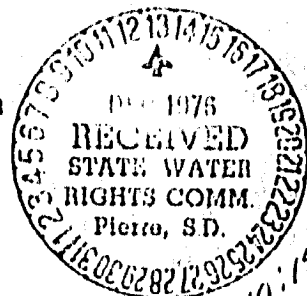


Water Right Number 3417-3

1. Considered 5-25, 19 77
2. Name of Applicant NORMAN THORSTENSON
3. Post Office Address SELBY
4. Amount of Water claimed 2.85
5. Source of Water supply 5B' WELL, (EXISTING)
6. Water to be used for IRRIGATION
- Acres to be irrigated 200
7. Water to be diverted and used in WALWORTH County
about ~~5.00~~ 6.00 miles of SELBY
8. Proof of Publication Received 1st 5-20-77
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
9. Application *See front*
10. Remarks:

Map No. 2678-3 Water Division No. 3 MISSOURI RIVER District
(Blanks to be filled by the Engineer for the W. H. C.)

APPLICATION FOR PERMIT

To Appropriately Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Norman Thornstenson
Postoffice address Selby State South Dakota 57427
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 Thornstenson - UNIT #3
4. Amount of water claimed (cubic feet per second) 2.85
5. Source of water supply Ground Water
6. Location of point of diversion NW⁴ NW⁴, Section 10, 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 200

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 $\frac{1}{2}$ of NE of 9-124-76	80	NE $\frac{1}{2}$ of NE $\frac{1}{2}$ of 5-124-76	40
S $\frac{1}{2}$ of SE of 4-124-76	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 Appropriately Water publication. Joy Herald, Java, S.D. 57452
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 dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Walworth) ss.I, Norman Thornstenson 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 ThornstensonSubscribed and sworn to before me this 8 day of December, 1976

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3417-5
NORMAN THORSTENSON SELEY
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57472 With the following modifications:
 (State)

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.

TOTAL WITHDRAWAL FROM WELL NOT TO EXCEED 3.78 CFS
 IN COMBINATION WITH PERMIT No. 2772-3,

Date of first receipt of application DECEMBER 13, 19 76
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application DECEMBER 29, 19 76
 Approved MARCH 29, 19 78, Recorded in Book 19 Page 288

WATER RIGHT PERMIT NO. 3417-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3417-3 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 DECEMBER 13, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 29, 19 80
3. The whole of said work is to be completed on or before MARCH 29, 19 83
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 29, 19 85
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 2.85 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 and 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 MARCH 29, 19 85; said water to be used during the following described annual period: MARCH - NOVEMBER

Witness my hand this 5th day of APRIL, 19 78

WATER RIGHTS COMMISSION

By:

John H. Hatcher
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

PAGE NO.

Lloyd Peterson
FOREMAN Jr.

NO.	DEPTH	TIME	Unit # 1	REMARKS	DESCRIPTION		
1	20		0-5	Topsoll			
2	40		5-20	Brownish Clay	N.W. 10-124-76		
3	60	TD	20-22	Brownish Clay	Walworth County		
			22-40	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				
This well will be used to irrigate							
N ¹ / ₂ of NE of 9-124-76							
S ¹ / ₂ of SE of 4-124-76							

HUKON DRILLING INC. DRILLERS LOG

5417

PAGE NO.

Norman Thorstenson
JOB NAME

Center of the N.E. &
S.E. 1/4 of 9-124-76
LOCATION Walworth Co.

4/1/76
DATE

10
RIG NO.

Lloyd Peterson
FOREMAN JR.

HI NO	DEPTH	TIME	Unit # 2	REMARKS	DESCRIPTION
1	20		0-5 Topsoil		Center of the N.E. & S.E. 1/4 of 9-124-76 Walworth County
2	35		5-20 Brownish Clay		
3	50		20-22 Brownish Clay		
4	65	TD	22-40 Coarse Sand & Gravel		
			40-60 Coarse Sand & Gravel		
			60-62 Coarse Sand & Gravel		
			62-65 Shale		

Cased to 63 ft.

40 ft. Slotted 4" PVC

23 ft. Blank 4" PVC

Pumped 50 GPM

Waterhead 15 ft.

1500 # concrete sand

1 used 5" drag bit

1 used 7.7/8" drag bit

this well will be used to irrigate

NE 1/4 of NE 1/4 of 5-124-76

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type _____, Diameter _____, Length _____

(4) Gravel Pack. Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

*Log will be provided 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 182 rds. On property owned by others 240 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.

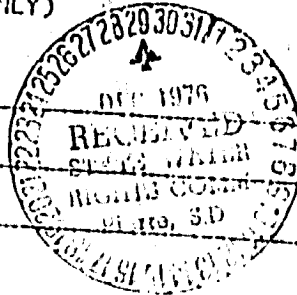
Armin Shuten
Signature of Applicant

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 Thomsen UNIT 43

ADDRESS Selby, South Dakota 57472

COUNTY Walworth



LEGAL DESCRIPTION

1. WELL LOCATION NW 1/4 of 10-124-76, Center of NE 1/4 SE of 9-124-76
2. LOCATION OF AREA TO BE IRRIGATED N 1/2 of NE of 9-124-76, S 1/2 of SE of 4-124-76 From well in Sec. 10
NE 1/4 of NE 1/4 of 5-124-76 ---- From well in Sec. 9

TYPE OF IRRIGATION

3. GRAVITY _____ TOW LINE _____ CENTER PIVOT X GUN _____
4. CROPS TO BE IRRIGATED Corn, Alfalfa, Small Grain

WATER QUALITY

5. SAMPLE NUMBER _____
6. SALINITY (EC X 10⁶) _____
7. SODIUM (SAR) _____
8. RESIDUAL SODIUM CARBONATE (meq/l.) _____

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 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 Thomsen
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS
8 DAY OF November 19 76.

