

WATER PERMIT NO. 2245B-3

Name of Applicant: Brookings Deuel Rural Water System

Address: PO Box 84, Toronto SD Phone: 605 794-4201

Amount of Water Claimed: 1.93 cfs Total Acres: NA

Source of Water Supply: groundwater (two wells)

Water to be used for: rural water system use County: Deuel

Type of Waste Disposal System:

Location: 3 miles northeast of Clear Lake

PRIORITY Date Received: 1-4-01 Fee: \$\$50

Corrected Application Received:: Period of Annual Use: January 1 – December 31

Remarks: change use on Permit No. 2245-3A from irrigation to RWS

Diversion Point: SE ¼ NE ¼ Sec 18-T115N-R48W

Land to be Irrigated: NA

Depth of Well: 50 and 105 feet deep

Well Driller: : _

Remarks:

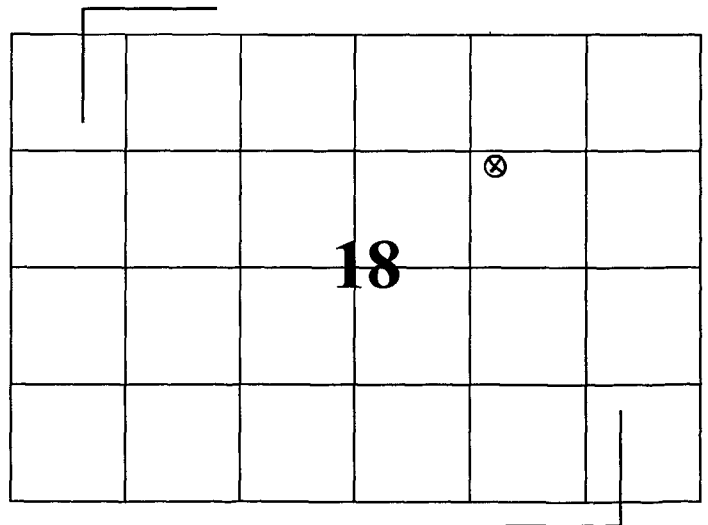
Type of Map: topo

Prepared by: Bruce Jennings

Reviewed and the Number Assigned on: 1-5-01

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



FORM 2: Application for uses other than irrigation
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>2245B-3</u> (office use only)	Hydrologic Unit <u>10170202</u>
	Basin <u>Big Sioux River</u>	
	Newspaper _____	



Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

☐ Municipal	☐ Suburban Housing	☐ Recreational	☐ Institutional
☒ Rural Water System	☐ Commercial	☐ Fish & Wildlife	☐ Geothermal Heat
☐ Domestic (over 18 gpm)	☐ Industrial	☐ Other _____	

Type of Application: ☐ New ☒ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☒ Amendment/Correction to Permit No. 2245-3A

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

Change use from irrigation to rural water system

1. Name of Applicant Brookings Deuel Rural Water System Phone 605-794-4061 (Fax #) 4201
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address R.R.2, P.O. Box 84, Toronto State SD 57286
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.93 *CFS or _____ **GPM _____ ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Big Sioux Aquifer (2 Wells)
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1300' West and 1340' South of the NE corner of section 18-T115N-R48W (SE 1/4 NE 1/4)
County Deuel County
5. County or counties where water will be used Deuel, Grant, Brookings, Moody, Hamlin
6. Annual period during which water is to be used 12 months per year Jan. 1 - Dec. 31
7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Additional water supply for existing Brookings Deuel Rural Water System

STATE OF SOUTH DAKOTA)

County of Deuel SS

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, Pat Gilligan, 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 Pat Gilligan - mgr

Subscribed and sworn to before me this 3rd day of January 20 01

James J. Santvoort
Notary Public signature
Commission expires 5/16/2004

SOUTH DAKOTA
WATER PERMIT NO. 2245B-3

Date of first receipt of application January 4, 2001.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2245B-3 to Brookings Deuel Rural Water System, RR 2 Box 84, Toronto SD 57286 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. 2245B-3 authorizes a change of use for 1.93 cubic feet of water per second (cfs) from irrigation use as authorized by Water Right No. 2245-3A to use by the Brookings Deuel Rural Water System. Water Right No. 2245-3A authorizes 1.93 cfs from two wells (Big Sioux Aquifer and Pleistocene Series Unknown) located in the SE ¼ NE ¼ Section 18-T115N-R48W to irrigate 135 acres with priority dates of April 8, 1975 and March 5, 1981. Use of the water for irrigation is to be abandoned and changed to rural water system use with the same priority dates. No additional water appropriation is authorized by this permit.
2. The water appropriated shall be used for the purpose of supplying water for rural water system use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 2245B-3 is March 12, 2001.
5. The date from which applicant may claim right is April 8, 1975 and March 5, 1981.
6. One-fifth of the construction is to be completed on or before September 12, 2003.
7. All construction is to be completed on or before March 12, 2006.
8. Water is to be put to beneficial use on or before March 12, 2010.
9. 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 wells 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. Water Permit No. 2245B-3 authorizes a maximum diversion rate of 1.93 cfs (866 gpm) and a total annual diversion of 270 acre feet of water.

