

Mail to: Water Rights Div.
DWNRR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

No. <u>1192-1B</u>	Hydrologic Unit <u>10120202</u>
Map No. <u>1003-1</u>	Basin _____
Newspaper _____	_____

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

New ☐ Vested Right ☐ Future Use ☐

☐ Application to amend Permit No. _____ with old priority date retained

☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☒ Split No. 1192-1

☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)

☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____

☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____

1. Name of Applicant George Jenter Phone No. _____

Post Office Address 948 Park Street - Sturgis State SD 57785
(Street, RR or Box) Zip Code

2. Amount of water claimed (c.f.s.) 1.47 Total acres irrigated 103

3. Source of Water supply Horse Creek

4. Location of point of diversion between points in the NW1/4NE1/4 and NE1/4NE1/4 Section 21 and NW1/4NW1/4 and NE1/4NW1/4 Section 27, T9N, R5E

County Butte

5. Counties where water will be used _____

6. Annual period during which water is to be used May 1 - October 15

7. 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.
NW1/4NE1/4 Sec. 21 T9N R5E	23
NE1/4NE1/4 Sec. 21 T9N R5E	29
SE1/4NE1/4 Sec. 21 T9N R5E	31
SW1/4NE1/4 Sec. 21 T9N R5E	20

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA
County of BUTTE) ss

I, s/Fred Wilson the applicant, certify that I have read the foregoing application, 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 s/Fred Wilson

Subscribed and sworn to before me this 6th day of August 1979

s/Neil A. Martin

Notary Public or other qualified officer

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1192-1 B

George Jenter 948 Park St., Sturgis
(Applicant) (Post Office Address)

South Dakota 57785 With the following qualifications.
(State) (Zip Code)

Primarily flows available for this Permit are return flows from the Belle Fourche Project. Your use of water under this Permit is contingent upon supplies being available to prior water rights.

This permit does not authorize diversions of water from Horse Creek after August 15th of each calendar year, nor at any time when the flow is obviously low, unless written orders have been so issued by the Water Management Board or its legally appointed representative. Diversions under this permit shall be in accordance with any written orders by the Board or its representative.

SFE ATTACHMENT A

Date of first receipt of application August 7, 1979.

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

Date of receipt of corrected application October 12, 1979. Approved November 27, 1979.

The Water Management Board hereby approves this Water Permit No. 1192-1B authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is October 12, 1979.
2. One-fifth of the work is to be completed on or before May 27, 1982.
3. The whole of said work is to be completed on or before November 27, 1984.
4. The time limit for proof of beneficial use of water is November 27, 1984.
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.47 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. 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 November 27, 1984; said water to be used during the following described annual period: May 1 - October 15.

WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer JOHN HATCH
Division of Water Rights
Dept. of Water and Natural Resources

OCT 31 1985, 19

ATTACHMENT A

Division of No. 1192-1 into 1192-1A and 1192-1B

Land irrigated under Water Permit No. 1192-1 has been transferred to two new owners. Water Permit No. 1192-1 is being divided and reissued as No. 1192-1A, Fred and Joyce Taylor and 1192-1B, George Jenter.

Water Permit No. 1192-1A is being re-issued for irrigation of 111 acres in portions of Section 27, T9N, R5E and authorizes diversion of 1.58 cfs from Horse Creek.

Water Permit No. 1192-1B is being re-issued for irrigation of 103 acres in portions of Section 21, T9N, R5E and authorizes diversion of 1.47 cfs from Horse Creek.

1192-1B

LAW OFFICES

MORRILL HANSEN HUBBARD & BROWN

P. O. BOX 500 - 1113 WHERMAN STREET

STURGIS, SOUTH DAKOTA 57785

DAVID E. MORRILL
DALE H. HANSEN
BRUCE A. HUBBARD
PORTIA K. BROWN

June 6, 1985

STURGIS PHONE
(605) 347-1551

RAPID CITY OFFICE
625 FIFTH STREET - 8TH FLOOR
P. O. BOX 8108
RAPID CITY, S. D. 574
PHONE: (605) 348-7519

State Conservation Commission
South Dakota Department of Agriculture
Pierre, South Dakota 57501

Dear Sirs:

Previously you have issued Water Right No. 2449 to Fred Wilson for irrigation rights on the Northeast Quarter of Section 21, Township 9 North, Range 5 East of the Black Hills Meridian, Butte County, South Dakota. Mr. Wilson has sold this property to George W. Jenter of Sturgis, South Dakota. Would you please send me the appropriate forms for an assignment of Water Right No. 2449 from Mr. Wilson to Mr. Jenter.

