

C
Welding
8-5-77

2-19-80

15' 1/2" of Steel plate

50' deep well 11' 1/2" 15' 1/2" 15' 1/2"

Welding 8" Pipe 11.200 ± 1075 400

100.4P Welding plate 11.200

10 10' 10' 10'

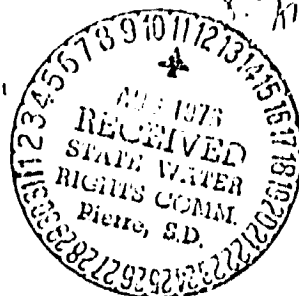
10 10' 10' 10' 10' 10' 10' 10'

Welding 100' 100' 100'

2898-3

1. Considered 9-29-76, 1976
2. Name of Applicant DARREL WESTERMAN
3. Post Office Address CHANCELLOR
4. Amount of water claimed 1.95
5. Source of water supply 50' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated 130
7. Water to be diverted and used in TURNER County
about SE 45 miles of PARKER
8. Proof of Publication Received 1/2
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2898-3
 Map No. 2230-3 Water Division No. 3 VERMILLION RIVER District
 (Plans to be Filed by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Darrel Westernman
 Post-office address Chancellor State S.D. 57015
 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 irrigation project WESTERMAN #2
 4. Amount of water claimed (cubic feet per second) 2-1.95 MAXIMUM ALLOWABLE
 5. Source of water supply well
 6. Location of point of diversion approximate center of SW 1/4-98-52

- County Turner
 7. Annual period or periods during which water is to be used June, July, Aug & Sept
 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 750 134

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.
NW 1/4 SW 1/4 6-98-52	36		
NE 1/4 SW 1/4 6-98-52	36		
SE 1/4 SW 1/4 6-98-52	36		
SW 1/4 SW 1/4 6-98-52 Less 1/4	26		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Two years. Additional time required to complete application of water to the proposed beneficial use _____ years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication New Era, Parker S.D.
 12. Principal Features of the Proposed Water Supply System

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

well & Pipe

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

Pipe

C. Works proposed to apply water to beneficial use.

center pivot systemEstimated Total Cost \$ 52,000

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 Turner

I, Darrel Westernman 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 Darrel WesternmanSubscribed and sworn to before me this 10th day of August 19 76

Notary Public (or other qualified officer)

M. J. SOMMERVOLD
 Notary Public, STATE OF SOUTH DAKOTA
 My Commission Expires February 11, 1982

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2898-3

DARREL WESTERMAN
(Applicant)

CHANCELLOR
(Post Office Address)

SOUTH DAKOTA 57015 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 adequate domestic wells or in irrigation wells having prior water rights.

PORTIONS OF THE LAND COVERED UNDER THIS PERMIT ARE ALSO COVERED UNDER PERMIT NO 2213-3. COMBINATIONS OF DIVERSION UNDER THE TWO PERMITS SHALL NOT EXCEED THE STATUTORY LIMITATION OF ICFS FOR EACH 70 ACRES IRRIGATED.

Date of first receipt of application AUGUST 11 19 76

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

Date of receipt of corrected application AUGUST 25 19 76

Approved SEPTEMBER 29 19 76, Recorded in Book 16 Page 306

WATER RIGHT PERMIT NO. 2898-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2898-3 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 11 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 29 19 77
3. The whole of said work is to be completed on or before SEPTEMBER 29 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 29 19 78
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 1.95 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 SEPTEMBER 29 19 79; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 21ST day of MARCH 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

[Handwritten signature]

August 17, 1976



(2)

Barrell Westerman
Chancellor, SD 57015

Dear Mr. Westerman:

The analysis of your two water samples submitted here recently has been completed. The sample analyzed is 100% as much higher in sulfate than the other sample. But otherwise there is no chemical difference. The soils which you propose to irrigate in two quarters of sec 6 are well suited for irrigation although they are slightly salted rapidly drained and there should be no difficulty arising from the irrigation of this water on either of the two quarters you intend to irrigate.

A copy of this letter is being sent with your application materials and your 41-1 form to the State Conservation Commission for their action.