(continued)

Water Permit No. 2245B-3

Brookings Deuel Rural Water System

Page 2

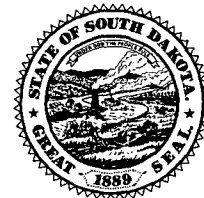
3. Brookings Deuel Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux Aquifer and Pleistocene Series Unknown Aquifer.
4. Any wells which are abandoned must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

WATER MANAGEMENT BOARD

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

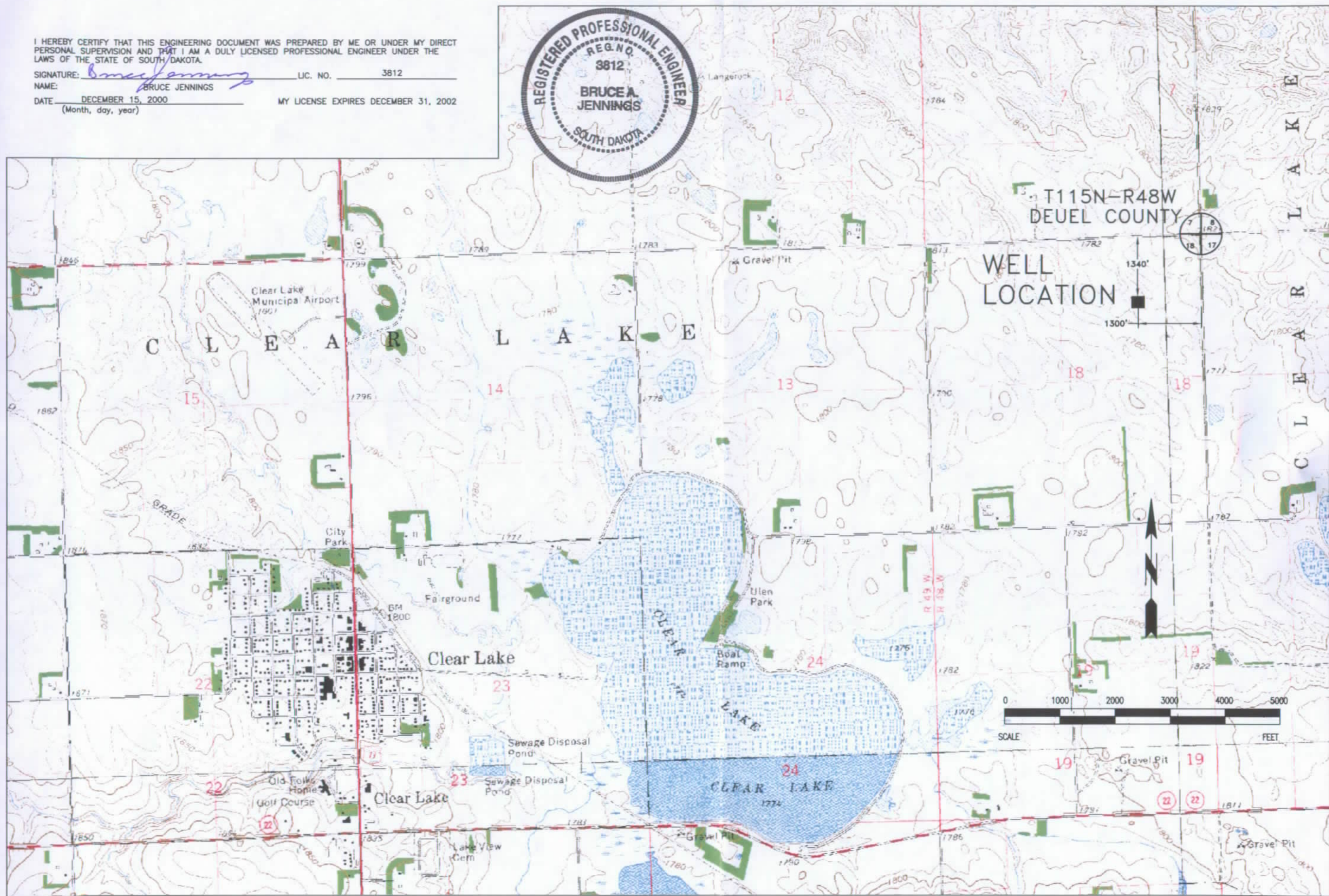
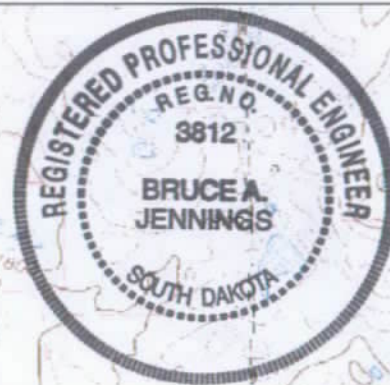
APR 04 2001

date



I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA.

