREAS, On the 11th day of August A. D. 1967
 the holder of said permit duly made proof of the completion of adequate works for the diversion of
2.0 cubic feet per second of said waters, as evidenced by our Certificate No. 861-2
 dated August 17, 1967 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 2.0 cubic feet per second of water, with date of
 priority of March 24, 1965 and,

WHEREAS, On the 11th day of August A. D. 1967
 proof was duly made of the application to beneficial use of 1.75 cubic feet per second of said water;
 for irrigating 122.6 acres in the W¹ Section 21, T37N, R28W

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 Leo H. Reagle
 of Valentine, Nebraska the holder and owner of said permit No. 861-2
 a water right, dating from March 24, 1965 to the use of 1.75
 cubic feet per second of the waters of ground water
 in the County of Todd and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted at a point 1320' E and 250' N of
the W $\frac{1}{2}$ Corner, Section 21, T37N, R28W
 and conducted to and upon portions of the W $\frac{1}{2}$ Section 21, T37N, R28W, more
specifically described in the Certificate of Completion of Work
 for the purpose of irrigation, subject to any limitations listed in the
permit to appropriate water, and

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
 this 17th day of August A. D. Nineteen
 Hundred and Sixty-seven.

State Water Resources Commission

By:

J. W. GRIMES
 Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 861-2Water Division No. 2Keyapaha River

Water District

Certificate of Examination of Works**Report of Examining Engineer**

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated 1965, I have made a thorough examination of the diversion works constructed by 1965

1965, of location Nebraska, works in
1965 County, South Dakota, holder of Permit No. 861-2, issued upon Application No. 861-2, bearing date of priority of March 24, 1965, authorizing the diversion of 1.25 cu. ft. per second of the water's of Ground water for irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: well 205' Cased to bottom with 21" Alteranting
Concrete & screen with 8" drop pipe. Pumps, western land reeller
Serial # 865569, Head # 811-5-12-B-11 and powered by 220. Canebrays
engine. System is a valley Model 1041, Serial # 1607 with
32 sprinkler heads.

and the system is in the following condition: Excellent

The point of diversion is located As shown on map

The works are capable of diverting and conveying to the place of use 2.0 cu. ft. per second of water, which is to be used for irrigation

The legal sub-divisions to be irrigated are: A portion of W2 Section 21, T22N,
R28W as shown on map.

comprising a total of 122.6 acres of land.

The domestic use intended comprises None

The utilization for power, mining, or other beneficial uses comprises: None

Witness my hand, this 11th day of August, A. D. 1967.

—SEAL—

Richard D. Schuyler
 Examining Engineer.
 Water Resources Commission
 Water Right Specialist

861-2



January 29, 1993

NOTICE

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3101

TO: LEO H. REAGLE
530 HALEY ST
VALENTINE NE 59201

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

RE: Violation of Water Permit No(s) 861-2 & 1565-2, 1950-2 and 1992 Irrigation
Questionnaire Requirements

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 861-2 & 1565-2, 1950-2. The request for the Questionnaires was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 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) 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 3, 1993, at 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 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) 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. Prior to February 22, 1993, 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 questionnaires are received in this office before the March 3rd hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

REDUCTION RATIO

ROLL NUMBER

DATE MICROFILMED

CAMERA OPERATOR SIGNATURE



861-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 25, 1993

861-2
1565-2
1950-2

Harvin Reagle
HC 14 Box 124
Valentine, NE 69261

Dear Mr. Reagle:

I am writing to acknowledge receipt of the 1992 irrigation questionnaires for Water Right Nos. 861-2, 1565-2 and 1950-2. You may disregard the January 29, 1993, Notice of Violation of Water Permit and 1992 Irrigation Questionnaire Requirements. The questionnaires were received in our office prior to the Water Management Board meeting, and have been deleted from the agenda.

Enclosed are three partially completed "Notice of Transfer of Ownership" forms. You indicated on the questionnaires that the water rights should be transferred to your name. Please complete the forms and then sign them in the presence of a notary public. Upon completion, return the transfer forms to our office with a required filing fee of \$2.50 each (total of \$7.50).

If you have any questions, please contact me.

Sincerely,

Genny McMath
Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

861-2

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



No. 861-2

Date: 4.2.93

I/We request that Water Right No. 861-2

formerly owned by: Leo M Reagle, 530 Haley St, Valentine, NE 68201

be transferred to: (name & address) Norman L. Reagle
1000 E. 1st St, Valentine, NE 68201 (Telephone No) 605-378-3832

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

W 1/2 Section 21, T37N, R28W

I/We understand that the validity of Water Right No. 1565-2 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.

