

Mark 10130106

1. Considered: 10-7, 1982 Water Right No. 4925-3
2. Name of Applicant JO ELLA THORSTENSON Map 4125
3. Post Office Address RR 1, Box 86A, Selby 57472
4. Amount of Water Claimed 2.20 maximum acre feet 70 ft well
5. Source of Water Supply 70 ft well
6. Water to be used for IRRIGATION acres to be irrigated 160
7. County Walworth about 4 1/2 N 1 miles east of Selby
8. PROOF OF PUBLICATION: Received 10-4-82 Not Received _____
 APPLICATION: Approved 10-7-82 Subject to WI-10
 Not Approved _____ Action Deferred _____

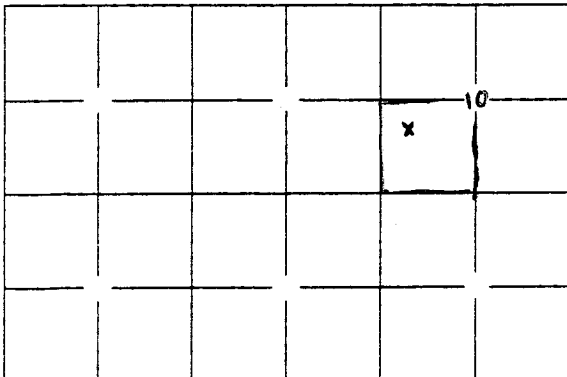
PRIORITY 8/25/82 Dated Received 8/25/82 Application complete-yes x no _____ FEE 250.00
 Remarks _____

Corrected Application received _____ Period of Annual Use May 1-Nov 1

WATER
QUALITY

Received yes 8/17/82 no _____ APPROVED/CONDITIONAL (Circle one)
 WI-1 Description same as application-yes _____ no _____ Remarks _____

Disapproved _____ Returned _____



Diversion Point _____
NW 1/4 SW 1/4 10-124N-76W

Land to be irrigated _____
SW 1/4 10-124-76

WELL LOG Driller M & W Drilling Licensed - yes #89 no _____
 Depth 70 deep

Remarks _____

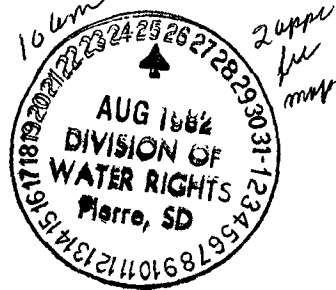
MAP Map No. 4125-3 Map located in Water Right ✓ Map file _____
Type of Map aerial Prepared by _____ Co extension agent _____

9-10-82

(Signed)

PROTESTS	Letters/Petitions in File -	yes	no	Remarks
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REMARKS	Date
F.F. & C.	Final Decision, including F.F. & C. of Law were adopted _____
OF LAW,	
FINAL	Date
DECISIONS	Final Decision mailed to parties and/or parties notified that Final Decision was
ETC.	adopted _____
	Remarks



No. 4925-3
 Map No. 4125-3 Water Division No. 3 MISSOURI RIVER District
 Above for Office Use 10130106

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant JO ELLA THORSTENSON Phone No. 649-7304
 Post Office Address R.R.1 BOX 86A SELBY State S.D. 57472
(Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT

3. Name of diversion work J. THORSTENSON IRRIGATION UNIT #1

4. Amount of water claimed (cubic feet per second) 2.2 Cu. Ft./SEC.

5. Source of water supply J. THORSTENSON IRRIGATION WELL #1

6. Location of point of diversion NW 1/4 of SW 1/4 of 10-124-76

County WALWORTH

7. Annual period or periods during which water is to be used MAY 1 - NOVEMBER 1

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.
<u>NW 1/4 of SW 1/4 - 10-124-76</u>	<u>40</u>
<u>SW 1/4 " " " "</u>	<u>40</u>
<u>NE 1/4 " " " "</u>	<u>40</u>
<u>SE 1/4 " " " "</u>	<u>40</u>

Land Description	No. Acres Irr.

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 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water LEOLA COUNTY HERALD

12. Principal Features of the Proposed Water Supply System.

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

IRRIGATION WELL & PUMP

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

IRRIGATION PIPE

C. Works proposed to apply water to beneficial use.

CENTER PIVOT IRRIGATION SYSTEM

Estimated Total Cost \$ 50,000.

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

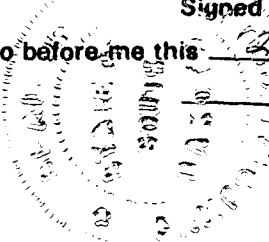
STATE OF SOUTH DAKOTA)
 County of CAMPBELL) ss.

I, KEN 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 [Signature]

Subscribed and sworn to before me this 24 day of August, 19 82

Marie Brockel Dep.
 Notary Public (or other qualified officer)



CAMPBELL COUNTY
 SOUTHERN DIVISION
 BOUNDARY, SOUTH DAKOTA

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4925-3

JO ELLA THORSTENSON

RR 1, Box 86A, Selby

South Dakota (Applicant) 57472

(Post Office Address)

(State)

With the following qualifications

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

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

~~This Permit is approved for groundwater less than 100 feet deep.~~

Date of first receipt of application August 25, 1982

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

Date of receipt of corrected application WQ September 17, 1982, 19

Approved October 7, 1982, Recorded in Book Page

WATER RIGHT PERMIT NO. 4925-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4925-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is August 25, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before April 7, 1985
3. The whole of said work is to be completed on or before October 7, 1987
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is October 7, 1991
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 2.20 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 irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before October 7, 1991; said water to be used during the following described annual period: May 1 to November 1

Witness my hand this 13th day of October, 1982

THE WATER MANAGEMENT BOARD

By:

Chief Engineer, Water Rights

JOHN HATCH

Certificate of Construction Issued, 19

Water License Issued, 19

D Well Information (SIZE ETC. UNKNOWN AT THIS TIME)

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc.)
- (3) 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.

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 23'

Depth to bottom of water bearing material 66'

Depth to water (ground surface to water level) 23'

} SEE ATTACHED
WELL LOG

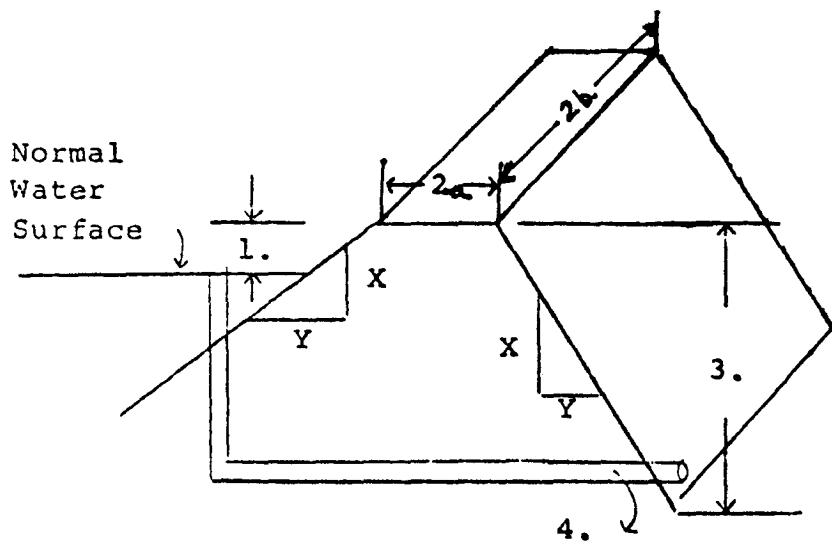
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property - NONE - 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
- 2a Crest width _____ b. length _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
Surface area of impoundment _____
- Drainage area above dam _____

[Signature]
Signature of Applicant
[Signature]
President of Goella Chapter

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8947

PIERRE, April 25, 1902

RECEIVED OF Jo Ella Thorstenson, 3271 10x 36A. Selby, South Dakota 57472

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

Fee for Application for Permit to Appropriate Water No. 4025-4 (examination, processing, recording and filing) -----	250	00
Fee for inspecting Construction, and issuing Cert. of Construction No.-----		
Fee for inspecting Beneficial Use, and issuing Water License No-----		
Fee for issuing Location Certificate-Dry Draw, No.-----		
Fee for filing -----		
Fee for certified copy of -----		
Fee for Print copy of map -----		
Fee for Certifying -----		
Fee for ----- (any other work as provided by law)		
TOTAL	250	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH/mis

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

WELL DRILLER'S REPORT

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

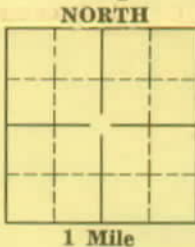
1. WELL OWNER

Name Ken THORNTON

Address 5616 1/2 S.D.

2. WELL LOCATION

Sketch map location must agree with written location.



County _____
1/4 _____ 1/4 _____ 1/4 Sec. _____ Twp. _____ N. Rg. _____ W.

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Industrial
☐ Stock ☐ Municipal ☒ Test Hole

4. METHOD DRILLED

☐ Cable ☐ Reverse Rotary ☐ Bored
☒ Forward Rotary ☐ Jetted ☐ Other
If other, specify _____

5. WATER QUALITY

Was a water sample collected for chemical analysis?

☒ Yes ☐ No

If so, to what laboratory was it sent _____

6. WELL CONSTRUCTION

Diameter of hole 4 3/4 inches. Depth 70' feet.

Casing: ☐ Steel ☐ Plastic ☐ Concrete
☐ Threaded ☐ Welded ☐ Other

If other, specify _____

Pipe Weight: _____ Diameter: _____ From: _____ To: _____
lb/ft. _____ inches _____ feet _____ feet
lb/ft. _____ inches _____ feet _____ feet
lb/ft. _____ inches _____ feet _____ feet
lb/ft. _____ inches _____ feet _____ feet

Was perforated pipe used? ☐ Yes ☐ No

Length of pipe perforated _____ feet

Was casing left open end? ☐ Yes ☐ No

Was a well screened installed? ☐ Yes ☐ No

Material _____ Diameter _____ inches
(stainless steel, bronze, etc.)

Slot size _____ set from _____ feet to _____ feet

Slot size _____ set from _____ feet to _____ feet

Slot size _____ set from _____ feet to _____ feet

Slot size _____ set from _____ feet to _____ feet

Was a packer or seal used? ☐ Yes ☐ No

If so, what material _____

Type of well: Straight screen ☐ Gravel packed ☐

Was the well grouted? Yes ☐ No ☐

To what depth? _____ feet

Material used in grouting _____

Well head completion: Pitless adapter _____

12" above grade _____ Other _____

If other, specify _____

Was well disinfected upon completion? ☐ Yes ☐ No

7. WATER LEVEL

Static water level _____ feet below land surface

If flowing: closed-in pressure _____ psi

GPM flow _____ through _____ inch pipe

Controlled by: ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other Well in N.W. corner

Pumping level below land surface:

_____ ft. after _____ hrs. pumping _____ gpm

_____ ft. after _____ hrs. pumping _____ gpm

_____ ft. after _____ hrs. pumping _____ gpm

9. WELL LOG NW

Formation	Depth (ft.)	
	From	To
Topsoil	0	1
Brown Clay	1	23
Coars Brown Oxidized		
Gravel	23	35
Clean Coarse Sand		
& Gravel	35	66
Gray Clay	66	70
Well 22-1 (Part)		
Topsoil	0	1
B. Oxidized Sand	1	20
B. Clay	20	32
Gr Clay	32	56
Sand	56	57
Shale	57	60

(Use separate sheet if necessary.)

10. DATE COMPLETED 4-24-82

11. WAS WELL PLUGGED OR ABANDONED?

☐ Yes ☐ No

If so, how _____

12. REMARKS:

Installed 2" PVC To 6' & Second Water Sample

13. DRILLER'S CERTIFICATION

This well was drilled under my jurisdiction and this report is true to the best of my knowledge.

M. W. Drilling
Driller's or Firm's Name

37
Certificate No.

1866 N 22nd Bismarck ND
Address

[Signature]
Signed by

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

[illegible]

No. 4925-3

Publish first publication, on or before September 23, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 17, 1982

Notice is hereby given Jo Ella Thorstenson whose post office

address is RR 1, Box 86A, Selby, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41 (~~ground~~) 46-6-3 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (~~future use~~) 46-5-38; (~~transfer lands~~) 46-5-33 thru 46-5-35 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, (~~future use~~) 74:02:01:23 thru 74:02:01:26 (10,000 AFA) ~~74:02:07:01 thru 74:02:07:03~~; for a permit to appropriate for beneficial use

2.20 cubic feet of water per second of time from groundwater (one well)

through the J Thorstenson Irrigation Unit #1, the point ~~(s)~~ of diversion which is ~~(are)~~ to be located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 10, Twp. 124N, Range 76W. Said water to be used for purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$, Section 10, T124N, R76W

This Application No. 4925-3 will be considered by the Water Management Board at Meeting Room #1,
Knelp Building, Church & Illinois, Pierre SD upon the 7th day of October, 1982

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNr, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-806-2/82

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Walworth) ss.

I, Fritz Clement hereby

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

Water was taken from the Selby Record

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

City Selby of Selby

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

September 23, 1982

September 30, 1982

Fritz Clement
(Signature)

Publisher
(Title)

90-1-82

(Date Signed)

Cost of Printing: \$23.04

NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501
September 17, 1982

Notice is hereby given, Jo Ella Thorstenson, whose post office address is RR1, Box 86A, Selby, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41, 46-6-3 thru 46-6-5, 46-6-6.1; 46-6-10, 46-6-13, 46-6-14, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, for a permit to appropriate for beneficial use 2.20 cubic feet of water per second of time from ground water (one well) through the J. Thorstenson Irrigation Unit No. 1, the point of diversion which is to be located in the NW¼ SW¼ of Section 10, Twp. 124N, Range 76W. Said water to be used for purpose of providing irrigation on portions of the following described land: SW¼, Section 10, T124N, R76W.

This Application No. 4925-3 will be considered by the Water Management Board at Meeting Room No. 1, Kneip Building, Church & Illinois, Pierre, S. D. upon the 7th day of October, 1982 at 10 a. m. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre, S. D., prior to the hearing date for assistance to assure access to the hearing.

For the Water
Management Board
Betty Westlund,
Water Rights Specialist

923-930

CONDITIONAL

#3076

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Jo Ella ThorstensonLEGAL DESCRIPTION: SW¹ 10-124-76SOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

The areas marked in red (MdC and VzD) are restricted to alfalfa,
alfalfa & grass or grass due to slope range (6-15%).

RECOMMENDED MANAGEMENT:Paul M. Felt
SIGNATURE9-17-82
DATE

Division of Conservation

WR#

OWNERS NAME: J D L L L A / Nov 2 OWNERS ADDRESS: H B H + 8 x 3 6 A

COUNTY LAND LOCATED IN: Wahkiakum Co PHONE: 3647 7304

TENANT'S NAME AND ADDRESS:

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION East well NW 1/4 of SW 1/4 10 12 N 76

Depth 1000 fms. below

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____

Diversion Location _____

Legal Description	Acres	Legal Description	Acres
SW 1/4 of 10 124N76	160		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED _____

LEGAL DESCRIPTION: None

IN WHAT NAME: _____

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: X GUN: _____ (Specify) _____

6. CROPS TO BE IRRIGATED: corn, alfalfa

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 82-1156 10. ADJUSTED (SAR): 2.64

8. SALINITY (EC X 10⁶): 900 11. PERCENT SODIUM 21.88

9. SODIUM (SAR): 1.13

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: _____

by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature _____

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

6/5 DAY OF June, 1972

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date _____

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

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:

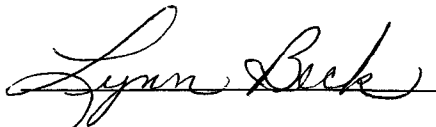
Permits with land in CRP 87-97 program:

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:

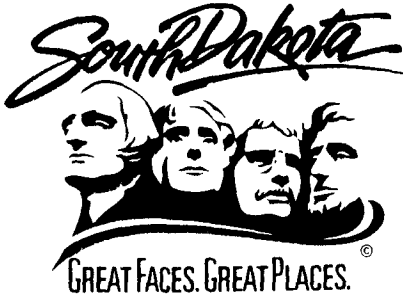
2772-3 which should be licensed with Permit No. 3417-4 which has land in CRP. 2773-3 which should be licensed with Permit No. 4925-3.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

No. 4925-3

January 9, 1996

NOTICE TO SUBMIT CHEMIGATION REPORT

**JO ELLA THORSTENSON
RR1 BOX 132
SELBY, SD 57472**

Dear Mr. THORSTENSON:

We recently received your 1995 Irrigation Questionnaire(s) for Permit No(s). **4925-3**. You indicated that chemicals (fertilizer, fungicide, insecticide or herbicide) are applied through your irrigation system. According to South Dakota Chemigation Rules, chemigation users are required to keep records of the dates and hours that chemicals are applied, plus the name and quantity of the chemicals applied. We have enclosed 1995 chemigation report form(s) and request that you fill out and return the form(s) in the postage paid envelope provided. Please return the completed forms by January 31, 1996.

If you have any questions or need help filling out the chemigation report(s), you may contact Barry McLaury, Environmental Scientist, 523 E. Capitol, Pierre, SD 57501 (605-773-3352).

Sincerely,

RON DUVALL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Program

enclosures



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: JO ELLA THORSTENSON
RR1 BOX 132
SELBY SD 57472

FROM: Ron Duvall, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Program

RE: Failure to Report Chemical Use under Water Permit No(s) 4925-3

The first notice to file chemigation report(s) for Permit No(s) 4925-3 was dated 1/11/96. Our records indicate that we have not received the 1995 chemigation report for Permits No(s) 4925-3. The Water Management Board has directed that owners of water permits who have not submitted the 1995 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing held by the Board is to determine what action is to be taken concerning violation of administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application.

