

WATER PERMIT NO. 6294-3

Name of Applicant: Kenneth Thorstenson

Address: 804 E Theodore St, Selby SD 57472

Phone: 605 649-7304

Amount of Water Claimed: 2.22 cfs

Total Acres: 132

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Campbell

Type of Waste Disposal System:

Location: 7 miles northwest of Selby

PRIORITY

Date Received: 1-29-02

Fee: \$250

Corrected Application Received:

Period of Annual Use: May 1 – September 30

Remarks:

Diversion Point: E ½ NE ¼ Section 25-T125N-R77W

Land to be Irrigated: E ½ NE ¼ Sec 25-T125N-R77W and W ½ NW ¼ Sec 30-T125N-R76W

Depth of Well: 205 feet deep

Well Driller: : M & W Drilling

Remarks:

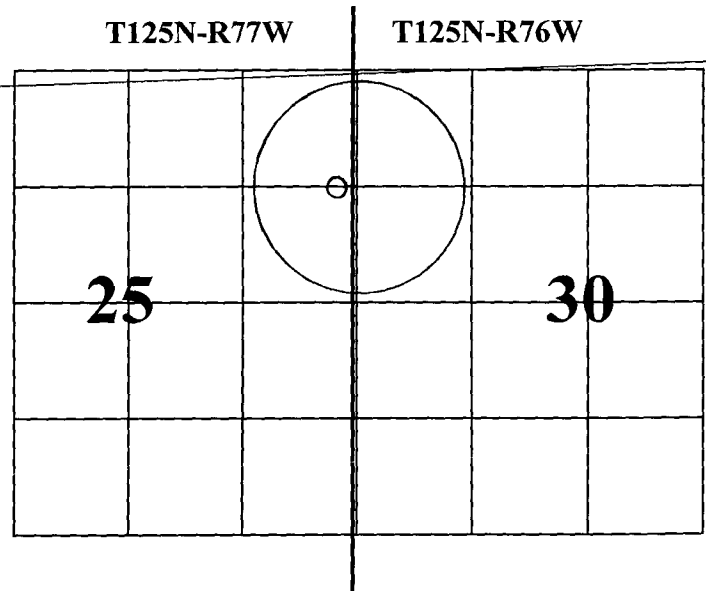
Type of Map: aerial

Prepared by: Gloria Huber, Campbell Co. FSA

Reviewed and the Number Assigned on: 1-29-02

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



SOUTH DAKOTA
WATER PERMIT NO. 6294-3

Date of first receipt of application January 29, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6294-2 to Kenneth Thorstenson, 604 E Theodore St, Selby SD 57472 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6294-3 appropriates 1.88 cubic feet of water per second (cfs) from one well (Grand Aquifer) 205 feet deep located in the E ½ NE ¼ Section 25-T125N-R77W to irrigate 132 acres located in the E ½ NE ¼ Section 25-T125N-R77W and the W ½ NW ¼ Section 30-T125N-R76W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – September 30.
3. The date from which applicant may claim right is January 29, 2002.
4. The date of approval of Permit No. 6294-3 is March 25, 2002.
5. One-fifth of the construction is to be completed on or before September 25, 2004.
6. All construction is to be completed on or before March 25, 2007.
7. Water is to be put to beneficial use on or before March 25, 2011.
8. ~~Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.~~

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6294-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Water Permit No. 6294-3 authorizes a maximum diversion rate of 1.88 cfs for the irrigation of 132 acres.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 16 2002

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6294-3</u>	(office use only) Hydrologic Unit <u>10130106</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Prairie Pioneer, Pollock</u>	



Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

- Name of Applicant Kenneth Thorstenson Phone 605-649-7304
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 804 E Theodore St State S.D. 57472
(Street, RR, or Box and City) Self (Zip Code)
Hope to
- Amount of water claimed 2.23 *CFS or 30 1000 **GPM ***AF Total Acreage 132
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) E 1/2 of NE 1/4
of 25-125-77 County Campbell County
- County or counties where water will be used Campbell
- Annual period during which water is to be used May 1 Thru Sept 30
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>NE 1/4 NE 1/4 25-125-77</u>	<u>33</u>		
<u>SE 1/4 NE 1/4 25-125-77</u>	<u>33</u>		
<u>NW 1/4 NW 1/4 30-125-76</u>	<u>33</u>		
<u>SW 1/4 NW 1/4 30-125-76</u>	<u>33</u>		

8. Give a description of the project. (Attach sheet if more space is needed)
We want to dig irrigation well as soon as we get a permit and put on a new center pivot & have gotten permission to cross section line from County commissioners

