

No. 2772-3Map No. 2128-3 Water Division No. 3 MISSOURI RIVER District _____
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Norman Thorstenson
 Post-office address Selby, State South Dakota 57472
 If a corporation show date and place of incorporation -----
 2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor
 3. Name of diversion work Norman Thorstenson Unit # 1
 4. Amount of water claimed (cubic feet per second) 2.22
 5. Source of water supply ground water
 6. Location of point of diversion CENTER OF THE NW 1/4 SECTION 10
T124 N. R. 76 W
 County Walworth
 7. Annual period or periods during which water is to be used March-November
 8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 9. For irrigation use, Total number of acres to be irrigated 160

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
N.W. 1/4 of Sec. 10-124-76	160		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Selby Record Selby, So. Dak.
 12. Principal Features of the Proposed Water Supply System.

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

Pump Bowl

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

Main Line

C. Works proposed to apply water to beneficial use.

Center Pivot

Estimated Total Cost \$ ----

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

STATE OF SOUTH DAKOTA)

County of Walworth)

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

Signed Norman ThorstensonSubscribed and sworn to before me this 27 day of August 1976

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2772-3

NORMAN THORSTENSON

(Applicant)

SELBY

(Post Office Address)

SOUTH DAKOTA 57472

(State)

With the following modifications:

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application JUNE 18, 19 76

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

Date of receipt of corrected application JUNE 22, 19 76

Approved JANUARY 27, 19 77, Recorded in Book 17 Page 6

WATER RIGHT PERMIT NO. 2772-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2772-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JUNE 18, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 24, 19 79
3. The whole of said work is to be completed on or before JANUARY 27, 19 82
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 27, 19 80
5. The water appropriated shall be used for the purpose of IRRIGATION

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

7. The amount of the appropriation herein granted shall not exceed 2.28 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is

actually and beneficially applied for irrigation on or before JANUARY 27, 19 84; said water to be used during the following described annual period: MARCH - NOVEMBER

Witness my hand this 1ST day of APRIL, 19 77

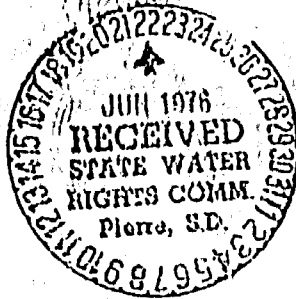
WATER RIGHTS COMMISSION

By:

John H. Hahn
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____



June 17, 1976

Mr. Norman Thorstenson
Selby, SD 57472

Dear Mr. Thorstenson:

Enclosed please find the original copy of the report of analysis of your water sample #76-607 received here about a week ago. Also, you will find a copy of AES publication #13 with the quality of this water charted approximately by means of a red cross in the diagram on the outside back cover.

As you see, this water is in the high salinity, low sodium category. Accordingly, it has practically no hazard for sodium-induced dispersion of soil aggregates but it does have a considerable hazard for salt accumulation in the soil. You should therefore use it in substantial quantities when you do irrigate and irrigate in as few occasions as possible during the year, that is, perhaps not more than 4 in any growing season but preferably 3 times or less.

Pertaining to your #2 well in section 9, this water is considerably better and should carry no hazard to the soils on which it is used. However, certain soil areas are not irrigable and you should observe that areas 43C and 49D are definitely in this category. How you can avoid them with a center pivot system, I am not fully aware, because I do not see the actual situation on the land. But those soils will not respond favorably to irrigation.

A copy of this letter, and of the water analysis are accompanying your application materials to the State Conservation Commission for their action. You will be hearing from them.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures

cc: State Conservation Commission

D. Pahl

John Skogberg, County Extension Agent
Huron Drilling Co.

CONSERVATION
COMMISSION
FORM W1 #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION)



NAME Norman Thorstenson

ADDRESS Selby, South Dakota 57472

COUNTY Walworth

LEGAL DESCRIPTION

1. WELL LOCATION Center of the N.W. 1/4 Sec. 10-124-76
2. LOCATION OF AREA TO BE IRRIGATED N.W. 1/4 Sec. 10-124-76

TYPE OF IRRIGATION

3. GRAVITY _____ TOWLINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED corn, alfalfa, small grain

WATER QUALITY

5. SAMPLE NUMBER 76-607
6. SALINITY (EC X 10⁶) 1320 (high)
7. SODIUM (SAR) 1.32 (low)
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from Walworth County Conservation District,
County Extension office or Soil Conservation Service.

and:
that the legal description for the location of the well and land to be irrigated is true
and correct.

Norman Thorstenson
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
9 DAY OF April 19 76.

James A. Gabel
(TITLE OR SEAL)

ALLAN A. H. [Signature]
APPROVED/DISAPPROVED

(SOILS INFORMATION ON REVERSE SIDE)

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: Norman Thorstenson
 Address: Selby, SD 57472
Co: Huron Drilling, Inc.
P.O. Box 1422
Huron, SD 57350

Date Rec'd: June 9, 1976
 Sample No. 76-607
 Identification 1 all-
NE 1/4, Sec. 10, T 124N, R 76W

WATER ANALYSIS

Calcium (Ca)	160	ppm*	3.00	me/l**
Magnesium (Mg)	64	ppm	1.25	me/l
Sodium (Na)	72	ppm	3.39	me/l
Potassium (K)	14	ppm	0.35	me/l
Sulfate (SO ₄)	390	ppm	8.11	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	8	ppm	0.22	me/l
Bicarbonate (HCO ₃)	273	ppm	1.13	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		g.p.g.***
Hardness (EDTA as CaCO ₃)	224	ppm (as CaCO ₃)		
Alkalinity (Methyl Orange)	0	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	1320	micromhos per cm at 25° C.		
Electrical Conductivity	1.32			
Sodium Adsorption Ratio	19.9	% of cations		
Sodium	0.0	me/l		
Residual sodium carbonate	7.68			
pH				
Others:				

*ppm=parts per million
 **me/l=millequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 16.99 me/l
 Total anions 18.81 me/l



By: Shirley Litten

Service Performed	Amount Due
Irrigation analysis	12.00 DND

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 76-607

Amount Enclosed \$

Signed

THORSTENSON - Series 103 Soil Profile

2A5X Mooridge Silt Loam 0-2 IIc3

4B5X Leek Loam 2-6 IIe6

4B3C X Marble-Mabek loams 6-9 IIe5

GR X Gravel tile

4B9DE X Mabek loam 9-30 WIIsh

36A X Bon loam 0-2 IIc3

39A X Parsnait fine sandy loam 0-2 IIIf

42A X Bonkle loam 0-2 IIIs2

Net areas.

unavailable

not available

Deep, loamy, well to moderately well drained soils in upland swales that receive beneficial moisture. However, moisture is still inadequate in most years.

Soils with 10 to 20 inches of loamy material over sand and gravel on gently sloping (2 to 6%) uplands. The porous substrata limits rooting and water storage capacity. These soils have moderate wind and water erosion hazards.

Soils with 20 to 30 inches of loamy material over sand and gravel on sloping (6 to 9%) uplands. The porous substrata limits root growth and water storage capacity. These soils have moderate to severe wind and water erosion hazards.

Soils with less than 20 inches of loamy material over sand and gravel on rolling to very hilly (9 to 50%) uplands. The porous substrata limits rooting and water storage capacity.

