

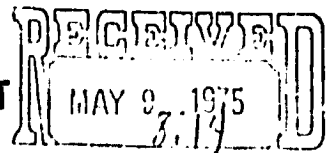
Water Right Number 2787-3

1. Considered JULY 24, 19 75
2. Name of Applicant ROBERT L. MERRILL
3. Post Office Address PARKER
4. Amount of Water claimed 2.0
5. Source of Water supply 42' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in TURNER County
about 2E miles 1st of PARKER
8. Proof of Publication Received 1st
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 2287-3Map No. 1676-3 Water Division No. 3 VERMILLION RIVER District
(Blanks to be filled by the Engineer for the W. H. C.)

APPLICATION FOR PERMIT



STATE WATER RIGHTS COMMISSION

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Robert L. Merrill
 Post-office address Rte 1 Parker, State SD 57053
 If a corporation show date and place of incorporation N/A
2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of others
3. Name of diversion work Merrill Project #1
4. Amount of water claimed (cubic feet per second) 2
5. Source of water supply Well
6. Location of point of diversion NW 4 of NW 4 of SE 4 15 99-53

- County TURNER
7. Annual period or periods during which water is to be used MAY-SEPTEMBER
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, Total number of acres to be irrigated 160 Acre

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>SE 4 SE 4 Sec 15 99-53</u>			
<u>SW 4 SE 4 Sec 15 99-53</u>			
<u>NE 4 SE 4 Sec 15 99-53</u>			
<u>NW 4 SE 4 Sec 15 99-53</u>			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication NEW ERA, PARKER SD.
12. Principal Features of the Proposed Water Supply System.

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

Well

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

Aluminum pipe

C. Works proposed to apply water to beneficial use.

Volume gun - Travelling sprinklerEstimated Total Cost \$ 22,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of TurnerI, Robert L. Merrill, 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 Robert L. MerrillSubscribed and sworn to before me this 26 day of April 1975Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 2287-3ROBERT L. MERRILL
(Applicant)RTE. #1, PARKER
(Post Office Address)SOUTH DAKOTA 57053 With the following modifications:
(State)

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

Date of first receipt of application MAY 9 19 75
 Date of return to applicant for correction, amendments or changes required MAY 9 19 75
 Date of receipt of corrected application MAY 23 19 75
 Approved JULY 24 19 75 Recorded in Book 14 Page 36

WATER RIGHT PERMIT NO. 2287-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2287-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is MAY 9 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 24 19 77
3. The whole of said work is to be completed on or before JULY 24 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 24 19 80
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 the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before JULY 24 19 80; said water to be used during the following described annual period: MAY - SEPTEMBER

Witness my hand this 16TH day of SEPTEMBER 19 75

WATER RESOURCES COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued July 17 19 80Water License Issued July 17 19 80

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SECL 46-6-3 AS AMENDED

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: _____
2/22/75

WATER RIGHT APPLICATION NO. 1

NAME: Robert L. Merrill

ADDRESS: Rta. 2, Parker, S. Dak. 57053

COUNTY: Turner

LEGAL DESCRIPTION

WELL LOCATION: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 15-99-53

SITE TO BE IRRIGATED: SE $\frac{1}{4}$ 15-99-53

WATER QUALITY

TEST WELL SAMPLE: #1 75-331

SALINITY: EC = 1755 μ mhos/cm (high)

SODIUM: SAR = 0.98 (low)

LAND CAPABILITY FOR IRRIGATION

PERCENTAGE OF SLOPE: Mostly 2% with some 4% and a little 6%.

PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: No soils survey on this 160 ac. unit.

Estimate soils to be mostly 2Mh3 - Deep, loamy, well drained soils on gently undulating slopes. Cap. Unit IIe2; h-2 and 3Mh72 - Moderately deep, well drained soils with 2-1 20-40" loamy material over sand and gravel on nearly level (0-2%) slopes. Cap. Unit IIe3.

TYPE OF IRRIGATION

GRAVITY: _____

SPRINKLER TYPE: Volume Run

CROPS TO BE IRRIGATED

Corn, Alfalfa, Beans and Grass

I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and;
the land capability for irrigation information has been acquired from

J. W. Rezek, District Conservationist, SCS, Parker, S. Dak. 57053

J. W. Rezek

and:

that the legal description for the location of the well and land to be
irrigated is true and correct.

