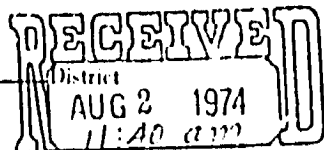


Water Right Number 2103-3

1. Considered 9-11 19 74
2. Name of Applicant MELVIN JENSEN
3. Post Office Address PIERRE
4. Amount of Water claimed 11.00
5. Source of Water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 770.50
7. Water to be diverted and used in HUGHES County
about 6 miles E of PIERRE
8. Proof of Publication Received 8-20-74
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 2103-3Map No. 1502-3 Water Division No. 3 MISSOURI RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Melvin Jensen
 Postoffice address Pierre, 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) _____

3. Name of diversion work Jensen Missouri River Project4. Amount of water claimed (cubic feet per second) 11.05. Source of water supply Missouri River6. Location of point of diversion Between a point in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, and a point in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, T110N, R78WCounty Hughes7. Annual period or periods during which water is to be used April thru October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 770.5

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.
T111N, R78W Sec. 32, NW $\frac{1}{4}$	145.5	T110N, R78W, Sec. 4, SW $\frac{1}{4}$	143.6
N $\frac{1}{2}$ SW $\frac{1}{4}$	33.2	Sec. 5, NE $\frac{1}{4}$	150.0
Sec. 34, NW $\frac{1}{4}$	150.0	SE $\frac{1}{4}$	148.2

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Capitol Journal, Pierre

12. Principal Features of the Proposed Water Supply System. Applicant proposes to pump into dam for supplemental water for permit #137673

A. Works proposed to divert water from its natural source
 pumps and motor

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

Mainline

C. Works proposed to apply water to beneficial use.

Automatic sprinkler and gravity

Estimated Total Cost \$ _____

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

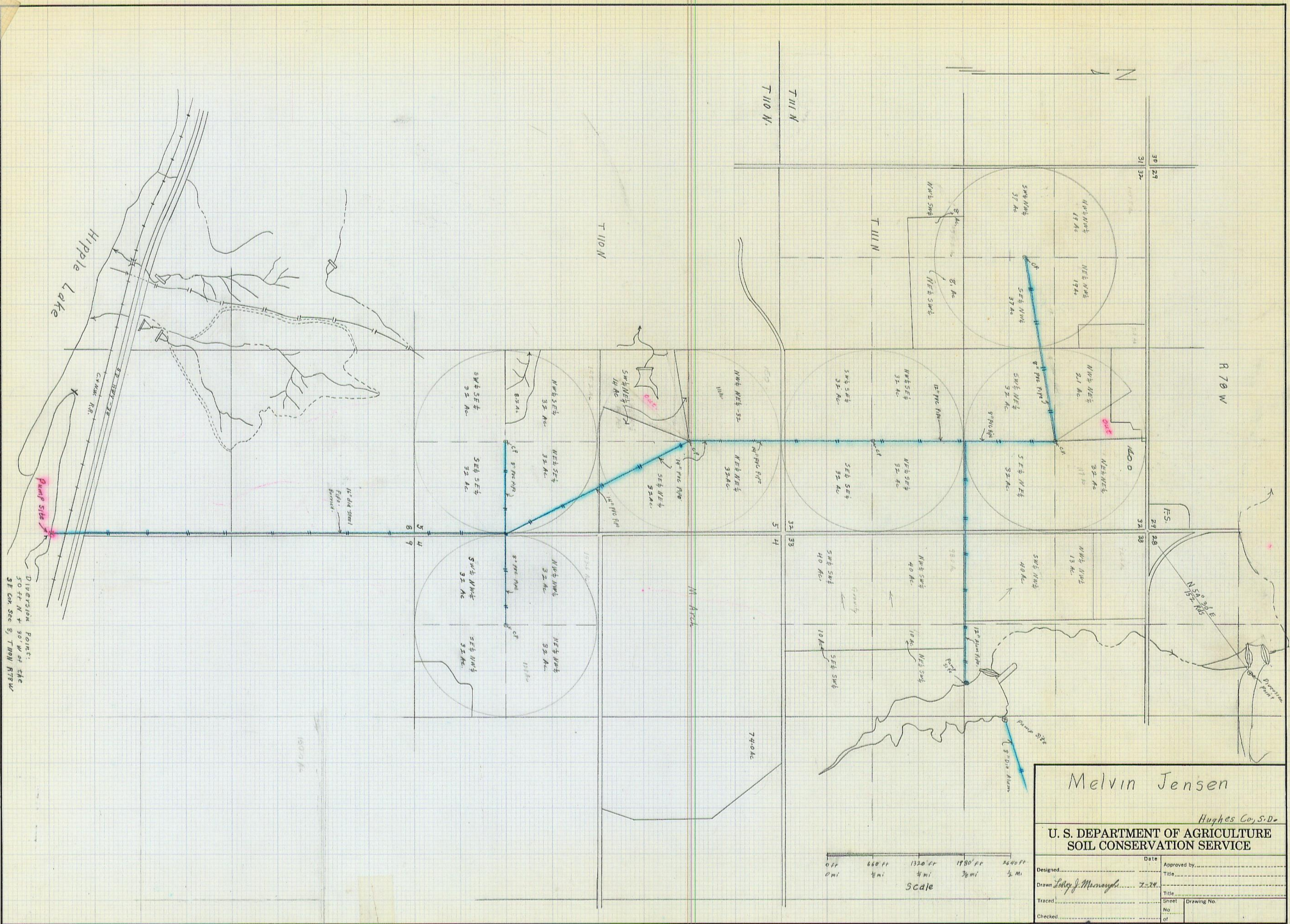
STATE OF SOUTH DAKOTA)
 County of Hughes) ss