Thank you.

Yours truly,

Dale R. Hansen

Dale R. Hansen

DRH:dlp



WATER RIGHTS DIVISION
(605) 773-3352

July 18, 1985

Dale R. Hansen
McCrill, Hansen, Hubbard & Brown
P.O. Box 980
Sturgis, South Dakota 57785

Dear Mr. Hansen:

As you requested by letter dated June 6, 1985, enclosed is a "Notice of Transfer" for Water Permit No. 1192-1 listed in the name of Fred Wilson. The NE 1/4 Section 21, T9N, R5E covered under the permit will be transferred to George Jenter.

Only part of the lands described in Water Permit No. 1192-1 were purchased by Mr. Jenter. The remaining portions were purchased by Fred and Joyce Taylor. A "Notice of Transfer" has already been filed on those lands. Since the permit has more than one owner, it is being split into 1192-1A and 1192-1B.

The enclosed transfer form should be signed by the owner in the presence of a notary and returned to our office with a \$2.50 filing fee. Upon receipt of the form and filing fee, the NE 1/4 Section 21, T9N, R5E will be transferred to Mr. Jenter under 1192-1B.

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 concerning this matter, please contact us.

Sincerely,

Genny McMath
Natural Resources Analyst

GMM:s
Enc.

LAW OFFICES
MORRILL HANSEN HUBBARD & BROWN

P. O. BOX 580 - 1113 SHERMAN STREET
STURGIS, SOUTH DAKOTA 57785

DAVID E. MORRILL
DALE R. HANSEN
BRUCE A. HUBBARD
PORTIA K. BROWN
TIM THOMAS

October 17, 1985

STURGIS PHONE
(605) 347-2551
RAPID CITY OFFICE:
625 NINTH STREET - 8TH FLOOR
P. O. BOX 8108
RAPID CITY, SD 57701
PHONE: (605) 348-7516

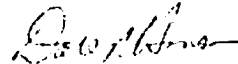
South Dakota Department of
Water and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Attention: Water Rights Division

Dear Sirs:

Enclosed please find a Notice of Transfer of Water Permit concerning Water Permit No. 1192-1B, along with a check made payable to you in the amount of \$2.50. Would you please transfer this water permit.

Yours truly,



Dale R. Hansen

DRH:ks

Enclosures.



RECEIPT

Division of Water Rights

No 410219

South Dakota Department of Water and Natural Resources

Pierre, October 21, 1985

RECEIVED OF Morrill, Hansen, Hubbard & Brown, trust Acct Box 580, Sturgis, SD 57
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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 <u>1192 1B</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By (John Hatch)
Chief Engineer JOHN HATCH (ES)

NO. 1192-1B

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Sept 6, 1985

This is to notify you that the title to the lands described as follows:

103 Acres - NE 1/4 Section 21, T9N, R5E, Butte County, South Dakota

formerly owned by Fred Wilson

has been transferred to George Jenter, Sturgis, SD 57785 (948 Park Street)
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1192-1B as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of Butte) ss.

I, Fred Wilson 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 I know of my own personal knowledge that the information herein stated is true.

Fred Wilson
(Signed)

Subscribed and sworn to before me this 6 Day of September, 1985.



Rita M. Wiegand
(Notary Public)

RYTA M. WIEGAND, Notary Public
My Commission Expires 10-1-87

1192-1B

WATER RIGHTS DIVISION
(605) 773-3352

October 31, 1985

George Jenter
948 Park Street
Sturgis, South Dakota 57785

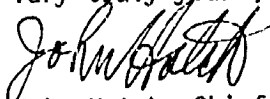
Dear Mr. Jenter:

The transfer and division of Water Permit No. 1192-1 has been completed. The permit has been divided and re-issued as No. 1192-1A, Fred & Joyce Taylor and No. 1192-1B, George Jenter.

