

WATER PERMIT NO. 6452-3

Name of Applicant: Kenneth Thorstenson

Address: 604 E Theodore St, Selby SD 57472

Phone: 605 649-7304

Amount of Water Claimed: 1.89 cfs

Total Acres: 135

Source of Water Supply: groundwater (1 existing well)

Water to be used for: irrigation

County: Campbell

Type of Waste Disposal System:

Location: 7 miles northwest of Selby

PRIORITY Date Received: 11-12-03

Application/License Fee: \$300

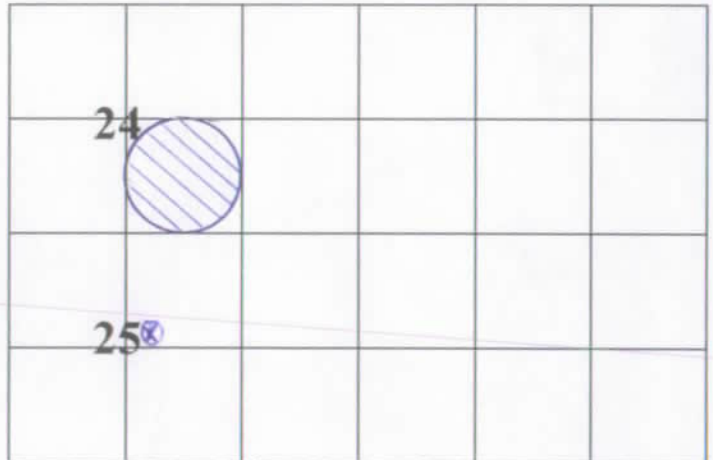
Corrected Application Received: 11-17-03

Period of Annual Use: May 1 – Sept 30

Remarks: same well as authorized by Water Permit No. 6428-3

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

Land to be Irrigated: SE ¼ Sec 24-T125N-R77W



Depth of Well: 95 feet

Well Driller: : Pullman Well Drilling

Remarks:

Type of Map: aerial

Prepared by: Gloria Huber, Campbell Co. FSA

Reviewed and the Number Assigned on: 11-17-03

By: Karen Schlaak

Notice of Hearing - date to intervene: \_\_\_\_\_

RECEIVED

NOV 17 2003

WATER RIGHTS  
PROGRAM

RECEIVED

NOV 12 2003

WATER RIGHTS  
PROGRAM

|                                                                                                                    |                                           |                                                      |
|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------------------------------|
| Mail to:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | No. <u>6452-3</u>                         | (office use only)<br>Hydrologic Unit <u>10730106</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/Jessee  
Mailing Address 604 E. Theodore St Selby State S.D. 57472  
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.89 \*CFS or 850 \*\*GPM \*\*\*AF Total Acreage 135  
(\*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) County Campbell  
SW 1/4 of NE 1/4 of 25-125N77
- County or counties where water will be used Campbell
- Annual period during which water is to be used May 1 - 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>SE 1/4 of SE 1/4 of 24-125N77</u> | <u>35</u> |                  |       |
| <u>NE 1/4 of SE 1/4 of 24-125N77</u> | <u>35</u> |                  |       |
| <u>NW 1/4 of SE 1/4 of 24-125N77</u> | <u>35</u> |                  |       |
| <u>SW 1/4 of SE 1/4 of 24-125N77</u> | <u>35</u> |                  |       |

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

This is to be irrigated from water from the well located in the NE 1/4 of 25-125N77

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 Kenneth Thorstenson

Subscribed and sworn to before me this 7th day of November 20 03

D. L. Austrejo

Notary Public signature

Commission Expires 06/30/2009

**SOUTH DAKOTA**  
**WATER PERMIT NO. 6452-3**

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Date of first receipt of application November 12, 2003.

Date of return to applicant for corrections, amendments or changes November 12, 2003.

Date of receipt of corrected application November 17, 2003.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6452-3 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. 6452-3 appropriates 1.89 cubic feet of water per second from one existing well (Selby Aquifer) 95 feet deep located in the SW ¼ NE ¼ Section 25 to irrigate 135 acres located in the SE ¼ Section 24; 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 November 12, 2003.
4. The date of approval of Permit No. 6452-3 is February 9, 2004.
5. One-fifth of the construction is to be completed on or before August 9, 2006.
6. All construction is to be completed on or before February 9, 2009.
7. Water is to be put to beneficial use on or before February 9, 2013.
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. 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

FEB 20 2004  
date



# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 12, 20 03

RECEIVED OF Kenneth Thoratenson, 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. <u>6452-3</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>6452-3</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. 000017