I, Melvin E. Jensen 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

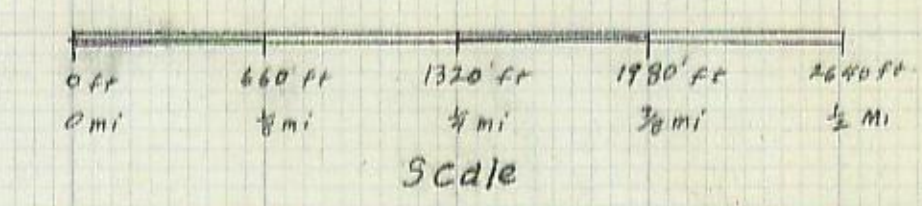
Signed Melvin E. JensenSubscribed and sworn to before me this 21 day of August, 1974

Notary Public (or other qualified officer)

Betty Westlund, Land/Water Clerk II



Melvin Jensen	
Hughes Co., S.D.	
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Date	Approved by
Designed	Title
Drawn <i>Leroy J. Marmey</i>	7-24
Traced	Title
Checked	Sheet No. Drawing No.



WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2103-3

MELVIN JENSEN
(Applicant)

ROUTE 3, PIERRE
(Post Office Address)

SOUTH DAKOTA 57501 With the following modifications:
(State)

*Cancelled
3/26/80
incorporated into
4475-3*

Date of first receipt of application AUGUST 2 1974

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

Date of receipt of corrected application _____ 19____

Approved SEPTEMBER 11 1974, Recorded in Book 13 Page 72

WATER RIGHT PERMIT NO. 2103-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2103-3 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 2 1974
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 11 1977
3. The whole of said work is to be completed on or before SEPTEMBER 11 1979
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith SEPTEMBER 11 1983
5. The water appropriated shall be used for the purpose of IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed 11.0 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 SEPTEMBER 11 1983; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 13TH day of SEPTEMBER 1974

WATER RIGHTS COMMISSION

By: Ronald W. Birrell
Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19____

Water License Issued _____ 19____

Affidavit of Publication

State of South Dakota } ss.
County of Hughes

John H. Hippie

of said County and State, being first duly sworn, on his oath says:

Daily Capital Journal is a
daily newspaper of general circulation, printed and
published in Pierre in said County
and State by Hippie Printing Company and has
been such newspaper during the times hereinafter mentioned; that the
said Daily Capital Journal

is a legal newspaper and has been in existence for more than one year
immediately preceding the first publication herein mentioned; and has
more than two hundred bona fide subscribers; that I, the undersigned,

am business manager of said newspaper, in
charge of the advertising department thereof, and have personal know-
ledge of all the facts stated in this affidavit; and that the advertisement

#2103-3 MELVIN JENSEN
headed NOTICE OF INTENT TO APPROPRIATE WATER
of which is hereto attached, was printed and published in the said news-

paper once each week for two successive weeks; the first publica-
tion being made on August 8, 1974; subsequent publications on

August 15,

1974; that \$9.44 being the full amount of the fee for publi-
cation of the annexed notice inures solely to the benefit of the publishers
of the said newspaper; that no arrangement or understanding for a
division thereof has been made with any other person, and that no part
thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me

this 15th day of August,

1974

Notary Public Hughes County.

