

Water Right Number 2349-3

1. Considered NOV. 12, 1975
2. Name of Applicant ERNEST ROZELL
3. Post Office Address ELK POINT, SD
4. Amount of water claimed 2.28
5. Source of water supply GROUND WATER (100' DEEP WELL)
6. Water to be used for IRRIGATION
Acres to be irrigated 160
7. Water to be diverted and used in UNION County
about 5 N, 1/2 W Miles of JEFFERSON
8. Proof of Publication
Received 10-30-75
Not received
9. Application
Approved
Subject to
Not approved
Action deferred

10. Remarks:

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

No. 2349-3

Map No. 1729-3 Water Division No. 3 Big Sioux River District _____
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriative Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Ernest S. Rozell
Postoffice address Elk Point, State South Dakota 57125
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work Rozell Irrigation System 25
4. Amount of water claimed (cubic feet per second) 2.28 2.7 CFS
5. Source of water supply well
6. Location of point of diversion 1320' South and 1320' East of the N. corner of Sec 25, T91 R49
County Union
7. Annual period or periods during which water is to be used June - August
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

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.
<u>N1/2 of Sec. 25 T 91 R 49</u>	<u>160</u>

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 0 years.
11. Choice of newspaper for Notice of Intent to Appropriative Water publication Leader Courier, Elk Point, SD 57025
12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Center Pivot System

Estimated Total Cost \$ 5200.

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 Union

I, Ernest S. Rozell 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

Subscribed and sworn to before me this 5th day of August 1975

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2349-3
ERNEST E. ROZELL P.O. Box 101, Elk Point
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57025 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 AUGUST 15, 1975
 Date of return to applicant for correction, amendments or changes required SEPTEMBER 18, 1975
 Date of receipt of corrected application SEPTEMBER 29, 1975
 Approved NOVEMBER 13, 1975, Recorded in Book 14 Page 86

WATER RIGHT PERMIT NO. 2349-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2349-3 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 AUGUST 15, 1975
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13, 1978
3. The whole of said work is to be completed on or before NOVEMBER 13, 1980
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13, 1980
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 2.28 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 NOVEMBER 13, 1980; said water to be used during the following described annual period: JUNE THRU AUGUST

Witness my hand this 17TH day of NOVEMBER, 1975

WATER RIGHTS COMMISSION

By:

John H. H. H.
 Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 3, 1978

Water License Issued FEBRUARY 3, 1978

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30", Depth 100'
- (2) Casing, Type iron pipe Diameter 16" (1) Thickness 3/4"
(wood, concrete, steel, etc.)
- (3) Perforated Screen.
Type slotted, Diameter 16", Length 20'
- (4) Gravel Pack, Thickness 6-9", Length of gravel pack 20'

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 _____

_____ none available _____

Depth to top of water bearing material 30'

Depth to bottom of water bearing material 100'

Thickness of water bearing material 70'

Depth to water (ground surface to water level) 1/4' drawdown

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

On same owner's property 120 rds. On property owned by others 240 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.

Ernest E. Ruff
Signature of Applicant

August 22, 1975

Mr. Ernest E. Rozell
P. O. Box 101
Elk Point, SD 57025

Dear Mr. Rozell:

The original copies of the reports of analysis of the two water samples submitted here some time ago were returned to you on August 11. I'm enclosing herewith a copy of the extension circular which has to do with water quality and soil for irrigation, and you will find that there is a designation of these two waters denoted by red crosses on the outside back cover in the water quality diagram. Both of these waters are high in salinity but relatively low in sodium. There is very little difference in their salt or sodium content either.

The soils which you have to irrigate, being primarily Luton, are slowly permeable and have imperfect internal drainage. For these reasons, this water has a considerable hazard of causing salinity to accumulate in the upper part of the soil, especially in a case which is accentuated by the slow permeability of the soil. This slow permeability reduces leaching effectiveness by natural rainfall. For these reasons I recommend that you use this water only in large quantities with no infrequent applications as possible. It should definitely not be used with weekly applications of 1 - 2 inches.