Sincerely yours,

L. W. Fink
L. W. Fink
Water Quality Lab

cc: State Conservation Commission
D. Fohl
Pierre, County Extension Agent

LWF:jm
Enclosures

OBSERVATION
COMMISSION
FORM W1 #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)

NAME David Peterson

ADDRESS Chapin

COUNTY Turner



LEGAL DESCRIPTION

1. WELL LOCATION Block 1-6-92-52
2. LOCATION OF AREA TO BE IRRIGATED 504-6-92-52

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____
4. CROPS TO BE IRRIGATED Corn

WATER QUALITY

5. SAMPLE NUMBER 76-969
6. SALINITY (EC x 10⁶) 851 (moderately high)
7. SODIUM (SAR) 0.24 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from Turner Co Conservation District,
County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true
and correct.

SUBSCRIBED AND SWORN BEFORE ME THIS
6 DAY OF August 19 76

M. J. SOMMERVOID
Notary Public, STATE OF SOUTH DAKOTA
My Commission Expires February 11, 1980
CITY OF SEAL

David Peterson
APPLICANT'S SIGNATURE

M. J. Sommervoid
APPROVED/NOTARY

(SOILS INFORMATION ON REVERSE SIDE)

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

Submitted by: John J. Brown
Address: 1000 1st St., N.E., Wash., D.C. 20002

Date Rec'd. 3/17/76, 1976

Sample No. 7-22-27

Identification 100-100000 91

WATER ANALYSIS

Calcium (Ca)	91	ppm*	4.08	mc/l**
Magnesium (Mg)	42	ppm	3.68	mc/l
Sodium (Na)	11	ppm	0.48	mc/l
Potassium (K)	4	ppm	0.10	mc/l
Sulfate (SO ₄)	215	ppm	4.47	mc/l
Nitrate (as N)	2	ppm	0.06	mc/l
Chloride (Cl)	317	ppm	5.10	mc/l
Bicarbonate (HCO ₃)		ppm		mc/l
Carbonate (CO ₃)		ppm		mc/l
Iron (Fe)		ppm		mc/l
Fluoride (F)		ppm		mc/l
Hardness (EDTA as CaCO ₃)		ppm		mc/l
Alkalinity (Methyl Orange)	260	ppm (as CaCO ₃)		g.p.g.***
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	852	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.24			
Sodium	0.20	% of cations		
Residual sodium carbonate	0.00	mc/l		
pH	7.74			
Others:				

* ppm = parts per million
 ** mc/l = milliequivalents per liter
 *** g.p.g. = grains per gallon

COMMENTS:	Total options	8.17	no/1
	Total income	9.78	no/1



By: 2012-10-23

Service Performed

Amount Due

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 70-109

Amount Enclosed \$

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

D Well Information or Estimates

- (1) Drill Hole, Diameter 18", Depth 50'
(2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 14" Thickness 1/4"
(3) Perforated Screen.
Type Johnson, Diameter 14", Length 15'
(4) Gravel Pack, Thickness 4", Length of gravel pack 45"

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 water bearing sands
and gravel

Depth to top of water bearing material 8'

Depth to bottom of water bearing material 50'

Thickness of water bearing material 42'

Depth to water (ground surface to water level) 10'

- (2) Distance to nearest existing household or livestock watering well:

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

Daniel Keetman
Signature of Applicant

WATER LICENSE NO. 2898-3

(1) WHEREAS, On the 11th day of August A.D. 1976
Darrell Westerman

made Water Right Application No. 2898-5 for a permit to use 1.95 cubic feet per second of the waters of ground water (one well)

County of Turner, State of South Dakota, for Irrigation

(2) WHEREAS, On the 29th day of September A. D. 1976 purposes; and

Permit No. 2898-3 with a date of priority of August 11, 1976

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 29th day of September A. D. 19 78 and for the application to beneficial use of said water on or before the 29th day of September A. D. 19 78

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 1.88 cubic feet per second of water for beneficial use and,

(1) 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 the following lands in Section 6, T98N, R52W

NW1, SW1 36 acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ " acres

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 26 acres

SE¼ SW¼ 36 acres

TOTAL 134 acres

(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 Darrell Westerman

_____ of Chancellor, SD
the holder _____ and owner _____ of said permit No. 2898-3 a water right, dating from August 11, 1976
_____ to use of 1.88 cubic feet per second of the waters
of ground water (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 N 40°E, 1850 ft. from SW corner, Sec. 6
T98N, R52W

and conducted to and upon portions of land in Section 6, T98N, R52W more fully described
on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 2898-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 9th day of September A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD
By: John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 2898-3