Norman A. Caring
(TITLE OR SEAL)

APPROVED/DISAPPROVED

MY COMMISSION (SOILS INFORMATION ON REVERSE SIDE)
EXPIRES NOV. 4, 1984

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

Submitted by: WILLIAM H. HARTMAN
 Address: 1101 E. 57th St.
CO: CUMON, Illinois, Inc.
U.S. 29: 1452
U.S. 29: 1452

Date Rec'd: JUNO 9, 1976
 Sample No. 75-606
 Identification 75-606
75-606

WATER ANALYSIS

Calcium (Ca)	110	ppm*	2.50	me/l**
Magnesium (Mg)	31	ppm	2.54	me/l
Sodium (Na)	12	ppm	0.52	me/l
Potassium (K)	6	ppm	0.17	me/l
Sulfate (SO ₄)	125	ppm	2.50	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	7	ppm	0.19	me/l
Bicarbonate (HCO ₃)	293	ppm	4.88	me/l
Carbonate (CO ₃)	10	ppm	0.32	me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.**
Alkalinity (Methyl Orange)	244	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	16	ppm (as CaCO ₃)		
Electrical Conductivity	693	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.26			
Sodium	5.95	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	8.00			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

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

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

By: Shirley Hittan

Service Performed

Amount Due

Water Quality Analysis

\$8.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-606

Amount Enclosed \$

Signed

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

Submitted by: James H. Smith
Address: 1111 1/2 St. N.E.
Box 1111, S.W.
Albuquerque, N.M. 87102

Date Rec'd. JUNE 9, 1976
Sample No. 73-617
Identification 1 011
FBI, SOC. 10, 1164N, 76

WATER ANALYSIS

Calcium (Ca)	160	ppm	3.00	mc/l**
Magnesium (Mg)	64	ppm	2.25	mc/l
Sodium (Na)	73	ppm	3.39	mc/l
Potassium (K)	14	ppm	0.35	mc/l
Sulfate (SO ₄)	390	ppm	1.11	mc/l
Nitrate (as N)		ppm		mc/l
Chloride (Cl)	6	ppm	0.22	mc/l
Bicarbonate (HCO ₃)	273	ppm	4.48	mc/l
Carbonate (CO ₃)		ppm		mc/l
Iron (Fe)		ppm		mc/l
Fluoride (F)		ppm		mc/l
Hardness (EDTA as CaCO ₃)		ppm		mc/l
Alkalinity (Methyl Orange)	224	ppm (as CaCO ₃)		8-P.G.***
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1320	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.32			
Sodium	19.95	% of cations		
Residual sodium carbonate	0.0	mc/l		
pH	7.68			

*ppm=parts per million

*me/l=millequivalents per liter

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

COMMENTS: Total citations 16.95 mo/1
Total unions 12.61 mo/1

By: William H. Hitt

Service Performed

Amount Due

Irrigation Analysis

0.00 1.10

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No.....7226C?

Amount Enclosed \$.....

Signed.....



December 22, 1976

Mr. Norman Thorstenson
Solby, SD 57472

Dear Mr. Thorstenson:

The WI-1 form which pertains to your application for a water use permit in various tracts of section 9, 4 and 5 in 124-76 has been received.

There is no chemical property of the water which was obtained from your sample in section 9 which would cause any chemical difficulties with the soils you intend to irrigate. However, the water in section 19 is about twice as saline as that in section 9 and you should use that water with restrictions as follows: (1) Never apply more than 4 applications in any growing season, (2) apply the water in substantial amounts, at least 3 inches each time if the soil has the capability of receiving that much. A very sandy soil with only 1 foot of soil over gravel would, of course, be able to hold only about an inch per application. I don't believe this is the case with any of your soils. (3) Occasionally completely refill the entire root zone in the late fall, just before freeze-up so that any land irrigating with this water has a chance to leach by natural precipitation in the winter and spring. The soils that you propose to irrigate are not well suited at all to irrigation, particularly those in the south half of the southeast quarter of section 4. All soils marked as 86a or 89 should be strictly eliminated from your plans. This applies also to the area of 86a in section 9. The northeast quarter of the NE quarter of 5 is the best suited of the various tracts and essentially nothing in the south half of the SE quarter of 4 should be irrigated. There is only a small strip of Bon loam along the east edge of this 80 that's any good.

A copy of this letter, and the WI-1 form and soils information, and copies of the water analyses pertinent to these tracts of land are being sent to the State Conservation Commission for their action.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:ckb
Enclosures
cc: State Conservation Commission

No. 3417-3Publish first publication, on or before May 13, 19 77NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 13, 19 77

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
2.85 cubic feet of water per second of time from the ground water through the
Norman Thorstenson #3, the point of diversion of which is to be located in the _____

NW 1/4 NW 1/4

6th Section 10, Twp. 124N, Range 70W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

N 1/2 NE 1/4, Section 9; S 1/2 SE 1/4, Section 4; NE 1/4 NE 1/4, Section 5,
T124N, R70W

This application No. 3417-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 25th day of May, 19 77, at 10:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERSTON
Water Rights Specialist

BFJ/bw
cc:

Norman Thorstenson, Selby, S.D. 57472

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

No. 3417-3

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 Java Herald

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

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:

May 13, 1977

May 20, 1977

Ida K. Clement
(Signature)

Editor, Java Herald
(Title)

May 20, 1977
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER

Pier 4, South Dakota 57501
April 13, 1977
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 2.85 cubic feet of
water per second of time from
ground water through the
Thorstenson Unit No. 3, the point
of diversion of which is to be
located in the NW 1/4 NW 1/4, Sec-
tion 10, Twp. 124N, Range 76W.
Said water to be used for the
purpose of providing irrigation on
portions of the following
described land: NW 1/4 NE 1/4,
Section 9, S 1/2 SE 1/4 of Section 4,
and NE 1/4 NE 1/4 of Section 5, Twp.
124N, Range 76W.
This application No. 3417-3 will
be considered by the Water
Rights Commission at their office
at Pierre on the 25th of May, 1977,
at 10:00 a. m. All interested
persons may appear and be
heard.