Enclosed is a copy of your Permit No. 1192-1B. The permit authorizes diversion of 1.47 cfs from Horse Creek to irrigate 103 acres in portions of Section 21, T9N, R5E.

If you have any questions concerning the transfer, please contact us. The receipt for the \$2.50 filing fee paid by Horrill, Hansen, Hubbard and Brown, is being forwarded to them by copy of this letter.

Very truly yours,



John Hatch, Chief Engineer
Water Rights Division

JH:GH:ms

Enc.

cc: Horrill, Hansen, Hubbard & Brown
(Dale Hansen)

State of South Dakota
Water License No. 1192-1B

(1) Fred Wilson
of Hewell, South Dakota originally
made Application No. 1192-1, August 7, 1979 for a water permit to appropriate
3.05 cubic feet per second of water from Horse Creek,
Butte County, South Dakota for Irrigation purposes.
Permit No. 1192-1, with a priority date of October 12, 1979
was approved November 27, 1979 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before November 27, 1984 and for the application to beneficial use of said
water on or before November 27, 1984.

October 21, 1985 lands irrigated under Water Permit 1192-1 were transferred to two new owners. Water Permit No. 1192-1 was divided and reissued as 1192-1A, Fred & Joyce Taylor and 1192-1B, George Jenter. The project constructed and lands irrigated under Permit No. 1192-1B are being licensed. An October 12, 1979 priority date is retained.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.47 cubic feet per second of water for beneficial use. The location of the diversion point(s) is are #6-1000'W & 1100'S of NE Corner Section 21; #5-1220'W & 1320'S of NE Corner Section 21; #4-2100'W & 980'S of the NE Corner Section 21 all in T9N-R5E

(NOTE: There are only 3 diversion points under this license; they are numbered 4, 5 & 6 to correspond with original permit and map).

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T9N-R5E

Section 21	NW $\frac{1}{4}$ NE $\frac{1}{4}$	23 Acres
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	29 Acres
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	31 Acres
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	20 Acres
	TOTAL	103 ACRES

(4) Pursuant to §46-5-30.1 George Jenter

of 748 Park, Sturgis, South Dakota 57785

the holder(s) and or owner(s) of Water Permit No. 1192-1B is issued a license to appropriate water, the right to use 1.47 cubic feet per second of water from Horse Creek with a priority date

of October 12, 1979 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1192-1B and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

DEC 1 1985

Permit No. 1192-1BBelle Fourche River Water District 10120202**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by George Jenter
748 Park a Sturgis, S.Dak. 57785 holder of
 Permit No. 1192-1B, bearing the priority of October 12 1979 authorizing
 the diversion of 1.47 cu. ft. per second of the waters of Horse Creek
 for Irrigation purposes, in Butte County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

see Attached Sheet

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

see Attached sheet

C. Works used to apply water to beneficial use:

see Attached sheetThe system is in the following condition Good

The point of diversion is located #6 = 1600' W + 1100' S of NE Cor of Sec. 21; #5 = 1320' W +
1320' S of the NE Cor of Sec. 21; #4 = 2100' W + 980' S of the NE Cor Sec. 21,
T9N R5E

The works are capable of diverting and conveying to the place of use 2.4. (Nozzle capacity)
 cu. ft. per second of water which is to be used for Irrigation.

Water has been put to beneficial use to the maximum extent as follows: All in Sec. 21, T9N R5ENW 1/4 NE 1/4 = 23 Ac.NE 1/4 NE 1/4 = 29 Ac.SE 1/4 NE 1/4 = 31 Ac.SW 1/4 NE 1/4 = 20 Ac.comprising a total of 103 acres of land and the license should be issued for 1.47 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date July 29, 1986

LeRoy J. Mernagh
 (Signature)

1192-1B

1192-1 George Jenter. NE $\frac{1}{4}$ Sec. 21. T9N R5E
7-29-86 Pump = Jaeger, Model GPN, Size 6, Ser. # P202419
3/4 Mercury Engine = No Name, 6 Cyl. Gasoline,
Est. Pumps 1000 to 1200 GPM

Motor - Reliance, 50 H.P. Elec., Type B, RPM = 1765
ID # = P32612B-G2-B2-

Pump = Berkeley Ser # 7475033, Model. B3JRMBM-CCW
Imp. Dia. $13\frac{1}{2}$, BM = #52364

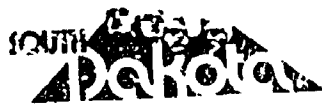
Motor Century Elec. 60 HP, Part #6-338335-01.
FR 3261CZ. RPM = 3540.