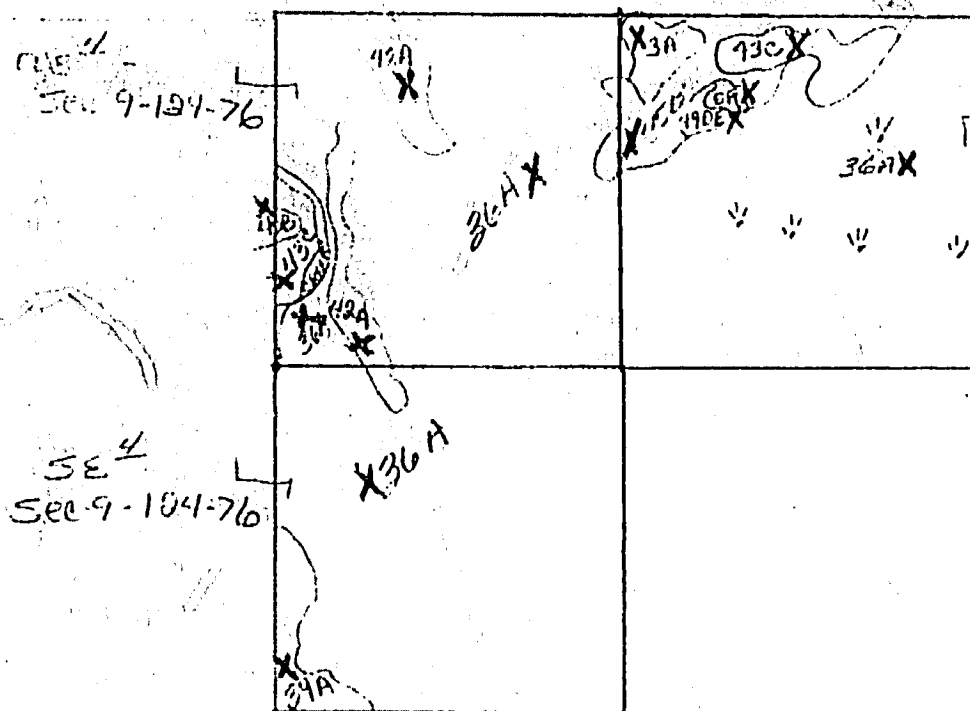
Refer to 3A.

Deep and moderately deep, moderately sandy soils on nearly level (0 to 2%) uplands. They have a severe wind erosion hazard.

Soils with 20 to 40 inches of loamy material over sand and gravel on nearly level (0 to 2%) uplands. The porous substrata limits water storage capacity and rooting depth. These soils have a moderate wind erosion hazard.

NORMAN THORSTENSON
SERIES 4 EL

WALWORTH COUNTY



NE 1/4 Sec 10-104-76

PAGE NO.

Jt. No.		DEPTH	TIME	Unit # 1	REMARKS	DESCRIPTION	
1		20		0-5 Topsoil			
2		40		5-20 Brownish Clay		N.W. 10-124-76	
3		60	TD	20-22 Brownish Clay		Walworth County	
				22-49 Coarse Sand & Gravel		*1	
				40-58 Coarse Sand & Gravel			
				58-60 Shale			
				Cased to 58 ft.			
				40 ft. Slotted 4" PVC			
				18 ft. Blank 4" PVC			
				Pumped 40 GPM			
				Waterhead 15 ft.			
				1500 # concrete sand			
				1 used 5" drag bit			
				1 used 7 7/8" Rock Bit			

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 28, Depth 58
- (2) Casing, Type Plastic Diameter 15½ Thickness .410
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Plastic, Diameter 15½, Length 40'
- (4) Gravel Pack. Thickness 6, Length of gravel pack 58

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout. * Log will be furnished by driller.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

- (2) Distance to nearest existing household or livestock watering well:

On same owner's property 130 rds. On property owned by others 120 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Norman D. Rosenbaum
Signature of Applicant

Form G. - Notice Intent to Appropriate Water

No. 2772-3

Publish first publication, on or before

July 8, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 23, 1976

Notice is hereby given that Norman Thorstenson

whose post office address is Selby, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.28 cubic feet of water per second of time from ~~the~~ ground water through the Thorstenson Unit #1 _____, the point of diversion of which is to be located in the _____

Center of the NW 1/4

of Section 10, Twp. 124N, Range 70W. Said water to be used for the purpose of providing irrigation on the following described land:
portions of

NW 1/4, Section 10, T124N, R70W

This application No. 2772-3 will be considered by the Water Rights Commission at the Court House at Winner, S.D. upon the 21st day of July, 1976 at 10.00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc: Norman Thorstenson, Selby, S.D. 57472

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 2772-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Walworth) ss.

I, Ida K. Clement, editor, hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Selby Record

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City Selby of _____

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

July 1, 1976

July 8, 1976

Ida K. Clement
(Signature)

Editor, Selby Record
(Title)

July 12, 1976
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501
June 23, 1976
Notice is hereby given that
Norman Thorstenson, whose
postoffice address is Selby, South
Dakota, has made an application
in accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 2.28 cubic feet of
water per second of time from
ground water through the
Thorstenson Unit No. 1, the point
of diversion of which is to be
located in the center of the SW 1/4
of Section 10, Twp. 124N, Range
16W. Said water to be used for the
purpose of providing irrigation on
portions of the following
described land: NW 1/4, Section 10,
T124N, R76W, S16E, 1976-1977.
This application No. 2772-3 will
be considered by the Water
Rights Commission at the Court
House at Winner, S. D., upon the
21st day of July, 1976 at 10:00 a.
m. All interested persons may
appear and be heard.
WATER RIGHTS COMMISS-
SION, By: Burton F. Jones
Water Rights Specialist
71-78



(2772-3)
2773-3

July 28, 1976

Mr. Norman Thorstenson
Salby, SD 57472

Dear Mr. Thorstenson:

The Water Rights Commission deferred action on your applications No. 2772-3 and No. 2773-3 at the July 21-22, 1976 Commission meeting, pending investigation by the Commission Staff.

If you have any questions, feel free to contact this office.

Very truly yours,

John Hatch, Chief Engineer
WATER RIGHTS COMMISSION

JH:nlm

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/224-3151

September 22, 1976

Re: 2772-3
2773-3

Norman Thorstenson
Selby, South Dakota 57472

Dear Mr. Thorstenson:

Your deferred Applications No. 2772-3, and 2773-3 will be reconsidered by the Water Rights Commission during their September 29-30, 1976 meeting, at 9:00 a.m., September 30, 1976. Any comments concerning this application can be presented at this hearing.

The Water Rights Commission will be meeting in Room 464, State Capitol Building, Pierre. Please advise if you have any questions concerning the hearing.

Very truly yours,



John Hatch, Chief Engineer
WATER RIGHTS COMMISSION

JH/cmb

cc: Carl Moser
Edmund Nusz
Howard Rau
Olton Franks
Calvin Bohle

REPORT ON
NORMAN THORSTENSON WATER RIGHT APPLICATIONS NO. 2772-3 & 2773-3
SEPTEMBER 7, 1976

The Water Rights Commission deferred action at the July 21-22, 1976 meeting on the Norman Thorstenson Water Right Applications 2772-3 and 2773-3 pending investigation by the Commission Staff. An investigation was conducted in Township D, Walworth County August 18 and 19, 1976.

Proposed Project

The application proposes to appropriate 2.28 cfs for Application 2773-3 to irrigate 160 acres in the S $\frac{1}{2}$ of NE $\frac{1}{4}$ and N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 10-T124N-R76W and to appropriate 2.28 cfs for Application 2772-3 to irrigate 160 acres in the NW $\frac{1}{4}$ of Section 10-T124N-R76W.

Objections

The Commission deferred action on the Thorstenson applications when protests were received from two farmers in the surrounding area.

Persons Contacted

The following people were contacted during the investigation: Norman Thorstenson, Edmund Nusz, Howard Rau, Olton Franks, Carl Moser and Calvin Bohle.

Discussion

The aquifer the Thorstenson Applications propose to irrigate from appears to be a water table aquifer which means the water is not under a pressure head which would force the water above the water bearing materials.

Data for this report is obtained from Special Report No. 9 by the State Geological Survey, test drillings from State Geological Survey, well logs for the area and field observations.

The Edmund Nusz well located approximately $\frac{1}{4}$ mile north of the proposed irrigation well in Section 10 has a depth of twenty-two feet from surface level and 3.5 feet of water in the well. Comparing the water surface elevations with test data (see attachment) the well appears to be inadequate.

The other protest was concerning stock dug-outs located in Sec 2-T124N-R76W which would be approximately $1\frac{1}{2}$ miles from proposed unit 2772-3. The Commission has an observation well located in the SE Corner of Section 3-T124N-R76W which would reflect a

drawdown in the area before the dug-outs would be affected. Irrigation pumping from the two proposed wells should not affect the dug-outs.

Conclusions

Test drilling by Mr. Thorstenson and the State Geological Survey indicates an extensive aquifer with only domestic water and City of Selby water supplies drawing from the aquifer. There is no other irrigation from this aquifer and the Commission Staff believes that unappropriated water is available for the Thorstenson Projects.

The Commission has two observation wells (see attached map) in the shallow aquifer which will be monitored to determine drawdowns and recharge of the aquifer. The staff does not believe the Commission should try to protect the 3.5 feet of water in the Edmund Nusz domestic well.

