

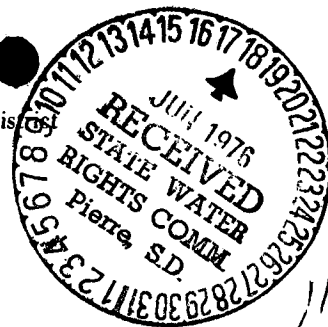
1. Considered 7-21, 1976
2. Name of Applicant NORMAN THORSTENSON
3. Post office Address SELBY
4. Amount of water claimed 2.28
5. Source of water supply 62' DEEP WELL
6. Water to be used for IRRIGATION
- Acres to be irrigated 160
7. Water to be diverted and used in WALWORTH county  
about 6N, 1E miles of SELBY.
8. Proof of Publication Received 7-15-76  
Not received \_\_\_\_\_
9. Application Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not Approved \_\_\_\_\_  
Action deferred \_\_\_\_\_
10. Remarks:

*Approved*

No. 2773-3

Map No. 2129-3 Water Division No. 3 MISSOURI RIVER  
(Blanks to be Filled by the Engineer for the W. R. C.)

(Blanks to be Filled by the Engineer for the W. R. C.)



11:35  
am

# 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  
Postoffice 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 # 2  
4. Amount of water claimed (cubic feet per second) 2.28  
5. Source of water supply ground water  
6. Location of point of diversion IN THE CENTER OF THE E<sup>2</sup> SECTION 9,  
T124N, R76W  
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. |
|----------------------------------------------------|----------------|------------------|----------------|
| S $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ 9-124-76 | 80             |                  |                |
| N $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ 9-124-76 | 80             |                  |                |
|                                                    |                |                  |                |
|                                                    |                |                  |                |

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.

**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 dugout, or if storage of water, is proposed. Attach map. (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA )  
 ) ss.  
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: Ernest J. Boulcson

Subscribed and sworn to before me this 2 day of April 1976

Notary Public (or other qualified officer)

Conc. 11.6.76

# WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2773-3

NORMAN THORSTENSON

(Applicant)

SELEY

(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 existing domestic wells or in ~~irrigation~~ wells having prior water rights.

Date of first receipt of application JUNE 19, 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 SEPTEMBER 30, 19 76, Recorded in Book 16 Page 113

WATER RIGHT PERMIT NO. 2773-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2773-3 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 MARCH 30, 19 79
3. The whole of said work is to be completed on or before SEPTEMBER 30, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 30, 19 83
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 SEPTEMBER 30, 19 83; said water to be used during the following described annual period: MARCH - NOVEMBER

Witness my hand this 30<sup>TH</sup> day of NOVEMBER, 19 76

WATER RIGHTS COMMISSION

By:

John Hatch  
Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 28, Depth 63
- (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 63

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 \_\_\_\_\_

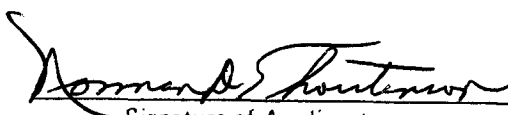
Depth to water (ground surface to water level) \_\_\_\_\_

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

On same owner's property 150 rds. On property owned by others 160 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.

  
\_\_\_\_\_  
Signature of Applicant

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 ONLY)

NAME Norman Thorstenson

ADDRESS Selby, South Dakota 57472

COUNTY Walworth

LEGAL DESCRIPTION

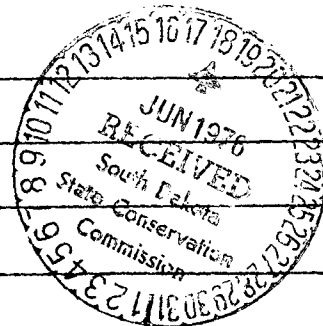
1. WELL LOCATION Center of the N.E. & S.E.  $\frac{1}{4}$  Sec. 9-124-76  
2. LOCATION OF AREA TO BE IRRIGATED S $\frac{1}{2}$  of N.E.  $\frac{1}{4}$  9-124-76 & N $\frac{1}{2}$  of S.E.  $\frac{1}{4}$  9-124-76

TYPE OF IRRIGATION

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

WATER QUALITY

5. SAMPLE NUMBER 76-608  
6. SALINITY (EC X 10<sup>6</sup>) 693 (medium)  
7. SODIUM (SAR) 0.26 (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 D. Thorstenson  
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS  
7 DAY OF April, 1976.

