

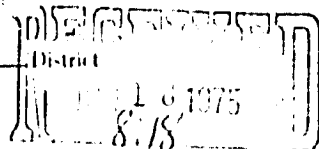
W. r Right Number 2307-3

1. Considered Nov. 12, 19 75
2. Name of Applicant JOE AND JOHN SIMON
3. Post Office Address GEDDES, S.D.
4. Amount of water claimed 6.28
5. Source of water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 440
7. Water to be diverted and used in CHARLES MIX County
about 1 1/4, 45 Miles of GEDDES
8. Proof of Publication Received 10-10-75
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 2307-3

Map No. 1689-3 Water Division No. 3 MISSOURI RIVER
(Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT TO APPROPRIATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

- Name of Applicant Joe and John Simon
- Postoffice address Geddes, State South Dakota
- If a corporation show date and place of incorporation _____
- Method of accomplishing work (contract, employment of others, or by direct labor) contract
- Name of diversion work Simon
- Amount of water claimed (cubic feet per second) 6.28 440 acres of irrigated land
- Source of water supply Missouri River
- Location of point of diversion Sw 1/4 of NW 1/4 of SW 1/4 of NW 1/4 Sec 1 T96NR67E
Charles Mix County T Jackson Twp
County Charles Mix
- Annual period or periods during which water is to be used Irrigation Season
- Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
- For irrigation use, Total number of acres to be irrigated 440

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.
E 1/2 NW 1/4 26-97-67	80		
NE 1/4 26-97-67	160		
SW 1/4 23-97-67	160		
SW 1/4 SE 1/4 23-97-67	40		

Attach sheet if more space is needed

- Time required to complete construction of water supply system 2 years years. Additional time required to complete application of water to the proposed beneficial use 3 years years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Charles Mix County News
- Principal Features of the Proposed Water Supply System.

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

Pumping plant on river - portable centrifugal pumps - power source undecided

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

2 1/2 miles of mainline

C. Works proposed to apply water to beneficial use.

2 - Center pivots and some tow lines

Estimated Total Cost \$100,000.00 to \$105,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. 1. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Charles Mix

Joe and John Simon 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 Joseph Simon and John Simon

Subscribed and sworn to before me this 12 day of June 1975

Paul H. Nordstrom
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2307-3

JOE & JOHN SIMON
(Applicant)

GEDDES
(Post Office Address)

SOUTH DAKOTA 57342 With the following modifications:
(State)

See also #4479-3

Date of first receipt of application JUNE 18 19 75
Date of return to applicant for correction, amendments or changes required JUNE 26 19 75
Date of receipt of corrected application AUGUST 14 19 75
Approved NOVEMBER 13 19 75 Recorded in Book 14 Page 66

WATER RIGHT PERMIT NO. 2307-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2307-3 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 a applicant may claim right is JUNE 18 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 13 19 76
3. The whole of said work is to be completed on or before NOVEMBER 13 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13 19 80
5. The water appropriated shall be used for the purpose of IRRIGATION
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 6.28 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before NOVEMBER 13 19 80; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 17TH day of NOVEMBER 19 75

WATER RIGHTS COMMISSION

By:

John H. Hetch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

Form 6 - Notice of Intent to Appropriate Water

No. 2307-3

Publish first publication, on or before October 30, 1975

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

September 24, 1975

Joe and John Simon

Notice is hereby given that _____

whose post office address is Geddes, 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

6.25 _____ cubic feet of water per second of time from the Missouri River through the Simon #1, the point of diversion of which is to be located in the _____

SW $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 1, Twp. 96N, Range 87W. Said water to be used for the purpose of providing irrigation on the following described land:

SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23; E $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 26, T97N, R87W

This application No. 2307-3 will be considered by the Water Resources Commission at their office at Pierre upon the 12th day of November, 1975, at 2:30 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

**BURTON F. JONES
Water Rights Specialist**

BFJ/bw

cc: Joe and John Simon, Geddes, S.D. 57342

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Charles Mix) ss.

I, Harold J. Jaeger hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Charles Mix County News.

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 Geddes S.D.