A copy of this letter, and the WI-1 form, and the water analysis, are being sent to the State Conservation Commission.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:RT

Enclosures

cc: State Conservation Commission
Louisa DeMat, Union County Extension Agent
D. Pahl



FOR COMMISSION USE ONLY

Irrigation System:

Water Quality: 4

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Approved: [Signature]

~~Dissemination:~~ ✓

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

NAME: James E. Kozell

ADDRESS: Box 101 Elk Point S. Dak.

COUNTY: DEKALB

LEGAL DESCRIPTION

1. WELL LOCATION: 1270' south & 1270' east of NW 1/4 Sec 3

2. AREA TO BE IRRIGATED: 11 1/2 Acres

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): *Standard*

4. CROPS TO BE IRRIGATED: *Cotton, Beans*

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0.25

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: *211220115 1.1. = 0.000*

fine textured, slowly permeable, calc. sandstone in
bottomlands

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-691

8. SALINITY: $EC = 1391 \mu mhos/cm$ (high)

9. SOLUTION: $SAR = 0.88$ (Low)

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

KEN D. HILGREN, SCS OFFICE, FARM ROAD, S. D.

and:

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

Emmet E. Hill

Subscribed and sworn before me this

13th day of AUGUST 1975.

John F. Wampler

NOTARY PUBLIC, S.D.

(Title)



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

*Returned W1-1
 for eight months
 Aug + 1965*

Submitted by: Ernest E. Rozell Date Rec'd July 21, 1975
 Address Elk Point, SD 57025 Sample No. 75-641
 Identification Well-
N¹⁴, Sec. 25, T 92N, R 49W

WATER ANALYSIS

Calcium (Ca)	315	ppm*	15.75	me/l**
Magnesium (Mg)	66	ppm	5.41	me/l
Sodium (Na)	66	ppm	2.87	me/l
Potassium (K)	10	ppm	0.27	me/l
Sulfate (SO ₄)	385	ppm	8.01	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	18	ppm	0.51	me/l
Bicarbonate (HCO ₃)	498	ppm	8.16	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)	408	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1391	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.88			
Sodium	11.81	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.50			
Others:				

*ppm=parts per million

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

**me/l=milliequivalents per liter

COMMENTS: Total cations 24.30 me/l
 Total anions 16.68 me/l

By: Shirley Mittan

Service Performed	Amount Due
Irrigation analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-641

Amount Enclosed \$

Signed

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

Submitted by: Ernest E. Rozell
Address: Elk Point, SD 57025

Date Rec'd July 21, 1975
Sample No. 75-642
Identification Well-
NW 1, Sec. 26, T 90N, R 49W

WATER ANALYSIS

Calcium (Ca)	200	ppm*	10.00	me/l**
Magnesium (Mg)	65	ppm	5.33	me/l
Sodium (Na)	63	ppm	2.74	me/l
Potassium (K)	12	ppm	0.30	me/l
Sulfate (SO ₄)	385	ppm	8.01	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	21	ppm	0.60	me/l
Bicarbonate (HCO ₃)	500	ppm	8.20	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)	410	ppm (as CaCO ₃)		
Alkalinity (Perolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1288	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.36			
Sodium	14.91	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.67			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 18.37 me/l
Total anions 16.80 me/l

By: Shirley Vitten

Service Performed	Amount Due
Irrigation analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-642

Amount Enclosed \$

Signed

WATER LICENSE NO. 2342-3

(1) WHEREAS, On the 15th day of August A. D. 1975 Ernest E. Rozell

made Water Right Application No. 2342-3 for a permit to use 2.23 cubic feet per second of the waters of ground water County of Union State of South Dakota, for Irrigation

purposes; and (2) WHEREAS, On the 17th day of November A. D. 1975 Permit No. 2349-3 with a date of priority of August 15, 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 13th day of November A. D. 1980 and for the application to beneficial use of said water on or before the 13th day of November A. D. 1980

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 1.9 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. for irrigating a 132 acre circle in the NW1/4, Section 25, T21N, R49W

(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 Ernest E. Rozell

of Elk Point
the holder _____ and owner _____ of said permit No. 2349-3 a water right, dating from August 15, 1975
to use of 1.9 cubic feet per second of the waters

of ground water
in the County of Union 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 & 1320'S of the NW corner, Section 25, 191N, R49W

and conduct to and upon a 1 1/2 acre circle in the NW 1/4, Section 25, 191N, R49W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2349-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 3rd day of February A. D.