James A. O'Leary  
(TITLE OR SEAL)

Albert J. D. Hults  
APPROVED/DISAPPROVED

Common 1/2 (SOILS INFORMATION ON REVERSE SIDE)  
11-6-76

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

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

Date Rec'd: June 9, 1976  
 Sample No. 76-603  
 Identification 12 011-  
SDA, Sec. 9, T 124N, R 76E

**WATER ANALYSIS**

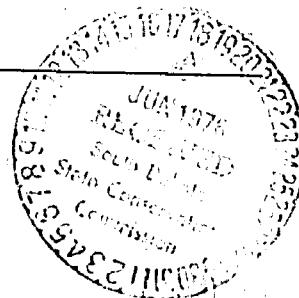
|                                       |      |                             |      |           |
|---------------------------------------|------|-----------------------------|------|-----------|
| Calcium (Ca)                          | 110  | ppm*                        | 4.50 | me/l**    |
| Magnesium (Mg)                        | 31   | ppm                         | 1.34 | me/l      |
| Sodium (Na)                           | 12   | ppm                         | 0.52 | me/l      |
| Potassium (K)                         | 6    | ppm                         | 0.17 | me/l      |
| Sulfate (SO <sub>4</sub> )            | 125  | ppm                         | 2.60 | me/l      |
| Nitrate (as N)                        |      | ppm                         |      | me/l      |
| Chloride (Cl)                         | 7    | ppm                         | 0.19 | me/l      |
| Bicarbonate (HCO <sub>3</sub> )       | 298  | ppm                         | 4.88 | me/l      |
| Carbonate (CO <sub>3</sub> )          | 10   | ppm                         | 0.32 | me/l      |
| Iron (Fe)                             |      | ppm                         |      | me/l      |
| Fluoride (F)                          |      | ppm                         |      | me/l      |
| Hardness (EDTA as CaCO <sub>3</sub> ) |      | ppm                         |      | g.p.g.*** |
| Alkalinity (Methyl Orange)            | 244  | ppm (as CaCO <sub>3</sub> ) |      |           |
| Alkalinity (Phenolphthalein)          | 16   | ppm (as CaCO <sub>3</sub> ) |      |           |
| Electrical Conductivity               | 693  | micromhos per cm at 25° C.  |      |           |
| Sodium Adsorption Ratio               | 0.26 |                             |      |           |
| Sodium                                | 5.96 | % of cations                |      |           |
| Residual sodium carbonate             | 0.00 | me/l                        |      |           |
| pH                                    | 0.00 |                             |      |           |
| Others:                               |      |                             |      |           |

