

WATER PERMIT NO. 6428-3

Name of Applicant: **Kenneth Thorstenson**

Address: **604 E Theodore St, Selby SD 57472**

Phone: **605 649-7304**

Amount of Water Claimed: **1.86 cfs**

Total Acres: **130**

Source of Water Supply: **groundwater**

Water to be used for: **irrigation**

County: **Campbell**

Type of Waste Disposal System:

Location: **7 miles northwest of Selby**

PRIORITY

Date Received: **5-16-2003**

Application/License Fee: **\$300**

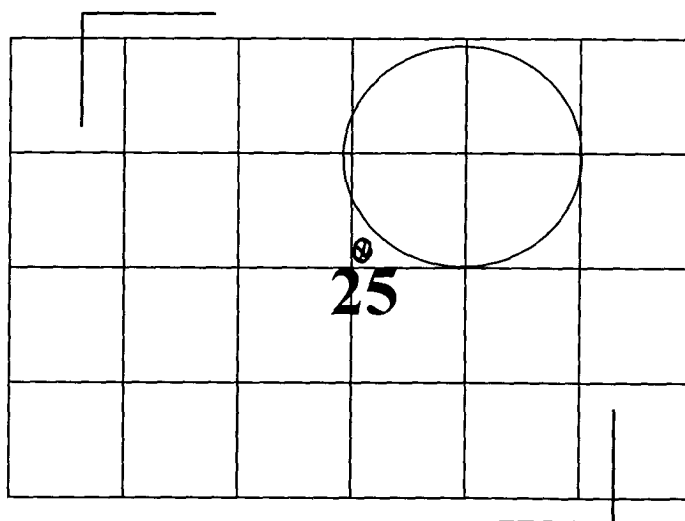
Corrected Application Received: **7-2-2003**

Period of Annual Use: **May 1 – September 30**

Remarks:

Diversion Point: **SW ¼ NE ¼ Sec 25-T125N-R77W**

Land to be Irrigated: **NE ¼ Sec 25-T125N-R77W**



Depth of Well: **95 feet**

Well Driller: : **Pullman Drilling**

Remarks:

Type of Map: **topo**

Prepared by: **Denis Bachman, NRCS**

Reviewed and the Number Assigned on: **7-2-2003**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6428-3**

Date of first receipt of application May 16, 2003.

Date of return to applicant for corrections, amendments or changes July 2, 2003.

Date of receipt of corrected application July 2, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6428-3 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. 6428-3 appropriates 1.86 cubic feet of water per second from one well (Selby Aquifer) 95 feet deep located in the SW ¼ NE ¼ Section 25 to irrigate 130 acres located in the NE ¼ Section 25; all in T125N-R77W.
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 May 16, 2003.
4. The date of approval of Permit No. 6428-3 is September 8, 2003.
5. One-fifth of the construction is to be completed on or before March 8, 2006.
6. All construction is to be completed on or before September 8, 2008.
7. Water is to be put to beneficial use on or before September 8, 2012.
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. 6428-3 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. 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

OCT 10 2003

date



FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6428-3</u>	(office use only) Hydrologic Unit <u>10130106</u>
	Basin <u>Missouri River</u>	
	Newspaper <u>Prairie Pioneer, Pollock</u>	

RECEIVED
MAY 16 2003

Application For Permit To Appropriate Water For Irrigation WATER RIGHTS PROGRAM

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.) _____

1. Name of Applicant Keneth Thorstenson Phone 605-649-7304
(check one) Owner ☒ Tenant/lessee ☐
Mailing Address 604 E. Theodore St State S.D. 57472
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.86 *CFS or 710 **GPM ***AF Total Acreage 130
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
SW1/4 NE1/4 S44W 25-125-77 County Campbell
5. County or counties where water will be used Campbell
6. Annual period during which water is to be used May 1 - Sept 30
7. 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 25-125-77</u>	<u>130 app</u>		
	<u>130</u>		

8. Give a description of the project. (Attach sheet if more space is needed)

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, Rb 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 Rb Thorstenson

Subscribed and sworn to before me this 15 day of May 20 03

[Signature]
Notary Public signature

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date JULY 2, 20 03

RECEIVED OF Kenneth Thorstenson, 604 E Theodore St, Box 132, ESelby SD 57472

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

Fee for Application for Permit No. <u>11428-3</u> 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. <u>11428-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	300.00

No.