Water Diversion No. 3 Vermillion River Water District
10170102

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Darrell Westerman

_____ the holder _____ of
Permit No. 2898-3, issued upon Application No. 2893-3, bearing date of priority of _____
August 11, 1976 authorizing the diversion of 1.95 cu. ft. per second of the waters of _____
ground water (one well) County of Turner, State of South Dakota at _____
a point N 40°E, 1850 ft. from SW corner, Section 6, T98N, R52W

_____, 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 1.88 cu. ft. per second of water.

Date September 9, 1980


JOAN HATCH, Chief Engineer
Water Rights Division

on

1917

1918

1919

1920

1921

1922

1923

1924

1925

1926

1927

1928

1929

1930

1931

1932

1933

1934

1935

1936

1937

1938

1939

1940

1941

1942

1943

1944

1945

1946

1947

1948

1949

1950

1951

1952

1953

1954

1955

1956

1957

1958

1959

1960

1961

1962

1963

1964

1965

1966

1967

1968

1969

1970

1971

1972

1973

1974

1975

1976

1977

1978

1979

1980

1981

1982

1983

1984

1985

1986

1987

1988

1989

1990

1991

1992

1993

1994

1995

1996

1997

1998

1999

2000

2001

2002

2003

2004

2005

2006

2007

2008

2009

2010

2011

2012

2013

2014

2015

2016

2017

2018

2019

2020

2021

2022

2023

2024

2025

2026

2027

2028

2029

2030

2031

2032

2033

2034

2035

2036

2037

2038

2039

2040

2041

2042

2043

2044

2045

2046

2047

2048

2049

2050

2051

2052

2053

2054

2055

2056

2057

2058

2059

2060

2061

2062

2063

2064

2065

2066

2067

2068

2069

2070

2071

2072

2073

2074

2075

2076

2077

2078

2079

2080

2081

2082

2083

2084

2085

2086

2087

2088

2089

2090

2091

2092

2093

2094

2095

2096

2097

2098

2099

2100

2101

2102

2103

2104

2105

2106

2107

2108

2109

2110

2111

2112

2113

2114

2115

2116

2117

2118

2119

2120

2121

2122

2123

2124

2125

2126

2127

2128

2129

2130

2131

2132

2133

2134

2135

2136

2137

2138

2139

2140

2141

2142

2143

2144

2145

2146

2147

2148

2149

2150

2151

2152

2153

2154

2155

2156

2157

2158

2159

2160

2161

2162

2163

2164

2165

2166

2167

2168

2169

2170

2171

2172

2173

2174

2175

2176

2177

2178

2179

2180

2181

2182

2183

2184

2185

2186

2187

2188

2189

2190

2191

2192

2193

2194

2195

2196

2197

2198

2199

2200

2201

2202

2203

2204

2205

2206

2207

2208

2209

2210

2211

2212

2213

2214

2215

2216

2217

2218

2219

2220

2221

2222

2223

2224

2225

2226

2227

2228

2229

2230

2231

2232

2233

2234

2235

2236

2237

2238

2239

2240

2241

2242

2243

2244

2245

2246

2247

2248

2249

2250

2251

2252

2253

2254

2255

2256

2257

2258

2259

2260

2261

2262

2263

2264

2265

2266

2267

2268

2269

2270

2271

2272

2273

2274

2275

2276

2277

2278

2279

2280

2281

2282

2283

2284

2285

2286

2287

2288

2289

2290

2291

2292

2293

2294

2295

2296

2297

2298

2299

2300

2301

2302

2303

2304

2305

2306

2307

2308

2309

2310

2311

2312

2313

2314

2315

2316

2317

2318

2319

2320

2321

2322

2323

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

No. 2898-3
NOTICE INTENT
TO APPROPRIATE WATER
Pierre, South Dakota 57501

Notice is hereby given that Darrel Westerman, whose post office address is Chancellor, 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 1.95 cubic feet of water per second of time from ground water through the Westerman No. 2, the point of diversion of which is to be located in the Center of the SW¹/₄ of Section 6, Twp. 28N, Range 52W. Said water to be used for the purpose of providing irrigation on portions of the following land: SW¹/₄, Section 6, T28N, R52W.