\*ppm=parts per million

\*\*me/l=millicquivalents per liter

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

COMMENTS: Total cations 8.73 me/l  
 Total anions 7.99 me/l



By: William Litten

Service Performed

Amount Due

Irrigation anal. 1

18.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

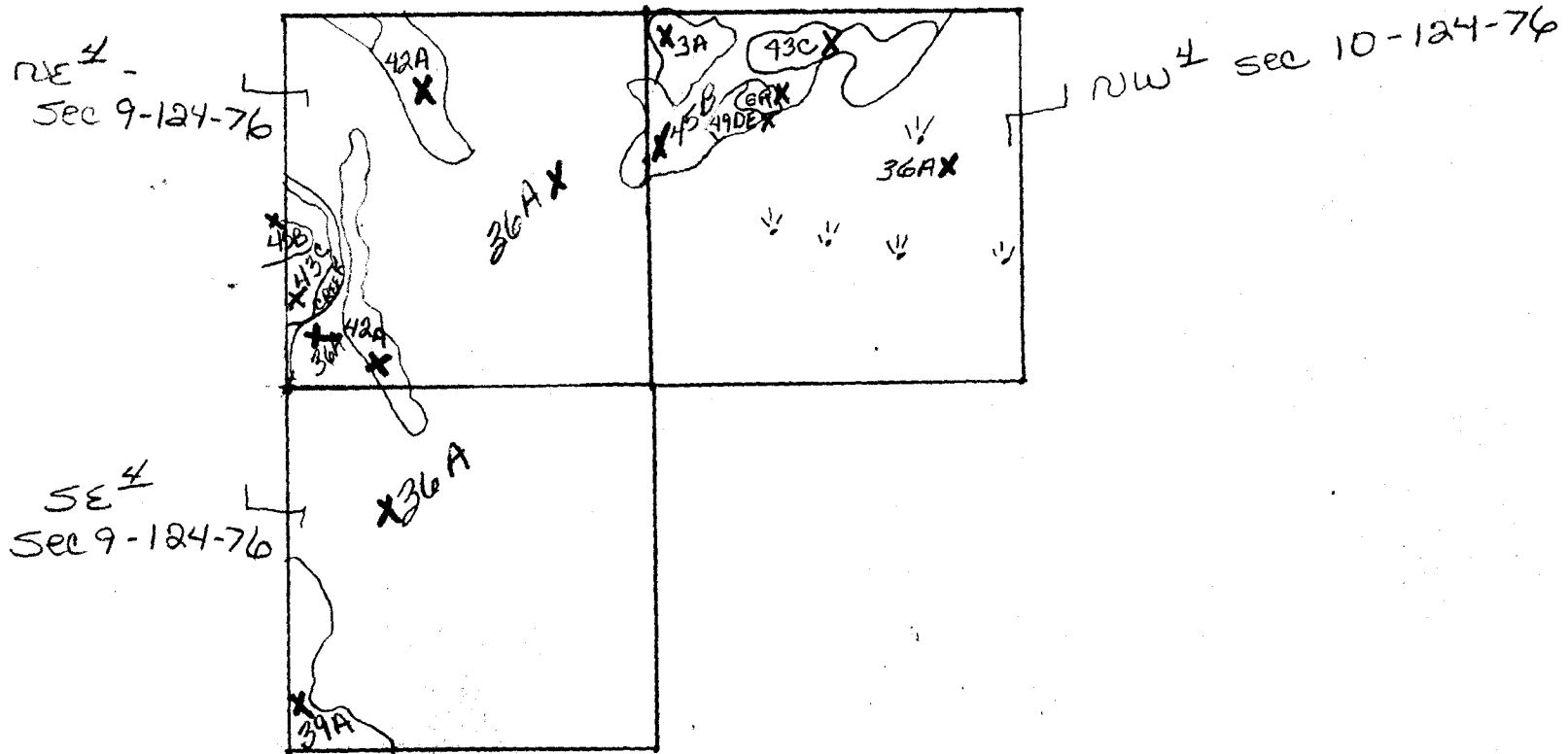
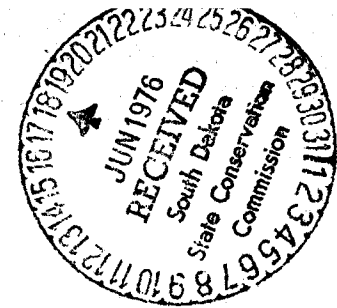
Sample No. 76-603

Amount Enclosed \$

Signed

NORMAN THORSTENSON  
SELBY, SD

WALWORTH COUNTY



# NORMAN THORSTE SON - 5-10-1

## SOIL SURVEY

| <u>SYMBOL</u> | <u>NAME</u>              | <u>SLOPE</u> | <u>CAPACITY UNIT</u> | <u>DESCRIPTION</u>                                                                                                                                                                                                                      |
|---------------|--------------------------|--------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3A X          | Mobridge Silt Loam       | 0-2          | IIc3                 | Deep, loamy, well to moderately well drained soils in upland swales that receive beneficial moisture. However, moisture is still inadequate in most years.                                                                              |
| 45B X         | Lehr loam                | 2-6          | IVe6                 | 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.        |
| 4 X           | Bowdle-Wabek loams       | 6-9          | IVe5                 | 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. |
| GR X          | Gravel pile              |              |                      |                                                                                                                                                                                                                                         |
| 49DE X        | Wabek loam               | 9-30         | VIIIs4               | 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.                                                      |
| 36A X         | Bon loam                 | 0-2          | IIc3                 | Refer to 3A.                                                                                                                                                                                                                            |
| 39A X         | Parshall fine sandy loam | 0-2          | IIIe7                | Deep and moderately deep, moderately sandy soils on nearly level (0 to 2%) uplands. They have a severe wind erosion hazard.                                                                                                             |
| 42A X         | Bowdle loam              | 0-2          | IIIs2                | 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.             |

