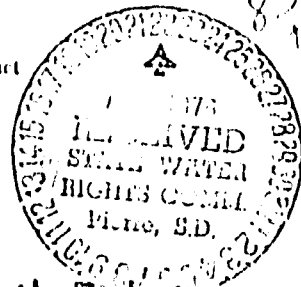


1. Considered MAY 20, 1976 2674-3
2. Name of Applicant MORRIS E. SIMON
3. Post Office Address LEBANON
4. Amount of water claimed 5.53
5. Source of water supply 2-40' WELLS
6. Water to be used for IRRIGATION
Acres to be irrigated 390
7. Water to be diverted and used in POTTER county
about JUST 5 miles of LEBANON
8. Proof of Publication Received PL 5-21-76
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 2674-3Map No. 203B-3 Water Division No. 3 MISSOURI RIVER District
(Blanks to be filled by the Engineer for the W. F. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Morris F. Simon
 Postoffice address Lebanon RR#1, Box 191, Gettysburg State South Dakota 57442
 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 Simon Irrigation Project
 4. Amount of water claimed (cubic feet per second) 5.53
 5. Source of water supply Well - Blue Blanket Aquifer
 6. Location of point of diversion 40 rods east of the center line of Sec. 4 118 7h
and 160 rods north of Hwy 212, A-100 do Road W 1 do Road W
RR - NE 1/4 Sec. 4, T118N, R74W County Potter
 7. Annual period or periods during which water is to be used April - 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 320 - 390

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>S 1/2 Sec. 4 118 7h</u>	<u>320</u>		
<u>S 1/2 of NE 1/4 Sec. 4 118-7h</u>	<u>70</u>		

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 five years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Potter County News
 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.

Turbine pump and aluminum pipe

C. Works proposed to apply water to beneficial use.

Center pivot sprinklerEstimated Total Cost \$ 50,000Attachments: 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 Potter)I, Morris E. 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 constructionSigned Morris E. Simon
April 8, 1976
 Notary Public (or other qualified officer)

Subscribed and sworn to before me this

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2674-3MORRIS E. SIMON
(Applicant) 57442LEBANON - P.O. Box 191, Co Hwy 191
(Post Office Address)SOUTH DAKOTA 57455
(State) With the following modifications:

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.

See also 2674-3A

Date of first receipt of application APRIL 22 19 76Date of return to applicant for correction, amendments or changes required — 19 —Date of receipt of corrected application — 19 —Approved MAY 20 19 76, Recorded in Book 15 Page 186WATER RIGHT PERMIT NO. 2674-3The Water Rights Commission hereby grants and issues this Water Right Permit No. 2674-3 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 APRIL 22 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 20 19 78
3. The whole of said work is to be completed on or before MAY 20 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 20 19 78
5. The water appropriated shall be used for the purpose of IRRIGATION

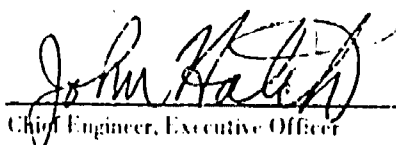
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 5.53 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 MAY 20 19 81; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 10TH day of JUNE 19 76

WATER RIGHTS COMMISSION

By:


 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 20, Depth 110
(2) Casing, Type plastic Diameter 12 Thickness 3/4"
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type slotted, Diameter 12, Length 10
(4) Gravel Pack, Thickness 4, Length of gravel pack 16

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 0-1 top soil
1-3 clay
3-20 sand
20-26 gravel
26-27 clay

Depth to top of water bearing material 10 1'

Depth to bottom of water bearing material 26

Thickness of water bearing material 16

Depth to water (ground surface to water level) 10

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

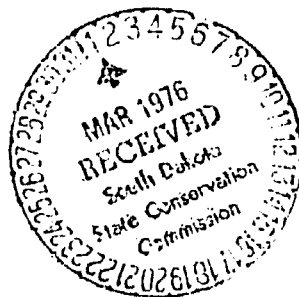
On same owner's property 80 rds. On property owned by others 80 rds.

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.

Mary E. Simon
Signature of Applicant

February 26, 1976



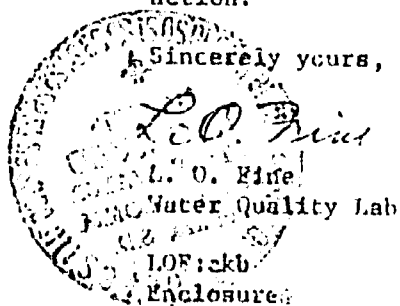
Mr. Morris E. Simon
Lebanon, SD 57455

Dear Mr. Simon:

I am enclosing the original copy of the report of analysis of water sample #76-124 submitted here a week ago. Also enclosed you will find a receipt for your payment and a copy of AES publication #13 with a water quality chart on the outside back cover, and you sample denoted in that chart by a red cross. You will note that it is in the high salinity, low sodium category. The low sodium designation means that the water has practically no hazard of increasing sodium on the clay surfaces and therefore practically no danger of dispersion and loss of soil structure, but it does have a moderately high total salt load. This high salt load means that with continued use, you are adding salt to the soil in amounts that are significant. If your irrigation technique is such that this water wets only the upper 1 1/2 or 2 feet of the soil each time you irrigate, it means that the salt will be left in that portion of the soil. Therefore, I strongly recommend against irrigation techniques which apply small amounts and frequently. By small amounts, I mean amounts of less than 2 inches and frequently means every once every week or ten days. Rather, you should use substantial quantities to thoroughly wet the whole soil profile every time you irrigate. This may take 4 or 5 inches in some cases, especially when you have alfalfa growing. You should also irrigate no more than 3 times in any growing season, and once in every 4 or 5 years, you may need to thoroughly irrigate the soil late in the fall, just before freeze-up so that winter and spring precipitation will have a chance to leach some of the salt down and out of the root zone. This winter and spring precipitation will not be effective every year but once in a while it will do a good job of moving salts out.

A copy of this letter, and the application materials and the water analysis are being sent to the State Conservation Commission for their action.

Sincerely yours,



L. O. Hine
Water Quality Lab
LOH:ckb
Enclosures
cc: State Conservation Commission
Lawrence Hadsen (County Extension Agent
D. Pahl

Conservation
Commission
Form WL #1

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

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature]

Disapproved: _____

NAME: Morris E. Simonson

ADDRESS: Lebanon S. Dak 57455

COUNTY: Dakota

LEGAL DESCRIPTION

1. WELL LOCATION: SF 4-118-74

2. AREA TO BE IRRIGATED: S 51.0 NE 1/4 of 4-118-74 - N 1/2 of 51.0 E 1/4 of 4-118-74

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Sprinkler

4. CROPS TO BE IRRIGATED: Corn - Alfalfa

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 1%

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: AKSKA

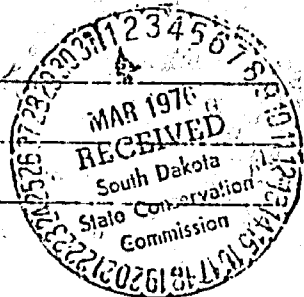
Nearly level

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 76-124

8. SALINITY: EC = 1492 μ mhos/cm (high)

9. SODIUM: SAR = 0.96 (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

SE 1/4 Sec 4 118-74

and:

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

Morris E. Simon
Morris E. Simon

Subscribed and sworn before me this

16th day of February 1976.

~~Robert D. Cline Jr.~~

Notary Public, Potter County, S.D.

(Title)



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

Submitted by: Morris E. Simon
Address: Lebanon, ND 58455

Date Rec'd February 19, 1976

Sample No. 76-726

Identification Well.....

1952, Sec. 4, T. 118N, R. 74W

WATER ANALYSIS

Calcium (Ca)	210	ppm*	10.50	mc/l**
Magnesium (Mg)	71	ppm	5.82	mc/l
Sodium (Na)	63	ppm	2.74	mc/l
Potassium (K)	10	ppm	0.26	mc/l
Sulfate (SO ₄)	227	ppm	4.72	mc/l
Nitrate (as N)		ppm		mc/l
Chloride (Cl)	85	ppm	2.38	mc/l
Bicarbonate (HCO ₃)	532	ppm	8.72	mc/l
Carbonate (CO ₃)		ppm		mc/l
Iron (Fe)		ppm		mc/l
Fluoride (F)		ppm		mc/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	4	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1492	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.96			
Sodium	14.18	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.41			

*ppm=parts per million

* me/l == millequivalents per liter

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

COMMENTS: Total cations 19.32 me/l
Total anions 15.82 me/l



By: Shirley Kitten

Service Performed

Amount Due

1. Irrigation analysis

3.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-124

Amount Enclosed £.....

Signed.....

No. 2674-3

Publish first publication, on or before May 6, 1976

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

April 22, 1976

Morris L. Simon

Notice is hereby given that _____

whose post office address is Lebanon, 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

5.53 cubic feet of water per second of time from the ground water through the Morris Simon Irrigation Project, the point^s of diversion of which ^{are} to be located in the _____

Center of the E $\frac{1}{2}$ and in the NE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 4, Twp. 118N, Range 74W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:

S $\frac{1}{2}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 4, T118N, R74W

This application No. 2674-3 will be considered by the Water Rights Commission at their office at Pierre upon the 20th day of May, 1976, at 1:00 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFGJ/bw

cc: Morris E. Simon, Lebanon, S.D. 57455

No. 2674-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Potter) ss.

