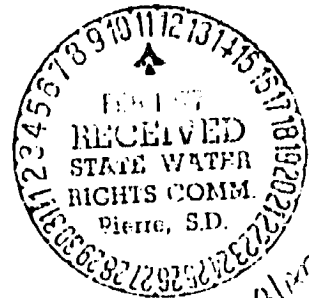


Map No. 2917-3 Water Division No. 3 Big Sioux River District _____
(Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Peter J. Thiex
Post-office address Rt. 1, Volga, SD State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Dealer
3. Name of diversion work Peter J. Thiex
4. Amount of water claimed (cubic feet per second) 4 cfs
5. Source of water supply Well
6. Location of point of diversion Two points: NE 1/4 of the NE 1/4 Sec. 12, 109-51
Southeast corner of NW 1/4 of SE 1/4 of Sec. 1, 109-51
County Brookings
7. Annual period or periods during which water is to be used May--October
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 280

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.
NW 1/4 of the NE 1/4 Sec 12, 109-51	40	NW 1/4 of the SE 1/4 Sec. 1, 109-51	40
NE 1/4 of the NE 1/4 Sec 12, 109-51	40	SW 1/4 of the SE 1/4 Sec. 1, 109-51	40
SW 1/4 of the NE 1/4 Sec 12, 109-51	40	SE 1/4 of the SE 1/4 Sec. 1, 109-51	40
SE 1/4 of the NE 1/4 Sec 12, 109-51	40		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system three (3) years. Additional time required to complete application of water to the proposed beneficial use two (2) years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Brookings Register
12. Principal Features of the Proposed Water Supply System.

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

B. Works proposed to transport water to place of use. PipelineC. Works proposed to apply water to beneficial use. Pivot.Estimated Total Cost \$ 80,000

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

STATE OF SOUTH DAKOTA

County of Brookings

I, Peter J. Thiex, 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 Peter J. ThiexSubscribed and sworn to before me this 7 day of Feb 19 27

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3642-3

PETER J. THIES
(Applicant)

RT #1 VOLGA
(Post Office Address)

SOUTH DAKOTA 57071 With the following modifications.
(State)

The irrigation wells 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.

**INCORPORATED INTO
WATER LICENSE NO. 3951-3**
8/3/81

Date of first receipt of application FEBRUARY 11, 19 77

Date of return to applicant for correction, amendments or change required ---, 19 ---

Date of receipt of corrected application ---, 19 ---

Approved MARCH 23, 19 77, Recorded in Book 18 Page 16

WATER RIGHT PERMIT NO. 3642-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3642-3 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 FEBRUARY 11, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 23, 19 78
3. The whole of said work is to be completed on or before MARCH 23, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 23, 19 82
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 4.0 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 MARCH 23, 19 82; said water to be used during the following described annual period: MAY - OCTOBER

Witness my hand this 20TH day of APRIL, 19 77

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued ---, 19 ---

Water License Issued ---, 19 ---

3642-3

3951-3



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

June 21, 1979

Peter J. Thies
RR #1
Volga, SD 57071

Dear Mr. Thies:

SDCL 46-1-14 authorizes the Water Rights Commission to issue amended permits recognizing the date of priority of the original application if certain conditions are met.

At the May 24, 1979 Commission Meeting, the Commission reviewed the amended Permits that had been issued with the later priority, and granted the earlier priority date to such amended permits.

By this action, the priority date for your Permit No. 3951-3 was established as February 11, 1977 instead of May 9, 1977 as now shown on your copy of the Permit.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/gy

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 28 inches, Depth 30 feet
- (2) Casing, Type Steel Diameter 16 inch Thickness ---
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Johnson, Diameter 16 inch, Length 10 feet
- (4) Gravel Pack, Thickness 6 inch, Length of gravel pack 10 feet

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

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

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

Character of Water bearing materials Sand and gravel
3 feet top soil; 27 feet sand and gravel

Depth to top of water bearing material 6 feet

Depth to bottom of water bearing material 30 feet

Thickness of water bearing material 23 feet

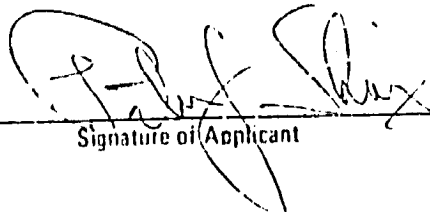
Depth to water (ground surface to water level) 6 feet

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

On same owner's property 40 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.