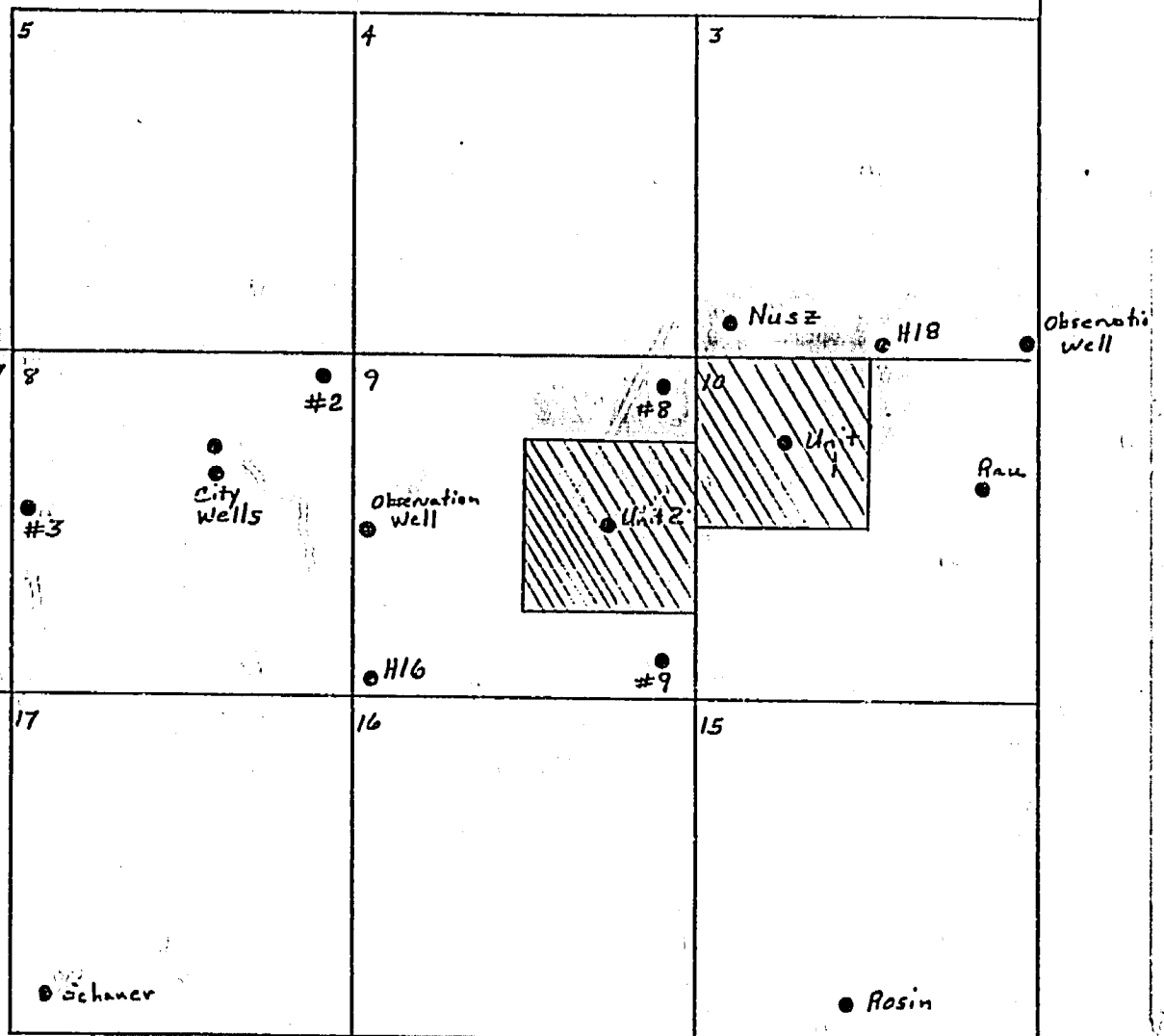
Recommendations

The Commission staff recommends that the Norman Thorstenson Applications 2772-3 and 2773-3 be approved for 2.28 cfs for each permit with the following qualifications:

"The irrigation well approved under this permit is located near domestic wells and other wells which may obtain water from the same aquifer. The irrigation well owner, under this permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in other wells having prior water rights."

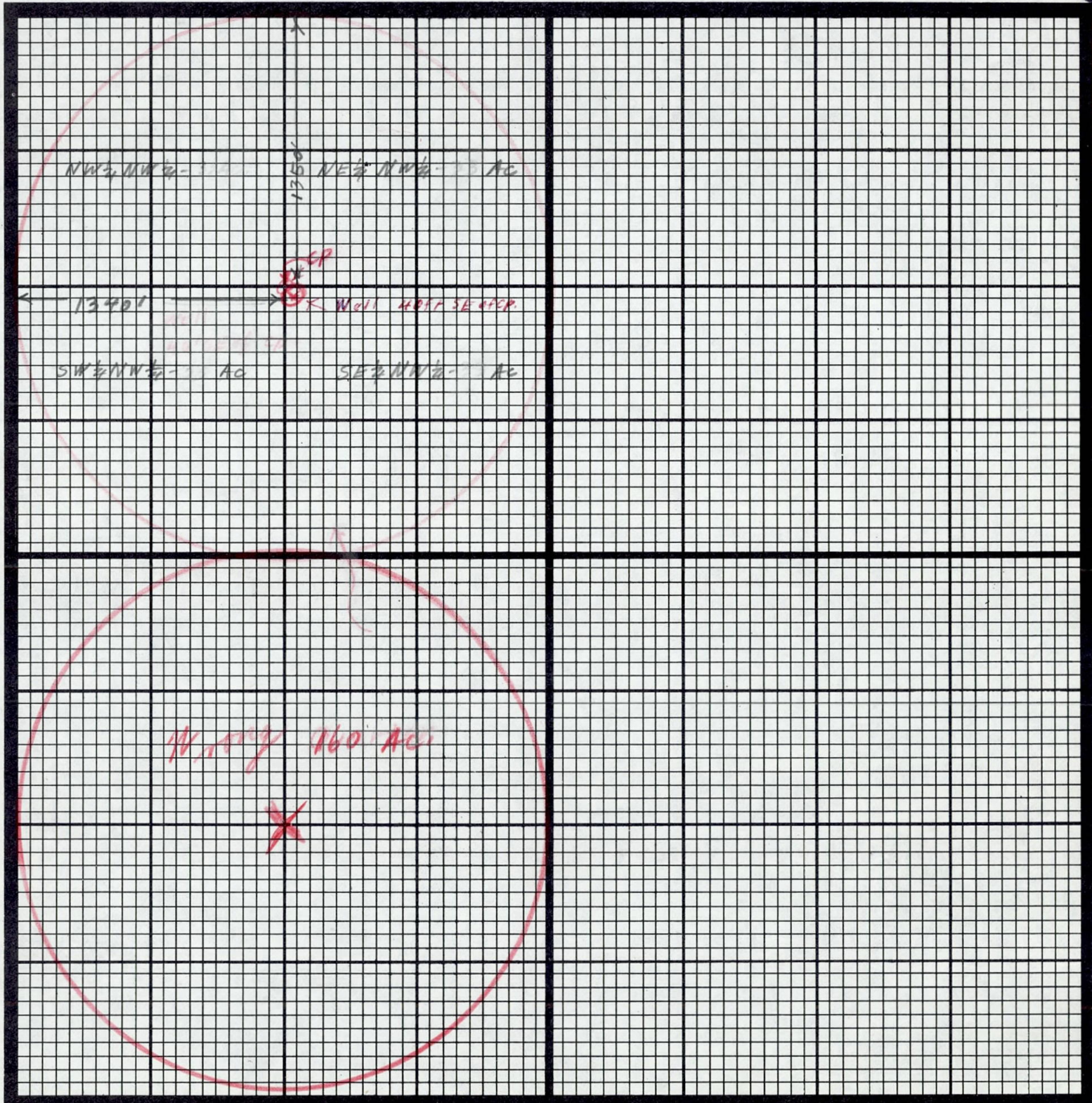
Gale N. Selken
Water Resources Engineer

Walworth County T124 N R 76 W



HURON DRILLING INC.
WELL LOCATION MAP

NAME Norman Thorstenson DATE April 9, 19 76
WELL NO. 1 N.W. QUARTER, SECTION 10
TWP. 124 RANGE 76 IN Walworth COUNTY



X — PROPOSED LOCATION

Prepared By Dick Fadgen
Dick Fadgen
Beadle Co. Extension Agent

MAP NO. 2128-3 (APP. NO. 2772-3)

REPORT ON
NORMAN THORSTENSON WATER RIGHT APPLICATION NO. 2772-3

January 7, 1977

The Water Rights Commission reconsidered deferred applications No. 2773-3 and No. 2772-3 at the September 29-30, 1976 meeting. Application No. 2773-3 was approved, but No. 2772-3 was again deferred. Due to additional study and information concerning the area, the Staff believes that the Commission should reconsider the application No. 2772-3.