I, David K. Frazer hereby

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

Water was taken from the Potter 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 Gettysburg

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

May 6, 1976

May 13, 1976

David K. Frazer
(Signature)

Editor
(Title)

May 13, 1976
(Date Signed)

No. 2674-3

NOTICE

Intent to Appropriate
Water

Pierre, South Dakota 57501

April 22, 1976

Notice is hereby given that
Morris E. Simon whose post
office address is Lebanon,
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 5.53 cubic
feet per second of time from
ground water through the
Morris Simon Irrigation
Project, the points of
diversion of which are to be
located in the Center of the
E $\frac{1}{2}$ and in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of
Section 4, Twp. 118N, Range
74W. Said water to be used
for the purpose of providing
irrigation on portions of the
following described land:
S $\frac{1}{2}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 4,
T118N, R74W.

This application No. 2674-3
will be considered by the
Water Rights Commission at
their office at Pierre upon
the 20th day of May, 1976, at
1:00 P.M. All interested
persons may appear and be
heard.

Water Rights Com-
mission

Burton F. Jones

Water Rights Specialist
(May 6, 13, 1976)



SOUTH DAKOTA

No. 2674-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

March 16, 1977

Morrie E. Simon
Lebanon, S.D. 57455

Dear Mr. Simon:

Existing Water Rights, Deferred Applications, and Advertised Applications in the Hoven Area will be discussed and deferred or advertised applications will be considered by the Water Rights Commission during their March 23-24, 1977 meeting, at 9:00 A.M., March 24, 1977. Any comments concerning the attached Hoven Area Report or the applications can be presented at this hearing.

The Commission will be meeting in the South Dakota Education Association Auditorium, 411 E. Capitol, Pierre, S.D.

Please advise if you have any questions concerning the hearing.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

2474-3

Copy of Report
in CR# 425-3

January 15, 1980

TO: People Interested in Hoven Area Water Supplies & Deferred Applications

FROM: John Hatch, Chief Engineer, Water Rights Division

SUBJECT: Review of Water Status and Reconsideration of Deferred Applications

The Water Management Board will reconsider deferred water permit applications in the Hoven Area in Potter & Walworth Counties at 8:30 am on January 29, 1981 at Meeting Room #1, Kneip Building, Church & Illinois, Pierre SD.

This reconsideration hearing will be conducted 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; 46-6-5; 46-6-6.1; 46-6-10; 46-6-3.1, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13.

These applications were previously deferred by the Board pending staff investigation. A report on the deferred applications has been prepared by the Water Rights Staff and is enclosed.

After reconsideration of the deferred applications the Board can approve, conditionally approve, defer, or deny all or part of the Applications.

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.

You are also notified that SDCL 1-26 provides any interested party the opportunity to meet informally with the Water Rights Division Staff to discuss proposed recommendations by the staff to the Board prior to the scheduled hearing. If we do not hear from you, we will assume that the opportunity for an informal meeting is being waived and you wish to proceed directly to the hearing on the applications before the Board.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

kw

enclosure

Equal Opportunity Employer

2674-3

MORRIS SIMON

LEBANON -
WAS IN OFFICE

HAS WELL INSTALLED
AS OF 11-17-78

Just for

12-4-80 -

called Mrs. Simon and
they had done a little
work on the project - not
completed. Time is up
for completion May 22, 1980

Betty Westlund

**Department of
Water & Natural Resources**

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

March 27, 1981

Morrise Simon
Lebanon, SD 57455

Dear Mr. Simon:

Enclosed please find our Form 18, "Application for Extension of Time".

Please sign and return the form to this office with a fee of \$2.50. This extension of time will come up at the May 27 & 28, 1981,

meeting of the Board of Water Management at Meeting Room #1, Knapp

Building, Church & Illinois, Pierre, SD.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

encl

Equal Opportunity Employer



2674-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUN 11 1993

2674-3A

Morris Simon
RR 1, Box 19A
Gettysburg, SD 57442

Dear Mr. Morris:

Enclosed is Water License No. 2674-3A. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413571 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of existing well, such as the well authorized by Water Right No. 2674-3A, 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 Division
(605) 773-3352

gm
enclosures

NOTE: The applicable portions of Water Permit No. 2674-3 have been incorporated into this Water License No. 2674-3A.

8-M147

Morris Simon

1975

NOT TO SCALE

408.7 corn

1095.4
-550 corn

WHEAT

CORN

SORG.

BAIL

SOD

Oats

2.1 hay

545.4 left

684.2 wheat

1095.4 total

(1-225)

38.0

70.0

Morris Simon

139.0

149.0

38.70 well

well

This property is
owned by Morris E. Simon
and is the property for
which he is applying for
an irrigation permit.

118-74

Lawrence A. Madson
Butler County Extension
Agent

100.0 Morris Simon

(1-225) 106.0

Gerald Simon

MAP NO 2038-5 APP NO 2674-3