000016

By

Darland White

Chief Engineer

gm

PULLMAN DRILLING, INC. - DRILLER'S LOG

(605) 883-4532
1-800-451-4884

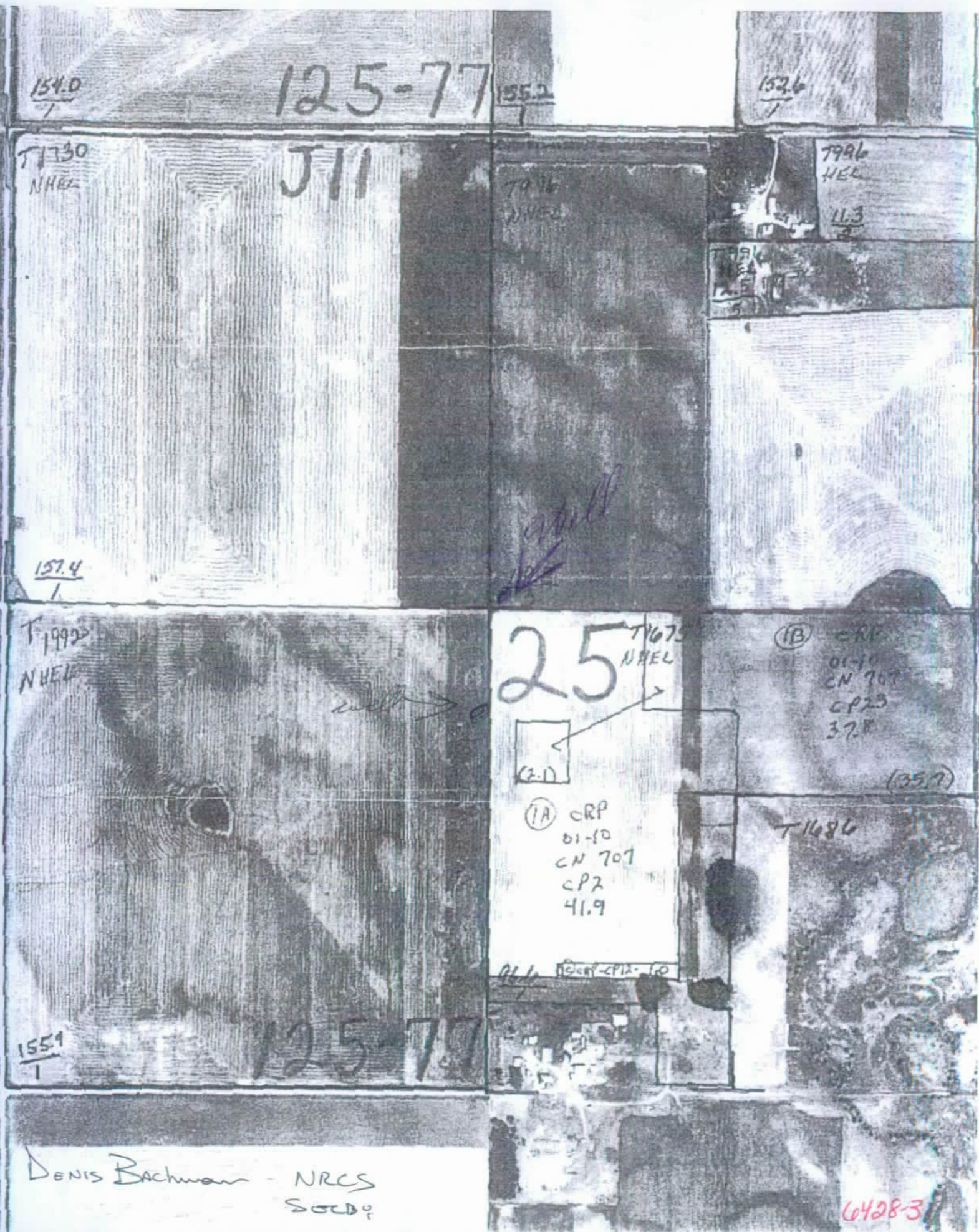
Selby S.D.