Robert L. Mark

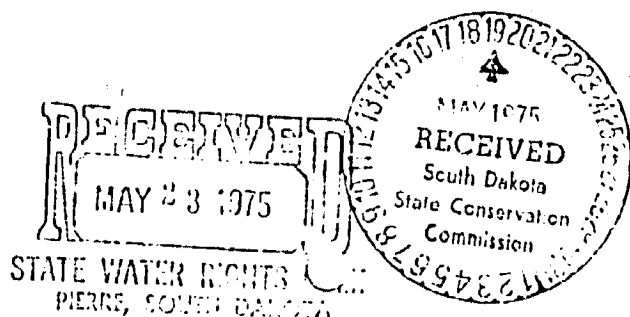
Subscribed and sworn before me this

26 day of April 19 75.

Ernest

Notary Public

(Title)



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

Submitted by: Robert Merrill

Date Rec'd May 6, 1975

Address Parker, SD 57053

Sample No. 75-331

Identification #1 Well-

SE4, Sec. 15, T. 99N, R. 53W

WATER ANALYSIS

Calcium (Ca)	130	ppm*	6.50	me/l**
Magnesium (Mg)	96	ppm	7.87	me/l
Sodium (Na)	30	ppm	1.30	me/l
Potassium (K)	32	ppm	0.34	me/l
Sulfate (SO ₄)	330	ppm	6.86	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	76	ppm	2.14	me/l
Bicarbonate (HCO ₃)	317	ppm	5.20	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	260	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1755	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.48			
Sodium	7.87	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.90			
Others:				

*ppm=parts per million

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

**me/l=milliequivalents per liter

COMMENTS:

Total cations	16.51	me/l
Total anions	14.20	me/l

By: Shirley Witten

Service Performed

Amount Due

Irrigation analysis

\$6.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-331

Amount Enclosed \$

Signed

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 20", Depth 42'
 (2) Casing, Type steel (wood, concrete, steel, etc.) Diameter 14" Thickness 3/16"
 (3) Perforated Screen.
 Type Johnson Turbator, Diameter 14", Length 10'-15'
 (4) Gravel Pack, Thickness 3", Length of gravel pack 30'

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials 12-42- Fair gravel
carrying some silt 42'-blue
clay

Depth to top of water bearing material 12'

Depth to bottom of water bearing material 42'

Thickness of water bearing material 30'

Depth to water (ground surface to water level) 12'

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

On same owner's property 100' rds. On property owned by others 150' rds.

G. Water Storage Dams.

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

Robert J. Mendenhall
 Signature of Applicant

Permit No. 2287-3

Water Diversion No. 6 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Robert L. Merrill

_____ the holder _____ of
Permit No. 2287-3, issued upon Application No. 2287-3, bearing date of priority of May 9, 1975

_____ authorizing the diversion of 2.0 cu. ft. per second of the waters of _____
groundwater (1 well) County of Turner, State of South Dakota at _____
a point north 44° west, 108 rods from the SE corner, Section 15, T99N, R53W

_____, for _____ irrigation _____

purposes, has 8 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 1.25 cu. ft. per second of water.

Date July 17, 1980


JOHN HATCH, Chief Engineer
Water Rights, WMD

WATER LICENSE NO. 2287-3

(1) WHEREAS, On the 9th day of May A. D. 19 75

Robert L. Forzill

made Water Right Application No. 2287-3 for a permit to use 2.0 cubic feet per second of the waters of groundwater (one well)

County of Turner State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 24th day of July A. D. 19 75

Permit No. 2287-3, with a date of priority of May 9, 1975

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 24th day of July A. D. 19 78 and for the application to beneficial use of said water on or before the 24th day of July A. D. 19 80

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 1.98 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 Section 15, T99N, R53W

