

1. Considered March 25 19 81
2. Name of Applicant Ernest and Marlys Jensen
3. Post Office Address Box 64, Meckling 57044
4. Amount of Water Claimed 2.0
5. Source of Water Supply Missouri River
6. Water to be used for IRR
7. Acres to be Irrigated 145 maximum
acre feet
8. Water to be diverted and used in Clay County
about 3 1/2 miles south of Meckling

9. PROOF OF PUBLICATION Received 3-9-81

Not Received

APPLICATION

Approved

Subject to

Not Approved

Action deferred

Priority

Date Received 2/2/81 Application Complete yes ☒ no ☐ FEE 250.00

Remarks

WATER
QUALITY

Date information and/or
fee or corrected Application received
Period of Annual use March 1 to November 1st

Received yes 2/12/81 no ☐ APPROVED (CONDITIONAL) (Circle one)

WI-1 Description same as application (yes) ☒ no ☐ Remarks

Disapproved

Returned

Diversion Point

NW 1/4 NW 1/4 17-92-53

Lands to be Irrigated

SW 1/4 8-92-53

WELL
LOG

Remarks

Driller

Licensed yes ☐ no ☐

Depth

MAP Map No. 3844-3, Map located in Water Right X Map file _____
 Type of Map Clear Prepared by Yane Miller, Ex Agent

+++++

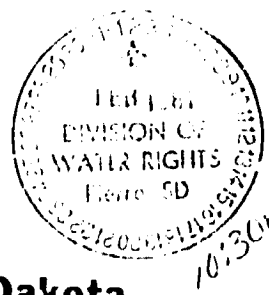
REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 3/25/81.
Betty Westlund
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
 F.F. & C Final Decision, including F.F. & C of Law were adopted _____
 OF LAW. Date _____
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision
 DECISIONS was adopted _____
 ETC.

Remarks _____



No. 4628-3
 Map No. 3844-3 Water Division No. 3 VERMILION RIVER District
 Above for Office Use 10170102

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right ☐ Future Use ☐

Change in Diversion ☐ Additional Diversion ☐

Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant ERNEST & MARLYS JENSEN Phone No. 267-2828
 Post Office Address MECKLING BOX 64 State S.D. 57044
(Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation ☐

2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT

3. Name of diversion work ERNEST & MARLYS JENSEN

4. Amount of water claimed (cubic feet per second) 2.3 2.0 cfs MAX ALLOWABLE

5. Source of water supply MISSOURI RIVER

6. Location of point of diversion NW 1/4 of NW 1/4 17 92-53

7. Annual period or periods during which water is to be used MARCH 1 - NOV 1 County CLAY

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) IRRIGATION

9. For irrigation use, Total number of acres to be irrigated 145

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>SW 1/4 8 92-53</u>	<u>145</u>		

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 2 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water PLAINFIELD OBSERVER
GAYVILLE, S.D.

12. Principal Features of the Proposed Water Supply System.

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

PIPE LINE AND ELECTRIC PUMP SYSTEM

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

PIPE LINE

C. Works proposed to apply water to beneficial use.

CENTER PIVOT TYPE SYSTEM

Estimated Total Cost \$ 45,000

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 Clark) ss.

I, Ernest 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 Ernest Jensen

Subscribed and sworn to before me this 30th day of January 1981

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No 4628-3

Ernest and Marlys Jensen

(Applicant)

Box 64, Meclling

(Post Office Address)

South Dakota 57044

(State)

With the following qualifications

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application FEBRUARY 2, 1981

Date of return to applicant for correction, amendments or changes required FEBRUARY 2, 1981

Date of receipt of corrected application FEBRUARY 12, 1981

Approved MARCH 26, 1981, Recorded in Book 22 Page 78

WATER RIGHT PERMIT NO. 4628-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4628-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 2, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 26, 1983
3. The whole of said work is to be completed on or before MARCH 26, 1986
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 26, 1988
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 2.0 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 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 MARCH 26, 1988, said water to be used during the following described annual period: ~~PERMANENT~~ - MARCH 1 - NOVEMBER 1

Witness my hand this 20TH day of APRIL, 1981

THE WATER MANAGEMENT BOARD

By

John P. [Signature]
Chief Engineer, Water Rights

Certificate of Construction issued _____, 19____

Water License Issued _____, 19____

AUTOMATIC IRRIGATION, INC.
 RR 2 Box 14
 CENTERVILLE, SOUTH DAKOTA 57014

(605) 563-2649

QUOTATION

No 0168

PLEASE INDICATE THE ABOVE NUMBER WHEN ORDERING

TO

Ernest Jensen
 Meekling

57044

QUOTATION DATE 1-27-81	SALESPERSON
INQUIRY DATE	INQUIRY NUMBER

ESTIMATED SHIPPING DATE	SHIPPED VIA	FOB	TERMS	PRICE	AMOUNT
QUANTITY	DESCRIPTION				
1600	Underground Pipe				
	Pipe 8" 100 PSI #200 P/ft.				
	4x4 Aluminum wire .70 P/ft.				
	12-2 Cor.tnoi wire .18 P/ft.				
	Trenching .75 P/ft.				
	Freight & Ins. .20 P/ft.				
	<u>\$3.83</u>				
	Pumping lift 15 ft. = 15'				
	1600' 8" Pipe 9.6 PSI = 22'				
	Pivot Height 14 ft. = 14'				
	Pivot Pressure 40 PSI = 93'				
	1000 GPM = 47 HP = 144 TDHF				

\$6400

WE ARE PLEASED TO SUBMIT THE ABOVE QUOTATION FOR YOUR CONSIDERATION. SHOULD YOU PLACE AN ORDER, BE ASSURED IT WILL RECEIVE OUR PROMPT ATTENTION. THIS QUOTATION IS SUBJECT TO THE CONDITIONS PRINTED ON REVERSE SIDE, AND IS VALID FOR _____ DAYS. THEREAFTER IT IS SUBJECT TO CHANGE WITHOUT NOTICE.

BY _____ ACCEPTED _____ DATE _____

OFFICE COPY

Thank You!

STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

2696-C.L.

OWNERS NAME: Emil Peterson and Mary Jane Peterson OWNERS ADDRESS: Needing SD
 COUNTY LAND LOCATED IN: Clay Co. PHONE: 252-2824 Needing
 TENANT'S NAME AND ADDRESS: (If Other Than Owner) Emil and Mary Jane Peterson - Needing
They are the tenants SD

In accordance with State Law SDCL 46-5-6.5, if a water right is granted with a conditional permit (Soil/Water Compatibility), a copy of such conditional permit must be filed with the County Register of Deeds.

This action must be taken by the holder of a water right within 6 months of receipt of such water right.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres.)

1. WELL LOCATION OR DIVERSION POINT: Needing 17 9.2 - 5.3

2. SURFACE WATER SOURCE: Missouri River

3. LOCATION OF AREA TO BE IRRIGATED: SW 1/4 9.2 - 5.3

4. INDICATE NON-IRRIGATED AREAS AND (APPROX.) ACRES ON MAP: (Farmstead, shelterbelts, wetlands, etc.)

TYPE OF IRRIGATION: (Show approximate acres under each type of system)

5. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____ OTHER (Specify) _____

6. CROPS TO BE IRRIGATED: CORN - SOY BEANS - ALFALFA

7. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____

LAND: Needing

IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

3. SAR NUMBER: 211-11111111

9. SALINITY (EC X 10⁶) 657

10. SODIUM (SAR) 2.71 ADJUSTED (SAR) 3.44 2.71

RECEIVED

FEB 04 1981

South Dakota
Division of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see back) were followed, and that the sample was taken at _____ A.M./P.M., on _____, 19____, at the following location: NEEDING IS FROM THE RIVER SAMPLED IN A SHALLOW AREA, by EMIL PETERSON (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I also hereby certify that a chemical analysis of the irrigation water representative of that used to irrigate shall be acquired from South Dakota State University and the soils information has been acquired from Clay Co. Conservation District, County Extension Office or Soil Conservation Service; and further, that the legal description for the location of the well and land to be irrigated is true and correct.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
30th DAY OF January, 1981.

Emil Peterson
 (NOTARY PUBLIC)

Emil Peterson
 APPLICANT'S SIGNATURE

John McCall
 Director, Division of Conservation

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application.

In all cases a WATER RIGHT must be obtained from the State Water Rights Commission.

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Ernest S. Marilyn Jensen

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

RECOMMENDED MANAGEMENT:

Deep tillage suggested on the Blencoe-Gayville silty clay loams.

If problems such as poor germination, poor growth, and traction of the
system develop on the Blencoe-Gayville soils, they should be returned
to permanent vegetation.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4628-3

(1) WHEREAS, On the 2nd day of February A. D. 1981
Marlys & Ernest Jensen

made Water Right Application No. 4628-3 for a permit to use 1.83 cubic feet per second of the
of the Missouri River
County of Clay, State of South Dakota, for irrigation

purposes; and
(2) WHEREAS, On the 26th day of March A. D. 1981
Permit No. 4628-3, with a date of priority of February 2, 1981
was issued to said applicant a for the diversion of said water, and provided for the completion of construction of the
supply system therein described on or before the 26th day of March A. D. 1986 and
application to beneficial use of said water on or before the 26th day of March A. D. 1981

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.88 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following land,

to irrigate a 136 acre circle in the SW 1/4, Section 8, T92N, R53W

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Ernest & Marlys Jensen

_____ of Meckling, South Dakota
the holder _____ and owner _____ of said permit No. 4628-3 a water right, dating from February 2, 1981
_____ in use of 1.88 _____ cubic feet per second of the waters
of the Missouri River

in the County of Clay and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 50 feet south and 1320 feet west of
the S 1/4 Corner, Section 8, R92N, R53W

and conducted to and upon a 136 acre circle in the SW 1/4, Section 8,
T92N, R53W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 4628-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 22nd day of December _____ A. D.
Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John A. Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 4628-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Ernest & Marlys Jensen

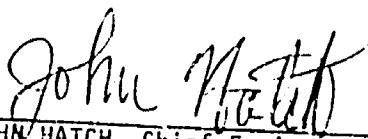
the holder of
Permit No. 4628-3, issued upon Application No. 4628-3, bearing date of priority of February
2, 1981 authorizing the diversion of 2.0 cu. ft. per second of the waters of
the Missouri River County of Clay, State of South Dakota at

a point 50 ft south and 1320 feet west of the S 1/4 corner,
Section 8, T82N, R53W (BB, Sec 17, T92N, R53W)

for irrigation

purposes, ha ve complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 1.88 cu. ft. per second of water.

Date December 22, 1981


JOHN HATCH, Chief Engineer
Water Rights Division

No. 4628-3

Publish first publication, on or before February 26, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 17, 1981

Notice is hereby given Ernest & Marlys Jensen whose post office

address is Hackling, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.0 cubic feet of

water per second of time from the the Missouri River through the Jenson Irrigation Project, the point of diversion of which is XXXX to be located in the NW 1/4 NW 1/4

of Section 17, Twp. 92N, Range 53W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW 1/4, Section 8 - T92N - R53W

This Application No. 4628-3 will be considered by the Water Management Board at the Holiday Inn, Sandy Shore Room, Watertown, South Dakota upon the 25 day of March 1981 at 1:00 P.M.

The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

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

WATER MANAGEMENT BOARD

BETTY WESTLUND
Water Rights Specialist

Ernest & Marlys Jensen
Box 64
Hackling, SD 57044

No. 4628-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Clay) ss.

I, Mary Etta Brace hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Plain Talk

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 Vermillion

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

February 26, 1981

March 5, 1981

Mary Etta Brace
(Signature)

Bkpr.
(Title)

March 5 '81
(Date Signed)

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Notice is hereby given Ernest and
Marlys Jensen whose post office ad-
dress is Meckling, South Dakota, has
made an application in accordance
with the provisions of SDCL 46-1-9,
46-1-14; 46-2-9 thru 46-2-11, 46-2-13,
46-5-1 thru 46-5-8, 46-5-10 thru
46-5-22, 46-5-41, and Board Rules
ARSD 52.01.01.01 thru 52.01.01.13,
for a permit to appropriate for
beneficial use 2.0 cubic feet of water
per second of time from the Missouri
River through the Jensen Irrigation
Project, the point of diversion of
which is to be located in the NW one-
fourth, NW one-fourth of Section 17,
Twp. 92N, Range 53W. Said water to
be used for the purpose of providing
irrigation on portions of the following
described land: SW one-fourth, Sec-
tion 8 - T92N - R53W.

This Application No. 4628-3 will be
considered by the Water Manage-
ment Board at the Holiday Inn, Sandy
Shore Room, Watertown, South
Dakota, upon the 25th day of March,
1981 at 1:00 p.m. The Board is
authorized to make a determination
on this application at the hearing. All
interested persons may appear and
be heard. Any person who may be af-
fected by a Board decision who
desires to present evidence or cross-
examine witnesses according to
SDCL 1-26 may notify the Board in
writing prior to the hearing or orally
at the hearing.

This hearing is an adversary pro-
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be present or to be represented by a
lawyer. These and other due process
rights will be forfeited if they are not
exercised at the hearing. Decisions
of the Board may be appealed to the
Courts as provided by law.

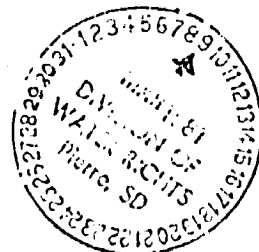
Any handicapped person wishing
to attend this hearing can contact
the Water Rights Division, DWRN,
Joe Foss Building, Pierre, SD, prior
to the hearing date for assistance to
assure access to the hearing.

WATER BOARD MANAGEMENT

Betty Westlund,

Water Rights Specialist

Pub: Feb. 26, March 5, 1981



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7960

RECEIVED OF Ernest & Harlys Jensen, Box 64, Meckling SD 57044 PIERRE, February 2, 19 81
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 4629-3 (examination, processing, recording and filing)	250 00
Fee for Inspecting Construction, and Issuing Cert. of Construction No.	
Fee for Inspecting Beneficial Use, and Issuing Water License No.	
Fee for Issuing Location Certificate-Dry Draw, No.	
Fee for filing	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for (any other work as provided by law)	
TOTAL	250 00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH



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

REPLY TO
ATTENTION OF

PERMITS BRANCH
PO BOX 5, OMAHA, NE 68101



MROOP-N
SD 2SB OXT 1 003349
Ernest Jensen
Irrigation Intake Structure
Missouri River Mile 789.30L

20 February 1981
Expiration Date: 22 March 1981

NOTICE OF PERMIT PENDING

The application of Ernest Jensen, Box 64, Meckling, South Dakota 57044, 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 install an irrigation intake structure on the Missouri River at mile 789.30 located in Section 17, Township 92 North, Range 53 West, Clay County, South Dakota.

The project is located in a segment of the Missouri River that is being administered as a Recreational River.

The construction will consist of installing a 50-horsepower electric pump with a 1,000 gallon per minute pumping capacity. The pump will be placed on the high bank and a 50-foot long, 8-inch diameter intake pipe attached to the pump. A 2-foot by 2-foot intake box covered with 1/4-inch screen will be affixed to the intake pipe. The intake velocity will be approximately 0.23-foot per second at the screen. After the pump is installed, a row of cedar trees will be planted between the river bank and pump so as to screen the pump from the riverfront.

The purpose of the proposed project is to provide water to the applicant for crop irrigation.

A preliminary assessment of the proposed action indicates that it is minor in nature and will not result in a significant impact on the quality of the human environment. Accordingly, a preliminary determination has been made that this project does not warrant the preparation of an environmental impact statement at this time.

In compliance with the National Environmental Policy Act of 1969 and Section 106 of the National Historic Preservation Act of 1966, as amended, the National Register of Historic Places and current supplements have been consulted. There are no sites included or which have been determined eligible for inclusion therein which

will be affected by the proposed project. There is no information available to this office concerning cultural resource surveys in the project area. The environmental assessment indicates that installation of the intake system will disturb the bank.

In compliance with the Endangered Species Act, our review indicates that the proposed activity will not affect species designated as threatened or endangered pursuant to the Endangered Species Act or their critical habitat.

Executive Order 11988, Floodplain Management, seeks decision that will reduce loss of lives and property caused by flooding and loss of natural floodplain functions caused by unwise floodplain development. By this public notice, we are requesting comments from those individuals or agencies which feel that this project will have an adverse impact upon flooding and the floodplain.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detrimental effects. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, energy needs, safety, food production, navigation, recreation, water supply, water quality, and in general, the needs and welfare of the people.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reason for holding a public hearing. The request must be submitted to the District Engineer, Omaha District, Corps of Engineers, PO Box 5, Omaha, Nebraska 68101.

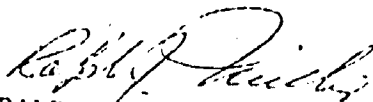
Any interested party (particularly officials of any town, city, county, state, federal agency, or local association whose interests may be affected by the proposed work) is invited to submit to this office written facts, arguments, or objections on or before 22 March 1981. Any agency or individual having an objection to the work should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this permit application.

A permit, if granted, will be under Section 10 of the River and Harbor Act of 1899 (30 Stat. 1151; 33 USC 403).

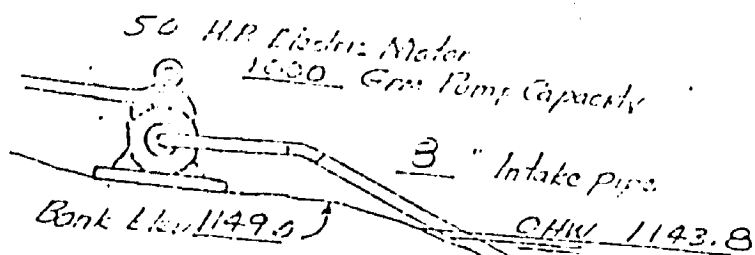
A drawing showing the location and extent of the work is attached to this notice.

FOR THE DISTRICT ENGINEER:

Attachment
As stated


RALPH J. MILLER
Chief, Regulatory Functions Branch
Operations Division

SD 2SB OXT 1 003349



2'x2'x2'
SCREENED BOX
w 1 1/4" OPENING Intake Device
Size of Screen mesh

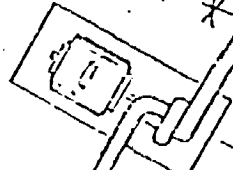
1132.0 EL

MISSOURI RIVER
FLOW

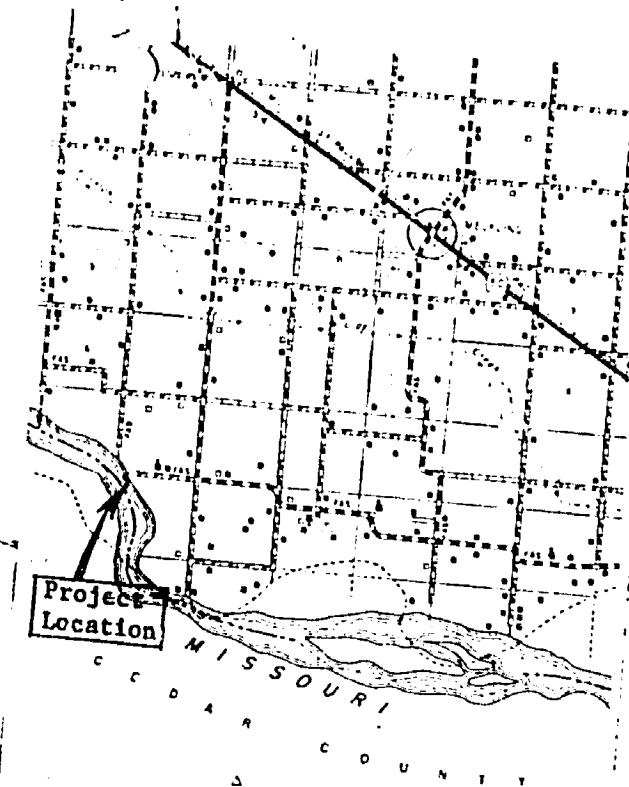
Length of Intake
20'

①

CEDAR
TREE
SCREEN



Size of Discharge pipe - 6"



PURPOSE: Water Intake/Irrigation
DATUM Mean Sea Level

ADJACENT PROPERTY OWNERS:

- ① LAVERN JEPSEN
- ② AMANDA ERICKSEN

T 92N, R 53W, Sec 17

in Missouri River
AT NE 78930L

COUNTY OF CLAY STATE OF SD

APPLICATION BY ERNEST JENSEN

DATE 1-1-81 2-5-81

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8601

PIERRE, December 21, 1981

RECEIVED OF Ernest & Marlys Jensen, Box 64, Meckling, SD 57044

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 4628-3	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 4628-3		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / (dt)

Permit No. 4628-3
 Water Division 3 MISSOURI RIVER Water District

REPORT OF EXAMINATION OF WORKS
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by ERNEST E. MALLIS
JENSEN of MECKLING holder
 of Permit No. 4628-3, bearing date of priority of FEBRUARY 2, 1981
 authorizing the diversion of 2.0 cu. ft. per second of the waters of MISSOURI RIVER
 for IRRIGATION purposes, in CLAY County.

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

The Water Use System consists of,

A. Works used to divert the water:

BEKELEY 4' PUMP - MODEL B4J PB M, WITH 8" INTAKE
& 8" DISCHARGE, POWERED BY 50HP MARATHON
ELECTRIC MOTOR

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

50' OF 8" INTAKE PIPE
20' OF 8" ALUMINUM PIPE TO 1400' OF 8" BURIED
PVC TO CENTER OF PLOT

C. Works used to apply water to beneficial use.

7 TOWER ZIMMATIC CENTER PLOT SYSTEM (MODEL 201)
WITH NELSON "200 END GUN

The system is in the following condition. NEW

The point of diversion is located 50' S & 1320' W OF THE S 1/4 CORNER
SECTION 8, T42N R53W

The works are capable of diverting and conveying to the place of use 1.88 (850 GPM)

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:

FOR IRRIGATING A 136 ACRE CIRCLE IN THE SW 1/4
SECTION 8, T42N, R53W

comprising a total of 136 acres of land



4628-3
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: ERNEST & MARLYS JENSEN, 45437 RIVER DR, MECKLING, SD 57044
FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4628-3. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4628-3 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 the 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) 4628-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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 questionnaire(s) is(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 at (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.

4628-3

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 of delivery.

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:

ERNEST & MARLYS JENSEN
45437 RIVER DR
MECKLING SD 57044

4a. Article Number

2119 141 577

4b. Service Type

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

7. Date of Delivery

1-23-99

5. Received By: (Print Name)

Kyle Jensen

6. Signature: (Addressee or Agent)

X

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

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 27, 1999

4628-3

Ernest & Marlys Jensen
45437 River Dr
Meckling, SD 57044-6634

Dear Mr. & Mrs. Jensen:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 4628-3.

The information was received 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,

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

SENDER, COMPLETE THIS REGION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ernest & Marlys Jensen
45437 River Dr.
Meckling SD
57044-6634

2. Article Number (Copy from service label)

7000 0600 0026 9814-2409

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

A. Received by (Please Print Clearly)

B. Date of Delivery

1-29-01

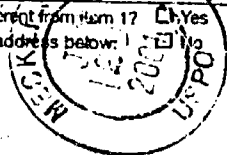
C. Signature

X *Ernest Jensen* SD ☒ Agent

☐ Addressee

D. Is delivery address different from item 1? ☒ Yes

If YES, enter delivery address below: ☒ No



3. Service Type

- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes



4628-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 19, 2001

NOTICE

TO: ERNEST & MARLYS JENSEN, 45437 RIVER DR, MECKLING, SD 57044 6634
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2000 Irrigation Questionnaire(s)

Our records indicate that the 2000 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4628-3. The request for the Questionnaire was dated October 20, 2000. The Water Management Board has directed that owners of water permits who have not submitted the 2000 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4628-3 qualification:

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

The hearing will be held at 10:00 am, March 7, 2001 in the 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) 4628-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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 questionnaire(s) is(are) received in this office on/or before March 2, 2001, 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 at (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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denv

February 15, 2001

4628-3

Ernest & Marlys Jensen
45437 River Dr
Meckling, SD 57044-6634

Dear Mr. & Mrs. Jensen:

I am writing to acknowledge receipt of your 2000 irrigation questionnaire. You may disregard the January 19, 2001, "Notice" concerning reporting requirements for Water Right No. 4628-3.

The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



4628-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3102
www.state.sd.us/denr

January 16, 2002

NOTICE

TO: ERNEST & MARLYS JENSEN, 45437 RIVER DR, MECKLING, SD 57044 6634

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4628-3. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4628-3 qualification:

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

The hearing will be held at 10:00 am, March 13, 2002 in the Visitor Center (west side of Capitol Lake), 650 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) 4628-3 in accordance with applicable provisions of SDCL 46-1-12,
2. Postpone any action; or
3. 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 questionnaire(s) is(are) received in this office on/or before March 8, 2002, 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 at (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.

SENDER COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ERNEST & MARLYS JENSEN
45437 RIVER DR
MECKLING SD 57044 6634

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

R. Swanson

B. Date of Delivery

1-22-82

C. Signature

X Marlys Jensen

☐ Agent

☐ Addressee

D. Is delivery address different from item 1?

☒ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Registered

☐ Insured Mail

JAN 22 1982
FBI RIGHTS
GRAM
C. O. PIERRO, JR.
10158138

4. Restricted Delivery? ☒ Yes ☐ No

5. Article Number (From service label)

7001 2510 0004 4797 4159



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 18, 2002

4628-3

Ernest & Marlys Jensen
45437 River Rd
Meckling, SD 57044 6634

Dear Mr. & Mrs. Jensen:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 4628-3.

The information was received 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,

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



4628-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: ERNEST & MARLYS JENSEN, 45437 RIVER DR, MECKLING, SD 57044 6634

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire(s)

Our records indicate that the 2004 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4628-3. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4628-3 qualification:

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

The hearing will be held at 8:30 am, March 2, 2005 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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) 4628-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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 questionnaire(s) is(are) received in this office on/or before February 25, 2005, 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 at (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.



4628-3

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 0490

Your item was delivered at 12:30 pm on January 24, 2005 in
VERMILLION, SD 57069. The item was signed for by M JENSEN.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)

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[site map](#) [contact us](#) [government services](#)

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Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 0490

ERNEST & MARLYS JENSEN
45437 RIVER DR
MECKLING SD 57044 6634

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail®
☐ Package Services

PS Form 156, July 2001

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 2005

4628-3

Ernest & Marlys Jensen
45437 River Dr
Meckling SD 57044-6634

Dear Mr. & Mrs. Jensen:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 4628-3.

The information was received 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,

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

NOT TO SCALE

TRANS. TO
YANKTON CO.

TRANS. TO
YANKTON CO.

TRANS. TO
YANKTON CO.

6-L
117.2

(12-M199)

1075

(6-55)

69.6

(6-51)

39.4

(6-51)

5-M220

5-M220

By Lane P. Miller - Co. Ext Agent
To Be Irrigated

301-TYPE SOIL

38.7

(6-55)

PUMPING STATION

201-TYPE SOIL
301-TYPE SOIL

23.5

(6-L
6-51)

37.6

(12-M199)

776

(6-88)

~~PROPOSED~~

april 4628-3

4628-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 6, 2022

4628-3
6601-3

Kyle Jensen
31582 454th Ave
Meckling SD 57044

Dear Mr. Jensen:

Thank you calling concerning the needed ownership change for Water Right Nos. 4628-3 and 6601-3.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing the ownership changes. Please review and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$50 each (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures

4628-3

RECEIPT**WATER RIGHTS PROGRAM**
South Dakota Department of Agriculture and Natural ResourcesDate January 12, 2023RECEIVED OF Kyle/Becky Jensen 31582 454th Ave., Meckling SD 57069

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>4628-3</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
vm

PAID

JAN 12 2023

Ck# 4337

Reg't# 1/12/23

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

JAN 12 2023

OFFICE OF
WATER

No.

Date:

4628-3

1-3-23

I/We request that Water Right No. 4628-3

formerly owned by: Ernest & Marlys Jensen

be transferred to: (name & address) Kyle Jensen

31582 454th Ave

Mankato, SD 57069

Telephone No. 605-670-0245

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

136 acres - SW 1/4 Section 8, T92N, R53W

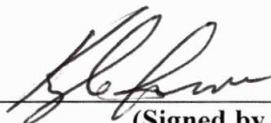
(irrigation from river)

I/We understand that the validity of Water Right No. 4628-3 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 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 Kyle Jensen, 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.



4628-3

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 17, 2023

4628-3
6601-3

Kyle Jensen
31582 454th Ave
Meckling SD 57044

Dear Mr. Jensen:

Thank you sending in the transfer forms and filing fees for Water Right Nos. 4628-3 and 6601-3.

The ownership changes have been completed. The water rights listed under Ernest Jensen and/or Ernest and Marlys Jensen are now listed under your name.

Enclosed for your records are receipts for the filing fees and a stamped in copy of each of the forms.

If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 19, 2024

NOTICE

TO: KYLE JENSEN, 31582 454TH AVE, MECKLING, SD 57069

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4628-3, 6601-3, 6804A-3, 6804C-3, 7621-3, 7622-3 & 7847-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4628-3, 6601-3, 6804A-3, 6804C-3, 7621-3, 7622-3 & 7847-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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) 4628-3, 6601-3, 6804A-3, 6804C-3, 7621-3, 7622-3 & 7847-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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 questionnaire(s) is (are) received in this office before the **March 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: LPJCAM**

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 2, 2024

4628-3, 6601-3, 6804A-3
6804C-3, 7621-3, 7622-3 & 7847-3

Kyle Jensen
31582 454th Ave
Meckling SD 57069

Dear Mr. Jensen:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 4628-3, 6601-3, 6804A-3, 6804C-3, 7621-3, 7622-3 & 7847-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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

cc: DANIEL HEINE, 3213-6 ZENKNER VALLEY RD, CENTRALIA WA 98531



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: KYLE JENSEN, 31582 454TH AVE, MECKLING, SD 57069

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4628-3, 6601-3, 6804A-3, 7621-3, 7622-3, 7847-3, 8830-3, 8865-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4628-3, 6601-3, 6804A-3, 7621-3, 7622-3, 7847-3, 8830-3, 8865-3 qualification:

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

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, 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) 4628-3, 6601-3, 6804A-3, 7621-3, 7622-3, 7847-3, 8830-3, 8865-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. 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 questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: **SBWOZB****

cc: DANIEL HEINE, 44067 TIMBER RD, VERMILLION SD 57069

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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 11, 2025

4628-3, 6601-3, 6804A-3, 7621-3
7622-3, 7847-3, 8830-3, 8865-3

Kyle Jensen
31582 454th Ave
Meckling SD 57069

Dear Mr. Jensen:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 4628-3, 6601-3, 6804A-3, 7621-3, 7622-3, 7847-3, 8830-3 & 8865-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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

cc: ERNEST & MARLYS JENSEN, 45437 RIVER DR, MECKLING SD 57044
DANIEL HEINE, 44067 TIMBER RD, VERMILLION SD 57069