Nineteen Hundred and seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 2349-3

Water Diversion No. 3 Big Sioux River Water District

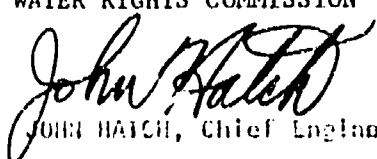
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Ernest C. Rozell

_____ the holder _____ of
Permit No. 2349-3, issued upon Application No. 2349-3, bearing date of priority of August 15,
1975 authorizing the diversion of 2.28 cu. ft. per second of the waters of _____
ground water County of Union, State of South Dakota at _____
a point 1320'E & 1320'S of the NW corner, Section 25, T11N. R49W
_____, for Irrigation

purposes, 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 2.23 cu. ft. per second of water.

Date February 3, 1976

By: **WATER RIGHTS COMMISSION**

JOHN HATCH, Chief Engineer

Form 6 - Notice of Intent to Appropriate Water

No. 2349-3

Publish first publication, on or before October 30, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 1, 1975

Notice is hereby given that Ernest E. Rozell

whose post office address is Elk Point, 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

2.28 cubic feet of water per second of time from the ground water through the Rozell Irrigation Project #5, the point of diversion of which is to be located in the

Center of the NW $\frac{1}{4}$

of Section 25, Twp. 91N, Range 49W. Said water to be used for the purpose of providing irrigation on the following described land:

NW $\frac{1}{4}$, Section 25, T91N, R49W

This application No. 2349-3 will be considered by the Water Resources Commission at their office at Pierre upon the 12th day of November, 1975, at 2:30 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Ernest E. Rozell, Box 101, Elk Point, S.D. 57025

No. 2349-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Lester E. Emerson hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Becker-Courier

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 Elk Point

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

October 9, 1975

October 16, 1975

Lester E. Emerson
(Signature)

Publisher
(Title)

October 16, 1975
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
October 1, 1975

Notice is hereby given that
Ernest E. Rozell, whose post
office address is Elk Point,
South Dakota, has made an app-
lication in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use
2.28 cubic feet of water per sec-
ond of time from ground water
through the Rozell Irrigation
Project #5, the point of divers-
ion of which is to be located in
the Center of the NW $\frac{1}{4}$ of Section
25, Twp. 91N, Range 49W. Said
water to be used for the purpose
of providing irrigation on the
following described land: NW $\frac{1}{4}$,
Section 25, T91N, R49W.

This application No. 2349-3
will be considered by the Water
Resources Commission at their
office at Pierre upon the 12th
day of November, 1975 at 2:30
p.m. All interested persons
may appear and be heard.
WATER RESOURCES
COMMISSION
By: Burton F. Jones
Water Rights Specialist
Publish: October 9, 16.

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE
DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT
DIVISION OF WATER RIGHTS
JOE FOSS BUILDING
PIERRE, SOUTH DAKOTA 57501

Post Office

Date

E. L. R. R. S. D.
Nov 29, 1975

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Dear Sirs:

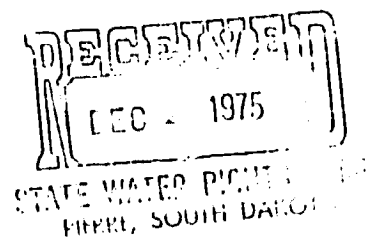
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2349-3.

Water Right Permit No. 2349-3 states that the diversion system is to be constructed by Nov 13, 1980 and that the water is to be put to beneficial use by Nov 13, 1980.