PROPOSED PROJECT

Application No. 2772-3 proposes to appropriate 2.28 cfs to irrigate 160 acres in the NW $\frac{1}{4}$ of Section 10, T124N, R76W.

OBJECTIONS

The Commission delayed action after testimony from Mr. Edmund Nusz and Mr. Carl Moser was presented against approval of both applications. The testimony was in regard to Mr. Nusz' domestic well and dugout stock dams owned by Mr. Moser.

DISCUSSIONS:

The aquifer from which application No. 2772-3 proposes to withdraw water from is called the Selby aquifer (so named by the South Dakota Geological Survey). The Selby aquifer mainly underlies the southeastern part of Campbell County with the principle area of recharge being the area of Walworth County east of Highway #83 and North of the town of Selby. The Selby aquifer, using an average thickness of 25 feet and porosity of 20 percent, has a calculated transient storage of 640,000 acre-feet of water.

A pump test was conducted by the town of Selby in 1961 which gave a coefficient of transmissivity of 60,000 gpd per ft. and a storage coefficient of 0.18. The results of the pump test indicate that in areas where sufficient sands and gravels are available water would be available for irrigation.

CONCLUSIONS

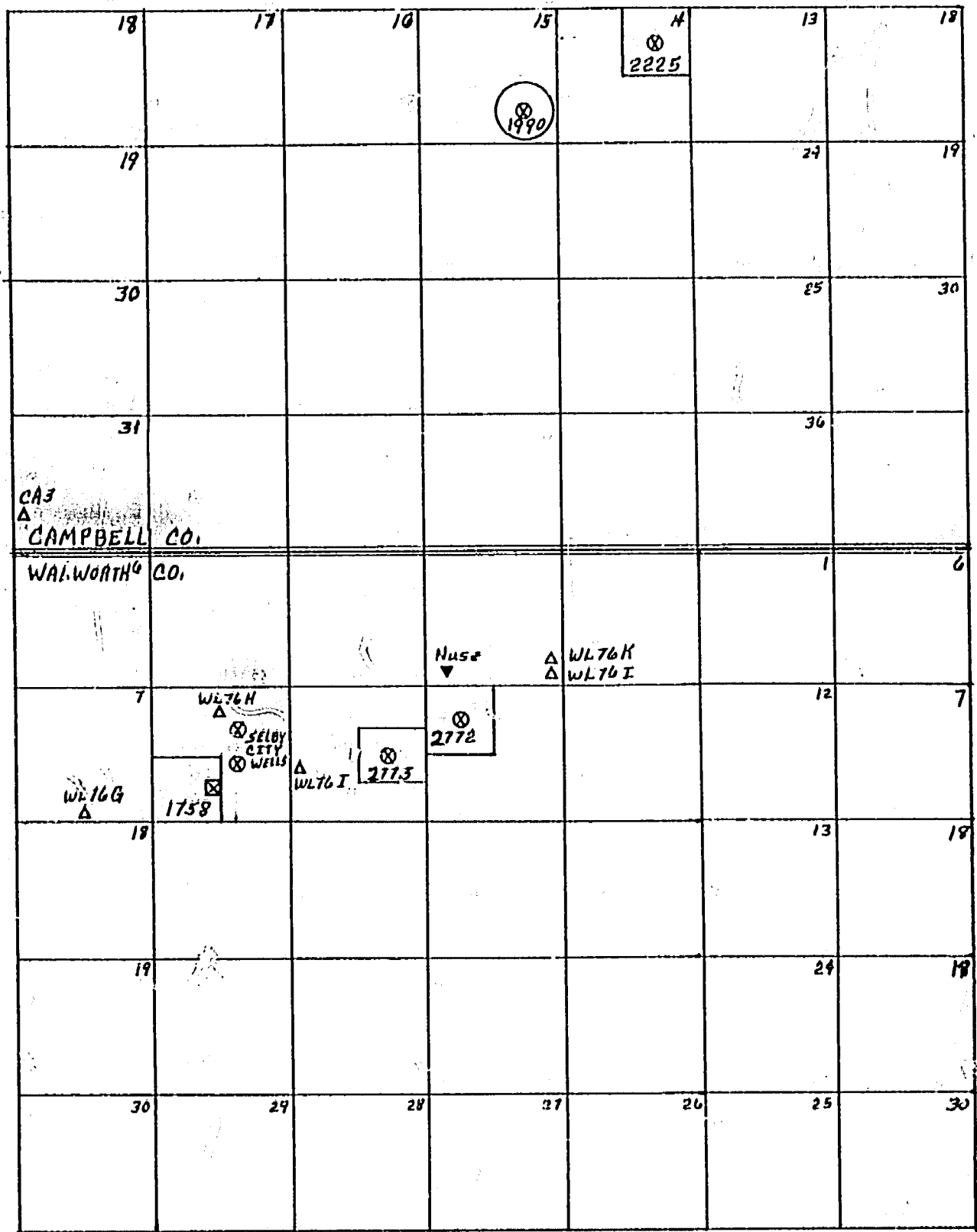
The Commission Staff feels that unappropriated ground water is available for application No. 2772-3. The Commission, since the September Commission Meeting, has indicated that dugout stockdams would be considered inadequate wells and that the Commission would not protect inadequate wells. The Nusz well and the Moser stockdams would therefore not be protected by the Commission.

RECOMMENDATIONS

The Commission Staff recommends that the Norman Thorstenson application be approved for 2.28 cfs with the following qualifications:

"The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights."

GALE SELKEN
Water Resources Engineer



T 125 N

T 124 N

Form 10.

No. 2772-3



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office SELBY, S.D.

Date June 10, 1977

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 2772-3.

Water Right Permit No. 2772-3 states that the diversion system is to be constructed by JANUARY 27, 1982 and that the water is to be put to beneficial use by JAN. 27, 1984.

The diversion system was completed on MAY 1, 1977.
Applying the water to beneficial use was completed on MAY 2, 1977.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Norman J. Foss
(Signature)

NORM THORSTENSON & SONS

DEALER IN GRAIN & HAY
SOUTH DAKOTA GRAIN DEALERS

LICENSE NO. 480

HOME PHONE 605 649-7008

BUSINESS PHONE 605 649-7646

SELBY, SOUTH DAKOTA 57472



5-4-81

Please send me the
legal Description of the
land my Water Rights
Permit Numbers are on.

Thank you.

Norman Thorstenson
Selby
SD

57472

Water Rights Division (605) 773-3352

May 5, 1981

Norm Thorstenson & Sons
Selby, SD 57472

Dear Sir:

Per your letter of May 4, 1981, the following are a list of the lands covered under your Water Permits.

2772-3 NW $\frac{1}{4}$ Section 10, T124N-R76W
2773-3 S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 9, T124N-R76W
 N $\frac{1}{2}$ SE $\frac{1}{4}$ " " " "
3417-3 N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 9, T124N-R76W
 S $\frac{1}{2}$ SE $\frac{1}{4}$ " 4, " "
 NE $\frac{1}{4}$ NE $\frac{1}{4}$ " 5, " "
3418-3 E $\frac{1}{2}$ E $\frac{1}{2}$ Section 32-T124N-76W
4304-3 N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 5, T124N-R76W
 E $\frac{1}{2}$ NE $\frac{1}{4}$ " 3, " "

If you have any questions, or need additional information, please do not hesitate to contact this office.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

647-7646

Ph 644-7008

Long Service

7712-9

Thompson

Note Check in 1978
plow in corner 17th
off per plow house
10-12-77

7-18-77

Engine & cyl. house

After after plow house

Plow not
plow
in field

Pump Byron

Local 7711 H7 336

Well 40' sl. of C.W.

well depth 67ft, to water 24ft

Capacity 2500 gpm

Op. Olson

No alarm tag

10

1977

Permit No. 2772-3Water Division 3 Missouri River Water DistrictFile: Chap. 11776-3-77
Plans: completing in 1977
Apr.REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Norman
Thorstenson of Selby, South Dakota, 57472 holder
of Permit No. 2772-3, bearing date of priority of June 18, 1976
authorizing the diversion of 2.28 cu. ft. per second of the waters of Ground
for Irrigation purposes, in Walworth County.

