

Water Right Number 2358-3

1. Considered NOV. 12, 1975
2. Name of Applicant MORRIS NELSON
3. Post Office Address YANKTON, S.D.
4. Amount of water claimed 1.67
5. Source of water supply GROUND WATER (150' DEEP WELL)
6. Water to be used for IRRIGATION
- Acres to be irrigated 117
7. Water to be diverted and used in YANKTON County
- about 4 N, 6 E Miles of YANKTON
8. Proof of Publication Received 10-21-75
- Not received
9. Application Approved
- Subject to
- Not approved
- Action deferred

10. Remarks:

No. 2338-BMap No. 1718-3 Water Division No. 3 JAMES RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

AUG 18 1975
STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA

To Appropriately Water within the State of South Dakota

(NOTE—Draw a line through items not applicable)

1. Name of Applicant Morris Nilson
Postoffice address RT 2 Box 307 Yankton State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
3. Name of diversion work Morris Nilson Irrigation Project # 1
4. Amount of water claimed (cubic feet per second) 1.667
5. Source of water supply Well
6. Location of point of diversion 1716' N 123° W of Northeast Corner
Sec 25 - T4N - R55E
County Yankton
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 117

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.
N 1/4 of NE 1/4 Sec 25 T4N R55E	3.75		
NE 1/4 of NE 1/4 Sec 25 T4N R55E	3.75		
N 1/4 of SW 1/4 of NE 1/4 Sec 25 T4N R55E	2.0		
NE 1/4 of SE 1/4 of NE 1/4 Sec 25 T4N R55E	2.0		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use three years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Argus Leader
Sioux Falls
12. Principal Features of the Proposed Water Supply System.

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

Electrically driven deep well turbine on well

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

closed conduit

C. Works proposed to apply water to beneficial use.

center pivot irrigation machineEstimated Total Cost \$40,000Attachments: 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 Brookings
Morris NilsonI, Morris Nilson, 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 Morris Nilson
Subscribed and sworn to before me this 15 day of August 1975John S. Lawrence
Notary Public for the State of South Dakota

P.E. # 1916

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 2338-3
MORRIS NELSON RR#2 Box 307, YANKTON
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57078 With the following modifications:
 (State)

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application AUGUST 18, 19 75
 Date of return to applicant for correction, amendments or changes required SEPTEMBER 16, 19 75
 Date of receipt of corrected application SEPTEMBER 16, 19 75
 Approved NOVEMBER 13, 19 75, Recorded in Book 14 Page 75

WATER RIGHT PERMIT NO. 2338-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 2338-3 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 18, 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13, 19 78
3. The whole of said work is to be completed on or before NOVEMBER 13, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13, 19 83
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 1.67 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 83 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 RESOURCES COMMISSION

By:

John A. Miller
 Chief Engineer, Executive Officer

Certificate of Construction Issued: _____, 19 _____

Water License Issued: _____, 19 _____

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 26", Depth 150'
- (2) Casing, Type Steel Diameter 14" Thickness 3/16"
(wood, concrete, steel, etc.)
- (3) Perforated Screen.
Type Continuous Slot, Diameter 14", Length 20'
- (4) Gravel Pack, Thickness 6", Length of gravel pack 40'

E. Dugout Information or Estimates.

- (1) Surface dimensions 1' x 1', 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 0 to 25' - yellow clay; 25' to 110' blue clay;
110' to 130' Medium clean sand; 130' to 140' coarse gravel;
140' to 150' Medium gravel; 150' + - blue clay

Depth to top of water bearing material 110'

Depth to bottom of water bearing material 150'

Thickness of water bearing material 40'

Depth to water (ground surface to water level) 20'

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

On same owner's property 40 rds. On property owned by others 100 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.

Morie Nelson

Signature of Applicant

August 21, 1975

Mr. Morris Nelson
R. R. #2, Box 307
Yankton, SD 57078

Dear Mr. Nelson:

I am enclosing herewith the original report of analysis of the water sample submitted here about a week ago. This is your copy to keep. Also, you will find enclosed a copy of extension circular 654 with the approximate quality of this water for irrigation purposes indicated by an encircled red cross on the outside back cover. Please read this circular carefully.

There should be no specific problem in irrigating the lands which you have with this quality water. They're moderately high in total salts so that you should be as careful as possible to irrigate in rather large quantities but infrequently. This will reduce the chances of salt accumulation.

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

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb

Enclosures

cc: State Conservation Commission

D. Pahl

Vana Miller, County Extension Agent



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

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: _____

~~Not Approved~~: _____

NAME: Morris Nelson

ADDRESS: Rt 2 Box 307

COUNTY: Yankton S.D.