STATE OF SOUTH DAKOTA) SS
County of Walworth

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

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

Applicant's signature [Signature]

Subscribed and sworn to before me this 25th day of January 20 02

[Signature]
Notary Public signature

Commission Expires 06-30-2003

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 17 1/2 inch Depth 205 ft
- b) Casing Type SDR-2/PVC Diameter 12 inch Thickness _____
- c) Screen Type PVC slotted Diameter 12 inch Thickness _____
- d) Gravel Pack yes Length of Gravel Pack 205
- e) Depth to Top of Water Bearing Material 175 ft
- f) Depth to Water (ground surface to water level) 37 ft
- g) Distance to nearest existing domestic well:
On applicants property 1/2 mile On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

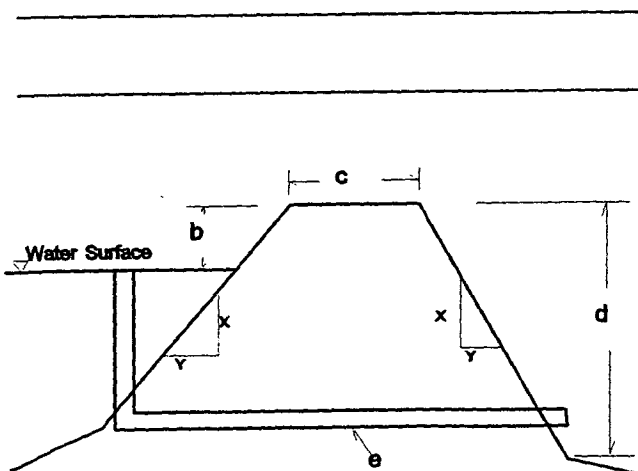
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N^o 417067

Pierre, JANUARY 29, 20 02

RECEIVED OF Kenneth or Joella Thorstenson, 604 E. Theodore St., Box 132, 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 _____	250	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. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	300 00

By

Darland Erbe
Chief Engineer
gm

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP

Campbell County FSA Office
PO Box 166
Main Street
Mound City, SD 57646

Shoreline

154.0
1

125-77

155.2
1

152.6
1

T1130
NHEL

J11

T996
NHEL

T996
NHEL

11.3
2

T996
NHEL

*and might this
well site*

157.4
1

119.8
2

T1992
NHEL

25

T1675
NHEL

(1B) CRP
01-10
CN 707
CP23
37.8

(2.0)

(1A) CRP
01-10
CN 707
CP2
41.9

(35.7)

T1686

155.1
1

125-77

01-10
Recap-CP12-10

6294-13

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP

Campbell County FSA Office
PO Box 166
Main Street
Mound City, SD 57646

101.3
1
Shana Huber

125-76

T906
NHEL

T906

J11 T1280

*To irrigate
this field*

NHEL

T1280
NHEL

16.4

20.9
1

14.3
1

T1685
NHEL

1A CRP
01-10
6 N 706
CP 2
42.8

16.4
4P23
1.4

30

T902

125-76

6294-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location Se $\frac{1}{4}$ Ne $\frac{1}{4}$ Sec 25 Twp 125 Rg 77County
Campbell

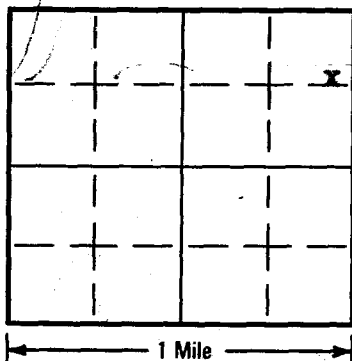
North

Please mark well location with an "X"

W

E

Well Completion Date

Dec. 12, 2001

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? _____ ft. from _____ (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☒ Test Holes
☒ Irrigation ☒ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

CASING DATA: ☐ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
_____	_____	_____ lb./gal	_____ ft.	_____ ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How:Chlor.

_____ NO, Why Not?

Laboratory sent to for water quality analysis _____

Well Owner: Ken Thorstenson

Business Name: _____

Address: Selby, S. D.

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Br. Sand	1	35
Gr. Sand	35	37
Gr. Clay	37	166
Fine sand	166	173
Coarse sand	173	175
Coarse sand, fine gravel	75	195
Med. sand	195	200
Fine sand	200	205
Very fine sand, clay	205	280

STATIC WATER LEVEL 35.4 Gr. Lv. 0.2 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: _____
☐ Bailed _____
☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS Installed 2" PVC to 203, Slotted Section 198-203. Gravel packed, air Pumped for 2 Hrs. Secured water sample Sample given to owner.This well was drilled under license # 434

And this report is true and accurate.

