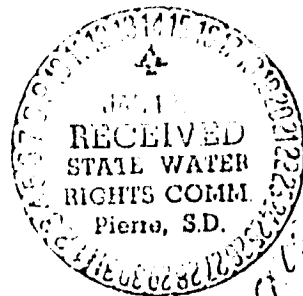


Water Right Number 3644.3

1. Considered 3-23, 19 77
2. Name of Applicant E.E. ROZELL
3. Post Office Address ELK POINT
4. Amount of Water claimed 90
5. Source of Water supply 100' WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 63
7. Water to be diverted and used in UNION County
about 2N, 2W miles 1 of JEFFERSON
8. Proof of Publication Received 1st 3-21-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

Map No. 2919-3 Water Division No. 3 Pig-SIOUX RIVER District _____
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriately Water within the State of South Dakota

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

1. Name of Applicant E. F. Rozell
Postoffice address Box 101 Elk Point, State SD 57025
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 #7
4. Amount of water claimed (cubic feet per second) 9 c. f. s.
5. Source of water supply Well
6. Location of point of diversion SE 1/4 NE 1/4 Sec 10 R90N T49W
County Union
7. Annual period or periods during which water is to be used April through October
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 63

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 1/4 NE 1/4 Sec 10 R90N T49W</u>	<u>63</u>		

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 5 years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Elk Point Leader Courier
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.

Pipe

C. Works proposed to apply water to beneficial use.

Gated PipeEstimated Total Cost \$ 15,000.00Attachments: 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)
) ss.County of Union)I, E. F. 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 constructionSigned E. F. RozellSubscribed and sworn to before me this 11th day of January, 1977Arvin F. Rasmussen
Notary public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3644.3

E. E. LOZELL
(Applicant)

Box 101, Elk Point
(Post Office Address)

SOUTH DAKOTA 57035
(State)

With the following modifications:

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.

Date of first receipt of application JANUARY 14, 19 77

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

Date of receipt of corrected application FEBRUARY 7, 19 77

Approved MARCH 23, 19 77, Recorded in Book 18 Page 17

WATER RIGHT PERMIT NO. 3644.3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3644.3 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 JANUARY 14, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 23, 19 79
3. The whole of said work is to be completed on or before MARCH 23, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 23, 19 82
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 .90 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 MARCH 23, 19 82; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 20TH day of APRIL, 19 77

WATER RIGHTS COMMISSION

By:

John H. Hallett
Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 29, 19 80

Water License Issued JANUARY 29, 19 80

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimate

- (1) Drill Hole, Diameter 30, Depth 100
- (2) Casing, Type Transite Diameter 16 Thickness 1 1/2
(wood, concrete, steel, etc)
- (3) Perforated Screen.
- Type Sawed slotted, Diameter 16, Length 39
- (4) Gravel Pack. Thickness 14, Length of gravel pack 50

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 Will send later

Depth to top of water bearing material 35

Depth to bottom of water bearing material 100

Thickness of water bearing material 65

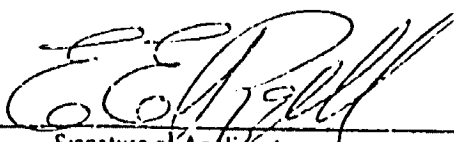
Depth to water (ground surface to water level) 16'

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

On same owner's property 0 rds. On property owned by others 16' rds.

G. Water Storage Dams.

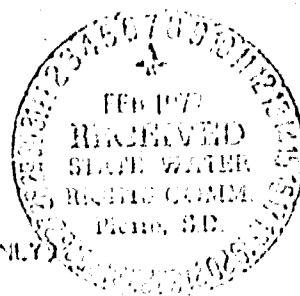
If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.


Signature of Applicant

STATE COMMISSION OF IRRIGATION
SUPPORTING INFORMATION

FOR APPLICATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED

(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)



NAME E. E. Ruff
ADDRESS 211 N. Main St. Pierre, S.D. 57501
COUNTY Sioux

LEGAL DESCRIPTION

1. WELL LOCATION S. 1/4 Sec 10 T. 94N. R. 44.5W. 1/4
2. LOCATION OF AREA TO BE IRRIGATED Same as above

TYPE OF IRRIGATION

3. GRAVITY ☒ FLOWLINE ☐ CENTER PIVOT ☐ GUN ☐
4. CROPS TO BE IRRIGATED Corn, Soybeans, Alfalfa, etc.

WATER QUALITY

5. SAMPLE NUMBER 77-061
6. SALINITY (EC x 10⁶) 5.94 (measured)
7. SODIUM (SAR) 1.66 (calcd)
8. RESIDUAL SODIUM CARBONATE (RSC/L) 0.69

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 Sioux Falls 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.