Wet areas.

irrigatable

non-irrigatable

No. 2773-3

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 #2, the point of diversion of which is to be located in the \_\_\_\_\_

Center of the E $\frac{1}{2}$

of Section 9, Twp. 124N, Range 76W. Said water to be used for the purpose of providing irrigation on the following described land:  
portions of

S $\frac{1}{2}$  NE $\frac{1}{4}$  and N $\frac{1}{2}$  SE $\frac{1}{4}$ , Section 9, T124N, R76W

This application No. 2773-3 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



No. 2773-3

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 \_\_\_\_\_ of Selby

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)

**THE SELBY RECORD**  
Thursday, 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  
ground water through the  
Thorstenson Unit No. 2, the point  
of diversion of which is to be  
located in the Center of the E $\frac{1}{2}$  of  
Section 9, Twp. 124N, Range 76W.  
Said water to be used for the  
purpose of providing irrigation of  
portions of the following  
described land: S $\frac{1}{2}$  NE $\frac{1}{4}$  and  
N $\frac{1}{2}$  SE $\frac{1}{4}$ , Section 9, T124N,  
R76W.

This application No. 2773-3 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**  
71-78



July 28, 1976

Mr. Norman Thorstenson  
Selby, 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

December 2, 1976

Norman Thorstenson  
Selby, SD 57472

Dear Mr. Thorstenson:

Enclosed herewith is your Water Right Permit No. 2773-3 as approved by the Water Rights Commission, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said

Water Right Permit No. 2773-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Rights Commission when you have completed the system and/or have put the water to beneficial use. The Commission can then schedule an inspection so that your Certificate of Construction and/or your Water License may be issued to you, thus completing your acquisition of a Water Right.

Respectfully,  
WATER RIGHTS COMMISSION

JOHN HATCH  
Chief Engineer

JH/BFJ/bw  
Encl: As stated

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 9-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.