Drilling firm M & W Drilling

Signature of License Representative:

Joe Wucetic

Signature of Well Owner or Equitable Property Holder:

[Signature]Date: 12-17-01

REPORT OF WATER ANALYSIS

Water Quality Laboratory Water Resources Institute
South Dakota State University

Ag Engineering 211 -- Box 2120 Brookings, SD 57007 -- Phone (605) 688-4910 Fax (605) 688-4917 -- Email nancy_stuefen@sdstate.edu

Bill to: Kenneth Thorstenson
604 E Theodore St Box 132
Selby, SD
57472

Submitted by: Kenneth Thorstenson
604 E Theodore S
Selby, SD
57472

Lab Sample #: 01-0850
Site Name:
Date Rec'd: 12/24/2001
Date out of lab: 01/03/2002
Source: well 175-205'

County: Date sampled: Time sampled:

Irrigation Analysis

Calcium (Ca)	77.00 ppm	3.850 meq/l
Magnesium (Mg)	32.00 ppm	2.624 meq/l
Sodium (Na)	139.00 ppm	6.047 meq/l
Potassium (K)	11.50 ppm	0.299 meq/l
Alkalinity (Methyl Orange)	392.00 ppm (as CaCO ₃)	
Alkalinity (Phenolphthalein)	ppm (as CaCO ₃)	
Bicarbonate (HCO ₃)	478.32 ppm	7.84 meq/l
Carbonate (CO ₃)	0.00 ppm	0.00 meq/l
Boron (B)	0.77 ppm	
Sulfate (SO ₄)	274.00 ppm	5.705 meq/l
Nitrate as N (NO ₃)	0.03 ppm	0.002 meq/l
Chloride (Cl)	10.00 ppm	0.280 meq/l
Electrical Conductivity	1082 Micromhos per cm at 25 degrees C	
pH	7.67	
Sodium Adsorption Ratio (SAR)	3.36	
Adjusted SAR	8.23	

Service Performed: Irrigation Analysis
Analysis by: Shirley Mittan

Analysis Cost: 84.50
Sales Tax: 4.23
Total Cost: 88.72

Amount Received: 76.00
Amount Due: 12.72

Make checks payable to:
SDSU Water Quality Lab
Please write lab number on your check!

gpg = grains per gallon ppm = parts per million meq/l = milliequivalents per liter

Comments:

Lab sample # 01-0850

I sent in the well load report
in Dec. I am not enclosing one now if
you want another one please call M. W. Phillips
at Oake N.D. 701-742 2429 or 701-742-3511

if any questions please

call Ben

at 605-649.7304

Thank you

Samuel H. Harker

REPORT ON WATER PERMIT APPLICATION NO. 6294-3

For Kenneth Thorstenson

February 20, 2001

Application No. 6294-3 proposes to appropriate 2.23 cfs (1000 gpm) from one well approximately 205 feet deep located in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of section 25, T125N R77W to irrigate 132 acres located in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of section 25, T125N R77W and the W $\frac{1}{2}$ NW $\frac{1}{4}$ of section 30, T125N R76W all in Campbell County.

AQUIFER – GRAND (G)

The Grand is a buried glacial outwash (sand and gravel) and alluvium (Koch, 1970). The aquifer underlies 97,900 acres and contains an estimated 1.47 million acre-feet of recoverable water in storage in Campbell County (Hedges, 1982). The aquifer extends into Walworth County to the south and into Edmunds and McPherson Counties to the east. Ground water movement is from northwest to southeast across the area of this application (Koch, 1970).

Test well information provided with the application indicates sand from the surface to a depth of 37 feet (Selby aquifer), followed by clay from 37 to 166 feet, followed by fine to coarse sand from 166 to 205 feet all below land surface (Grand aquifer). The test well has a static water level of 35.4 feet below land surface.

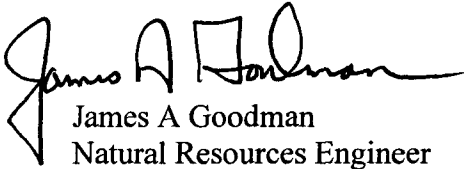
The Water Rights Program monitors two observation wells completed into the Grand aquifer and one completed into the Selby aquifer within two miles of this application. Observation wells, CA-80F (located about two miles south) and CA-78K (located about one mile northeast) are completed into the Grand aquifer and hydrographs for these two wells are included with this report. The hydrographs indicate annual fluctuation that can be attributed pumping for irrigation and also that recharge does occur to the aquifer. The general trend of the water levels have been upward during the last eight to ten years indicating more recharge than discharge to the aquifer. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2002).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water right is No. 5428-3, which is located in the same section as this application. This application appears to obtain water from a different water source. Pumping from Grand aquifer will not affect water levels in the Selby aquifer. The nearest existing diversions from the Grand aquifer are water permit Nos. 3367-3, 3368-3, 3882-3 and 3883-3 which are located about 3 miles northeast of this application. None of these permits are presently used as they are in CRP. Pumping from other irrigation wells in the area does cause water levels to fluctuate. The observation well CA-78K is located directly between this application and the existing users. Drawdown will increase at this location. Interference is not expected to be adverse even though drawdown at this observation well approaches 20 feet under existing conditions.

CONCLUSIONS

1. Water is available from the Grand aquifer.
2. The aquifer is under artesian conditions. Ground water fluctuation due to irrigation withdrawals already occurs. Approval of this application will increase drawdown but should not adversely affect existing users.
3. The well authorized by this application must be completed in accordance with SD Well Construction Standards.
4. This application should be limited to 1.89 cfs which is the statutory limit for 132 acres of irrigation.



James A Goodman
Natural Resources Engineer

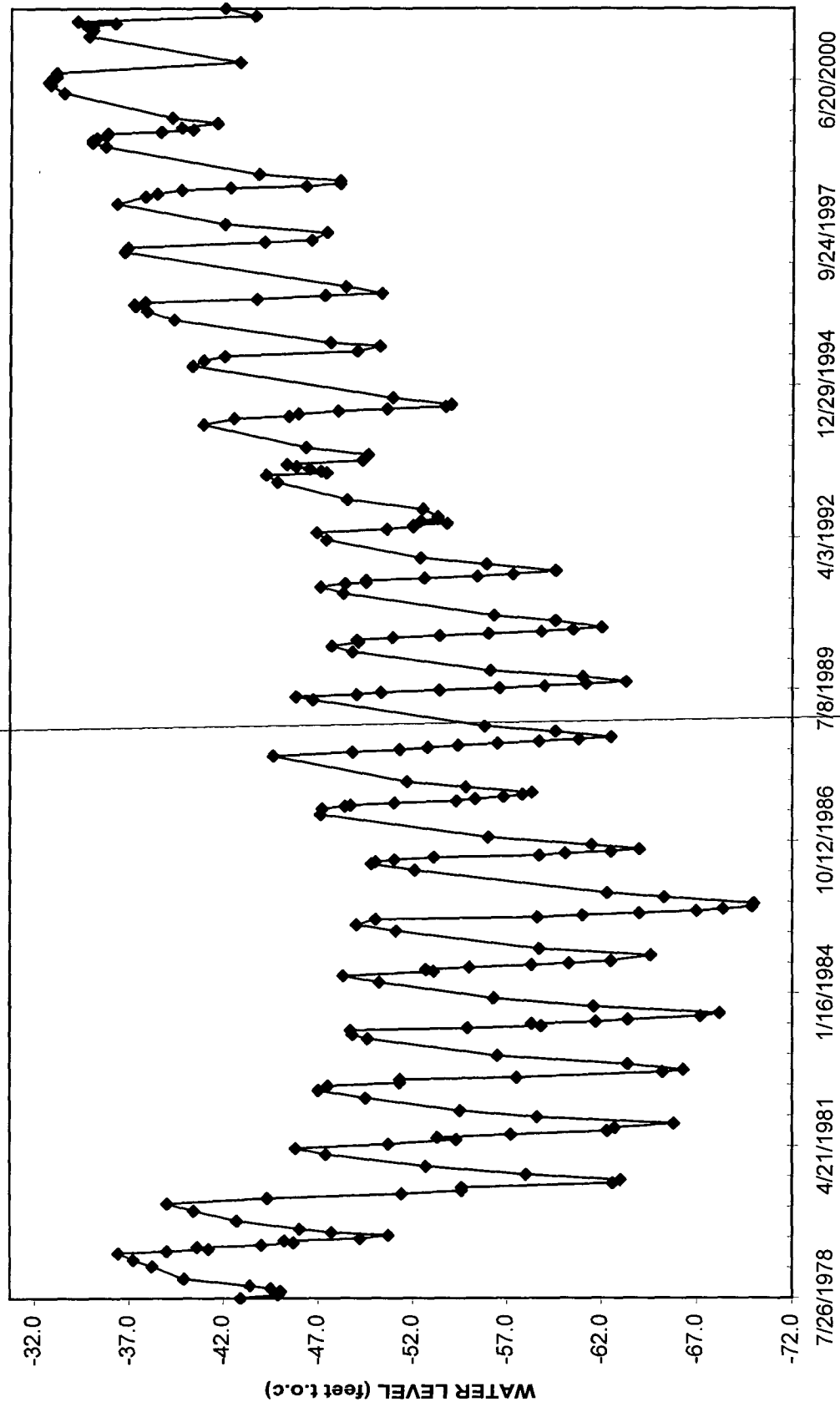
BIBLIOGRAPHY

Hedges, L.S., 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Koch, N.C., 1970, Geology and Water Resources of Campbell County South Dakota, Part II – Water Resources, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2002, Unpublished Observation Well Data for the Grand Aquifer, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL
CA-78K



The graph displays water level data for the mouth of the Sacramento River. The y-axis, labeled 'WATER LEVEL (feet t.o.c)', ranges from -58.7 to -28.7 in increments of 5.0. The x-axis shows dates from 6/12/1980 to 8/12/1999. The data is plotted as a series of connected points, showing a general upward trend in water levels over time. A significant jump in water level is visible around 1988, where the level rises from approximately -48.7 feet to -38.7 feet. The water level continues to fluctuate between -38.7 and -33.7 feet from 1988 to 1999.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6294-3, Kenneth Thorstenson**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6294-3, Kenneth Thorstenson, 604 E. Theodore St., Selby SD 57472.

The Chief Engineer is recommending APPROVAL of Application No. 6294-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6294-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Water Permit No. 6294-3 authorizes a maximum diversion rate of 1.88 cfs for the irrigation of 132 acres.
4. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 26, 2002



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 27, 2002

Prairie Pioneer
Box 218
Pollock, SD 57648-0218

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6294-3 to Appropriate Water to be published twice. Please publish the first notice on March 7, 2002 with the second publication 7 days later.

The applicant must verify to you that the notice is to be published, before you make the first publication **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Kenneth Thorstenson, 604 E Theodore St., Selby, SD 57472 (Ph # 605-649-7304).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

~~After the second publication, please send us an affidavit or use the enclosed Proof of Publication form.~~ The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 6294-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of February 27, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 6294-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

February 27, 2002

Kenneth Thorstenson
604 E Theodore St.
Selby, SD 57472

Dear Mr. Thorstenson:

Water Permit Application No. 6294-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Prairie Pioneer printed at Pollock, SD (Ph # 605-889-2320). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on March 7, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6294-3 to Appropriate Water

Notice is given that Kennth Thorstenson, 604 E Theodore St, Selby SD 57472 has filed an application for a water permit to appropriate 2.23 cubic feet of water per second (cfs) from one well (Grand Aquifer) 205 feet deep located in the E ½ NE ¼ Section 25-T125N-R77W to irrigate 132 acres located in the E ½ NE ¼ Section 25-T125N-R77W and the W ½ NW ¼ Section 30-T125N-R76W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6294-3 for the statutory limit of 1.88 cfs because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 25, 2002.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Campbell) SSI, Leah Burke

certify that the attached printed Notice was
 taken Notice of Application No. 6294-3
to Appropriate Water
 from the March 7 and

March 14printed and published in Prairie PioneerCounty of Campbell and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

March 7March 14Cost of Printing \$35.55

Leah Burke
 (Signature)

publisher
 (Title)

3/22/02
 (Date Signed)

Connie A. Bossert

CONNIE A. BOSSERT
 Notary Public, STATE OF NORTH DAKOTA
 My Commission Expires FEBRUARY 3, 2005

Notice of Application No. 6294-3 to Appropriate Water

Notice is given that Kenneth Thorstenson, 604 E Theodore St, Selby, SD 57472 has filed an application for a water permit to appropriate 2.23 cubic feet of water per second (cfs) from one well (Grand Aquifer) 205 feet deep located in the E1/2 NE1/4 Section 25-T125N-R77W to irrigate 132 acres located in the E1/2 NE1/4 Section 25-T125N-R77W and the W1/2 NW1/4 Section 30-T125N-R76W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6294-3 for the statutory limit of 1.88 cfs because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 25, 2002.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

RECEIVED

MAR 25 2002

WATER RIGHTS
PROGRAM



APR 16 2002

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Kenneth Thorstenson
604 E Theodore St.
Selby SD 57472

Dear Mr. Thorstenson:

Enclosed is Water Permit No. 6294-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

~~An informational sheet~~ *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Water Rights Program -- File Documentation

NAME: Kenneth Thorstenson**ADDRESS:** 804 E Theodore St, Selby SD 57472**DATE:** May 22, 2003**COUNTY:** Campbell**TELEPHONE:** 649-7304**RE:** Acreage and well relocation**COMMENTS:**

On May 16, 2003 an application was received from Kenneth Thorstenson and was followed by a phone call from Mr. Thorstenson on May 22, 2003 regarding the permit application. On April 16, 2002, Water Permit No. 6294-3 was issued to Mr. Thorstenson for irrigation of 132 acres in the E $\frac{1}{2}$ NE $\frac{1}{4}$ section 25-125N-77W and the W $\frac{1}{2}$ NW $\frac{1}{4}$ section 30-125N-76W from one well to be located in the E $\frac{1}{2}$ NE $\frac{1}{4}$ section 25-125N-77W. The time for completion of works is March 25, 2007.

Mr. Thorstenson indicated that the well constructed in the permitted location could not produce enough water to operate the irrigation system. In addition, Mr. Thorstenson plans to develop the irrigated acreage all in the NE $\frac{1}{4}$ section 25, including the W $\frac{1}{2}$ NE $\frac{1}{4}$ which was not included on No. 6294-3. The pivot in this quarter will not be able to swing a complete circle due to building sites and will cover approximately 125 acres rather than a total of 132 acres specified on No. 6294-3. Included with the application submitted on May 16, 2003, is an aerial photo showing the new proposed well location in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ section 25-125N-77W for irrigation of the NE $\frac{1}{4}$ section 25.

RECOMMENDED ACTION:

The change in acreage can be corrected during licensing of No. 6294-3 since the total acreage to be developed will be less than authorized by No. 6294-3 and the location is contiguous to the permitted acreage. This is also contingent upon all of the property being owned by Mr. Thorstenson and no increase in the amount of water appropriated as specified in SDCL 46-5-30.5.

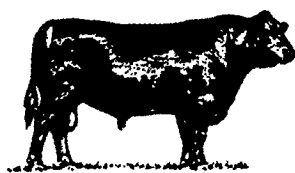
A decision will also need to be made as to whether the proposed new well location is in the same water source, no additional water is being appropriated, and the potential for interference with existing diversions is not increased pursuant to SDCL 46-5-13.1.

If any of these criteria can not be met, then an application for a new water permit will need to be processed to make the above changes. Otherwise, the chief engineer may make a finding that the above criteria have been met and no new permit is required.



Ron Duvall, Natural Resources Engineer
Water Rights Program

6294-3



ANGUS



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



GELBIEH

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's 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 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

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

DEC - 6 2010

WATER RIGHTS
PROGRAM

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

No. 6294-3
Date: 12-3-10

I/We request that Water Permit No. 6294-3

formerly owned by: Kenneth Thorstenson

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

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

132 acres - E 1/2 NE 1/4 Section 25, T125N, R77W and W 1/2 NW 1/4 Section 30, T125N, R76W

I/We understand that the validity of Water Permit No. 6294-3 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. Bygeman, partner
(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>6294-3</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.

04693

By

Julian Estrada
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



6294-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 1, 2017

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

Dear Mr. Begeman:

During the permit licensing inspection for Water Permit Nos. 6294-3, 6428-3 and 6452-3, you informed me the well authorized under Water Permit No. 6294-3 did not consistently produce the amount of water needed to operate the irrigation system. Subsequently, pipe was installed connecting the well authorized by Water Permit Nos. 6428-3 and 6452-3 to the irrigation system authorized under Water Permit No. 6294-3 to supply water when needed.

As discussed in our conversation, Water Permit Nos. 6428-3 and 6452-3 authorize water to be diverted from the Selby aquifer, while the source of water for Water Permit No. 6294-3 is from the Grand aquifer. As a result, there are unpermitted acres being irrigated from the Selby aquifer which require permitting.

Enclosed are partially completed permit applications and maps for the additional acreage which is being irrigated from the well covered under Water Permit Nos. 6428-3 and 6452-3. Please review the application and map and return a signed application with a map to the DENR, along with a check for \$750.00 to the DENR, Water Rights Program in the envelope provided.

Also, on Form 2A of the application, you will need to complete Part D under the Well Information which I've marked on the form.

If you have any questions, or changes need to be made, please feel free to contact me or Ron Duvall at 773-3352.