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

The Water Use System consists of,

A. Works used to divert the water:

Engine, 6 cylinder Diesel.Pump- Byron Jackson, Ser # 771H7336

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

8" dia Aluminum pipe 40 ft. long

C. Works used to apply water to beneficial use.

Center Pivot OlsonThe system is in the following condition: GoodThe point of diversion is located 1340 ft East and 1350 ft South of the NW
Corner of Section 10, T124N, R76W

The works are capable of diverting and conveying to the place of use _____

cu. ft. per second of water which is to be used for _____

Water has been put to beneficial use to the maximum extent as follows: All in Section 10, T124N R76WNW 1/4 NW 1/4 - 33 Ac. NE 1/4 NW 1/4 - 33 Ac. SW 1/4 NW 1/4 - 33 Ac. SE 1/4 NW 1/4 - 33 Ac.comprising a total of 132 acres of land.

Well Data:

Date _____

(Signature) _____

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

December 9, 1983

Ken Thorstensen
RR
Selby, South Dakota 57422

Dear Mr. Thorstensen:

The enclosed data sheet was returned by Norman Thorstensen
Selby, South Dakota indicating that you are now the owner of the land
covered under Water Permit No. 2772-3.

Also, enclosed is a copy of our Form 20, Notice of Transfer of Water Permit,
which you should sign before a notary public and return to this office with
a fee of \$2.50, so the Permit can be transferred to your name.

Please complete the data sheet for our records.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

WNR-820B-7/79

Transmittal of Data Sheet & Transfer of Water Permit

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 1-16-84

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

160 Acres - NW 1/4 Section 10, T124N, R76W

formerly owned by Norman Thorstensen

has been transferred to Ken Thorstensen, RR, Selby, SD 57422

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

Water Right Permit No. 2772-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

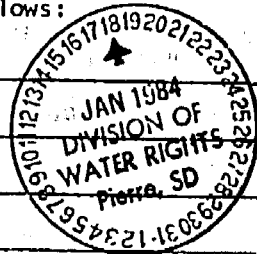
STATE OF SOUTH DAKOTA)
County of Walworth) ss.

I, Ken Thorstensen being first duly sworn on my oath despose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Ken Thorstensen
(Signed)

Subscribed and sworn to before me this 16 Day of Jan., 1984

Patrick Bernier
(Notary Public)



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4 9500

Pierre, January 18, 1984

Ken

RECEIVED OF Maxxan Thorstensen, RR, Selby, SD 57422

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form for 43#2772-3	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH/ms

No. _____

2772-3



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

January 20, 1984

Ken Thorstensen
RR
Selby, South Dakota 57422

Dear Mr. Thorstensen:

Enclosed is receipt No. 4 9500 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 2772-3.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

WNR-821-7/79

Receipt & Notice of filing of Transfer of Water Right

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 15, 1991

2772-3

2773-3

3417-3

Craig Carson
Farm Credit Services
PO Box 1987
Aberdeen, SD 57401-1987

Dear Mr. Carson:

Enclosed, as requested, are copies of Water Permit Nos. 2772-3, 2773-3 and 3417-3. If you need further information, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures



2772-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: KEN THORSTENSEN, RR 1 BOX 132, SELBY, SD 57472

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 2772-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, February 25, 1998, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 2772-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

Is your RETURN ADDRESS completed on the reverse side?

INSTRUCTIONS:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

KEN THORSTENSEN
RR 1 BOX 132
SELBY SD 57472

2772-3

4a. Article Number

119 141 170

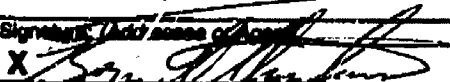
4b. Service Type

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

7. Date of Delivery

1-10-78

8. Received By: (Print Name)

8. Signature (Addressee or Agent)
X 

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

PS Form 3811, December 1984

102585-97-8-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.



2772-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1998

2772-3

Ken Thorsiensen
604 E Theodore St
Selby, SD 57472

Dear Mr. Thorstenson:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire form. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 2772-3.

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

If you have any questions, please contact me.

Sincerely,

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

File No. 2772-3, 2773-3, 3417-3,
3418-3, 3419-3, 3991-3,
4173-3, 4173A-3 and 4925-3

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: Norman Thorstenson

ADDRESS: Selby, SD 57427 COUNTY: Walworth

DATE: 9-24-92 (date of insp.) TELEPHONE: (605) 649-7008

RE: Lands in CRP

COMMENTS:

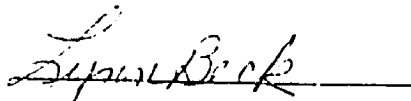
Permits with land in CRP 87-97 program:

All lands under Permit Nos. 3418-3, 3419-3, 3991-3, 4173-3 and 4173A-3. The SW 1/4 Sec. 9-124-76 under Permit No. 4925-3 and the S 1/2 SE 1/4 Sec. 4 under Permit No. 3417-3.

Permits in use:

2772-3 which should be licensed with Permit No. 3417-4 which has land in CRP. 2773-3 which should be licensed with Permit No. 4925-3.

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



Lynn Beck

Natural Resources Engineer III
DENR, Water Rights Division

Permit No. 2772-3
Missouri River - Water District

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

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

I have this day, September 28, 1998 made a thorough examination of the water use system constructed by Ken Thorstenson of 604 E Theodore Street, Selby, SD 57472 holder of Permit No. 2772-3, bearing the priority of June 18, 1976 authorizing the diversion of 2.28 cu. ft. per second of the waters of Selby Aquifer for irrigation purposes, in Walworth County.

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

A. Works used to divert the water:

One well 60 feet deep with 58 feet of 4 inch pvc casing of which there is 40 feet of 4 inch slotted pvc screen. The well has a Byron Jackson pump with an 800 gpm capacity and a 40 hp motor.

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

20 feet of 10 inch steel pipe.

C. Works used to apply water to beneficial use:

Valley center pivot 1320 feet in length with 8 towers and an end gun. It is a low pressure system which operates at 800 gpm.

The system is in the following condition good. The point of diversion is located 1340' S and 1320' E of the NW corner of Section 10, T124N, R76W. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows: All in Section 10, T124N, R76W.

NE 1/4 NW 1/4 31 acres

NW 1/4 NW 1/4 31 acres

SW 1/4 NW 1/4 31 acres

SE 1/4 NW 1/4 31 acres

comprising a total of 124 acres of land and the license should be issued for 1.78 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none

Lynn Beck
Lynn Beck
Natural Resources Engineer
DENR, Water Rights Program

12-3-98
Date

REPORT ON INSPECTION OF PERMIT NO. 2772-3

DATE OF INSPECTION: 9-28-98

Other permit(s) associated with the project: 4925-3

NAME & ADDRESS OF INSPECTION CONTACT: Ken Thorstenson, 604 E. Theodore Street, Selby, SD 57427

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE:

NAME & ADDRESS OF PERMIT HOLDER: same as above

DIVERSION POINT LEGAL LOCATION: 1320' E and 1340' S of the NW corner, Section 10-T124N-R76W.

WELL INFORMATION:

- 1) Well Drilling Firm: Huron Drilling
- 2) No. of Wells 1
- 3) Depth(s) 60 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 4 inches
- 2) Length 58 feet
- 3) Type pvc

Screen:

- 1) Type pvc
- 2) Length 40 feet
- 3) Static water level 15 feet

Pump:

- 1) Make Byron Jackson
- 2) Model #
- 3) Size #
- 4) Capacity 800 GPM

Motor:

- 1) Make
- 2) Model No. #
- 3) Horsepower rating 70 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type steel 2) Size 10" 3) Length 20 feet

SYSTEM TYPE:

Center Pivot: In the NW Section 10-124-76.