Attorney's Affidavit Ex Rel Fees

State of South Dakota } ss.
County of _____

being first duly sworn,
on his oath says: I am _____

of the _____ that _____
directed the publication of the annexed notice; that the full amount as
appears by the foregoing affidavit of _____

for the publication
of such notice has been paid; that no agreement or understanding for any
division thereof, has been made with any person whomsoever, and that
no part thereof has been refunded by the party publishing said notice.

Subscribed and sworn to before me

this _____ day of _____

19____

Notary Public _____ County.

No. 1700 - 21 dly - Aug. 8 - 15

No. 2103-3

NOTICE

INTENT TO APPROPRIATE
WATER

Notice is hereby given that
Melvin Jensen, whose post office
address is Pierre, South Dakota,
has made an application in ac-
cordance with the provisions of
the water laws of South Dakota
for a permit to appropriate for
beneficial use 11.0 cubic feet of
water per second of time from
the Missouri River through the
Jensen Missouri River Project,
the point of diversion of which
is to be located between points
in the SE $\frac{1}{4}$ and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
of Section 8, Twp. 110N, Range
78W. Said water to be used for
the purpose of providing irriga-
tion on portions of the following
described land:

NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 32;
NW $\frac{1}{4}$, Section 34, T111N,
R78W; SW $\frac{1}{4}$, Section 4; E $\frac{1}{2}$
Section 5, T110N, R73W.

This application No. 2103-3 will
be considered by the Water
Resources Commission at their
office at Pierre upon the 11th day
of September, 1974, at 2:30 P.M.
All interested persons may ap-
pear and be heard.

WATER RESOURCES
COMMISSION

By: BURTON F. JONES,
Water Rights Specialist

Publication Fees - \$ _____

Notary Fees - \$ _____

Total - - - \$ _____

Received payment, _____

LEGAL RATES

South Dakota Session Laws of
1957, Chapter 500 page 601-602.

8 pt. 11e ms;

38 11. @ .2484

RECEIVED
AUG 20 1974

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

2103-3

Publish first publication, on or before August 29, 19 74NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 5, 19 74

Notice is hereby given that Helvin Jensen
whose post office address is Pierre, 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
11.0 cubic feet of water per second of time from the Missouri River through the
Jensen Missouri River Project, the point of diversion of which is to be located in the
between points in the SW 1/4 SE 1/4 and in the SE 1/4 SW 1/4

of Section 5, Twp. 110N, Range 78W. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

NW 1/4, N 1/2 SW 1/4, Section 32; NE 1/4, Section 34, T111N, R78W; SW 1/4, Section 4; E 1/2 Section 5,
T110N, R78W

This application No. 2103-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 11th day of September, 19 74, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bv

cc: Helvin Jensen, R.R. #3, Pierre, S.D. 57501

Jensen Irrigation Pipeline Nears River



Work on the Melvin Jensen Irrigation project, delayed this summer by a protest from federal fisheries officials, has been resumed, and 16-inch pipe is being run up the hill to an entry point at the lower end of Hipple Lake east of Pierre. Following a late-summer meeting with the Corps and fisheries personnel, Jensen

agreed to move the entry point downstream to avoid a possible adverse effect on fish hatches.

The pipe has been installed under the railroad tracks, and a permit has been issued for the pipeline to go under highway 34. (Reed Somner Photo)

Cornpromise reached on irrigation project

A Pierre landowner and federal officials have worked out what is listed as a compromise to permit water to be pumped for irrigation from Lake Sharpe without endangering the fish population.

The decision came after months of negotiation between Mel Jensen, who farms and ranches east of Pierre, and the Corps of Engineers and the U.S. Fish and Wildlife Service (USF&WS).