SIGNATURE: Bruce Jennings LIC. NO. 3812
 NAME: BRUCE JENNINGS
 DATE: DECEMBER 15, 2000 MY LICENSE EXPIRES DECEMBER 31, 2002
 (Month, day, year)



BROOKINGS DUEL RURAL WATER SYSTEM
 TORONTO, SOUTH DAKOTA
 2000 IMPROVEMENTS PROJECT

Date: DECEMBER, 2000
 Drawn By: WH
 Approved By: BU

Bertoldi Great, Beckert & Associates Co.
 Consulting Engineers
 Rock Rapids, Iowa
 Sioux City, Iowa
 Sioux Falls, South Dakota



Project No. 800205

Sheet

1

2245B-3

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N^o 416722

Pierre, January 4, 2001

RECEIVED OF Brookings-Deuel RWS, RR 2 Box 84, Brookings SD 57006

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

Fee for Application for Permit No. <u>2245B-3</u> 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. <u>2245B-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	100 00

By Darland Erbe
Chief Engineer gmn

Water Rights Program - File Documentation

NAME: Brookings-Deuel RWS

ADDRESS: Toronto

DATE: 1-4-01 **COUNTY:** DU **TELEPHONE:** 605 794-4201

RE: Pending application

COMMENTS:

Talked with Pat Gilligan about the pending change of use application. I told Mr. Gilligan that Water Right No. 2245-3A was licensed for 1.93 cfs from 2 wells. The application and map only indicated 1 well.

Mr. Gilligan stated they were proposing to test pump both wells and use the better of the two. I told him that we would include both wells on the change of use application and one will be deleted at the time it is licensed. Mr. Gilligan concurred with this.



Karen Schlaak
Environmental Scientist

REPORT ON WATER PERMIT APPLICATION NO. 2245B-3
for the Brookings Deuel Rural Water System
January 30, 2001

Application No. 2245B-3 proposes to change the use of 1.93 cfs (866 gpm) from irrigation use as authorized by Water Right No. 2245-3A to use by the Brookings Deuel Rural Water System. Water Right No. 2245-3A authorizes 1.93 cfs from two wells located in the SE 1/4 NE 1/4 of section 18, T118N R48W to irrigate 135 acres with priority dates of April 8, 1975 and March 5, 1981. Use of the water for irrigation is to be abandoned and changed to rural water system use with the same priority dates. No additional water appropriation is authorized by this application.

AQUIFER - BIG SIOUX BROOKINGS (BS-B), PLEISTOCENE SERIES UNKNOWN (PS-U)

The Big Sioux Brookings Aquifer is a predominantly surficial outwash (sand and gravel) which is under water table conditions in this area. The aquifer underlies 26,400 acres and contains an estimated 59,400 acre feet of recoverable water in storage in Deuel County (Hedges, 1982). Ground water movement is from east to west toward Clear Lake (Kume, 1985). A recent study for Brookings Deuel Rural Water identified and named an outwash, the Clear Lake Aquifer (Iles, 1988). This outwash may correlate with other buried outwash in this area and may even be hydraulically connected to the Big Sioux Brookings aquifer. The other buried outwash in this immediate area has been named either the Pleistocene Series Unknown (PS-U) or the Prairie Coteau (PCO) aquifer. In any scenario, the outwash thickness and areal extent is considerably more than the Hedges estimate.

The Water Rights Program does monitor five observation wells in this area. Water levels show good response to climatic conditions (Water Rights, 2001). The records for one observation well, DU-75A, is included with this report.

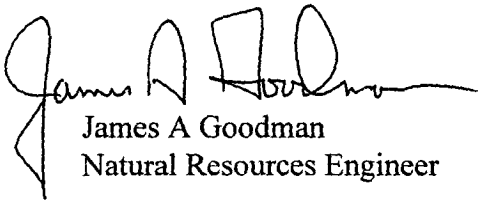
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are three existing irrigation water rights in the area north and west of this application. The water source for these rights are from a buried outwash which is likely the same source as the deeper well (#2) for Water Right No. 2245-3A. The shallower well (#1) for right No. 2245-3A is surficial source and probably is the same source which is used by the rural water system wells #1, #2, and #3 (Water Right No. 4830-3). The rural water system wells are located in the same quarter section as right No. 2245-3A. This source has been called the Big Sioux Brookings aquifer but in fact may be part of the Clear Lake aquifer.

CONCLUSIONS

1. Water is available from the Big Sioux Brookings aquifer or the other outwash aquifers in the area.

2. The two wells under Water Right No. 2245-3A may be from different water sources. The shallow source would be the Big Sioux Brookings aquifer and the deeper source the Pleistocene Series Unknown. This nomenclature conforms with the Water Rights database as it exists now. As more information becomes available, it may be possible to further define the aquifers in this area.
3. The amount of water which can be transferred is limited to 270 acre feet per year with a maximum diversion rate of 1.93 cfs. Our inspection records indicate that the shallow well #1 was capable of pumping 600 gpm and well #2 was capable of producing 300 gpm. The 900 gpm (2.0 cfs) production rate is more than the licensed amount because of the number of acres irrigated. Either source is capable of producing the 270 acre feet per year. Depending upon which water source is used the priority date would change.
4. Any wells which are abandoned must be plugged in accordance with SD Well Construction Standards.
5. The major source of water for irrigation was the shallow well. Interference is not expected to be a concern. The shallow source appears to be hydrologically distinct from the buried source in this immediate vicinity. The irrigation systems existed for many years with no apparent problems.
6. SDCL 46-5-34.1 allows the transfer of water from irrigation to this type of use.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Hedges, L.S., et al., 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.