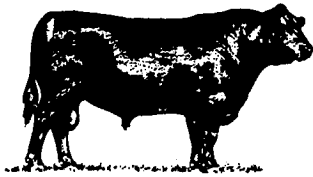
Ken Thorsen JOB NAME	LOCATION	5-2-03 DATE	11 RIG NO	Paul Hefner FOREMAN
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Jt No	DEPTH	TIME	REMARKS
1	20		0-9 Yellow clay 9-20 Yellow sand
2	40		20-35 Yellow sand 35-40 Blue clay
3	60		40-56 Blue clay 56-60 Gray gravel
4	80		60-67 Blue clay 67-74 Fine sand 74-80 Med. to coarse gray sand
5	100		80-91 Med. gray sand 91-100 Blue clay w/ sand streak
6			
7			
8			3" Well
9			T.O. 95'
10			20' .025 3" slotted
11			75' 3" blank
12			Pumped w/ air 35 G.P.M.
13			Water head 35'
14			
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18			
19			Ken Thorsen
20			604 E Theodore St.
21			Selby S.D. 57472
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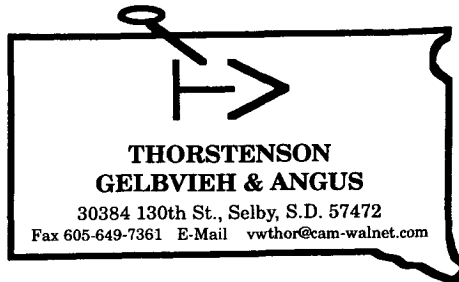
MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP

2003





ANGUS



THORSTENSON
GELBVIEH & ANGUS

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

Ken & Jo Thorstenson
(605) 649-7304

Vaughn & Wendy Thorstenson
(605) 649-6262

Brian & DeDee Begeman
(605) 649-9927



GELBVIEH

RECEIVED
JUL - 2 2003
WATER RIGHTS
PROGRAM

Dear Eric,

In regards to your question about
the 1000 gpm. if we would get a gravel
well we would like to suggest to ~~the~~ SE
1/4 of 24 north of 25 if things would work out
(but that is down the road) ?? permit etc.

Thank again

[Signature]



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 2, 2003

Ken Thorstenson
804 E. Theodore Street
Selby SD 57472

Dear Mr. Thorstenson:

I received the information you submitted to complete the application for irrigation of the NE $\frac{1}{4}$ of Section 25 and gave to a staff person to prepare a report.

One of the questions I asked you in my earlier letter was to provide justification for diverting 1000 gpm when the statutory limit for irrigation of 132 acres is 850 gpm. Your response was that you may want to irrigate the SE $\frac{1}{4}$ of Section 24 sometime down the road. If you irrigate the SE $\frac{1}{4}$ of Section 24 in the future it will require an additional permit for those additional acres. At that time you can request the additional water necessary to conduct irrigation. Another option is if you plan to develop irrigation of the SE $\frac{1}{4}$ of Section 24 within the next five years it may be advantageous to include it on this current application. Once a water permit is obtained, the permit holder has 5 years to complete construction of works.

I wanted to make sure you were aware of the requirements and your options.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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www.state.sd.us/denr

July 27, 2003

Ken Thorstenson
804 E. Theodore Street
Selby SD 57472

Dear Mr. Thorstenson:

I am writing in follow-up to our telephone conversation regarding the irrigation of the NE $\frac{1}{4}$ of Section 25, T125N, R77W.

You currently hold Water Permit No. 6294-3 which appropriates water from a well to be located in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 25 to irrigate 132 acres located in the E $\frac{1}{2}$ NE $\frac{1}{2}$ of Section 25, T125N, R77W and the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 30, T125N, R76W. The water source for No. 6294-3 is the Grand Aquifer. You were unable to get a satisfactory well in the Grand aquifer at this location.

It is my understanding that you now intend to install the center pivot so it will make its rotation entirely in the NE $\frac{1}{4}$ of Section 25. The well will also be in the NE $\frac{1}{4}$ of Section 25 but is now planned to be constructed into the shallower Selby Aquifer. Since water permits are issued by the water source, this change to the Selby Aquifer water source will require a new water right permit. I need you to mark the approximate location of the proposed well on the enclosed map and return it along with the application filing fee of \$300. Also the amount of water you are claiming of 1000 gpm is above the maximum allowed in statutes. The amount allowed for irrigation of 132 acres is 850 gpm. Please provide the reasons for needing the diversion rate of 1000 gpm. A self addressed stamped envelope is enclosed for you to use.

