

1. Considered MAY 1 19 81
 2. Name of Applicant MICHAEL J. ROZELL
 3. Post Office Address RR #1, Box 28A, ELK POINT
 4. Amount of Water Claimed 2.23
 5. Source of Water Supply 102' WELL
 6. Water to be used for IRR.
 7. Acres to be irrigated 156.3 maximum acre feet
 8. Water to be diverted and used in UNION County
about 1 1/2 E 3 miles NORTH of JEFFERSON
 9. PROOF OF PUBLICATION Received (DE) 4-21-81
Not Received _____
- APPLICATION Approved _____
Subject to _____
Not Approved _____
Action deferred _____

Priority
3-31-81

Date Received 3-31-81 Application Complete yes no FEE 250⁰⁰

Remarks _____

WATER
QUALITY

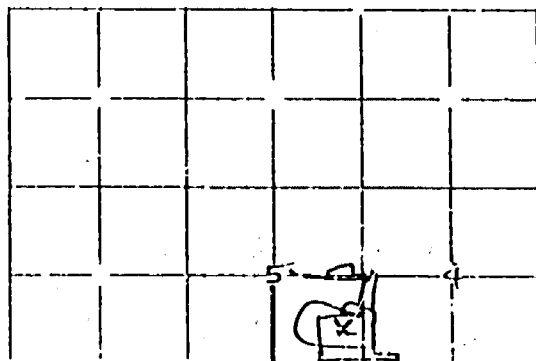
Date information and/or
fee or corrected Application received _____
Period of Annual use _____

Received yes 3/8/81 no _____ APPROVED (CONDITIONAL) (Circle one)

WI-1 Description same as application yes no _____ Remarks _____

Disapproved _____

Returned _____



Diversion Point SE⁴ SE⁴ 5-90N-R48W

Lands to be irrigated SE⁴ and Lot 5 in Section 5 and Lot 1, Section 4 all in T90N-R48W

WELL
LOG

Remarks _____

Driller Wetmore Drilling Licensed (yes) no _____

Depth 102' deep

MAP Map No. 3887-3 Map located in Water Right X Map file _____
 Type of Map Aerial Prepared by S.C.S. - De Smet

+++++

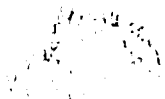
REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on May 1, 1981. Detty Westlund
 (Signed)

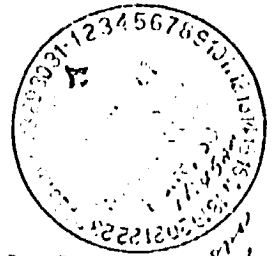
+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
 F.F. & C Final Decision, Including F.F. & C of Law were adopted _____
 OF LAW, Date
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision
 DECISIONS was adopted _____
 ETC.

Remarks _____





No. 4675-3
 Map No. 3887-3 Water Division No. 3 Big Sioux District
 Above for Office Use 10170203

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Michael J. Rozell Phone No. (605) 356-2961
 Post Office Address RR 1 Box 28a Elk Point State South Dakota 57025
 (Street, RR, or Box) (Town) (Zip Code)
 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 #1
4. Amount of water claimed (cubic feet per second) 2.23 C.F.S.
5. Source of water supply well
6. Location of point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 5 R90 48

County Union

7. Annual period or periods during which water is to be used April through September
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, Total number of acres to be irrigated 156.3

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.
Lot 5 Sec 5 R90 48	56		
W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 5 R90 48	50		
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 5 R90 48	30.5		
Lot 1 Sec 4 R90 48	19.8		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 1 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water 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.

sprinklersEstimated Total Cost \$ 35,000.00

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) ss.I, Michael J. 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 Michael J. RozellSubscribed and sworn to before me this 20 day of February, 1981

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4675-3

MICHAEL J. ROZELL
(Applicant)

RR #1, Box 28A, Elk Point
(Post Office Address)

SOUTH DAKOTA 57025
(State)

With the following qualifications

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

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application MARCH 31, 1981

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

Date of receipt of corrected application APRIL, 19____

Approved MAY 1, 1981, Recorded in Book 22 Page 121

WATER RIGHT PERMIT NO. 4675-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4675-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is MARCH 31, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 1, 1981
3. The whole of said work is to be completed on or before MAY 1, 1982
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 1, 1983
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 2.23 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 irrigation purposes said appropriation must be limited to not more than 2 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 MAY 1, 1983; said water to be used during the following described annual period: APRIL THRU SEPTEMBER

