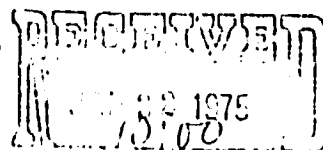


1. Considered 3-17, 1976 7520-3
2. Name of Applicant STANLEY J. JENSEN
3. Post Office Address BERESFORD
4. Amount of water claimed 1.0
5. Source of water supply LOCAL RUNOFF (117 AC FT STORAGE)
6. Water to be used for IRRIGATION & RECREATION
- Acres to be irrigated 70
7. Water to be diverted and used in LINCOLN county
about 1N, 2W miles of BERESFORD
8. Proof of Publication Received 3-8-76
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:

No. 2570-3Map No. 1891-3 Water Division No. 3 BIG SIOUX RIVER District
(Blanks to be Filled by the Engineer for the W. R. 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 Stanley J. Jensen
 Postoffice address Rt. 2, Box 107, Beresford, 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) Contract and direct labor
 3. Name of diversion work Jensen #1
 4. Amount of water claimed (cubic feet per second) 1.00
 5. Source of water supply dry draw
Dam located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T96N, R51W
 6. Location of point of diversion _____
 _____ County Lincoln
 7. Annual period or periods during which water is to be used April thru Octobe.
 8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation and recreation
 9. For irrigation use, Total number of acres to be irrigated 70

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.
NE $\frac{1}{4}$ NW $\frac{1}{4}$	26.7		
NW $\frac{1}{4}$ NE $\frac{1}{4}$	43.3		

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 Beresford Republic, Beresford, S.D.
 12. Principal Features of the Proposed Water Supply System.

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

Storage Dam
 Pump and motor

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

Mainline

C. Works proposed to apply water to beneficial use.

Gated pipe and/or sprinkler system

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)

HUCPES)

County of _____)

I, Stanley J. 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 Stanley J. Jensen
22nd day of January 1976

Subscribed and sworn to before me this _____ day of _____ 1976

Notary Public (or other qualified officer)

BETTY WESTLUND, LAND WATER CLERK II

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2520-3
STANLEY J. JENSEN R2, Box 101, BERESFORD
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57004 With the following modifications:
 (State)

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING LIVESTOCK WATERING SHALL BE BY-PASSED.

APPROVAL OF THIS PERMIT AUTHORIZES STORAGE OF 117 ACRE FEET OF WATER ANNUALLY

Date of first receipt of application JANUARY 22 1976
 Date of return to applicant for correction, amendments or changes required --- 19---
 Date of receipt of corrected application --- 19---
 Approved MARCH 17 1976, Recorded in Book 14 Page 306

WATER RIGHT PERMIT NO. 2520-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2520-3 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 JANUARY 22 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 27 1978
3. The whole of said work is to be completed on or before MARCH 17 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 17 1985
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 1.0 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 it 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 MARCH 17 1985; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 22ND day of MARCH 1976

WATER RIGHTS COMMISSION

By:

[Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued --- 19---

Water License Issued --- 19---

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc)

(3) Perforated Screen

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____, Length of gravel pack _____

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 _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

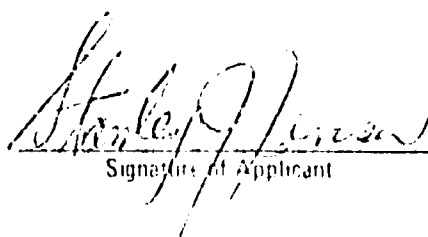
On same owner's property _____ rds. On property owned by others _____ rds.