On May 12th, Verne Thorstenson filed an application for a well in the SW $\frac{1}{4}$ of Section 25 on his property to irrigate the same acreage in the NE $\frac{1}{4}$ of Section 25. This application proposed to use the Selby Aquifer. This application appears to be the redundant of what you are proposing except that the well is in a different location. I assume that this application is no longer going to be pursued. Verne – am I correct in this assumption? If so, you will need to send a letter withdrawing your application and we will refund the application filing fee you submitted. Please let me know. A self addressed stamped envelope is enclosed for your convenience or you can e-mail at eric.gronlund@state.sd.us regarding your intentions.

Please let me know if you have any questions.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352

c: Verne Thorstenson, 3919 W Omaha St., Rapid City SD 57702-2187

REPORT ON WATER PERMIT NO. 6428-3
For Kenneth Thorstenson
July 30, 2003

Application No. 6428-3 proposes to appropriate 1.86 cfs (835 gpm) from one well approximately 95 feet deep located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 25 to irrigate 130 acres located in the NE $\frac{1}{4}$ of section 25; all in T125N R77W in Campbell County.

AQUIFER – SELBY (S)

The Selby is a predominantly surficial outwash (sand and gravel) which is under water table conditions over most of Campbell County. The aquifer underlies 128,000 acres and contains an estimated 480,000 acre-feet of recoverable water in storage in Campbell County (Hedges, 1982). The aquifer extends into Walworth County to the south and into McPherson County to the east. Ground water movement is from east to southwest (Hedges, 1982). Geologically this area is fairly complicated. The Selby is generally considered a shallow aquifer and the Grand a much deeper (200 to 300 feet) aquifer. In this area and into Walworth County to the south there appears to be areas where the Selby is thicker and may actually be hydraulically connected to the Grand aquifer (Koch, 1970).

A test well drilled by the applicant indicates interbedded sand and gravel and clay from the surface to a depth of 67 feet. The best part of the aquifer appears to be from 67 feet to 91 feet below land surface. The water level was 35 feet below land surface and the test well was capable of producing 35 gpm using air to develop. An existing irrigation well located about 1900 feet southwest of the well for this application was capable of producing 900 gpm with about 11.5 feet of drawdown. This equates to a specific capacity of about 78 gpm/ft of drawdown. The geology and the test well and the existing well are nearly similar.

The Water Rights Program monitors three observation wells within a two mile radius of this application. Two of these wells are completed into the Grand aquifer and the other into the Selby aquifer. A hydrograph for the Selby aquifer well, CA-57A, is included with this report. The water levels for both aquifers reflect similar conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The only real difference is that the Grand aquifer water levels fluctuate due to pumping and the Selby aquifer does not fluctuate significantly. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2003).

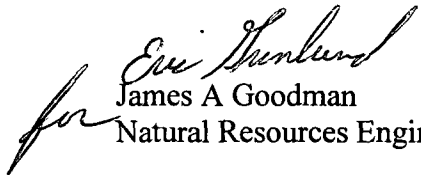
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing water permit No. 5428-3 located immediately southwest of this application. The existing irrigation well is about 1900 feet southwest of this proposed well. It is likely that drawdown will overlap between wells during pumping. Based upon the testing of the existing irrigation well, this is not expected to be adverse. In any event

the applicant has control over both wells and can manage pumping in order to minimize potential effects.

CONCLUSIONS

1. Water is available from the Selby aquifer.
2. The aquifer appears to be under slight artesian conditions at this site. However, generally the aquifer is under water table conditions. Drawdown will be created by pumping but this is not expected to create any adverse effects.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. Some of the lands covered by this application are also covered by Water Permit No. 6294-3. The combined diversion of this application and the existing permit can not exceed two acre-feet per acre. Also, it appears Water Permit No. 6294-3 is to be abandoned because of the failure to get a satisfactory well. That permit can apparently be cancelled.