LEGAL DESCRIPTION

1. WELL LOCATION: SW 1/4 of NE 1/4 Sec 25 - 44 - 55
2. AREA TO BE IRRIGATED: N 1/2 of NE 1/4 Sec 25 - 44 - 55

TYPE OF IRRIGATION

3. GRAVITY _____ SPRINKLER (Indicate Type): Center Pivot
4. CROPS TO BE IRRIGATED: Corn & Alfalfa - Soybeans

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 3%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Class E & Class II
land - sandy loam - highly permeable

WATER QUALITY (To Be Completed by Commission)

7. SAMPLE NO: 75-716
8. SALINITY: EC = 999 μ mhos/cm (med-high)
9. SODIUM: SAR = 0.97 (low)



I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and:
the land capability for irrigation information has been acquired from

Said Can. Soil. & Water. Map 3

and:

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

Marrie Nelson

Subscribed and sworn before me this

12 day of Aug 19 25.

John L. Dickerson

B. F. #1916

(Title)

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

Submitted by: Morris Nelson
 Address: Rt. 2, Box 307
Yankton, SD 57078

Date Rec'd: August 12, 1975
 Sample No.: 75-716
 Identification: Well-160'
N24, Sec. 25, T. 94N, R. 55W

WATER ANALYSIS

Calcium (Ca)	81	ppm*	3.52	me/l**
Magnesium (Mg)	57	ppm	4.67	me/l
Sodium (Na)	45	ppm	1.96	me/l
Potassium (K)	19	ppm	0.49	me/l
Sulfate (SO ₄)	360	ppm	7.20	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	9	ppm	0.24	me/l
Bicarbonate (HCO ₃)	122	ppm	2.00	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	100	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	999	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.97			
Sodium	13.42	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.52			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 10.64 me/l
 Total anions 9.44 me/l

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$6.00 paid

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-716

Amount Enclosed \$

Signed

Form 6 - Notice of Intent to Appropriate Water

J. 2136-3

Publish first publication, on or before October 30, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 13, 1975

Notice is hereby given that Morris Nelson
whose post office address is Yankton, 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
1.67 cubic feet of water per second of time from the ground water through the
Nelson Irrigation Project #1, the point of diversion of which is to be located in the _____

NW 1/4 NE 1/4

of Section 25, Twp. 94N, Range 55W. Said water to be used for the purpose
of providing irrigation on a portion of the following described land:

NE 1/4, Section 25, T94N, R55W

This application No. 2336-3 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: Morris Nelson, R.R.#2, Box 397, Yankton, S.D. 57078

No. 2338-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Minnehaha) ss.

I, JOHN K. KOLL hereby

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

Water was taken from the Sioux Falls Argus-Leader

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

October 10

October 17

John K. Koll
(Signature)

JOHN K. KOLL, Controller
(Title)

October 17, 1975

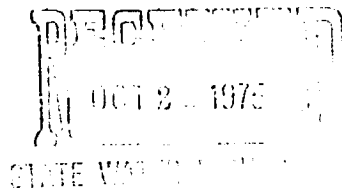
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, South Dakota 57501
September 18, 1975
Notice is hereby given that Morris
Nelson, whose post office address is
Yankton, 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 1.67 cubic feet of water
per second of time from ground water
through the Nelson Irrigation Project
#1, the point of diversion of which is to
be located in the NW 1/4 NE 1/4 of Section
25, Twp. 94N, Range 55W. Said water
to be used for the purpose of providing
irrigation on a portion the following
described land:

NE 1/4, Section 25, T94N, R55W
This application No. 2338-3 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
Oct. 10, 1975



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

DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT
DIVISION OF WATER RIGHTS
JOE FOSS BUILDING

Post Office Hartston, S.D.
Date July - 26, 1976

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

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2338-3

Water Right Permit No. 2338-3 states that the diversion system is to be constructed by May 13, 1978 and that the water is to be put to beneficial use by Nov. 13, 1980.

The diversion system was completed on July 2, 1976. Applying the water to beneficial use was completed on July 2, 1976.

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.

Morris Nelson
(Signature)



2338-3
4251-3

WATER RIGHTS DIVISION
(605) 773-3352

December 1, 1987

Martin Weeks
Box 435
Vermillion, South Dakota 57069

Dear Mr. Weeks:

With regard to your recent inquiry, I checked through our files and found two permits for Morris Nelson in Section 25, T94N, R55W. Enclosed are the following copies:

- 1) Water Permit Nos. 2338-3 and 4251-3;
- 2) the 1985 and 1986 irrigation questionnaires;
- 3) Water Management Board General Rules.
(I have highlighted the section you asked about)

The 1987 irrigation questionnaires for these permits have not yet been returned and could not be included with the above information.

If you have any questions, or need additional data, please contact me.

Sincerely,

Genny McLiath
Natural Resources Analyst

GM:mis
Enc.