Water Rights Commission
By James Winteron,
Water Rights Specialist
512-519



Sulby, South Dakota
May 23, 1977

Water Resource Comm
Pierre, SD

Gentlemen:

I hereby wish to file a protest on two applications for Water Permits, namely No's 3418-3 and 3419.3 by Norman Thorstenson and Sally Thorstenson located in W $\frac{1}{2}$ Sec. 33 T125N, R76 W and E $\frac{1}{2}$ Sec 32, T125N, R76W respectively.

As owner of S $\frac{1}{2}$ Sec 9, T124N, R76W these two permits are requesting for water from center of E $\frac{1}{2}$ Sec 9, T124N, R76W to be piped up into Campbell County to their described property which is approximately 2 or 3 miles from this water location. I believe with this additional water being used in other locations, it will hamper all the present domestic wells in the present approved permit area. I believe all the water being used presently should be used only in this area and not diverted to other areas quite a distance away. Water for these two permits should be obtained in that area and not from some other source in another farm area which could hamper these other farmers supplies.

Have tried to contact your office several times but the line has always been busy so am taking this means of filing the above request.

Your attention and consideration on the above matter will be greatly appreciated.

Thank you.

Very truly yours,


Gerhardt E. Nusz

Selby, South Dakota
May 24, 1977

South Dakota Water Commission
Pierre, South Dakota

Dear Sirs:

We, the undersigned neighbors, are opposed to the water permits being applied for by the Norman Thorstensions. He is now irrigating two quarters. The town of Selby, SD, also gets their water from the same shallow aquifer. These permits will let him move the water away from where it is being drawn from the wells. We do not think these wells have been operated a sufficient length of time to determine what effect they will have on the water level. This is an area of a high water table and nearly every pasture in the area depends on a dugout for water. A drop of only a few feet would eliminate the use of these dugouts. Most of these dugouts are only 12 feet deep with perhaps 3 feet or less of water in some of them at the present time.

We thank you in advance for your consideration.

Herbert Moak
Milton J. Lauer

Carol F. Brockel

Harley Brockel

Olton H. Franke

Edmund Nusz

Norlyn Nusz

Howard Egan

Carroll H. Lee

Report on Selby Aquifer
Water Right Applications
March 2, 1978

The Selby Aquifer underlies portions of Walworth County and Campbell County. The aquifer is composed of outwash sands and gravels. Ground water in the aquifer occurs under water table and artesian conditions. The aquifer is recharged by infiltration of snow-melt and spring rainfall.

The Water Rights Commission presently has five observation wells which monitor the Selby Aquifer. These wells have shown only seasonal fluctuations. Only one observation well CA-3 has historical data, this well showed a stable water level of approximately 14 feet until 1976 and 1977 when the water level dropped to 17 feet. This drop can be attributed to the lack of recharge during the 1975, 1976 and 1977.

Proposed Projects:

Application	Priority Date	Acres	CFS	Comments
3417-3	13 Dec 1976	200	2.85	Proposes to pump from Permit No. 2772-3 well
3418-3	13 Dec 1976	160	2.0	Proposes to pump from Permit No. 2773-3 well
3419-3	13 Dec 1976	320	4.0	Proposes to pump from Permit No. 2773-3 well
3991-3	31 Jan 1977	160	1.93	One 50 foot well
4173-3	3 Oct 1977	320	1.93	Two 40 foot wells

Discussion:

An aquifer test was conducted at the site of the present Selby wells. The calculated aquifer coefficients are T(transmissivity) equals 60,000 gallons per day per foot and S(storage) equals 0.18. A well with forty feet of saturated material would have a sustainable yield of approximately 1700 gallons per minute assuming the entire length of aquifer could be utilized.

Application 3417-3 proposes to pump from the well of Permit 2772-3. This would make a total withdrawal rate of 5.05 cubic feet per second or 2273 gallons per minute. This would exceed the calculated safe yield for the well if both systems were operated at the same time.

Applications 3418-3 and 3419-3 propose to withdraw water from the well of permit 2773-3. The total withdrawal rate would be 8.2 cubic feet per second or 3690 gallons per minute. This also would exceed the calculated safe yield of the well of 2773-3 if all systems operated at the same time.

Recommendations:

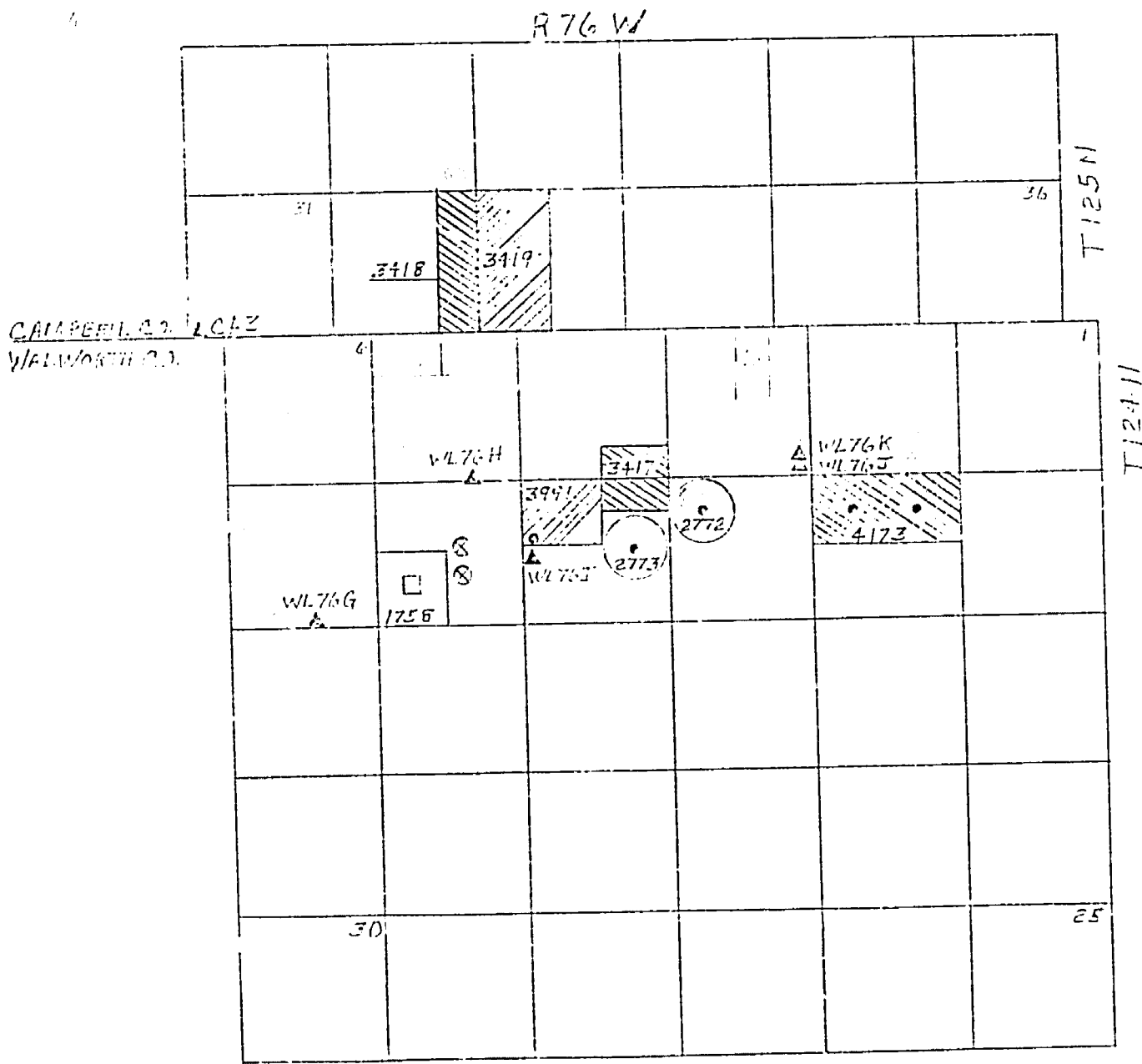
The Staff recommends:

1. Approval of application No. 3417-3 from the well authorized by Permit No. 2772-3, total withdrawal from well is not to exceed 3.78 cubic feet per second.
2. Approval of applications No. 3418-3 and No. 3419-3 from the well authorized by Permit No. 2773-3, total withdrawal from the well not to exceed 3.78 cubic feet per second.
3. Approval of Application No. 3991-3
4. Approval of Application No. 4173-3

The applications are approved with the following qualifications:

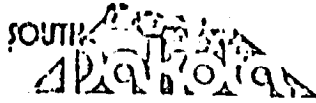
"The irrigation well approved under this permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this permit, shall control irrigation withdrawals so there is not a reduction of needed water supplies in adequate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

Gale N. Selken
Hydrologist



-  Deferred Applications
-  Approved Applications
-  Observation Well
-  Production Well
-  City Well

3417-3



SELBY AQUIFER
WALWORTH & CAMPBELL CO.

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

March 21, 1978

TO: Persons concerned with Selby Aquifer

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Reconsideration of applications in the Selby Aquifer area.

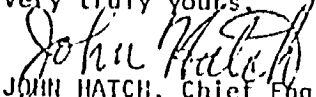
The Water Rights Commission will reconsider Water Right Applications in the Selby Aquifer at 10:15 a.m. March 29, 1978 at the Guest House, Walertown, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These applications were deferred by the Water Rights Commission during 1977, pending staff investigation.

After reconsideration of Applications in the Selby Aquifer the Commission can approve, defer, or deny all or parts of the Applications. A copy of the "Report on the Selby Aquifer" is enclosed for your information.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Commission

JH:kjw

enclosure

**South Dakota 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). 2772-3, 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
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
523 East Capitol
Pierre, South Dakota 57501-3181

February 4, 1988

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

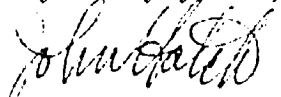
Norman Thorstenson
HCR 1 Box 7
Selby, SD 57472

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

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:

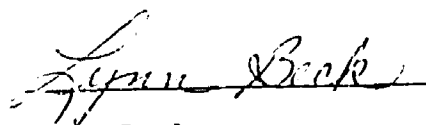
Permits with land in CRP 87-97 program:

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, 4172-3, 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. S½ NE¼; 80 ac. N½ SE¼ 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. N½ NE¼ Sec. 9; 80 ac. S½ SE¼ Sec. 4; 40 ac. NE¼ NE¼ 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 NE¼ NE¼ again. This permit shares a well with Permit No. 2772-3, Ken Thorstenson. The 80 acres in the S½ SE¼ Sec. 4 will come out of CRP Oct. 97. The acres are not re-enrolled.

3418-3 Campbell Co.:

160 ac. NE¼ and SE¼ Sec. 32, T125N, R76W. Nor irrigating presently, no equipment on site. 160 acre in the NE¼ and SE¼ will come out of CRP Oct. 97. The acres are not re-enrolled.

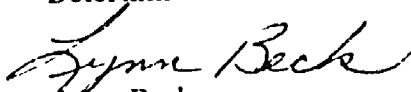
3419-3 Campbell Co.:

320 ac. W½ 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. NE¼; 160 ac. NW¼ 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

Permit No. 3417-3
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 Norman Thorstenson of 30627 124th Street, Selby, SD 57472-5304 holder of Permit No. 3417-3, bearing the priority of December 13, 1976 authorizing the diversion of 2.85 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 65 feet deep cased to 63 feet, 23 feet of blank 4" pvc and 40 feet of slotted 4" pvc. The well has a Well Line pump model no. 21322K rated at 2400 gpm and a US Electric motor rated at 100 hp.
- B. Works used to transport water to place of use: 4620' of 8" pvc and 2795' of 6" aluminum.
- C. Works used to apply water to beneficial use: Towable Lindsey center pivot 660' in length with 5 towers and an end gun. The center pivot is a high pressure system rated at 600 gpm.