Meanwhile, Jensen has had an estimated \$100,000 in irrigation equipment standing idle pending the decision that was reached at the Washington level.

The Sierra Club had expressed alarm that Jensen's

original irrigation plan, which was to take water directly from Hipple Lake, an arm of Lake Sharpe, would cripple the food supply of the walleye and jeopardize the walleye population in Lake Sharpe. The walleye population in Lake Sharpe is considered among the best in the nation.

Here is an overview of key developments surrounding the decision:

1--Jensen initially received a permit from the state of South Dakota to pump water from along the north shore at about one-third from the end of Hipple Lake. The Corps of Engineers said everything looked fine but turned the matter over to the USF&WS to

determine the ecological impact. And there the controversy started.

2--In a 26-page report by biologist Fred June of North Central Reservoir Investigations of the USF&WS at Pierre, he said there is little exchange of water between Hipple Lake and Lake Sharpe except at the mouth, where there is a circular movement, and as a result Hipple Lake is a unique productive ecosystem. In brief, he also said Hipple Lake (a) is the prime spawning and nursery habitat within the entire Missouri River main stem reservoir system; (b) pumping water at the 7.6 cubic feet per second from Hipple Lake as proposed would alter

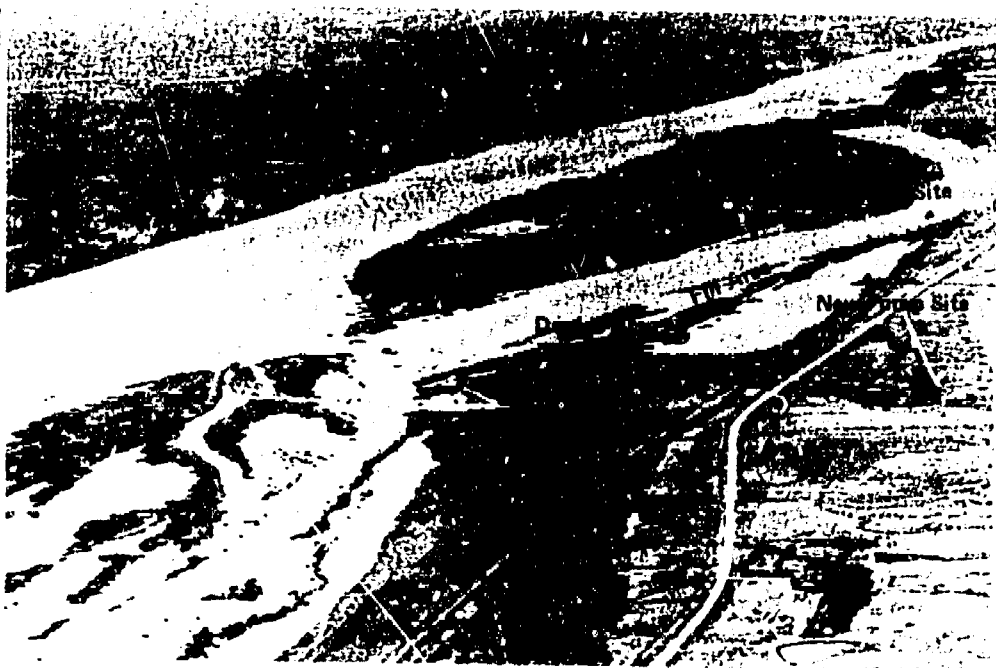
physical and biological properties of the three mile lake and hurt fish production; (c) every young-of-the-year fish would be vulnerable to withdrawal through the irrigation pump, and this would decimate the black-and-white crappie population and significantly reduce the gizzard shad population of Hipple Lake. Gizzard shad are the forage fish of the walleye. In the end, June said, the walleye population would be "significantly reduced."

3--Spokesmen for the USF&WS, the Corps and Jensen met at Omaha. The USF&WS wanted Jensen to extend a pipe to the south end of Farm Island but accepted an

alternate proposal to permit Jensen to pump water from a back water area, just north of the downstream end of Hipple Lake, providing that Jensen did fill and channel work to assure the water pumped would come from Lake Sharpe and not Hipple Lake. At this point of time, the permit was scheduled to be issued with stipulations requiring the dredge and fill work if Jensen determined the proposal to be economically feasible.

4--The matter was carried to Washington where Interior and corps officials ruled in favor of issuing the permit for the alternate proposal but allowed Jensen two years to do

(Continued on Page 2)



The aerial photo shows the east end of Hipple Lake and the backwater area where water is to be pumped from Lake Sharpe for irrigation. The top of the photo is toward the west.

Irrigation project okayed

(Continued from Page 1)

the fill and channel work. In the meantime, Jensen can take water from the alternate pumping site.

5--A Corps official at Omaha says it is "questionable" whether the water pumped will actually come from Lake Sharpe or Hipple Lake.

Jensen, former Game, Fish and Game Commissioner, has questioned many USF&WS findings made no public about the whole matter.

Jensen plans to over the Missouri to irrigate about 1,000 acres of corn.

James Dot 2/19/75

2-103-3

Melvin Jensen



DEPARTMENT OF THE ARMY
OMAHA DISTRICT, CORPS OF ENGINEERS
6014 U.S. POST OFFICE AND COURT HOUSE
OMAHA, NEBRASKA 68102

28 March 1975

NR06P-N
SD 238 OXT 1 000049
Melvin E. Jensen
Intake Structure
Missouri River Mile 1058.7

NOTICE OF PERMIT PENDING

The application of Melvin E. Jensen, Rural Route 3, Pierre, South Dakota 57501, for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U.S. Army Engineer District, Omaha, Nebraska.

The applicant requests permission to construct a water intake structure to provide irrigation water to approximately 770.5 acres. Approximately 100 cubic yards of material will be excavated in constructing the pumping station and the intake pipe. The excavated material will be utilized as backfill with the excess being leveled and graded around the pumping station. The existing riprap along the shoreline, disturbed by the placement of the intake pipe, will be replaced to the existing line and grade. The intake structure will be utilized to withdraw water at a rate of 11.0 cubic feet per second during the period April through October each year.

The South Dakota Department of Environmental Protection has certified that there is reasonable assurance that the proposed project is located, designed and will be constructed in such a manner that it will not result in any environmental conditions which would exceed the current air and water pollution control standards for the State of South Dakota.

An environmental assessment of the proposed activity has been made and is on file in this office. The assessment indicates that no significant adverse impacts on the human environment will occur. Based on this finding, a preliminary determination has been made that an environmental impact statement will not be required.

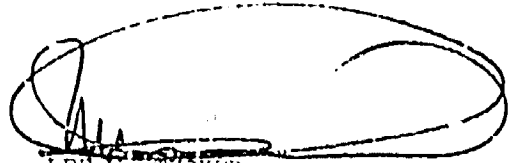
Any interested party (particularly officials of any town, city, county, state, federal agency, or local association whose interests may be affected by the proposed work) is invited to submit to this office written facts, arguments, or objections on or before 28 April 1975. Any agency or individual having an objection to the work should specifically identify it as an objection with clear and specific reasons.

A permit, if granted, will be under Section 10 of the River and Harbor Act of 1899 (33 USC 703).

Drawings showing the location and extent of the work are attached to this notice.

FOR THE DISTRICT ENGINEER:

Attachments
As stated

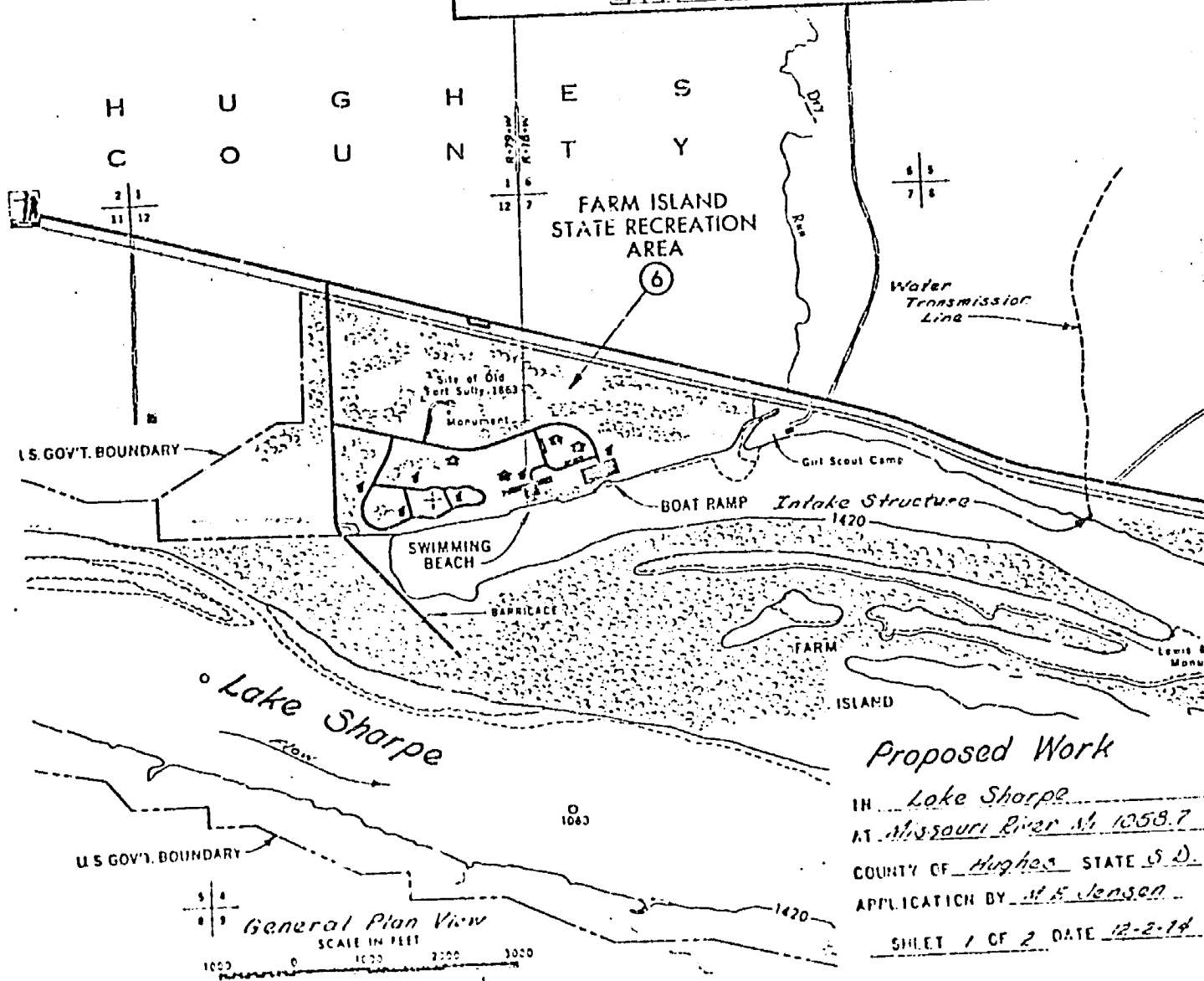
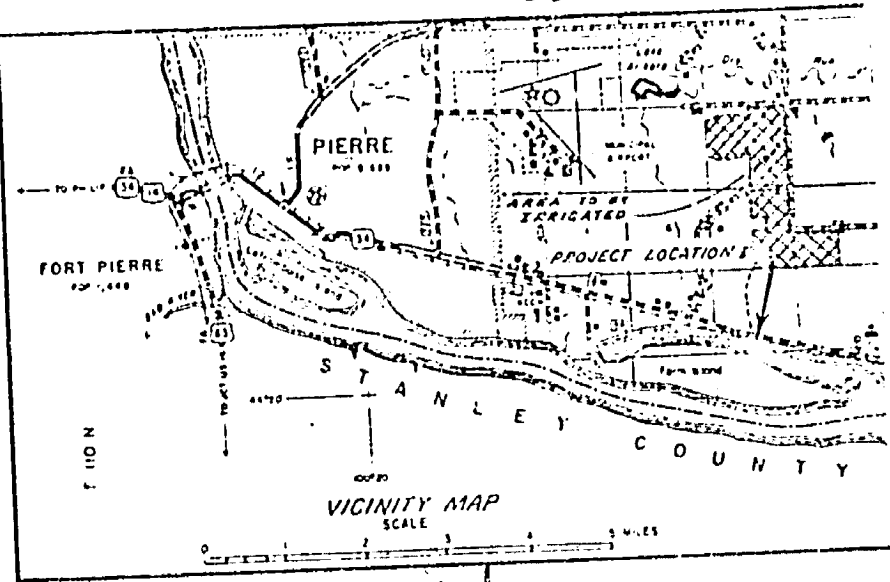
A large, stylized handwritten signature in black ink, appearing to read 'LEE W. TUCKER', is written over the typed name.

LEE W. TUCKER
LTC, Corps of Engineers
Deputy District Engineer

000049

NOTES:

See Sheet #2 for details.
All elevations refer to mean sea level.



Proposed Work

IN Lake Sharpe
AT Missouri River N. 1058.7
COUNTY OF Hughes STATE S.D.
APPLICATION BY H. S. Jensen
SHEET 1 OF 2 DATE 12-2-74

000049

16" - 10 GAUGE COAL TAR COATED STEEL PIPE LINE

INTAKE PUMP HOUSE

EXISTING GRADE

8' DIAMETER STEEL WET WELL

30" DIAMETER CORRUGATED STEEL INLET PIPE

INVERT ELEVATION 1413.0

EXISTING RIPRAP

NORMAL OPERATING POOL ELEVATION 1420.0

PROPOSED WORK

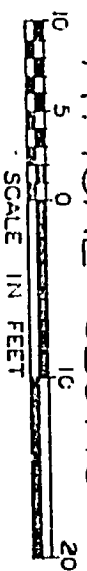
IN Lake Sharpe
AT Missouri River M. 1053.7
COUNTY OF Hughes STATE S.D.
APPLICATION BY A.E. Jensen
SHEET 2 OF 2, DATE 12-2-24

8'

49'

26'

TYPICAL SECTION



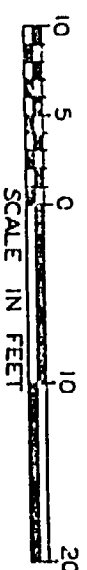
WATER TRANSMISSION LINE

INTAKE PUMP HOUSE

INLET PIPE

STEEL WET WELL

PLAN VIEW



SHORE LINE

25'

LAKE SHARPE

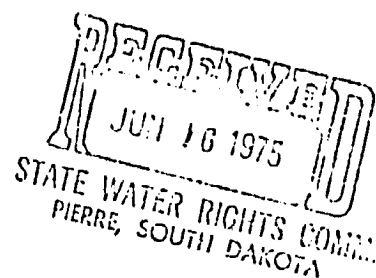
1426.0'

1422.0'

1415.0'

1413.0'

Water Rights Commission
Office Building No. 2
Pierre, South Dakota 57501



Gentlemen:

Due to the possibility of my having to move the point of diversion on Water Right Permit #2103-3, I would appreciate approval of changing the point of diversion to a location between a point in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8 and the S $\frac{1}{4}$ corner of Section 9, T110N, R78W.

A handwritten signature in cursive script, appearing to read "Melvin Jensen".

Melvin Jensen

MJ:yjl

91733
177.3

5-1-17

10/1/17

3 d for 100 HP. Same as above
Model 1774 1/2 Ser # VII-97758-12/13

3 d for 100 HP. Same as above
Model 1774 1/2 Ser # VII-97758-12/13
Pump Cornell Same as above
Ser # 2055

3 d for 100 HP. Same as above
Ser # VII-97758-12/13
Pump Cornell Same as above
E 2057

3 d for 100 HP. Same as above
Ser # VII-97758-12/13
Pump Cornell Same as above
E 2059

11/1/17
11/1/17

CP 10-442 32" Electrolux 12840

1 Ser # 3752356

Rel. Elec. CP No. 430 32" Electrolux
of the 10-442 - 12840

CP 10-442 32" Electrolux 12840

Model 680, Ser # 4790724

12840 - 12840

CP 10-442 32" Electrolux 12840

Model 680 - Ser # 37905703

9007PAN

Water Pump at Dr. Post. 3752356

Model 58693714203A, Ser # DMJ47260

Pump

Model 58693714203A 2515

Chas. H. Phillips
July 1st 1901

Engine and pump in use
for Gravel cutting, Eagle River
Industries, N. C.

Model HT-13 - 201 ft. 3070 ft.
Long Riddle with 665 Q.B.A. 20 ft.
See # NO 1513 W.

722

The pump is used to pump from
Creek to dam.