This application No. 2898-3 will be considered by the Water Rights Commission at their office at Pierre upon the 29th day of September, 1976, at 10:00 A.M. All interested persons may appear and be heard.

WATER RESOURCES
COMMISSION
By: Burton F. Jones
Water Rights Specialist
BFJ/bw
cc:
Darrel Westerman, Chancellor, S.
D. 57015.

(2tc24--Sept. 2 & 9, 1976)

that \$....., 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 whatsoever.

Publication Fees \$ 11.50

Notary Public, Turner County, South Dakota.

Notary Public, Turner County, South Dakota.
Paul J. Brown

Publish first publication, on or before September 16, 1976NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 30, 1976Notice is hereby given that Darrel Westermanwhose post office address is Chancellor, 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 use1.95 cubic feet of water per second of time from ~~the~~ ground water through the Westerman #2, the point of diversion of which is to be located in the _____Center of the SW $\frac{1}{4}$ of Section 6, Twp. 38N, Range 52W. Said water to be used for the purpose

of providing irrigation on the following described land:

SW $\frac{1}{4}$, Section 6, T38N, R52W

This application No. 2898-3 will be considered by the Water Rights Commission at their office at Pierre upon the 29th day of September, 1976, at 10:00 A. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights SpecialistBFJ/bw
cc:

Darrel Westerman, Chancellor, S.D. 57015

Form 10.

No. 2818-3



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Chanall, S.D. 57015

Date 7-6-77

TO: Water Rights Commission
Joe Foss Building
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. 2848-2.

Water Right Permit No. 2848-3 states that the diversion system is to be constructed by Sept 29, 1978 and that the water is to be put to beneficial use by Sept 29, 1978.

The diversion system was completed on June 15, 1977.
Applying the water to beneficial use was completed on June 17, 1977.

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.

Daryl K. Kesterman
(Signature)

Form 12.

Permit No. 2898-3

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 DARRELL WESTERMAN of CHANCELLOR holder of Permit No. 2898-3 Leasing date of priority of AUGUST 11, 1976 authorizing the diversion of 1.95 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:

50' DEEP WELL WITH 14" STEEL CASING - 15' SS SCREEN
NORTHERN PUMP-MODEL N200 #1070 400
POWERED BY 100HP WESTINGHOUSE ELECTRIC MOTOR

B. Works used to transport water to place of use,

10' OF 10" LINE TO CENTER OF PILOT

C. Works used to apply water to beneficial use.

6. TOWER HYGROMATIC CENTER PILOT SYSTEM WITH
200 END GUN

The system is in the following condition: GOOD

The point of diversion is located N 40° E, 1850 FEET FROM THE SW
CORNER, SECTION 6, T98N R52W

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 6, T98N, R52W

<u>NW⁴SW⁴</u>	<u>3 1/2 AC</u>
<u>NE⁴SW⁴</u>	<u>36 AC</u>
<u>SW⁴SW⁴</u>	<u>26 AC</u>
<u>SE⁴SW⁴</u>	<u>36 AC</u>

comprising a total of 134 acres of land

Date JUNE 19, 1980
Burton J. [Signature]
(Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7650

PIERRE, August 18, 1911

RECEIVED OF Daniel Masterson, Chancellor CB 17011
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. <u>2018-3</u>	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. <u>2018-3</u>		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
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 Daniel Masterson
Chief Engineer, Executive Officer

2897-3
2898-3

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

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

February 17, 1989

Darrell Westerman
RR 1, Box 4
Chancellor, SD 57015

Dear Mr. Westerman:

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).

