

WATER PERMIT NO. 7621-3

Name of Applicant: Kyle Jensen

Address: 31582 454th Ave, Meckling SD 57069 Phone: 605 670-0245

Amount of Water Claimed: 1.89 cfs Total Acres: 160

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation County: clay

Type of Waste Disposal System:

Location: 2 miles southwest of Meckling

PRIORITY Date Received: 1-7-13 Application/License Fee: \$ 1050

Corrected Application Received: Period of Annual Use: May 1 – Sept 30

Remarks:

Diversion Point: center of SW 1/4 Sec 4-T92N-
R53W

Land to be Irrigated: SW 1/4 Sec 4-T92N-R53W

Depth of Well: 100 feet deep

Well Driller:

Remarks:

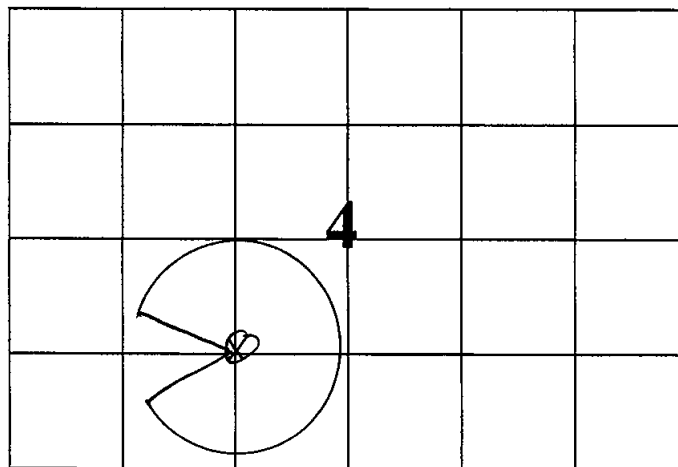
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 1-9-13

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



FORM 2: Application for irrigation in South Dakota

(type or print)

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7621-3</u>	(office use only) Hydrologic Unit <u>10170101</u>
	Basin <u>Missouri River</u>	<u>605-624-2695</u>
	Newspaper <u>Plain Talk - 201 W Cherry St Vermillion SD 57069</u>	<u>605-665-7811</u>
	<u>Press & Dabala 319 Walnut - Yankton SD 57078</u>	

RECEIVED

JAN - 7 2013

WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

1. Name to Appear on Irrigation Permit Kyle Jensen(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent

(name and complete address if different than above name)

Mailing Address 31582 454th Ave Meckling SD 57069

(Address)

(City)

(State)

(Zip Code)

Home Phone _____ Cell 605-670-0245 Email _____2. Amount of water claimed 1.89*CFS or 850**GPM ***AF Total Acreage 160

(*Cubic Feet per Second)

(**Gallons per Minute)

(***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Missouri: Elk Point Aquifer4. Location of point of diversion 1 well in SW 1/4 Sec 4 - T92N - R53W

(example - 3 wells in SW 1/4 NE 1/4 section 12 - T104N - R53W)

County Clay5. County or counties where water will be used Clay6. Annual period during which water is to be used May 1 - September 30

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

(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NESW S4 - T92N - R53W	40		
NWSW S4 - T92N - R53W	40		
SESW S4 - T92N - R53W	40		
SWSW S4 - T92N - R53W	40		

8. Give a description of the project. (Attach sheet if more space is needed)

To irrigate crop in SW 1/4 Sec 4 - T92N - R53W.I, [Signature], the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

**SOUTH DAKOTA
WATER PERMIT NO. 7621-3**

Date of first receipt of application January 7, 2013.

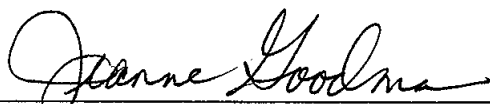
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7621-3 to Kyle Jensen, 31582 454th Ave, Meckling SD 57069 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7621-3 appropriates 1.89 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (100 feet deep) located in the center of the SW 1/4 Section 4 for irrigation of 160 acres located in the SW 1/4 Section 4; all in T92N-R53W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is January 7, 2013.
4. The date of approval of Permit No. 7621-3 is March 18, 2013.
5. One-fifth of the construction is to be completed on or before September 18, 2015.
6. All construction is to be completed on or before March 18, 2018.
7. Water is to be put to beneficial use on or before March 18, 2022.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7621-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 

Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 26 2013

date



Supplemental Information

(type or print)

1. Well Information (check one or both as applicable) ☐ Drilling new well(s) ☐ Using existing well(s)

- a) If new wells, how many 1 Have test holes been drilled ☐ Yes ☒ No Drilled by Quality Well
(if yes, please provide copies of logs)
- b) If existing wells, how many Provide copy of log(s), if available. Drilled by
- c) Well Depth 100 Depth to Top of Water Bearing Material 50 Depth to Water from Surface 20
- d) Distance to nearest existing domestic well:
On applicant's property 100yds NE On property owned by others 1/4 mile NE

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field)
- b) System Capacity (gallons) Year Constructed
- c) Connected to the City of Sanitary System

3. Dugout Information

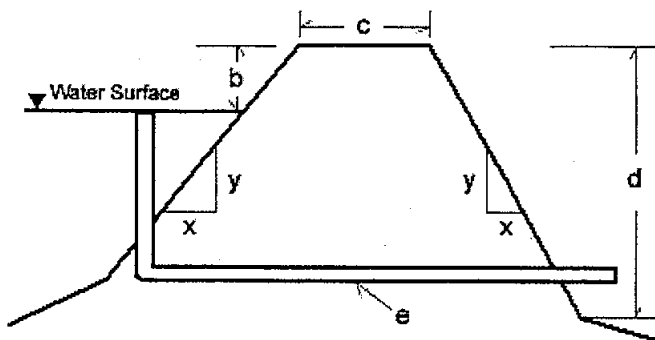
- a) Surface Dimensions Depth
- b) Depth to water (ground surface to water level)

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:

- b) Freeboard
- c) Crest Width
Crest Length
- d) Height
- e) Primary Outlet Capacity
If pipe, diameter
- f) Secondary Spillway Capacity
Spillway Width
- g) X & Y Slope (e.g. 3 to 1 is a typical slope)
Upstream
Downstream
- h) Surface Area of Impoundment
- i) Storage Acre Feet
- j) Drainage Area Above Dam Acres



For:

Kyle Jensen Home Machine

Questions or concerns? Please call us at 402-640-1999!

SW SEC 4
T92 N
R53 W

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ERNEST JENSEN
45437 River Dr
MECKLING, SD
57069

Kyle Jensen

454th Ave

454th Ave

316th St

316th St

316th



Sec 29
T093N
R53W

Sec 28
T093N
R53W

Sec 27
T093N
R53W

Sec 32
T093N
R53W

Sec 33
T093N
R53W

Sec 34
T093N
R53W

Sec 5
T092N
R53W

Sec 4
T092N
R53W

Sec 3
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R53W

Sec 8
T092N
R53W

Sec 9
T092N
R53W

Sec 10
T092N
R53W

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/4, 20 12

RECEIVED OF Kyle A 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. <u>7621-3</u> to Appropriate Water, to construct and to put water to beneficial use	850	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>7621-3</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	1050 00

No. 05733

By

[Signature]
Chief Engineer

**COMMERCIAL LINES EQUIPMENT POLICY
DECLARATIONS**

Page 1 of 1

Policy No.
CSI904344-00

CENTRAL STATES INDEMNITY CO. OF OMAHA
PO BOX 34999, 1212 NORTH 96TH STREET
OMAHA, NE 68134
800-444-3584

Type of Policy
INLAND MARINE

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**WATER RIGHTS
PROGRAM**

You As Insured Person	KYLE JENSEN REBECCA JENSEN 31582 454TH AVE MECKLING, SD 57069-	As Lender	DIVERSIFIED FINANCIAL SERVICES, LLC 14010 FNB PARKWAY SUITE 400 OMAHA, NE 68154-
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Policy Period: From 12/03/2012 to 12/03/2019

12:01 A.M. Standard Time at Your Address Above.

Description of Equipment:

Model No.	Serial No.	Code	Make and Description	Home	Deductible	Amount of Insurance	Premium
8000	10954468	IE	SW/4 SEC 4 T92N R53W, CLAY CO, SD 2012 VALLEY 7T NON-TOW UNIT 1316 FT		1000	\$79,802.00	\$8,714.36
8000	10954476	IE	SW/4 SEC 32.T93N R53W, CLAY CO, SD 2012 VALLEY 7T NON-TOW UNIT 1390 FT		1000	\$84,290.00	\$9,204.47
8000	10954477	IE	SW/4 SEC 8 T92N R53W, CLAY CO, SD 2012 VALLEY 7T NON-TOW UNIT 1335 FT	Permit	1000	\$80,966.00	\$8,841.49
		I	40HP GRUNDFOS SUB PUMP		1000	\$25,000.00	\$3,084.38
		I	40HP GRUNDFOS SUB PUMP		1000	\$25,000.00	\$3,084.38

Endorsements 11704, 11706, 11709 A, 11713, 11717 Rev, 11727 SD	\$295,058.00	
Applicable Deductible is per occurrence Theft or Vandalism Deductible: \$5,000. This deductible will be applied to each line item, per occurrence.		
CODES: IE IRRIGATION - M/E, I IRRIGATION		
	Total Policy Premium	\$32,929.08
Location of Equipment (include legal plat description if Irrigation Equipment and not otherwise stated above): CLAY CO, SD		
311 SUSAN DICKES - AGENT 402-254-2568		
Countersigned: _____, 20____ at _____ by _____		

Water Rights Program - File Documentation

NAME: Kyle Jensen

ADDRESS: Meckling SD

DATE: 1-9-13 **COUNTY:** Clay **TELEPHONE:** 605 670-0245

RE: Pending application

COMMENTS:

Kyle Jensen stated the amount of water claimed on his application for Section 4-T92N-R53W should be **850 gpm**.

Karen Schlaak

Karen Schlaak
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7621-3, Kyle Jensen**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 7621-3, Kyle Jensen, 31582 454th Avenue, Meckling SD 57069.

The Chief Engineer is recommending APPROVAL of Application No. 7621-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7621-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 21, 2013

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NOS. 7621-3 & 7622-3
KYLE JENSEN
February 12, 2013

Water Permit Application No. 7621-3 proposes to appropriate up to 320 acre-feet annually (ac-ft/yr) at a maximum diversion rate of 1.89 cubic feet of water per second (cfs) from one well to be completed into the Missouri: Elk Point aquifer. The well will be located in the center of the SW ¼ of Section 4, T92N-R53W and is expected to be approximately 100 feet deep. This application proposes to irrigate 160 acres located in the SW ¼ of Section 4, T92N-R53W in Clay County.

Water Permit Application No. 7622-3 proposes to appropriate up to 284 ac-ft/yr at a maximum diversion rate of 1.89 cfs from one well to be completed into the Missouri: Elk Point aquifer. The well will be located in the center of the SW ¼ of Section 32, T93N-R53W and is expected to be approximately 110 feet deep. This application proposes to irrigate 142 acres located in the SW ¼ of Section 32, T93N-R53W in Clay County.

AQUIFER: Elk Point management unit of the Missouri aquifer (M: EP)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Elk Point management unit of the Missouri aquifer is an alluvium mantled outwash composed of sand and gravel material (Stephens, 1967). The aquifer is under both unconfined and confined conditions, but is unconfined at each of the well sites proposed by these applications. The Elk Point management unit of the Missouri aquifer encompasses regions of Clay, Union, and Yankton Counties. The proposed well sites are located in southwestern Clay County less than two and one half miles from the Clay and Yankton county line and less than three miles north of the Missouri River. The Missouri: Elk Point aquifer underlies approximately 119,500 acres of Clay and Yankton Counties combined and contains an estimated 1,792,500 acre-feet of recoverable water in storage between the two counties (Hedges and others, 1982). The aquifer is hydraulically connected to the Dakota, Lower James Missouri and the Lower Vermillion Missouri aquifers as well as the Missouri and Vermillion Rivers. The ground water in this aquifer generally moves from northwest to southeast in the area of this application (Stephens, 1967). The average saturated thickness reported for nearby well sites is approximately 71 feet as shown in Table 1 (Water Rights, 2013a).

Well Log Identification	Saturated Thickness (ft)
Observation Well No. CL-80B	81
Well Log ID No. 63059	65
Well Log ID No. 64432	84
Well Log ID No. 64433	50
Well Log ID No. 54772	47
Well Log ID No. 10394	123
Well Log ID No. 42370	50

Table 1. Reported saturated thickness for nearby wells (Water Rights, 2013a).

SDCL 46-2A-9

In accordance with SDCL 46-2A-9, a permit may be issued to appropriate water only if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will review the availability of unappropriated water and existing rights within the Missouri: Elk Point aquifer.

WATER AVAILABILITY:

These applications propose to appropriate 604 ac-ft/yr from the Missouri: Elk Point aquifer. If these applications are approved, it is likely that the actual water use will be less than the appropriated amount. The probability of unappropriated water available from the aquifer can be evaluated using SDCL 46-6-3.1 which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source."

Recharge versus Discharge:

Recharge:

Recharge to the Missouri: Elk Point aquifer occurs through infiltration and percolation of precipitation falling in areas where the aquifer is near land surface. Recharge is also provided to the aquifer from the Big Sioux, Lower Vermillion-Missouri, and Dakota aquifers, as well as during times of high flow and stage from the Missouri River. The average annual recharge rate to the Missouri: Elk Point aquifer is an estimated 3.8 in/yr based on observation well analysis (Hedges and others, 1985). Given the area of the management unit in Clay and Yankton Counties of 119,500 acres, average annual recharge to the aquifer in Clay and Yankton Counties is estimated to be 37,842 ac-ft/yr.

Discharge:

Discharge from the Missouri: Elk Point aquifer is by evapotranspiration, discharge to the Big Sioux and Missouri Rivers during low flow and to the underlying Dakota aquifer, and withdrawal from wells. There are a number of completion reports on file with the SD DENR-Water Rights Program for domestic use wells completed into the Missouri: Elk Point aquifer (Water Rights, 2013b) and there are currently 507 water rights/permits appropriating water from the Missouri: Elk Point aquifer (Water Rights, 2013c). In addition, there are five future use permits reserving water from the aquifer. There are 212 water rights/permits appropriating water from this aquifer in Clay and Yankton Counties (Water Rights, 2013c). All five of the future use permits reserving water from the aquifer are from Clay County. The distribution of these appropriations and their types are shown in Table 2.

Water Rights/Permits	Number
Commercial	4
Domestic	1
Fish & Wildlife Propagation	4
Industrial	3
Irrigation	190
Municipal	6
Rural Water System	2
Suburban Housing Development	2
Future Use Permits	Number
Lewis & Clark Rural Water System	4
City of Vermillion	1

Table 2. Water rights/permits from the Missouri: Elk Point aquifer in Clay and Yankton Counties (Water Rights, 2013c).

The amount of water that can be expected to be withdrawn through water rights/permits authorizing water use for non-irrigation purposes at the current appropriation level can be estimated by assuming:

1. Water rights/permits limited by an annual volume will pump the entire volume appropriated.
2. Water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time.
3. Future use permits can be fully developed.

The expected water use for non-irrigation purposes, including that reserved for future use, from the Missouri: Elk Point aquifer in Clay and Yankton Counties is less than 55,500 ac-ft/yr based on current water appropriations.

The annual reported water use from the Missouri: Elk Point aquifer for irrigation purposes in Clay and Yankton Counties is displayed in Table 3. The average annual use due to irrigation over the period of record is 5,145 ac-ft/yr.

YEAR	NO. OF PERMITS	APPROPRIATION (AC-FT/YR)	PUMPAGE REPORTED (AC-FT/YR)
2011	159	59580.2	4817.85
2010	152	56802.8	1205.86
2009	146	56330.8	2906.15
2008	135	53899.8	10120.26
2007	109	43852	11665.06
2006	97	41239	9825.11
2005	84	35725	6642.1
2004	78	34383.8	7311.97
2003	74	33687.8	7081.67
2002	74	33209.8	8193.25
2001	71	32471.8	6787.26
2000	69	31531.8	6271.02
1999	68	31351.8	4006.87
1998	69	31660.8	3867.62
1997	68	31875.2	5778
1996	67	31725.2	4291.2
1995	66	31080.8	4521.29
1994	69	32259.6	2499.98
1993	68	31794	330
1992	67	31218.8	871.35
1991	70	31302.8	7197
1990	67	32596.8	6694.5
1989	66	32506.8	6993.7
1988	64	31537.8	5989.25
1987	65	32021.8	4081.7
1986	71	34581.1	3060.8
1985	67	32217.8	3631.2
1984	70	33132.7	3448
1983	62	30963.8	4313.13
1982	60	30456	3392.5
1981	70	34049	4674
1980	52	29670	4523
1979	53	29670	2793
MIN	52	29670.00	330.00
MAX	159	59580.20	11665.06
AVE	79.61	35769.31	5145.02

Table 3. Irrigation from the Missouri: Elk Point aquifer in Clay and Yankton Counties (Water Rights, 1979-2011)

Lewis and Clark Rural Water System currently reserves 13,000 ac-ft/yr for future use and has permits appropriating 32,165 ac-ft/yr (Water Rights, 2013b). This accounts for a significant portion of the annual water usage in Clay County, and most of the water from these wells will be induced from the Missouri River. More recharge can be induced with more pumping in particular from the Missouri River because it is hydraulically connected to the aquifer. In 2011, the reported pumping for irrigation was 4,818 ac-ft/yr in Clay and Yankton Counties (Water Rights, 1979-2011).

There are a number of new permits and pending applications from the Missouri: Elk Point aquifer. Once they are developed, the average pumping for irrigation purposes is expected to increase significantly. Since January 1, 2012, there have been 45 permits issued from the Missouri: Elk Point aquifer authorizing irrigation for a total of 5,546.1 acres. The average annual withdrawal is still expected to be significantly less than the average annual recharge. The pending permits for appropriation of water from the Missouri: Elk Point aquifer are outlined in Table 4.

Permit No.	Diversion Rate (cfs)	Acres
7447-3	1.78	160
7460-3	3.11	264
7454-3	1.78	171
7527-3	1.11	117.5
7553-3	1.55	136
7563-3	2.22	95
7554-3	1.89	136

Table 4. List of pending permits and their appropriations from the Missouri: Elk Point aquifer (Water Rights, 2013a).

Recognizing that Lewis and Clark RWS withdraw water from the Missouri: Elk Point aquifer that is induced from the Missouri River and considering the remaining hydrologic budget, there is reasonable probability that unappropriated water is available for the 604 acre-feet appropriation proposed by these applications.

Observation Well Data:

Administrative Rule of South Dakota Section 74:02:05:07 requires that “the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge to the aquifer”.

The SD DENR-Water Rights Program monitors 37 observation wells completed into the Missouri: Elk Point aquifer with two of these observation wells located within three miles of both well sites proposed by these applications (Water Rights, 2013b). Hydrographs for these wells are shown in Figures 1 and 2.

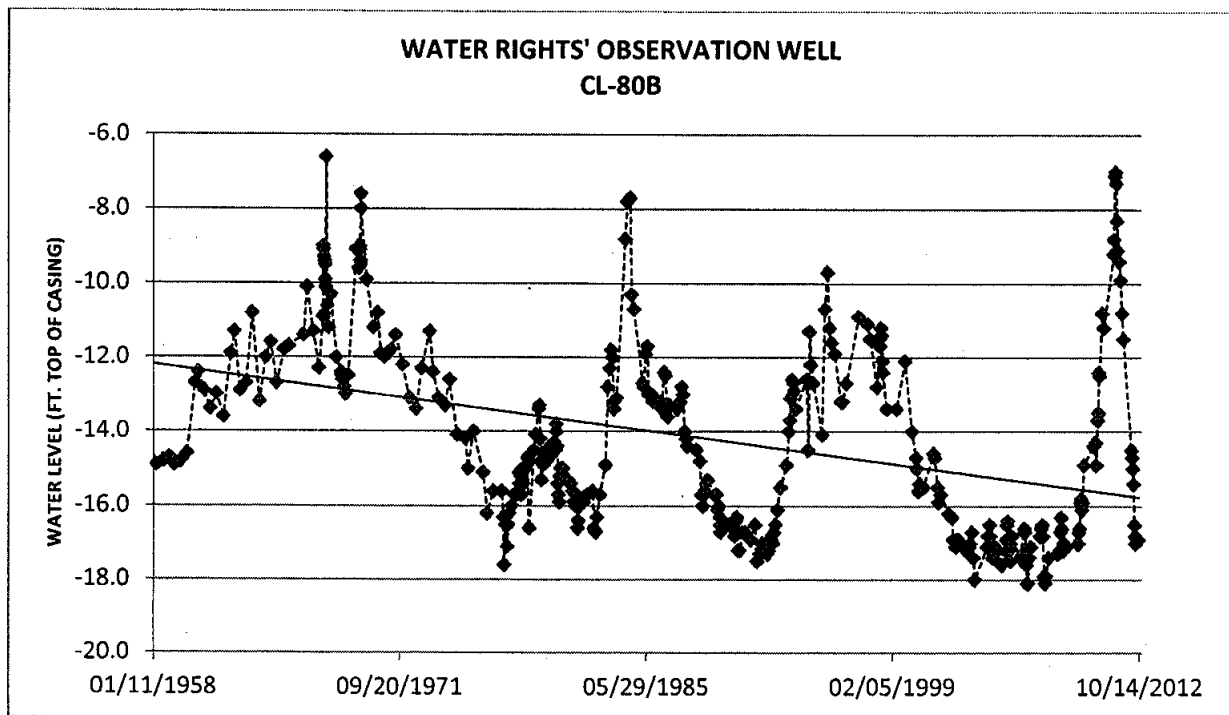


Figure 1. Hydrograph with linear trend line for SD DENR-Water Rights Observation Well CL-80B completed into the Missouri: Elk Point aquifer less than two miles southeast of the well site proposed by Application No. 7621-3 (Water Rights, 2013a).

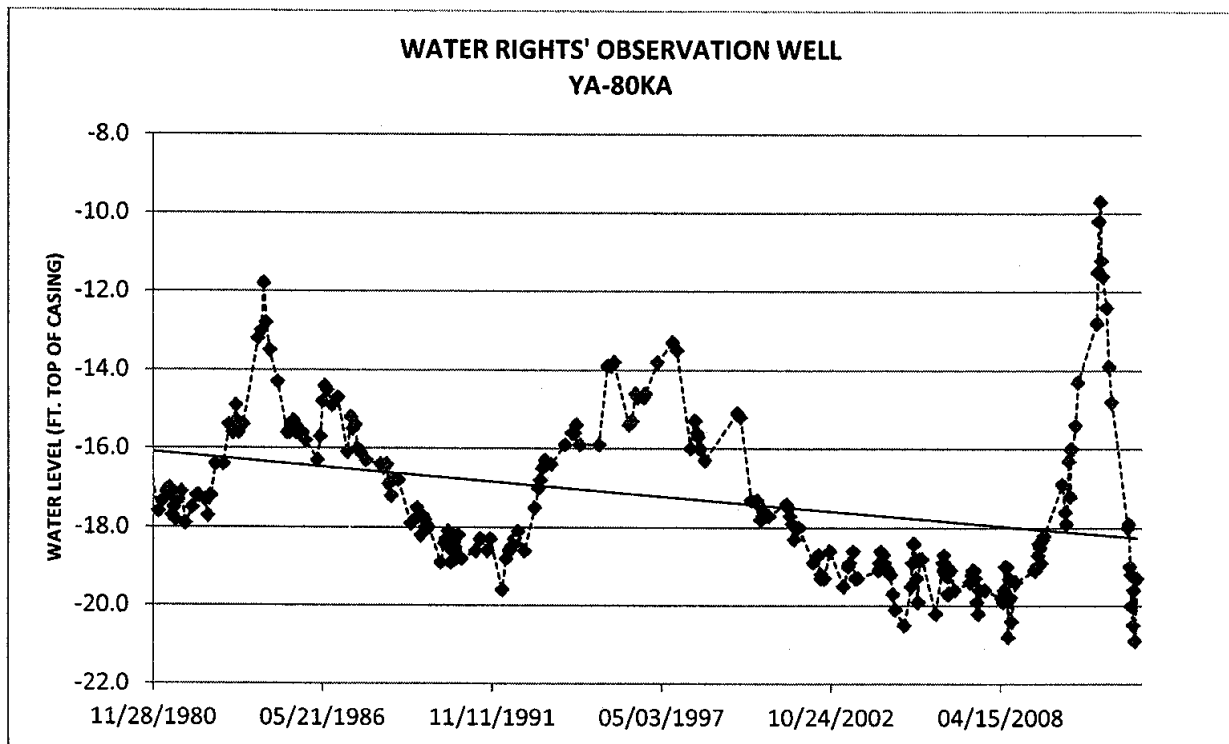


Figure 2. Hydrograph with linear trend line for SD DENR- Water Rights Observation Well YA-80KA completed into the Missouri: Elk Point aquifer less than three miles west of the well site proposed by Application No. 7622-3 (Water Rights, 2013a).

The observation well data shows the aquifer responds well to climatic conditions with rising water levels during wet years and gradually declining water levels during dry years. The observation well data shows that at the current level of development, climatic conditions mask the temporal effects of well withdrawals. The observation well data documents the hydraulic connection between the Missouri: Elk Point aquifer and the Missouri River (e.g. in particular, record high groundwater levels associated with flooding in 2011). Linear trend lines for the hydrographs do show a general gradual decline. This gradual decline may be attributed to either entrenching the Missouri River (Goodman, 2007) or controlling the flow of the Missouri River by the Gavins Point Dam, which no longer allows inundating of the floodplain (Stephens, 1967).

Because of this obvious hydraulic connection between Missouri: Elk Point aquifer and the Missouri River and the availability of water in the Missouri River, there is a reasonable probability that additional recharge to the Missouri: Elk Point will be induced with additional pumping. Additional pumping from the Missouri: Elk Point aquifer can also induce recharge from the underlying Dakota aquifer. Recognizing that natural discharge from the aquifer can be captured for pumping, there is reasonable probability that unappropriated water available from the aquifer to support this appropriation.

EXISTING WATER RIGHTS:

The well sites proposed by these applications are located in southwestern Clay County less than two and one half miles from the Clay and Yankton county line and less than three miles north of the Missouri River. There are six water rights/permits that have diversion points within

approximately one mile of the proposed well sites. The closest existing water right to either of the two well sites proposed by these applications is Water Right No. 3109-3, for Joseph R Edelen Jr., located over 2,300 feet from the well site proposed by Application No. 7621-3. The well site for Water Right number 2158-3, for D A Olson & Sons, has an appropriated diversion rate of 2.67 cfs and is located less than 800 feet from the observation well, CL-80B, whose hydrograph is shown in Figure 1 (Water Rights, 2013c). The hydrograph shows that drawdown due to nearby withdrawals is not significant. Based on the observation well data and the distance between wells, drawdown is not expected to cause adverse impacts to existing water rights.

CONCLUSIONS:

1. These applications propose to appropriate up to 604 acre-feet annually for irrigation from the Missouri: Elk Point aquifer.
2. There is a reasonable probability that unappropriated water is available from the Missouri: Elk Point aquifer to supply these proposed appropriations.
3. The Missouri: Elk Point aquifer is under unconfined (water-table) conditions in the proposed area, and drawdown from pumping is not expected to be significant very far from a production well.
4. There is a reasonable probability that the wells proposed by these applications will not adversely impact existing water rights.



Nicole Van Dyk
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Goodman, J.A. 2007. Report on Water Permit Application No. 6869-3 for Lewis and Clark RWS: SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Hedges, L.S., Burch, S.L., Iles, D.L., Barari, R.A., Schoon, R.A., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
- Hedges, L.S., Allen, J., Holly D.E., 1985, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 7: Ground Water Recharge; U.S. Army Corps of Engineers Contract DACW 45-80-C-0185
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- Water Rights, 2013a, Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013b, Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2013c, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

RECEIVED

MAR 18 2013

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

PLAIN TALK

DENR
Division of Environmental Services
Air Quality Program
Joe Foss Building, 523 East Capitol
Pierre, SD 57501

STATE OF SOUTH DAKOTA
COUNTY OF CLAY

TERA SCHMIDT BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT SHE IS THE CLASSIFIED MANAGER OF YANKTON
MEDIA INC., A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
PLAIN TALK, A LEGAL WEEKLY NEWSPAPER PUBLISHED AND CIRCULATED
IN THE CITY OF VERMILLION, SAID COUNTY AND STATE, AND ONE OF THE
OFFICIAL NEWSPAPERS OF THE SAID COUNTY OF FACTS STATED IN THIS
AFFIDAVIT; THAT THE ANNEXED
NOTICE OF APPLICATION FOR AIR QUALITY CONSTRUCTION PERMIT

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 8 DAY OF MARCH 2013
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$32.27 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 3/8/13

FILED ON: 3/8/13

Tera A. Schmidt

SUBSCRIBED AND SWORN TO BEFORE ME THIS

12th DAY OF

March

[Signature]

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES

8/19/2015

address to request copies of infor-
mation pertaining to these appli-
cations. Steven M. Pirner, Secre-
tary, Department of Environment
and Natural Resources.
Published once at the total ap-
proximate cost of \$32.27
Published: March 8, 2013

**NOTICE OF APPLICATION
NOS. 7621-3 and 7622-3 to
Appropriate Water**

Notice is given that Kyle
Jensen, 31582 454th Ave, Meck-
ling SD 57069 has filed the fol-
lowing applications for a water
permit.

Application No. 7621-3 pro-
poses to appropriate 1.89 cubic
feet of water per second (cfs)
from one well to be completed
into the Missouri Elk Point Aquif-
er (100 feet deep) located in the
center of the SW 1/4 Section 4 for
irrigation of 160 acres located in
the SW 1/4 Section 4; all in
T92N-R53W.

Application No. 7622-3 pro-
poses to appropriate 1.89 cfs from
one well to be completed into the

Missouri Elk Point Aquifer (110
feet deep) located in the center of
the SW 1/4 Section 32 for irriga-
tion of 142 acres located in the
SW 1/4 Section 32; all in
T93N-R53W.

Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends AP-
PROVAL of Application Nos.
7621-3 and 7622-3 because 1) un-
appropriated water is available, 2)
existing rights will not be unlaw-
fully impaired, 3) it is a beneficial
use of water, and 4) it is in the
public interest. In accordance
with SDCL 46-2A-23, the Chief
Engineer will act on these applica-
tions, as recommended, unless a
petition is filed opposing the ap-
plications or the applicant files a
petition contesting the Chief En-
gineer's recommendations. If a peti-
tion opposing the applications or
contesting the recommendations is
filed, then a hearing will be sched-
uled and the Water Management
Board will consider these applica-
tions. Notice of the hearing will
be given to the applicant and any
person filing a petition.

Any person interested in oppos-
ing or supporting these applica-
tions or recommendations must
file a written petition with BOTH
the applicant and Chief Engineer.
The applicant must file a petition
if contesting the Chief Engineer's
recommendations. The Chief En-
gineer's address is "Water Rights
Program, Foss Building, 523 E
Capitol, Pierre SD 57501 (605
773-3352)" and the applicant's
mailing address is given above. A
petition filed by either an inter-
ested person or the applicant must
be filed by March 18, 2013.

The petition may be informal,
but must include a statement de-
scribing the petitioner's interest in
the applications, the petitioner's
reasons for opposing or support-
ing the applications, and the sig-
nature and mailing address of the
petitioner or the petitioner's legal
counsel, if legal counsel is ob-
tained. Contact Eric Gronlund at
the above Water Rights Program

RECEIVED

MAR 13 2013

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

YANKTON DAILY PRESS AND DAKOTAN

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

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

KELLY HERTZ BEING FIRST DULY SWORN ON OATH DEPOSES
AND SAYS THAT HE IS THE MANAGING EDITOR OF, YANKTON
MEDIA INC, A CORPORATION, THE PRINTER AND THE PUBLISHER OF THE
YANKTON DAILY PRESS AND DAKOTAN, A LEGAL DAILY NEWSPAPER
PUBLISHED AND CIRCULATED IN THE CITY OF YANKTON, SAID COUNTY
AND STATE, AND ONE OF THE OFFICIAL NEWSPAPERS OF THE SAID
COUNTY OF FACTS STATED IN THIS AFFIDAVIT; THAT THE ANNEXED
Notice of Application No. 7621-3 & 7622-3

TAKEN FROM THE PAPER, IN WHICH IT WAS LAST PUBLISHED IN THE
NEWSPAPER ON THE 8th DAY OF March 2013
THAT THE FULL AMOUNT OF THE FEE CHARGED FOR THE PUBLICATION
OF SAID NOTICE TO WIT \$29.63 ENSURES TO THE
BENEFITS OF THE PUBLISHER OF SAID NEWSPAPER AND THAT NO
AGREEMENT AND UNDERSTANDING FOR THE DIVISION THEREOF HAS
BEEN MADE WITH ANY OTHER PERSON, AND THAT NO PART THEREOF
HAS BEEN AGREED TO BE PAID TO ANY PERSON WHOMSOEVER.

PUBLISHED ON: 3/8/2013

FILED ON: 3/8/2013

SUBSCRIBED AND SWORN TO BEFORE ME THIS 8th DAY OF March 2013

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES 8/19/2015

the above Water Rights Program
address to request copies of infor-
mation pertaining to these appli-
cations. Steven M. Pirner, Secre-
tary, Department of Environment
and Natural Resources.
Published once at the total ap-
proximate cost of \$29.63.

3-8

NOTICE OF APPLICATION
NOS. 7621-3 and 7622-3 to
Appropriate Water

Notice is given that Kyle Jensen,
31582 454th Ave, Meckling SD
57069 has filed the following ap-
plications for a water permit.

Application No. 7621-3 proposes
to appropriate 1.89 cubic feet of
water per second (cfs) from one
well to be completed into the Mis-
souri:Elk Point Aquifer (100 feet
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SW 1/4 Section 4 for irrigation of
160 acres located in the SW 1/4
Section 4; all in T92N-R53W.

Application No. 7622-3 proposes
to appropriate 1.89 cfs from one
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deep) located in the center of the
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neer's recommendations. If a peti-
tion opposing the applications or
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be given to the applicant and any
person filing a petition.

Any person interested in opposing
or supporting these applications or
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ten petition with BOTH the appli-
cant and Chief Engineer. The ap-
plicant must file a petition if con-
testing the Chief Engineer's rec-
ommendations. The Chief Engi-
neer's address is "Water Rights
Program, Foss Building, 523 E
Capitol, Pierre SD 57501 (605
773-3352)" and the applicant's
mailing address is given above. A
petition filed by either an in-
terested person or the applicant must
be filed by March 18, 2013.

The petition may be informal, but
must include a statement describ-
ing the petitioner's interest in the
applications, the petitioner's rea-
sons for opposing or supporting
the applications, and the signature
and mailing address of the peti-
tioner or the petitioner's legal
counsel, if legal counsel is ob-
tained. Contact Eric Gronlund at



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 27, 2013

Plain Talk
201 W Cherry St
Vermillion SD 57069

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 7621-3 & 7622-3 to Appropriate Water. Please publish the notice once on March 8, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Kyle Jensen, 31582 454th Ave, Meckling SD 57069 (Ph # 605-670-0245).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 27, 2013

Press & Dakotan
319 Walnut
Yankton SD 57078

ATTENTION: Legal Public Notice

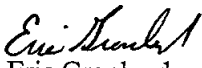
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Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATE, CONTACT
THE NEWSPAPER(S) RIGHT AWAY.

February 27, 2013

Kyle Jensen
31582 454th Ave
Meckling SD 57069

Dear Mr. Jensen:

Water Permit Application Nos. 7621-3 and 7622-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Plain Talk printed at Vermillion SD (Ph # 605-624-2695) and the Press & Dakotan printed at Yankton SD (Ph # 605-665-7811). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper(s) has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

cc: Ernest Jensen, 45437 River Dr, Meckling SD 57069

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the applications.

Instruction to Newspaper - Publish the Notice on March 8, 2013. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NOS. 7621-3 and 7622-3 to Appropriate Water

Notice is given that Kyle Jensen, 31582 454th Ave, Meckling SD 57069 has filed the following applications for a water permit.

Application No. 7621-3 proposes to appropriate 1.89 cubic feet of water per second (cfs) from one well to be completed into the Missouri:Elk Point Aquifer (100 feet deep) located in the center of the SW 1/4 Section 4 for irrigation of 160 acres located in the SW 1/4 Section 4; all in T92N-R53W.

Application No. 7622-3 proposes to appropriate 1.89 cfs from one well to be completed into the Missouri:Elk Point Aquifer (110 feet deep) located in the center of the SW 1/4 Section 32 for irrigation of 142 acres located in the SW 1/4 Section 32; all in T93N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7621-3 and 7622-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 18, 2013.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.
Published once at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

APR 26 2013

Kyle Jensen
31582 454th Ave
Meckling SD 57069

Dear Mr. Jensen:

Enclosed are Water Permit Nos. 7621-3 and 7622-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10's, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return the completed forms after you have finished the systems and have put the water to beneficial use. An investigation can then be scheduled so the water licenses may be issued, thus completing the acquisition of a water right.

An informational sheet ? *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

7621-3 SD EForm - 1621LD V1

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NE 1/4 Sec 4 Twp 92N Rg 53W

Well Owner: Kyle Jensen

Business Name:

Address: 31582 454th Ave

City, State, Zip: Meckling SD 57069

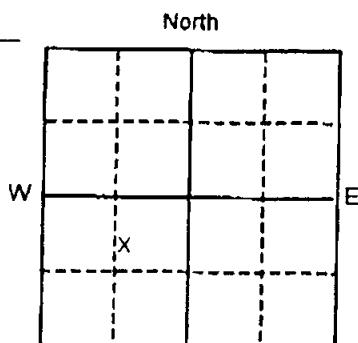
WELL LOG:

DEPTH

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	2
Sand	2	65
Gray Clay	65	76
Gravel w/ Big rocks	76	80
Sandy Gravel	80	95
Gravel	95	104

County: Clay

Please mark well location with an 'X'



Well Completion Date

April 29, 2013

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
1,150.0 ft. from Septic Tank (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

bucket method

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	16.00 IN	0.0 FT	76.0 FT	24.00 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Bentonite	20	9.5 Lb/gal	0.0 Ft	70.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
Tremie Method

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16.00 Inches Length 28.0 Feet

Material PVC

Slot Size .050 Set From 76.0 Feet to 104.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How?

☒ No, Why Not? Not Required
 Lab to which water quality sample sent for analysis

STATIC WATER LEVEL 22.0 FEET

If flowing: closed in pressure PSI

GPM flow through Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

Ft. After Hrs. pumped GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

RECEIVED

SEP 06 2013

WATER RIGHTS PROGRAM

This well was drilled under license # 666 and this report is true and accurate.

Drilling firm: Hammond-Wetmore Drilling, LLC

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 6/11/13



7621-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2014

NOTICE

TO: KYLE JENSEN, 31582 454TH AVE, MECKLING, SD 57044

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

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7621-3 & 7622-3. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 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) 7621-3 & 7622-3 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** 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) 7621-3 & 7622-3 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 3, 2014**, 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 Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

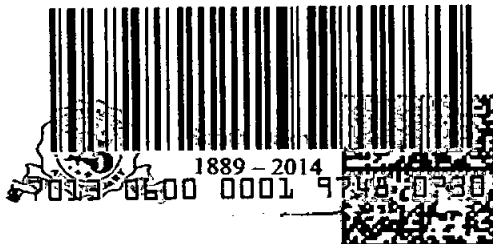
NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

RETURN SERVICE REQUESTED



31582

02 1R
0002007087 JAN 24 2014
MAILED FROM ZIP CODE 57501

\$ 03.56⁰

KYLE JENSEN
31582 454TH AVE

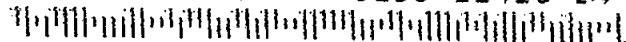
FIRST NOTICE 01-20-14
FINAL NOTICE 2-15-14

NYXIC 572 DE 1000 0002/12/14

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

570696401031803

BC: 57501318299 *0135-11410-24-45





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

February 18, 2014

NOTICE

TO: Kyle Jensen, 31582 454th Ave, Meckling SD 57044

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Division 

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Permit Nos. 7621-3 & 7622-3

The attached notice was sent certified mail. The post office has returned the certified mail envelope to our office marked "unclaimed". The envelope indicated the post office notified you January 27 and February 15, 2014 to pick up and sign for the certified mail.

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

CERTIFICATION

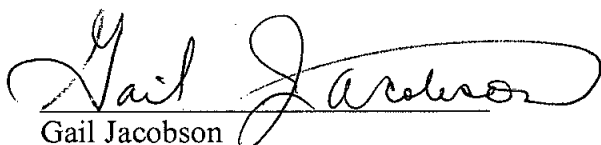
I hereby certify that on February 18, 2014, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated February 18, 2014 regarding unclaimed irrigation questionnaires addressed as stated below:

Michael Kowalski, 13329 443rd Ave, Waubay SD 57272

#'s 7114-3 and 7336-3

Kyle Jensen, 31582 454th Ave, Meckling SD 57044

#'s 7621-3 and 7622-3



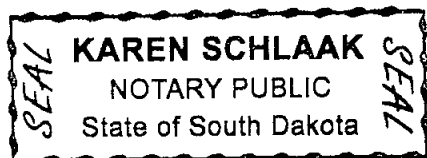
Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 18th day of February, 2014.



Karen Schlaak
Notary Public
My Commission expires April 1, 2019





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 5, 2014

7621-3
7622-3

Kyle Jensen
31582 454th Ave
Meckling SD 57044

Dear Mr. Jensen:

I am writing to acknowledge receipt of the information for your 2013 irrigation questionnaires. I completed both forms for you based on our phone conversation.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Permit Nos. 7621-3 and 7622-3. 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,

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

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



7621-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

TO: KYLE JENSEN, 31582 454TH AVE, MECKLING, SD 57044

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7621-3 & 7622-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 7621-3 & 7622-3 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 4, 2015** 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) 7621-3 & 7622-3 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 4, 2015** 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 Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.

7621-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 9, 2015

Kyle Jensen
31582 454th Ave
Meckling SD 57044

Dear Mr. Jensen:

I am writing to acknowledge receipt of the 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Permit Nos. 7621-3 and 7622-3. 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,

A handwritten signature in cursive script, appearing to read "Genny McMath".

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



7621-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2016

NOTICE

TO: KYLE JENSEN, 31582 454TH AVE, MECKLING, SD 57044

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7621-3 & 7622-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 7621-3 & 7622-3 qualification:

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

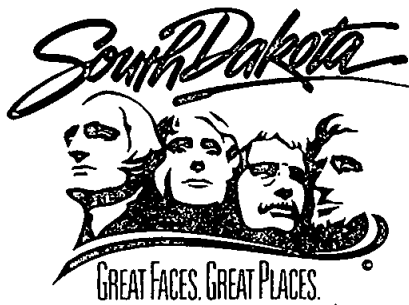
The hearing will be held at **Thursday, March 3, 2016 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant 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) 7621-3 & 7622-3 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 3, 2016** 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 Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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

denr.sd.gov

February 9, 2016

7621-3
7622-3

Kyle Jensen
31582 454th Ave
Meckling SD 57044

Dear Mr. Jensen:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Permit Nos. 7621-3 and 7622-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

7621-3

SD EForm - 1311LD V1

Form 10

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

MAIL TO: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182
ph. (605) 773-3352

Date 4-12-16

FROM: Kyle Jensen
(name)

31582 454th Ave
(address)

Meckling SD 57069 605-670-0245
(city) (state) (zip) (phone)

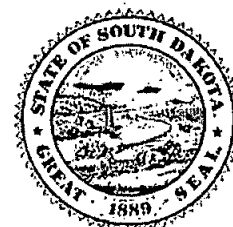
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 7621-3 states that the water use system is to be constructed by
3-18-2018, and water is to be put to beneficial use by 3-18-2022
(date) (date)

The water use system was completed on 5-13
(date)

Applying the water to beneficial use was completed on 6-13
(date)

You may schedule an investigation so that the water license may be issued.



Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7621-3

I have this day, **April 12, 2016**, made a thorough examination of the water use system constructed by **Kyle Jensen, 31582 454th Ave, Meckling SD 57069** of Permit No. **7621-3**, bearing the priority of **January 7, 2013** authorizing the diversion of **1.89** cu. ft. per second of the waters of **Missouri:Elk Point Aquifer** for **irrigation** purposes, of **160** acres, in **Clay** County.

Inspection contact & relationship to permit holder, if applicable: **Kyle Jensen, permit holder**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Hammond-Wetmore Drilling, LLC**
- 2) No. of Wells **1**
- 3) Depth(s) **104** feet
- 4) Well log is available **Yes**

Casing:

- 1) Diameter **16** inches
- 2) Length **76** feet
- 3) Type **PVC**

Screen:

- 1) Type **PVC Manufactured**
- 2) Length **28** feet
- 3) Static water level **22** feet

Pump:

- 1) Make **Grundfos Submersible**
- 2) Model **800S400-2aa**
- 3) Capacity **850** GPM

Motor:

- 1) Make **Grundfos**
- 2) Model No. **Submersible**
- 3) Horsepower rating **40** hp

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
- 2) Overall length 1320 feet
- 3) Number of towers 7
- 4) End gun Yes
- 5) Capacity 850 GPM

Comments: Center pivot has a stop at the fourth tower that puts a bend in the system around the farm site.

Chemigation Equipment:

- 1) Does chemigate No

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes, began irrigating in 2013.

List any extended period of nonuse: None

- 3) Exceptions to compliance are: Diversion rate exceeds statutory limit.

E. Condition and Location:

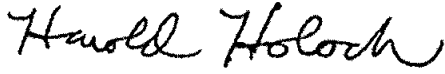
1. The system is in good condition with the point(s) of diversion located as follows: East 1340', North 1340' from SW Corner of Sec 4-T92N-R53W; Lat 42.81178/Long -97.11614; approximate center of SW ¼ Sec 4-T92N-R53W.
2. The works are capable of diverting and conveying to the place of use 1.89 cfs or 850 gpm of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:
 All land is located in Sec 4-T92N-R53W.

<u>NW ¼ SW ¼ - 26 ac</u>	<u>NE ¼ SW ¼ - 35 ac</u>
<u>SW ¼ SW ¼ - 23 ac</u>	<u>SE ¼ SW ¼ - 35 ac</u>

 comprising a total of 119 acres of land and the license should be issued for 1.70 cfs or 765 gpm which is the statutory limit of 1 cfs per 70 acres irrigated.
3. All structures, wells and lands on map Yes

F. Comments or other permit(s) associated with the project:

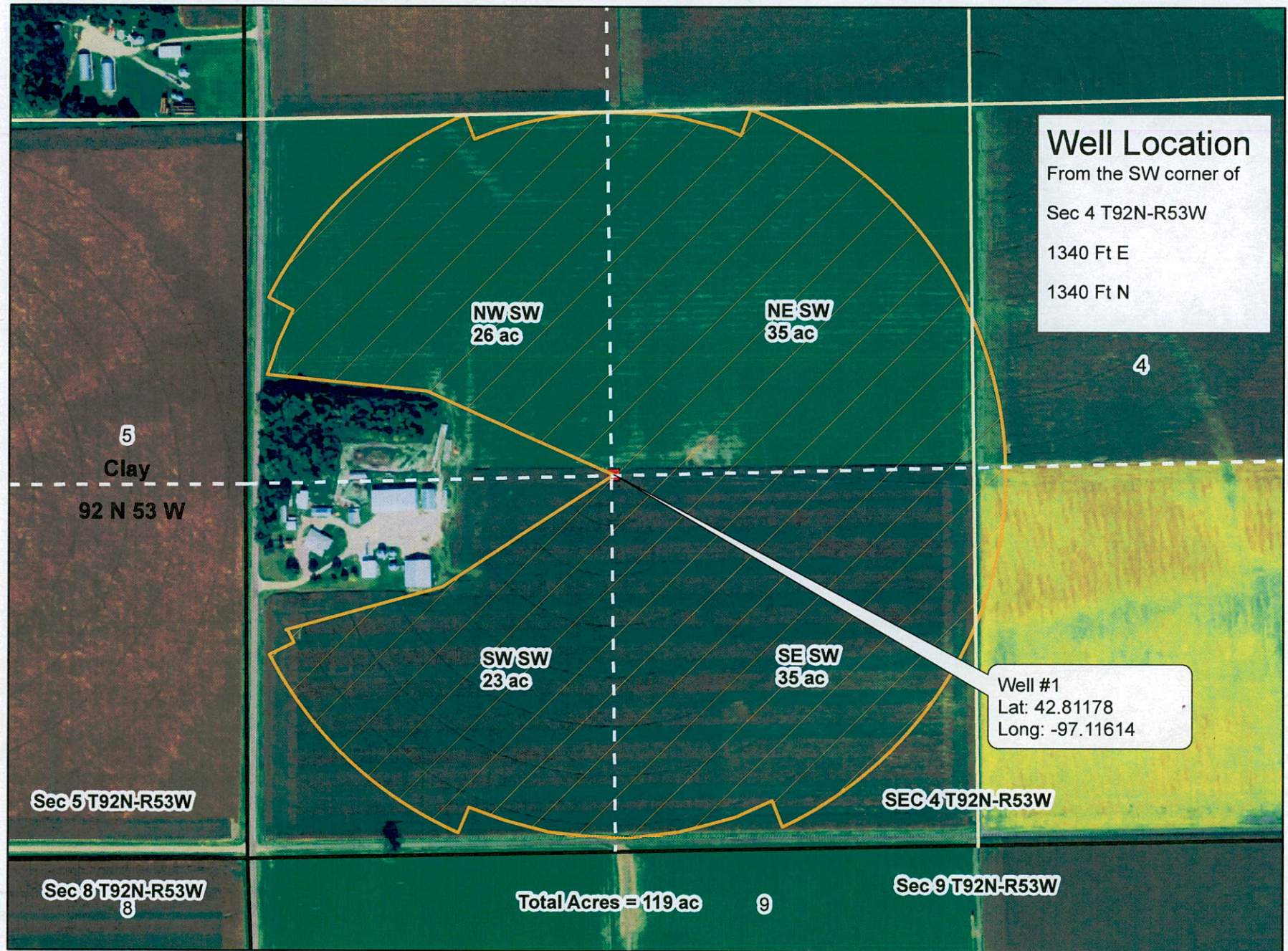
The diversion rate of Water Permit No. 7621-3 is greater than the statutory limit of 1 cfs per 70 acres irrigated.



Harold Holoch, PE
Staff Engineer
DENR, Water Rights Program

Date report completed: November 1, 2017

7621-3



Harold Holoch
Harold Holoch, PE
Water Rights Inspector
August 24, 2016

7621-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

NOV 08 2017

7621-3
7622-3

Kyle Jensen
31582 454th Ave
Meckling SD 57069

Dear Mr. Jensen:

Enclosed are Water License Nos. 7621-3 and 7622-3. They are the final water right documents completing your process of obtaining Water Rights. Included with each license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

NOTE: The investigation found the irrigation system authorized under Water Right No. 7621-3 is capable of diverting 1.89 cubic feet of water per second (cfs) which is equivalent to approximately 850 gallons per minute. The statutory limit for 119 acres is 1.70 cfs (equivalent to 765 gpm). Diversion of water under this water license is limited to 1.70 cfs.

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7621-3**

(1) Kyle Jensen, 31582 454th Ave, Meckling SD 57069 made Application No. 7621-3, January 7, 2013 for a water permit to divert 1.89 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer), Clay County, South Dakota for irrigation purposes. Permit No. 7621-3, with a priority date of January 7, 2013 was approved March 18, 2013 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 18, 2018 and for the application to beneficial use of water on or before March 18, 2022.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" indicating the water use system was completed in May, 2013 and the water placed to beneficial use in June, 2013.

(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 divert 1.70 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,340'E and 1,340'N of the SW corner of Section 4, T92N, R53W (approximate center of the SW ¼)
Latitude 42.81178, Longitude -97.11614

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

Section 4, T92N, R53W	NW ¼ SW ¼	26 acres
	SW ¼ SW ¼	23 acres
	NE ¼ SW ¼	35 acres
	SE ¼ SW ¼	35 acres
Total		119 acres

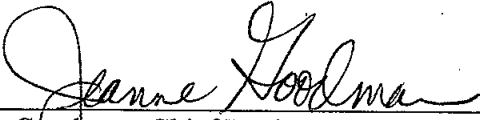
(4) Pursuant to South Dakota Water Law 46-5-30.1 Kyle Jensen, 31582 454th Ave, Meckling SD 57069 the holder and/or owner of Water Right No. 7621-3 is issued a license to appropriate water, the right to use 1.70 cubic feet of water per second from ground water, one well (Missouri Elk Point Aquifer) with a priority date of January 7, 2013 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7621-3 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 7621-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *Well was drilled in April, 2013 by Hammond-Wetmore Drilling LLC. A copy of the log is on file with the Water Rights Program.*

continued

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



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 08 2017
date





7621-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: KYLE JENSEN, 31582 454TH AVE, MECKLING, SD 57044

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7621-3 & 7622-3. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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) 7621-3 & 7622-3 qualification:

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

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 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) 7621-3 & 7622-3 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 7, 2018** 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 Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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.

7621-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 1, 2018

7621-3
7622-3

Kyle Jensen
31582 454th Ave
Meckling SD 57044

Dear Mr. Jensen:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 7621-3 and 7622-3. 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
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



7621-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: KYLE JENSEN, 31582 454TH AVE, MECKLING, SD 57044

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7621-3 & 7622-3. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 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) 7621-3 & 7622-3 qualification:

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

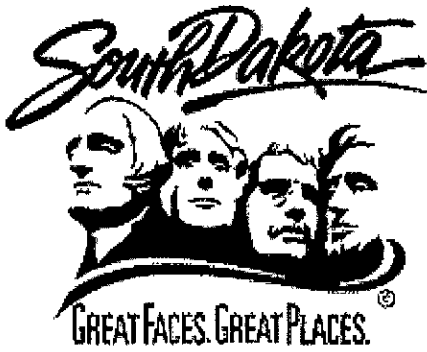
The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant 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) 7621-3 & 7622-3 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 **February 26, 2020** 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 Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: WNQUKF**

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.denr.sd.gov

January 30, 2020

7621-3
7622-3

Kyle Jensen
31582 454th Ave
Meckling SD 57044

Dear Mr. Jensen:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Right Nos. 7621-3 and 7622-3. 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,

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

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

7621-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: KYLE JENSEN, 31582 454TH AVE, MECKLING, SD 57044

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 7621-3 & 7622-3. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 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) 7621-3 & 7622-3 qualification:

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

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 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:

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If the questionnaire(s) is (are) received in this office before the **March 3, 2021** 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 Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: YHNYMT**

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.

7621-3



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

February 2, 2021

7621-3
7622-3

Kyle Jensen
31582 454th Ave
Meckling SD 57044

Dear Mr. Jensen:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right Nos. 7621-3 and 7622-3. 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,

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

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



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

January 20, 2022

NOTICE

TO: KYLE JENSEN, 31582 454TH AVE, MECKLING, SD 57044

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6804A-3 7621-3, 7622-3 & 7847-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 6804A-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 2, 2022 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) 6804A-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 2, 2022** 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 Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: TGTVBZ**

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.

7621-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 15, 2022

6804A-3
7621-3
7622-3
7847-3

Kyle Jensen
31582 454th Ave
Meckling SD 57044

Dear Mr. Jensen:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right Nos. 6804A-3 7621-3, 7622-3 & 7847-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

The transfer form you completed was received as well. I will get that processed soon and confirmation sent back to you. If you have any questions, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 20, 2023

NOTICE

TO: KYLE JENSEN, 31582 454TH AVE, MECKLING, SD 57044

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6804A-3, 6804C-3, 7621-3, 7622-3 & 7847-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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) 6804A-3, 6805C-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 8, 2023 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) 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 8, 2023** 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 Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: JGLBJY**

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 1, 2023

Kyle Jensen
31582 454th Ave
Meckling SD 57044

RE: Water Permit or Right Nos. 6804A-3, 6804C-3, 7621-3, 7622-3 and 7847-3

Dear Mr. Jensen:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Permit or Right Nos. 6804A-3, 6804C-3, 7621-3, 7622-3 and 7847-3. 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
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

Note: I still have not received the ownership changes from Mrs. Heine in Centralia WA. I have sent a couple letters to her with transfer forms and postage paid envelopes and have not received any response. The water rights are still listed under Daniel Heine (7847-3 & 6804A-3).



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