The system is in the following condition fair. The point of diversion is located 1320' W and 2640' N of the SE corner of Section 9, T124N, R76W. The works are capable of diverting and conveying to the place of use 1.33 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 T124N, R76W:

Section 4: SW $\frac{1}{4}$ SE $\frac{1}{4}$ 31 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ 31 acres

Section 9: NW $\frac{1}{4}$ NE $\frac{1}{4}$ 31 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ 31 acres

comprising a total of 124 acres of land and the license should be issued for 1.33 cfs.
Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none

Comments:

Licensing of this permit will require a change in diversion point. See change in diversion point report.

Lynn Beck
Lynn Beck

1-4-99
Date

Natural Resources Engineer
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 3417-3

DATE OF INSPECTION: 9-28-98

Other permit(s) associated with the project: 2773-3

NAME & ADDRESS OF INSPECTION CONTACT: Norman Thorstenson, 30627 124th Street, Selby, SD 57472-5304.

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: #

NAME & ADDRESS OF PERMIT HOLDER: same as above

DIVERSION POINT LEGAL LOCATION: 1320' W and 2640' N of the SE corner of Section 9, T124N, R76W.

WELL INFORMATION:

- 1) Well Drilling Firm: Huron Drilling Inc.
- 2) No. of Wells 1
- 3) Depth(s) 65 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 4 inches
- 2) Length 63 feet
- 3) Type pvc

Screen:

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

Pump:

- 1) Make Well Line
- 2) Model 21322K
- 3) Size #
- 4) Capacity 2400 GPM

Motor:

- 1) Make US Electric
- 2) Model No. #
- 3) Horsepower rating 100 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type pvc 2) Size 8 3) Length 4620 feet
- 2) Type aluminum 2) Size 6 3) Length 2795 feet

SYSTEM TYPE:**Center Pivot:**

- 1) Make Linsay towable
- 2) Overall length 660
- 3) Number of towers 5
- 4) End gun yes
- 5) High or low pressure high
- 6) Capacity 600 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

Water Rights Division - DENR

Conversation or File Documentation

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

Comments:

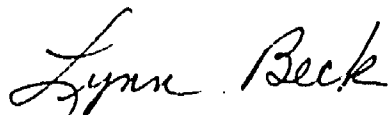
Permit Nos. 3417-3 and 2773-3 were last irrigated in 1990. I spoke with Mr. Thorstenson and he said he has not needed to irrigate due to sufficient moisture. I told him that was a legal excuse for not irrigating and that he could probably keep his permits.

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 S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 4 had been in CRP. Permit No. 3417-3 covers the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 4 and the N $\frac{1}{2}$ NE $\frac{1}{4}$ 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

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

NAME: Norman Thorstenson

ADDRESS: 30627 124th Street, Selby, SD 57472-5304

DATE: January 4, 1999 **COUNTY:** Walworth **TELEPHONE:** (605)649-7646 wk. (605)649-7008 hm.

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

Irrigated land is authorized under Permit No. 3417-3.

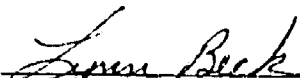
- Review of Existing Diversions

This well is authorized by Permit No. 2773-3 also owned by Norman Thorstenson.

There are three wells within one mile of this diversion. One well is authorized by Permit No. 2772-3 and one well is authorized by Permit No. 4925-3 both owned by Ken Thorstenson. The third well is covered under Permit No. 3991-3 owned by Rory Thorstenson. There are domestic wells in the area. The adequate domestic wells having priority qualification is on the permit.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point 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

3417-3

Norman Thorstenson
30627 124th St.
Selby, SD 57472-5304

Dear Mr. Thorstenson:

The investigation of your water use system 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 No. 3417-3. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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 number. This will insure proper handling of the fee.

RECEIPT
Water Rights Program
South Dakota Department of Environment and Natural Resources

Nº 416023

Pierre, January 28, 1999

RECEIVED OF Norman or Marcella Thoratenson, 30267 - 124th 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. 3417-3

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. Hetch

HURON DRILLING INC. DRILLERS LOG

3417-3
PAGE NO.

1

Norman Thorstenson JOB NAME	SE 9-124-76, Walworth LOCATION	7/31/76 DATE	18 RIG NO.	Bernard Schleder FOREMAN
--------------------------------	-----------------------------------	-----------------	---------------	-----------------------------

Jt No.	DEPTH	TIME	REMARKS
1	0-10	8:00	Top Soil, Brown Clay 2-14
2	10-20	12:15	14-15 14-15 Gravel, 15-20 Clay Brown
3	20-30	12:40	20-28 Blw Clay, Some Gravel, 28-30 Sandy Gravel
4	30-40	12:55	30-40 Good Sand & Gravel, Trace of Coal
5	40-50	1:05	Good Sand & Gravel, Good Water Loss
6	50-60	1:20	Good Sand & Gravel, Good Water Loss
7	60-70	1:35	60-67 Good Sand & Gravel, 67-70 Shale
	67	TD	
			25' - 16" Perforation, Stainless Steel, 100 Slot, 1-15', 1-10'
			42' 15" Solid Plastic
			Gravel Furnished by Farmer
			1½ Hours Drilling Time

Selby, S.D.

WELL REPORT

Walworth County

S.E.-9-124-76

HURON
DRILLING CO.
Huron, S. D.