Iles, D.L., P.M. Dawson, 1988, Hydrogeologic Investigation for an Alternate Water Source for the Brookings-Deuel Rural Water System Near Clear Lake, South Dakota, Open-File Report 51-UR, SD DENR, SDGS, Vermillion, SD, 57069.

Kume, J., 1985, Water Resources of Deuel and Hamlin Counties, South Dakota, WRI 84-4069, USGS, Huron, SD, 57350.

Water Rights, 2001, Unpublished Observation Well Data for Deuel County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.



**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. 2245B-3, Brookings Deuel Rural Water System**

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. 2245B-3, Brookings, Deuel Rural Water System, c/o Pat Gilligan, RR 2, Box 84, Toronto SD 57286

The Chief Engineer is recommending APPROVAL of Application No. 2245B-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualifications:

1. The wells 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. Water Permit No. 2245B-3 authorizes a maximum diversion rate of 1.93 cfs (866 gpm) and a total annual diversion of 270 acre feet of water.
3. Brookings Deuel Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux Aquifer and Pleistocene Series Unknown Aquifer.
4. Any wells which are abandoned must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

See report on application for additional information.

Garland Erbele, Chief Engineer
February 2, 2001



**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 NEWSPAPERS RIGHT AWAY.

February 5, 2001

Pat Gilligan
Brookings Deuel Rural Water System
RR 2
PO Box 84
Toronto SD 57286

Dear Mr. Gilligan:

Water Permit Application No. 2245B-3 for rural water system 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 Publishers of the following papers:

Clear Lake Courier printed at Clear Lake, SD Ph #605-874-2499	✓	✓
Grant Co. Review printed at Milbank, SD Ph #605-432-4516	✓	✓
Register printed at Brookings, SD Ph #605-692-6271	✓	✓
Moody Co. Enterprise printed at Flandreau, SD Ph #605-997-3725	✓	✓
Hamlin Co. Republican printed at Castlewood, SD Ph #605-793-2293	✓	✓

*called 3/15/01 - 10:00 AM
called again 3/15/00
- 10:00 AM*

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 newspapers to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the papers can eliminate delays. The publishers have 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 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 February 14, 2001 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2245B-3
to Amend Water Right No. 2245-3A

Notice is given that Brookings Deuel Rural Water System, PO Box 84, Toronto SD 57286 has filed an application for a water permit to change the use of 1.93 cubic feet of water per second (cfs) from irrigation use as authorized by Water Right No. 2245-3A to use by the Brookings Deuel Rural Water System. Water Right No. 2245-3A authorizes 1.93 cfs from two wells (Big Sioux Aquifer and Pleistocene Series Unknown) located in the SE ¼ NE ¼ Section 18-T115N-R48W to irrigate 135 acres with priority dates of April 8, 1975 and March 5, 1981. Use of the water for irrigation is to be abandoned and changed to rural water system use with the same priority dates. No additional water appropriation is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2245B-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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 5, 2001.

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.



February 5, 2001

Hamlin Co. Republican
Box 50
Castlewood, SD 57223-0050

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2245B-3 to Appropriate Water to be published twice. Please publish the first notice on February 14, 2001 with the second publication 7 days later.

February 21, 2001

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 Brookings Deuel Rural Water System, RR 2 , PO Box 84, Toronto SD 572686 (Ph # 605-794-4201).

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. 2245B-3

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

Date _____

We are in receipt of your letter of February 5, 2001 enclosing Notice of Hearing to Appropriate Water by Application No. 2245B-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

February 5, 2001

Clear Lake Courier
Box 830
Clear Lake, SD 57226-0830

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2245B-3 to Appropriate Water to be published twice. Please publish the first notice on February 14, 2001 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 Brookings Deuel Rural Water System, RR 2 , PO Box 84, Toronto SD 572686 (Ph # 605-794-4201).

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. 2245B-3

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

Date _____

We are in receipt of your letter of February 5, 2001 enclosing Notice of Hearing to Appropriate Water by Application No. 2245B-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

Grant Co. Review
Box 390
Milbank, SD 57252-0390

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2245B-3 to Appropriate Water to be published twice. Please publish the first notice on February 14, 2001 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 Brookings Deuel Rural Water System, RR 2 , PO Box 84, Toronto SD 572686 (Ph # 605-794-4201).

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. 2245B-3

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

Date _____

We are in receipt of your letter of February 5, 2001 enclosing Notice of Hearing to Appropriate Water by Application No. 2245B-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

February 5, 2001

Register
PO Box 177
Brookings, SD 57006-0177

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2245B-3 to Appropriate Water to be published twice. Please publish the first notice on February 14, 2001 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 Brookings Deuel Rural Water System, RR 2 , PO Box 84, Toronto SD 572686 (Ph # 605-794-4201).

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. 2245B-3

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

Date _____

We are in receipt of your letter of February 5, 2001 enclosing Notice of Hearing to Appropriate Water by Application No. 2245B-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

February 5, 2001

Moody Co. Enterprise
Box 71
Flandreau, SD 57028-0071

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 2245B-3 to Appropriate Water to be published twice. Please publish the first notice on February 14, 2001 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 Brookings Deuel Rural Water System, RR 2 , PO Box 84, Toronto SD 572686 (Ph # 605-794-4201).

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. 2245B-3

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

Date _____

We are in receipt of your letter of February 5, 2001 enclosing Notice of Hearing to Appropriate Water by Application No. 2245B-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
 County of Moody)

I, Angela Nibbelink

certify that the attached printed Notice was taken

from the Moody County
Enterprise

printed and published in Handrean

County of Moody and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Feb. 14, 2001

Feb. 21, 2001

Cost of Printing \$44.80

Angela Nibbelink
 (Signature)

Bookkeeper
 (Title)

2-21-01
 (Date Signed)

NOTICE OF APPLICATION NO. 2245B-3 to Amend Water Right No. 2245-3A

Notice is given that Brookings Deuel Rural Water System, R.R. 2 Box 84, Toronto, SD 57268 has filed an application for a water permit to change the use of 1.93 cubic feet of water per second (cfs) from irrigation use as authorized by Water Right No. 2245-3A to use by the Brookings Deuel Rural Water System. Water Right No. 2245-3A authorizes 1.93 cfs from two wells (Big Sioux Aquifer and Pleistocene Series Unknown) located in the SE 1/4 NE 1/4 Section 18-T115N-R48W to irrigate 135 acres with priority dates of April 8, 1975 and March 5, 1981. Use of the water for irrigation is to be abandoned and changed to rural water system use with the same priority dates. No additional water appropriation is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2245B-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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 5, 2001.

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. Pimer, Secretary
 Department of Environment and Natural Resources

(Feb. 14 & 21, 2001)



AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF DEUEL

The undersigned Gary DeJong being first duly sworn, on oath deposes and says:

That he is in charge of the advertising department of the Clear Lake Courier; which newspaper is published by Gary DeJong; that the Clear Lake Courier is a weekly newspaper printed and published in Clear Lake, Deuel County, South Dakota and the undersigned has full and personal knowledge of all facts hereinafter stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication, that the

Brookings Deuel Rural Water

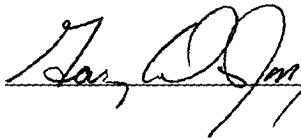
Notice

a printed copy of which, taken from the paper in which the same was printed, is attached to this sheet, and is made a part of the Affidavit, was published in said newspaper at least once in each week for one successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

On Wednesday, February 14, 2001

On Wednesday, February 21, 2001

that the full amount of the fees for the publication of the annexed notice is **32.33**


Gary DeJong

Subscribed and sworn to before me this 21 day

of February, 2001


Notary Public, South Dakota
Shirley Denekamp

My Commission Expires: January 16, 2007

NOTICE OF APPLICATION

NO. 2245B-3

To Amend Water Right No. 2245-3A

Notice is given that Brookings Deuel Rural Water System, PO Box 84, Toronto, SD 57268 has filed an application for a water permit to change the use of 1.93 cubic feet of water per second (cfs) from irrigation use as authorized by Water Right No. 2245-3A to use by the Brookings Deuel Rural Water System. Water Right No. 2245-3A authorizes 1.93 cfs from two wells (Big Sioux Aquifer and Pleistocene Series Unknown) located in the SE 1/4 NE 1/4 Section 18-T115N-R48W to irrigate 135 acres with priority dates of April 8, 1975 and March 5, 1981. Use of the water for irrigation is to be abandoned and changed to rural water system use with the same priority dates. No additional water appropriation is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2245B-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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 5, 2001.

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.

Feb. 14 & 21



Printer's Affidavit of Publication

STATE OF SOUTH DAKOTA,
COUNTY OF GRANT

} ss.

Holli Seehafer

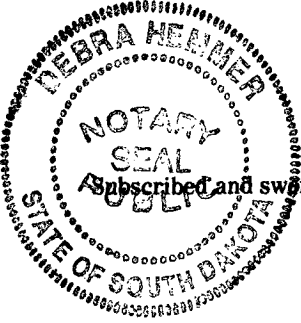
of said County and State, being first duly sworn, on oath says that the Grant County Review is a legal weekly newspaper of general circulation, printed and published in Milbank, in said County of Grant and State of South Dakota, by Phyllis Justice, and has been such newspaper during the times hereinafter mentioned; that said newspaper is a legal newspaper; and that it has a bona fide circulation of more than two hundred copies weekly, and has been published within said County of Grant in the English language and has been admitted to the United States mail under second class mailing privilege, for at least one year next prior to the publication of the Notice herein mentioned, and has been printed wholly in an office maintained at the said place of publication, that I, the undersigned, Advertising Manager of said newspaper, in charge of the advertising department thereof, have personal knowledge of all the facts stated in this affidavit; that the advertisement headed Notice by

Application No. 2245B-3 to Amend
Water Right No 2245-3A

_____ a printed copy of which, taken from the paper in which the same was published, is attached to this sheet and is made a part of this Affidavit, was published in said newspaper at least once each week for two successive weeks, on the day of each week on which the said newspaper was regularly published, to-wit:

<u>February 14, 2001</u>	_____ 19
<u>February 21, 2001</u>	_____ 19
_____ 19	_____ 19

That \$ 43.24, being the full amount of the fee charged for the publication of said Notice, inures to the benefit of the publisher of the Grant County Review; that no agreement or understanding for the division thereof has been made with any person, and that no part has been agreed to be paid to any person whomsoever.



Holli Seehafer

Subscribed and sworn to before me this 27th day of February 19 2001

Debra L. Hemmer

Notary Public, Grant County, South Dakota

DEBRA HEMMER
Notary Public, Grant County, S. DAK.
My Commission Expires JULY 27, 2003



NOTICE OF APPLICATION NO. 2245B-3 to Amend Water Right No. 2245-3A

Notice is given that Brookings Deuel Rural Water System, PO Box 84, Toronto, SD 57286 has filed an application for a water permit to change the use of 1.93 cubic feet of water per second (cfs) from irrigation use as authorized by Water Right No. 2245-3A to use by the Brookings Deuel Rural Water System. Water Right No. 2245-3A authorizes 1.93 cfs from two wells (Big Sioux Aquifer and Pleistocene Series Unknown) located in the SE 1/4 NE 1/4 Section 18-T115N-R48W to irrigate 135 acres with priority dates of April 8, 1975 and March 5, 1981. Use of the water for irrigation is to be abandoned and changed to rural water system use with the same priority dates. No additional water appropriation is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2245B-3 because 1) existing rights will not be

unlawfully impaired, 2) it is a beneficial use of water, and 3) 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 by March 5, 2001.

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.
Feb. 14

Feb. 21

Affidavit of Publication

State of South Dakota

ss

County of Brookings

Exhibit "A"

Legal 664, 2x, 2/14, 21

NOTICE OF APPLICATION

NO. 2245B-3

to Amend Water Right No. 2245-3A

Notice is given that Brookings Deuel Rural Water System, PO Box 84, Toronto SD 57286 has filed an application for a water permit to change the use of 1.93 cubic feet of water per second (cfs) from irrigation use as authorized by Water Right No. 2245-3A to use by the Brookings Deuel Rural Water System. Water Right No. 2245-3A authorizes 1.93 cfs from two wells (Big Sioux Aquifer and Pleistocene Series Unknown) located in the SE 1/4 NE 1/4 Section 18-T1 15N-R48W to irrigate 135 acres with priority dates of April 8, 1975 and March 5, 1981. Use of the water for irrigation is to be abandoned and changed to rural water system use with the same priority dates. No additional water appropriation is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2245B-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) 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 5, 2001.

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.

Kristy Rosse of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed in the office maintained at said place of publication; and that the



Legal #664 Hearing of Application

Brookings and State of South Dakota, for more than one a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit "A," and is made a part of this affidavit, was published in said newspaper for _____ 2 times, to-wit:

February 14, 2001

February 21, 2001

said Exhibit "A" inures to the sole benefit to the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Fourty-one dollars and thirty-eight cents \$41.38

Subscribed and sworn to before me this

8 day of

March, 2001.

Christina Nelson

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires April 27, 2006



APR 04 2001

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Pat Gilligan
Brookings Deuel Rural Water System
RR 2 Box 84
Toronto, SD 57286

Dear Mr. Gilligan:

Enclosed is Water Permit No. 2245B-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.

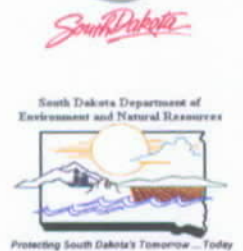
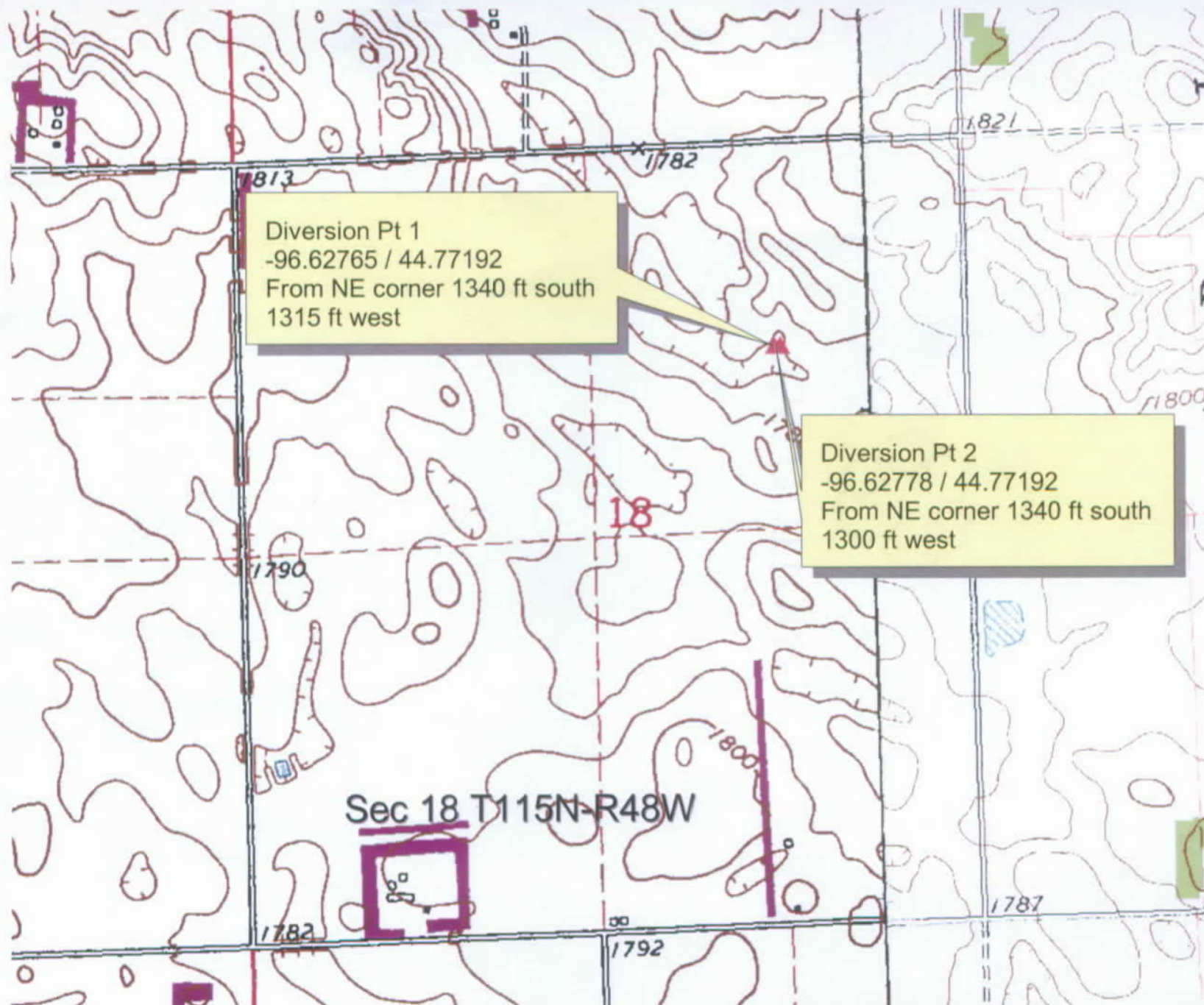
An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

No. 2245B-3



Mark D. Rath

Mark D. Rath
Natural Resources Engineering Specialist
SD DENR

10-29-2002



**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Date 6-24-04

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED
JUN 25 2004
WATER RIGHTS
PROGRAM

FROM: Brookings-Deuel Rural Water System, Inc.

(name)

47602 SD Hwy 28

(address)

Toronto, SD 57268

(city, state, zip)

605-794-4201

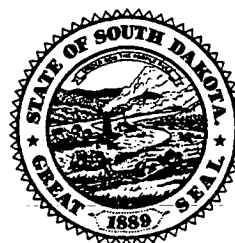
(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 2245B-3 states that the water use system is to be constructed by3-12-2006, and water is to be put to beneficial use by 3-12-2010
(date) (date)The water use system was completed on 12-17-04
(date)Applying the water to beneficial use was completed on 1-5-2004
(date)

You may schedule an investigation so that the water license may be issued.

David M. Seeling
(signature)



7-98 * 10 HP Submersible Pump
Grundfos Pump
Franklin Motor

Permit No. 2245B-3
Big Sioux River - Water District

Contact Person & Address: **Gene Wilts, Brookings-Deuel Rural Water System, 47602 SD Hwy 28, Toronto SD 57268**

Report of Examination of Works

On, **May 15, 2017**, I made an examination of the water use system constructed and operated by **Brookings-Deuel Rural Water System** holder of Permit No. **2245B-3**, bearing the priority of **April 8, 1975 and March 5, 1981** authorizing the diversion of **1.93** cu. ft. per second of the waters of **ground water (Big Sioux and Pleistocene Unknown aquifers)** for **rural water system use** purposes, in **Brookings and Deuel** Counties.

The system is in the following condition **good**. The point of diversion is located **from the NE corner of Sec 18T115N-R48W 1340 ft S and 1300 ft W** with latitude of **44.77192** and a longitude of **-96.62765** as determined using **GPS**. The **105** ft well into the **Pleistocene Unknown Aquifer** has been abandoned. The works are capable of diverting and conveying to the place of use **0.67** cu. ft. per second of water which is to be used for **rural water system use**. Water from the well into **the Big Sioux Aquifer** has been put to beneficial use and the license should be issued for **0.67** cfs with a priority date of **April 8, 1975**.

Review of Permit Qualifications and Regulations:

- 1) Special qualifications to permit being abided by **yes**
- 2) All structures, wells and lands on map **yes**

Report On the Specifics of the System

Diversion Point Information:

Well Information:

- 1) Well Drilling Firm: **Empire** 2) No. of Wells **1** 3) Depth(s) **57** feet 4) Well log is available **yes**
Casing: 1) Diameter **16** inches 2) Length **56** feet 3) Type **fiberglass**
Screen: 1) Type **fiberglass** 2) Length **1** feet 3) Static water level **?** feet
Pump: 1) Make **Grund Fos** 2) Model **Submersible** 3) Size **?** 4) Capacity **300** GPM
Motor: 1) Make **Franklin** 2) Model No. **submersible** 3) Horsepower rating **10** hp

DISTRIBUTION LINES OR CANALS:

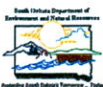
- 1) Type **rural water distribution system**

Comments: **none**



June 14, 2017

Mark D. Rath
Natural Resources Engineer III
DENR, Water Rights Program



0 300 600 1,200 1,800 2,400 3,000 Feet

Mark D. Rath

Mark D. Rath
Natural Resources Engineer
SD DENR -Water Rights Program

June 14, 2017

(1) WELL CONSTRUCTION

Location of well: 1/4 1/4 NE Section 16 Township 115N Range 456N
 Well owner: A. H. D. Brothers Clear Lake 57266
 (Name) (Address)
 Date well drilling completed: 4-28-75 Purpose of well: Irrigation
 (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer
0-2	top soil	25 ft.
2-8	sandy clay	23' 4" ft.
8-15	clay	Name of producing aquifer (if known) <u>gravel</u>
15-25	sand & clay	Total depth of drill hole <u>57</u> ft.
25-54	sand & gravel	Depth to bottom of casing <u>57</u> ft.
54-57	clay	

Casing (information in the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.)

0-56 16" Fiberglass

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

56-57 Fiberglass bottom

If flowing well, flow of completed well 6.50 G.P.M.

Empire Irrigation Drilling Co.
 Name of Drilling Contractor Inc.

(2) PUMP INSTALLATION

Company name and size of pump: Fairbanks Morse HP 75
 Type of pump: turbine Capacity of installed pump: 700 G.P.M.
 Depth of pump placement: 40 ft., Date of pump installation: 6-21-75

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.



Empire Irrigation Drilling Co.
 Name of Pump Installation Contractor Inc.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCESJOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

MAY 22 2019

2245-3A
2245B-3Gene Wilts
Brookings Deuel Rural Water System
47602 SD Hwy 28
Toronto SD 57268

Dear Mr. Wilts:

Enclosed is Water License No. 2245B-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.

The original water permit authorized use of water from either the Big Sioux Brookings or the Pleistocene Unknown aquifer. The field investigation for licensing purposes found the well into the Pleistocene Series Unknown Aquifer (105 feet deep) was abandoned. For your information SDCL 46-6-27 requires that if the owner of an existing well 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

Note: Upon licensing, the applicable portions of Water Right No. 2245-3A were incorporated into No. 2245B-3.

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2245B-3

(1) Brookings Deuel Rural Water System, 47602 SD Hwy 28, Toronto SD 57268 made Application No. 2245B-3, January 4, 2001 for a water permit to change the use of 1.93 cubic feet of water per second (cfs) from ground water, two wells (Big Sioux and Pleistocene Series Unknown Aquifers), Deuel County in South Dakota from irrigation to rural water system purposes. Permit No. 2245B-3, with priority dates of April 8, 1975 and March 5, 1981 was approved March 12, 2001 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 12, 2006 and for the application to beneficial use of water on or before March 12, 2010.

Water Right No. 2245-3A authorized diversion of 1.93 cfs from two wells for irrigation of 135 acres. The use of water for irrigation was abandoned and the water right transferred on January 12, 2001 to the rural water system. Water Permit No. 2245B-3 changed the use to rural water system purposes keeping the same priority dates. No additional water appropriation was authorized.

The rural water system abandoned the use of the Pleistocene Series Unknown Aquifer and utilizes the well drilled into the Big Sioux Brookings Aquifer. The applicable portions of Water Right No. 2245-3A are incorporated into this water license. A priority date for the well and diversion authority of April 8, 1975 is retained.

(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 0.67 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,340'S and 1,300'W of the NE corner of Section 18, T115N, R48W (SE ¼ NE ¼)
Latitude 44.77192, Longitude -96.62765

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use in Brookings, Deuel, Grant, Moody and Hamlin Counties.

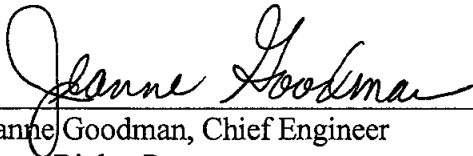
(4) Pursuant to South Dakota Water Law 46-5-30.1 Brookings Deuel Rural Water System, 47602 SD Hwy 28, Toronto SD 57268 the holder and/or owner of Incorporated Water Right No. 2245B-3 is issued a license to appropriate water, the right to use 0.67 cubic feet of water per second from ground water, one well (Big Sioux Brookings Aquifer) with a priority date of April 8, 1975 from the location specified in (2) of this license for rural water system purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2245B-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.

continued

- Water Right No. 2245B-3 authorizes a maximum diversion rate of 0.67 cfs (300 gpm) and a total annual diversion of 270 acre feet of water. *This qualification originally authorized 1.93 cfs. The diversion rate was reduced based on a field investigation of the water use system. The authorized acre foot limitation remains at 270 AF.*
- Brookings Deuel Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux Aquifer. *The original qualification included reporting of any water pumped from the Pleistocene Series Unknown Aquifer. The use of water from that aquifer was abandoned.*
- Any wells which are abandoned must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.



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

MAY 22 2019
date