E. E. Ruff
APPLICANT'S SIGNATURE

SUBSCRIBED AND SHOWN BEFORE ME THIS
DAY OF January 19 72.

(TITLE OR SEAL)

(APPROVED/RECEIVED)

(SOILS INFORMATION ON REVERSE SIDE)

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57005

Sample No. 77-32 Date 10/11/77
 Address Box 10, Brookings, SD 57005
 Identification 10/11/77, 10/11/77, 10/11/77

WATER ANALYSIS

Calcium (Ca)	62	ppm*	3.10	me/l**
Magnesium (Mg)	4	ppm	0.20	me/l
Sodium (Na)	70	ppm	3.50	me/l
Potassium (K)	1	ppm	0.05	me/l
Sulfate (SO ₄)	15	ppm	0.75	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	4	ppm	0.20	me/l
Bicarbonate (HCO ₃)	41	ppm	2.05	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)		ppm		
Alkalinity (Methyl Orange)	37	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	62	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.66			
Sodium	30.23	% of cations		
Residual sodium carbonate	0.62	me/l		
pH	7.17			
Others:				

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

COMMENTS: Total cations: 10.11 me/l
 Total anions: 10.22 me/l

By: Stanley Mitten

Service Performed	Amount Due
Water Analysis - 10/11/77	\$15.00

Make checks payable to: Water Quality Laboratory
 Cut along dotted line and return the lower portion with payment

Sample No. 77-32 Amount Enclosed 15
 Signed _____

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3644-3

(1) WHEREAS, On the 14th day of January A. D. 19 77
Ernest E. Rozell, Jr.

made Water Right Application No. 3644-3 for a permit to use 90 cubic feet per second of the waters of groundwater (one well)

County of Union, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 23rd day of March A. D. 19 77

Permit No. 3644-3 with a date of priority of January 14, 1977

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 23rd day of March A. D. 19 82 and for the application to beneficial use of said water on or before the 23rd day of March A. D. 19 82

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 90 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 10 - T90N - R49W

Acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 23

TOTAL ACRES 63

(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, SD
the holder _____ and owner _____ of said permit No. 3644-3 a water right, dating from January 14, 1977
to use of .00 cubic feet per second of the waters
of groundwater (one well)
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 1950 ft. South and 30 ft. East of
the N $\frac{1}{4}$ Corner, Section 10 - T90N - R49W

and conduct to and upon portions of land in NE $\frac{1}{4}$, Section 10 - T90N -
R49W more fully described on the face of this license
for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 3644-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 29th day of January A. D.
Nineteen Hundred and Eighty

Board of Water Management

By:

John Hatch
Chief Engineer

JOHN HATCH

Permit No. 3644-3

Water Diversion No. 3 Big Sioux River Water District

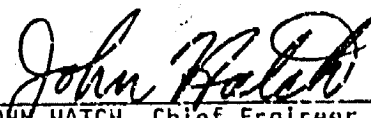
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Ernest M. Rozell Jr.

_____ the holder _____ of
Permit No. 3644-3, issued upon Application No. 3644-3, bearing date of priority of January 14,
1977 authorizing the diversion of .90 cu. ft. per second of the waters of _____
groundwater (one well) County of Union, State of South Dakota at a
point 1950 ft. South and 30 ft. East of the N $\frac{1}{2}$ Corner,
Section 10 -T90N - R49W
_____, 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 2.0 cu. ft. per second of water.

Date January 29, 1980


JOHN HATCH, Chief Engineer
Water Rights, WMD

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 3644-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, Bester E. Emerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leader-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:

March 10, 1977
March 17, 1977

Bester E. Emerson
(Signature)

Publisher
(Title)

March 17, 1977
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER 3-17
Pierre, South Dakota 57501
March 2, 1977

Notice is hereby given that E.
E. Rozell whose post office ad-
dress is Elk Point, South Dakota,
has made an application in accor-
dance with the provisions of the
water laws of South Dakota for a
permit to appropriate for bene-
ficial use 0.9 cubic feet of water
per second of time from ground
water through the Rozell #7, the
point of diversion of which is to
be located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec-
tion 10, Twp. 90N, Range 49W.
Said water to be used for the pur-
pose of providing irrigation on
portions of the following describ-
ed land: S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 10,
T90N, R49W.

This application No 3644-3
will be considered by the Water
Rights Commission at their off-
ice at Pierre upon the 23rd, day
of March, 1977, at 10:00 A.M.
All interested persons may ap-
pear and be heard.
WATER RIGHTS COMMISSION
By James Winterton
Water Rights Specialist
Pub. March 10, 17.



Form 6 - Notice of Intent to Appropriate Water

No. 3644-3

Publish first publication, on or before March 10, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 2, 1977

Notice is hereby given that E. 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
0.5 cubic feet of water per second of time from the ground water through the
Rozell # 7, the point of diversion of which is to be located in the _____

S4 NE 1/4
of Section 10, Twp. 90N, Range 50W. Said water to be used for the purpose
of providing irrigation on the following described land:

S4 NE 1/4, Section 10, T90N, R49W

This application No. 3644-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 23rd day of March, 1977, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

HURTON XXX JONES X JAMES WINTERTON
Water Rights Specialist

BEJ/bw

cc:

E. E. Rozell, Box 101, Elk Point, SD 57025

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7217

PIERRE, January 16, 1980

RECEIVED OF Ernest E Rozell, Rozell Real Estate Company, Elk Point, SD 57025

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. 3644-3	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 3644-3		
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 *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (gy)

Permit No. 3644-3Water 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 F. ROZELL JR. of ELK POINT holder of Permit No. 3644-3, bearing date of priority of JANUARY 14, 1977 authorizing the diversion of .90 cu. ft. per second of the waters of GROUNDWATER 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:

100' DEEP WELL WITH 16" TRANSITE CASING
WESTERN LAND PULLER 8" PUMP
POWER: TAKE OFF USING FARMALL 856 GAS TRACTOR.

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

HAS 40 EDDS OF 8" PLASTIC MAINLINE

C. Works used to apply water to beneficial use.

1/4 MILE OF 8" GATED PIPE WITH 30" SPACING ON
GATES

The system is in the following condition: NEW

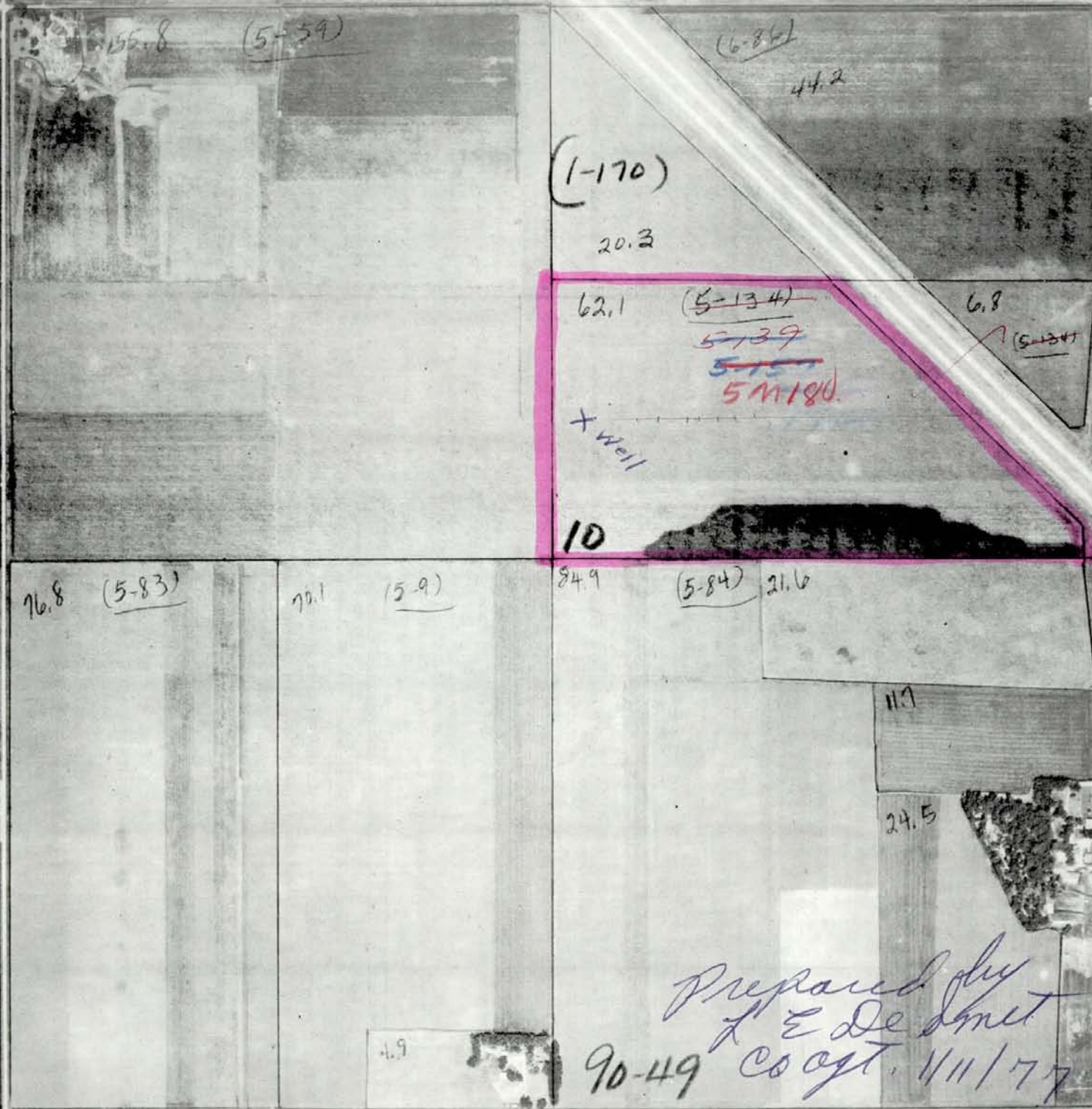
The point of diversion is located 1450'S & 30'E OF THE N 1/4 CORNER,
SECTION 10, T90N, R44W

The works are capable of diverting and conveying to the place of use 2.0cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 10, T90N, R44WSW 1/4 NE 1/4 4.0 ACRESSE 1/4 NE 1/4 23 "comprising a total of 63 acres of land. .90

Date JULY 25 1979
B. W. M. Dineo
(Signature)

MAP NO 2019-3 APP 12-36-44-3
M100
5-157
5-107

NOT TO SCALE



Prepared by
E De Smet
90-49 Coapt. 1/11/77



**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. 3644-3

Date: _____

I/We request that Water Right No. 3644-3

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:

63 acres - S 1/2 NE 1/4 Section 10, T90N, R49W

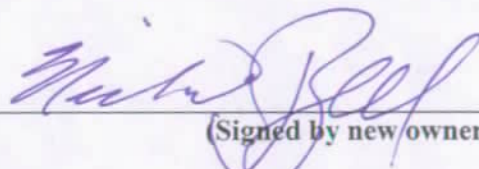
I/We understand that the validity of Water Right No. 3644-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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 Rozell

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>3644-3</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. **05084**

By *Paul J. Schuler* *JS*
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,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

November 3, 2015

3644-3

Michael & Joanne Rozell
32955 476th Ave
Elk Point SD 57025 6808

Dear Mr. & Mrs. Rozell:

Thank you for the prompt return of your 2015 irrigation questionnaires.

It is my understanding from the notation made on the questionnaire for Water Right No. 3644-3 the land has been enrolled in CRP through 2025. Under SDCL 46-5-37.2, no water right or permit may be forfeited for nonuse if land authorized for irrigation by a permit or right is placed under an acreage reserve or production quota program or otherwise withdrawn from use as required for participation in any federal program, if:

- the water source is not fully appropriated
- if the withdrawal from use does not prevent approval of new permits from the same source, and
- if the appropriated water has been applied to beneficial irrigation use prior to participation in a federal program.

The annual irrigation questionnaire for Water Right No. 3644-3 will not be mailed to you until the land comes out of CRP. If the land is sold or other changes occur prior to the land coming out of the program, please notify us so that appropriate changes can be made to the water right.