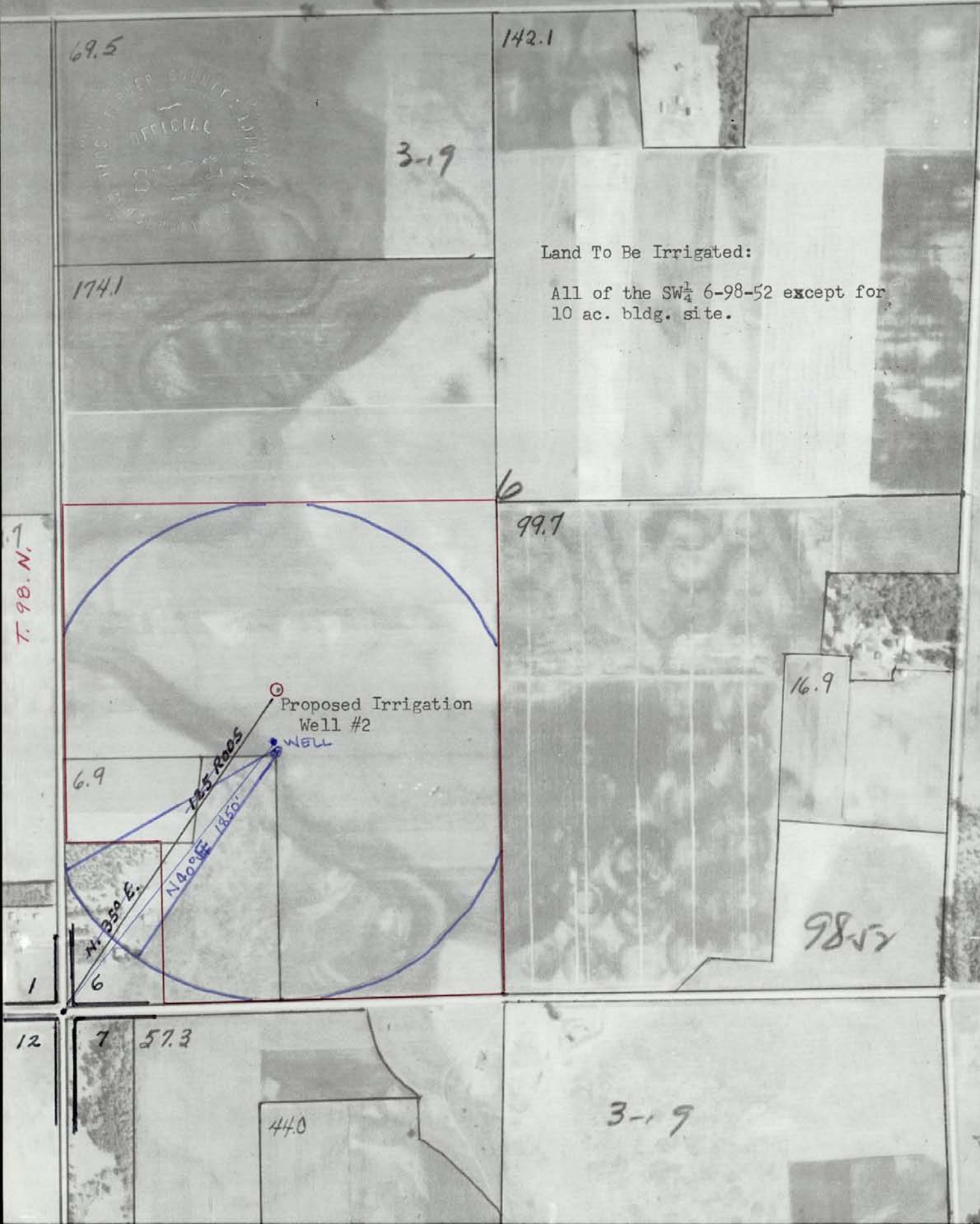
Very truly yours,

Alvin D. Broz
for JOHN HATCH, Chief Engineer
Water Rights Division

DARREL WESTERMAN IRRIGATION SYSTEM #2
Darrel Westerman, Chancellor, S. Dak. 57015

R. 52 W.

MAP NO 22230-3 APPL NO 2898-3



T. 98. N.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

No. 2898-3

August 6, 2015

Darrel Westerman
46065 278th St
Chancellor SD 57015

Dear Mr. Westerman:

The Department of Environment and Natural Resources (DENR) has received information alleging the irrigation system located in the SW 1/4 Section 6-T98N-R52W had irrigation water from the end guns overspraying on the road.

It is common for center pivots to have stops which can be engaged to shut off the operation of the end gun when the pivot nears a road. Please take steps to insure end gun stops are functioning properly so there is not direct overspray on to the road.