Witness my hand this 18TH day of MAY, 1981

THE WATER MANAGEMENT BOARD

By:

John Falck
Chief Engineer, Water Rights

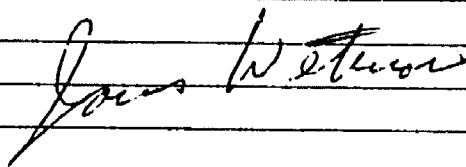
Certificate of Construction Issued _____, 19____

WETMORE DRILLING

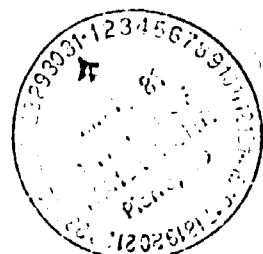
Phone (605) 356-3272

Address FBI El Paso

Log on to hel Date 12-25, 1980

No.	Description	Amount
0-1.5'	top soil	
1.5'-24'	clay	
24'-58'	fine sand & clay mix	
58'-102'	med sand to gravel mixed	
		
Received By		Sub Total
		Tax
		TOTAL

Please Pay By Invoice
No Statement Will Be Sent



D Well Information

- (1) Drill Hole, Diameter 24", Depth 102'
- (2) Casing, Type PVC, Diameter 16", Thickness 1/2"
(wood, concrete, steel, etc)
- (3) Screen, Type slotted PVC, Diameter 16", Length 40'
- (4) Gravel Pack, Thickness 4", Length of gravel pack 90'

E Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 60'

Depth to bottom of water bearing material 102'

Depth to water (ground surface to water level) 11'

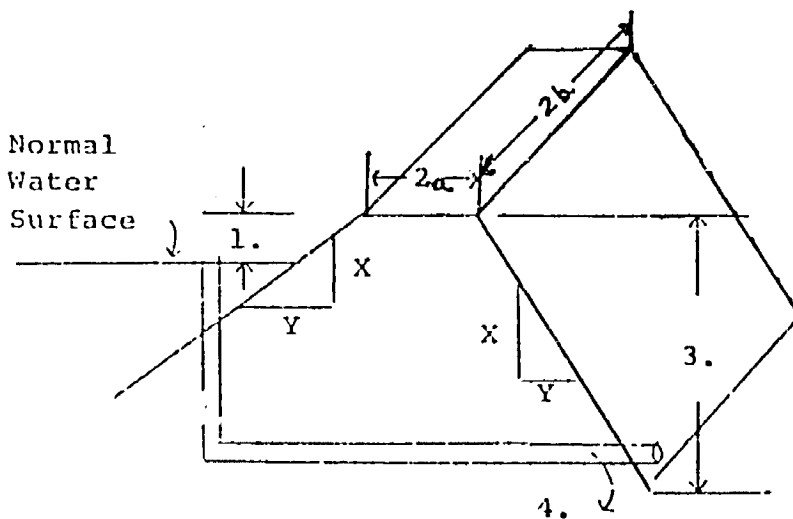
- (2) Distance to nearest existing household or livestock watering well

On same owner's property _____ rds.

On property owned by others 3/4 mile _____ 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
X & Y slope:
Upstream _____
Downstream _____
Surface area of impoundment _____
Drainage area above dam _____

David Beal
Signature of Applicant

NOT TO SCALE

91-48

139R

Iowa

↑ NORTH

Prepared by
L. E. Desmet
Co Est agent
mar 30-81
Sec 5-90-48

5

8-100
62.4 lot 6

56.5

2.4

Well X

45.0

lot 6

2.3

25.5

lot 1

198

0.0

90-48

~~1947 715300~~ 3 appl. 4675-3

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Mike Rozell

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

Ca - Calco silty clay loam, wet water

These areas are indicated on the map by red hatch marks.

Delete 40 acres from total permit acres of 196.3 acres = 156.3 acres

RECOMMENDED MANAGEMENT:

Type of irrigation system recommended for use on this application is
center pivot.



SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

110291

OWNERS NAME: _____ OWNERS ADDRESS: _____

COUNTY LAND LOCATED IN: _____ PHONE: _____

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: _____
2. SURFACE WATER SOURCE: _____
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
_____	_____	_____	_____
_____	80	_____	_____
_____	40	_____	_____
_____	50	_____	_____

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ OTHER: _____ (Specify) _____
5. CROPS TO BE IRRIGATED: _____
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____
LEGAL DESCRIPTION: _____
IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 81-107
8. SALINITY (EC X 10⁶): 1057
9. SODIUM (SAR): 1.10
10. ADJUSTED (SAR): 2.00

RECEIVED

FEB 25 1981

South Dakota
Division of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: _____ by _____ (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

____ DAY OF _____, 19 ____

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

IMPORTANT

Action by the Department of Agriculture or the

APPROVED

UNAPPROVED

Publish first publication, on or before April 9, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 1, 1981Notice is hereby given that Michael J Rozell whose post office

address is Elk Point, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.23 cubic feet of water per second of time from ground water

(one well) through the Rozell #1, the point ~~of~~ of diversion of which is ~~(also)~~ to be located in the SE~~4~~ SE~~4~~

of Section 5, Twp. 90N, Range 48W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE~~4~~ and Lot 5, Section 5 and Lot 1, Section 4, all in T90N, R48W

This Application No. 4675-3 will be considered by the Water Management Board at the Civil Defense Room, State Capitol Building, Pierre, South Dakota upon the 1st day of May, 1981

at 10:00A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Michael J Rozell
RR #1, Box 28A
Elk Point, SD 57025

BETTY WESTLUND
Water Rights Specialist

WNR-306A-7/79 Notice of intent to Appropriate Water
GROUNDWATER

No. 4675-3

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 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 Sioux Falls

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

Thursday, April 9 - 1981
Monday, April 16 - 1981

Lester E. Emerson
(Signature)

Publication
(Title)

April 16 - 1981
(Date Signed)



NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501

April 1, 1981
Notice is hereby given that
Michael J. Rozell who has post
office address is 111 Point
South Dakota has made an ap-
plication in accordance with the
provisions of SDCL 46-1-1 thru
46-1-9, 46-1-11, 46-2-1 thru 46-2-
11, 46-2-13, 46-5-1 thru 46-5-8,
46-5-10 thru 46-5-22, 46-5-31, 46-
6-3, 46-6-3.1, 46-6-5, 46-6-6.1,
46-6-10, 46-6-14 and Board Rules
ARSD 52.01.01.01 thru 52.01.
01.13, for a permit to appropri-
ate for beneficial use 2.23 cubic
feet of water per second of time
from ground water (one well)
through the Rozell #1, the point
of diversion of which is to be
located in the SE 1/4, SE 1/4 of
Section 5, T90N, R90W, Range
48W. Said water to be used for
the purpose of providing irriga-
tion on portions of the following
described land: SE 1/4 and Lot 6,
Section 5 and Lot 1, Section 4,
all in T90N, R45W, S17E, 24N.
This Application No. 4675-3
will be considered by the Water
Management Board at the Civil
Defense Room, State Capitol
Building, Pierre, South Dakota
on the 1st day of May, 1981 at
10:00 A.M. The Board is author-
ized to make a determination on
this application at the hearing.
All interested persons may ap-
pear and be heard. Any person
who may be affected by a Board
decision who desires to present
evidence or cross-examine wit-
nesses according to SDCL 1-26
may notify the Board in writing
prior to the hearing or orally at
the hearing.
This hearing is an adversary
proceeding. Any person has the
right to be present or to be
represented by a lawyer. These
and other due process rights will
be forfeited if they are not exer-
cised at the hearing. Decisions
of the Board may be appealed to
the Courts as provided by law.
Any handicapped person wish-
ing to attend this hearing can
contact the Water Rights Divi-
sion, DWNR, Joe Foss Building,
Pierre SD, prior to the hearing
date for assistance to assure ac-
cess to the hearing.