James A Goodman
Natural Resources Engineer

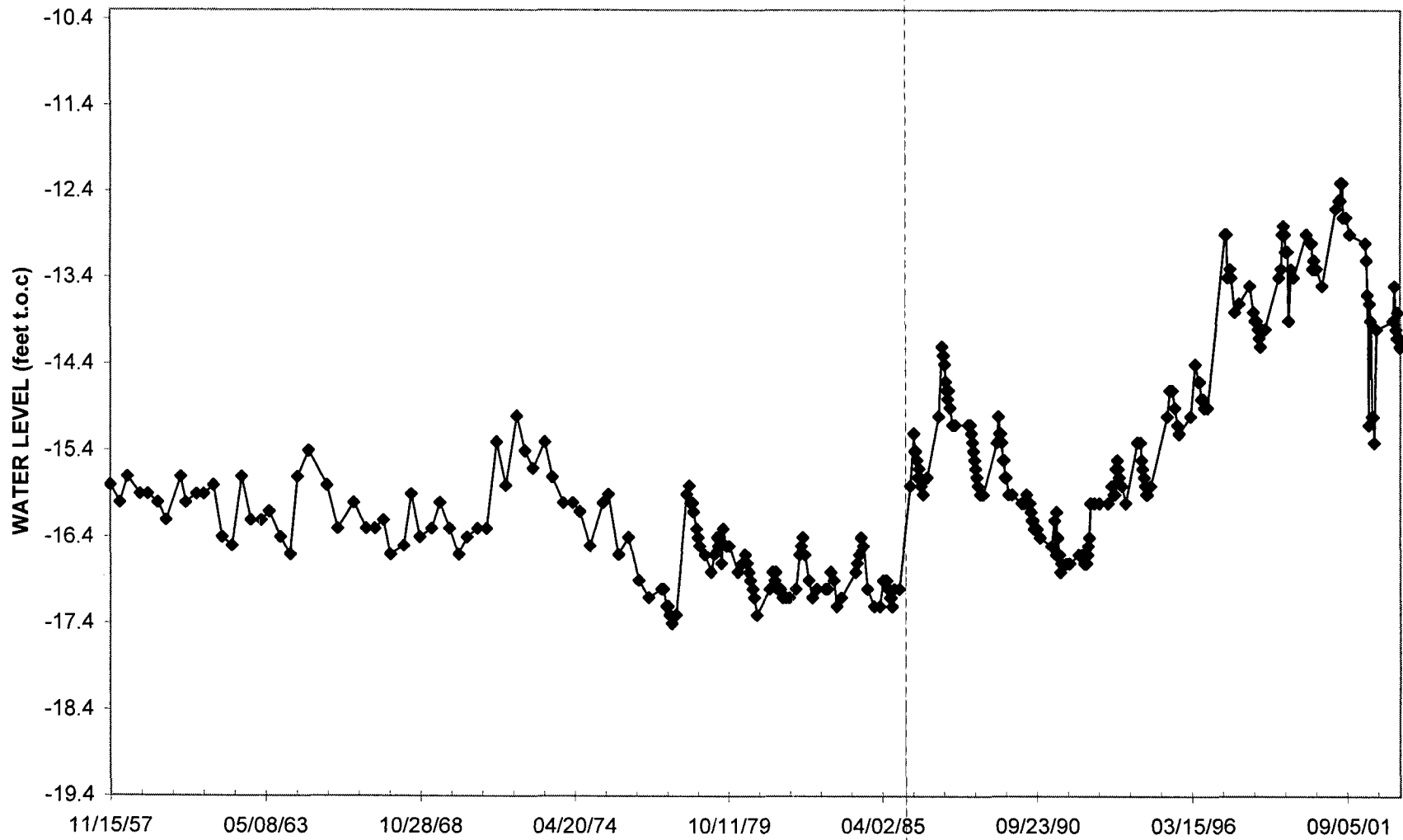
BIBLIOGRAPHY

Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota 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, Bulletin 20, SDGS, Vermillion, SD, 57069.

Water Rights, 2003, Unpublished Observation Well Data for Campbell and Walworth Counties, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
CA-57A**





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6428-3, 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. 6428-3, Kenneth Thorstenson, 604 E Theodore Street, Selby SD 57472.

The Chief Engineer is recommending APPROVAL of Application No. 6428-3 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:

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. 6428-3 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.

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
August 14, 2003

NOTE: Some of the lands included for irrigation in this application are also covered by Water Permit No. 6294-3. Permit No. 6294-3 appropriated water from the deeper Grand Aquifer for irrigation of the E 1/2 NE 1/4 of Section 25, T125N, R77W and the W 1/2 NW 1/4 of Section 30, T125N, R76W. It is our understanding that you no longer intend to develop a well in the Grand Aquifer. If this is the case, Water Permit No. 6294-3 will become subject to cancellation for abandonment or for non-construction.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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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.**

August 14, 2003

Kenneth Thorstenson
604 E Theodore St
Selby SD 57472

Dear Mr. Thorestenson:

Water Permit Application No. 6428-3 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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 14, 2003

Prairie Pioneer
PO Box 218
Pollock SD 57648-0218

ATTENTION: Legal Public Notice

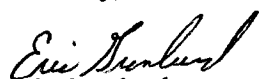
Enclosed is a Notice of Hearing on Application No. 6428-3 to Appropriate Water to be published twice. Please publish the first notice on August 21, 2003 with the second publication 7 days later.