The hearing will be held at 9:45 A.M. on March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). 4925-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the chemigation report(s) is(are) received by this office on/or before March 1, 1996 your name will be deleted from the board agenda.

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

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to: _____

Jo Ella Thorstenson
RR 1, Box 132
Selby SD 57472

4a. Article Number

2 348 318 916

4b. Service Type

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

7. Date of Delivery

2-02-96

5. Received By: (Print Name)

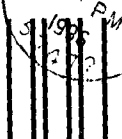
8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

Jo Ella Thorstenson

UNITED STATES POSTAL SERVICE



First Class Mail
Postage & Fees Paid
USPS
Permit No. G-18

• Print your name, address, and ZIP Code in this box •

DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES
WATER RIGHTS PROGRAM
1000 E. BENTLEY AVE. BOSS BLDG.
SIOUX FALLS, SOUTH DAKOTA 57501





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 1996

Permit No. 4925-3

**JO ELLA THORSTENSON
RR1 BOX 132
SELBY, SD 57472**

Dear Ms. THORSTENSON:

I am writing to acknowledge receipt of your 1995 chemigation questionnaire. You may disregard the January 30, 1996 notice of "Failure To Submit Chemigation Questionnaire." The questionnaire has been received and your name is deleted from the Water Management Board agenda.

Sincerely,

**Barry A. McLaury
Environmental Scientist
Water Rights Program
(605) 773-3352**

SENDER:

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

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

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

Consult postmaster for fee.

3. Article Addressed to:

JO ELLA THORSTENSON
RR 1 BOX 132
SELBY SD 57472

4a. Article Number

2119 141 509

4b. Service Type

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

7. Date of Delivery

1-10-98

5. Received By: (Print Name)**8. Addressee's Address (Only if requested and fee is paid)****6. Signature: (Addressee or Agent)**

UNITED STATES POSTAL SERVICE



HELP GOODWILL

First-Class Mail

Postage & Fees Paid

USPS

Permit No. G-10

THE HANDS

• Print your name, address, and ZIP Code in this box •

DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES

WATER RIGHTS PROGRAM

523 E. CAPITOL JOE FOSS BLDG.

PIERRE, SOUTH DAKOTA 57501





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: JO ELLA THORSTENSON, RR 1 BOX 132, SELBY SD 57472

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

RE: Requirement to Report 1997 Chemical Use

The first notice to file chemigation report(s) for Permit No(s) **4925-3** was dated October 17, 1997. Our records indicate that we have not received your 1997 chemigation report(s). The Water Management Board has directed that owners of water permits who have not submitted the 1997 chemigation report(s) be given notice of violation and of hearing before the Board. The hearing is to determine what action is to be taken concerning violation of Administrative rule 74:02:09:02(3). This rule requires chemigation users to report the type of chemical applied, the dates, hours and amount of chemical application

The hearing will be held at 9:45 am, February 25, 1998, Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 34A-2A through 34A-2A-5; 46-1-12, 46-1-14, 46-2-11, 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation or up to three years for the second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s). **4925-3** in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 20, 1998, contact the Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the chemigation report(s) is(are) received by this office prior to February 20, 1998 you will no longer be in violation and your name will be deleted from the Board agenda.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: JO ELLA THORSTENSON, RR 1 BOX 132, SELBY, SD 57472

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

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 4925-3. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 4925-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:45 am, February 25, 1998 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4925-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1998

4925-3

Jo Ella Thorstenson
RR 1 Box 132
Selby, SD 57472

Dear Ms. Thorstenson:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire and chemical reporting form. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 4925-3.

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

If you have any questions, please contact me.

Sincerely,

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

Permit No. 4925-3
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 JoElla Thorstenson of Selby, SD 57472 holder of Permit No. 4925-3, bearing the priority of August 25, 1982 authorizing the diversion of 2.20 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 70 feet deep with 66 feet of 4 inch pvc casing of which there is 33 feet of 4 inch slotted pvc screen. The well has a submersible pump with an 800 gpm capacity and a Franklin motor rated at 70 hp.

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

760 feet of 6 inch pvc pipe and 858 feet of 8 inch pvc pipe.

C. Works used to apply water to beneficial use:

Zimmatic center pivot 1320 feet in length with 8 towers and an end gun. It is a low pressure system.
Olsen center pivot 300 feet in length with 3 towers and an end gun. It is a low pressure system. The two pivots operate simultaneously at 800 gpm.

The system is in the following condition good. The point of diversion is located 627' S and 759' E of the W¼ corner of Section 10, T124N, R76W. The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows: All in Section 10, T124N, R76W.

SW¼ NW¼ 3 acres

SW¼ SW¼ 31 acres

NE¼ SW¼ 31 acres

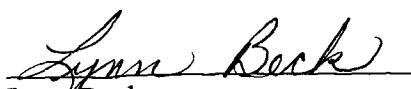
SE¼ SW¼ 31 acres

NW¼ SW¼ 34 acres

comprising a total of 130 acres of land and the license should be issued for 1.78 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: This project was developed with three acres of irrigation occurring in the SW¼ NW¼ which is not covered under Permit No. 4925-3. These acres are contiguous with the permitted lands and do not exceed the permitted amount of acres. A report for licensing of acreage outside of the permitted acres accompanies this report.


Lynn Beck

Natural Resources Engineer
DENR, Water Rights Program

12-3-98
Date

REPORT ON INSPECTION OF PERMIT NO. 4925-3

DATE OF INSPECTION: 9-28-98

Other permit(s) associated with the project: 2772-3

NAME & ADDRESS OF INSPECTION CONTACT: Ken Thorstenson, RR 1 Box 132, Selby, SD 57427

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: son

NAME & ADDRESS OF PERMIT HOLDER: JoElla Thorstenson, Selby, SD 57427

DIVERSION POINT LEGAL LOCATION: 759' E and 627' S of the W ¼ corner, Section 10-T124N-R76W.

WELL INFORMATION:

- 1) Well Drilling Firm: M & W Drilling
- 2) No. of Wells 1
- 3) Depth(s) 70 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 4 inches
- 2) Length 66 feet
- 3) Type pvc

Screen:

- 1) Type pvc
- 2) Length 33 feet
- 3) Static water level 23 feet

Pump:

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

Motor:

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

DISTRIBUTION LINES OR CANALS:

- 1) Type pvc 2) Size 6 3) Length 760 feet
- 2) Type pvc 2) Size 8 3) Length 858 feet

SYSTEM TYPE:

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

- 1) Make Zimmatic
- 2) Overall length 1320
- 3) Number of towers 8
- 4) End gun yes
- 5) High or low pressure low
- 6) Capacity 800 GPM in combination with the Olson center pivot.

Center Pivot: In portions of the SW NW and NW SW Section 10-124-76.

- 1) Make Olson
- 2) Overall length 300
- 3) Number of towers 3
- 4) End gun yes
- 5) High or low pressure low
- 7) Capacity 800 GPM in combination with the Zimmatic center pivot.

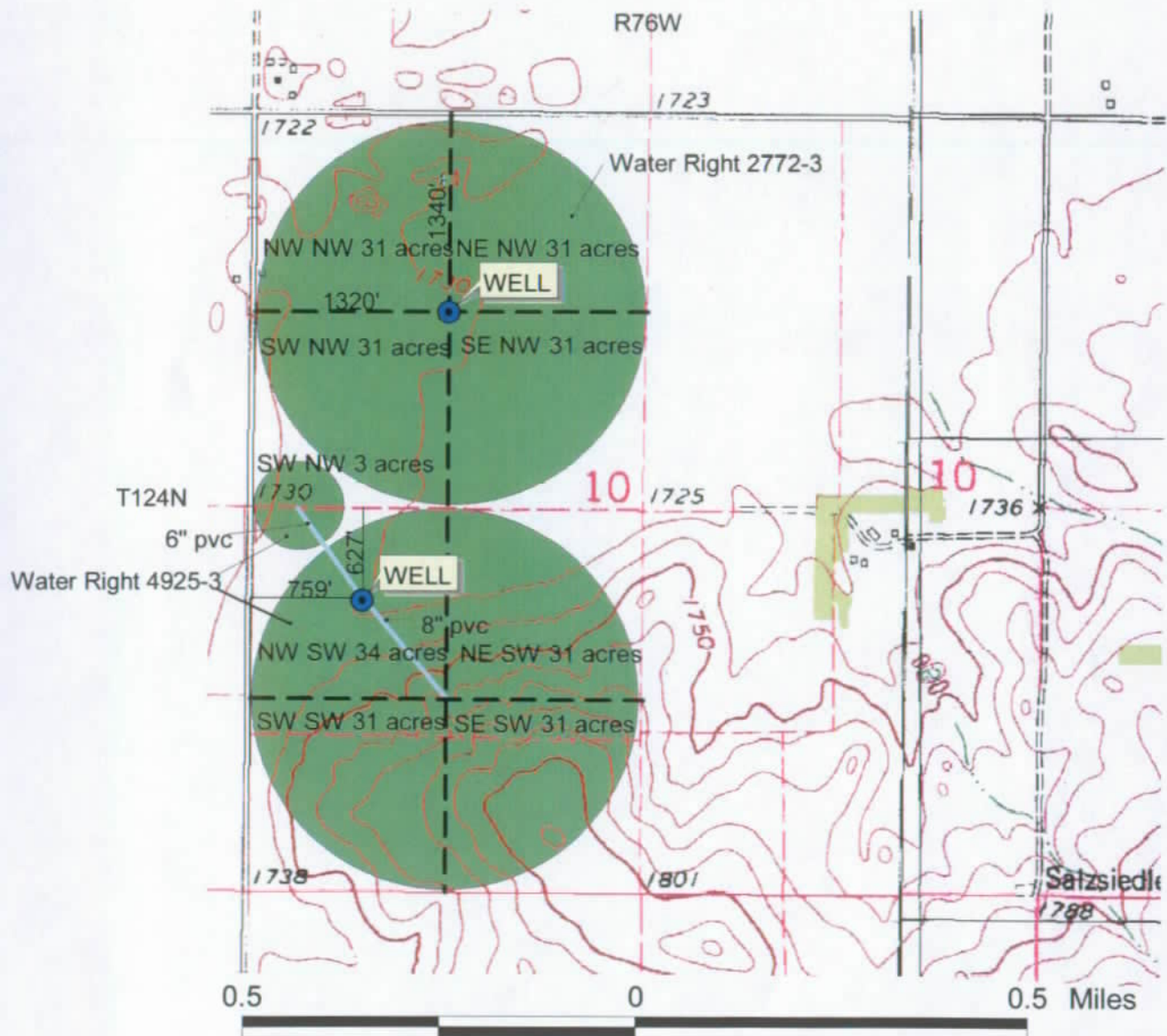
CHEMIGATION EQUIPMENT:

- 1) Does chemigate yes
- 2) Main line check valve yes
- 3) Inspection port/air relief yes
- 4) Low pressure drain yes
- 5) Discharge is 20' from source yes
- 6) Interlock type electric
- 7) Injection pump type piston
- 8) Injection check valve yes
- 9) Injection line check valve or positive displacement pump yes
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules yes
- 11) Comments : none

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 Right 2772-3 and 4925-3



Lynn Beck

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

Licensing of Acreage Outside of Permitted Area

NAME: JoElla Thorstenson c/o Ken Thorstenson

ADDRESS: RR 1 Box 132, Selby, SD 57427

DATE: December 3, 1998

COUNTY: Walworth

TELEPHONE: (605) 649-7050

AUTHORITY

Pursuant to SDCL 46-5-30.5, acreage developed for irrigation outside of the area described on the permit may be licensed provided the following conditions are met:

NO INCREASE IN PERMITTED ACREAGE OR WATER APPROPRIATED:

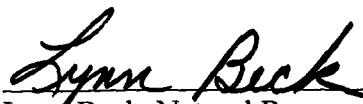
The acreage developed for irrigation is **130** acres as compared to **160** acres authorized by the permit. Licensing of the permit will result in a reduction in the amount of water appropriated.

UNPERMITTED ACREAGE:

- **Contiguous to Permitted Acreage**
3 acres in the SW¹/₄ NW¹/₄ of Section 10, T124N, R76W.
- **Owned by Same Property Owner**
yes
- **Developed Prior to Expiration of Construction Period**
yes

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the 3 acre area be included in the water license.



Lynn Beck, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-30.5 that:

This acreage change does not impair existing water rights and the overall project, as developed, is consistent with the original application. Licensing of the unpermitted acreage may occur without application or publication pursuant to SDCL 46-2A-4.

 1-6-99

John Hatch, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 11, 1999

2772-3
4925-3

Ken Thorstenson
604 E. Theodore Street
Selby, SD 57427

Dear Mr. Thorstenson:

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

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

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

Sincerely,

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

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

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: Jo Ella Thorstenson, %Ken Thorstenson

ADDRESS: 604 E Theodore St, Selby, SD

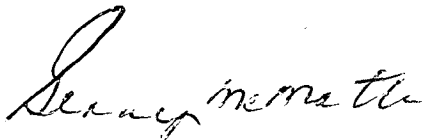
DATE: April 5, 1999

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.

I called M & W Drilling and obtained a copy of the well log for the production well. The log has been placed in the water right file with a copy placed in the domestic well log 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

2772-3
4925-3

Ken Thorstenson
604 E. Theodore Street
Selby, SD 57472

Dear Mr. Thorstenson:

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

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 2772-3 and 4925-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water Licenses, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

ks
enclosures

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

N2 416025

Pierre, January 88, 1999

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

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

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

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

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. 4925-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

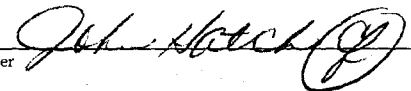
(Any Other Work Provided by Law)

Total

50 00

50 00

By _____
Chief Engineer



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4925-3

(1) JoElla Thorstenson, Selby SD made Application No. 4925-3, August 25, 1982 for a water permit to divert 2.20 cubic feet of water per second from groundwater (one well), Walworth County, South Dakota for irrigation purposes. Permit No. 4925-3, with a priority date of August 25, 1982 was approved October 7, 1982 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 7, 1987 and for the application to beneficial use of said water on or before October 7, 1991.

An investigation conducted for licensing purposes found acreage developed for irrigation outside of the area described on the permit. Pursuant to SDCL 46-5-30.5, the Chief Engineer makes a finding that existing water rights will not be impaired and the overall project, as developed, is consistent with the original application.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is 627 feet south and 759 feet east of the west ¼ corner of Section 10-T124N-R76W (NW ¼ SW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 10-T124N-R76W	NE ¼ SW ¼	31 acres	SW ¼ NW ¼	3 acres
	SW ¼ SW ¼	31 acres		
	SE ¼ SW ¼	31 acres		
	NW ¼ SW ¼	34 acres		
Total 130 acres				

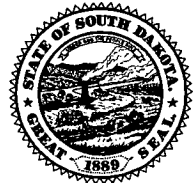
(4) Pursuant to South Dakota Water Law 46-5-30.1 JoElla Thorstenson, c/o Ken Thorstenson, 604 E Theodore St, Selby SD 57472 the holder and/or owner of Water Permit No. 4925-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater (one well) with a priority date of August 25, 1982 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. 4925-3 and subject to South Dakota State Law.



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

APR 26 1999

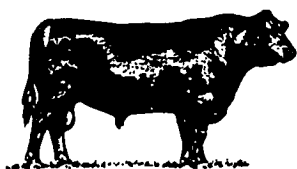
date



SW $\frac{1}{4}$ 10124, 76

[illegible]

4925-3



ANGUS



THORSTENSON

GELBVIEW & ANGUS

30384 130th St., Selby, S.D. 57472
Fax 605-649-7361 E-Mail vwthor@sbt.com
BalancerBulls.com

Ken & Jo Thorstenson

(605) 649-7304

Vaughn & Wendy Thorstenson

(605) 649-6262

Brian & DeDee Begeman

(605) 649-9927



GELBVIEW

RECEIVED

NOV 22 2010

WATER RIGHTS
PROGRAM

NOV 19th 2010

To Whom it may concern:

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

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

Would it be possible to get all these water permits changed on ownership to Lazy T Ranch? Joella, Ken's wife, is owner on permit 4925-3 and has given verbal instructions for her to be switched. Please give me instruction on how to proceed.

Thank you

Brian Begeman

begeman@venturecomm.net

cell 230-0591



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 22, 2010

Brian Begeman
30530 130th St
Selby SD 57472

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

Dear Mr. Begeman:

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures

RECEIVED

DEC - 6 2010

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 4925-3

Date: 12-3-10

I/We request that Water Right No. 4925-3

formerly owned by: JoElla Thorstenson

be transferred to: (name & address) LAZY TV RANCH

12980 CEDAR RD

SELBY, SD 57472 Telephone No. 605 649 6262

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

130 acres - SW ¼ and SW ¼ NW ¼ Section 10, T124N, R76W

I/We understand that the validity of Water Right No. 4925-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

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

Lazy TV Ranch by Brian K Beggs, owner
(Signed by new owner)

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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 12/6, 20 10

RECEIVED OF Lazy TV Ranch 12980 Cedar RD Selby SD 57472

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50 00	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>4925-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No.

04691

By

Harold Erdels
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 22, 2010

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

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

Dear Mr. Begeman:

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

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

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

Sincerely,

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

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

enclosures