	Acres
<u>N₁ SE₄</u>	<u>66.4</u>
<u>S₂ SE₄</u>	<u>66.6</u>
TOTAL	133.0

(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 Robert L. Harrill

_____ of Parker SD
the holder _____ and owner _____ of said permit No. 2287-3 a water right, dating from May 9, 1975
to use of 1.00 cubic feet per second of the waters
of groundwater (one well)

in the County of Turner and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point north 220 feet, 102 rods from the
SE corner, Section 15, T99N, R53W

and conducted to and upon portions of Section 15, T99N, R53W, more fully described
on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2287-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 17th day of July A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

No. 2287-3

Publish first publication, on or before

July 10, 1975

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

~~June 6, 1975~~

Notice is hereby given that Robert L. Merrill

whose post office address is Parker, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from the ground water through the

Merrill Project #1, the point of diversion of which is to be located in the _____

SE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 15, Twp. 99N, Range 53W. Said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{4}$, Section 15, T99N, R53W

This application No. 2287-3 will be considered by the Water Rights

Commission at the North Lounge, Surbeck Center at the S.D. School of Mines at Rapid City, SD

upon the 24th day of July, 1975 at 2:30 PM. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc:

Robert L. Merrill, Route #1, Parker, South Dakota 57053

May 16, 1975

Mr. Robert L. Merrill
Route 1
Parker, S.D. 57053

Dear Mr. Merrill:

We have received the two WI-1 forms in connection with your application to irrigate in Sections 14 and 15. We have also completed the water analyses for the two samples you submitted. These two water samples are almost identical in quality and are indicated by the two crosses encircled in red on the outside back cover of Extension Circular 654, which is enclosed for your use.

Although they are moderately high in total salt, they are low in sodium and with the good internal drainage condition you have on the soils you intend to irrigate, there should be no problem in the use of this water.

A copy of this letter and the WI-1 forms and a copy of the water analyses are being forwarded to the State Conservation Commission. Enclosed you will find a receipt for your payment.

Sincerely yours,

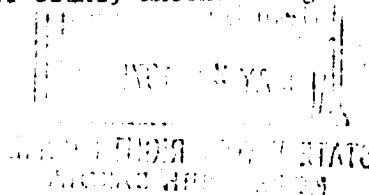
L. O. Fine

L. O. Fine
Water Quality Lab

LOF:MRB

Enclosures

cc: State Conservation Commission
Marlin Platz, Turner County Extension Agent
Darrel Pahl



Affidavit of Publication

STATE OF SOUTH DAKOTA)
) ss.
COUNTY OF TURNER)

EARL J. BORMANN

of said County and State, being duly sworn, on his oath says:

THE NEW ERA is a weekly newspaper of general circulation, printed and published in Parker, in Turner County and State of South Dakota by Earl J. Bormann, and has been such a newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper, that it has a bonafide circulation of more than 200 copies weekly, that it has been published within said county of Turner in the English language for more than fifty-two successive weeks next prior to the publication of the notice hereinafter mentioned, and has been printed during said period and at the present time, in whole or in part in an office maintained at the said place of publication; and that I, the undersigned, am

Owner--Publisher

of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all facts stated in this affidavit; that the advertisement headed Notice of Intent To Appropriate Water

No. 2287-3

a printed copy of which is hereto attached, was printed and published in the said newspaper for two weeks; that said notice was published in the issues of said newspaper on the dates as follows, to-wit:

The first publication being made on Thursday, June 12th, 1975;
the second publication on Thursday, June 19th, 1975;
the third publication on 19;
the fourth publication on 19;
the fifth publication on 19;
the sixth publication on 19;
and the last publication on 19;

that \$ 10.80, the full amount of the fee charged for publication of the annexed notice, insures solely to the benefit of the publishers of the said newspaper; that no arrangements or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever.

Subscribed and sworn to before me this 12th
day of September, 1975

Notary Public, Turner County, South Dakota.

No. 2287-3
NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 5750-

June 6, 1975

Notice is hereby given that Robert L. Merrill, whose post office address is Parker, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from ground water through the Merrill Project No. 1, the point of diversion of which is to be located in SE¹/₄ SE¹/₄ of Section 15, Twp. 99N, Range 53W. Said water to be used for the purpose of providing irrigation on the following described land:

SE¹/₄ Section 15, T99N,
R53W.