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

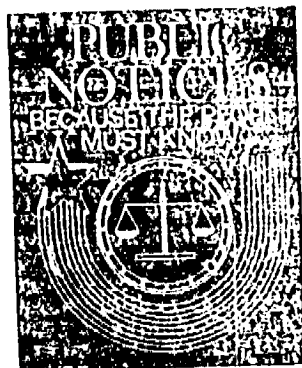
October 2nd

9th

Harold J. Jaeger
Signature

Owner and Publisher
(Title)

Oct. 9, 1975
(Date Signed)



NOTICE INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501

September 24, 1975

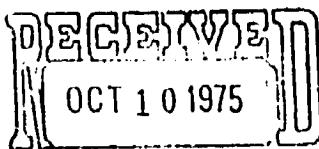
Notice is hereby given that
Joe and John Simon whose post
office address is Geddes, South
Dakota, has made an application
in accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 6.28 cubic feet per
second of time from the Missouri
River through the Simon No. 1,
the point of diversion of which
is to be located in the SW $\frac{1}{4}$
NW $\frac{1}{4}$ of Section 1, Twp. 96N,
Range 67W. Said water to be used
for the purpose of providing ir-
rigation on the following describ-
ed land:

SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23;
E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 26,
T97N, R67W.

This application No. 2307-3 will
be considered by the Water Re-
sources Commission at their office
at Pierre upon the 12th, day of
November, 1975, at 2:30 P.M. All
interested persons may appear and
be heard.

WATER RESOURCES
COMMISSION
BURTON F. JONES
Water Rights Specialist

Pub. Oct. 2 and 9, 1975



STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA



2307-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 9, 1992

(2307-3)
4479-3

John Simon
RR #1 Box 88
Geddes, SD 57342

Dear Mr. Simon:

Thank you for the prompt return of your 1992 irrigation questionnaires. You commented that the permits should be listed in your name only, rather than Joe & John Simon. In order to change the name(s) on a water permit, a "Notice of Transfer of Ownership" will need to be filed.

Enclosed are partially completed transfer forms. Please complete and then sign the forms in the presence of a notary. Upon completion, return them to our office with a required filing fee of \$2.50 each (total of \$5.00).

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures



2307-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 12, 1993

SECOND NOTICE
PERMIT NO. 2307-3
4479-3

John Simon
RR 1, Box 18
Geddes, SD 57342

Dear Mr. Simon:

On December 9, 1992, notice was sent to you concerning the transfer of Water Permit Nos. 2307-3 and 4479-3 in the name of Joe and John Simon. To date, we have not heard from you on this matter.

Transfer forms were previously sent to you, enclosed are additional forms. Please sign, have notarized and return the forms to this office with the required filing fee of \$2.50 per transfer, a total of \$5.00. The permits can then be transferred to your name. If you are not the present owner of the land covered under these permits, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Genny McMath, (605) 773-3352.

Very truly yours,

for RON DUVAL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the multipiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the multipiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

2. Article Addressed to:

John Simon
RR 1, Box 88
Geddes, SD 57342

2307-3
4479-3

4a. Article Number

P 906 560 241

4b. Service Type

- ☐ Registered ☐ Insured
- ☒ Certified ☐ COD
- ☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

U.S. GPO: 1992-023-102

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

2307-3

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2307-3Date: 1-21-93I/We request that Water Permit No. 2307-3formerly owned by: Joe and John Simon, RR #1 Box 88, Geddes, SD 57342*(incl Carol M)*has transferred to: John Simon, RR #1 Box 88, Geddes, SD 57342 (Telephone No)

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

440 acres - E 1/2NW 1/4, NE 1/4 Section 26; SW 1/4, SW 1/4SE 1/4 Section 23, T97N, R67W

I/We understand that the validity of Water Permit No. 2307-3 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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Charles Mix)

I/We John - Carol M. being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

John Simon Carol M Simon
(Signed)

Subscribed and sworn to before me this 21st day of January, 1993.

Reefer Beedon
(Notary Public)
Comm. expires 11-15-97

NOTE:

Water permits may be cancelled for nonconstruction within the five year construction period. 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

Division of Water Rights

South Dakota Department of Environment and Natural Resources

2307-3
413639

Pierre, _____ February 18, 19 93

RECEIVED OF Carol M Simon, RR 1 Box 38, Geddes, SD 57542

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 Water Permit No. 2307-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Clote Watah
Chief Engineer



2307-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 19, 1993

No. 2307-3
4479-3

John and Carol M. Simon
RR 1, Box 88
Geddes, SD 57242

Dear Mr. and Ms. Simon:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Permit Nos. 2307-3 and 4479-3.

Our records now show you as the owner of Water Permit Nos. 2307-3 and 4479-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure



2307-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

March 10, 1994

Permit No. 4479-3

John and Carol M. Simon
RR, Box 88
Geddes, SD 57342

Dear Mr. and Ms. Simon:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 2307-3 and 4479-3, has been completed. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 2307-3 will be incorporated into 4479-3.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.