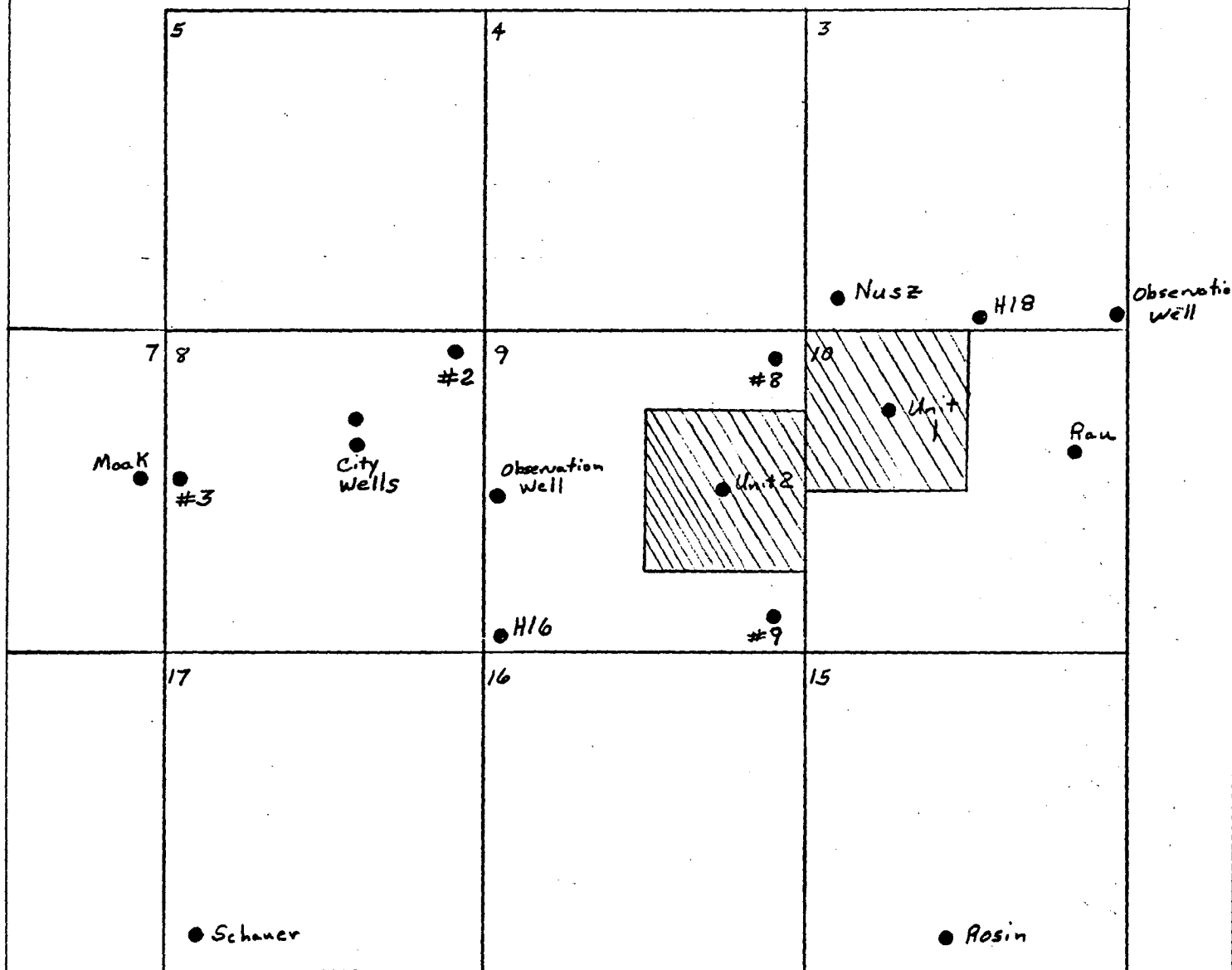
### Recommendations

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

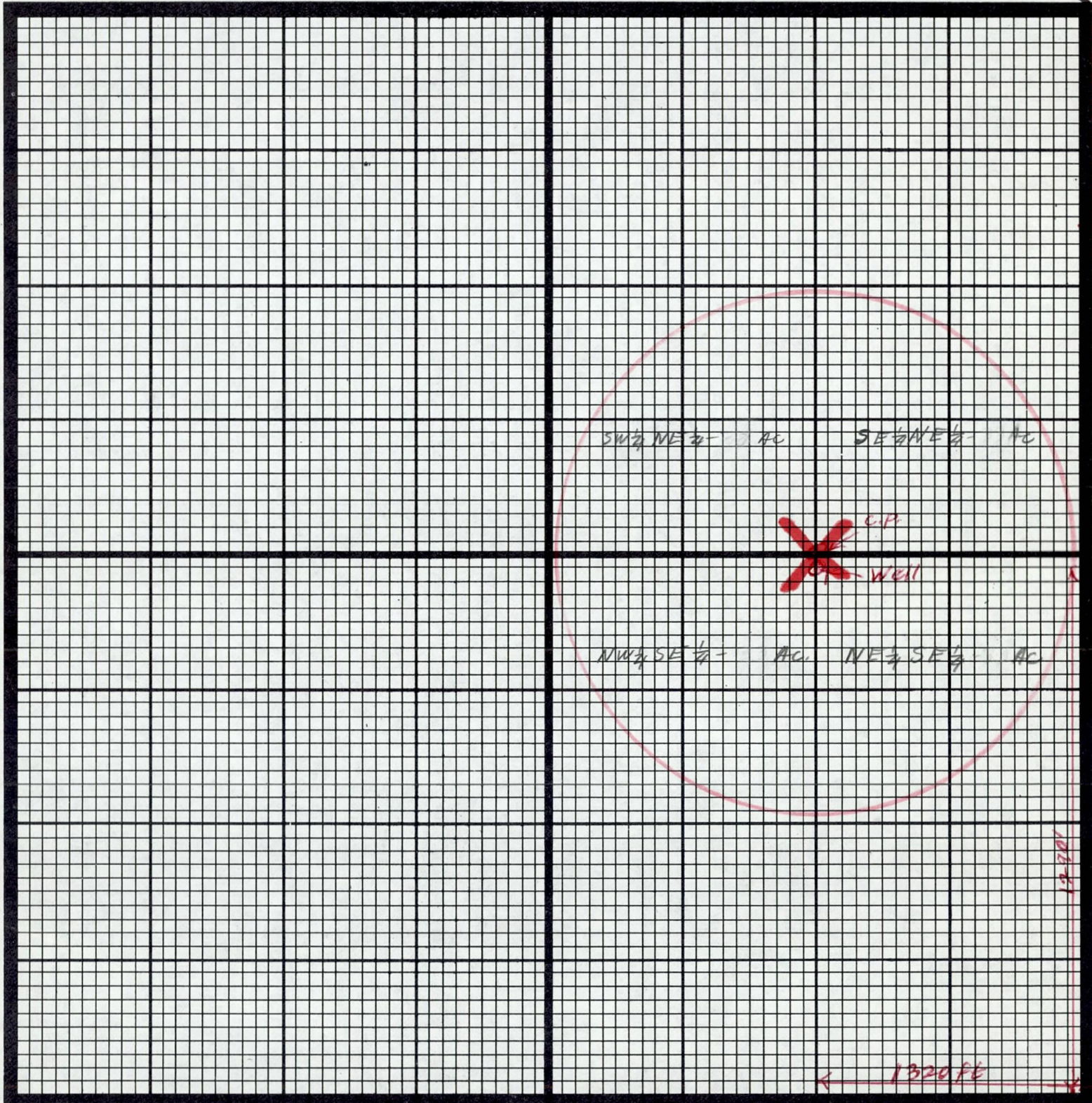
NAME Norman Thorstenson

DATE April 9, 19 76

WELL NO. 2

Center of the QUARTER, SECTION 9  
N.E. & S.E.

TWP. 124 RANGE 76 IN Walworth COUNTY



X — PROPOSED LOCATION

Prepared By

Dick Fadgen

Dick Fadgen

Beadle Co. Extension Agent

MAP NO 2129-3 / APP NO 2773-3

NOTICE OF COMPLETION OF WORKS AND/OR  
APPLICATION OF WATER TO BENEFICIAL USEPost 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. 2773-3.

Water Right Permit No. 2773-3 states that the diversion system is to be constructed by SEPT. 30, 1981 and that the water is to be put to beneficial use by SEPT. 30, 1983.

The diversion system was completed on NOV. 1, 1976.  
Applying the water to beneficial use was completed on ~~APR~~ APR., 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.

  
(Signature)

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<br>N $\frac{1}{2}$ SE $\frac{1}{4}$ " " " "                                                |
| 3417-3 | N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 9, T124N-R76W<br>S $\frac{1}{2}$ SE $\frac{1}{4}$ " 4, " "<br>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<br>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

Please to put on one Corn  
system and move better  
Center pivots.  
Check 1077 or 74  
Jm

Permit No. 2773-3Water Division 3 Missouri River Water District

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. 2773-3, 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 -- Caterpillar Diesel 3208, V8, 210 HP.  
Ser # 90W1313

Pump. Byron Jackson pumping 1000 gpm

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

8" dia. Aluminum Pipe 30 ft. Long

## C. Works used to apply water to beneficial use.

Olson Center pivot

The system is in the following condition: \_\_\_\_\_

The point of diversion is located \_\_\_\_\_

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: \_\_\_\_\_

comprising a total of \_\_\_\_\_ acres of land.