By Darlene E. Eide

Chief Engineer gm

Eleanor Doy  
11-10-03

MAP NOT TO SCALE  
THIS IS NOT AN OFFICIAL WETLAND MAP

2003



6452-3

MAP NOT TO SCALE  
THIS IS NOT AN OFFICIAL WETLAND MAP

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

T1345  
NHEL

J11 T1048  
NHEL

T996  
NHEL

$\frac{80.9}{5}$

24

T1355  
NHEL

*to be  
irrigated*

$\frac{154.0}{1}$

125-77

$\frac{155.2}{1}$

$\frac{152.6}{1}$

T1730  
NHEL

J11

T996  
NHEL

T996  
NHEL

$\frac{11.3}{2}$

T996  
NHEL

6452-3

# 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

RIG NO

Paul Hofer

FOREMAN

| 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. 75'                                                       |
| 10    |       |      | 20' .025 3" slotted                                            |
| 11    |       |      | 75' 3" blank                                                   |
| 12    |       |      | Pumped w/ air 35 G.P.M.                                        |
| 13    |       |      | Water head 35'                                                 |
| 14    |       |      |                                                                |
| 15    |       |      |                                                                |
| 16    |       |      |                                                                |
| 17    |       |      |                                                                |
| 18    |       |      |                                                                |
| 19    |       |      | Ken Thorsen                                                    |
| 20    |       |      | 604 E Theodore St.                                             |
| 21    |       |      | Selby S.D. 57472                                               |
| 22    |       |      |                                                                |
| 23    |       |      |                                                                |
| 24    |       |      |                                                                |
| 25    |       |      |                                                                |
| 26    |       |      |                                                                |
| 27    |       |      |                                                                |
| 28    |       |      |                                                                |
| 29    |       |      |                                                                |
| 30    |       |      |                                                                |
| 31    |       |      |                                                                |
| 32    |       |      |                                                                |
| 33    |       |      |                                                                |
| 34    |       |      |                                                                |
| 35    |       |      |                                                                |
| 36    |       |      |                                                                |
| 37    |       |      |                                                                |
| 38    |       |      |                                                                |
| 39    |       |      |                                                                |
| 40    |       |      |                                                                |

## SOUTH DAKOTA WATER WELL COMPLETION REPORT

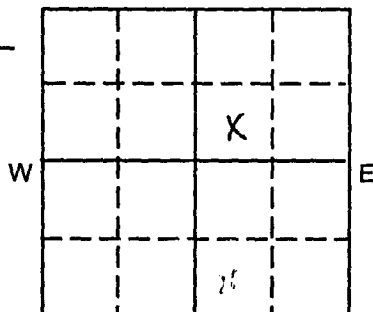
11-02

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

County

Walworth

North

Please mark well  
location with an "X"

1 Mile

Well Completion Date

10/22/2003

Distance to 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:

Reverse

## CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe \_\_\_\_\_

| PIPEWEIGHT | DIAMETER | FROM | TO   | HOLE DIAMETER |
|------------|----------|------|------|---------------|
| LB/FT      | IN       | FT   | FT   | IN            |
|            | 16.00    | 0.0  | 76.0 | 24.00         |
| 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       | 0.0 Ft | 20.0 Ft |
| Cement     | 36           |              |        |         |
|            |              | Lb/gal       | Ft     | Ft      |

Describe grouting procedure  
Line

## SCREEN:

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

Other information \_\_\_\_\_

## WAS A PACKER OR SEAL USED?

☒ Yes ☐ NoIf 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:

| FORMATION        | DEPTH |    |
|------------------|-------|----|
|                  | 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:

Date: 11-10-03DEC 31 2003  
WATER RIGHTS  
PROGRAM



November 12, 2003

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

Kenneth Thorstenson  
604 E Theodore St  
Selby SD 57472

Dear Mr. Thorstenson:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation in the SE ¼ Section 24-T125N-R77W. In order to complete the application the following is required.

Please complete Item No. 2 of the application, the amount of water claimed. State Statutes limit diversions to 1 cubic feet of water per second (cfs) for each 70 acres irrigated. This would mean that you are allowed approximately 1.93 cfs (867 gallons per minute) for the 135 acres to be irrigated.

Also, on the map, please outline the location of the 135 acres to be irrigated.

If you have any questions, please contact me.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Water Rights Program  
605 773-3352

enclosures

REPORT ON WATER PERMIT APPLICATION NO. 6452-3  
For Kenneth Thorstenson  
December 31, 2003

Application No. 6452-3 proposes to appropriate 1.89 cfs (850 gpm) from one well approximately 95 feet deep located in the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of section 25 to irrigate 135 acres located in the SE  $\frac{1}{4}$  of section 24; all in T125N R77W in Campbell County.