2307-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

NOV 14 1994

4479-3

John and Carol M. Simon
Rt 1, Box 88
Geddes, SD 57342

Dear Mr. and Ms. Simon:

Enclosed is Water License No. 4479-3 and Receipt No. 414093 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 4479-3 is the final document which completes the process of obtaining a water right.

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.

Very truly yours,

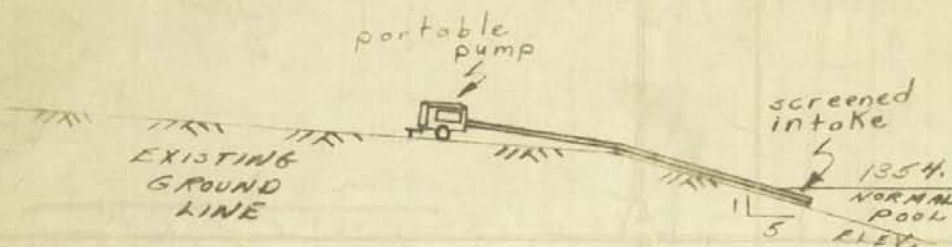

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

rd
enclosures

NOTE: The applicable portions of Water Permit No. 2307-3 have been incorporated into this Water License No. 4479-3.

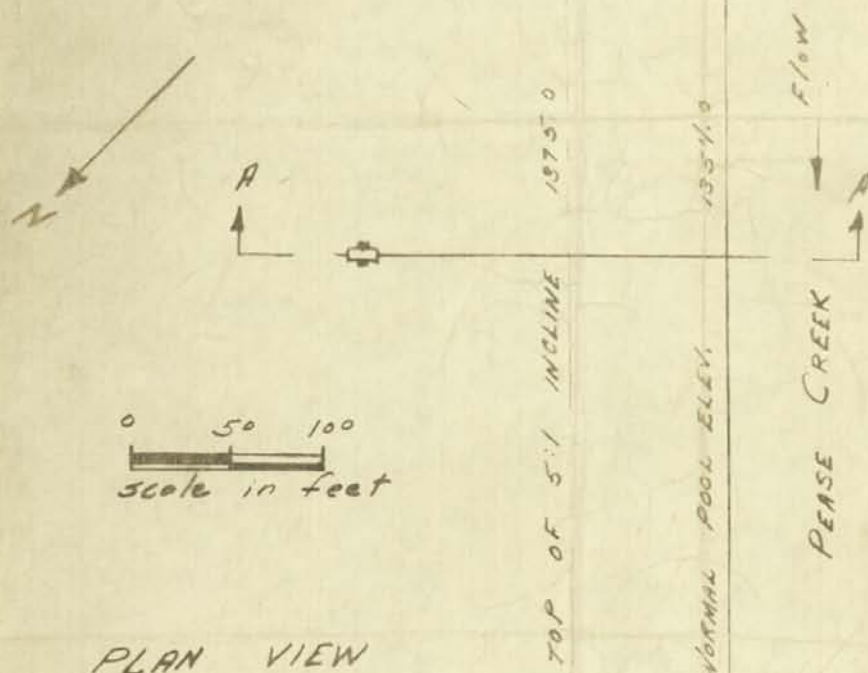
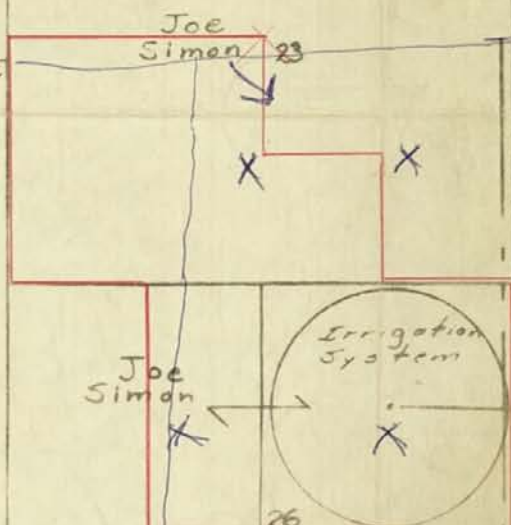
2307-3

LOCATION MAP
1" = 2000'