Pump = Berkeley, Ser # = 8044647, Model = B3EPBL.
BM = 53568, 500 gpm, 340 ft HD., RPM 3600, HP = 60

Boss Gun, Model 6091, $4\frac{1}{2}$ " Flex Hose, 660' Est
Nelson P-200. Big Gun, Ser # CC 7444
 $1\frac{1}{2}$ " dia Ring Nozzle @ 100 PSI = 500 gpm

Lindsay Traveling Big Gun,
Nelson P-200 Big Gun, Ser # CF 791185, ~~1185~~
Cable Pull = 660' Long Est.
Ring Dia $1\frac{5}{8}$ " @ 100 PSI = 575 gpm

2000 ft of 6" Diameter Aluminum Pipe



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1192-1B

(-am)

September 19, 1986

George Jenter
748 Park
Sturgis, South Dakota 57785

Dear Mr. Jenter:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1192-1B has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

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

Sincerely,

Maxine Stirling

Maxine Stirling
Secretary

ms/

NOTE: On form of payment, please include the number of the water permit.
This insures proper handling of the fee.

What piece of ground is this permit for.

WATER RIGHTS DIVISION
(605) 773-3352

October 20, 1986

George Jenter
748 Park
Sturgis, South Dakota 57785

Dear Mr. Jenter:

This will acknowledge receipt of your \$50.00 fee you remitted for inspection and issuance of the Water License. You have complied with all of the requirements and your water license will now be issued.

You inquired with your remittance as to what piece of ground permit No. 1192-1B covered. The permit will be licensed for 103 acres in the NE $\frac{1}{4}$ of Section 21, T9N, R5E. The permit formerly listed under the name of Fred Wilson was split and part transferred to you (1192-1B) and part transferred to Fred & Joyce Taylor (1192-1A).

Your water license will be issued and forwarded to you in the near future. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

GH:ms

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, October 17, 1996

410506

RECEIVED OF George Jenter, 748 Park, Sturgis, SD 57735

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. <u>1192-1B</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50.00

By John Hatch
Chief Engineer **JOHN HATCH**

No. 1192-18

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

DEC 1 1986

George Jenter
748 Park
Sturgis, South Dakota 57785

Dear Mr. Jenter:

Enclosed herewith is, Water License No. 1192-18. This is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

WNR-817 3/83
Transmittal of Water License



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
March 23, 1987

GEORGE W JENTER
981 E MAIN
STURGIS, SD 57735

NOTICE

Re: Violation of Water Permit(s). 1201-1 and 1986 Irrigation
Questionnaire Requirements.

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 1201-1. The request for the questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1201-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will also be to determine if Permit No(s). 1192-1B should be amended with the qualification to require the Questionnaire to be submitted each year.

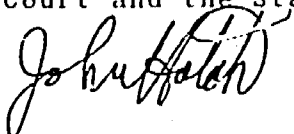
The hearing(s) will be at 2:00 pm, May 6, 1987, in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearings(s), the Water Management Board can:

1. Suspend Permit No(s). 1201-1 until either the 1986 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s). 1192-1B to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

The hearing(s) is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.



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

NOTE: If the questionnaire(s) are received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

**South Dakota Department of
Water & Natural Resources**

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

April 29, 1987

1192-1B
1201-1

George W Jenter
1010 Ballpark Road
Sturgis, SD 57785

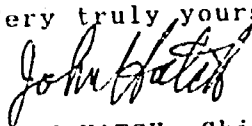
Dear Mr. Jenter:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 1192-1B and 1201-1 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



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

1192-1B

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

February 9, 1990

GEORGE W JENTER
1010 BALLPARK
STURGIS, SD 57785

NOTICE

RE: Violation of Water Permit No(s). 1201-1 and 1989 Irrigation Questionnaire Requirements

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 1201-1. The request for the Questionnaire was dated October 13, 1989. The Water Management Board has directed that owners of water permits who have not submitted the 1989 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1201-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will also be to determine if Permit No. 1192-1B should be amended with the qualification to require the Questionnaire to be submitted each year. The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

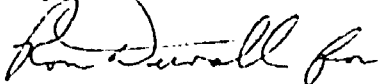
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 1201-1 until the 1989 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Amend Permit No(s). 1192-1B also held by GEORGE W JENTER to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaires are received in this office before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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

**South Dakota Department of
Water & Natural Resources**

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

February 23, 1990

1192-1B
1201-1

George Jenter
1010 Ballpark Rd
Sturgis SD 57785

Dear Mr. Jenter:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit Nos. 1192-1B and 1201-1. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 772-3352.