Well data: Depth 64 ft  
Depth to water 7.2 ft  
Capacity 2500+ gpm  
Pumping 1000 gpm

Date \_\_\_\_\_

(Signature) \_\_\_\_\_

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:

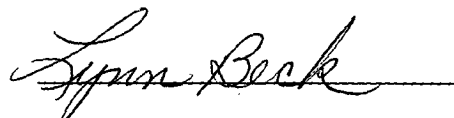
**Permits with land in CRP 87-97 program:**

**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

**Water Rights Division - DENR**

**Conversation or File Documentation**

Name of Person: **Norman Thorstenson**      File No. **2773-3, 3417-3, 3418-3, 3419-3, 4173-3, and 4173A-3.**  
Address: **Selby, SD**      County: **Walworth and Campbell**  
Date: **7-10-97**      Telephone: **(605)649-7646**  
RE: **Permit status.**

**Comments:**

**2773-3 Walworth Co.:**

**80 ac. S $\frac{1}{2}$  NE $\frac{1}{4}$ ; 80 ac. N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 9, T124N, R76W. Not currently irrigating, have not needed to due to precipitation. The pump and pipe are still in place. There are no acres in CRP and no plans to put acres in CRP.**

**3417-3 Walworth Co.:**

**80 ac. N $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 9; 80 ac. S $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 4; 40 ac. NE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 5 all in T124N, R76W. Have not irrigated since 1989, last few years were too wet. Don't intend to irrigate the 40 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  again. This permit shares a well with Permit No. 2772-3, Ken Thorstenson. The 80 acres in the S $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 4 will come out of CRP Oct. 97. The acres are not re-enrolled.**

**3418-3 Campbell Co.:**

**160 ac. NE $\frac{1}{4}$  and SE $\frac{1}{4}$  Sec. 32, T125N, R76W. Nor irrigating presently, no equipment on site. 160 acre in the NE $\frac{1}{4}$  and SE $\frac{1}{4}$  will come out of CRP Oct. 97. The acres are not re-enrolled.**

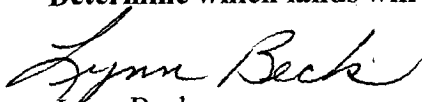
**3419-3 Campbell Co.:**

**320 ac. W $\frac{1}{2}$  Sec. 33, T125N, R76W. 200 acres in CRP and re-enrolled for new program, the other 120 acres are not in CRP and do not intend to irrigate.**

**4173-3 & 4173A-3 Walworth Co.:**

**160 ac. NE $\frac{1}{4}$ ; 160 ac. NW $\frac{1}{4}$  Sec. 11, T124N, R76W. Land belongs to Allmendinger and Norman Thorstenson is the operator. Mr. Thorstenson will not operate the land after this year. All the land is in CRP and will come out Oct. 97. Mr. Allmendinger has been trying, unsuccessfully so far, to put lands in the new CRP program.**

**Take a look at Norman Thorstenson's permits summer 98 after 97 CRP program is over. Determine which lands will be irrigated and which are in the new CRP program.**

  
Lynn Beck  
Natural Resources Engineer

**Water Rights Division - DENR**

**Conversation or File Documentation**

Name of Person: **Norman Thorstenson** File No. **2773-3** and 3417-3  
Address: **30627 124<sup>th</sup> Street, Selby, SD 57472-5304** County: **Walworth**  
Date: **12-30-98** Telephone: **(605)649-7646 wk. (605)649-7008 hm.**  
RE:

**Comments:**

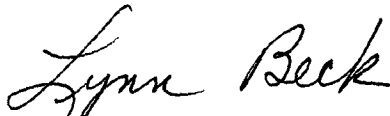
**Permit Nos. 3417-3 and 2773-3 were last irrigated in 1990. I spoke with Mr. Thorstenson and he said he has not needed to irrigate due to sufficient moisture. I told him that was a legal excuse for not irrigating and that he could probably keep his permits.**

**There is a towable system he uses on the lands covered by Permit No. 3417-3. During Water Right investigation on 9-28-98 it was found that the system on the lands covered by Permit No. 2773-3 was gone. The system was in place in 1992 when I was in the area conducting Water Right investigations. The system that was in place was a 10 tower Olsen center pivot.**

**Permit Nos. 2773-3 and 3417-3 were not licensed in 1992 because Mr. Thorstenson said the lands under Permit No. 3417-3 were in CRP until 1997. Since the permits used the same well it was decided to wait and license after lands were out of CRP. During the 1998 investigation it was found that only the north 5 acres of the S½ SE¼ Section 4 had been in CRP. Permit No. 3417-3 covers the S½ SE¼ Section 4 and the N½ NE¼ Section 9, T124N, R76W. None of the lands under these two permits are in CRP now.**

**10-5-99**

**Spoke with Norman Thorstenson about the lands covered under Permit No. 2773-3. He does not have a system for those lands but intends to put a system on when he needs to irrigate again. I told him he could not hold the water right indefinitely without a system in place. If he has adequate moisture and does not irrigate he still needs to be able to irrigate. I told him he could license using the towable but that would only be for 600 gpm and if he did put a bigger system on that requires more water he would need a new permit. Mr. Thorstenson did not want to do that so I said I would wait until next summer and see if he had a system in place. Mr. Thorstenson said that would be fine.**



**Lynn Beck**  
**Natural Resources Engineer**

# Department of Water & Natural Resources

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

January 29, 1988

NORMAN THORSTENSON  
HCR #1 BOX 7  
SELBY, SD 57472

## NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation  
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 2773-3, 4304-3, 3417-3, 3418-3, 3419-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 2773-3, 4304-3, 3417-3, 3418-3, 3419-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

# Department of Water & Natural Resources

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

February 4, 1988

|        |         |
|--------|---------|
| 2773-3 | 4173-3  |
| 3417-3 | 4173-3A |
| 3418-3 | 4304-3  |
| 3419-3 |         |

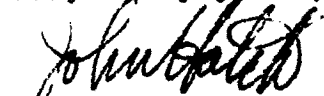
Norman Thorstenson  
HCR 1 Box 7  
Selby, SD 57472

Dear Mr. Thorstenson:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Permit Nos. 2773-3, 3417-3, 3418-3, 3419-3, 4173-3, 4173-3A and 4304-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



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

*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



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

December 9, 2011

2773-3  
3417-3

Rory Thorstenson  
13067 308<sup>th</sup> Ave  
Selby SD 57472

Dear Mr. Thorstenson:

I am writing in regard to your request for changing ownership on Water Permit No. 2773-3 and Water Right No. 3417-3.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Please review and make any necessary corrections. Upon completion, please sign the forms and return them to our office with a required filing fee of \$50.00 each (total of \$100). The check or money order for the fee can be made payable to the Water Rights Program.

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](mailto:genny.mcmath@state.sd.us)

enclosures

# NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED  
DEC 29 2011  
WATER RIGHTS  
PROGRAM

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

No. 2773-3  
Date: 12-27-11

I/We request that Water Permit No. 2773-3

formerly owned by: Norman Thorstenson

be transferred to: (name & address) Rory Thorstenson  
13067-308th Ave  
Selby, S.D. 57472 Telephone No. 605-649-7787

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

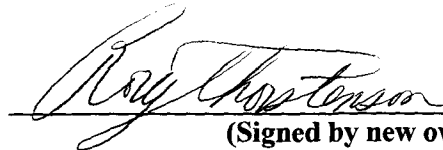
160 acres - S 1/2 NE 1/4 and N 1/2 SE 1/4 Section 9, T124N, R76W

I/We understand that the validity of Water Permit No. 2773-3 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 Rory Thorstenson, the new owner, certify that the above information is true and correct.

  
(Signed by new owner)

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

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

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/29, 20 11

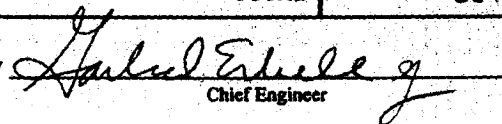
RECEIVED OF Rory Thorsenson 13067 308th Ave Selby SD 57472

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>2773-3</u>                                                                     |       |
| Fee for _____                                                                                                  | 50 00 |
| 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. _____                                      | 50 00 |
| (Any Other Work Provided by Law)                                                                               |       |
| TOTAL                                                                                                          | 50 00 |

No. **05188**

By

  
Chief Engineer

2773-3



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

December 29, 2011

2773-3  
3417-3

Rory Thorstenson  
13067 308<sup>th</sup> Ave  
Selby SD 57472

Dear Mr. Thorstenson:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Permit No. 2773-3 and Water Right No. 3417-3.

The ownership changes have been completed. Water Permit No. 2773-3 and Water Right No. 3417-3 formerly held by Norman Thorstenson are now listed in your name.

Enclosed for your records are Receipt Nos. 05188 and 05189 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.

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

enclosures