- 1) Make Valley
2) Overall length 1320
3) Number of towers 8
4) End gun yes
5) High or low pressure low
6) Capacity 800 GPM

CHEMIGATION EQUIPMENT:

- 1) Does chemigate no

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
2) All structures, wells and lands on map yes
3) Irrigation questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Ken Thorstenson

ADDRESS: 604 E. Theodore Street, Selby, SD 57427

DATE: January 6, 1999

COUNTY: Walworth

TELEPHONE: (605)649-7304

AUTHORITY:

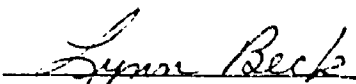
Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**
yes
- **If irrigation, no new land is irrigated**
124 acres in the NW¼ Section 10, T124N, R76W authorized by Permit No. 2772-3.
- **Review of Existing Diversions**

There are three irrigation wells within one mile of this diversion. One well is authorized by Permit No. 2773-3 owned by Norman Thorstenson; one well authorized by Permit No. 3991-3 is owned by JoElla Thorstenson and operated by Ken Thorstenson; a third well is authorized by Permit No. 4925-3 owned by Ken Thorstenson. There are domestic wells in the area. The adequate domestic well qualification is on the permit.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Lynn Beck, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.

 1-7-99

John Hatch, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 11, 1999

2772-3
4925-3

Ken Thorstenson
604 E. Theodore Street
Selby, SD 57427

Dear Mr. Thorstenson:

The investigation of your water use systems was conducted on September 28, 1998, by Lynn Beck, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit Nos. 2772-3 and 4925-3. Your final water right documents, the Water Licenses, can now be issued.

Statutes require that we charge a \$50.00 fee per license (\$100.00 total) for the investigation and issuance of the Water Licenses. Upon receipt of the \$50.00 fee per license (\$100.00 total) from you, we will begin processing your Water Licenses.

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

Sincerely,

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416024

Pierre, January 28, 1999

RECEIVED OF Kenneth Thorstenson, 604 E. Theodore St., Selby, SD 57472
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water

License No. 2772-3

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By _____
Chief Engineer

John H. Hatcher (Signature)

File No. 2772-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: Ken Thorstenson

ADDRESS: 604 E Theodore St, Selby, SD

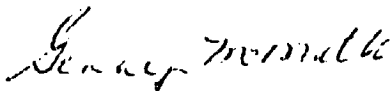
DATE: March 31, 1999

RE: well log

COMMENTS:

A review of the file during licensing found a test hole log but not an "as constructed" well log. The log and investigation report described a 4" well rather than the production well.

Jim Goodman called Huron Drilling and obtained a copy of the well log for the production well. The log was received March 31, 1999 and has been placed in the file.



Genny McMath
Environmental Scientist

Norman Thorstenson
JOB NAME

JMC

S.E. 9-124-76
NW 10 LOCATION

Selby

10-22-76
DATE18
RIG NO.Bernie
Schleder
FOREMAN

Jt No.	DEPTH	TIME	REMARKS
	0-10	8:00	topsoil, brown clay
	10-20	8:20	brown clay, gray & little gravel
	20-30	8:45	White clay 20-24, med. coarse sand & gravel 24-30
	30-40	9:00	sand & gravel, water loss
	40-50	9:15	sand & gravel, water loss
	50-60	9:40	sand & gravel, water loss
	60-68		60-65 sand & gravel, 65-68 shale
			TD 66'
			25' perforation 1-15'
			1-10' Johnson Stainless Steel 100 Slot
			41' of 15" solid plastic
			1- semi load of pea rock

106
Well #2
Norman Thorstenson
OWNER

Selby, S.D.
WELL REPORT
Walworth Co.
S.E. 9-124-76

HURON
DRILLING CO.
Huron, S. D.

October 26, 1976
DATE

DESCRIPTION

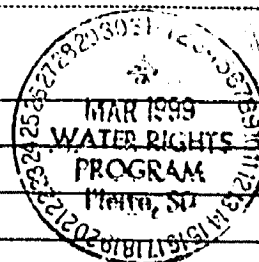
CASING LOG

Depth 66 ft.
Flows gpm 41 ft. 15" Plastic pipe to 41 ft.
Pumps gpm 25 16" Johnson Stainless 66
ft. Steel Screen pipe to ft.
Head ft.
25 Ft. Stainless Steel Screen ft. pipe to ft.
Perforations ft. pipe to ft.

Pressure 41-66 Ft.
2 days

REMARKS

Drilling Time 1-15" Length Johnson Stainless Steel Screen
100 Slot
Rig No. 18 1-16" Length Johnson Stainless Steel Screen
100 Slot
Bernard Schleder
DM Foreman





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

APR 26 1999

2772-3
4925-3

Ken Thorstenson
604 E. Theodore Street
Selby, SD 57472

Dear Mr. Thorstenson:

Enclosed are Water License Nos. 2772-3 and 4925-3. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 416024 and 416025 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 2772-3 and 4925-3, 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 Licenses, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

ks
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2772-3

(1) Norman Thorstenson, Selby SD made Application No. 2772-3, June 18, 1976 for a water permit to divert 2.28 cubic feet of water per second from groundwater (one well), Walworth County, South Dakota for irrigation purposes. Permit No. 2772-3, with a priority date of June 18, 1976 was approved January 27, 1977 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 27, 1982 and for the application to beneficial use of said water on or before January 27, 1984.

On January 18, 1984, Water Permit No. 2772-3 was transferred to Ken Thorstenson.

An investigation conducted for licensing purposes found the well under Water Permit No. 2772-3 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.

(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 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 1,340 feet south and 1,320 feet east of the northwest corner of Section 10-T124N-R76W (center NW ¼).

(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 10-T124N-R76W	NE ¼ NW ¼	31 acres
	NW ¼ NW ¼	31 acres
	SW ¼ NW ¼	31 acres
	SE ¼ NW ¼	31 acres
Total 124 acres		

(4) Pursuant to South Dakota Water Law 46-5-30.1 Ken Thorstenson, 604 E Theodore Street, Selby SD 57472 the holder and/or owner of Water Permit No. 2772-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (one well) with a priority date of June 18, 1976 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 Water Permit No. 2772-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

APR 26 1999

date



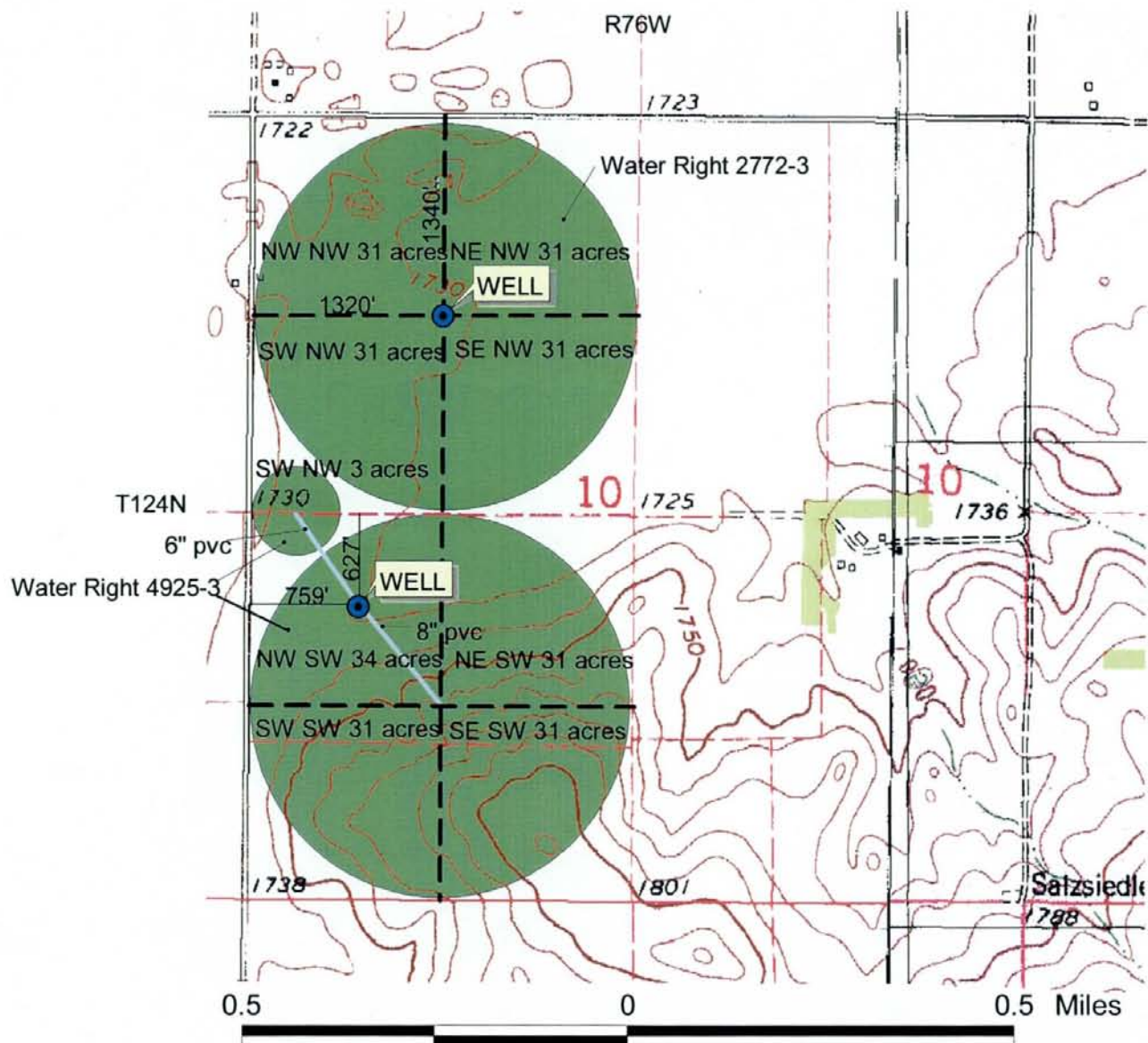
STATE OF NORTH DAKOTA
BOARD OF WATER WELL CONTRACTORS
900 E. BOULEVARD • BISMARCK, NORTH DAKOTA 58501