2338-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

4251-3

Morris Nelson
RR 2, Box 102
Yankton, SD 57078-9607

Dear Mr. Nelson:

Enclosed is Water License No. 4251-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414986 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4251-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

ks
enclosures

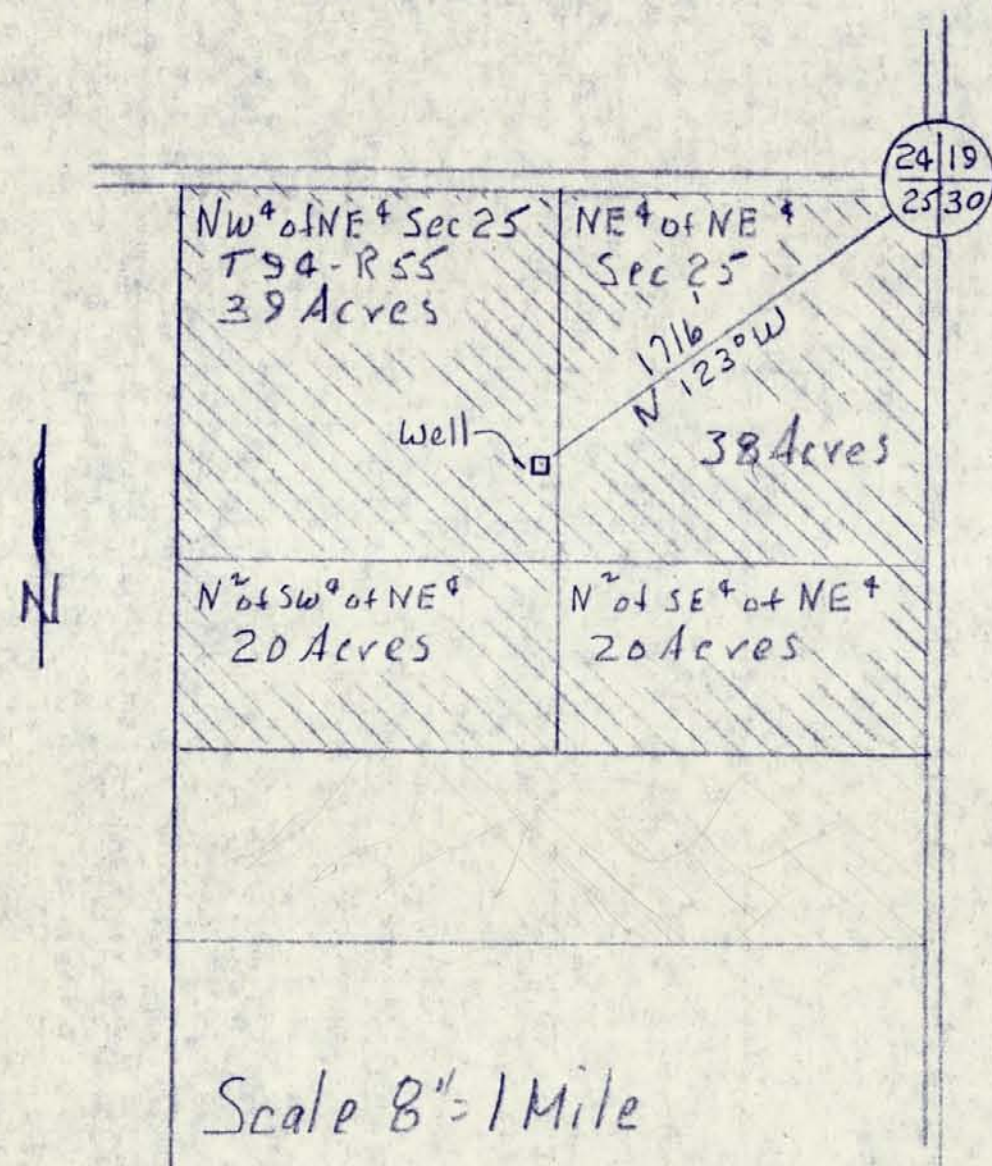
NOTE: The applicable portions of Water Permit No. 2338-3 have been incorporated into this Water License No. 4251-3.

T 94: R 55

MORRIS NELSON

IRRIGATION PROJECT # 1

Yankton South Dakota
Yankton County



Cross Hatch Indicates Irrigated Area

Point of Diversion - 1716' N 123° W of
Northeast corner sec 25-94-55

Total Acres Irrigated - 117

Water Claimed - 167 cfs

Surveyor's Certificate

I, John L. Wiersma, do hereby certify that
this map represents a reasonably
accurate record of the land of:

Morris Nelson

Yankton - Rt 2 Box 307 South Dakota
Drawn by J.L.W.
8-13-74

John L. Wiersma
Brookings S.D.

MAP 17118-3 APR NO 2338-3