A water right holder is not allowed to operate an irrigation system in violation of state water law, which includes unauthorized end gun overspray upon land not authorized by the water right. Continued overspray can result in DENR taking enforcement action.

If you don't believe this irrigation system is causing the overspray, or if you have any questions, please contact me at (605) 773-3352 or by email at eric.gronlund@state.sd.us.

Thank you for your cooperation,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

Gronlund, Eric

From: kknittel@gwtc.net
Sent: Monday, August 03, 2015 10:29 AM
To: Gronlund, Eric
Subject: Overspray

On July 31 about 8pm

T98N R53W

NW1/4 sec 12 Hurley twp water is spraying on the road.

This was reported to the turner county sheriffs department On August 2 about 2:30pm T98N R52W

SW1/4 sec6 Middletown twp water spraying on the road. 2898-3 Darrel Westerman

This was also reported to the Turner County Sheriff Office They sent someone out to check on it so you can contact them for the proof that you want and then do something about this problem

SW1/4 Sec 6-T98N-R52W

Kelly Knittel
Freeman SD
929-6340

No. 2898-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Right No. 2898-3

ADDRESS: COUNTY: Turner County

DATE: August 10, 2015 TELEPHONE: 605 310-2247

RE: Call from Darrel Westerman

Mr. Westerman called regarding the August 6, 2015, letter to him regarding endgun overspray from the system in the SW ¼ Section 6, T98N, R52W authorized by No. 2898-3. He wanted to know what roads the overspray is enforced on (ie. – oil, gravel, section lines). The law does not allow you to irrigate directly on land that is not part of the permit so from that aspect all of the roads apply. I said that certainly those of most interest are high traffic roads but even the lesser traveled road receive damage from direct overspray. I told Mr. Westerman that DENR wanted to work with them and asked that he monitor the pivot. We understand they are trying to optimize production and that end gun stops can malfunction but he needs to try to address the issue if endgun overspray is occurring.

Mr. Westerman was a frustrated that this is a lightly traveled road. He also said he's the one that has to deal with the situation when someone comes out and throws trash including tires into the ditch on his property. I told him I understand his frustration with such matters but DENR can only enforce what the law gives us jurisdiction to enforce. He understood and said he would check the end gun stops and get them to turn off sooner when approaching the road.

NAME: Eric Hunkeler



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 21, 2022

Duane Smit
Westerman Farms
46065 278th St
Chancellor SD 57015

RE: Water Right Nos. 2213-3, 2898-3, 3634-3, 5632-3 & 7149-3

Dear Mr. Smit:

I am writing in regard to the notations made on the annual irrigation questionnaires you submitted on November 1st. It is my understanding you wish to change the water rights to Westerman Farms. The water rights are currently held by either Darrel or Kent Westerman.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing ownership changes. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$250). The check or money order for the fee can be made payable to the Water Rights Program.

Thank you in advance for updating the water rights. If I can answer any questions for you, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

2898-3

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date January 30, 2023RECEIVED OF Westerman Farms 46065 278th St., Chancellor SD 57015

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>2898-3</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 Eric Gronlund
Chief Engineer
vm

PAID

JAN 30 2023

Ck# 13076

Rec't# _____

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2898-3

Date: _____

I/We request that Water Right No. 2898-3

formerly owned by: Darrel Westerman

be transferred to: (name & address) Westerman Farms

46065 278th str.
Chancellor, SD 57015 Telephone No. 605-351-2597

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

134 acres – SW ¼ Section 6, T98N, R52W

I/We understand that the validity of Water Right No. 2898-3 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.

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

Westerman Farms by Kent Westerman
(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.

RECEIVED

JAN 30 2023

OFFICE OF
WATER



2898-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 31, 2023

Kent Westerman
Westerman Farms
46065 278th St
Chancellor SD 57015

RE: Water Permit or Right Nos. 2213-3, 2898-3, 3634-3, 5632-3 and 7149-3.

Dear Mr. Westerman:

Thank you for sending in the transfer forms and filing fees for Water Permit or Right Nos. 2213-3, 2898-3, 3634-3, 5632-3 and 7149-3.

The ownership changes have been completed. The above listed numbers are now listed under **Westerman Farms**.

Enclosed for your records are receipts for the filing fee you paid. If you have any questions, please let me know.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures