

Considered: _____

VESTED RIGHT

WATER PERMIT NO. 1891-2

MAP No. 1891-2

Name of Applicant Loyd Thomsen

Post Office Address St Rt Box 19, Oelrichs, S.D. 57763

Amount of Water Claimed 0.69 Total Acres 48.00

Source of Water Supply Horsehead Creek and Duck Creek

Water to be used for IRR County Fall River

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved 12-5-84 Subject to _____

F.F.& C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 9/12/84 Fee 10.50 Remarks _____

1/1/41

Corrected Application Received _____ Period of Annual Use 1/1 to 12/31

WATER QUALITY APPROVAL RECEIVED n/a APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Points Dam #1 located in NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 12 and Dam #2 located in NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 1, both in T12S, R6E

Land to be Irrigated S $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 1,
T12S, R6E

Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map Aerial PREPARED BY Del Brosz DWRN W/R Reviewed and the Number

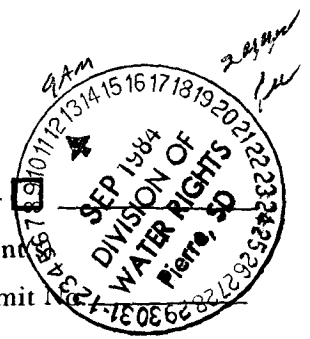
assigned on 9/19/84 By Betty Westlund

Betty Westlund, NRA III

No. <u>1891-2</u>	Hydrologic Unit <u>10120108</u>
Map No. <u>1891-2</u>	Basin <u>VC</u>
Newspaper <u>N/A</u>	

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

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

New ☐ Vested Right ☒ Future Use ☐☐ Application to amend Permit No. _____ with old priority date retained☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____

- Name of Applicant Loyd Thomsen Phone No. 535-6162
Post Office Address Star Route, Box 19, Oelrichs, South Dakota State 57763
(Street, RR or Box) Zip Code
- Amount of water claimed (c.f.s) 0.69 Total acres irrigated 48
- Source of Water supply Horsehead Creek and Duck Creek
- Location of point of diversion Dam #1 - N90°E 700' from the SW Corner of Section 1, T12S, R6E
Dam #2 - N48°W 1900' from the SE Corner of Section 1, T12S, R6E
County Fall River
- Counties where water will be used Fall River
- Annual period during which water is to be used All year
- List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1 T12S R6E	3
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1 T12S R6E	8
SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1 T12S R6E	17
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1 T12S R6E	20

Land Description	No. Acres Irr.

Attach sheet if more space is needed

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

This is a water spreading system. Water overflows a dam into a small field and then into a canal. The canal empties into a second dam. The water overflows the second dam and floods a larger field.

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

STATE OF SOUTH DAKOTA)
County of _____)

I, Loyd W. Thomsen the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

GENERAL NOTARIAL

SEAL

STATE OF NEBRASKA

Subscribed and sworn to before me this

June 4, 1985

Signed

4th day of September 1984

Pat A. Bauerkemper

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1891-2
Loyd W Thomsen Star Rt, Box 19, Oelrichs
South Dakota (Applicant) 57763 (Post Office Address)
(State) (Zip Code) With the following qualifications.

See Form VR-1

Date of first receipt of application _____, 19____.

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

Date of receipt of corrected application _____, 19____. Approved _____, 19____.

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

1. The date from which applicant may claim right is _____, 19____.
2. One-fifth of the work is to be completed on or before _____, 19____.
3. The whole of said work is to be completed on or before _____, 19____.
4. The time limit for proof of beneficial use of water is _____, 19____.
5. The water appropriated shall be used for the purpose of _____.
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed _____ cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served. For irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth ($1/70$) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before _____, 19____; said water to be used during the following described annual period: _____.

WATER MANAGEMENT BOARD

By: _____
Chief Engineer
Division of Water Rights
Dept. of Water and Natural Resources

_____, 19____

VESTED WATER RIGHT

The Water Management Board hereby recognizes Vested Water Right No. 1891-2

Loyd W Thomsen

(applicant)

South Dakota

(state)

57763

(zip code)

Star Rt, Box 19, Delrichs

(post office address)

Date of receipt of Application September 12, 1984.

Recognized December 5, 1984.

The Water Management Board hereby recognizes the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Vested Water Right, subject, however, to the following limitations and conditions:

1. The date from which the applicant may claim right is January 1, 1941.
2. The whole of said work has been completed and water has been applied to beneficial use as described on Form 2B of this application.
3. The water appropriated is used for the purpose of irrigation.
4. The prior rights of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
5. The amount of the appropriation hereby recognized shall not exceed 0.69 cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served. For irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water has been actually and beneficially applied for irrigation. The water is to be used during the following described annual period January 1 to December 31

WATER MANAGEMENT BOARD

By: John Hatched

(Chief Engineer)

Division of Water Rights
Dept. of Water and Natural Resources

January 4, 1985.

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth of Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

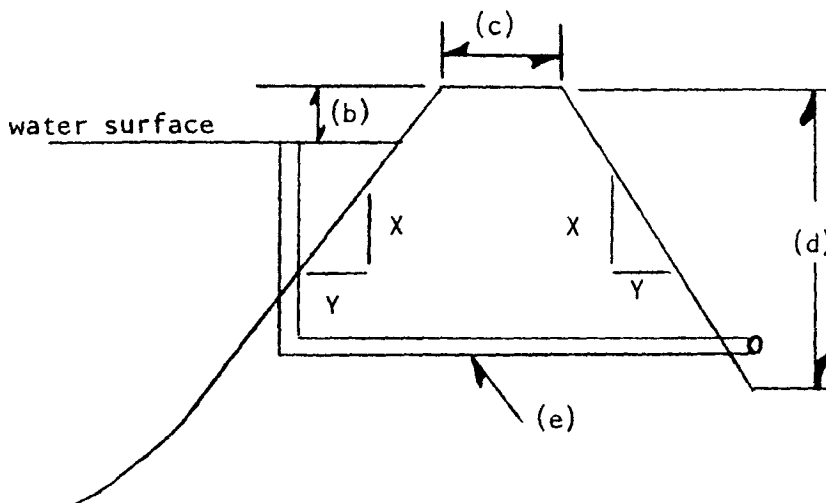
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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

	DAM#1	DAM#2
b) Freeboard	5'	5'
c) Crest Width	14'	10'
Crest Length	250'	700'
d) Height	20'	15'
e) Outlet Dimensions:		
Pipe diameter	None	None
Spillway width	150'	150'
f) X & Y Slope		
Upstream	3:1	3:1
Downstream	2:1	2:1
Surface Area of Impoundment	6 acres	5 acres
Storage	25	acre feet 12
Drainage area above dam	--	4200



Lloyd W. Thorne
Signature of Applicant

Affidavit of Water Use

No. _____

(Type or Print in Ink)

Note: This Form is supplemental to Form 2 and is to be used when an affidavit pertaining to construction and water use already constructed is needed, primarily with vested right claims.

**Affidavit Of Construction Of Water Use System
And Application Of Water To Beneficial Use**

Name of Applicant (Same as Form 2) Loyd Thomsen

Post Office Address Star Route, Box 19, Oelrichs, SD 57763
(Street, RR or Box) (State) (Zip Code)

A. Notice of Appropriation _____ Date of Posting _____

Date of recording _____ Recording date _____
Where Book Page

B. Date of start of construction of water supply system 1941C. Date that water was first applied to beneficial use 1941D. Name of owner of original water supply system Harry ThomsenE. Amount of water originally applied to beneficial use 0.69 cfsF. Present Use of Water - Amount of water now being used 0.69 cfsDate that this water was first used 1941

G. Chronological History of Water Use

Harry Thomsen, constructed the system in 1941

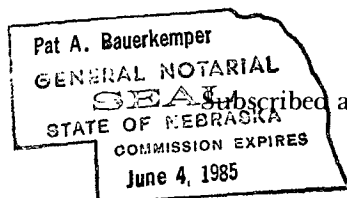
Loyd Thomsen became the owner in 1973

Attach to this Form 2B any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

State of South Dakota)

County of _____)
ss

I, Loyd W. Thomsen the applicant, certify that I have read the foregoing
(print or type)
 and that the matters therein stated are true.



Signed Loyd W. Thomsen
September 4, 1984
Pat A. Bauerkemper
Notary Public or other qualified officer

I, the undersigned do hereby certify that I know about the water use system described above, that I have read the foregoing, and that the matters therein stated are true.

Loyd THOMSEN 19____
(Print name)
Robert E Bauerkemper 19____
(Print name)

State of South Dakota

Vested Right

Water License No.

1891-2

(1) Loyd W Thomsen

of Star Rt, Box 19, Oelrichs, South Dakota 57763

of a vested right

made Application No. 1891-2, September 12, 1984 for recognition / ~~for a water permit~~ to appropriate

0.69 cubic feet per second of water from Horsehead and Duck Creeks

Fall River County, South Dakota for irrigation

purposes.

Vested Right 1891-2

January 1, 1941

~~Permit No.~~ with a priority date of

recognized

recognizing

was approved December 5, 1984 and issued to applicant(s) for diversion of water ~~with~~ construction of the described

water supply system ~~to be completed on or before~~ and ~~for~~ the application to beneficial use of said

water ~~on or before~~

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of

the construction of the water supply system and is entitled to divert 0.69 cubic feet per second of water

for beneficial use. The location of the diversion point(s) is are Dam #1 - N90°E 700' from the SW

corner of Section 1, T12S, R6E, Dam #2 - N48°W 1900' from the SE corner of

Section 1, T12S, R6E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T12S, R6E

Section 1 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3 acres (CC)

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 8 " (CD)

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 17 " (DC)

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 20 " (DD)

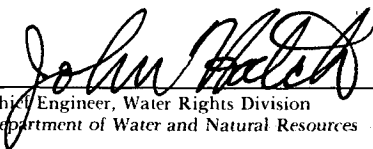
TOTAL 48 acres

(4) Pursuant to §46-5-30.1 Loyd Thomsen

of Star Rt, Box 19, Oelrichs, South Dakota 57763

the holder(s) and/or owner(s) of Vested Right 1891-2 is issued a license to appropriate water, the right to use 0.69 cubic feet per second of water from Horsehead & Duck Creeks with a priority date of January 1, 1941 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Vested Right 1891-2 and subject to South Dakota State Law.


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

December 21, 1984

Permit No. 1891-2Upper Cheyenne Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Loyd
Thomson of Delrichs, S.D. holder of
Permit No. 1891-2, bearing the priority of _____ 1981 authorizing
the diversion of 0.69 cu. ft. per second of the waters of Horsehead & Duck creeks
for irrigation purposes, in Fall River County.

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

A. Works used to divert the water: Dam #1 diverts the water from Horsehead creek onto a small field and then into a canal. The canal empties into a second Dam on Duck Creek. The water overflows the second dam and floods a second field

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

A Canal from Dam #1 to Dam #2. Dam #1 and the first portion of the canal are shared with another landowner that spreads water for irrigation.

C. Works used to apply water to beneficial use:

Flood irrigation. The second field has a 700' control dike with a 10" ungated cmp for better water distribution

The system is in the following condition good

The point of diversion is located Dam #1- N90°E 700' from the SW corner of section 1, T12S, R6E. Dam #2- N48°W 1900' from the SE corner of section 1, T12S, R6E.

The works are capable of diverting and conveying to the place of use 5-15cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: SW & SW - 3 acres,
SE & SW - 8 acres, SW & SE - 17 acres, and SE & SE - 20 acres
all in section 1, T12S, R6E.

comprising a total of 48 acres of land and the license should be issued for 0.69 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date August 8, 1988

Delvin D. Berg, P.E.
(signature) Hydrologist

RECEIPT

Division of Water Rights

No 4 9748

South Dakota Department of Water and Natural Resources

Pierre, September 12, 1984, 19

RECEIVED OF Loyd Thomsen, SR, Box 19, Delrichs, SD 57763

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

Fee for Application for Permit No. <u>1891-2</u> to Appropriate Water, to construct works and to put water to beneficial use	8	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>1891-2</u>	2	50
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	10 50

By

Chief Engineer

John Hatch
JOHN HATCH/ms

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

January 4, 1985

Loyd W Thomsen
Star Rt, Box 19
Oelrichs SD 57763

Dear Mr. Thomsen:

Enclosed herewith are your Vested Right Permit, Water License No. 1891-2.
This Water License is the final water right document completing your
process of obtaining a vested water right.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosures



Department of Water & Natural Resources

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

March 23, 1990

1891-2

NOTICE

TO: Loyd Thomsen
ST RT BOX 19
OELRICHS, SD 57763

FROM: *for Delvin D. Brosz*
JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605)773-3352

SUBJECT: Low Water Levels in Angostura Reservoir

The water level in Angostura Reservoir on March 6, 1990 was at 3171.1 feet above mean sea level (msl). This is approximately 16 feet below the full elevation of 3187.2 msl. The present estimates are that the Angostura Irrigation District will be able to deliver less than 50% of full service water to project lands during the 1990 irrigation season. We are contacting you to advise you of the actions we have taken due to the low water situation in Angostura Reservoir. Junior Water Right owners above Angostura have been ordered not to use water until Angostura fills.

Since your Water Right No. 1891-2 has a priority date that is senior to the April 11, 1941 priority for Angostura Irrigation Water Right No. 579-2, your permit is not directly affected by the Junior Priority Order. However, I am requesting that all Senior Water Right holders comply with any qualifications and limitations as stated on their water right. With the existing low runoff conditions, we expect to monitor all water rights above Angostura Reservoir.

I want to thank all Water Right Holders above Angostura for the cooperation that we have received up to this time. If you have any questions, please contact Del Brosz (605 773-3352).



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 1 1992

Loyd Thomsen
St Rt, Box 19
Oelrich SD 57763

Dear Mr. Thomsen:

The Water Management Board has validated the enclosed Vested Water Right No. 1891-2. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

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

enclosure

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1891-2 FOR IRRIGATION

Date of Receipt of Claim September 12, 1984.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 1891-2 for irrigation purposes for Loyd Thomsen, St Rt, Box 19, Oelrichs SD 57763 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1891-2 appropriates 0.69 cubic feet of water per second from Horsehead & Duck Creeks located in NE 1/4 SE 1/4 Section 1 and the NW 1/4 NW 1/4 Section 12 to irrigate 48 acres located in the S 1/2 SW 1/4 and the S 1/2 SE 1/4 Section 1; all in T12S-R6E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: January 1 - December 31.
3. The priority date of the Vested Water Right is January 1, 1941.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: 
Chief Engineer

JUL 1 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources

NOT TO SCALE

11-6

Loyd Thomsen
Oelrichs, S.D.

Map Prepared By:
Delvin H. King, P.E.
Hydrologist
Division of Water
Rights