The diversion system was completed on Nov 16, 1975. Applying the water to beneficial use was completed on Nov 10, 1975.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

E. L. R. R. S. D.
(Signature)



2219 Crane Rock & 8.12.19

4-11-79 Well - 700 ft deep - 1000 GPM

Motor 215 HP

75 H.P. 1500 - 1000 RPM

FO# M-051625220

N 5007544

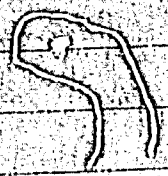
Pump Motor (Fuel)

Serial # 75311 - Prod 8.11

5-1-79

Valley CT. 211026-60

ser # 15949



Permit No. 2348-3Water Division 3 Big Sioux River Water District

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

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by ERNEST E Rozell of PO Box 101 Elk Point, S. Dak. 57625 holder of Permit No. 2348-3, bearing date of priority of August 15, 1975 authorizing the diversion of 2.28 cu. ft. per second of the waters of Ground for Irrigation purposes, in Union 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:
 Motor: A.S. Electrical, 75 HP, 1500-1800 RPM.
ID # M-057626 + 201 N5002544
 Pump: Western Land Reller, Ser # E 15311.
Head 8-11, 5 120 ft
Pumping 1000 gpm.
- B. Works used to transport water to place of use,
8" dia Aluminum pipe from well to center pivot

- C. Works used to apply water to beneficial use.
Valley Center Pivot Model. 4071, Ser # 16949

The system is in the following condition: Good.The point of diversion is located 1320 ft East and 130 ft South of the NW corner of Section 25, T41N R49W.The works are capable of diverting and conveying to the place of use 2.23 CFS.
 cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: All in Section 25, T41N R49W
NW 1/4 N 1/2 - 33.0 Ac. NE 1/4 N 1/2 - 33.0 Ac., SW 1/4 N 1/2 - 33.0 Ac.
SE 1/4 N 1/2 - 33.0 Ac.

comprising a total of 132. acres of land.

Well Data

Depth - 100 ftCapacity - Pumping 1000 gpm.

Date May 20 1977
L. Roy J. Minnigh
 (Signature)



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-315.

February 10, 1978

Ernest Rozell
Box 101
Elk Point, SD 57025

Dear Mr. Rozell:

Enclosed herewith are, Water License No. 2349-3 and Certificate of Construction.

Water License No. 2349-3 is the final water right document completing your process of obtaining water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
WATER RIGHTS COMMISSION

JH:gy

Enclosures

NOTE: Your pump capacity is 2.23 cfs (1001 gpm). Based upon the acreage actually irrigated you are entitled to only divert 1.9 cfs (852 gpm). Any diversion in excess of 1.9 cfs would be a violation of your water right.

**South Dakota Department of
Water & Natural Resources**

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

June 6, 1989

2349-3
2344-3

John Willilcke
Metropolitan Life Insurance
PO Box 2785
Sioux City, IA 51106

Dear Mr. Willilcke:

I am contacting you in regard to ownership of land described in Water Permit No. 2344-3, Wendell Bishop and Water Right No. 2349-3, Ernest Rozell (copies enclosed). You contacted us in November, 1988 to request transfer forms for filing ownership changes.

Enclosed are two "Notice of Transfer" forms for use in filing the ownership changes. Please complete the forms with the appropriate legal descriptions and sign them in the presence of a notary public. Upon completion of the forms, return them to our office with a required filing fee of \$2.50 each (total of \$5.00).

I apologize for the delay in sending these forms to you. If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosures





Department of Water & Natural Resources

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

2348-3

2349-3

2015-3

2016-3

2017-3

2526-3

February 17, 1989

Ernest Rozell, Jr.
RR 1, Box 28A
ElkPoint, SD 57025

Dear Mr. Rozell:

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

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

The new standards include:

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

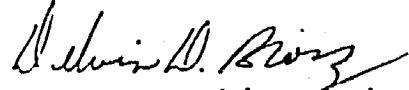


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09.05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