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Board of Water Well Contractors within 30 days after completion or abandonment of the well.

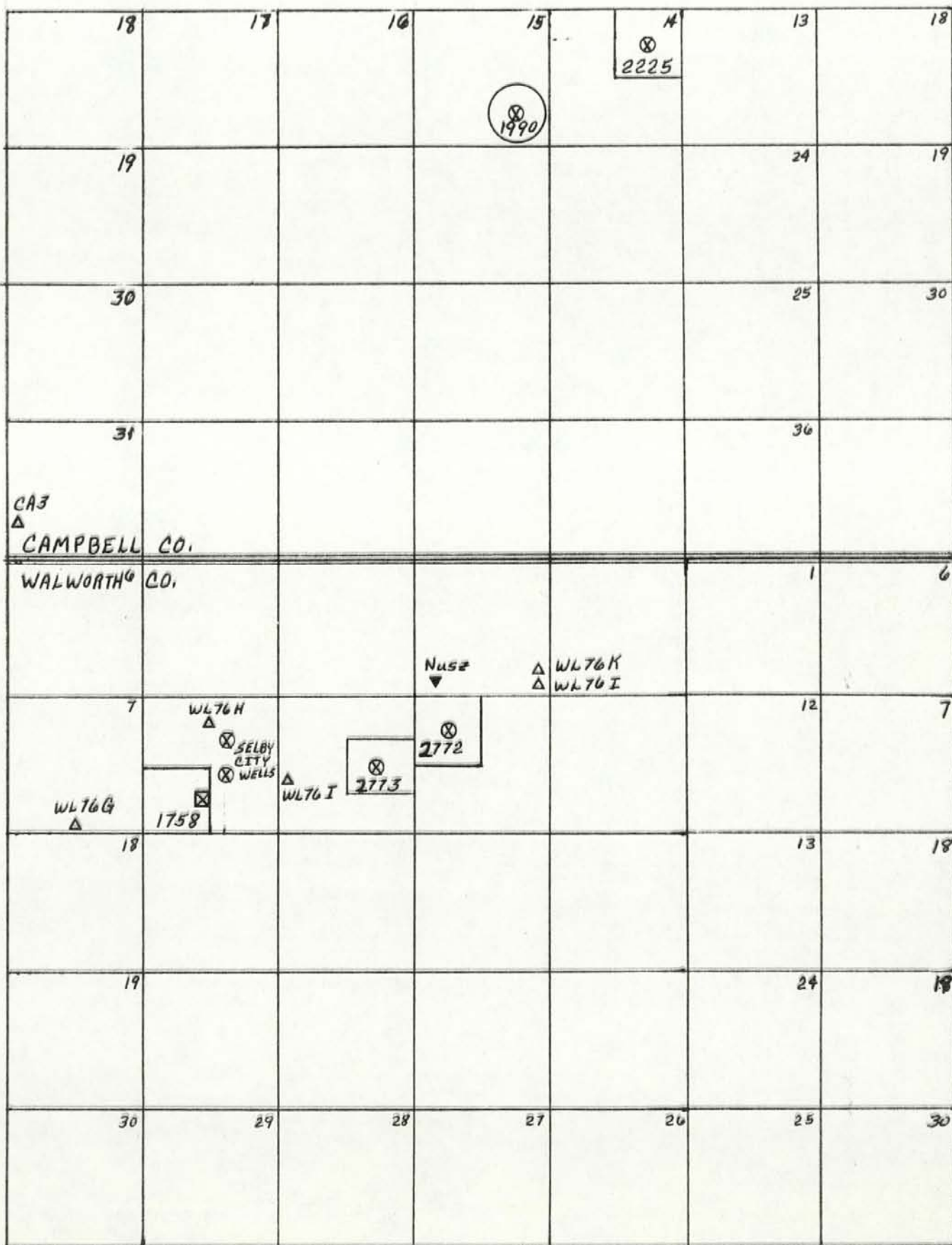
[illegible]