Signature of Applicant

No. 3642-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brookings) SS.

I, James M. McLellan Jr. hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Brookings Daily Register

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 Brookings of _____

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

March 10, 1977

March 17, 1977

James M. McLellan Jr.
(Signature)

Editor - General Manager

(Title)

3-17-77

(Date Signed)

Legal no. 771 March 10 and 17, 1977
NOTICE
INTENT TO APPROPRIATE WATER
Pierro, South Dakota 57501
March 2, 1977
Notice is hereby given that Peter J. Thlex, whose post office address is Volga, 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 4.0 cubic feet of water per second of time from ground water through the Peter J. Thlex No. 1, the point of diversion of which is to be located in the NE 1/4 NE 1/4, Section 12 and SE corner of NW 1/4 SE 1/4 of Section 1, Twp. 109N, Range 51W. Said water to be used for the purpose of providing irrigation on portions of the following described land: NE 1/4, Section 12, NW 1/4, SE 1/4, S 1/2, SE 1/4, Section 1, T109N, R51W. This application No. 3642-3 will be considered by the Water Rights Commission at their office at Pierre upon the 23rd day of March, 1977, at 10:00 A.M. All interested persons may appear and be heard.
WATER RIGHTS COMMISSION
By James Winterton
Water Rights Specialist



Form 6 - Notice of Intent to Appropriate Water

No. 3642-3

Publish first publication, on or before March 10, 1977

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 2, 1977

Notice is hereby given that Peter J. Thiex
whose post office address is Volga, 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
4.0 cubic feet of water per second of time from the ground water through the
Peter J. Thiex No. 1, the point of diversion of which is to be located in the

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12 and SE corner of NW $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 1, Twp. 109N, Range 51W. Said water to be used for the purpose
of providing irrigation on the following described land:

NE $\frac{1}{4}$, Section 12, NW $\frac{1}{4}$ SE $\frac{1}{4}$, 5 $\frac{1}{2}$ SE $\frac{1}{4}$, Section 1, T109N, R51W

This application No. 3642-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 23rd day of March, 1977, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

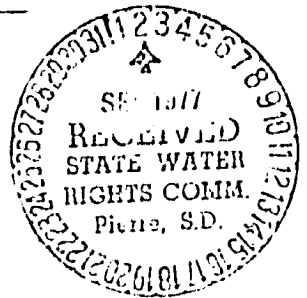
BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Peter J. Thiex, Rt. # 1, Volga, SD 57071

Form 10.

No. 3642-3



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

Post Office Volga, S Dak

Date Aug 15 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. 3642-3.

Water Right Permit No. 3642-3 states that the diversion system is to be constructed by MAY 25, 1986 and that the water is to be put to beneficial use by MAY 25, 1988.

The diversion system was completed on Aug 15, 1977.
Applying the water to beneficial use was completed on Aug 15, 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]
(Signature)
Thayer

No. 3951-3_____



Department of Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

August 6, 1981

Peter J. Thlex
Rt. #1
Volga, SD 57071

Dear Mr. Thlex:

Enclosed herewith is your Water Right Permit No. 3951-3 as approved by the Water Management Board 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. 3951-3.

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 Management Board when you have completed the system and/or have put the water to beneficial use. The Board can then schedule an inspection so that your Certificate of Construction and/or Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

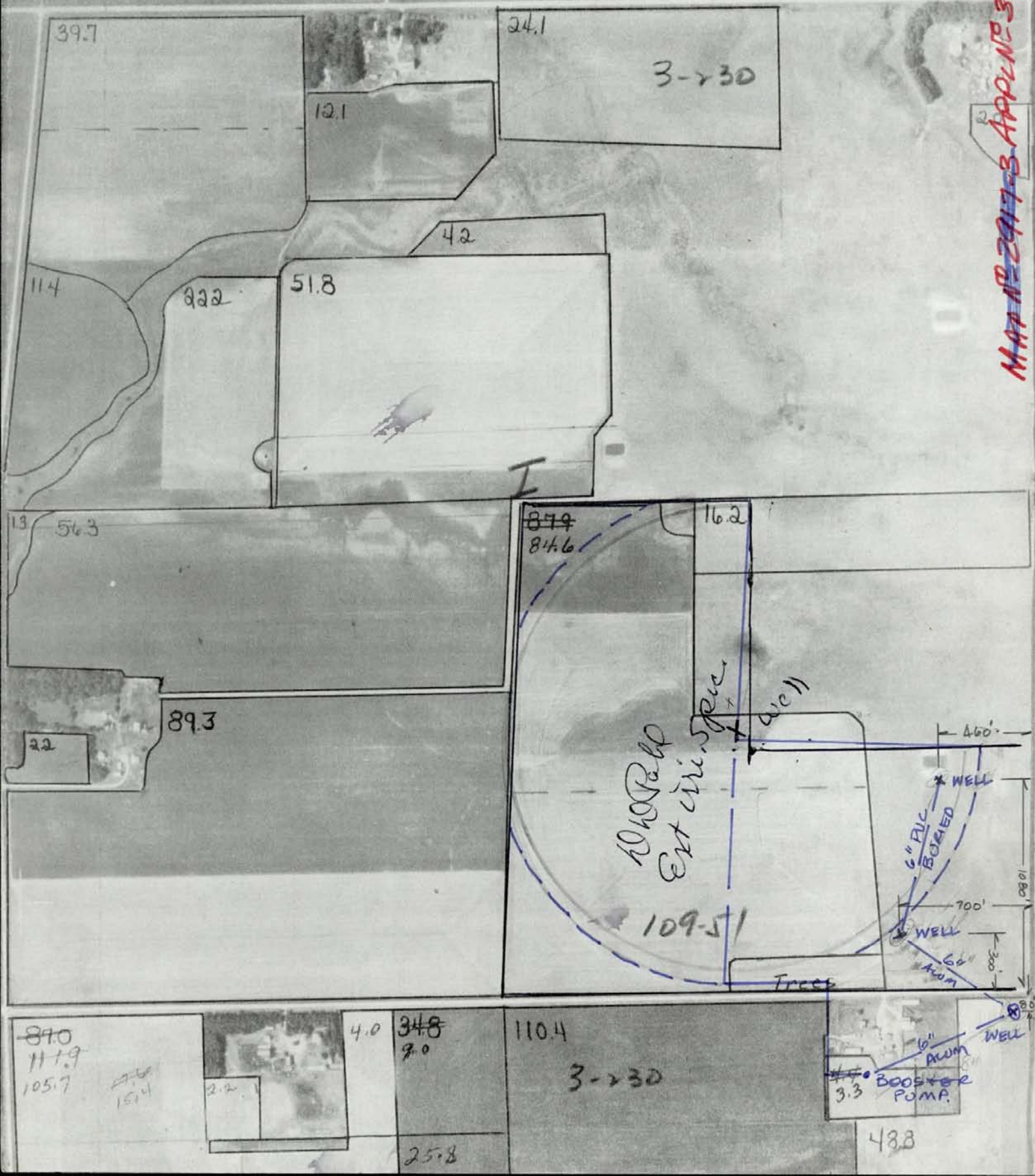
JH: bt

enclosure

NOTE: The applicable portions of Permit No. 3642-2 have been incorporated into Water License No. 3951-3.

NOT TO SCALE

MAP # 2917-3 APPEND 3642-3



109-51

87.9
~~111.9~~
105.7



2.2

4.0
~~94.8~~
9.0

25.8

110.4

3-230



BOOSTER PUMP
2.3

8" ALUM

48.8

6" PUC
BURIED

W D Pahl
Ext cur. spec.

112.3

112.6

100'

12

135.2

245

186

241

574



136

109-51