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. 6428-3

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

Date _____

We are in receipt of your letter of August 14, 2003 enclosing Notice of Hearing to Appropriate Water by Application No. 6428-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on August 21, 2003 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6428-3 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 1.86 cubic feet of water per second from one well (Selby Aquifer) 95 feet deep located in the SW ¼ NE ¼ Section 25 to irrigate 130 acres located in the NE ¼ Section 25; all in T125N-R77W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6428-3 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 September 8, 2003.

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 P. Burke

certify that the attached printed Notice was taken

from the PrairiePioneerprinted and published in Campbell ^{Pottor}County of Campbell and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

8/21/038/28/03Cost of Printing \$35.92Leah P. Burke

(Signature)

publisher

(Title)

8/28/03

(Date Signed)

Gloria J. Soule

GLORIA J. SOULE

Notary Public

State of North Dakota

My Commission Expires May 7, 2009

Notice of Application No. 6428-3 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 1.86 cubic feet of water per second from one well (Selby Aquifer) 95 feet deep located in the SW1/4NE1/4 Section 25 to irrigate 130 acres located in the NE1/4 Section 25; all in T125N-R77W.

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34-35

RECEIVED

SEP - 2 2003

WATER RIGHTS
PROGRAM



OCT 10 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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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. 6428-3 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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 25 Twp 125 Rg 77

County

Walworth

CAMPBELL

North

Please mark well
location with an "X"

W

E

Well Completion Date

10/22/2003

1 Mile

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft. from _____ (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT LB/FT	DIAMETER IN	FROM FT	TO FT	HOLE DIAMETER IN
	16.00	0.0	76.0	24.00

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight Lb/gal	From 0.0 Ft	To 20.0 Ft
Cement	36			

Describe grouting procedure
Line

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 15.0 FeetMaterial Stainless SteelSlot Size .057 Set From 76.0 Feet to 91.0 Feet

Other information _____

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No
If so, what material? Gravel packed

Describe packer(s) and location

Pea Rock @76

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Pellets
☐ No, Why Not?
Lab sample sent to for
water quality analysisWell Owner: Ken Thorstenson

Business Name: _____

Address: 604 E Theodore STCity, State, Zip: Selby SD 57472

WELL LOG:

DEPTH

FORMATION	FROM	TO
Yellow Clay	0	10
Yellow Sand	10	36
Blue Clay	36	57
Coarse Gray sand	57	91

STATIC WATER LEVEL 41.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: w/ Air
☐ Bailed
☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm: Pullman Well Drilling Inc

Signature of License Representative:

Wayne Pullman

RECEIVED

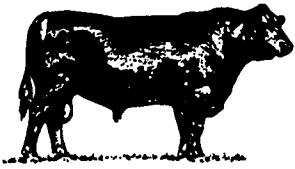
Signature of Well Owner or Equitable Property Holder:

DEC 31 2003

WATER RIGHTS
PROGRAMDate: 11-10-03

1-2-04

6428-3



ANGUS



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

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



GELBVIEH

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 TV Ranch.

Would it be possible to get all these water permits changed on ownership to Lazy TV 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

6428-3



**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

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 6428-3

Date: 12-3-10

I/We request that Water Permit No. 6428-3

formerly owned by: Kenneth Thorstenson

be transferred to: (name & address) LAZY T V 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 - NE 1/4 Section 25, T125N, R77W

I/We understand that the validity of Water Permit No. 6428-3 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 T V RANCH, the new owner, certify that the above information is true and correct.

Lazy T Ranch by Brian K. Bjerman, 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>6428-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No.

04694

By

Galen O. Edwards
Chief Engineer

6428-3



**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



6428-3
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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

JUN 21 2017

8270-3

6428-3

6452-3

Lazy TV Ranch
c/o Brian Begeman
12980 Cedar Rd
Selby SD 57472

Dear Mr. Begeman:

Enclosed are Water Permit and Water License No. 8270-3. These are the final documents completing your process of obtaining a Water Right. Also, included with the license is a map prepared by the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if in the future the owner drills a replacement well and has no plan to use the old existing 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

Note: The applicable portions of No. 6428-3 and 6452-3 are incorporated into Water License No. 8270-3.

enclosures