Aug. 2, 1976

Norman Thorstenson
OWNER

DESCRIPTION

DATE

CASING LOG

Depth 67 ft.
Flows gpm 42 ft. 15" PVC Plastic pipe to 42 ft.
Pumps gpm 25 ft. 16"-Johnson Screen pipe to 67 ft.
Head ft. ft. pipe to ft.
25 Ft. Johnson Stainless Steel
Screen Perforations 100 Slot ft. pipe to ft.

Premure

42-67 Ft.

REMARKS

1½ Hours

Drilling Time

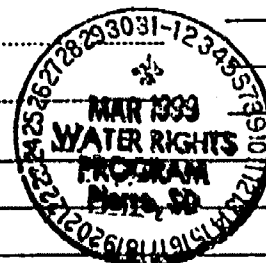
1 - 15 Ft. Stainless Steel Screen

Rig No. 18 1 - 10 Ft. Stainless Steel Screen

Bernard Schleder
Foreman

Gravel furnished by farmer

DM



File No. 3417-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: Norman Thorstenson

ADDRESS: 30627 124th St, Selby, SD

DATE: March 31, 1999

RE: well log

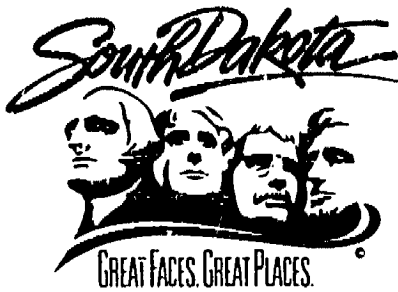
COMMENTS:

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



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

3417-3

Norman Thorstenson
30627 124th St.
Selby, SD 57472-5304

Dear Mr. Thorstenson:

Enclosed is Water License No. 3417-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416023 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 3417-3, 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 License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

ks
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3417-3

(1) Norman Thorstenson, 30627 124th St, Selby SD 57472-5304 made Application No. 3417-3, December 13, 1976 for a water permit to divert 2.85 cubic feet of water per second from groundwater (one well), Walworth County, South Dakota for irrigation purposes. Permit No. 3417-3, with a priority date of December 13, 1976 was approved March 29, 1978 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 29, 1983 and for the application to beneficial use of said water on or before March 29, 1985.

An investigation conducted for licensing purposes found the well under Water Permit No. 3417-3 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.

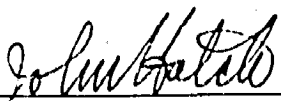
Water Permit No. 2773-3 and this permit utilize the same well.

(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 1.33 cubic feet of water per second for beneficial use. The location of the diversion point is 1,320 feet west and 2,640 feet north of the southeast corner of Section 9-T124N-R76W.

(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:

All in T124N-R76W		
Section 4	SW ¼ SE ¼	31 acres
	SE ¼ SE ¼	31 acres
Section 9	NW ¼ NE ¼	31 acres
	NE ¼ NE ¼	31 acres
Total 124 acres		

(4) Pursuant to South Dakota Water Law 46-5-30.1 Norman Thorstenson, 30627 124th St, Selby SD 57472-5304 the holder and/or owner of Water Permit No. 3417-3 is issued a license to appropriate water, the right to use 1.33 cubic feet of water per second from groundwater (one well) with a priority date of December 13, 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. 3417-3 and subject to South Dakota State Law.

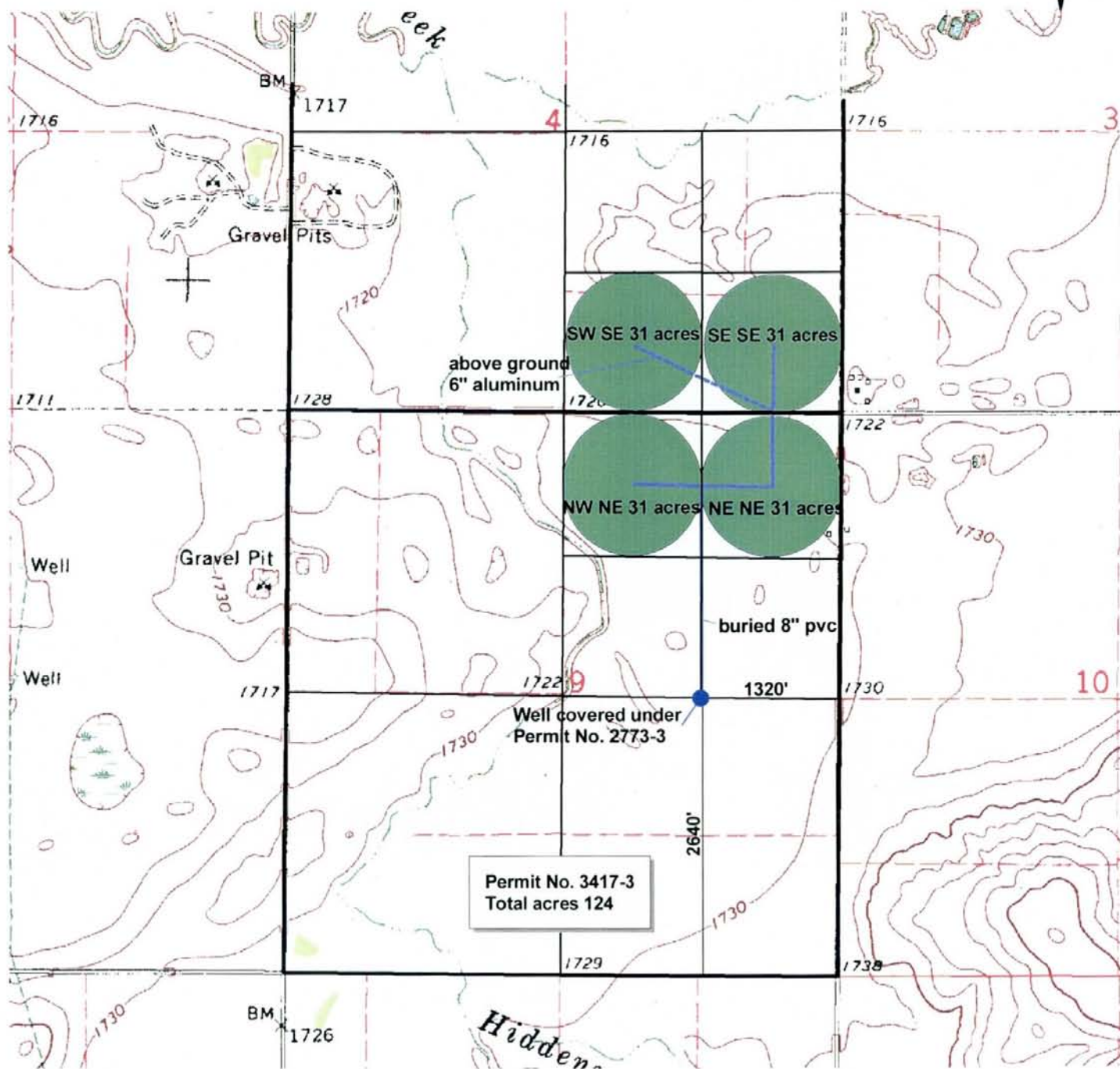

JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 26 1999
date



3417-3

Water Right No. 3417-3



Permit No. 3417-3
Total acres 124

SCALE

2000 0 2000 4000 Feet

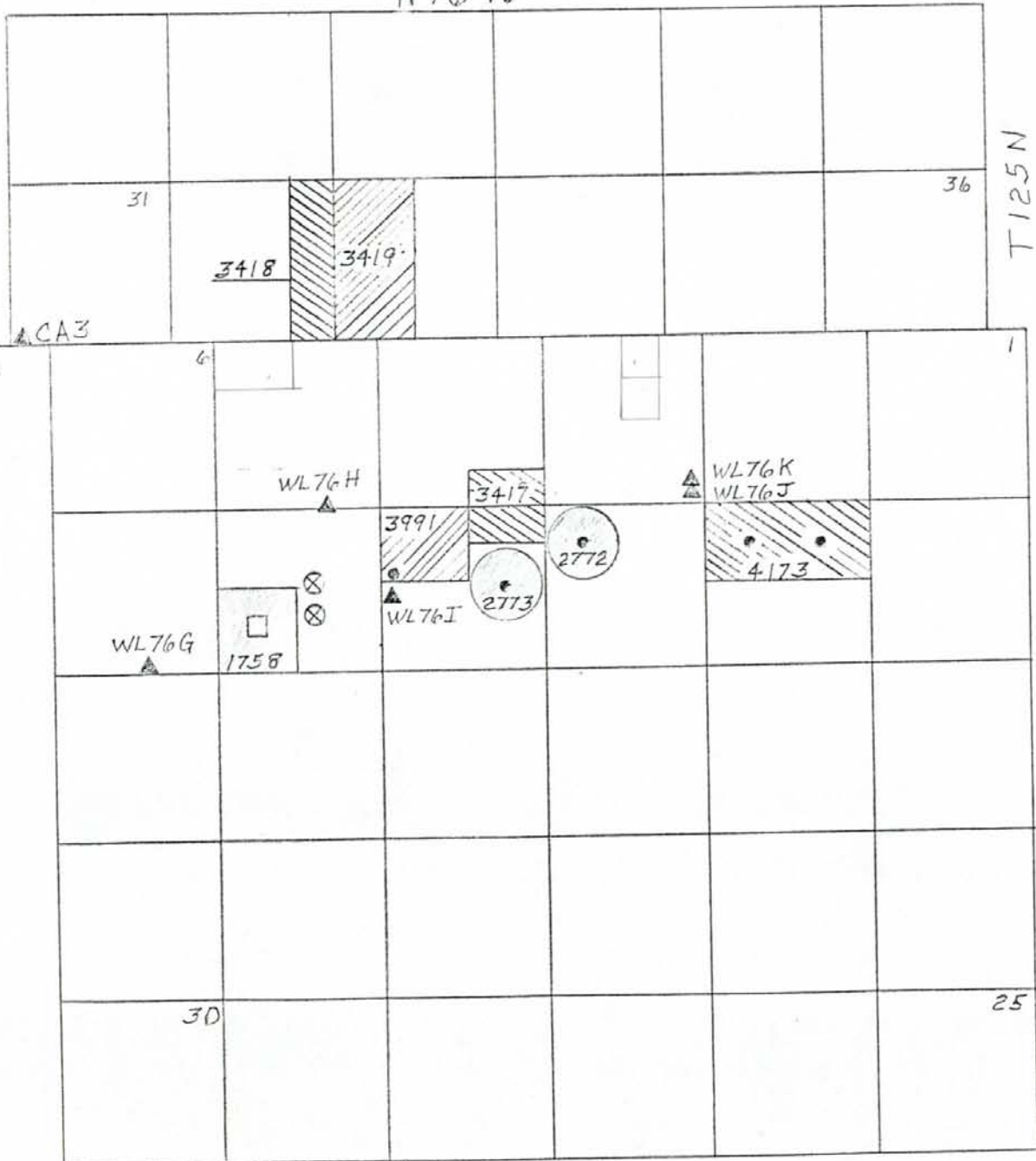
Lynn Beck
Lynn Beck
Natural Resources Engineer III
DENR, Water Rights Program
January 4, 1999

R 76 W

T 125 N

T 124 N

CAMPBELL CO. CA3
WALWORTH CO.



Deferred Applications



Approved Applications

▲ Observation Well

● Production Well

⊗ City Well

HURON DRILLING INC.
WELL LOCATION MAP

Appl # 3417-3

NAME Norman Thorstenson

DATE April 9, 19 76

WELL NO. 1

N.W.

QUARTER, SECTION 10

TWP. 124 RANGE 76 IN Walworth COUNTY



Appl 3417-3
Appl # 2698-3
X — PROPOSED LOCATION

Prepared By

Dick Fadgen

Dick Fadgen

Beadle Co. Extension Agent

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

2011 Water Management Board Irrigation Questionnaire

Please fill out and return before **December 2, 2011**

REMEMBER! Return of this questionnaire is required whether or not you irrigated this year.

Return the completed form(s) to the Water Rights Program at 523 E Capitol, Pierre, SD 57501 3181 ph. (605) 773 3352 or send your form(s) electronically over the internet at <http://denr.sd.gov/iq.aspx>

Permit No. 3417-3

NORMAN THORSTENSON
30627 124TH ST
SELBY SD 57472 5304

Any address/ownership corrections?

Email _____

Phone _____

1. Did you irrigate in 2011? *yes ☐ **no ☒
*If yes, _____ acres were irrigated out of
the 124 acres covered by Permit No. 3417-3

**If no, check reason(s) for not irrigating:
sufficient moisture ☐ no water available ☐
system not constructed ☐ use abandoned ☐
enrolled in CRP ☒, through what year? 2020
other ☐, please explain in the Comment Box:

Comment Box

2. If your answer to question No. 1 is "no," you are done!
If you answered "yes," please complete Nos. 3, 4 & 5.
3. Did you apply chemicals or fertilizer through the system in 2011? yes ☐ no ☐
4. If more than one water source is listed below, circle each source used. **A. GROUNDWATER**
5. Provide your water use on the back of this form.



NWNW	NENW	NWNE	NENE
NW		NE	
SWNW	SENW	SWNE	SENE
NWSW	NESW	NWSE	NESE
SW		SE	
SWSW	SESW	SWSE	SESE

1 square mile

Office use only

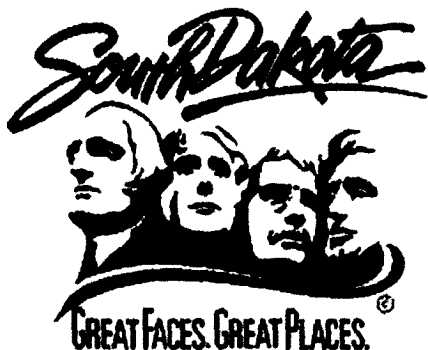
RECEIVED
DEC - 8 2011
WATER RIGHTS
PROGRAM

Acreage permitted for irrigation under No. 3417-3

(see above section map for help reading legal descriptions)

sec 04-T124N-R76W, SW1/4SE1/4 - 31.00 acres
sec 04-T124N-R76W, SE1/4SE1/4 - 31.00 acres
sec 09-T124N-R76W, NE1/4NE1/4 - 31.00 acres
sec 09-T124N-R76W, NW1/4NE1/4 - 31.00 acres

Please provide your 2011 water use to irrigate the above acreage on the REVERSE side of this form.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 9, 2011

2773-3
3417-3

Rory Thorstenson
13067 308th 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

enclosures

RECEIVED

DEC 29 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3417-3

Date: 12-27-11

I/We request that Water Right No. 3417-3

formerly owned by: Norman Thorstenson

be transferred to: (name & address) Rory Thorstenson

13067- 308th Ave

Selby SD 57472

Telephone No. 605 649 7787

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

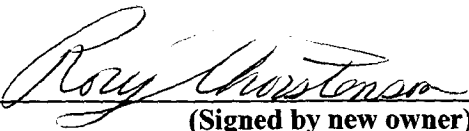
124 acres - S ½ SE ¼ Section 4 and N ½ NE ¼ Section 9, T124N, R76W

I/We understand that the validity of Water Right No. 3417-3 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

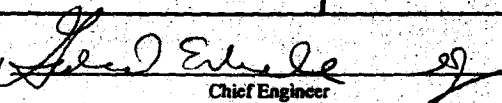
RECEIVED OF Rory Thorstenson 13067 308th ave Selby SD 57472

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>3417-3</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **05189**

By


Chief Engineer

3417-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 29, 2011

2773-3
3417-3

Rory Thorstenson
13067 308th 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

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

June 30, 2021

3417-3

Rory Thorstenson
13067 308th Ave
Selby SD 57472

Dear Mr. Thorstenson:

I am contacting you regarding your Water Right No. 3417-3 (copy enclosed).

Irrigators in South Dakota are required to submit an annual irrigation questionnaire reporting how much water was pumped during the irrigation season. Our records show the land authorized for irrigation under Water Right No. 3417-3 has been in the Conservation Reserve Program through 2020.

The purpose of my letter is to find out the status of irrigation on your property. Please take a few minutes and answer the questions on the attached sheet and return it in the envelope provided. If you have decided not to maintain the water right, let me know that as well.

Thank you in advance for your help in updating the water right.

Sincerely,

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

RECEIVED

Water Right No. 3417-3
Rory Thorstenson

JUL 19 2021
WATER RIGHTS
PROGRAM

Water Right No. 3417-3 authorizes diversion of ground water to irrigate 124 acres in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 4 and N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 9, T124N, R76W, Walworth County.

Do you still own the land described above?

Yes ☒

No ☐ (If no, please list the name and mailing address of the new owner)

Has the land been re-enrolled in CRP:

Yes ☐ through calendar year

No ☒

If the land has not been re-enrolled in CRP, we will begin mailing irrigation questionnaires to you for annual reporting. Questionnaires are mailed to irrigators in October each year and are due back in December.

For informational purposes:

46-5-37.2. Exceptions to forfeiture for nonuse. The provisions of § 46-5-37 notwithstanding, no water right or permit may be forfeited for nonuse if land authorized for irrigation by a permit or right is placed under an acreage reserve or production quota program or otherwise withdrawn from use as required for participation in any federal program, if:

- the water source is not fully appropriated
- if the withdrawal from use does not prevent approval of new permits from the same source, and
- if the appropriated water has been applied to beneficial irrigation use prior to participation in a federal program.