Sincerely,

Ron Duvall /ks

RON DUVALL
Natural Resources Engineer
Water Rights Division



1192-1B

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 22, 1999

NOTICE**TO:** GEORGE W JENTER, 748 PARK, STURGIS, SD 57785**FROM:** Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program**SUBJECT:** Reporting Requirement for 1998 Irrigation Questionnaires

Our records indicate that the 1998 Irrigation Questionnaires have not been submitted for Permit Nos. 1201-1, 1192-1B. The request for the Questionnaires was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1192-1B should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 1201-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:45 am, March 3, 1999 in Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1201-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1192-1B to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaires are received in this office on/or before March 1, 1999, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



1192-1B
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

March 5, 1999

NOTICE OF AMENDMENT AND ONE YEAR SUSPENSION OF WATER RIGHTS

TO: George W Jenter, 748 Park, Sturgis, SD 57785

FROM: John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352 *John Hatch*

SUBJECT: Amendment of Water Right No. 1192-1B and One Year Suspension of Water Right No. 1201-1

Pursuant to the provisions of the notice dated January 22, 1999, and following the hearing March 3, 1999, the Water Management Board has ordered:

That Water Right No. 1201-1 is suspended until December 31, 1999, for failure to submit the 1998 irrigation questionnaire.

Suspension of a water permit or right means water may not be pumped during the 1999 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension, you will need to submit the 1998 irrigation questionnaire and a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 5, 1999 in Pierre, SD. The letter should include your reasons for not completing the 1998 irrigation questionnaire.

The Water Management Board also took action to amend Water Right No. 1192-1B to add the following qualification:

"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

This action was taken for failure to return the 1998 irrigation questionnaire. The addition of this qualification to your Water Right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

Please contact Genny McMath (605) 773-3352, if you have any questions.

1192-1B

NE⁴27,9N,R5E

21

Dr. George Jenter own NE 1/4 21
748 Park.
Sturgis, S.D. 57785

CONSERVATION PLAN MAP

Owner Fred Wilson Operator Same
County Butte State South Dakota Date July 1979
Approximate acres 103 Approximate scale 8" = 1 mile
Cooperating with Butte Conservation District
Plan identification Photo number
Assisted by Chas. J. Logan USDA Soil Conservation Service

2 of 2

1-183R

WR 1192-1B

~~NAAP No 1003-1 (APPL 1192 #)~~



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 9, 2009

1192-1B
1201-1

George Jenter
1010 Ballpark Rd
Sturgis SD 57785

Dear Mr. Jenter:

I am contacting you in regard to two water rights we have listed in your name which authorize diversion of water from Horse Creek for irrigation purposes. They are as follows:

- Water Right No. 1201-1 authorizing irrigation of the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 22, T9N, R5E
- Water Right No. 1192B-1 authorizing irrigation of the NE $\frac{1}{4}$ Section 21, T9N, R5E

Each year in October we mail out annual irrigation questionnaires for water right holders to complete with information on how much water was used during that specific crop year. We have held up mailing irrigation questionnaires for your water rights due to the land being in CRP. Our records show the land came out of CRP last season and should be eligible for irrigation starting in 2009.

Prior to the fall mailing I wanted to touch base with you to see if you still own the land and if any changes need to be made to the water rights. Please take a few minutes and answer the questions on the attached sheet and return the information to our office in the enclosed envelope.

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

Sincerely,

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

Jenter Land & Livestock

310 14th Street
Sturgis, South Dakota 57785
(605) 347-3684

RECEIVED

JUN 16 2009

WATER RIGHTS
PROGRAM

June 10, 2009

Department of Environment and Natural Resources
Joe Foss Building
PMB 2020
523 East Capitol
Pierre, SD 57501-3182

ATTN: Genny McMath

Dear Ms. McMath:

I have received your letter dated June 9, 2009. I would like to correct your information. The land in question is still under CRP contract until October 1, 2009.

I did visit with Mr. Quinn up at the Belle Fourche NRCS Office on June 5, 2009. Mr. Quinn will go out and look at this CRP ground and make recommendations as to what I should do.

I have not decided yet what to do with this land as far as put it back in Ag production or in some type of conservation program. At this time the USDA is not enrolling any blocks of land, but are simply doing continuous CRP sign-ups such as tree belts, living wind breaks, and buffer zones.

I appreciate your letter and just thought I should correct your records.

Sincerely,



GEORGE W. JENTER
GWJ/mh

Water Right No. 1192-1B
NE ¼ Section 21, T9N, R5E

- Do you still own the land? Yes ✓ No

If no, please give the name and mailing address of the new owner:

- Has the land been re-enrolled in the Conservation Reserve Program? Yes No

If yes, what year will it again be eligible for irrigation?

- If you still own the land and have not re-enrolled it in CRP, do you intend to irrigate or have you discontinued irrigation on the land described in the water right?

see attached letter ↑
↓ *[Signature]*

Water Right No. 1201-1
S ½ SW ¼ Section 22 T9N, R5E

- Do you still own the land? Yes ✓ No

If no, please give the name and mailing address of the new owner:

- Has the land been re-enrolled in the Conservation Reserve Program? Yes No

If yes, what year will it again be eligible for irrigation?

- If you still own the land and have not re-enrolled it in CRP, do you intend to irrigate or have you discontinued irrigation on the land described in the water right?

1192-1B



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

April 15, 2013

1192-1B
1201-1

George W Jenter
1010 Ballpark Rd Ste 2
Sturgis SD 57785

Dear Mr. Jenter:

I am writing in regard to the irrigation questionnaires you submitted back in October, 2012 for Water Right Nos. 1192-1B and 1201-1.

On the forms you indicated your land was enrolled in the Conservation Reserve Program through 2019. South Dakota water law allows this practice while retaining water rights if the following criteria as discussed in SDCL 46-5-37.2 are met:

- Exceptions to forfeiture for nonuse. The provisions of § 46-5-37 notwithstanding, no water right or permit may be forfeited for nonuse if land authorized for irrigation by a permit or right is placed under an acreage reserve or production quota program or otherwise withdrawn from use as required for participation in any federal program, if:
 1. the water source is not fully appropriated;
 2. if the withdrawal from use does not prevent approval of new permits from the same source, and;
 3. if the appropriated water has been applied to beneficial irrigation use prior to participation in a federal program.

Beginning this year, we will hold up on mailing annual irrigation questionnaires to you until the land comes out of CRP and is again eligible for irrigation. If any changes occur prior to 2019 such as address or ownership changes, please notify our office. If you have any questions, please contact me.

Sincerely,

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

1192-1B



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

June 29, 2020

1192-1B
1201-1

George W Jenter
1010 Ballpark Rd Ste 2
Sturgis SD 57784

Dear Mr. Jenter:

I am contacting you regarding your Water Right Nos. 1192-1B and 1201-1 (copies enclosed).

Irrigators in South Dakota are required to submit an annual irrigation questionnaire reporting how much water was pumped during the irrigation season. Our records show the land authorized for irrigation under Water Right Nos. 1192-1B and 1201-1 has been in the Conservation Reserve Program through 2019.

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

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

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath". The signature is fluid and cursive.

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosures

RECEIVED

JUL 13 2020

WATER RIGHTS
PROGRAM

Water Right Nos. 1192-1B and 1201-1
George W Jenter

1192-1B
7-5-20
GK

Water Right No. 1192-1B authorizes diversion of water from Horse Creek for irrigation of 103 acres located in the NE ¼ Section 21, T9N, R5E;

Water Right No. 1201-1 authorizes diversion of water from Horse Creek for irrigation of 26.4 acres in the S ½ SW ¼ Section 22, T9N, R5E;

Do you still own the land described above?

Yes ☒

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

Has the land been re-enrolled in CRP:

Yes ☒ through calendar year 2019 (?)

No ☐

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

For informational purposes:

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

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

1192-1B

McMath, Genny

From: Jensen, Keith - FSA, Belle Fourche, SD <keith.jensen@usda.gov>
Sent: Tuesday, July 21, 2020 12:16 PM
To: McMath, Genny
Cc: Andersen, Kyle - FSA - Belle Fourche, SD
Subject: RE: [EXT] CRP land in Butte County

The only contract George Jenter has with us is on the NE 21-9-5 and expires 9/30/2020

(1192-1B)

Keith Jensen

County Executive Director
Butte-Lawrence-Harding County FSA
Office: (605) 892-3368 Ext. 2
Fax: 855-262-0860
Acting CED
Perkins County FSA
Office: (605) 244-5222

1201-1 not in CRP

From: McMath, Genny <Genny.McMath@state.sd.us>
Sent: Tuesday, July 21, 2020 10:51 AM
To: Jensen, Keith - FSA, Belle Fourche, SD <keith.jensen@usda.gov>
Subject: CRP land in Butte County

Hello,

I am reviewing two water rights in the name of George W Jenter. They authorize irrigation of land in the NE ¼ Section 21, T9N, R5E and the S ½ SW ¼ Section 22, T9N, R5E.

Recently I contacted Mr. Jenter to find out if the land was re-enrolled in CRP. He said yes and that it was through 2019. I don't think he understood my question on the contract term so I am reaching out to you or whoever I need to in order to find out what the actual end date of the contract is. I know they are usually 10 years. Maybe he meant to write in 2029. I don't know.

I do not need any other information, just the specific year that the land comes out of CRP.

Thank you in advance for your help.

Genny McMath

Genny McMath
DENR – Water Rights Program
773-3352 (main phone)
773-5455 (desk phone)
Website: <https://denr.sd.gov/des/wr>



DENR
SOUTH DAKOTA



1192-1B

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 21, 2023

1192-1B

Jenter Land and Livestock LLC
1010 Ballpark Rd Ste 9
Sturgis SD 57785

To whom it may concern:

I have received your "Notice of Transfer of Ownership" form and the required fees. Enclosed is a receipt of payment and copy of Water Right No. 1192-1B for your records.

Water Right No. 1192-1B previously owned by George Jenter is now listed under Jenter Land and Livestock LLC. I have also updated the contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the Water Right, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the Water Right will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

PAID

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

NOV 20 2023
Ck# 112063
Rec't# 112063

No. 1192-1B

Date: 11-14-23

I/We request that Water Right No. 1192-1B

formerly owned by: George W Jenter

be transferred to: (name & address) Jenter Land & Livestock LLC
1010 Ballpark Rd, STE 9, Sturgis SD 57785

Telephone No. 605-347-3684

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

NE 1/4 NE 1/4 29 ac, NW 1/4 NE 1/4 23 ac, SW 1/4 NE 1/4 20 ac, SE 1/4 NE 1/4 31ac; all in Sec 21, T9N-R5E

I/We understand that the validity of Water Right No. 1192-1B has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Nathan Jolley, the new owner, certify that the above information is true and correct.

(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIVED

NOV 20 2023

OFFICE OF
WATER

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

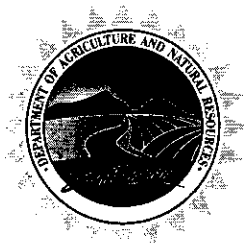
Date November 20, 2023

RECEIVED OF Jenter Land and Livestock LLC 1010 Ballpark Rd., Ste. 9, Sturgis SD 57785

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 <u>1192-1B</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
Em



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 8, 2023

1192-1B

Jenter Land & Livestock LLC
1010 Ballpark Rd STE 9
Sturgis SD 57785

To whom it may concern:

Our office is in receipt of the 2023 Irrigation Questionnaire for Water Right No. 1192-1B. On the questionnaire you noted that ownership of the water right had changed.

I have enclosed a partially completed "Notice of Transfer of Ownership" form for you to review, complete, and return. There is also a prepaid envelope for your convenience.

Please return the form with a check for \$50.00 made payable to SD Water Rights Program.

If you have any questions, please call me. My direct line is 605.910.5187

Sincerely,

Amanda Dewell
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us