Water Management Board
Betty Westlund
Water Rights Specialist
Pub. April 9, 1981 4-16

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8109

April

April 1

1981

RECEIVED OF Michael Rozell, RR 1, Box 28A, Elk Point, SD 57025

PIERRE,

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

Fee for Application for Permit to Appropriate Water No. 4675-3 (examination, processing, recording and filing)	250.00
Fee for inspecting Construction, and Issuing Cert. of Construction No.	
Fee for inspecting Beneficial Use, and Issuing Water License No.	
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	250.00

WATER RIGHTS COMMISSION

By (John Hatch) Chief Engineer, Executive Officer
JOHN HATCH / (bt)

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USEPost Office RR #1 Box 284 Elk PointDate 3 Jul 81TO: 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 maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No.

4675-3

Water Right Permit No. 4675-3 states that the diversion system is to be constructed by 1111483 1406-31, and that the water is put to beneficial use by 1111483.

The diversion system was completed on 10 Jan 81. Applying the water to beneficial use was completed on 27 Jan 81.

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.

Michael J. Pardo
(Signature)

#4675-3

 **Department of
Water & Natural Resources**

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

February 17, 1989

Michael J. Rozell
RR 1, Box 28A
Elk Point, 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;

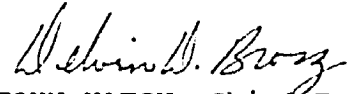


Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 30, 2003

4675-3

Michael J Rozell
32955 476 Ave
Elk Point SD 57025

Dear Mr. Rozell:

On June 19, 2002 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 4675-3, was completed by Ron Duvall, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 10, 2003

RECEIVED OF Michael Rozell, 31955 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. <u>4675-3</u>		
Fee for Filing Transfer Form _____		
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. 000000

By Darland Eide

Chief Engineer gme

Permit No. 4675-3
Big Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **June 19, 2002**, made a thorough examination of the water use system constructed by **Michael J Rozell** of **32955 476 Av Elk Point SD 57025** holder of Permit No. **4675-3**, bearing the priority of **March 31, 1981** authorizing the diversion of **2.23** cu. ft. per second of the waters of **ground water** for **irrigation** purposes, in **Union** County.

Inspection contact & relationship to permit holder, if applicable: **Michael Rozell**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Wetmore drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **98** feet
- 4) Well log is available **Y**

Casing/Screen:

- 1) Diameter **16** inches
- 2) Type **Plastic casing/PVC screen**
- 3) Static water level **13** feet

Pump:

- 1) Make **Western Land Roller**
- 2) Serial No. **C81271**

Motor:

- 1) Make **General Electric**
- 2) Model No. **B5J227271**
- 3) Horsepower rating **25** hp

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

- 1) Type **PVC**
- 2) Size **6** inches
- 3) Length **1,650** feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make **Valley (towable)**
- 2) Number of towers **3**
- 3) End gun **Y**
- 4) Low pressure
- 5) Capacity **450** GPM

Chemigation Equipment:

- 1) Does chemigate **N**

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by **Y**
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **Y**
- 3) Exceptions to compliance are: **none**

Report of Examination of Works

Permit No. 4675-3

The system is in **good** condition with the point of diversion located as follows: **well: 1,075 feet W and 1,425 feet N from the SE corner section 5-T90N-R48W (NE $\frac{1}{4}$ SE $\frac{1}{4}$) – Latitude 42.63757, Longitude -96.53115.** The works are capable of diverting and conveying to the place of use **1.00** cu. ft. per second of water which is to be used for **irrigation purposes.** Water has been put to beneficial use to the maximum extent as follows: **all in T90N-R48W**

Lot 5	section 5	4 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	section 5	26 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	section 5	4 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$	section 5	15 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$	section 5	10 acres
Lot 1	section 4	5 acres

comprising a total of **64** acres of land and the license should be issued for **0.91** cfs.

All structures, wells and lands on map **Y** | Comments or other permit(s) associated with the project: **none**



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: **January 29, 2003**

WELL DRILLERS REPORT
SOUTH DAKOTA WATER RIGHTS COMMISSION

4-78

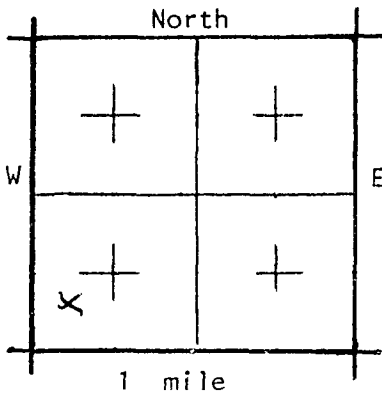
Well Owner:

Name Wick Rozell

Address Elk Point

Well Location:

Mark location
with an "X"



County Chadron 5 unfiled 4/8 W
1/4 SW 1/4 Sec. 4 Twp. 40 Rg. 49 ^{42nd} _{44th}

Proposed Use:

☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

☒ Forward Rotary ☐ Bored ☐ Jetted
☐ Reverse Rotary ☐ Cable ☐ Other

Well Construction:

Diameter of Hole 24
Depth _____
Casing ☐ Steel ☐ Concrete
☒ Plastic ☐ Other
If other, specify _____

Was casing end left open no
Was a well screen installed yes
Describe Well Screen
Diameter 16 Material PVC
Slot size 120
Was well gravel packed yes
Was well grouted yes
Was water sample taken yes

Remarks:

Water Level Information:

Static water level 13 below land surface
If flowing: closed in pressure _____ PSI
rate of low _____ GPM

Controlled by:

☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Well Test Data:

☒ Pumped _____
☐ Bailed Describe: 900 GPM
☐ Other _____

Pumping Level Below Land Surface

19 ft. After 4 Hrs. pumped 900 GPM
" " " " " "
" " " " " "

Well Log:

Formation	Depth	
	From	To
<u>top soil</u>	<u>0</u>	<u>2</u>
<u>clay</u>	<u>2</u>	<u>18</u>
<u>cross sand & gravel</u>	<u>18</u>	<u>98</u>

(Use Back if Necessary)

Date Completed: 4-21-81

Driller:

Wetmore 341
Driller's or Firm's Name License NO.

Elk Point
Address

James Wetmore 1-10-82
Signed By Date

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Michael J Rozell

ADDRESS: 32955 476th Avenue, Elk Point SD 57025

DATE: May 19, 2005 **COUNTY:** Union

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The ground water source is the same as originally permitted and the developed diversion rate is within the amount of water appropriated by the water permit. Permit No. 4675-3 called for the well to be constructed in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 5-T90N-R48W. The actual location of the well is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ section 5 approximately 100 feet outside of the permitted area.

- **If irrigation, no new land is irrigated**

The acreage developed for irrigation (64 acres) does not exceed the permitted acreage (156.3 acres).

- **Review of Existing Diversions**

There is a large population of permits/rights in Union County. However, there is no permitted well within one half mile of the well developed under No. 4675-3. The nearest permitted well is used for irrigation under Water Right No. 5340-3 and is located approximately 3,100 feet to the Southwest. The well constructed under No. 4675-3 has been in place since November 1995 with no reported well pumping interference noted in the file for No. 4675-3.

RECOMMENDED ACTION

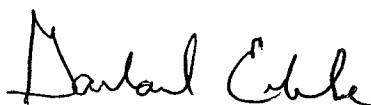
Based on the above criteria, it is recommended that the diversion point be licensed as developed.