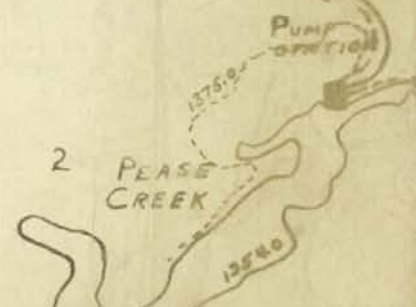


0 50 100
scale in feet

SECTION A-A



T 97N
T 96N

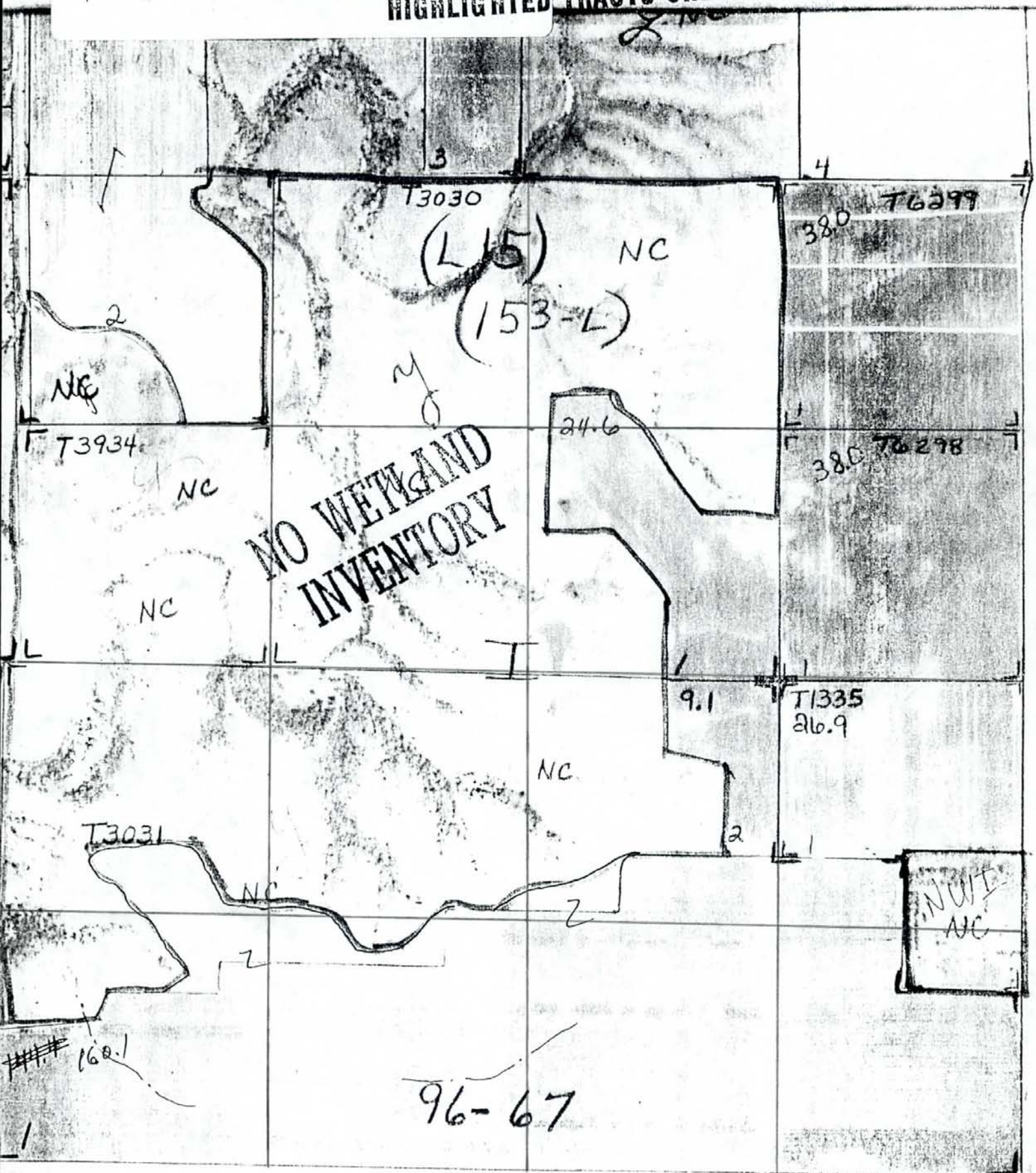


NOTES:
ALL ELEV. REFER TO SEA LEVEL DATUM.
WATER WILL BE UTILIZED TO IRRIGATE
APPROXIMATELY 440 ACRES. ADJACENT
PROPERTY OWNERS SHOWN.