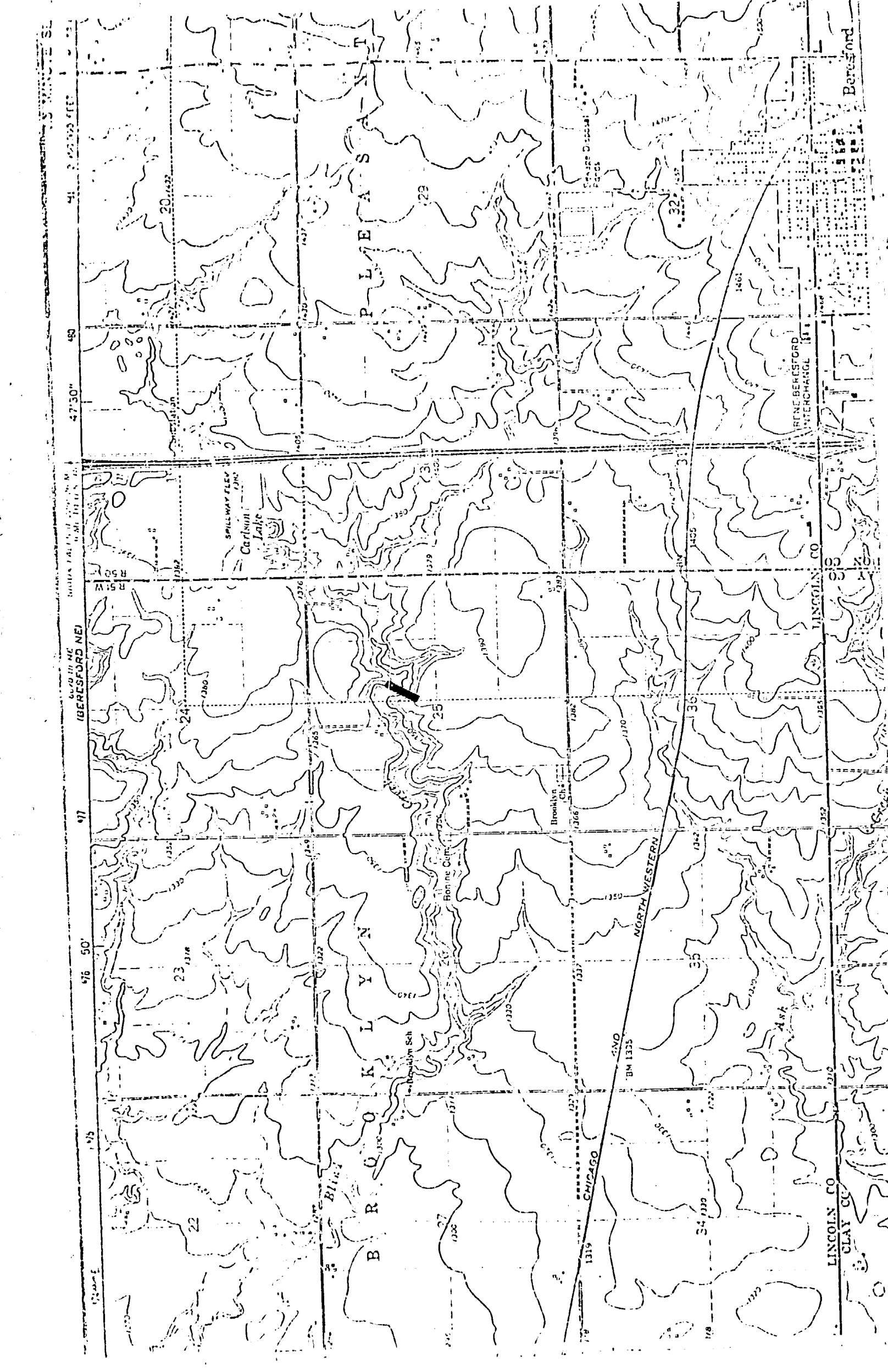
G. Water Storage Dams

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.

STORAGE DAM:

Surface Acreage	16.7 acres
Depth of Water	16 feet
Storage Capacity	117 acre feet
Drainage Area	3610 acres


Signature of Applicant



2520-3

Publish first publication, on or before March 4, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 13, 1976

Notice is hereby given that Stanley J. Jensen
whose post office address is Beresford, 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
1.0 cubic feet of water per second of time from the a dry draw through the
Jensen No. 1, the point of diversion of which is to be located in the

SE 1/4 NW 1/4

of Section 25, Twp. 96N, Range 51W. Said water to be used for the purpose
of providing irrigation ^{portions of} on the following described land:

NW 1/4 NW 1/4 & NW 1/4 NE 1/4 Sec. 25, T96N, R61W, and for recreation purposes

This application No. 2520-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 17th day of March, 1976, at 1:00 P.M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

cc: Stanley J. Jensen

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County _____ Union _____) ss.

I, Jack Nelson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Beresford Republic

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 Beresford

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

February 19, 1976

February 26, 1976

Jack Nelson
(Signature)

Publisher

(Title)

2/4/76

(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, South Dakota 57501

February 13, 1976
Notice is hereby given that
Stanley J. Jensen, whose post
office address is Beresford,
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
1.0 cubic feet of water per
second of time from a dry draw
through the Jensen No. 1, the
point of diversion of which is to
be located in the SE 1/4 NW 1/4 of
section 25, Twp. 96N, range
51W. Said water to be used for
the purpose of providing
irrigation on portions of the
following described land: NE 1/4
NW 1/4 and NW 1/4 NE 1/4 sec. 25,
T96N, R51W, and for
recreation purposes.

This application No. 2520-3
will be considered by the Water
Resources commission at their
office at Pierre upon the 17th
day of March, 1976, at 1 p.m.
All interested persons may
appear and be heard.

Water Resources
Commission

Burton F. Jones

Water Rights Specialist

Pub: February 19 and 26, 1976



OBJECTION TO APPROPRIATION OF WATER.

Re: Application No. 2520-3

TO THE WATER RESOURCES COMMISSION:

The undersigned, the owners and operators of land through which the dry draw from which the applicant, Stanley Jensen, proposes to divert water, hereby object to any approval of appropriation by the applicant. We believe that the suggested appropriation will effectively remove all flow of water through the draw. The undersigned depend upon that for watering livestock during the time when the same runs and would be severely damaged by authorizing such appropriation.

The undersigned further believe that they are entitled to the continued flow of said water and that it would be unlawful to deny them such water through their property after their objection.

Dated this 16th day of March, 1976.

Albert L. Lunde

Robert E. Kennedy

Robert L. Anderson

Dale Kennedy

Lester Anderson

Ronald Anderson

Robert L. Anderson

Wayne L. Anderson

3-14-76

Stan. Jensen 2520-3

1 N. 2 W. Bonanza

SE 1/4 NW 1/4 Sec 25-T96-R51

117 A.F. storage 16.7 surface acres

1,000 cfs for 70 acres

Drainage Area = 3610 acres

SCS used 2.7 inch/yr runoff factor on
a 2 yr frequency basis.

$$3610 \text{ acres} \times \frac{2.7 \text{ inches}}{\text{yr}} \times \frac{1 \text{ ft}}{12 \text{ inches}} = 812 \text{ A.F.}$$

1 ^{stock} dam above (north east) in SE 1/4 SW 1/4 Sec 19-T97-R50

40 A.F. surface area 7 acres - about 1 mi.

117 A.F.'s about 14% of water ^{available} on watershed

Fair Richter SCS

No known dams below (to west) for at least 2 miles

With low slow by-pass, should be no problem.

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 2520-3

December 4, 1987

Deloris Jensen
RR 2, Box 107
Beresford, South Dakota 57004

Dear Mrs. Jensen:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. 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.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.



NOTICE OF TRANSFER OF WATER PERMIT

Date: _____

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

70 Acres - NE1/4NW1/4, NW1/4NE1/4 Section 25, T96N, R51W

formerly owned by Stanley Jensen

has been transferred to Deloris Jensen, RR 2, Box 107, Beresford, SD 57004

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 2520-3 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 Lincoln) ss.

I, Deloris Jensen 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.

Deloris Jensen
(Signed)

Subscribed and sworn to before me this 7 Day of December, 1987.

Brodie M. Bak
(Notary Public)



Department of Water & Natural Resources

Joe Foss Building

523 East Capitol

Pierre, South Dakota 57501-3181

WATER RIGHTS DIVISION

(605) 773-3352

2520-3

December 10, 1987

Deloris Jensen
RR 2, Box 107
Beresford, South Dakota 57004

Dear Ms. Jensen:

I am contacting you in regard to the "Notice of Transfer" you submitted for change of ownership on Water Permit No. 2520-3. The form was completed properly, however, the transfer cannot be filed without a \$2.50 fee.

Please remit the required \$2.50 filing fee as soon as possible. The transfer can be completed upon receipt of this fee.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Natural Resources Analyst

GM:ms

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

111093

Pierre, December 14, 1937

RECEIVED OF Deloris Jensen, RR 2, Box 107, Baresford, SD 57004

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>2520-3</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 MS

SOUTH Dakota Department of
Water & Natural Resources

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

December 21, 1987

Deloris Jensen
RR 2, Box 107
Beresford, South Dakota 57004

Dear Mrs. Jensen:

Enclosed is receipt No. 411093 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 2520-3.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

Water Rights Division - DWNR
Conversation or File Documentation

File No. 2520-3

NAME OR FILE: Kurt Jensen

ADDRESS: Route 2 Box 107 Beresford, SD 57004 COUNTY Lincoln

DATE: June 24, 1988 TELEPHONE 757-4189

RE: Validity of Water Permit # 2520-3

COMMENTS:

On June 24, 1988, via telephone, Kurt Jensen asked if
Water Permit # 2520-3 was still valid. Water Permit # 2520-3
authorized construction of a dam for recreational and irrigation
purposes. Mr. Jensen stated they had never irrigated land covered
under Water Permit # 2520-3 but the dam was constructed and
is used for recreational purposes.

The corrugated metal pipe inlet in the dam has recently developed
corrosion problems and is in need of repairs. In order to repair or
plug the pipe, the water level in the dam needs to be lowered. Mr.
Jensen wanted to know if he could lower the water level in the
dam by irrigating out of the dam.

The time limit for beneficial use on Water Permit # 2520-2 was
March 17, 1985. Since the time limit for beneficial use for
irrigation purposes has expired, I informed Mr. Jensen that the irrigation
portions of Water Permit # 2520-3 is subject to cancellation due to nonuse.

File in Permit or other file as necessary. Use to document conversations and
what the other party was told; why action or decision was made.

NAME: David S. Brown

Water Rights Division - DVNR
Conversation or File Documentation

File No. 2520-3
5238-3

NAME OF PERSON OR FILE: B. Deloris Jensen
ADDRESS: RR 2 Box 107, Berea, Wyo. COUNTY Lincoln
DATE: April 13, 1989 TELEPHONE _____
RE: licensing of Nos. 2520-3 & 5238-3

COMMENTS:

Permit No. 5238-3 authorizes irrigation of 79.2
acres from the dam existing under Permit No.
2520-3. (Only the Recreation part of No. 2520-3
was developed).

After the construction period is up for
No. 5238-3, both permits can be licensed
(Incorporated together) with the irrigation
portion retaining a priority of Sept 8, 1988
and the recreation portion retaining a
priority date of January 22, 1976.

Note: January 22, 1976 - from Permit No. 2520-3
September 8, 1988 - from Permit No. 5238-3

File in Permit or other file as necessary. Use to document conversations and
what the other party was told; why action or decision was made.

NAME: Genny McMath



2520-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 16, 1994

B DELORIS JENSEN
RR 2 BOX 107
BERESFORD SD 57004-9578

NOTICE

RE: Violation of Water Permit No(s) 2520-3, 5238-3 and 1993 Irrigation
Questionnaire Requirements

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 2520-3, 5238-3. The request for the Questionnaires was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will be to determine if Permit No(s) 2520-3 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) 5238-3 qualification:

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

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Avenue, Lead, 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 SDCL 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) 5238-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 2520-3 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 April 1, 1994, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
COS 773-3352

2520-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 9, 1994

NOTICE

TO: B DELORIS JENSEN
RR 2 BOX 107
BERESFORD, SD 57004-9578

FROM: Ron Duvall, Natural Resources Engineer IV
For John Hatch, Chief Engineer,
Water Rights Division
(605) 773-3352 

SUBJECT: April 6, 1994 Water Management Board Meeting --
Irrigation Questionnaire Violation(s)
RE: 5238-3, 2520-3

On February 16, 1994, a notice was sent to you concerning submission of the 1993 irrigation questionnaire(s). The time and location of the April 6th hearing have been changed.

The hearing is now scheduled as follows:

9:30 a.m., April 6, 1994, in the Conference Room of
the Floyd Matthew Training Center, Joe Foss Building,
523 E Capitol, Pierre, SD.

All other provisions of the February 16th notice still apply. If the questionnaire(s) are received in this office prior to April 1, 1994, your name will be deleted from the agenda.

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

CERTIFICATION

I hereby certify that on March 9, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 9, 1994, regarding April 6, 1994, Water Management Board Meeting -- Irrigation Questionnaire Violation(s) on the following Water Rights/Permits and addresses as stated below:

- 2709-3: Alex A./Ann L. Falk, 1301 N. 4th St., Aberdeen, SD 57401.
 2763-3 & 4281-3: Alfred LaCroix, Jr., RR 1, Box 350, Jefferson, SD 57038.
 5238-3 & 2520-3: B. Deloris Jensen, RR 2, Box 107, Beresford, SD 57004-9578.
 2534-3: Barry Imsland, RR 2, Box 26, Conde, SD 57434.
 1677A-3: Burnett Quam, RR 1, Box 222, Elk Point, SD 57025.
 1814-3: Caroline & Garry S. Kerkvliet, RFD 2, Box 145, Castlewood, SD 57223.
 4773-3 & 1880-3: City of Brookings, Theodore Kryger, F.O., P.O. Box 270, Brookings, SD 57006-0270.
 180-3 & 291-3: Craig Flyger, RR 1, Box 22, Parker, SD 57053.
 1076-2, 1236-2 & 2167-2: Dale Heese, HCR 88, Box 36, Millboro, SD 57580-7417.
 1488-2: Dan Donelan, HCR 33, Box 23, Mission Ridge, SD 57532.
 417-1A & 417-1B: Darrell C. Anderson, 1700 Kings Rd., Rapid City, SD 57702.
 540-2: Darrell E. Heldman, Box 402, Edgemont, SD 57735.
 1503-2: Dave Hemmingson, HCR 3, Box 11, Philip, SD 57567.
 792-1: David L. & Mary Lou Mollman, HC 63, Box 62, Ludlow, SD 57755.
 4093-3: Dell Rapids Golf & Rec Assoc, Mike Solem, Box 165, Dell Rapids, SD 57022.
 2394-3 & 2395-3: Dennis Jones, RR 1, Box 55, Bath, SD 57427.
 1275-2: Donald Kaiser, HCR 89, Box 303, Hermosa, SD 57744.
 1556-3: Ed & Dale Fawcett, Inc., Box 3D, Ree Heights, SD 57371.
 1555-3: Ed & Dale Fawcett, Inc., HCR 64, Box 155, Miller, SD 57362.
 2622-3: Evelyn Bernard, RR 1, Box 35, Jefferson, SD 57038.
 526-2: Fred & Dan McFarland, P.O. Box 2110, Rapid City, SD 57709.
 1390A-1: Fred W. Carlson, 716 10th Ave., Belle Fourche, SD 57717.
 3026-3: G. Waldner, Hillcrest Colony, Box 17, Garden City, SD 57236.
 1291-3 & 2474-3: Gary Hanson, Operator, RR 2, Box 224, Elk Point, SD 57025.
 407-2, 408-2 & 409-2: Gerrit DeJong, HCR 81, Box 50, Kennebec, SD 57544-9503.
 4209-3: Harold Nelson & Son, RR 2, Box 156, Yankton, SD 57078.
 5315-3: Hillcrest Golf/Country Club, T. Cihak, President, 2206 Mulberry, Yankton, SD 57078.
 2595-3 & 4379-3: James B. Zell, Rt 1, Box 350, Cavour, SD 57324.
 4687-3* & 4687-3B: James L. Sutton, Box 33, Onida, SD 57554.
 5203-? Jeffery O. & Sally J. Nelson, RR 2, Box 2080, Brandon, SD 57005-9606.
 475-2 & 1114-2: John Pitkin, Rex Ranch, Box 92, Nenzel, SD 69219.
 961-3, 1050-3, 1120-3 & 1223-3: Kevin Dettler, HC 71, Box 29, Doland, SD 57436.

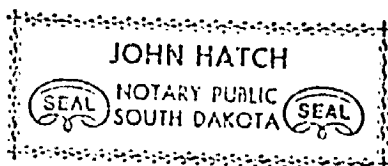
4524-3 & 4524-3A: Leon Lengkeek, 1605 Buffalo TR, Brookings, SD 57006.
 4443-3: Lonnie H. Nelson, RR 2, Box 156, Yankton, SD 57078.
 5010-3: Loren & Joyce Forrest, RR 1, Box 213, Laverne, MN 56156.
 156-3, 157-3, 164-3 & 1878-3: Marene Flyger, Box 362, Hurley, SD 57036.
 2242-3: Mark Quam, RR 2, Box 456, Elk Point, SD 57025.
 1523-2 & 1525-2: May & Sons, Inc., HC 53, Box 21, Interior, SD 57750.
 3550-3: Melvin A. Schmidt, Rt 2, Box 127, Parker, SD 57053.
 1714-2 & 2063-2, 400-2 & 401-2: Melvin E. Brassfield, Box 24, Caputa, SD 57725.
 5353-3: Michael A. Koslowski, RR 1, Box 44, Waubay, SD 57273.
 4910A-3: Michael L. Kreber, RR 1, Box 89, Tabor, SD 57063.
 2120-2: Mick Zink, HC 88, Box 51, Wewela, SD 57578.
 5205-3: Oahe Shores Golf Association, Dennis Moser, P.O. Box 174, Pollock, SD 57648.
 1684-3 & 2742-3: Paul Daly, P.O. Box 379, Ft. Thompson, SD 57339-0379.
 5736-3: Robert Streeter, 2645 Country VW, Monroe, WI 53566.
 235-3: Russell Doolittle, RR 1, Box 53, Wolsey, SD 57384.
 1264-3A: Steffen Brothers, Inc., HCR 37, Box 132, Pierre, SD 57501-9514.
 424-1: Steve Smeenck, Rt 1, Box 134, Newell, SD 57760.
 399-2: Thomas & Robin Jagow, HC 56, Box 39, Buffalo Gap, SD 57722.
 5225-3: Town of Pollock, Lila Renner, F.O., P.O. Box 57, Pollock, SD 57648-0057.
 925-1: Warren N. Golliher, RR 1, Box 237D, Spearfish, SD 57783.
 897-2: Wilbert & Judith Ohlmann, HCR 69, Box 663, Midland, SD 57552.
 1402A-2: William & James O'Kief, HC 68, Box 32, Wood Lake, NE 69221.
 4646A-3: William A. Stoddard, 821 S. Walts Ave., Sioux Falls, SD 57104.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF HUGHES)

Sworn to, before me, this 10th day of March, 1994.



John Hatch
 Notary Public
 JOHN HATCH, Notary Public
 My Commission Expires
 April 1, 2001

2520-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 22, 1994

2520-3
5238-3

B Deloris Jensen
RR #2 Box 107
Boresford, SD 57004-9578

Dear Ms. Jensen:

I am writing to acknowledge receipt of your 1993 Irrigation questionnaires. Questionnaires were completed for you based on a telephone conversation between Ron Duvall, of this office, and Curt Jensen. You may disregard the February 16, 1994, Notice of Violation of Water Permit Nos. 2520-3 & 5238-3 and 1993 Irrigation Questionnaire Requirements.

The questionnaires were completed and on file in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

Genny McMath
Environmental Scientist
Water Rights Division
(605) 773-3352



2520-3

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

December 2, 1996

2520-3
5238-3

Kirk Jensen
RR 2 Box 107
Beresford, SD 57004-9578

Dear Mr. Jensen:

Thank you for the prompt return of the 1996 irrigation questionnaires for Water Permit Nos. 2520-3 and 5238-3. It is my understanding from the notation you made on the forms that you wish to have the water permits transferred from B Deloris Jensen to your name.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in transferring the permits. Please review the forms for accuracy and make any necessary corrections. Upon completion, please sign the forms in the presence of a notary public and return them to our office with a required filing fee of \$2.50 each (total of \$5.00).

If I have misunderstood your comments and you wish to be listed as operator of the permits rather than owner, please contact me. If this is the case, we can add your name to the permits as that of operator and leave ownership listed under B Deloris Jensen.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures



2520-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 8, 1997

SECOND NOTICE

Permit Nos. 2520-3
5238-3

Kirk Jensen
RR 2, Box 107
Beresford, SD 57004-9578

Dear Mr. Jensen:

On December 2, 1996, notice was sent to you concerning the transfer of Water Permit Nos. 2520-3 and 5238-3 in the name of B. Deloris Jensen. To date, we have not heard from you on this matter.

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

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

Very truly yours,

RON DUVALL
Natural Resources Engineer
For John Hatch, Chief Engineer
Water Rights Program

enclosures

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

Kirk Jensen
RR 2, Box 107
Beresford, SD 57004-9578

2520-3
5278-3

4a. Article Number

P 422 707 458

4b. Service Type

☐ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

☒ Certified

☐ Insured

☐ COD

7. Date of Delivery

5-4-97

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Kirk Jensen*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

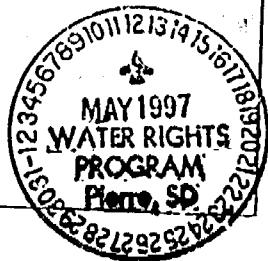
UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

010114 00113 90 571 01 00 01 05/17

• Print your name, address, and ZIP Code in this box •

DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES
WATER RIGHTS PROGRAM
523 E. CAPITOL JOE FOSS BLDG.
PIERRE, SOUTH DAKOTA 57501



NOTICE OF TRANSFER OF OWNERSHIP



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

No. 2520-3

Date: 6-10-97

I/We request that Water Permit No. 2520-3

formerly owned by: B Deloris Jensen

be transferred to: (name & address) 47147 ~~2nd~~ 292nd St.
Kirk Jensen, RR 2 Box 107, Beresford, SD 57004-~~1578~~

Telephone No. (605) 957-4189

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

NE 1/4 NW 1/4 and NW 1/4 NE 1/4 Section 25, T96N, R51W

I/We understand that the validity of Water Permit No. 2520-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Lincoln)

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

Kirk S. Jensen
(Signed)

Subscribed and sworn to before me this 13th day of June, 19 97.

[Signature]
(Notary Public)

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 17, 1997

2520-3
5238-3

Kirk S Jensen
RR 2 Box 107
Beresford, SD 57004-9578

Dear Kirk:

I received the "Notice of Transfer of Ownership" forms you submitted for Water Permit Nos. 2520-3 and 5238-3. Thank you for calling about these and getting them mailed in.

The forms were completed properly, however a filing fee of \$2.50 each is required before the transfers can be processed. I tried calling you at the telephone number listed on the transfer forms (957-4187), but it must not be the right number because I couldn't get through. If you have a different number, please include it with your correspondence and I will update the forms.

Please remit a total of \$5.00 as soon as possible. The transfers will be processed upon receipt of the fee. Thanks Kirk, and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

415408

Pierre, _____ July 1, 19 97

RECEIVED OF Kirk S. Jensen, 47147 - 292nd St., Beresford, SD 57004
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>Water Permit No. 2520-3</u>		2 50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer



2520-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 8, 1997

No. 2520-3
5238-3

Kirk Jensen
47147 292nd St.
Beresford, SD 57004

Dear Mr. Jensen:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Permit Nos. 2520-3 and 5238-3.

Our records now show you as the owner of Water Permit Nos. 2520-3 and 5238-3.

Sincerely,

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

enclosure

Permit No. 2520-3
Big Sioux River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, September 12, 1997 made a thorough examination of the water use system constructed by Kirk Jensen of 47147 292nd St., Beresford SD 57004 holder of Permit No. 2520-3, bearing the priority of January 22, 1976 authorizing the diversion of 1.0 cu. ft. per second and/or storage of 117 acre-feet of the waters of Blind Creek for irrigation and recreational purposes, in Lincoln County.

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

A. Works used to divert the water:

Dam on Blind Creek for recreational purposes.

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

None, irrigation not developed.

C. Works used to apply water to beneficial use:

None, irrigation not developed.

The system is in the following condition good. The point of diversion is located 1518' E and 2046' S of the NW corner of Section 25-T96N-R51W in the SE $\frac{1}{4}$ NW $\frac{1}{4}$. The works are capable of storing 117 acre feet of water which is to be used for recreation. Water has been put to beneficial use to the maximum extent as follows:

Recreational dam impounding water in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25-T96N-R51W.

The license should be issued for 117 acre-feet of storage.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none

COMMENTS: The irrigation portion of Permit No. 2520-3 was never developed. Permit No. 5238-3 was approved to irrigate land from the dam authorized by Permit No. 2520-3. Mr. Jensen does not intend to irrigate lands under Permit No. 5238-3 anymore and agrees to cancellation of Permit No. 5238-3 and licensing Permit No. 2520-3 as recreational use. I recommend cancellation of Permit No. 5238-3 do to nonuse and licensing of Permit No. 2520-3 for the dam as a recreational use.

Lynn Beck
Lynn Beck

Natural Resources Engineer

DENR, Water Rights Program

9-26-97
Date

REPORT ON INSPECTION OF PERMIT NO. ²⁵²⁰⁻³~~2250-3~~

DATE OF INSPECTION: 9-12-97

Other permit(s) associated with the project: 5238-3

NAME & ADDRESS OF INSPECTION CONTACT: Kirk Jensen, 47147 292nd St., Beresford SD 57004 (605) 957-4189.

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: same

NAME & ADDRESS OF PERMIT HOLDER: same

DIVERSION POINT LEGAL LOCATION: 1518' E and 2046' S of the NW corner of Section 25-T96N-R51W in the SE $\frac{1}{4}$ NW $\frac{1}{4}$.

DAM INFORMATION:

- 1) Height to crest 22.7 feet
- 2) Height to primary spillway 17.3 feet
- 3) Height to secondary spillway 18.9 feet
- 4) Crest width 12 feet
- 5) Crest length 340 feet
- 6) Spillway length 280 feet
- 7) Spillway width 116 feet
- 8) Approx. storage 117 ac-ft
- 9) Approx. Storage to crest 205 ac-ft
- 10) Date constructed: Constructed prior to October 27, 1986. New primary spillway constructed in 1988 or 1989. Old structure had a 30" riser and a 21" outlet tube.
- 11) Outlet tubes: 54" hooded riser drop inlet.
 - a) diameter 21 inches
 - b) type vinyl coated cmp
 - c) valved #
 - d) valve type #
 - e) location on structure approximately 100' N of the south end of the dam.
- 12) Category of Dam 3
- 13) Inspection Sheet Completed #

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation questionnaires checked to determine if permit owner started irrigation by the end of construction period the irrigation under Permit No. 2520-3 was never developed, only the recreational portion of 2520-3 was used. However irrigation utilizing the dam authorized by 2520-3 was developed under Permit No. 5238-3. Mr. Jensen does not intend to irrigate lands under 5238-3 and said to cancel the permit.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 2, 1997

2520-3

Kirk J. Jensen
47147 292nd St.
Beresford, SD 57004

Dear Mr. Jensen:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2520-3, 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 investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 20, 1998

Permit No. 2520-3

REMINDER NOTICE

TO: Kirk J. Jensen
47147 292nd St.
Beresford, SD 57004

FROM: John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Water License/Investigation Fee Requirement

On October 2, 1997, we advised you that a \$50.00 fee is due for the completed investigation of Water Permit No. 2520-3. The fee also covers issuance of your water license which is the final document in obtaining and perfecting a water right.

To date, we have not received the \$50.00 fee; therefore, we can not issue the water license. Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by any permit requirements.

Please remit the fee as soon as possible to obtain your water license. In addition, South Dakota water law does not allow water to be diverted until the license fee is paid. To avoid jeopardizing your ability to use water, please send the fee to the following address:

Department of Environment and Natural Resources
Water Rights Program
523 E Capitol
Pierre SD 57501-3181

Thank you for your prompt response. If you have any questions or believe our records are in error, please contact Genny McMath at (605) 773-3352.

2520-3

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

2520-3

Kirk J. Jensen
47147 292nd St.
Beresford, SD 57004

4a. Article Number

Z 119 141 540

4b. Service Type

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

7. Date of Delivery

5-21-98

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Kirk J. Jensen

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

Thank you for using Return Receipt Service.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 415775

Pierre, May 26, 19 98

RECEIVED OF Kirk Jensen, 447447- 292nd St., Beresford, SD 57004
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. 2520-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By _____
Chief Engineer

John Hatch (Signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 29 1998

2520-3

Kirk Jensen
47147 292nd St.
Beresford, SD 57004

Dear Mr. Jensen:

Enclosed is Water License No. 2520-3 and Receipt No. 415775 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 2520-3 is the final document which completes the process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

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

gm
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2520-3

(1) Stanley J Jensen made Application No. 2520-3, January 22, 1976 for a water permit to divert 1.0 cubic feet of water per second (cfs) from a dry draw (Blind Creek), Lincoln County, South Dakota for irrigation and recreational purposes. Permit No. 2520-3, with a priority date of January 22, 1976 was approved March 17, 1976 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 17, 1981 and for the application to beneficial use of said water on or before March 17, 1985.

Water Permit No. 2520-3 authorized storage of 117 acre feet of water annually from a dry draw (Blind Creek) for recreational purposes with diversion of 1.0 cfs from the dam to irrigate 70 acres. A September 12, 1997, investigation of the water use system found the irrigation portion of the permit was not developed. The water license will be issued for storage of water in the dam to be used for recreational purposes only.

On December 10, 1987, Water Permit No. 2520-3 was transferred to Deloris Jensen. On June 16, 1997, the permit was transferred to Kirk Jensen.

(2) It is certified that the permit holder 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 store 117 acre feet of water annually for beneficial use. The location of the diversion point (spillway) is 1,518'E and 2,046'S of the NW corner of Section 25, T96N, R51W (SE 1/4 NW 1/4). The dam impounds water in the SW 1/4 NE 1/4 and SE 1/4 NW 1/4 Section 25, T96N, R51W.

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Kirk Jensen, 47147 292nd St., Beresford, SD 57004 the holder and/or owner of Water Permit No. 2520-3 is issued a license to appropriate water, the right to store 117 acre feet of water annually from Blind Creek with a priority date of January 22, 1976 from the location specified in (2) of this license, for recreational purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 2520-3 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

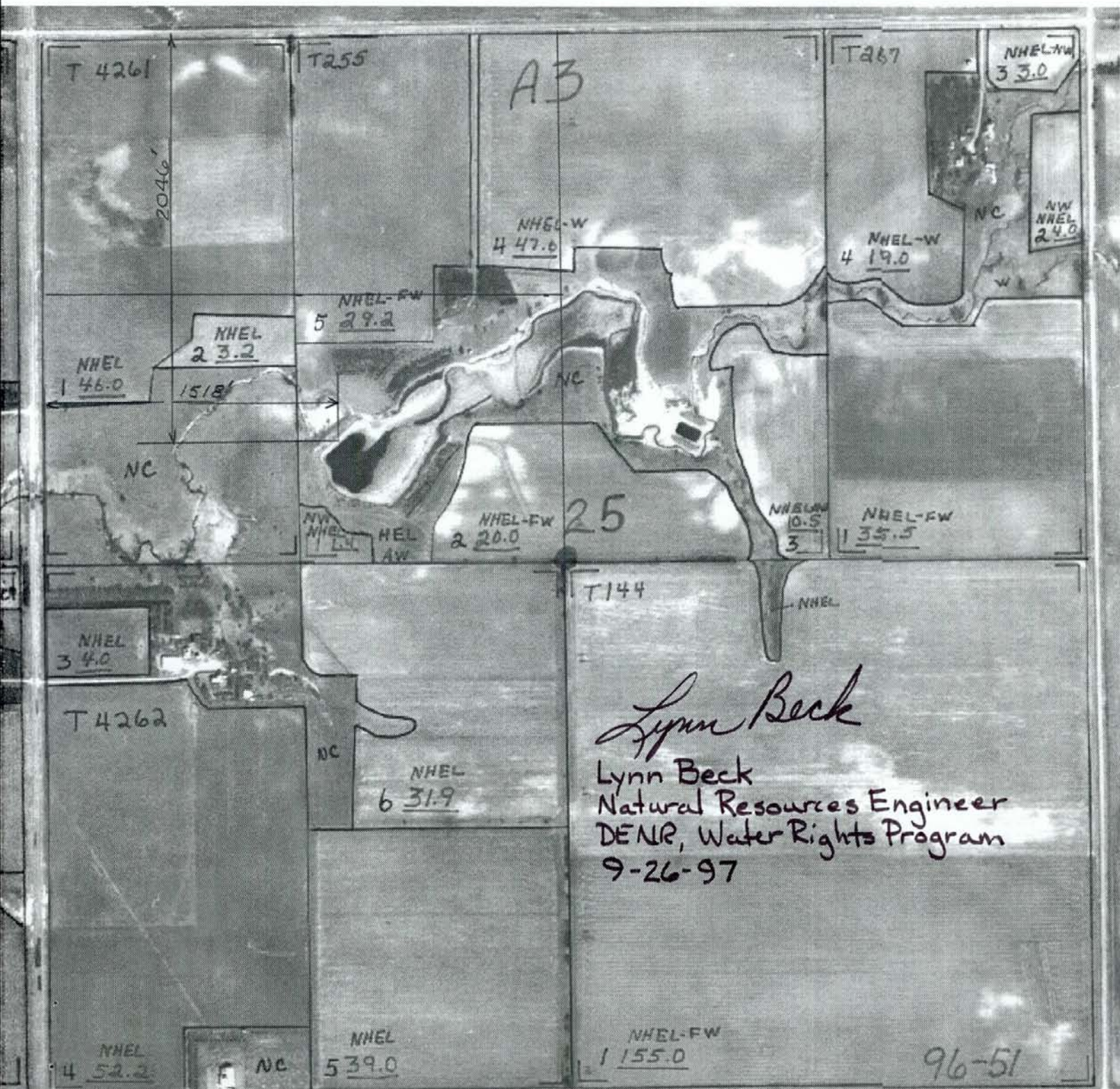
JUN 29 1998

date



2520-3

**MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP**



57 R
00