This application No. 2287-3 will be considered by the Water Rights Commission at the North Lounge, Surbeck Center at the S. D. School of Mines at Rapid City, S. D., upon the 24th day of July, 1975 at 2:30 P.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By: BURTON F. JONE3,
Water Rights Specialist

BFJ/bw
cc:

Robert L. Merrill, Route No. 1,
Parker, South Dakota 57053
(2tc June 12 & 19, 1975)

Publication Fees \$ 10.80

Received Payment,

7-15-75

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7595

PIERRE

July 15, 1950

RECEIVED OF Robert Merrill, Rte #1, Parker, SD 57053

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and Issuing Cert. of Construction No. 2287-3	50.	00
Fee for inspecting Beneficial Use, and Issuing Water License No. 2287-3		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50.	00

WATER RIGHTS COMMISSION
By *[Signature]*
Chief Engineer, Executive Officer

Permit No. 2287-3

Water Division 3 VERMILLION RIVER Water District

REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by ROBERT L. MERRILL of PARKER holder of Permit No. 2287-3, bearing date of priority of MAY 9, 1975 authorizing the diversion of 2.0 cu. ft. per second of the waters of GROUNDWATER for IRRIGATION purposes, in TURNER County.

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

The Water Use System consists of,

- A. Works used to divert the water:
42' DEEP WELL WITH 14" DIA STEEL CASING - 15' OF SS SCREEN WESTERN LAND ROLLER 8" PUMP #D76228 - 8 STAGE - 10" BOWLS POWERED BY 60HP GE ELECTRIC MOTOR
- B. Works used to transport water to place of use,
70' OF 8" MAINLINE TO CENTER OF PLOT
- C. Works used to apply water to beneficial use.
HYGROMATIC 7 TOWER CENTER PLOT SYSTEM WITH #100 END GUN

The system is in the following condition: GOOD

The point of diversion is located N 44° W, 108 RODS FROM THE SE CORNER, SECTION 15, T99N, R53W

The works are capable of diverting and conveying to the place of use 1.88 (850 GPM) cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 15, T99N, R53W