**AQUIFER – SELBY (S)**

The Selby is a predominantly surficial outwash (sand and gravel) that is under water table conditions over most of Campbell and Walworth Counties. 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). This immediate area is fairly complicated geologically. 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).

The applicant has completed a production well at this site. The aquifer was encountered at a depth of 57 feet and extended to a depth of 91 feet below land surface. The completed well had a static water level of 41 feet below land surface. No test pumping data was provided with the well completion report. The aquifer at this site would under slightly artesian conditions.

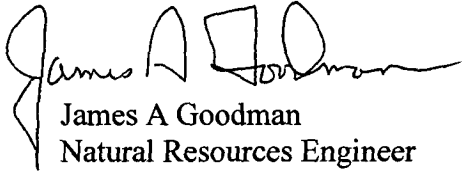
The Water Rights Program monitors three observation well within a two mile radius of this application. Two of these wells are completed into the Grand aquifer and one into the Selby aquifer. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. Also, irrigation pumping fluctuates water levels in the Grand aquifer and does not affect water levels in the Selby aquifer unless the measured water level is very close to the production well.

**REVIEW OF EXISTING WATER PERMITS/RIGHTS**

There is an existing water permit No. 6428-3 for this same well but for irrigation of different lands. There is also an existing irrigation located about 1900 feet southwest of the well for this application. It is likely that drawdown will overlap between these sites during the irrigation season. Based upon testing of the older irrigation well (No. 5428-3), this affect is not expected to be adverse. 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. At this site the Selby is under slight artesian conditions and drawdown will occur. Interference is not expected to be a concern. The distance between wells should be sufficient to minimize any potential effects.
3. The well for this application is completed in accordance with SD Well Construction Standards.
4. This well may also provide irrigation water for Water Permit No. 6428-3. Approval of this application does not change the existing permit or the qualifications on that permit.



James A Goodman  
Natural Resources Engineer

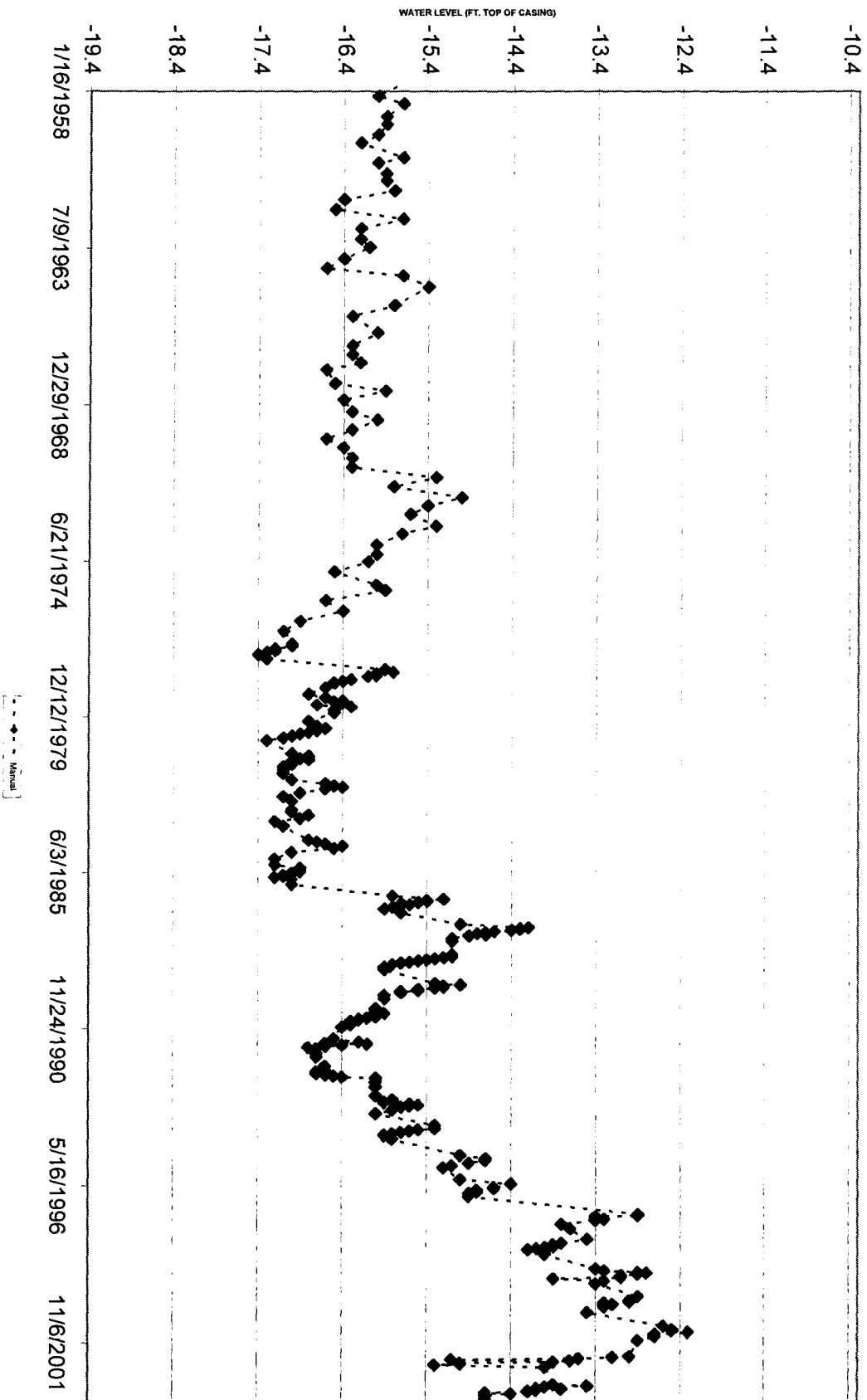
## BIBLIOGRAPHY

Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South 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, SD DENR, 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**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 6452-3, 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. 6452-3, Kenneth Thorstenson, 604 E Theodore Street, Selby SD 57472.

The Chief Engineer is recommending APPROVAL of Application No. 6452-3 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. 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  
January 9, 2004



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 12, 2004

Prairie Pioneer  
PO Box 218  
Pollock SD 57648-0218

ATTENTION: Legal Public Notice

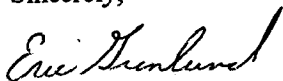
Enclosed is a Notice of Hearing on Application No. 6452-3 to Appropriate Water to be published twice. Please publish the first notice on January 22, 2004 with the second publication 7 days later.

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 (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. 6452-3

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

Date \_\_\_\_\_

We are in receipt of your letter of January 12, 2004 enclosing Notice of Hearing to Appropriate Water by Application No. 6452-3 which was first published in our issue of \_\_\_\_\_. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Newspaper



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182

[www.state.sd.us/denr](http://www.state.sd.us/denr)

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

January 12, 2004

Kenneth Thorstenson  
604 E Theodore St  
Selby SD 57472

Dear Mr. Thorstenson:

Water Permit Application No. 6452-3 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 January 22, 2004 with the second publication 7 days later. The applicant is responsible for payment.

---

#### NOTICE OF APPLICATION NO. 6452-3 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 1.89 cubic feet of water per second from one existing well (Selby Aquifer) 95 feet deep located in the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  Section 25 to irrigate 135 acres located in the SE  $\frac{1}{4}$  Section 24; all in T125N-R77W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6452-3 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 February 9, 2004.

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

from the Prairie Pioneerprinted and published in PollockCounty of Campbell and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

1/22/041/29/04Cost of Printing \$36.03Leah P. Burke

(Signature)

publisher

(Title)

1/29/04

(Date Signed)

### Notice of Application No. 6452-3 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 1.89 cubic feet of water per second from one existing well (Selby Aquifer) 95 feet deep located in the SW1/4NE1/4 Section 25 to irrigate 135 acres located in the SE1/4 Section 24; all in T125N-R77W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6452-3 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 February 9, 2004.

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.

4-5

RECEIVED  
FEB - 2 2004  
WATER RIGHTS  
PROGRAM



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

FEB 20 2004

Kenneth Thorstenson  
604 E Theodore St  
Selby SD 57472

Dear Mr. Thorstenson:

Enclosed is Water Permit No. 6452-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

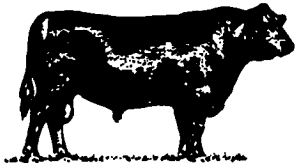
Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the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



ANGUS



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



GELBVIEH

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NOV 22 2010

WATER RIGHTS  
PROGRAM

NOV 19<sup>th</sup> 2010

To Whom it may concern:

On May 5<sup>th</sup> 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

6452-3



**DEPARTMENT of ENVIRONMENT  
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[www.state.sd.us/denr](http://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 19<sup>th</sup> 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](mailto:genny.mcmath@state.sd.us)

enclosures

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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. 6452-3

Date: 12-3-10

I/We request that Water Permit No. 6452-3

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:

135 acres - SE 1/4 Section 24, T125N, R77W

I/We understand that the validity of Water Permit No. 6452-3 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. Begeman, 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 | <b>50 00</b> | <b>00</b>    |
| 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>6452-3</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)                                                                               | <b>TOTAL</b> | <b>50 00</b> |

No.

**04895**

By

*Leah Ebel*  
Chief Engineer



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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PIERRE SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://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".

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

enclosures



6452-3  
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  
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PIERRE, SOUTH DAKOTA 57501-3182

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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