If you have any questions, please contact me.

Sincerely,

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

Water Right No. 3644-3
Michael and Joanne Rozell

Water Right No. 3644-3 authorizes the irrigation of 63 acres located in:

Section 10, T90N, R49W
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 23 acres

Do you still own the land described above?

Yes ☒

No ☐ (If no, please list the name, mailing address, and phone number of the new owner)

Has the land been re-enrolled in CRP:

Yes ☐ through calendar year ☐

No ☒

*Farm Track 767 comes up for
renewal Sep 30, 2026*

If the land has not been re-enrolled in CRP, we will begin mailing irrigation questionnaires to you for annual reporting. Questionnaires are mailed to irrigators in October each year and are due back in December.

For informational purposes:

46-5-37.2. Exceptions to forfeiture for nonuse. The provisions of § 46-5-37 notwithstanding, no water right or permit may be forfeited for nonuse if land authorized for irrigation by a permit or right is placed under an acreage reserve or production quota program or otherwise withdrawn from use as required for participation in any federal program, if:

- the water source is not fully appropriated
- if the withdrawal from use does not prevent approval of new permits from the same source, and
- if the appropriated water has been applied to beneficial irrigation use prior to participation in a federal program.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

March 31, 2025

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

No. 3644-3

Dear Mr. and Mrs. Rozell:

I am contacting you in regard to Water Right No. 3644-3, authorizing the diversion of 0.90 cubic feet of water per second from groundwater, one well (Missouri: Elk Point Aquifer), for the irrigation of 63 acres located in the S ½ NE ¼ Section 10, T90N, R49W.

Irrigators in South Dakota are required to submit an annual irrigation questionnaire reporting how much water was pumped during the irrigation season. Our records show the land authorized for irrigation under Water Right No. 3644-3 has been in the Conservation Reserve Program (CRP) through 2025.

The purpose of this letter is to find out the status of irrigation on your property. Please take a few minutes and answer the questions on the attached sheet and return it in the envelope provided. If you have made a decision not to resume irrigation, let me know that as well.

Thank you in advance for your help in updating the water right.

Sincerely,

Miranda Smith
Water Rights Program
605 773-3352
Miranda.Smith@state.sd.us

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 12, 2026

3644-3

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

Dear Rozell's:

We are contacting you regarding Water Right No. 3644-3, authorizing the diversion of 0.90 cubic feet of water per second from one well for the irrigation of 63 acres located in the S ½, NE ¼, Section 10-T90N-R49W, Union County.

Irrigators in South Dakota are required to submit an annual irrigation questionnaire reporting how much water was pumped during the irrigation season. Our records show that the land authorized for irrigation under Water Right No. 3644-3 has been in the Conservation Reserve Program (CRP) through 2026.

The purpose of this letter is to find out the status of irrigation on your property. Please take a few minutes and answer the questions on the attached sheet and return it in the envelope provided. Please let us know if you have decided not to resume irrigation for the upcoming year 2027.

Thank you in advance for your help in updating this water right.

Sincerely,

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

Cc: Oliver Montagne, 4002 Teton Tree Apt #222, Sioux City, SD 51104

RECEIVED

SEP 09 2026

OFFICE OF
WATER

**Water Right No. 3644-3
Michael & Joanne Rozell**

Water Right No. 3644-3 authorizes 63 acres located in the S $\frac{1}{2}$, NE $\frac{1}{4}$, Section 10-T90N-R49W

Do you still own the land described above?

Yes ☒

No ☐ (If no, please list the name, mailing address, and phone number of the new owner)

Has the land been re-enrolled in CRP:

Yes ☒ through calendar year 2036

No ☐

If the land has not been re-enrolled in CRP, we will begin mailing irrigation questionnaires to you for annual reporting. Questionnaires are mailed to irrigators in October each year and are due back in December.

For informational purposes:

46-5-37.2. Exceptions to forfeiture for nonuse. The provisions of § 46-5-37 notwithstanding, no water right or permit may be forfeited for nonuse if land authorized for irrigation by a permit or right is placed under an acreage reserve or production quota program or otherwise withdrawn from use as required for participation in any federal program, if:

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- if the appropriated water has been applied to beneficial irrigation use prior to participation in a federal program.