Water Right 2772-3 and 4925-3

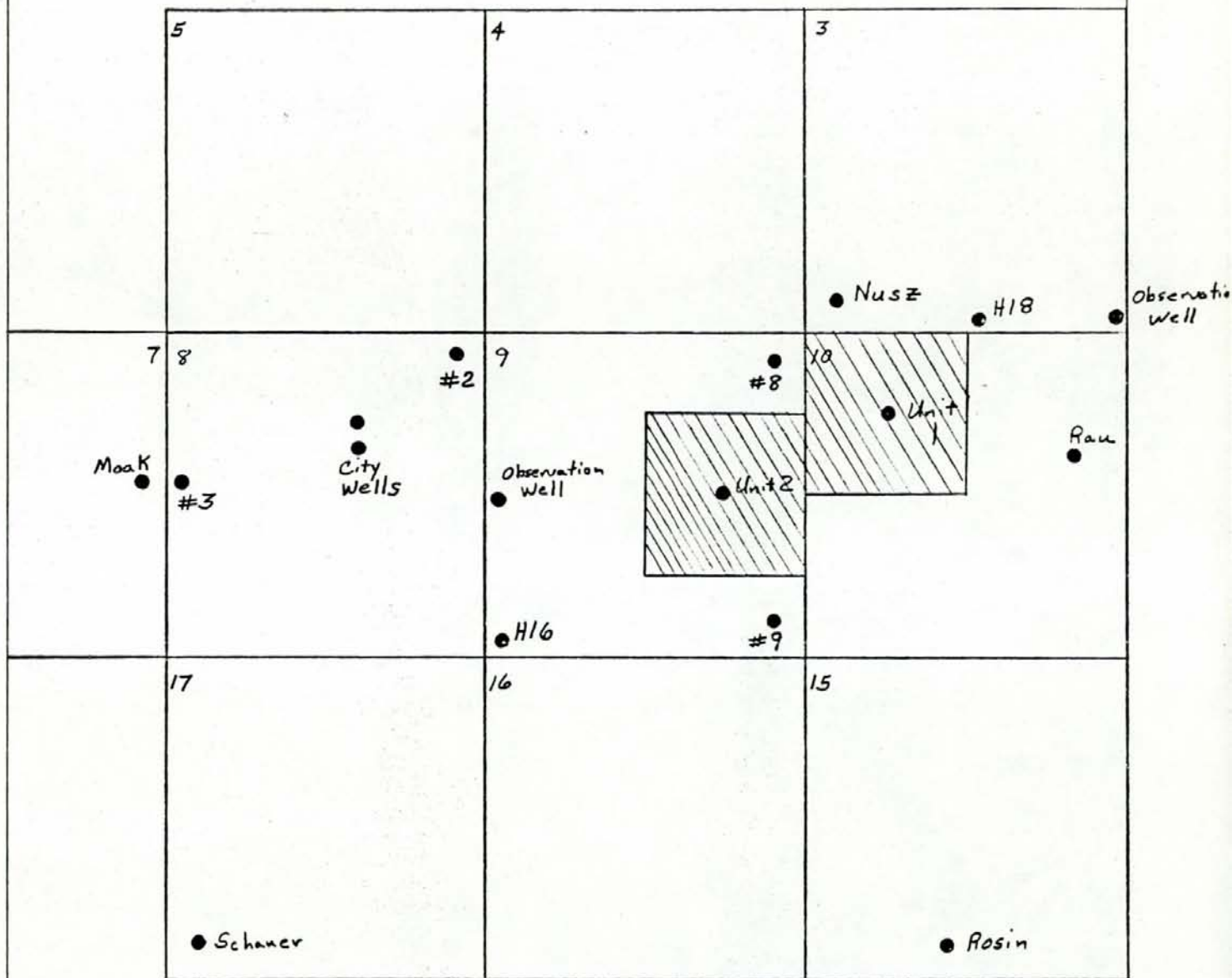


Lynn Beck

Lynn Beck
Natural Resources Engineer III
Water Rights Program
December 2, 1998



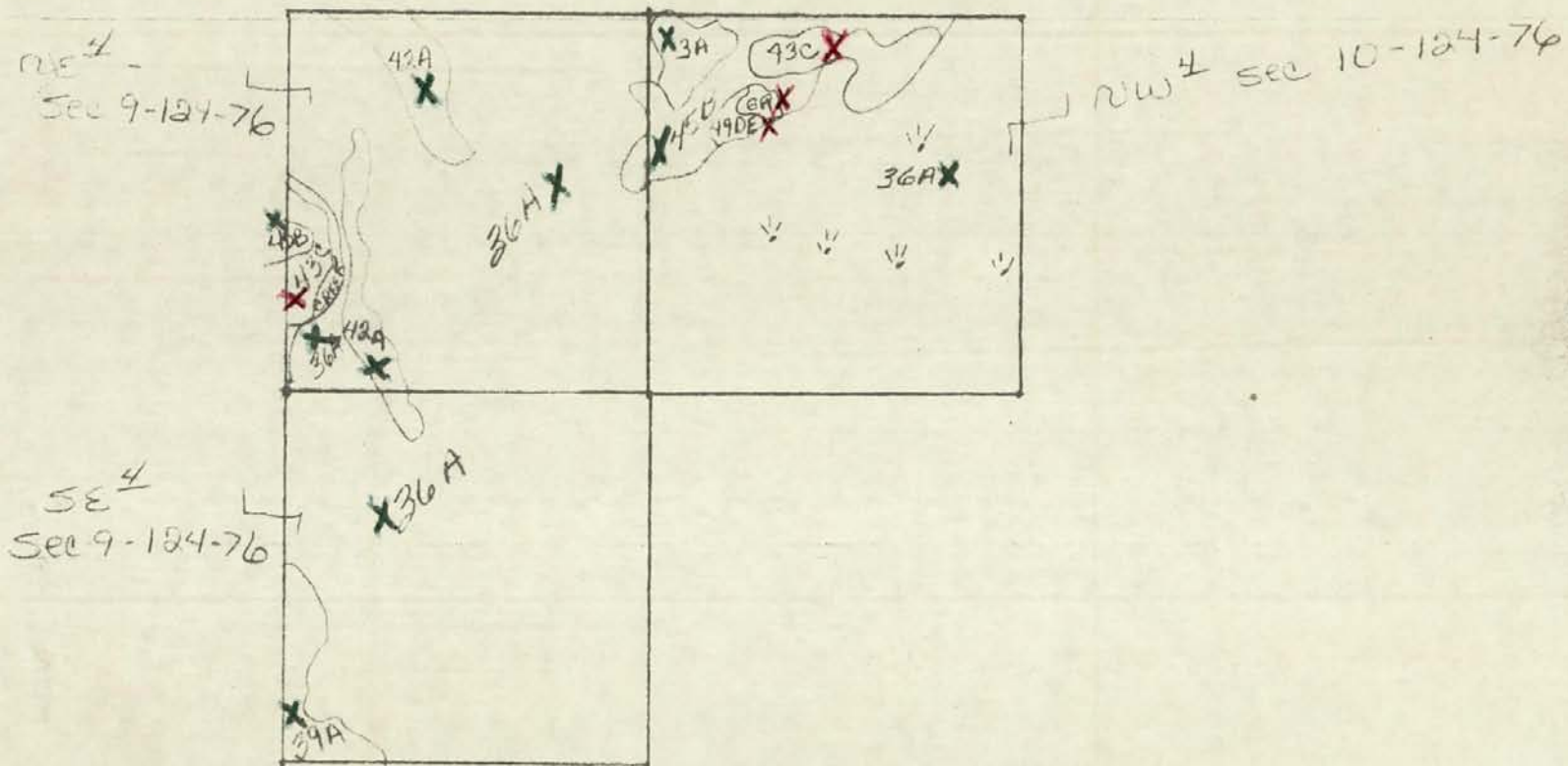
Walworth County T124 N R76 W



NORMAN THORSTENSON

SEBBY SD

WALWORTH COUNTY



2712-3



ANGUS



Ken & Jo Thorstenson
(605) 649-7304
Vaughn & Wendy Thorstenson
(605) 649-6262
Brian & DeDee Begeman
(605) 649-9927



GELBVIEH

RECEIVED

NOV 22 2010

WATER RIGHTS
PROGRAM

NOV 19th 2010

To Whom it may concern:

On May 5th of this year, Ken Thorstenson passed away. His son, Vaughn, and I, Brian Begeman, now Co-own and operate the ranch.

Ken Vaughn and I were (are) partners in Lazy TV Ranch.

Would it be possible to get all these water permits changed on ownership to Lazy TV Ranch? JoElla, Ken's wife, is owner on permit 4925-3 and has given verbal instructions for her's to be switched. Please give me instruction on how to proceed

Thank you

Brian Begeman

begeman@denturecomm.net

cell 230-0591



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 22, 2010

Brian Begeman
30530 130th St
Selby SD 57472

RE: Water Right or Water Permit Nos. 2772-3, 4925-3, 6294-3, 6428-3 & 6452-3

Dear Mr. Begeman:

Thank you for your letter of November 19th concerning the ownership changes needed for the above listed Water Permits and Rights.

Enclosed are partially completed Notice of Transfer of Ownership forms for changing ownership to the Lazy TV Ranch. Please complete the forms and return them to our office with a required filing fee of \$50.00 each (\$250.00 total). The check or money order for the fee can be made payable to the Water Rights Program.

I have included copies of the water permits and rights in the event you do not have them. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures

RECEIVED

DEC - 6 2010

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2772-3
Date: 12-3-10

I/We request that Water Right No. 2772-3

formerly owned by: Kenneth Thorstenson

be transferred to: (name & address) LAZY TV RANCH
12980 CEDAR RD
SELBY, SD 57472 Telephone No. 605-649-6262

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

124 acres - NW ¼ Section 10, T124N, R76W

I/We understand that the validity of Water Right No. 2772-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We LAZY TV RANCH, the new owner, certify that the above information is true and correct.

Lazy TV Ranch by Brian K Begeman
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/6, 2010

RECEIVED OF Lazy TV Ranch 12980 Cedar Rd Selby SD 57472

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50 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. _____		
Fee for Filing Transfer Form <u>2772-3</u>		
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. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No.

04692

By

[Signature]
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 22, 2010

Brian Begeman, Partner
Lazy TV Ranch
12980 Cedar Rd
Selby SD 57472

RE: Water Right or Water Permit Nos. 2772-3, 4925-3, 6294-3, 6428-3 & 6452-3

Dear Mr. Begeman:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms and the filing fees you submitted for the above listed Water Permits and Rights.

The ownership changes have been completed. The water rights and permits formerly held by Kenneth and/or JoElla Thorstenson are now listed in the name of "Lazy TV Ranch".

Enclosed for your records are Reciept Nos. 04691, 04692, 04693, 04694 and 04695 in the amount of \$50.00 each. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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Environmental Scientist
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