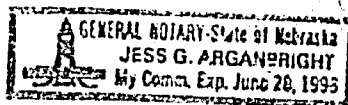
STATE OF SOUTH DAKOTA)

County of _____)

I/We Norman L. 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.

Norman L. Reagle
(Signed)

Subscribed and sworn to before me this 2nd day of Apr, 19 93.



Jess G. Arganbright
(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.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

861-2
413709

Pierre, _____ April 5, 1993

RECEIVED OF _____ N. Valentino, SE 69201

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct _____ and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____	2	50
Fee for Filing Extension Request _____		
Fee for _____		
_____ (Any Other Work Provided by Law)		
Total	2	50

By John Hatchem
Chief Engineer



April 6, 1993

Marvin L. Reagle
HC 14, Box 124
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. 861-2, 1565-2 and 1950-2.

Our records now show you as the owner of Water Right Nos. 861-2, 1565-2 and 1950-2.

Sincerely,

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

enclosure

861-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

No. 861-2
1565-2
1950-2



861-2

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 Questionnaires 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. Forgo 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

Is your RETURN ADDRESS completed on the reverse side?

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

861-2

MARVIN & BOBBE REAGLE
HC 14 BOX 124
VALENTINE, NE 69201

4a. Article Number

P 757 566 300

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

8-8-85

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



861-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 1995

861-2
1353C-2
1565-2
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 cursive script that reads "Genny McMath".

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

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

NOV 24 2009

WATER RIGHTS
PROGRAM

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

No. 861-2

Date: 11/23/09

I/We request that Water Right No. 861-2

formerly owned by: Marvin L 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:

122.6 acres - W 1/2 Section 21, T37N, R28W

I/We understand that the validity of Water Right No. 861-2 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 Bobbi Reagle, the new owner, certify that the above information is true and correct.

Bobbi Reagle
(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, 2009

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>861-2</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. **04248**

By Richard 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,

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

enclosures

861-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 22, 2013

Bobbi Reagle
302 E 5th St
Valentine NE 69201 2206

RE: Water Right Nos. 861-2, 1353D-2, 1565-2, 1950-2

Dear Ms. Reagle:

Enclosed is a "Notice" dated October 18, 2013 concerning the 2013 irrigation questionnaires.

The notice was originally mailed to 149 S Western, Valentine NE. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: SD DANR, Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 861-2

Date: 1-20-26

I/We request that Water Right/Permit No. 861-2 formerly owned by:
Bobbi Reagle - Valentine NE

PAID
FEB 12 2026
Ck# 3074
Rec't# _____
RECEIVED
FEB 13 2026
OFFICE OF
WATER

New Owner Name: Gudgel Land & Cattle LLC
Address: 29712 286th Ave mobile: 605-730-4028
City, State, Zip: Valentine, NE 69301 email: don.gudgel@yahoo.com

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

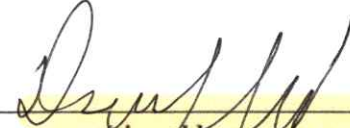
122.6 acres located in portions of W 1/2 Sec 21-T37N-R28W

☒ I understand that the validity of Water Right/Permit No. 861-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Daniel Gudgel-Gudgel Land & Cattle LLC, 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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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 Agriculture and Natural Resources

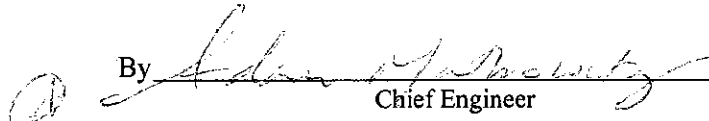
Date February 12, 2026

RECEIVED OF Gudgel Land & Cattle LLC 29712 286th Ave 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	\$ _____
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>#861-2</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By


Chief Engineer



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 25th, 2026

1950-2, 861-2, 1565-2

Gudgel Land & Cattle LLC
C/O Daniel Gudgel
29712 286th Ave
Valentine, NE 69201

Dear Mr. Gudgel,

The South Dakota Water Rights Program is in receipt of the "Notice of Transfer of Ownership" forms and the required fees you submitted for Water Right Nos. 1950-2, 861-2, 1565-2. Enclosed are the receipts of payment for your records.

Water Right Nos. 1950-2, 861-2, 1565-2, previously held by Bobbi Reagle, is now listed under Gudgel Land & Cattle, LLC. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the License (copy enclosed), State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Licenses will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

NOTE: The validity of Water Right Nos. 1950-2, 861-2, 1565-2, has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

enclosures