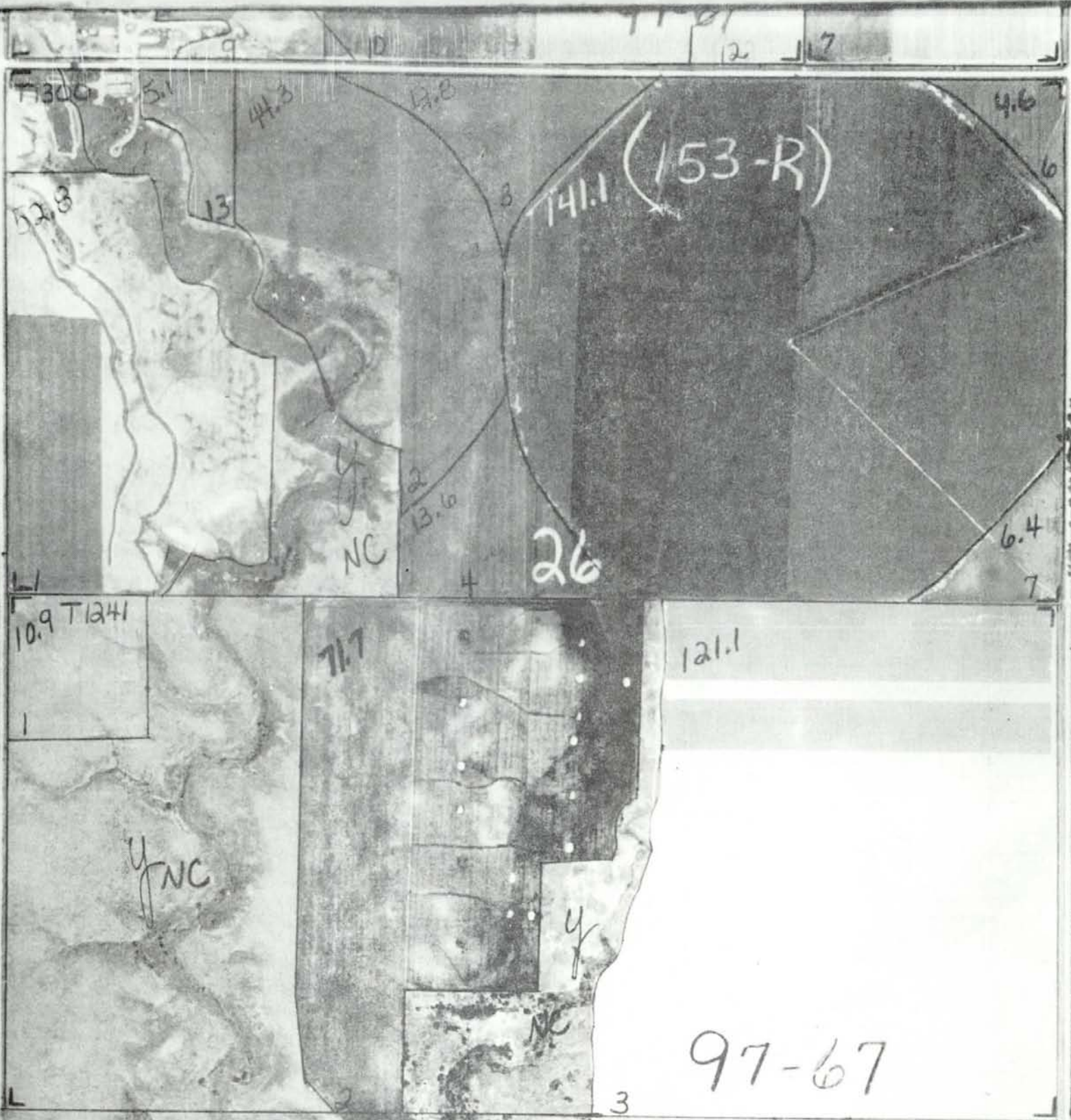
Proposed pumping station
in Lake Francis Case
NW 1/4 Sec. 1 - T 96N - R 67W,
Charles Mix County, SOUTH
DAKOTA, by Joe Simon,
Sheet 1 of 1, 8-8-75

SOIL CONSERVATION
SERVICE MAP.

but still wetland
23-85
-85
OFFICIAL WETLAND
DETERMINATION FOR
HIGHLIGHTED TRACTS-ONE SCALE



NOT TO SCALE



NOT TO SCALE

MAP No 1689-3 APR 2307-3



NOT TO SCALE