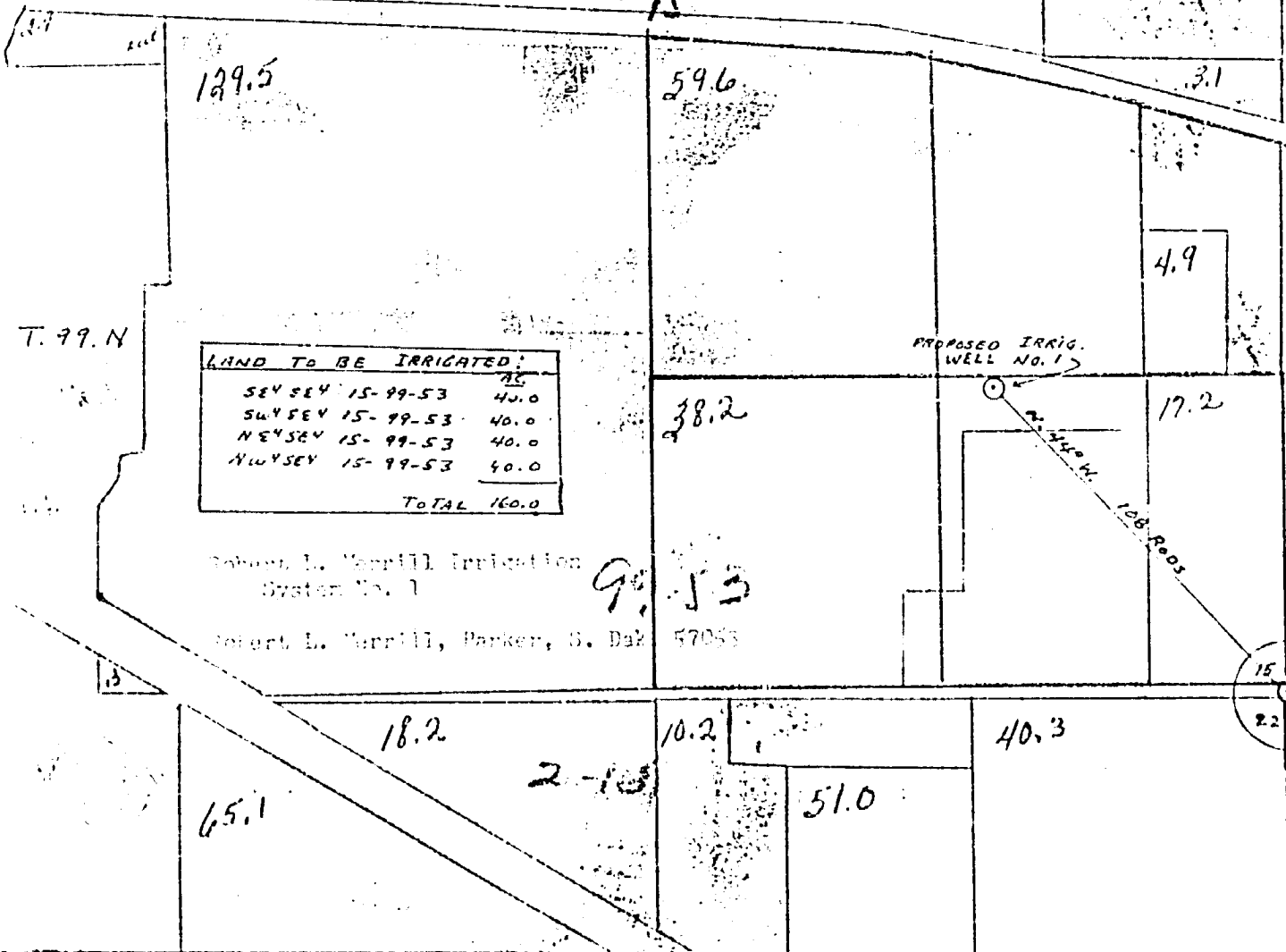
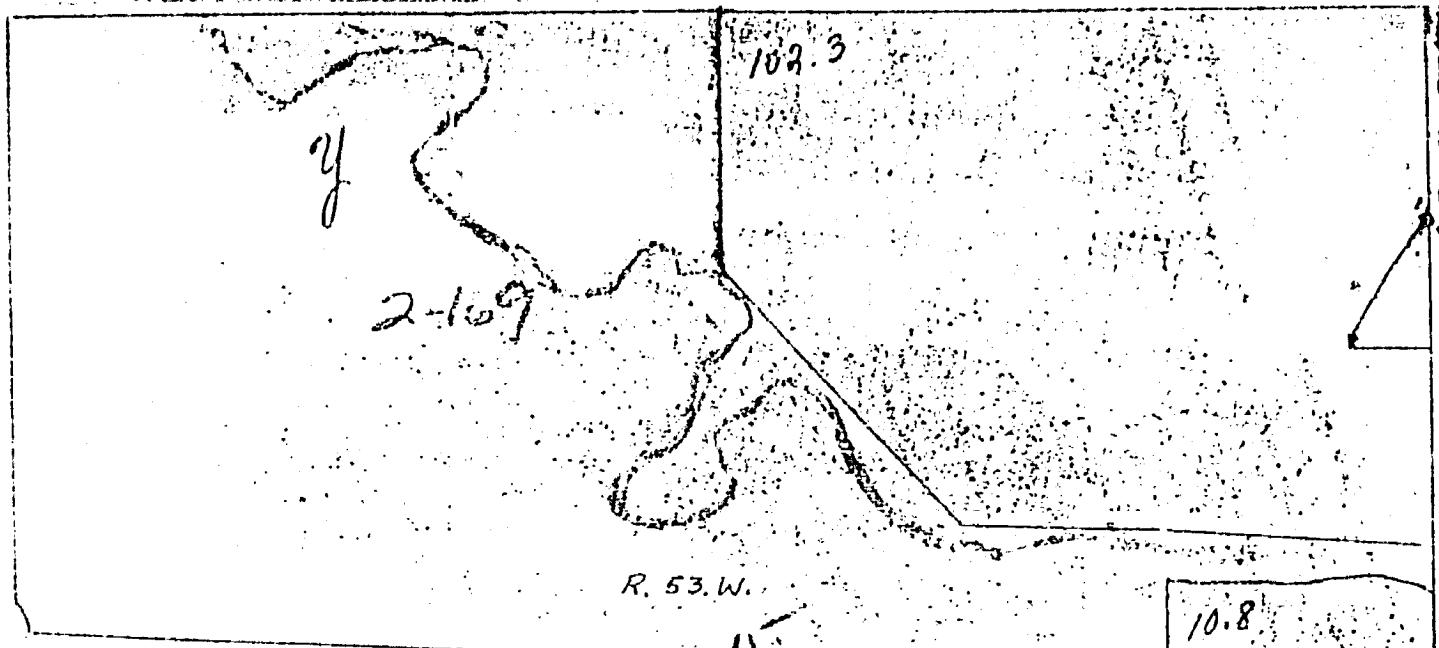
<u>N² SE⁴</u>	<u>66.4 ACRES</u>
<u>S² SE⁴</u>	<u>66.6 "</u>

comprising a total of 133.0 acres of land.

SEE PERMIT 3812-3 FOR AERIAL PHOTO OF THIS SYSTEM

Date JUNE 20, 1980
[Signature]
(Signature)

MAP NO. 2287



LAND TO BE IRRIGATED:	
SEV SEY 15-99-53	40.0
SWY SEY 15-99-53	40.0
NEY SEY 15-99-53	40.0
NWY SEY 15-99-53	40.0
TOTAL 160.0	

Robert L. Merrill Irrigation System No. 1
Robert L. Merrill, Parker, S. Dak 57053

15 14
22 23



Department of Water & Natural Resources

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

January 29, 1988

ROBERT L MERRILL
RR 1 BOX 2
PARKER, SD 57053

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 2287-3, 2288-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

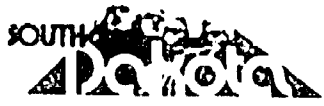
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-11, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 2287-3, 2288-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.



**Department of
Water & Natural Resources**

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

February 4, 1988

2238-3
2287-3

Robert L Merrill
RR #1 Box 2
Parker, SD 57053

Dear Mr. Merrill:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit Nos. 2288-3 and 2287-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,

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

 **Department of
Water & Natural Resources**

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

February 17, 1989

Robert L. Merrill
RR 1, Box 2
Parker, SD 57053

Dear Mr. Merrill:

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

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

The new standards include:

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



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

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

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

Very truly yours,

John W. Hatch
for JOHN HATCH, Chief Engineer
Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 28, 1995

2287-3

2288-3

5446-3

Robert Merrill
Merrill Farms Inc.
27567 Walnut Avenue
Parker, SD 57053

Dear Mr. Merrill:

Thank you for the prompt return of your 1995 irrigation questionnaires. It is my understanding from your comment on the questionnaires that you wish to have the water rights transferred to Merrill Farms Inc.

Enclosed are partially completed transfer forms for use in filing the ownership changes. Please complete the forms and sign them in the presence of a notary public. Upon completion, please return the forms to our office with a required filing fee of \$2.50 each (total of \$7.50).

If you have any questions concerning the water rights or completion of the transfer forms, please contact me.

Sincerely,

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

enclosures

2287-3
2287-3

2288-3

5446-3

WATER RIGHTS PROGRAM FILE DOCUMENTATION

NAME OF PERSON OR FILE: Alan Merrill

ADDRESS: 27577 Walnut Avenue, Parker, SD 57053

DATE: January 5, 1996

RE: ownership status of Nos. 2287-3, 2288-3 and 5446-3

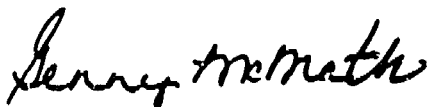
COMMENTS:

Mr. Merrill called the office in response to a letter I had written requesting them to complete transfer forms changing the permits from Robert Merrill to Merrill Farms Inc. (their 1995 irrigation questionnaires seemed to request the change)

Mr. Merrill stated they started operating under a corporation, however they did not change ownership of the land to the corporation name. He said the permits should be left as they are since they have not changed ownership.

I told him I could send correspondence to Merrill Farms Inc. and still leave the water permits under the name of Robert Merrill. He said he would prefer this type of arrangement.

Send correspondence to: Merrill Farms Inc., 27577 Walnut Avenue, Parker, SD 57053



Genny McMath
Environmental Scientist