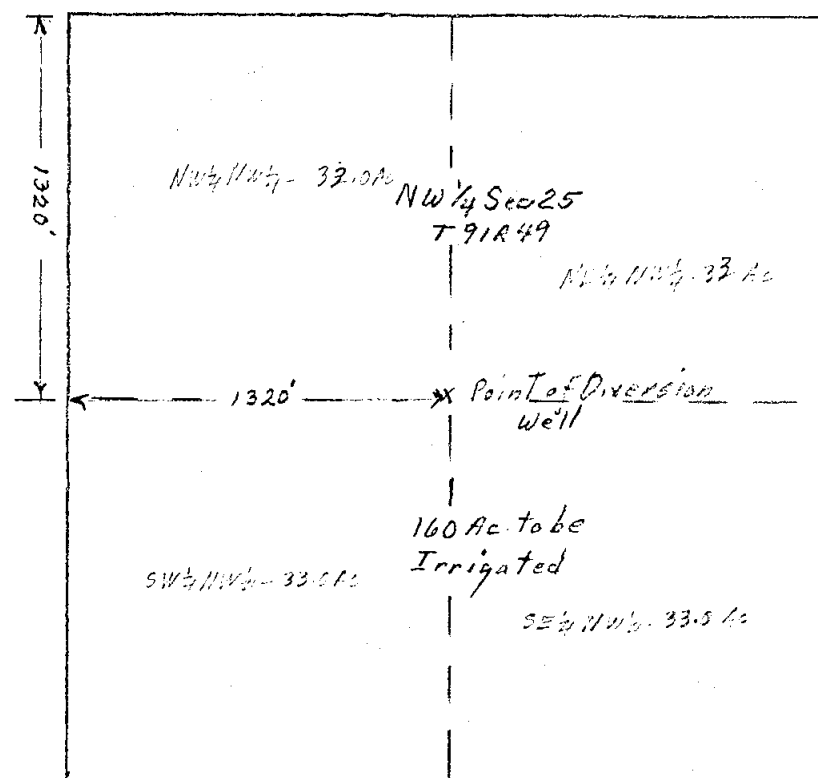
The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A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

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

Very truly yours,

for 
JOHN HATCH, Chief Engineer
Water Rights Division

NW Corner
Sec 25
T91R49



Scale 8" = 1 mi.

Ernest E Rozell
Elk Point, S.D.
Rozell Irrigation Project
160 Acres NW 1/4 Sec 25 T91R49

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed <u>C.K. Dahlgreen</u> 7-22-75	Date <u>7-22-75</u>	Approved by <u>C.K. Dahlgreen</u>
Drawn <u>C.K. Dahlgreen</u> 7-22-75	Title <u>Dist. Conservation</u>	
Traced _____	Sheet <u>1</u>	Drawing No. _____
Checked _____	No. <u>1</u>	of <u>1</u>



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 1, 2011

Michael Rozell
32955 476th Ave
Elk Point SD 57025

RE: Ownership changes for Water Right Nos. 2015-3, 2016-3, 2017-3, 2348-3, 2349-3, 2526-3,
3644-3 and 3674-3

Dear Mr. Rozell:

Thank you for the prompt return of the 2011 irrigation questionnaires. I note from the forms that ownership changes are needed for the above listed water rights.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Please review and complete as needed. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (total of \$400). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

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

enclosures

RECEIVED

NOV 28 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2349-3

Date: _____

I/We request that Water Right No. 2349-3

formerly owned by: Ernest E Rozell, Jr.

be transferred to: (name & address)

Michael & Joanne Rozell
32955 476th Avenue
Elk Point, SD 57025

-6808

Telephone No. 356-2961

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

132 acres - NW 1/4 Section 25, T91N, R49W

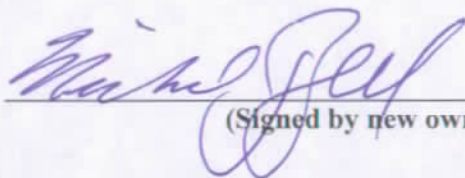
I/We understand that the validity of Water Right No. 2349-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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.

Michael & Joanne

I/We _____, the new owner, certify that the above information is true and correct.



(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/28, 20 11

RECEIVED OF Michael Rozell 32955 476th Ave Elk Point SD 57025

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>2349-3</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. **05002**

By

Michael Erbe

Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 30, 2011

Michael & Joanne Rozell
32955 476th Ave
Elk Point SD 57025

RE: Ownership changes for Water Right Nos. 2015-3, 2016-3, 2017-3, 2348-3, 2349-3, 2526-3
and 3644-3

Dear Mr. Rozell:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for the above listed water rights.

The ownership changes have been completed. The water rights formerly held by Ernest E Rozell are now listed in your names. Enclosed for your records are the receipts for the filing fees you paid.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, written in a professional style.

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

enclosures