Sincerely,

Mike DeFea
Natural Resources Engineer II
DENR, Water Rights Program

Water Permit Nos. 6294-3

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, **November 7, 2016**, made a thorough examination of the water use system constructed by **Lazy TV Ranch** of **12980 Cedar Rd., Selby, SD 57472** holder of Permit Nos. **6294-3** bearing the priority date of **January 29, 2002** authorizing the diversion of **1.88** cu. ft. per second of water from the **Grand Aquifer** for **Irrigation** purposes, in **Campbell** County.

Inspection contact & relationship to permit holder, if applicable: **Brian Begeman (649-9927, 230-0591 cell)**

A. Works used to divert the water:

Well 1:

- 1) Well Drilling Firm: **Unknown**
- 2) No. of Wells **1**
- 3) Depth(s) **205** feet
- 4) Well log is available **N**
- 5) Comment: **No well log available for production well. Well information is from Form 2A**

Casing:

- 1) Diameter **12** inches
- 2) Length **Unknown** feet
- 3) Type **PVC**

Screen:

- 1) Type **PVC**
- 2) Length **Unknown** feet
- 3) Static water level **37** feet

Pump:

- 1) Make **Aurora Verti-Line**
- 2) Model **Unknown**
- 3) Capacity **900** GPM

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

- 1) Type Buried PVC pipe

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make T & L
- 2) Number of towers 7
- 3) End gun Y
- 4) High or low pressure Low
- 5) Capacity 900 GPM

Chemigation Equipment:

- 1) Does chemigate Y
- 2) Main line check valve Y
- 3) Inspection port/air relief Y
- 4) Low pressure drain Y
- 5) Discharge is 20' from source Y
- 6) Interlock type electrical
- 7) Injection pump type piston
- 8) Injection check valve Y
- 9) Injection line check valve or positive displacement pump Y
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules Y

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows:

Well: Approximately 1,480 feet south and 50 feet west of the NE corner of Section 25-T125N-R77W
(N 45.61895, W -100.08984) (SE ¼ NE ¼)

Report of Examination of Works

Permit No. 6294-3

The works are capable of diverting and conveying to the place of use 1.88 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:

Section 25-T125N-R77W

NE ¼ NE ¼ - 33 acres

SE ¼ NE ¼ - 33 acres

Section 30-T125N-R76W

NW ¼ NW ¼ - 33 acres

SW ¼ NW ¼ - 33 acres

comprising a total of 132 acres of land and the license should be issued for 1.88 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project:

Water Permit No. 6294-3 authorizes the diversion of 1.88 cfs of water from one well from the Grand aquifer for irrigation of 132 acres located in the E ½ NE 1/4 Section 25-T125N-R77W and W ½ NW ¼ Section 30-T125N-R76W.

At the time of the licensing inspections for this permit, the well authorized to divert water for this permit does not consistently produce the amount of water needed to operate the irrigation system for irrigation of the 132 acres authorized by Water Permit No. 6294-3; however, the well is capable of producing 1.88 cfs. Subsequently, pipe was installed connecting the well authorized by Water Permit Nos. 6428-3 and 6452-3 from the Selby aquifer to the irrigation system authorized under Water Permit No. 6294-3 to supply water when needed.



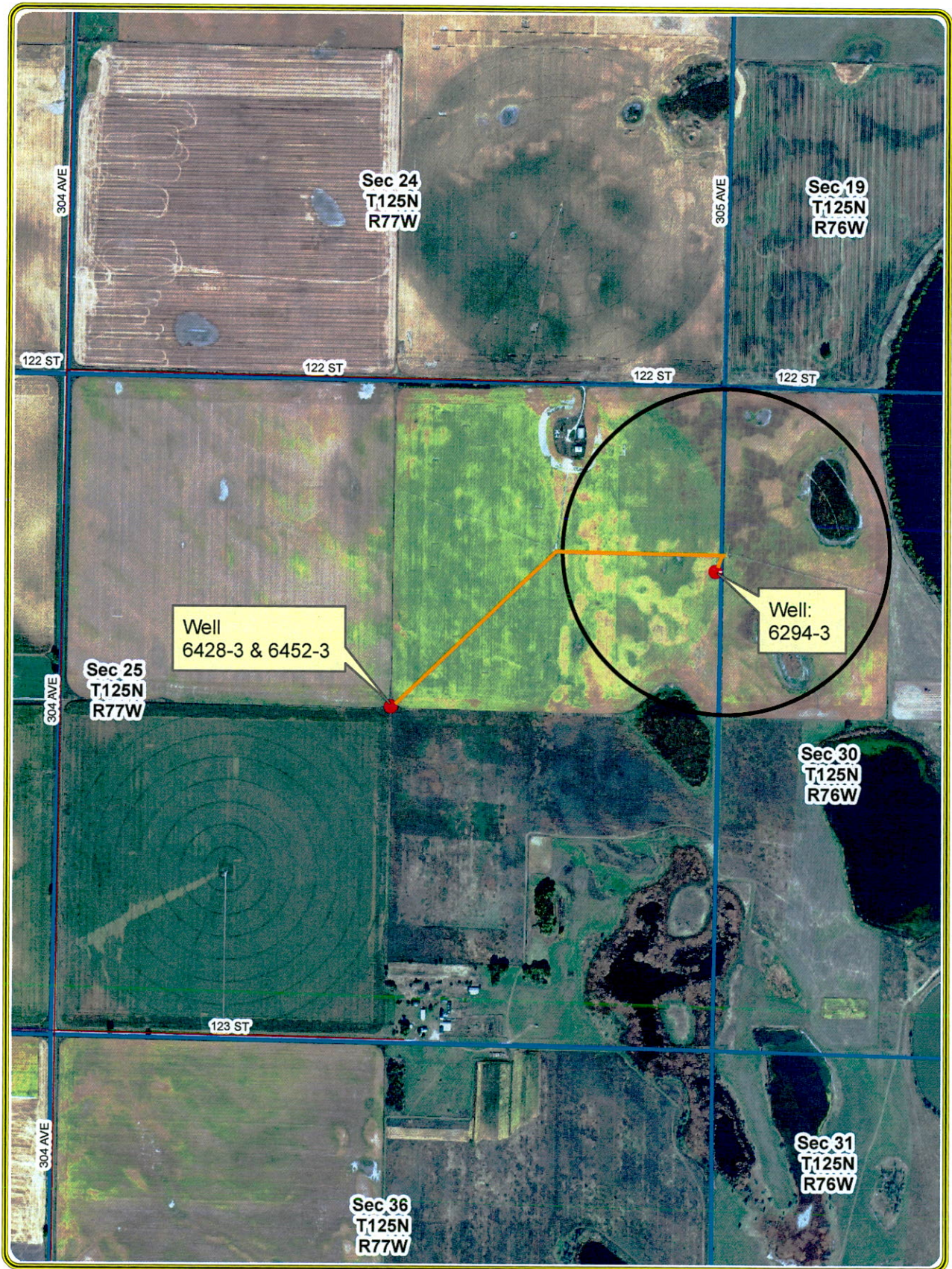
Mike DeFea

Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: March 2, 2017

Lazy TV Ranch

Water Permit No. 6294-3



0 750 1,500 3,000 Feet

Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
February 28, 2017



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow... Today



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

MAY 30 2017

6294-3

Brian Begeman
Lazy TV Ranch
12980 Cedar Rd
Selby SD 57472

Dear Mr. Begeman:

Enclosed is Water License No. 6294-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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. 6294-3, 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.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6294-3

(1) Kenneth Thorstenson, Selby SD made Application No. 6294-3, January 29, 2002 for a water permit to divert 1.88 cubic feet of water per second from ground water (one well – Grand Aquifer), Campbell County, South Dakota for irrigation purposes. Permit No. 6294-3, with a priority date of January 29, 2002 was approved March 25, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 25, 2007 and for the application to beneficial use of said water on or before March 25, 2011.

On December 6, 2010, Water Permit No. 6294-3 was transferred to Lazy TV Ranch.

(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 1.88 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 1,480 feet south and 50 feet west of the NE corner of Section 25, T125N, R77W (SE ¼ NE 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:

T125N, R77W Section 25	NE ¼ NE ¼	33 acres
	SE ¼ NE ¼	33 acres
T125N, R76W Section 30	NW ¼ NW ¼	33 acres
	SW ¼ NW ¼	33 acres
Total		132 acres

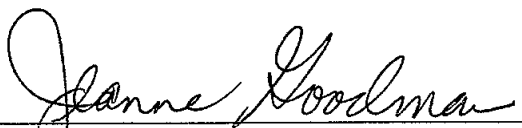
(4) Pursuant to South Dakota Water Law 46-5-30.1 Lazy TV Ranch, 12879 Cedar Rd, Selby SD 57472 the holder and/or owner of Water Right No. 6294-3 is issued a license to appropriate water, the right to use 1.88 cubic feet of water per second from ground water (one well – Grand Aquifer) with a priority date of January 29, 2002 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6294-3 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 6294-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

continued

- Water Permit No. 6294-3 authorizes a maximum diversion rate of 1.88 cfs for the irrigation of 132 acres.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 30 2017

date