Ron Duvall, Natural Resources Engineer
Water Rights Program

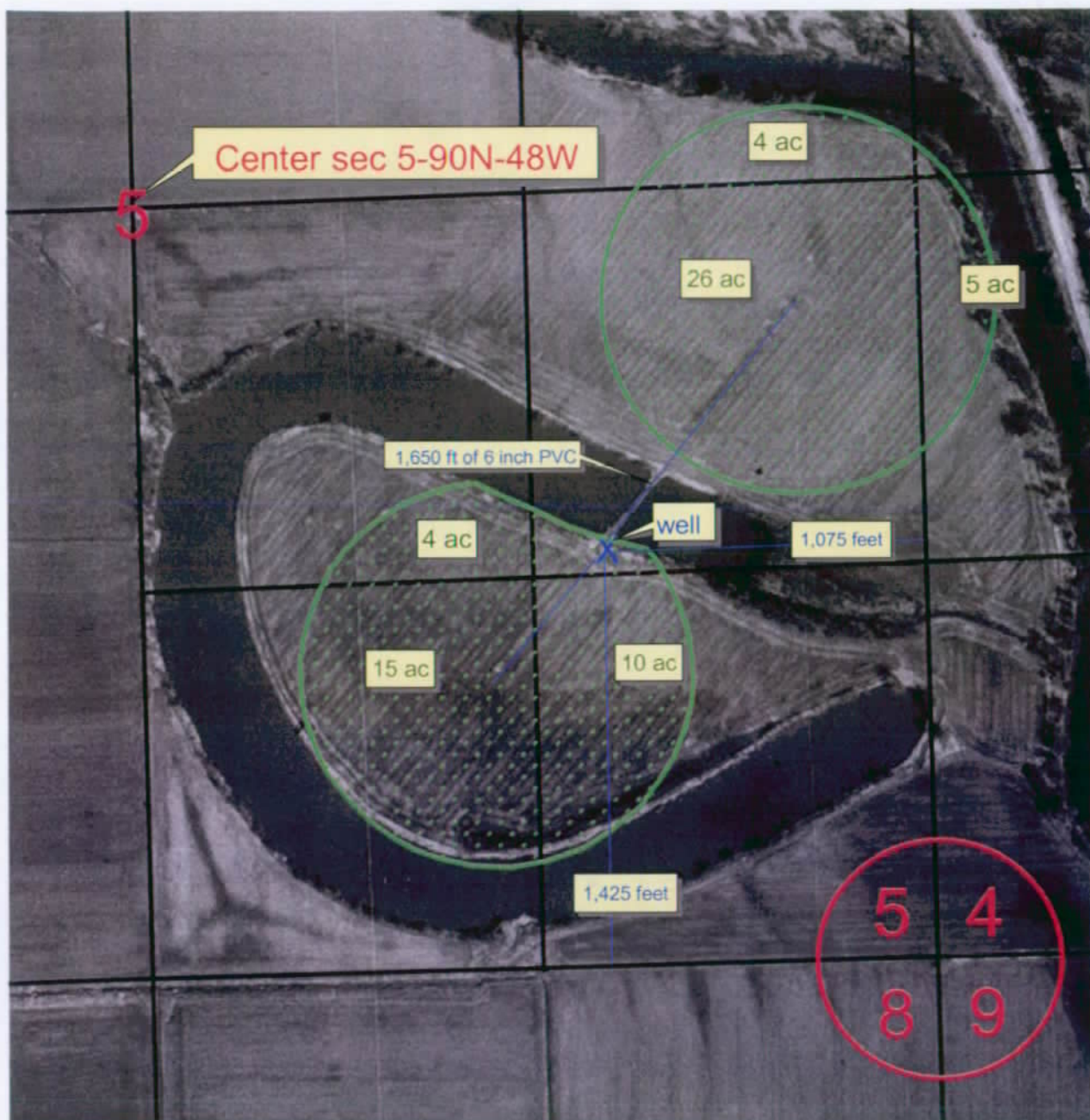
The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program

1000 0 1000 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall, Nat. Res. Engineer
January 29, 2003

No. 4675-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4675-3

(1) Michael J Rozell, 32955 476 Ave, Elk Point SD 57025 made Application No. 4675-3, March 31, 1981 for a water permit to divert 2.23 cubic feet of water per second from groundwater (one well), Union County, South Dakota for irrigation purposes. Permit No. 4675-3, with a priority date of March 31, 1981 was approved May 1, 1981 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 1, 1982 and for the application to beneficial use of water on or before May 1, 1983.

An investigation conducted for licensing purposes found the well under Water Permit No. 4675-3 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 4675-3 is issued a license, bearing a priority date of March 31, 1981 to appropriate 0.91 cubic feet of water per second from groundwater (one well) to irrigate 64 acres.

The diversion point is located: 1,075 feet west and 1,425 feet north from the southeast corner Section 5-T90N-R48W (NE ¼ SE ¼). The acres authorized for irrigation are as follows:

All in T90N-R48W					
Section 5	Lot 5	4 acres	Section 5	SW ¼ SE ¼	15 acres
Section 5	NE ¼ SE ¼	26 acres	Section 5	SE ¼ SE ¼	10 acres
Section 5	NW ¼ SE ¼	4 acres	Section 4	Lot 1	5 acres
Total 64 acres					

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 4675-3 including the following now applicable qualifications:

- 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 withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 11 2005

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

JUL 11 2005

4675-3

Michael J Rozell
32955 476 Ave
Elk Point SD 57025

Dear Mr. Rozell:

Enclosed is Water License No. 4675-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 000650 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures