

Water Right Number 3982-3

1. Considered 7-27, 19 77
2. Name of Applicant EAST DAKOTA CONSERVANCY SUR DIST.
3. Post Office Address BROOKINGS
4. Amount of Water claimed 3.0
5. Source of Water supply 38' DEEP AQUIFER
6. Water to be used for F/U RURAL WATER SYSTEM

Acres to be irrigated _____

7. Water to be diverted and used in BROOKINGS County
about 5N miles of BRUCE

8. Proof of Publication

Received 6-28-77

Not Received _____

9. Application

Approved _____

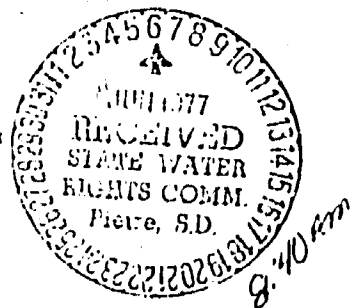
Subject to _____

Not Approved _____

Action Deferred _____

10. Remarks:

B-D.V.-RWS

No. 3482-3Map No. 3231-3 Water Division No. 3 BIG SIOUX RIVER District _____
(Blanks to be Filled by the Engineer for the W. R. C.)

Future Use APPLICATION FOR A PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable.)

1. Name of Applicant East Dakota Conservancy Sub-District
Postoffice address 524-17th Ave 57006 State South Dakota
if a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work B-D-K Rural Water Systems
4. Amount of water claimed (cubic feet per second) 3.0
5. Source of water supply Four wells
6. Location of point of diversion 0.5 cfs - NE⁴ of NE⁴ sec 25-112-51; 0.5 cfs - NW⁴ of NW⁴ sec 18-112-50; 0.5 cfs - NE⁴ of NE⁴ sec 20-112-51; 1.5 cfs - NW⁴ of NW⁴ sec 24-112-51 County Brookings
7. Annual period or periods during which water is to be used Used the entire year
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Rural Water System
9. For irrigation use, _____ Total number of acres to be irrigated _____

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Future Water years. Additional time required to complete application of water to the proposed beneficial use _____ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Brookings Register
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source Four wells with electrically driven deep well turbinesB. Works proposed to transport water to place of use Buried closed conduitC. Works proposed to apply water to beneficial use Under ground plastic pipe distribution systemEstimated Total Cost \$40,000
Four wellsAttachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of BrookingsI, W. J. Anderson, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed, W. J. AndersonSubscribed and sworn to before me this 24 day of June, 19 77Notary Public (or other qualified officer)
Notary Public (or other qualified officer) 1-1902

Combined well field for Brookings - D. B. K. Rural water system Inc and the Brookings Rural water system

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3982-3
EAST DAKOTA CONSERVANCY SUB-DIST. 524-17TH AVE, BROOKINGS
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57006 With the following modifications:
 (State)

AT SUCH TIMES AS DEFINITE PLANS ARE MADE, SPECIFIC APPLICATIONS FOR ALL OR ANY PART OF THE WATER GRANTED UNDER THIS WITHDRAWAL MUST BE SUBMITTED PRIOR TO CONSTRUCTION OF FACILITIES.

THIS FUTURE USE PERMIT NO 3982-3 IS APPROVED WITH THE STIPULATION THAT THIS PERMIT TO APPROPRIATE WATER IS SUBJECT TO REVIEW BY THE WATER RIGHTS COMMISSION AS TO ACCOMPLISHMENT THEREUNDER, UPON EXPIRATION OF SIX (6) YEARS

Date of first receipt of application JUNE 6, 19 77

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

Date of receipt of corrected application _____, 19 _____

Approved JANUARY 25, 19 78, Recorded in Book 19 Page 233

WATER RIGHT PERMIT NO. 3982-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3982-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JUNE 6, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOT APPLICABLE, 19 _____
3. The whole of said work is to be completed on or before NOT APPLICABLE, 19 _____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOT APPLICABLE, 19 _____
5. The water appropriated shall be used for the purpose of FUTURE USE - RURAL WATER SYSTEM

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 3.0 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial use ~~and if for the irrigation purposes and appropriation must be limited to not more than 2 acre-feet per acre per year and be limited to not more than 11,700 cubic feet of water per acre of time in continuous operation in which water is~~

USED FOR RURAL WATER SYSTEM USE
 while 25 actually and beneficially applied for irrigation ~~purpose~~ _____; said water to be used during the following described annual period: _____

Witness my hand this 31ST day of JANUARY, 19 78

WATER RIGHTS COMMISSION

By:

John H. [Signature]
 Chief Engineer, Executive Office

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

B-D-K Well field - 4 nearly identical wells

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 16", Depth 38'
- (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 16" Thickness 1/4"
- (3) Perforated Screen.
Type Cont. Slot Screen, Diameter 16", Length 10'
- (4) Gravel Pack, Thickness 5", Length of gravel pack 12'

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Water bearing Sands from
about 14' to 38'

Depth to top of water bearing material 14'

Depth to bottom of water bearing material 38'

Thickness of water bearing material 24'

Depth to water (ground surface to water level) 10'

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

* On same owner's property _____ rds. On property owned by others _____ rds

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

* See map

Michael Anderson Owner
Signature of Applicant

Publish first publication, on or before July 14, 1977

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501
June 14, 1977

East Dakota Conservancy Sub-District

Notice is hereby given that _____ whose

post office address is Brookings, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, Future Use 46-5-38, Temporary Permits 46-5-39, 46-5-40; Ground Water 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, Future Use 52:01:01:21

thru 52:01:01:24, for a permit to appropriate for Future 3.0 cubic feet of water per second of time from the ground water through

the B-D-K Rural Water System, the point of diversion of which ~~is~~ are

to be located in the NE 1/4 NE 1/4 and NW 1/4 NE 1/4 of Section 24,
NE 1/4 NE 1/4 of Section 25, T112N, R51W and NW 1/4 NW 1/4 SW 1/4

of Section 19 Twp. 112N Range 50W. Said water to be used for ~~XXXXXX~~
~~XXXXXX~~ or providing irrigation on portions of the following described land:
rural water system purposes

3902-3
This application, No. 3902-3, S.D. will be considered by the Water Rights Commission at their office at Pierre upon the 27th day of July, 1977, at 10: A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-25 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS COMMISSION

JAMES WINTERSON

Water Rights Specialist

~~XXXXXX~~ East Dakota Conservancy Sub-District, 504-17th Ave., Brookings, SD 57006

cc:

300 R.
Brookings
F.V. - RWS

No. 3982-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.

County Brookings _____)

I, James M. McLellan Jr. hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Brookings Daily Register

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

City of Brookings

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

June 20, 1977

June 27, 1977

(Signature)

Editor - General Manager

(Title)

6-27-77

(Date Signed)

Legal No. 153-June 20 and 27

NOTICE OF HEARING

-ON APPLICATION TO
1. PREPARE THE

APPROPRIATE WATER

June 14, 1977

June 14, 1977

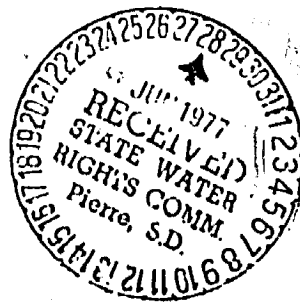
Notice is hereby given that East Dakota Conservancy Sub-District whose post office address is Brookings, South Dakota, has made an application in accordance with the provisions of SDCL 45-1-1 thru 46-1-3; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-31, Future Use 46-5-38, Ground Water 46-6-1, 46-6-5, 46-6-5.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, Future Use 52:01:01:21 thru 52:01:01:24, for a permit to appropriate for Future beneficial use 3.0 cubic feet of water per second of time from ground water through the B-D-K Rural Water Systems, the points of diversion of which are to be located in the NE¼ NE¼ NE¼ and NW¼ NW¼ NE¼ of Section 24, NE¼ NE¼ NE¼ of Section 25, T112N, R51W and NW¼ NW¼ SE¼ of Section 19, Twp. 112N, Range 50W. Said water to be used for rural water system purposes.

This Application No. 3003-3 will be considered by the Water Rights Commission at the Statrolite Inn, Brookings, S.D. upon the 7th day of July, 1977, at 10:00 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-27 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS COMMISSION

James Winton

Water Rights Specialist





BROOKINGS COUNTY DEFERRED

3752-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

January 16, 1978

TO: Holders of Deferred Applications in Brookings County
FROM: John Hatch, Chief Engineer, Water Rights Commission
SUBJECT: Reconsideration of Deferred Applications

The Water Rights Commission will reconsider deferred Brookings County Water Right Applications at 2:00 P.M., January 25, 1978 at the South Dakota Education Association Building, 411 E. Capitol, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

These Applications were deferred by the Water Rights Commission during 1977, pending Staff Investigation.

After reconsideration of the deferred Applications the Commission can approve, defer, or deny all or part of any of these Applications.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/BFJ/bw

RECEIPT

Division of Water Rights

No 4 9738

South Dakota Department of Water and Natural Resources

Pierre, August 29, 1984, 19

RECEIVED OF East Dakota Conservancy Sub-District 524 17th Ave., Brookings, SD 57006
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>3982-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

By John Hatch
Chief Engineer JOHN HATCH (ms)

WATER RIGHTS DIVISION
(605) 773-3352

September 5, 1984

Brookings-Deuel Rural Water System
1457 E. 6th
Brookings, South Dakota 57003

Kingbrook Rural Water System
PR#1, Box 46
Dell Rapids, South Dakota 57022

Gentlemen:

Future Use Water Permit No. 3982-3 has been transferred from East Dakota Conservancy Sub-District to the Brookings-Deuel Rural Water System and the Kingbrook Rural Water System.

The receipt for the \$2.50 filing fee paid by the East Dakota Conservancy Sub-District is being forwarded to them with a copy of this letter.

Sincerely,

Genny McMahan
Natural Resources Analyst

GM:ms

cc: Jerry L. Siegel, Mgr.-Treas.
East Dakota Cons. Sub-Dist.

EAST DAKOTA CONSERVANCY SUB-DISTRICT

BOARD OF DIRECTORS

WILFORD ANDERSON, *La Bolt*
WILLIAM DEMPSEY, *White*
NELS GRANHOLM, *Brookings*
OLIVER HUSMEYER, *Estelline*

EARL ACKESON, *Chester*, Chairman
ROYAL BERG, *Eastie*, Vice-Chairman
EDNA RUDD, *Colman*, Secretary

VIRNELL JOHNSON, *Lyons*
FAY KERR, *Akron, Iowa*
WALTER H. SCHWANKE, *Watertown*
WENDELL WISCHER, *Sioux Falls*

JERRY L. SIEGEL
Manager-Treasurer
DENNIS NELSON
Technical Assistant

Office
624 SEVENTEENTH AVENUE
BROOKINGS, SOUTH DAKOTA 57008
TELEPHONE 652-5185

August 28, 1984

John Hatch
Division of Water Rights
Department of Water and Natural Resources
Joe Foss Bldg.
Pierre, SD 57501

Dear John:

I am enclosing resolutions approved and signed by the Sub-District Board of Directors August 16, 1984 transferring Sub-District future use permits to rural water systems.

Please send some type of notice verifying that the transfers have been actually made.

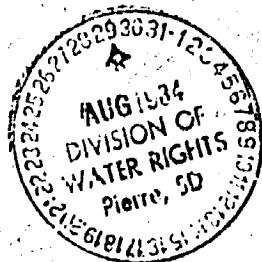
Thanks.

Sincerely,

Jerry L. Siegel
Jerry L. Siegel
Manager-Treasurer

k

Enc.



STATE OF SOUTH DAKOTA

Do not use this space.

DIRECT VOUCHER

AGENCY VOUCHER No.	DATE
84-224	8 28 84

PAYEE Division of Water Rights
Department of Water & Natural Resources
Joe Four Bldg.
Pierre SD 57501

DEPT.

STAPLE
HERE

AGENCY EAST DAKOTA CONSERVANCY SUB-DISTRICT

ADDRESS 524 17th Ave., Brookings SD 57006

Agency	Fund	Sub Fund	Prog. Act.	Obj. Sub. Obj.	Agency Coding	Amount	Contract No.
				0402		5 00	1
							2
							3
							4
							5
							6
							7
							8
							9
							10
TOTAL				22			

NOTE: Vendors invoice must be attached.

Invoice No.(s)	Date Delivered	QUAN.	DESCRIPTION / SERVICE OR COMMODITY	UNIT PRICE	AMOUNT	MEMO
			Transfer of Water Rights per attached EDCSD Resolutions 84-3 and 84-4 for Future User Permit No. 3982-3 and 3984-3 respectively	2 50	5 00	
TOTAL						



I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federally assisted programs.

John Sigel
Claimant Signature

8/28/84
Date

AGENCY VERIFICATION

I hereby certify that this claim has been examined by me, and to the best of my knowledge and belief is in all things true and correct and the same is hereby approved.

John Sigel
DIVISION APPROVAL MANAGER-TREASURER

8/31/84
DATE

APPROVAL SIGNATURE

DATE

NAME OF PERSON OR FILE: Brookings - Deuel & Kingbrook R.W.SADDRESS: P.O. Box 810, Brookings SD COUNTY BrookingsDATE: April 22, 1986 TELEPHONE 692-2500RE: Appropriation of water reserved by Future Use Permit No. 3982-3

COMMENTS:

Permit No. 5079-3 appropriates .80 cfs from water
supplies reserved by Future Use Permit No. 3982-3.

Therefore, No. 3982-3 has 2.2 cfs remaining on the
Future use permit which can be used for future development.

<u>Future Use Permit No. 3982-3</u>	<u>3.00 cfs</u>
<u>Permit No. 5079-3 appropriates</u>	<u>.80 cfs</u>
<u>Remaining appropriation on 3982-3</u>	<u>2.20 cfs</u>

Gwendolyn M. Farley
Renner,
South Dakota 57055

Carol F. Eggers
Renner, SD 57055

Robert E. Eggers
Renner, SD 57055

Lori Forman
3212 S 5th Avenue
Sioux Falls, SD 57101

Margie Rolwing
2612 W 29th Street
Sioux Falls, SD 57101

Susan L. Schrader
2404 1/2 S Summit
Sioux Falls, SD 57101

A Richard Petersen
3009 S Lyndale
Sioux Falls, SD 57101

Becky Meerdink
1008 S. Menlo
Sioux Falls, SD 57101

Marilyn R. Anderson
413 E Lotta
Sioux Falls, SD 57101

Dean A. Schuler
RR #3,
Sioux Falls, SD 57101

Judy E Jensen
3300 W 33rd
Sioux Falls, SD 57101

*original labels
w/ differences
appl. 3-9-80-3*

Paul Kendle
5904 W 49th
Sioux Falls, SD 57101

Darald Scott
RR #8, Box 36
Sioux Falls, SD 57101
returned

Merwin Hokenstad
Garretson, SD 57030

Robert D. Nygaard
2509 S Prairie
Sioux Falls, SD 57101

Evelyn Erickson
905 SW Ave
Sioux Falls, SD 57101

Lella Jungen
2115 S Duluth
Sioux Falls, SD 57101
returned

Ellen M. Boyd
2609 S Norton Avenue
Sioux Falls, SD 57101

Sheila Baack
3201 Starr Drive
Sioux Falls, SD 57101

~~Beverly M.
4245 SW Ave
Sioux Falls, SD 57101~~

Ellen Erickson
1918 S Prairie
Sioux Falls, SD 57101

Leona Satterlee
2217 S Covell
Sioux Falls, SD 57101

Jeffery Johnson
1918 1/2 S Prairie
Sioux Falls, SD 57101

Ross Reinhart
Box 720
Sioux Falls, SD 57101

Duane Albers
Box 1225
Sioux Falls, SD 57101

Judy Harrington
516 N. Covell
Sioux Falls, SD 57101
returned

Dave Sheehan
Box 830
Sioux Falls, SD 57101

~~Wendell Wagner
Box 441
Sioux Falls, SD 57101~~

Vern Winegarden
City Commissioner
224 W 9th Street
Sioux Falls, SD 57101

Floyd Emmert
RR #10
Sioux Falls, SD 57101
returned

Harold F. Wingler
700 Wiswall Pl.
Sioux Falls, SD 57101

Mr. & Mrs. Martin Nelson
715 N. Prairie Avenue
Sioux Falls, SD 57101

Returned

Mary Ellen Welsch
RR #10, Box 149-5
Sioux Falls, SD 57101

Ruth M. Smith
RR #2, Box 144
Sioux Falls, SD 57101

Mr. & Mrs. Clarence Songstad
RR #10, Box 146
Sioux Falls, SD 57101

E. Jeannette Anderson
RR #10, Box 172A
Sioux Falls, SD 57101

Tressie Sittig
RR, Box 116
Brandon, SD 57005

Harman Brende
RR #10
Sioux Falls, SD 57101

Morris M. Oien
Renner,
South Dakota 57055

Harold Sittig
Brandon, SD 57005

Returned

George I Christenson
Renner, SD 57055

Lester E. Farley
Renner, SD 57055

Irwin Mekvold
Renner,
South Dakota 57055

Virgil P. Biddle
Garretson, SD 57030

Mr. & Mrs. Edwin J. Powers
RR #10, Box 156
Sioux Falls, SD 57101

Irvin P. Nelson
Renner, SD 57055

Mr. & Mrs. Harold Jurgenson
Rt #10
Sioux Falls, SD 57101

Shirley Swenson
Rt #10
Sioux Falls, SD 57101

Mr. & Mrs. Paul D. Bangasser
Rt #10
Sioux Falls, SD 57101

Advent
Mr. & Mrs. Michael Bangasser
Rt #10 3012 S Louise Ave 301
Sioux Falls, SD 57101
57106-0774

Mr. & Mrs. Mike Eggers
Rt #10
Sioux Falls, SD 57101

Mr. & Mrs. Ivan Schmidt
Rt #10
Sioux Falls, SD 57101
Returned

Shari Phillips
103 S. Prairie
Sioux Falls, SD 57101

Mr. & Mrs. Daniel Pike
Garretson,
South Dakota 57030

Returned

Dorothy Gusanson
Brandon, SD 57005

Shawn Gulickson
RR #1
Brandon, SD 57005

Anne Kanschau
Rt #10, Box 157
Sioux Falls, SD 57101
Returned

Mr. & Mrs. James Greenfield
1060 S Cliff
Sioux Falls, SD 57101
Returned

Mr. & Mrs. Gerald Bly
Rt #10, Box 173
Sioux Falls, SD 57101
Returned

Mr. & Mrs. Nina Christenson
Renner,
South Dakota 57055

Onalce M. Emery
Renner, SD 57055

Mr. & Mrs. Lloyd Ehlers
5404 N. Indiana
Sioux Falls, SD 57101

Mr. & Mrs. Orville Volden
RR #10, Box 178
Sioux Falls, SD 57101

Mr. & Mrs. James E. Zweep
Brandon, SD 57030

AND OR MICROFILMED
REPRODUCTION

REDUCTION 25:1

ROLL NO 44-13

DATE MICROFILMED 5-27-87

NAME OF PERSON
M. & Mrs. Daniel Pike
Garretson, SD 57030
M. & Mrs. Edwin J. Powers
RR #10, Box 156
Sioux Falls, SD 57101
M. & Mrs. Harold Jurgenson
Rt #10
Sioux Falls, SD 57101
M. & Mrs. Michael Bangasser
Rt #10 3012 S Louise Ave 301
Sioux Falls, SD 57101
M. & Mrs. Mike Eggers
Rt #10
Sioux Falls, SD 57101
M. & Mrs. Ivan Schmidt
Rt #10
Sioux Falls, SD 57101
M. & Mrs. Orville Volden
RR #10, Box 178
Sioux Falls, SD 57101
M. & Mrs. James E. Zweep
Brandon, SD 57030

Gordon O. Volden
RR #10
Sioux Falls, SD 57101

Mr. & Mrs. Marlin Merry
RR #2
Garretson, SD 57030
Returned

Mr. & Mrs. Doug Knudson
1709 N. Highland
Sioux Falls, SD 57101

Mr. & Mrs. Philip Cink
RR #10, Box 1634
Sioux Falls, SD 57101

Mr. & Mrs. Ted Bisson
RR #2
Garretson, SD 57030

Janice Peterson
Renner, SD 57055

Ed Lacey
Trent, SD 57065

Mr. & Mrs. Stanley Peterson
6109 N. Cliff
Sioux Falls, SD 57101

Charlotte Sorum
Renner, SD 57055

Gerald Philips
Rt #10, Box 149-18
Sioux Falls, SD 57101
Returned

Mr. & Mrs. Holger Anderson
1309 Cedar Lane
Sioux Falls, SD 57101

Shawn Brende
Renner, SD 57055

John May
RR #10
Sioux Falls, SD 57101

Agnes W. Carlson
Brandon,
South Dakota 57005

Julia Nesson
Renner, SD 57055
Returned - discarded

Roger W. [REDACTED]
RR # [REDACTED]
Sioux Falls, SD 57101

Lorraine M. Wehde
Garretson, SD 57030

Dean E. Sorum
Renner, SD 57055

Lena Powers
RR #1
Brandon, SD 57005

Mr. & Mrs. Tim Eggers
RR #10, Box 170A
Sioux Falls, SD 57101

Palmer Oren
516 S. Summit
Sioux Falls, SD 57101

Mr. & Mrs. H.A. Nordstrom
RR #1
Brandon, SD 57005

Kathy Evenson
Renner, SD 57055

Odessa M. Lawrence
1512 E 63 St N
Sioux Falls, SD 57101

Eleanor Swanson
RR #1
Brandon, SD 57005

Fam Sorum
Renner, SD 57055

Paul A. Evenson
Renner, SD 57055

Bill Wehde
RR #2
Garretson, SD 57030

Lorraine Raaen
Renner, SD 57055

Donald D. Dickerson
Renner, SD 57055

Violet Wehde
RR #2
Garretson, SD 57030

Sandra Sorum
Renner, SD 57055

LeRoy Kistler
RFD 2
Hartford, SD 57033

Alice M. Albers
RR #2
Garretson, SD 57030

Paul E. Ode
Brandon, SD 57005

Gladys M. Nelson
205 S Covell
Sioux Falls, SD 57101

Richard Albers
RR #2
Garretson, SD 57030

Mr. & Mrs. Lester Jurgenson
Garretson,
South Dakota 57030

C. McConville
RR #10, Box 206B
Sioux Falls, SD 57101

Mr. & Mrs. Delbert Halverson
RR #2
Garretson, SD 57030

Jerry Jurgenson
Garretson,
South Dakota 57030

Charles Lacey
1004 E 35th
Sioux Falls, SD 57101

Clifford Erickson
RR #2
Garretson, SD 57030

Alan Skotvold
RR #10
Sioux Falls, SD 57101

Elsie Woods
5801 N. Cliff,
Sioux Falls, SD 57101

Mr. & Mrs. Irvin Schreurs
Baltic,
South Dakota 57003

Mr. & Mrs. Theodore Schlien
RR #10, Box 163
Sioux Falls, SD 57101
Returned

Mr. & Mrs. John Feltier
RR #10, Box 206
Sioux Falls, SD 57101

Howard Phillips
103 S. Prairie
Sioux Falls, SD 57101

Kenneth Swenson
Garretson,
South Dakota 57030

Theresa Anderson
RR #10, Box 152
Sioux Falls, SD 57101
Returned

Dorothy M. Wehde
RR #2
Garretson, SD 57030

Frances Swenson
Garretson,
South Dakota 57030

Alcie M. Huagel
609 W 1st
Sioux Falls, SD 57101
Returned

Howard Peterson
Brandon,
South Dakota 57005

Albert E. Werdin
RR
Garretson, SD 57030

Kathryn Hawn
709 N. Prairie
Sioux Falls, SD 57101
Returned

Mr. & Mrs. John G. McBreen
RR #10
Sioux Falls, SD 57101

Louis Wall
RR #10, Box 165
Sioux Falls, SD 57101
Returned

Anthony J. Giesen
709 N. Prairie
Sioux Falls, SD 57101
Returned

Mr. & Mrs. Ray Aljets
RR #1, Box 115B
Brandon, SD 57005

Carol Dressen
RR #10, Box 164
Sioux Falls, SD 57101

Mr. & Mrs. Archie R. Vicker
1004 W 3rd
Sioux Falls, SD 57101

Burton P. Ode
Brandon, SD 57005

Mr. & Mrs. Donald Egge
RR #10, Box 160
Sioux Falls, SD 57101
Returned

Mr. & Mrs. Frank Glenski
632 W 9th
Sioux Falls, SD 57101

C.L. Anderson
RR 10
Sioux Falls, SD 57101

Elvit W. Skotvold

Harlan Wehde
Garretson,
South Dakota 57030

D.W. Eggers
RR 10
Sioux Falls, SD 57101

Erna

Leonard Wittrock
1313 E 60th N
Sioux Falls, SD 57101

Leonard Bruggeman
RR 2
Sioux Falls, SD 57101

Minnie Eggers
Renner, SD 57055

Ole Aspaas
Renner, SD 57055

Albert Sittig
Garretson,
South Dakota 57030

Mr. & Mrs. Jerry Jencks
1604 Otonka Tr.
Sioux Falls, SD 57101

Charles Peterson
Renner, SD 57055

Mr. & Mrs. Arthur Huseboe
813 E 38th
Sioux Falls, SD 57101

Lynne Phillips

Ralph Benson
4400 S Marion Rd.
Sioux Falls, SD 57101
Returned

Lester S. Sittig
Garretson, SD 57030

Lyle Dressen
RR 10
Sioux Falls, SD 57101

Herbert Wehde
904 E 65th N
Sioux Falls, SD 57101
Returned

Clarence Sittig
Brandon, SD 57005

Mr. & Mrs. Donald Nordstrom
Brandon, SD 57005

Dennis Christopherson
Corson, SD 57019

James F. Wehde
Garretson, SD 57030

Mr. & Mrs. Ken Shatter
RR 10
Sioux Falls, SD 57101

H.A. Nordstrom Jr
Brandon, SD 57005

L.E. Renner
RR 10
Sioux Falls, SD 57101

Gerald Foster
RR 10, Box 155
Sioux Falls, SD 57101

O.M. Schjodt
RR #4
Sioux Falls, SD 57101

Clarence Skotvold
RR 10 Box 161
Sioux Falls, SD 57101

Kenneth Janes
RR 10, Box 149-14
Sioux Falls, SD 57101

Marlin Anderson
2323 N. Lorise
Sioux Falls, SD 57101

Curtis O. Eggers
RR 10
Sioux Falls, SD 57101

Marvin A. Swanson
Brandon, SD 57005

Ben Koe
RR 10
Sioux Falls, SD 57101

Mr. & Mrs. Cliff Eggers
2124 E. Austin
Sioux Falls, SD 57101

~~Matt [redacted]
[redacted]
Sioux Falls, SD 57101~~

Dennis L. Krueger
RR 10, Box 149-18
Sioux Falls, SD 57101

Mrs. Renore Janes
RR 10
Sioux Falls, SD 57101

Vicky Krueger
RR #10
Sioux Falls, SD 57101
Returned

Dwayne E. Snell
RR #10, Box 149-17
Sioux Falls, SD 57101
Returned

John Deters
RR #10
Sioux Falls, SD 57101
Returned

Dale L. Larson
RR #10
Sioux Falls, SD 57101
Returned

Cindy Sittig
RR #1
Brandon, SD 57005

Joyce M. Lundstra
RR #10
Sioux Falls, SD 57101

Gene A. Welsh
Rt #10
Sioux Falls, SD 57101

Mike & Gene Williams
RR #10, Box 200
Sioux Falls, SD 57101

Bruce Lundstra
RR #10
Sioux Falls, SD 57101

Karen Brandt
Rt #10
Sioux Falls, SD 57101

J.B. Berg
Box 6
Renner, SD 57055

Elizabeth J. Snell
RR #10
Sioux Falls, SD 57101
Returned

Ferne May
Rt 10
Sioux Falls, SD 57101

Edna Sittig
RR #2, Box 211
Garretson, SD 57030

~~Mr. [redacted] Lester Hollopeter
[redacted]
Sioux Falls, SD 57101~~

Keith Dezotet
RR 10, Box 150
Sioux Falls, SD 57101
Returned

Nora Sittig
RR #2, Box 210A
Garretson, SD 57030

Mr. & Mrs. Alfred C. Hyser
RR #10
Sioux Falls, SD 57101

Myron Annett
829 S. Prairie
Sioux Falls, SD 57101

Larry Lauritsen
RR #2
Garretson, SD 57030
Returned

Eldon Anderson
Rt 10
Sioux Falls, SD 57101

DeLaine G. Berger
6903 W 5th
Sioux Falls, SD 57101

Dorothy J. Erickson
RR #2
Garretson, SD 57030

LaDell Anderson
RR #10
Sioux Falls, SD 57101

Delbert Dezotet
RR #1
Brandon, SD 57005

Lena Lauritsen
RR #2
Garretson, SD 57030
Returned

Returned
LeAnne Phillips
RR #10
Sioux Falls, SD 57101

Ron Brandt
Rt 10
Sioux Falls, SD 57101

Earl R. Albers
RR #2
Garretson, SD 57030

Earl Emmert
2400 E 12th
Sioux Falls, SD 57101

John Madden
DEWILD GRANT, & RECKER
315 1st Ave
Rock Rapids, IA 51246

Jeremiah D. Murphy, Atty
Northwest National Bank
Building
Sioux Falls, SD 57101

Mrs. Fred Steece
2925 Country Club Drive
Rapid City, SD 57701

Lynn Jorgenson
Trent,
South Dakota 57065

James MacInnes
619 N. Summit
Sioux Falls, SD 57101

Tilford Iverson
RR #1
Brandon, SD 57005

Carl J. Berdahl
Garretson, SD 57030
Noted

Gordon Lind
579 13 SW
Huron, SD 57350
Return

Elmer Heyge
Garretson, SD 57030

Roger W. Lundstra
RR #2
Sioux Falls, SD 57101

Less Hash ~~Dept.~~
~~City of Sioux Falls~~
~~Hall~~
Sioux Falls, SD 57101

Mrs. Wayne Koepsall
Canova, SD 57321

Vernon Halverson
Garretson, SD 57030

Lowell Christensen
Flandreau, SD 57028

Anthony H. Contreras
409 Idaho SE
Huron, SD 57350
Return

Mrs. Ben Koepsall
Salem, SD 57058

Arthur R Moran
629 14th SW
Huron, SD 57350

Rex Gullickson
Brandon, SD 57005

Sandi Anderson
1200 ~~St~~
~~Sioux Falls, SD 57101~~

Emily Sittig
Brandon, SD 57005

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

January 22, 1987

Pat Gilligan, Manager
Brookings-Deuel Rural Water System
PO-Box 810-
Brookings-SD-57006 *Box 24
Toronto SD 57266*

Willis Nelson, Jr., Manager
Kingbrook Rural Water System
Drawer 299
Arlington SD 57212

Gentlemen:

I am writing in regard to Future Use Water Permit No. 3982- held by the Brookings-Deuel & Kingsbrook Rural Water System. A copy of Permit No. 3982-3 is enclosed for your information.

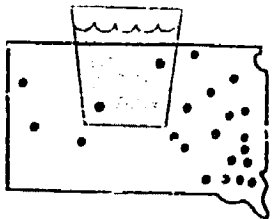
Future Use Permit No. 3982-3 will be scheduled for review on May 6, 1987 by the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the time and place. The purpose of this review is to determine if a reasonable need exists for maintaining the permit. A fee will be charged if Permit No. 3982-3 remains in effect after May 6, 1987. The fee assessed if Permit No. 3982-3 remains in effect will be \$52.50.

Please advise in writing within 30 days of the rural water systems' intentions regarding Future Use Permit No. 3982-3. Let us know if you have any questions.

Very truly yours,

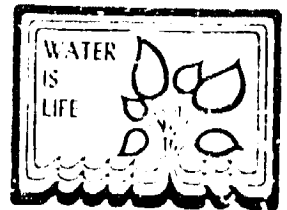
John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

JH:rd



Brookings - Deuel Rural Water System, Inc.

R.R. 1, Box 84
Terrebonne, South Dakota 57268
(605) 794-4201



February 24, 1987

John Hatch, Chief Engineer
Water Rights Division DWR

Re: Future Use Permit No. 3982-3

Dear John:

It is the intent on of the two systems to retain for future use permit #3982-3.

There are presently 4 wells used alternately to serve portions of both rural water systems. Both systems have experienced consistent growth and increased user demand since origination in 1976 and 1977.

The increased emphasis of quality criteria will place additional demands on the systems from more concerned residents as well as being a reliable alternative to the communities in our area which cannot meet new MCL levels.

Both systems serve as regional water suppliers and because of our location away from population centers, have experienced less contamination problems traceable to human contamination. This position enhances our future ability to meet newly proposed MCL's as well as current regulations.

It is therefore not only in the best interest of the two rural water systems, but may, in fact, be in the best interest of the rural and urban population not yet supplied by rural water.

It is also necessary to protect, in the long term, our present users, both rural and urban. The retention of the future use permit gives us that long term planning option as well the ability to meet new demands that will likely be placed upon us by additional quality standards.

For the Brookings-Deuel and Kingbrook Rural Water Systems,

Pat Gilligan, Manager Joint Well Field

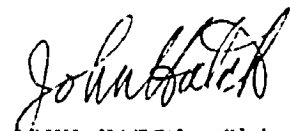
PG/lh

RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 3982-3

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Future Use Water Permit No. 3982-3, Brookings-Deuel and Kingbrook Rural Water Systems, RR 1, Box 84, Toronto SD.

The Chief Engineer is recommending that Future Use Permit No. 3982-3 REMAIN in EFFECT because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 3982-3, 2) the Brookings-Deuel and Kingbrook Rural Water Systems have demonstrated a reasonable need for the water reserved by Permit No. 3982-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest with the following qualification:

1. This Permit is approved for groundwater from the Big Sioux-Brookings Aquifer. Wells will be approximately 50 feet deep.
2. That the fee of \$52.50 for maintaining the effectiveness of Future Use Permit No. 3982-3 is paid within 60 days of notice to Brookings-Deuel and Kingbrook Rural Water System.



JOHN HATCH, Chief Engineer
March 31, 1987

Instruction to Newspaper-Publish first publication of the following Notice on or before _____ with 2nd publication 1 week later. The permit owner is responsible for payment.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 3982-3

Notice is hereby given that the Water Management Board will review Future Use Permit No. 3982-3 held by Brookings-Devel and Kingbrook Rural Water Systems, RR 1, Box 84, Toronto SD for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978 to reserve 3.0 cfs (2,172 acre feet) from the Big Sioux:Brookings Aquifer for diversion from the NW 1/4 NW 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; both in T112N, R51W; NW 1/4 NW 1/4 SE 1/4 Section 19, T112N, R50W. Water Permit No. 5079-3 appropriates 0.8 cfs reserved by Permit No. 3982-3. Therefore, the amount of water reserved by Permit No. 3982-3 has been reduced to 2.2 cfs (1,592 acre feet).

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 3982-3 remain in effect because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 in Room 216, Joe Foss Building, Pierre SD on May 6, 1987 at 2:15 pm.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by April 24, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-5-38.1, Board Rules ARSD 74:02:01:27 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit or to assure access to the hearing by the handicapped can contact the Water Rights Division, BWNRR, Joe Foss Building, Pierre SD 605 773-3352 for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for extension must be filed with the Chief Engineer by April 24, 1987.

No. 3982-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Moody) ss.

I, Angela Nibbelink, Bookkeeper hereby

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

Water was taken from the Moody County Enterprise

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

City _____ of Flandreau

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

April 8, 1987

April 15, 1987

Angela Nibbelink
(Signature)

Bookkeeper
(Title)

April 15, 1987
(Date Signed)



Cost of Printing: 38.12

WNR-808-7/79
Proof of Publication

NOTICE OF HEARING TO REVIEW
FUTURE USE WATER PERMIT
NO. 3982-3

Notice is hereby given that the Water Management Board will review Future Use Permit No. 3982-3 held by Brookings-Duval and Kingbrook Rural Water Systems, RR 1, Box 84, Toronto, SD for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978 to reserve 3 cfs (2,172 acre feet) from the Big Sioux-Brookings Aquifer for diversion from the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24; NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25; both in T112N, R51W; NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T112N, R50W. Water Permit No. 3982-3 appropriates 0.8 cfs reserved by Permit No. 3982-3. Therefore, the amount of water reserved by Permit No. 3982-3 has been reduced to 2.2 cfs (1,592 acre feet).

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 3982-3 remain in effect because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 in Room 216, Joe Foss Building, Pierre, SD on May 6, 1987 at 2:15 p.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by April 24, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-5-38.1, Board Rules ARSD 74.02.01-27 and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit or to assure access to the hearing by the handicapped, can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, SD 605 771-1152 for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for extension must be filed with the Chief Engineer by April 24, 1987.
(April 15, 1987)

Affidavit of Publication

STATE OF SOUTH DAKOTA,
County of Kingsbury.

Dale Blegen

of said county being first duly sworn, on oath says that
he is the publisher of

of THE DE SMET NEWS, a weekly newspaper printed
and published in De Smet in said County of Kingsbury
and has full and personal knowledge of all the facts
herein 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 Notice of

Hearing Permit No. 3982-3, a printed copy of which, taken

from the paper in which the same was published, is at-
tached to this sheet, and is made a part of this Affidavit,
was published in said newspaper at least once in each

week for two successive weeks, on the day of
each week on which said newspaper was regularly pub-
lished, to-wit:

April 8 1987; 19

April 15 1987; 19

19; 19

19; 19

that the full amount of the fee charged for the publica-
tion of said notice inures to the benefit of the publisher
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, and that the fees

charged for the publication thereof are \$41.33.

Subscribed and sworn to before me this 28

day of April A. D., 1987.

Notary Public
County of Kingsbury, South Dakota.



NOTICE OF HEARING TO REVIEW FUTURE USE

WATER PERMIT NO. 3982-3

Notice is hereby given that the Water
Management Board will review Future
Use Permit No. 3982-3 held by Brookings-
Deuel and Kingbrook Rural Water
Systems, RR 1, Box 84, Toronto, SD to
progress made in the development of the
water reserved by the Permit and future
plans for development of the water
reserved by Permit No. 3982-3. This
permit was approved January 25, 1978 to
reserve 3.0 cfs (2,172 acre feet) from the
Big Sioux: Brookings Aquifer for diver-
sion from the NW 1/4 NW 1/4 NE 1/4 Section
24; NE 1/4 NE 1/4 NE 1/4 Section 25; both in
T112N, R51W; NW 1/4 NW 1/4 SE 1/4 Section
19, T112N, R50W. Water Permit No.
5079-3 appropriates 0.8 cfs reserved by
Permit No. 3982-3. Therefore, the amount
of water reserved by Permit No. 3982-3
has been reduced to 2.2 cfs (1,592 acre
feet).

Pursuant to SDCL 46-2A-2 the Chief
Engineer of the Water Rights Division
recommends that Permit No. 3982-3
remain in effect because 1) the reserved
water may be developed, 2) there is need
for the reserved water 3) the proposed use
will be a beneficial use and 4) it is in the
public interest.

The Water Management Board will
conduct the hearing to review Future Use
Permit No. 3982-3 in Room 216, Joe Foss
Building, Pierre SD on May 6, 1987 at 2:15
p.m.

The recommendation of the Chief
Engineer is not final or binding upon the
Board and the Board is authorized to 1)
allow the permit to remain in effect, 2)
amend the permit by adding qualifica-
tions, 3) cancel the permit for no
development or no planned future
development, or 4) take no action after it
reaches a conclusion based upon facts
presented at the public hearing. Any
interested person who may be affected
by a Board decision and who intends to
participate in the hearing before the
Board and present evidence or cross-
examine witnesses according to SDCL
1-26, must file a written petition with
BOTH the permit owner and the Chief
Engineer by April 24, 1987. The petition
may be informal, but it must include a
statement describing the petitioner's
interest in the future use permit, the
reasons for petitioner's opposition to or
support of continuing the future use
permit, and the signature and mailing
address of the petitioner or his legal
counsel if legal counsel is obtained. The
permit owner need not file a petition.

The hearing to review Future Use
Permit No. 3982-3 will be conducted
pursuant to the provisions of SDCL
46-1-14, 46-5-38.1, Board Rules ARSD
74:02:01:27 and contested case procedures
contained in SDCL 1-26.

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

Any person wishing a copy of the Chief
Engineer's recommendation, further in-
formation on this permit or to assure
access to the hearing by the handicapped
can contact the Water Rights Division,
DWNR, Joe Foss Building, Pierre SD
605-773-3352 for assistance prior to the
hearing date. The time of the hearing will
be automatically extended for at least 20
days upon written request of the permit
owner or any person who has filed a
petition to oppose or support continuance

PUBLIC NOTICE

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 3982-3

Notice is hereby given that the Water Management Board will review Future Use Permit No. 3982-3 held by Brookings-Deuel and Kingbrook Rural Water Systems, RR 1, Box 84, Toronto, S.D. for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978 to reserve 3.0 cfs (2,172 acre feet) from the Big Sioux River. Brookings Aquifer for diversion from the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24; NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25; both in T112N, R51W; NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T112N, R50W. Water Permit No. 5079-3 appropriates 0.8 cfs reserved by Permit No. 3982-3. Therefore, the amount of water reserved by Permit No. 3982-3 has been reduced to 2.2 cfs (1,582 acre feet).

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 3982-3 remain in effect because 1. the reserved water may be developed, 2. there is need for the reserved water, 3. the proposed use will be a beneficial use and, 4. it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 in Room 218, Joe Foss Building, Pierre, S.D. on May 6, 1987 at 2:15 p.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1. allow the permit to remain in effect, 2. amend the permit by adding qualifications, 3. cancel the permit for no development or no planned future development, or 4. take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by April 24, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-5-23.1, Board Rules ARSD 74:02:01:27 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, S.D., 605-773-3352 for assistance prior to the hearing date. The time of the hearing will be automatically extended or at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for extension must be filed with the Chief Engineer by April 24, 1987.

4-9, 4-16

Printer's Affidavit of Publication

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

)SS

COUNTY OF MCCOOK)

DANNY SCHWANS of said County and State, being first duly sworn on his oath, says THE SALEM SPECIAL is a weekly newspaper of general circulation, printed and published in Salem, McCook County and State of South Dakota, and has been such newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper, that it has a bonafide circulation of more than 200 copies weekly, that it has been published within said County of McCook for more than fifty-two successive weeks prior to the publication of the notice hereinafter mentioned and has been printed during said period and at the present time, in whole in an office maintained at said place of publication; and that I, the undersigned, am publisher or an employee of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all facts in this affidavit; that the advertisement headed

Notice of Hearing to Review Future Use Water Permit No. 3982-3

a printed copy of which is hereto attached, was printed & published in the newspaper for 2 weeks; that said notice was published in the issues of said paper on the dates as follows, to wit:

The first publication being made on

April 9, 1987

the second publication on April 16, 1987

the third publication on , 19

the fourth publication on , 19

the fifth publication on , 19

the sixth publication on , 19

and the last publication on , 19

that 40 being the full amount of the fees for publication of the annexed notice, insures solely to the benefit of the publisher of the said newspaper; that no agreement or understanding for a division thereof has been made with any person; and that no part thereof has been agreed to be paid to any person whomsoever.

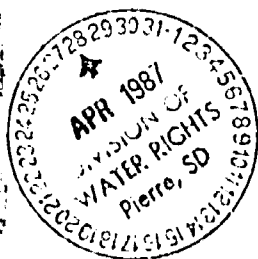
Danny Schwans

Subscribed and sworn to before me this 16th

day of April, 1987

Phyllis Karandee

Notary Public, McCook County



No. 3982-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Hamlin) ss.

I, Louis K. Latt hereby

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

Water was taken from the Hamlin Co. Herald Enterprise

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

Room of May

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

April 9, 1987
April 16, 1987

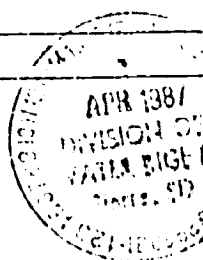
Louis K. Latt
(Signature)

Publisher
(Title)

April 16, 1987
(Date Signed)

Cost of Printing: \$46.37

WNR-808-7/79
Proof of Publication



NOTICE OF HEARING

NOTICE OF HEARING TO REVIEW
FUTURE USE WATER PERMIT

NO. 3982-3

Notice is hereby given that the Water Management Board will review Future Use Permit No. 3982-3 held by Brookings-Deuel and Kingbrook Rural Water Systems, RR 1, Box 84, Toronto, SD For progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978 to reserve 3.0 cfs (2,172 acre feet) from the Big Sioux: Brookings Aquifer for diversion from the NW 1/4 NW 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; both in T112N, R51W, NW 1/4 NW 1/4 SE 1/4 Section 19, T112N, R50W. Water Permit No. 5079-3 appropriates 0.8 cfs reserved by Permit No. 3982-3. Therefore, the amount of water reserved by Permit No. 3982-3 has been reduced to 2.2 cfs (1,592 acre feet).

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 3982-3 remain in effect because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 in Room 216, Joe Foss Building, Pierre, SD on May 6, 1987 at 2:15 p.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualification, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by April 24, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-5-38.1, Board Rules ARSD 74:02:01:27 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit or to assure access to the hearing by the handicapped can contact the Water Rights Division, GWNRR, Joe Foss Building, Pierre, SD 605 773-3352 for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for extension must be filed with the Chief Engineer by April 24, 1987.

15-16

Brookings-Deuel & Kingbrook
Rural Warwe Systems
R R 1 Box 84 Toronto,
S. Dak.

Public Notices

Notice of Hearing to Review Future

Use Water Permit No. 3982-3

Notice is hereby given that the Water Management Board will review Future Use Permit No. 3982-3 held by Brookings-Deuel and Kingbrook Rural Water Systems, R.R. 1 Box 84, Toronto, SD for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978 to reserve 3.0 cfs (2,172 acre feet) from the Big Sioux; Brookings Aquifer for diversion from the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24; NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25; both in T112N, R51W; NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T112N, R50W. Water Permit No. 5079-3 appropriates 0.8 cfs reserved by Permit No. 3982-3. Therefore, the amount of water reserved by Permit No. 3982-3 has been reduced to 2.2 cfs (1,592 acre feet).

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 3982-3 remain in effect because (1) the reserved water may be developed, (2) there is need for the reserved water, (3) the proposed use will be a beneficial use and (4) it is in the public interest.

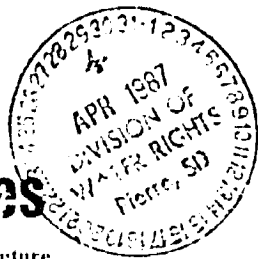
The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 in Room 216, Joe Foss Building, Pierre, SD on May 6, 1987 at 2:15 p.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to (1) allow the permit to remain in effect, (2) amend the permit by adding qualifications, (3) cancel the permit for no development or no planned future development, or (4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-25, must file a written petition with BOTH the permit owner and the Chief Engineer by April 24, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-5-38.1, Board Rules ARSD 74:02:01:27 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit or to assure access to the hearing by the hand-carried can contact the Water Rights Div. in, DWNR, Joe Foss Building, Pierre, SD 605-773-3352 for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least ten days upon written



AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA,

SS.

County of Clark

Bert Moritz

David Moritz of said county being first duly sworn, on oath says that he is the publisher of the CLARK COUNTY COURIER, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein 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

Notice of Hearing to Review Future Use Water Permit

3982-3

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for ² successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

April 8, 1987

April 15, 1987

that the full amount of the fees for the publication of the annexed notice is \$59.25

David Moritz

Subscribed and sworn to before me this 27th day of April 1987

James W. Berger

Notary Public

Clark County, South Dakota.

James W. Berger
Notary Public - South Dakota
Clark County

My Commission Expires July 9, 1989

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. Permit No
Legal #20

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brookings) ss.

I, Douglas Anstaett hereby

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

Water was taken from the Brookings Daily Register

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

City _____ of Brookings

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

April 8, 1987

April 15, 1987

Douglas Anstaett
(Signature)

Public
(Title)

4/9/87
(Date Signed)

Cost of Printing: \$44.63

Forty four dollars and sixty three

WNR-808-7/79

1 of of Publication

Legal 203, 2x, April 8, 15
NOTICE OF HEARING
TO REVIEW FUTURE USE
WATER PERMIT NO. 3982-3

Notice is hereby given that the
Water Management Board will
review Future Use Permit No. 3982-3
held by Brookings-Deuel and
Kingbrook Rural Water Systems,
RR 1, Box 84, Toronto SD for pro-
gress made in the development of
the water reserved by the Permit
and future plans for development of
the water reserved by Permit No.
3982-3. This permit was approved
January 25, 1978 to reserve 3.0 cfs
(2,172 acre feet) from the Big Sioux
Brookings Aquifer for diversion
from the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section
24; NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25;
both in T112N, R51W; NW $\frac{1}{4}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ Section 19, T112N, R50W.
Water Permit No. 5079-3 ap-
propriates 0.8 cfs reserved by Per-
mit No. 3982-3. Therefore, the
amount of water reserved by Permit
No. 3982-3 has been reduced to 2.2 cfs
(1,592 acre feet).

Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water Rights
Division recommends that Permit
No. 3982-3 remain in effect because
1) the reserved water may be
developed, 2) there is need for the
reserved water 3) the proposed use
will be a beneficial use and 4) it is in
the public interest.

The Water Management Board
will conduct the hearing to review
Future Use Permit No. 3982-3 in
Room 216, Joe Foss Building, Pierre
on May 6, 1987 at 2:15 p.m.

The recommendation of the Chief
Engineer is not final or binding upon
the Board and the Board is author-
ized to 1) allow the permit to remain in
effect, 2) amend the permit by add-
ing qualifications, 3) cancel the
permit for no development or no
planned future development, or 4)
take no action after it reaches a con-
clusion based upon facts presented
at the public hearing. Any interested
person who may be affected by a
Board decision and who intends to
participate in the hearing before the
Board and present evidence or
cross-examine witnesses according
to SDCL 1-26, must file a written
petition with BOTH the permit
owner and the Chief Engineer by
April 24, 1987. The petition may be
informal, but it must include a state-
ment describing the petitioner's in-
terest in the future use permit, the
reasons for petitioner's opposition to
or support of continuing the future
use permit, and the signature and
mailing address of the petitioner or
his legal counsel if legal counsel is
obtained. The permit owner need not
file a petition.

The hearing to review Future Use
Permit No. 3982-3 will be conducted
pursuant to the provisions of SDCL
46-1-14, 46-5-38.1, Board Rules ARSD
74:02:01:27 and contested case pro-
cedures contained in SDCL 1-26.

This hearing is an adversary pro-
ceeding. The permit owner or any
person, after filing a petition, has
the right to be present or to be
represented by a lawyer. These and
other due process rights will be
forfeited if they are not exercised.
Decisions of the Board may be ap-
pealed to the Circuit Court and State
Supreme Court as provided by law.

Any person wishing a copy of the
Chief Engineer's recommendation,
further information on this permit or
to assure access to the hearing by
the handicapped can contact the
Water Rights Division, DWNR, Joe
Foss Building, Pierre SD 505-773-
3352 for assistance prior to the hear-
ing date. The time of the hearing will
be automatically extended for at
least 20 days upon written request of
the permit owner or any person who
has filed a petition to oppose or sup-
port continuance of the Future Use
Permit. The request for extension
must be filed with the Chief
Engineer by April 24, 1987.

No. 3982-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Deuel) ss.

I, Gary DeJong hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Clear Lake Courier

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

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

April 8, 1987

April 15, 1987

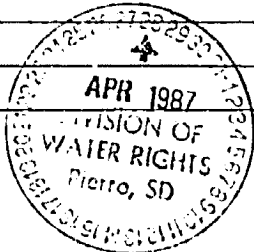
Editor/Publisher

(Title)

April 15, 1987

(Date Signed)

Cost of Printing: 13.51



WAR-808-7/79
Proof of Publication

NOTICE OF HEARING TO REVIEW
FUTURE USE WATER PERMIT
NO. 3982-3

Notice is hereby given that the Water Management Board will review Future Use Permit No. 3982-3 held by Brookings-Deuel and Kingbrook Rural Water Systems, RR 1, Box 84, Toronto SD for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978 to reserve 3.0 cfs (2,146,000 feet) from the Big Sioux: Brookings-Arrester for diversion from the NW 1/4 NW 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; both in T112N, R51W; NW 1/4 NW 1/4 SE 1/4 Section 19, T112N, R50W. Water Permit No. 5079-3 appropriates 0.8 cfs reserved by Permit No. 3982-3. Therefore, the amount of water reserved by Permit No. 3982-3 has been reduced to 2.2 cfs (1,592 acre feet).

Pursuant to SDCL 46-21-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 3982-3 remain in effect because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 in Room 210, Joe Foss Building, Pierre SD on May 6, 1987 at 2:15 p.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by April 24, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

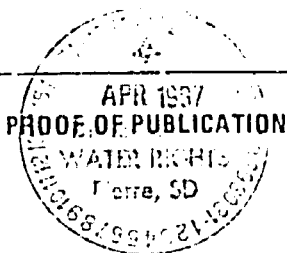
The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-1-38.1, Board Rules ARSD 74:02:01:2/ and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre SD 605 773 3352 for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for extension must be filed with the Chief Engineer by April 24, 1987.

April 8, 15

No. _____



STATE OF SOUTH DAKOTA)
County Miner) ss.

I, Paul C. Meyer here
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Miner County Record

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

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

April 9-11, 1987

April 16-17, 1987

Walter M. Meyer
(Signature)

Editor
(Title)

April 10, 1987
(Date Signed)

Cost of Printing: 44.53

**NOTICE OF HEARING TO
REVIEW FUTURE USE
PERMIT NO. 3982-3**

Notice is hereby given that the
Water Management Board will
review Future Use Permit No.
3982-3 held by Brookings-Deuel
and Kingbrook Rural Water Sys-
tems, RR 1, Box 84, T. 10N, R. 5E,
SD for progress made in the develop-
ment of the water reserved by the
Permit and future plans for
development of the water reserv-
ed by Permit No. 3982-3. This
permit was approved January 25,
1978 to reserve 3.0 cfs (2,172 acre
feet) from the Big Sioux: Brook-
ings Aquifer for diversion from
the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section
24; NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25;
both in T112N, R51W; NW $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T112N,
R50W. Water Permit No. 5079-3
appropriates 0.8 cfs reserved by
Permit No. 3982-3. Therefore, the
amount of water reserved by
Permit No. 3982-3 has been
reduced to 2.2 cfs (1,592 acre
feet).

Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water
Rights Division recommends that
Permit No. 3982-3 remain in
effect because 1) the reserved
water may be developed, 2) there
is need for the reserved water 3)
the proposed use will be a
beneficial use and 4) it is in the
public interest.

The Water Management Board
will conduct the hearing to review
Future Use Permit No. 3982-3 in
Room 216, Joe Foss Building,
Pierre, SD on May 6, 1987 at 2:15
p.m.

The recommendation of the
Chief Engineer is not final or
binding upon the Board and the
Board is authorized to 1) allow the
permit to remain in effect, 2)
amend the permit by adding
qualifications, 3) cancel the per-
mit for no development or no
planned future development, or
4) take no action after it reaches a
conclusion based upon facts pre-
sented at the public hearing. Any
interested person who may be
affected by a Board decision and
who intends to participate in the

hearing before the Board, and
present evidence or cross-exam-
ine witnesses according to SDCL
1-26, must file a written petition
with BOTH the permit owner and
the Chief Engineer by April 24,
1987. The petition may be infor-
mal, but it must include a state-
ment describing the petitioner's
interest in the future use permit,
the reasons for petitioner's op-
position to or support of contin-
uing the future use permit, and the
signature and mailing address of
the petitioner or his legal counsel
is obtained. The permit owner
need not file a petition.

The hearing to review Future
Use Permit No. 3982-3 will be
conducted pursuant to the provi-
sions of SDCL 46-1-14, 46-5-38.1,
Board Rules ARSD 74:02:01:27
and contested case procedures
contained in SDCL 1-26.

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

Any person wishing a copy of
the Chief Engineer's recommen-
dation, further information on
this permit or to assure access to
the hearing by the handicapped
can contact the Water Rights
Division, DWRN, Joe Foss Build-
ing, Pierre, SD 605 773-3352 for
assistance prior to the hearing
date. The time of the hearing will
be automatically extended for at
least 20 days upon written re-
quest of the permit owner or any
person who has filed a petition to
oppose or support continuance of
the Future Use Permit. The re-
quest for extension must be filed
with the Chief Engineer by April
24, 1987.

(april 9-16)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410832

Pierre, May 12, 1987

RECEIVED OF Brookings-Pauel-Kimbrough PWS, RR 2, Box 34, Toronto, SD 57268

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. 3032-3 after period of seven years.	52	50
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	52 50

By John Hatch
Chief Engineer

JOHN HATCH

MS

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 18, 1987

NOTICE

Pat Gilligan, Manager
Brookings-Deuel Rural Water System
RR 1, Box 84
Toronto SD 57268

Willis Nelson, Jr., Manager
Kingbrook Rural Water System
Drawer 299
Arlington SD 57212

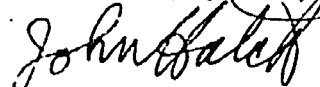
Gentlemen:

This letter is in response to action taken by the Water Management Board at the May 6, 1987 hearing regarding review of Future Use Water Permit No. 3982-3. The Board allowed the permit to remain in effect and amended Permit No. 3982-3 by adding the qualifications on the enclosed "Attachment". The "attachment" should be placed with the permit. Future Use Permit No. 3982-3 is again subject to review in seven years.

The fee of \$52.50 for maintaining the effectiveness of Future Use Permit No. 3982-3 has been paid. Enclosed is the receipt.

Please contact us if you have any questions.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosure

AMENDMENT TO FUTURE USE PERMIT NO. 3982-3

BROOKINGS-DEUEL AND KINGBROOK RURAL WATER SYSTEMS

Pursuant to the May 6, 1987 Water Management Board hearing, Future Use Permit No. 3982-3 was allowed to remain in effect and amended by adding the following qualifications:

1. This Permit is approved for groundwater from the Big Sioux-Brookings Aquifer. Wells will be approximately 50 feet deep.



3982-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 3, 1994

Patrick N. Gilligan, Manager
Brookings-Deuel/Kingbrook Rural Water System
RR 2, Box 84
Brookings SD 57268

Dear Mr. Gilligan:

I am writing in regard to the seven year review of Future Use Water Permit No. 3982-3 from groundwater which is held by Brookings-Deuel/Kingbrook Joint Well Field. Currently, our records show that 1,158 acre feet remain in reserve under this future use permit which was issued in 1978.

Permit No. 3982-3 will be scheduled for review by the Water Management Board this spring or summer pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permit. A fee will be charged if the Board allows the permit to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve on Permit No. 3982-3.

Please respond in writing by February 15, 1994, regarding the rural water system's intention for the future use permit. If the system does plan to retain the permit, then your response should outline a reasonable need for retaining the future use permit, including an estimate of future needs and any annual pumping records for the past three years.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak

KAREN SCHLAACK
Natural Resources Analyst
605 773-3352

c: Morris Elcock, Manager, Kingbrook RWS

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Brookings-Deuel-Kingbrook JWF

ADDRESS: Toronto COUNTY: Brookings

DATE: 2-1-94 TELEPHONE: 794-4201

RE: Publication Notice for 3962-3

COMMENTS:

While reviewing the original publication notice for Future Use Permit No. 3982-3, it was discovered that there was a error on the notice. It stated that the area of the future use permit would include the NW 1/4 NW 1/4 SE 1/4 Section 19-T112N-R50W. This should have been NW 1/4 NW 1/4 SW 1/4 Section 19-T112N-R50W as shown on the original map and the application. No. 3982A-3 proposes to expand the future use area to include the entire SW 1/4 Section 19-T112N-R50W. Eric Gronlund stated the advertisement to expand the future use area will correct the error on the original publication notice and no further action would be required.

Karen Schlaak

Karen Schlaak
Natural Resources Analyst



BROOKINGS-DEUEL

Rural Water System, Inc.

R.R. 2 Box 84

Toronto, South Dakota 57268

(605)794-4201

February 7, 1994



Karen Schlaak
Natural Resources Analyst
Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Re: 3982-3

Dear Karen:

As stated in my letter of January 28, 1994, we are not requesting additional withdrawal amounts, simply adding additional land area to the permit use definitions.

There is a likely possibility of additional need should Arlington connect to the rural water system. Also limited discussion concerning Estelline may continue. The city of Bruce was added to the rural water system in 1993 under 5602-3.

These circumstances can be accommodated under existing permits and this future permit. Input from your Department indicated that additional wells, beyond presently developed wells, would need to be located on different tracts other than the ones presently being used. With this in mind, the water systems purchased additional land, SW $\frac{1}{4}$ 19, 112-50, for that purpose.

Withdrawals under licensed wells have been 1993 - 270,000,000 gallons per year, 1992 - 268,000,000 gallons per year - 1991 - 271,000,000 gallons per year.

Should you have additional questions or comments please contact me. Thank you.

For the Brookings-Deuel/Kingbrook Joint Well Field,

Patrick Gilligan

PG:lt



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 21, 1994

Patrick Gilligan
Brookings-Deuel/Kingbrook Rural Water System
RR 2, Box 84
Toronto SD 57268

Dear Mr. Gilligan:

I am writing in regard to the seven year review of Future Use Water Permit No. 3982-3 from groundwater which is held by the Brookings-Deuel/Kingbrook Rural Water System. We have received your February 7, 1994 letter requesting the retention of this permit. A copy of the draft recommendation is enclosed for your review.

Our January 3, 1994, letter to you indicated our records showed 1,158 acre-feet of water remained in reserve under Future Use Permit No. 3982-3. The actual amount remaining in reserve is 1.20 cubic feet of water per second.

As a part of the review of future use permits, we have converted existing future use permits from cubic feet of water per second (diversion rate) to acre-feet annually (volume). This conversion from cfs to acre-feet is to increase the rural water system's flexibility when placing reserved water to beneficial use. We have used a 60% pumping rate in making this conversion from a diversion rate to acre-feet annually.

If you believe the recommended amount to remain in reserve does not adequately meet the rural water system's future development needs, please provide additional justification for a greater amount. This draft recommendation is to provide you the opportunity to comment on our recommendation prior, to publishing the notice of hearing.

If we do not receive comments from you by May 10, 1994, we will schedule the publication of the notice of hearing with the recommendation as enclosed. In an effort to save on publication costs, we intend to combine the notice of hearing on the review of Future Use Permit No. 3982-3 with the rural water system application to expand the future use area. The review of this permit will then be scheduled for the July 6 & 7, 1994 Water Management Board meeting.

April 21, 1994
Patrick Gilligan
Page 2

Please contact me, if you have any questions.

Sincerely,



Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosure

c: Morris Elcock, Manager, Kingbrook R. ,

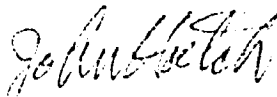
RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 3982-3, BROOKINGS-DEUEL/KINGBROOK RURAL WATER SYSTEM

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Future Use Water Permit No. 3982-3, Brookings-Deuel/Kingbrook Rural Water System, RR 2, Box 84, Toronto SD 57263.

The Chief Engineer is recommending that Future Use Permit No. 3982-3 REMAIN in EFFECT because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 3982-3, 2) the Brookings-Deuel/Kingbrook Rural Water System has demonstrated a reasonable need for the water reserved by Permit No. 3982-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest with the following qualification:

That Water Permit No. 3982-3 reserves for future use a total of 869 acre-feet annually.

And that maintaining the effectiveness of Future Use Permit No. 3982-3 is subject to payment of the \$37.50 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the Brookings-Deuel/Kingbrook Rural Water System.



JOHN HATCH, Chief Engineer
May 6, 1994

Affidavit of Publication

STATE OF SOUTH DAKOTA,

SS.

County of Hamlin

Mark R. Hausman and Carla Clarke, of said county, being first duly sworn, on oath say that they are the publishers or managers of The Estelline Journal, a weekly newspaper printed and published in Estelline, said County of Hamlin, and has full and personal knowledge of all the facts herein 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-one 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

Oct. 7 1994

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 one week for successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

May 26, 1994; 19
June 2, 1994; 19
19; 19
19; 19
19; 19

that the full amount of the fees for the publication of the annexed notice is \$

Subscribed and sworn to before me this 15 day of June, 1994.

Notary Public

CONNIE JEAN JENSEN
My Commission Expires
Sept. 29, 1994

21-May 26, June 2
NOTICE OF HEARING on
Application No. 5821-3, 3982A-3
to Amend Future Use Permit No.
3982-3, and to Review Future
Use Water Permit No. 3982-3
Notice is given that the Brookings-Dauphine Kingbrook Joint Well Field, RR 2 Box 64, Toronto, SD 57268 has filed Water Permit Application Nos. 3982A-3 and 5821-3 and the review of Future Use Permit No. 3982-3.

The Water Management Board will review Future Use Permit No. 3982-3 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978, to reserve 3.0 cfs from the Big-Sioux Brookings Aquifer located in the NE 1/4 NE 1/4 NE 1/4 and NW 1/4 NW 1/4 NE 1/4 Section 26; T112N-R51W and the NW 1/4 NW 1/4 SW 1/4 Section 29-T112N-R50W for rural water system use. Water Permit Nos. 5079-3 and 5002-3 put a total of 1.80 cfs to beneficial use reserved by No. 3982-3 leaving 1.20 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommend that Permit No. 3982-3 REMAIN IN EFFECT for 859 acre-feet of water because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Water Permit Application No. 3982A-3 is to amend Future Use Permit No. 3982-3 to expand the future use area (Future Use Permit No. 3982-3 is described above). This permit expands the future use area to include the entire SW 1/4 Section 19.

T112N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3982-3 because 1) the use area can be expanded without unlawful impairment of existing rights, 2) the proposed use will be a beneficial use of water and 3) it is in the public interest.

Water Permit Application No. 5821-3 is to connect the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water System are authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5821-3 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.

Any person interested in opposing or supporting these applications or the review of Future Use Permit No. 3982-3 must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, 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 June 20, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the applications or future use review, the petitioner's reasons for opposing or supporting the applications or future use review, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider these applications and the review of Future Use Permit No. 3982-3 at 10:00 am, June 28, 1994, Gallery D, Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. The Chief Engineer's recommendations are not

final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications or future use review based on the facts presented at the public hearing. The June 28, 1994, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by June 20, 1994.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 20, 1994, at the above Water Rights Division address to request copies of information pertaining to these applications or future use review, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing, if needed.

These applications and future use review are made pursuant to SDCL 46-1-1 thru 46-1-3, 46-1-12 thru 46-1-16; 46-2-3-1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30-2, 46-5-30-4, 46-5-31; 46-6-3, 46-6-3-1, 46-6-6-1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74 02:01:01 thru 74 02:01:15, 74 02:01:24 thru 74 02:01:25; (10,000 AF) 74 02:01:15.02 thru 74 02:01:15.05.

RUSSELL L. STONE
Acting Secretary
Department of Environment
and Natural Resources

Wednesday, May 25 & June 1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Lake) ss

I, Deanna D Berghheim
 certify that the attached printed Notice was
 taken from the Madison Daily Leader

printed and published in Madison SD

County of Lake and State of

South Dakota. The notice was published in
 the newspaper on the following two dates:

Wednesday, May 25, 94

Wednesday, June 1, 94

Cost of Printing: 80.41

Deanna D Berghheim
 (Signature)

Secretary

(Title)

6-6-94
 (Date Signed)



NOTICE OF HEARING
 On Application No. 5821-3, 3982A-3 to Amend Future Use Permit No. 3982-3, and to Review Future Use Water Permit No. 3982-3

Notice is given that the Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box #4, Toronto, SD 57268 has filed Water Permit Application Nos. 3982A-3 and 5821-3 and the review of Future Use Permit No. 3982-3.

The Water Management Board will review Future Use Permit No. 3982-3 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978, to reserve 3.0 cfs from the Big Sioux Brookings Aquifer located in the NE 1/4 NE 1/4 NE 1/4 and NW 1/4 NW 1/4 NE 1/4 Section 24, NE 1/4 NE 1/4 NE 1/4 Section 25, T112N-R51W and the NW 1/4 NW 1/4 SW 1/4 Section 19-T112N-R50W for rural water system use. Water Permit Nos. 5079-3 and 5602-3 put a total of 1.80 cfs to beneficial use reserved by No. 3982-3 leaving 1.20 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommend that Permit No. 3982-3 REMAIN IN EFFECT for 869 acre-feet of water because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Water Permit Application No. 3982A-3 is to amend Future Use Permit No. 3982-3 to expand the future use area (Future Use Permit No. 3982-3 is described above). This permit expands the future use area to include the entire SW 1/4 Section 19-T112N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3982A-3 because 1) the use area can be expanded without unlawful impairment of existing rights, 2) the proposed use will be a beneficial use of water and 3) it is in the public interest.

Water Permit Application No. 5821-3 is to connect the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water System are authorized by this application.

Pursuant to SDCL 46-2A-2 the Chief Engineer recommends APPROVAL of Application No. 5821-3 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.

Any person interested in opposing or supporting these applications or the review of Future Use Permit No. 3982-3 must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, 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 June 20, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the applications or future use review, the petitioner's reasons for opposing or supporting the application or future use review, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider these applications and the review of Future Use Permit No. 3982-3 at 10:00 a.m., June 28, 1994, Gallery D Ramkota Inn West Western, 920 West Sioux, Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications or future use review based on the facts presented at the public hearing. The June 28, 1994, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or an interested person opposing the applications. The request for an automatic delay must be filed by June 20, 1994.

Any hearing will be an adversarial proceeding. Any person filing a petition or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 20, 1994 at the above Water Rights Division address to request copies of information pertaining to these applications or future use review, to assure access to the hearing by the handicapped to obtain an interpreter for the hearing impaired.

These applications and future use review are made pursuant to SDCL 46-11 thru 46-19, 46-112 thru 46-116, 46-131, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30, 46-5-30.4, 46-5-31, 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26, 46-5-38 thru 46-5-40; and Board Rules A1 SD 74-02-01.0 thru 74-02-01.15; 75-02-01:24 thru 74-02-01:25; (10,000 AF) 74-02-01:15.0 thru 74-02-01:15.05.

RUSSELL L. STONE
 Acting Secretary
 Department of Environment
 and Natural Resources



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Miner) ss

I, Brent Munger
certify that the attached printed Notice was
taken from the Miner County Pioneer
printed and published in Miner County, SD

County of Miner and State of
South Dakota. The notice was published in
the newspaper on the following two dates:

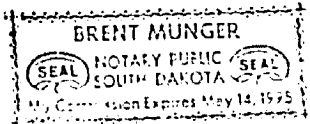
MAY 26, 1994
JUNE 3, 1994

Cost of Printing: \$94.10

Brent Munger
(Signature)

NOTARY PUBLIC
(Title)

6/10/1994
(Date Signed)



on Application No. 5821-3
3982A-3 to Amend Future
Use Permit No. 3982-3, and
to Review Future Use
Water Permit No. 3982-3.
Notice is given that the
Brookings, Daugherty, Kinbrook
Joint Well Field, RR2 Box 84,
Toronto, SD 57268, filed
Application Nos. 3982A-3 and 5821-3, and, the
review of Future Use Permit
No. 3982-3.
The Water Management Board
will review Future Use Permit
No. 3982-3 for progress made in
the development of the water
reserved by the Permit and
future plans for development of
the water reserved by Permit
No. 3982-3. This permit was
approved January 25, 1973, to
reserve 8.0 cfs from the Big
Sioux Brookings Aquifer located
in the NE 1/4 NE 1/4 NE 1/4
and NW 1/4 NW 1/4 NE 1/4
Section 24, NE 1/4 N 1/4 NE
1/4 Section 25, T11N R51W
and the NW 1/4 NW 1/4 SW 1/4
Section 19, T12N R50W, for
rural water system use. Water
Permit Nos. 6079-3 and 6602-3
put a total of 2.50 cfs to
beneficial use reserved by No.
3982-3 leaving 1.20 cfs held in
reserve.
Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water
Rights Division recommend that
Permit No. 3982-3 REMAIN IN
EFFECT for 869 acre-feet of
water because 1) that reservoir
water may be developed, 2)
there is need for the reserved
water, 3) the proposed use will
be a beneficial use and 4) it is in
the public interest.
Water Permit Application No.
3982A-3 is to amend Future
Use Permit No. 3982-3 to
expand the future use area
(Future Use Permit No. 3982-3
is described above). This permit
expands the future use area to
include the entire SW 1/4
Section 19, T12N R50W.
Pursuant to SDCL 46-2A-2,
the Chief Engineer recommends
APPROVAL of Application No. 3982A-3 because 1) the use area
can be expanded without
unlawful impairment of existing
rights, 2) the proposed use will
be a beneficial use of water, and
3) it is in the public interest.
Water Permit Application No.
5821-3 is to connect the City of
Arlington to the Kinbrook
Rural Water System. No
increase in the diversion rates
currently authorized for
Kinbrook Rural Water System
are authorized by this
application.
Pursuant to SDCL 46-2A-2,
the Chief Engineer recommends
APPROVAL of Application No.
5821-3 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.
Any person interested in
opposing or supporting these
applications or the review of
Future Use Permit No. 3982-3
must file a written petition with
BOTH the applicant and Chief
Engineer. The applicant must
also file a petition if opposed to
the Chief Engineer's
recommendations. The Chief

Engineer's address is: Water
Rights Division, Box Building
523, E. Capitol, Pierre, SD
57501 (605 778-5352) and the
applicant's mailing address is
given above. A petition filed by
either an interested person or
the applicant must be filed by
June 20, 1994. The petition may
be informal, but must include a
statement describing the
petitioner's interest in the
applications or future use
review, the petitioner's reasons
for opposing or supporting the
application or future use
review, and the signature and
mailing address of the
petitioner or the petitioner's
legal counsel, if legal counsel is
obtained.
The Water Management Board
will consider these applications
and the review of Future Use
Permit No. 3982-3 at 10:00
a.m. June 28, 1994, Gallery D,
Ramkota Inn West, Western, 920
West Sioux, Pierre, SD. The
Chief Engineer's recom-
mendations are not final or
binding upon the Board. The
Board is authorized to 1)
approve, 2) approve with
qualifications, 3) defer, or 4)
deny these applications or
future use review based on the
facts presented at the public
hearing. The June 28, 1994,
hearing date will be
automatically delayed for at
least 20 days upon written
request to the Chief Engineer
from the applicant or any
interested person opposing the
applications. The request for an
automatic delay must be filed
by June 20, 1994.
Any hearing will be an
adversary proceeding. Any
person filing a petition or for
the applicant have the right to
be represented by a lawyer and
may present evidence or cross-
examine witnesses according to
SDCL 1-26. These and other
due process rights will be
forfeited if not exercised.
Decisions of the Board may be
appealed to the Circuit Court
and State Supreme Court as
provided by law. Contact Eric
Gronlund by June 20, 1994, at
the above Water Rights Division
address to request copies of
information pertaining to these
applications or future use
review to assure access to the
hearing by the handicapped or
to obtain an interpreter for the
hearing impaired.
These applications and future
use review are made pursuant
to SDCL 46-1-1 thru 46-1-9, 46-
1-12 thru 46-1-16, 46-2-1, 46-
2-9, 46-2-11, 46-2-13, 46-2-17,
46-2A-1 thru 46-2A-10, 46-2A-
12, 46-2A-14, 46-2A-16, 46-2A-
20, 46-2A-21, 46-5-1 and 46-5-
11, 46-5-13 thru 46-5-16, 46-5-
24, 46-5-25, 46-5-30.2, 46-5-30.4,
46-5-31, 46-6-3, 46-6-3.1, 46-6-
6.1, 46-6-10, 46-6-13, 46-6-14,
46-6-26, 46-5-33 thru 46-5-40,
and Board Rules ARSD
74:02:01:01, thru 74:02:01:16;
74:02:01:24, thru 74:02:01:25;
(10,000 AF) 74:02:01:15:02 thru
74:02:01:15:05. Russell L. Stone,
Acting Secretary, Department of
Environment and Natural
Resources.
(May 26, June 2)

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Brookings) ssI, Nancy Skobern

certify that the attached printed Notice was

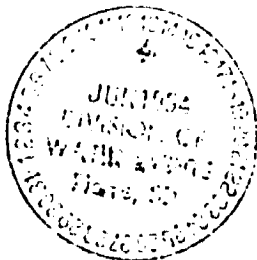
taken from the Brookings Registerprinted and published in BrookingsCounty of Brookings and State ofSouth Dakota. The notice was published in
the newspaper on the following two dates:May 25, 1994June 1, 1994Cost of Printing: \$81.50 (eighty-onedollars and fifty cents)[Signature]
(Signature)[Signature]
Local Ad Coordinator

(Title)

[Signature]
(Date Signed)

378, 2x, May 25, June 1

NOTICE OF HEARING

on Application No. 5821-3, 3982A-3 to
Amend Future Use Permit No. 3982-3,
and to Review Future Use Water
Permit No. 3982-3Notice is given that the Brookings-
Deuel-Kingbrook Joint Well Field, RR
2 Box 84, Toronto, SD 57268 is used
Water Permit Application Nos. 3982A-
3 and 5821-3 and the review of Future
Use Permit No. 3982-3.The Water Management Board will
review Future Use Permit No. 3982-3
for progress made in the development
of the water reserved by the Permit
and future plans for development of the
water reserved by Permit No. 3982-3.
This permit was approved January 25,
1978, to reserve 3.0 cfs from the Big-
Sioux Brookings Aquifer located in the
NE 1/4 NE 1/4 NE 1/4 and NW 1/4
NW 1/4 NE 1/4 Section 24, NE 1/4 NE
1/4 NE 1/4 Section 25, T112N-R51W
and the NW 1/4 NW 1/4 SW 1/4
Section 19-T112N-R50W for rural
water system use. Water Permit Nos.
5479-3 and 5602-3 put a total of 1.50 cfs
to beneficial use reserved by No. 3982-3
leaving 1.20 cfs held in reserve.Pursuant to SDCL 46-2A-2 the Chief
Engineer of the Water Rights Division
recommend that Permit No. 3982-3
REMAIN IN EFFECT for 869 acre feet
of water because 1) the reserved water
may be developed, 2) there is need for
the reserved water, 3) the proposed use
will be a beneficial use and 4) it is in
the public interest.Water Permit Application No.
3982A-3 is to amend Future Use Permit
No. 3982-3 to expand the future use
area (Future Use Permit No. 3982-3 is
described above). This permit expands
the future use area to include the entire
SW 1/4 Section 19-T112N-R50W.
Pursuant to SDCL 46-2A-2, the Chief
Engineer recommends APPROVAL of
Application No. 3982A-3 because 1) the
use area can be expanded without
unlawful impairment of existing rights,
2) the proposed use will be a beneficial
use of water and 3) it is in the public
interest. Water Permit Application
No. 5821-3 is to connect the City of
Arlington to the Kingbrook Rural
Water System. No increase in the
diversion rates currently authorized for
Kingbrook Rural Water system are
authorized by this application.Pursuant to SDCL 46-2A-2, the Chief
Engineer recommends APPROVAL ofApplication No. 5821-3 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.Any person interested in opposing or
supporting these applications or the
review of Future Use Permit No. 3982-3
must file a written petition with
BOTH the applicant and Chief
Engineer. The applicant must also file
a petition if opposed to the Chief
Engineer's recommendations. The Chief
Engineer's address is "Water Rights
Division, 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 June 20, 1994. The petition
may be informal, but must include a
statement describing the petitioner's
interest in the applications or future
use review, the petitioner's reasons for
opposing or supporting the applications
or future use review, and the signature
and mailing address of the petitioner
or the petitioner's legal counsel, if
legal counsel is obtained.The Water Management Board will
consider these applications and the
review of Future Use Permit No. 3982-3
at 10:00 a.m., June 28, 1994, Gallery D,
Ramkota Inn Best Western, 920 West
Sioux, Pierre, SD. The Chief Engineer's
recommendations are not final or
binding upon the Board. The Board is
authorized to 1) approve, 2) approve
with qualifications, 3) defer, or 4) deny
these applications or future use review
based on the facts presented at the
public hearing. The June 28, 1994,
hearing date will be automatically
delayed for at least 20 days upon
written request to the Chief Engineer
from the applicant or any interested
person opposing the applications. The
request for an automatic delay must be
filed by June 20, 1994.Any hearing will be an adversary
proceeding. Any person filing a petition
and/or the applicant have the right to
be represented by a lawyer and may
present evidence or cross-examine
witnesses according to SDCL 1-26.
These and other due process rights will
be forfeited if not exercised. Decisions
of the Board may be appealed to the
Circuit Court and State Supreme Court
as provided by law. Contact Eric
Gronlund by June 20, 1994, at the above
Water Rights Division address to
request copies of information pertaining
to these applications or future use
review, to assure access to the hearing
by the handicapped or to obtain an
interpreter for the hearing impaired.These applications and future use
review are made pursuant to SDCL 46-
1-1 thru 46-1-2, 46-1-12 thru 46-1-16;
46-2-1, 46-2-9, 46-2-11, 46-2-13, 46-2-
17; 46-2A-1 thru 46-2A-10, 46-2A-12,
46-2A-14, 46-2A-15, 46-2A-20, 46-2A-
21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-
5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-
30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1,
46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-
33 thru 46-5-40; and Board Rules ARSD
74:02:01:01 thru 74:02:01:15; 74:02:01:24
thru 74:02:01:25; (10,000 AF)
74:02:01:15.02 thru 74:02:01:15.05.
Russell L. Stone,
Acting Secretary,
Department of Environment and
Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Minnehaha) ss

Margaret L. Fenn
certify that the attached printed Notice was

taken from the The Minnehaha

Chippewa
printed and published in Minnehaha

County of Minnehaha and State of

South Dakota. The notice was published in
the newspaper on the following two dates:

May 26, 1994
June 2, 1994

Cost of Printing: \$83.70

Margaret L. Fenn
(Signature)
Office Manager
(Title)
6-8-94
(Date Signed)

LEGAL
NOTICE

Notice Of Hearing On
Application No. 5821-3, 3982A-3
To Amend Future Use
Permit No. 3982-3, And To
Review Future Use Water
Permit No. 3982-3

Notice is given that the Brookings
Deuel - Kirgrock Joint Well Field,
RR 2 Box 84, Toronto, SD 57268 has
filed Water Permit Application Nos.
3982A-3 and 5821-3 and the review of
Future Use Permit No. 3982-3.

The Water Management Board
will review Future Use Permit No.
3982-3 for progress made in the
development of the water reserved
by the Permit and future plans for
development of the water reserved by
Permit No. 3982-3. This permit was
approved January 25, 1978, to reserve
1.0 cfs from the Big Sioux Brookings
Appl. located in the NE 1/4 NE 1/4 NE
1/4 and NW 1/4 NW 1/4 NE 1/4 Section
24, NE 1/4 NE 1/4 NE 1/4 Section
25, T112N-R51W and the NW 1/4 NW
1/4 SW 1/4 Section 19, T112N-R50W for
rural water system use. Water Permit
Nos. 5079-3 and 5602-3 give a total
of 1.80 cfs to beneficial use reserved
by No. 3982-3 leaving 1.20 cfs left in
reserve.

Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water Rights
Division recommended that Permit No.
3982-3 REMAIN IN EFFECT for 869
acre - feet of water because 1) the
reserved water may be developed, 2)
there is need for the reserved water,
3) the proposed use will be a beneficial
use and 4) it is in the public interest.

Water Permit Application No.

3982A-3 is to amend Future Use Permit
No. 3982-3 to expand the future use
area (Future Use Permit No. 3982-3 is
described above). This permit expands
the future use area to include the entire
SW 1/4 Section 19, T112N-R50W.

Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends APPROV-
AL of Application No. 3982A-3 because
1) the use area can be expanded without
unlawful impairment of existing rights,
2) the proposed use will be a beneficial
use of water and 3) it is in the public
interest.

Water Permit Application No.
5821-3 is to connect the City of
Arlington to the Kirgrock Rural
Water System. No increase in the
diversion rates currently authorized
for Kirgrock Rural Water System are
authorized by this application.

Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends APPROV-
AL of Application No. 5821-3 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.

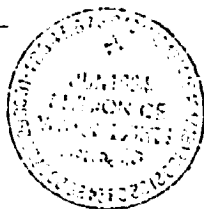
Any person interested in oppos-
ing or supporting these applications or
the review of Future Use Permit No.
3982-3 must file a written petition with
BOTH the applicant and Chief Engi-
neer. The applicant must also file a
petition if opposed to the Chief Engi-
neer's recommendations. The Chief En-
gineer's address is "Water Rights Di-
vision, Loss Building, 523 E. Capitol,
Pierre SD 57501 (505 773 3122)" and
the applicant's mailing address is given
above. A petition filed by either an in-
terested person or the applicant must
be filed by June 20, 1994. The peti-
tion may be informal, but must include
a statement describing the petitioner's
interest in the applications or future use
review, the petitioner's reasons for op-
posing or supporting the applications or

future use review, and the petitioner's rea-
sons for opposing or supporting the ap-
plications or future use review, and the
signature and mailing address of the pe-
titioner or the petitioner's legal coun-
sel, if legal counsel is obtained.

The Water Management Board
will consider these applications and the
review of Future Use Permit No. 3982-
3 at 10:00 a.m., June 28, 1994, Gallery
10, Rankota Inn West, Western, 920
West Sioux, Pierre, SD. The Chief
Engineer's recommendations are not
final or binding upon the Board. The
Board is authorized to 1) approve, 2)
approve with qualifications, 3) defer,
or 4) deny these applications or future
use review based on the facts presented
at the public hearing. The June 28,
1994, hearing date will be automatically
delayed for at least 20 days upon written
request to the Chief Engineer from
the applicant or any interested person
opposing the applications. The request
for an automatic delay must be filed by
June 20, 1994.

Any hearing will be an adversary
proceeding. Any person filing a petition
and/or the applicant have the right to
be represented by a lawyer and may
present evidence or cross-examine
witnesses according to SDCL 1-26.
These and other due process rights will
be forfeited if not exercised. Decisions
of the Board may be appealed to
the Circuit Court and State Supreme
Court as provided by law. Contact Eric
Gronlund by June 20, 1994, at the
above Water Rights Division address to
request copies of information pertaining
to these applications or future use
review, to assure access to the hearing
by the handicapped or to obtain an
interpreter for the hearing impaired.

These applications and future use
review are made pursuant to SDCL
46-1-1 thru 46-1-9, 46-1-12 thru 46-
1-16, 46-2-3-1, 46-2-9, 46-2-11, 46-
2-13, 46-2-17, 46-2A-1 thru 46-2A-
10, 46-2A-12, 46-2A-14, 46-2A-15, 46-
2A-20, 46-2A-21, 46-5-1 thru 46-5-
11, 46-5-13 thru 46-5-15, 46-5-24
46-5-25, 46-5-30-2, 46-5-30-4, 46-5-
31, 46-6-3, 46-6-3-1, 46-6-6-1, 46-6-
10, 46-6-13, 46-6-14, 46-6-26, 46-5-
38 thru 46-5-40, and Board Rules
ARSD 74-02-01-01 thru 74-02-01-15,
74-02-01-24 thru 74-02-01-28; (10,600
AF) 74-02-15-02 thru 74-02-01-15-05.
Russell L. Stone, Acting Secretary,
Department of Environment and Natu-
ral Resources



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Meade) ss

I, Angela M. Nibbeling
 certify that the attached printed Notice was
 taken from the Meade County
Enterprise
 printed and published in Handwritten

County of Meade and State of
 South Dakota. The notice was published in
 the newspaper on the following two dates:

May 24, 1994
May 31, 1994

Cost of Printing: \$79.00

Angela M. Nibbeling
 (Signature)

Printed Name
 (Title)

5-31-94
 (Date Signed)

NOTICE OF HEARING on Application No. 5821-3, 3982A-3 to Amend Future Use Permit No. 3982-3, and to Review Future Use Water Permit No. 3982-3

Notice is given that the Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 has filed Water Permit Application Nos. 3982A-3 and 5821-3 and the review of Future Use Permit No. 3982-3.

The Water Management Board will review Future Use Permit No. 3982-3 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978, to reserve 3.0 cfs from the Sioux Brookings Aquifer located in the NE 1/4 NE 1/4 NE 1/4 and NW 1/4 NW 1/4 NE 1/4 Section 24, NE 1/4 NE 1/4 NE 1/4 Section 25, T112N-R51W and the NW 1/4 NW 1/4 SW 1/4 Section 19-T112N-R50W for rural water system use. Water Permit Nos. 5079-3 and 5602-3 put a total of 1.80 cfs to beneficial use reserved by No. 3982-3 leaving 1.20 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommend that Permit No. 3982-3 REMAIN IN EFFECT for 869 acre-feet of water because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Water Permit Application No. 3982A-3 is to amend Future Use Permit No. 3982-3 to expand the future use area (Future Use Permit No. 3982-3 is described above). This permit expands the future use area to include the entire SW 1/4 Section 19-T112N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3982A-3 because 1) the use area can be expanded without unlawful impairment of existing rights, 2) the proposed use will be a beneficial use of water and 3) it is in the public interest.

Water Permit Application No. 5821-3 is to connect the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water System are authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5821-3 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.

Any person interested in opposing or supporting these applications or the review of Future Use Permit No. 3982-3 must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's

recommendations. The Chief Engineer's address is "Water Rights Division, 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 interested person or the applicant must be filed by June 20, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the applications or future use review, the petitioner's reasons for opposing or supporting the applications

and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider these applications and the review of Future Use Permit No. 3982-3 at 10:00 a.m., June 28, 1994, Gallery D, Ramkota Inn East Western, 920 West Sioux Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications or future use review based on the facts presented at the public hearing. The June 28, 1994, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by June 20, 1994.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 20, 1994, at the above Water Rights Division address to request copies of information pertaining to these applications or future use review, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

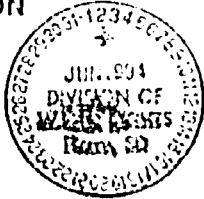
These applications and future use review are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25; (19,000 AF) 74:02:01:15.02 thru 74:02:01:15.05.

Russell L. Stone, Acting Secretary,
 Department of Environment and Natural Resources
 (May 24 & 31, 1994)



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Clark) ss



I, David Moritz

certify that the attached printed Notice was
taken from the Clark County Courier

printed and published in Clark

County of Clark and State of

South Dakota. The notice was published in
the newspaper on the following two dates:

May 25, 1994

June 1, 1994

Cost of Printing \$22.15

157 lines 2 times

[Signature]
(Signature)

[Signature]
(Date)

6-1-94
(Date Signed)

David Moritz

My commission expires
7-1-1999

Notice of Hearing on
Application No. 5821-3, 3982A-3
to Amend Future Use Permit No.
3982-3, and to Review Future
Use Water Permit No. 3982-3

Notice is given that the Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 has filed Water Permit Application Nos. 3982A-3 and 5821-3 and the review of Future Use Permit No. 3982-3.

The Water Management Board will review Future Use Permit No. 3982-3 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978, to reserve 3.0 cfs from the Big Sioux Brookings Aquifer located in the NE 1/4 NE 1/4 NE 1/4 and NW 1/4 NW 1/4 NE 1/4 NE 1/4 Section 24, NE 1/4 NE 1/4 NE 1/4 Section 25; T112N-R51W and the NW 1/4 NW 1/4 SW 1/4 Section 19-T112N-R50W for rural water system use. Water Permit Nos. 1079-3 and 5602-3 put a total of 1.50 cfs to beneficial use reserved by No. 3982-3 leaving 1.20 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommend that Permit No. 3982-3 REMAIN IN EFFECT for 609 acre-feet of water because: 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Water Permit Application No. 3982A-3 is to amend Future Use Permit No. 3982-3 to expand the future use area (Future Use Permit No. 3982-3 is described above). This permit expands the future use area to include the entire SW 1/4 Section 19-T112N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3982A-3 because 1) the use area can be expanded without unlawful impairment of existing rights, 2) the proposed use will be a beneficial use of water and 3) it is in the public interest.

Water Permit Application No. 5821-3 is to connect the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water System are authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5821-3 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.

Any person interested in opposing or supporting these applications or the review of Future Use Permit No. 3982-3 must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, 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 June 20, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the applications or future use review, the petitioner's reasons for opposing or supporting the applications or future use review, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider these applications and the review of Future Use Permit No. 3982-3 at 10:00 a.m., June 28, 1994, Gallery D, Ramkota Inn Best Western, 929 West Sioux, Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications or future use review based on the facts presented at the public hearing. The June 25, 1994, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by June 20, 1994.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 20, 1994, at the above Water Rights Division address to request copies of information pertaining to these applications or future use review, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

These applications and future use review are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25; (10,000 AF) 74:02:01:15.02 thru 74:02:01:15.05. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources. 5-25-94

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Sioux) ss

I, Dale Pless

certify that the attached printed Notice was

taken from the De Smet News

printed and published in De Smet

County of Sioux and State of

South Dakota. The notice was published in
the newspaper on the following two dates:

May 25, 1994

June 1, 1994

Cost of Printing: 75.02



**NOTICE OF HEARING on
Application No. 6821-3, 3982A-3 to
Amend Future Use Permit No.
3982-3, and to Review Future Use
Water Permit No. 3982-3**

Notice is given that the Brookings-Daniel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 has filed Water Permit Application Nos. 3982A-3 and 6821-3 and the review of Future Use Permit No. 3982-3.

The Water Management Board will review Future Use Permit No. 3982-3 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1976, to reserve 3.0 cfs from the Big-Sioux Brookings Aquifer located in the NE 1/4 NE 1/4 NE 1/4 and NW 1/4 NW 1/4 NE 1/4 Section 24, NE 1/4 NE 1/4 NE 1/4 Section 25; T112N-R51W and the NW 1/4 NW 1/4 SW 1/4 Section 19, T112N-R50W for rural water system use. Water Permit Nos. 5079-3 and 5602-3 put a total of 1.60 cfs to beneficial use reserved by No. 3982-3 leaving 1.20 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommend that Permit No. 3982-3 REMAIN IN EFFECT for 869 acre-feet of water because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Water Permit Application No. 3982A-3 is to amend Future Use Permit No. 3982-3 to expand the future use area (Future Use Permit No. 3982-3 is described above). This permit expands the future use area to include the entire SW 1/4 Section 19-T112N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3982A-3 because 1) the use area can be expanded without unlawful impairment of existing rights, 2) the proposed use will be a beneficial use of water and 3) it is in the public interest.

Water Permit application No. 6821-3 is to connect the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water System are authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6821-3 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.

Any person interested in opposing or supporting these applications or the review of Future Use Permit No. 3982-3 must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 623 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 June 20, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the applications or future use review, the petitioner's reasons for opposing or supporting the applications or future use review, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider these applications and the review of Future Use Permit No. 3982-3 at 10:00 a.m., June 28, 1994, Gallery D, Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications or future use review based on the facts presented at the public hearing. The June 28, 1994, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by June 20, 1994.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 20, 1994, at the above Water Rights Division address to request copies of information pertaining to these applications or future use review, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

These applications and future use review are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-39 thru 46-5-40, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25; (10,000 AF) 74:02:01:15.02 thru 74:02:01:15.05. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.
5-25-2wc 6-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Deuel) ss

I, Gary DeJong

certify that the attached printed Notice was

taken from the

Clear Lake Courier

printed and published in

County of Deuel and State of

South Dakota. The notice was published in
the newspaper on the following two dates:

Wednesday, May 25, 1994

Wednesday, June 1, 1994

Cost of Printing: \$84.85

(Signature)

(Title)

(Date Signed)

NOTICE OF HEARING

On Application No. 5821-3 to Amend
Future Use Permit No. 3982-3, and to
Review Future Use Water
Permit No. 3982-3

Notice is given that the Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 has filed Water Permit Application Nos. 3982-3 and 5821-3 and the review of Future Use Permit No. 3982-3.

The Water Management Board will review Future Use Permit No. 3982-3 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978, to reserve 3.0 cfs from the Big-Sioux Brookings Aquifer located in the NE 1/4 NE 1/4 NE 1/4 and NW 1/4 NE 1/4 NE 1/4 Section 24, NE 1/4 NE 1/4 NE 1/4 Section 25; T112N-R51W and the NW 1/4 NW 1/4 SW 1/4 Section 19-T112N-R50W for rural water system use. Water Permit Nos. 5079-3 and 5602-3 put a total of 1.80 cfs to beneficial use reserved by No. 3982-3 leaving 1.20 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommend that Permit No. 3982-3 REMAIN IN EFFECT for 869 acre-feet of water because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Water Permit Application No. 3982A-3 is to amend Future Use Permit No. 3982-3 to expand the future use area (Future Use Permit No. 3982-3 is described above). This permit expands the future use area to include the entire SW 1/4 Section 19-T112N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3982A-3 because 1) the use area can be expanded without unlawful impairment of existing rights, 2) the proposed use will be a beneficial use of water and 3) it is in the public interest.

Water Permit Application No. 5821-3 is to connect the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water System are authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5821-3 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.

Any person interested in opposing or supporting these applications or the review of Future Use Permit No. 3982-3 must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, 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 June 20, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the applications or future use review, the petitioner's reasons for opposing or supporting the applications or future use review, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider these applications and the review of Future Use Permit No. 3982-3 at 10:00 a.m. June 28, 1994, Gallery D, Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications or future use review based on the facts presented at the public hearing. The June 28, 1994, hearing date will be automatically delayed for at least 30 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by June 20, 1994.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 20, 1994, at the above Water Rights Division address to request copies of information pertaining to these applications or future use review, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

These applications and future use review are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20; 46-4A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25; (10,000 AF) 74:02:01:15.0? thru 74:02:01:15.05. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.
May 25 & June 1



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
 County of Minnehaha)

I, D. Reicher

certify that the attached printed Notice was

taken from the Argus Leader

printed and published in Sioux Falls

County of Minnehaha and State of

South Dakota. The notice was published in
 the newspaper on the following two dates:

Wednesday, May 25, 1994

Wednesday, June 6, 1994

Cost of Printing: \$165.98

D. Reicher
 (Signature)

Asst. Controller
 (Title)

6/1/94
 (Date Signed)

NOTICE OF HEARING
 On Application No. 5821-3, 3982A-3
 to Amend Future Use Permit
 No. 3982-3 and to Renew Future
 Use Water Permit No. 3982-3
 Notice is given that the Brook-
 ings Rural Kingbrook Joint Well
 Field, RR 2 Box 24, Toronto, SD
 57268 has filed Water Permit Appli-
 cation Nos. 3982A-3 and 5821-3
 and the review of Future Use
 Permit No. 3982-3.

The Water Management Board
 will review Future Use Permit No.
 3982-3 for progress made in the
 development of the water reserved
 by the Permit and future plans for
 development of the water reserved
 by Permit No. 3982-3. This permit
 was approved January 25, 1978, to
 reserve 30 cfs from the Big Box
 Brookings Aquifer located in the NE
 1/4 NE 1/4 NE 1/4 and NW 1/4 NW
 1/4 NE 1/4 Section 24, NE 1/4 NE
 1/4 NE 1/4 Section 25, T112N
 R51W and the NW 1/4 NW 1/4 SW
 1/4 Section 19 T112N R50W for
 rural water system use. Water
 Permit Nos. 5079-3 and 5602-3 put
 a total of 180 cfs to beneficial use
 reserved by No. 3982-3 leaving
 120 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the
 Chief Engineer of the Water Rights
 Division recommends that Permit
 No. 3982-3 REMAINS IN EFFECT for
 609 acre-feet of water because 1)
 the reserved water may be devel-
 oped, 2) there is need for the
 reserved water, 3) the proposed
 use will be a beneficial use and 4) it
 is in the public interest.

Water Permit Application No.
 3982A-3 is to amend Future Use
 Permit No. 3982-3 to expand the
 future use area (Future Use Permit
 No. 3982-3 is described above).
 This permit expands the future use
 area to include the entire SW 1/4
 Section 19 T112N R50W.

Pursuant to SDCL 46-2A-2, the
 Chief Engineer recommends AP-
 PROVAL of Application No.
 3982A-3 because 1) the use area
 can be expanded without unlaw-
 ful impairment of existing rights, 2) the
 proposed use will be a beneficial
 use of water and 3) it is in the
 public interest.

Water Permit Application No.
 5821-3 is to connect the City of
 Arlington to the Kingbrook Rural
 Water System. No increase in the
 diversion rates currently authorized
 for Kingbrook Rural Water System
 are authorized by this application.

Pursuant to SDCL 46-2A-2, the
 Chief Engineer recommends AP-
 PROVAL of Application No. 5821-3
 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.

Any person interested in op-
 posing or supporting these applica-
 tions or the review of Future Use
 Permit No. 3982-3 must file a
 written petition with BOTH the
 applicant and Chief Engineer. The
 applicant must also file a petition if
 opposed to the Chief Engineer's
 recommendations. The Chief Engi-
 neer's address is: Water Rights
 Division, 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 June 20, 1994. The petition
 may be informal, but must include a
 statement describing the petition-
 er's interest in the applications or
 future use review, the petitioner's
 reasons for opposing or supporting
 the applications or future use re-
 view, and the signature and mailing
 address of the petitioner or the
 petitioner's legal counsel, if legal
 counsel is advised.

The Water Management Board
 will consider these applications and
 the review of Future Use Permit No.
 3982-3 at 10:00 a.m., June 28,
 1994, Gallery D, Ramkota Inn, West-
 ern, 920 West Sioux, Pierre
 SD. The Chief Engineer's recom-
 mendations are not final or binding
 upon the Board. The Board is
 authorized to 1) approve, 2) ap-
 prove with qualifications, 3) defer,
 or 4) deny these applications or
 future use review based on the
 facts presented at the public
 hearing. The June 28, 1994,
 hearing date will be automatically
 delayed for at least 20 days upon
 written request to the Chief Engi-
 neer from the applicant or any
 interested person opposing the ap-
 plications. The request for an auto-
 matic delay must be filed by June
 20, 1994.

Any hearing will be an adversary
 proceeding. Any person filing a
 petition and/or the applicant have
 the right to be represented by a
 lawyer and may present evidence
 or cross-examine witnesses ac-
 cording to SDCL 1-26. These and
 other due process rights will be
 forfeited if not exercised. Decisions
 of the Board may be appealed to
 the Circuit Court and State Su-
 preme Court as provided by law.
 Contact Eric Gronlund by June 20,
 1994, at the above Water Rights
 Division address to request copies
 of information pertaining to these
 applications or future use review, to
 assure access to the hearing by the
 handicapped or to obtain an inter-
 preter for the hearing impaired.

These applications and future
 use review are made pursuant to
 SDCL 46-1-1 thru 46-1-9, 46-1-12
 thru 46-1-15, 46-2-1, 46-2-9,
 46-2-11, 46-2-13, 46-2-17, 46-2A-1,
 46-2A-10, 46-2A-12, 46-2A-14,
 46-2A-15, 46-2A-20, 46-2A-21,
 46-5-1 thru 46-5-11, 46-5-13 thru
 46-5-15, 46-5-24, 46-5-25, 46-5-
 30, 46-5-30.4, 46-5-31, 46-6-3,
 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13,
 46-6-14, 46-6-20, 46-6-30 thru
 46-6-40, and Board Rules ARD
 74 02 01 01 thru 74 02 01 15,
 74 02 01 24 thru 74 02 01 25,
 (10 000 AF) 74 02 01 15 02 thru
 74 02 01 15 05.

Russell L. Stone,
 Acting Secretary
 Department of Environment
 and Natural Resources
 May 25, June 1, 1994
 1642





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE, SOUTH DAKOTA 57501-3181

July 14, 1994

Mr. and Mrs. Wilfred Eighmy
RR 2, Box 364
Bruce, SD 57220

Mr. and Mrs. Wayne Eighmy
RR 2, Box 360
Bruce, SD 57220

Dear Mr. and Mrs. Eighmy:

I am writing in response to your letter, dated June 6, 1994, opposing Water Permit Application No. 3982A-3 and the seven year review of Future Use Permit No. 3982-3 for the Brookings/Deuel Kingbrook Joint Well Field. This letter is intended to clarify a point of concern included in your letter about giving the rural water system additional water from the Big Sioux Aquifer.

Application No. 3982A-3 does not allow any additional water to be taken from the Big Sioux Aquifer. The application proposes to amend Future Use Permit No. 3982-3 to expand the area where production wells may be located in the future. Future Use Permit No. 3982-3 was approved in January, 1978 to reserve 3.0 cubic feet of water per second (cfs) from a 40 acre area. The proposed amendment expands the area by 150 acres. Use of 1.8 cfs from the future use permit has left 1.20 cfs remaining in reserve. The amount of water remaining in reserve is not affected by expanding the area in which wells may be located. One cfs equals 449 gallons per minute.

The rural water system is required to apply for a water permit prior to constructing and placing to beneficial use any of the remaining water held in reserve. Additionally, the future use permit is subject to review every seven years at which time the rural water system has to demonstrate a reasonable need for retaining the water held in reserve. This review of Future Use Permit No. 3982-3 was noticed for hearing along with Application No. 3982A-3. The seven year review does not authorize approval of any additional water from the Big Sioux Aquifer over the amount currently held in reserve.

A notice, dated June 27, 1994, explained that an error occurred in the publication of the notice of hearing in the Estelline Journal. This error caused the June 28, 1994, hearing on these two issues to be canceled until the notice of hearing is readvertised in the Estelline Journal. Future notice of the time, date and location of the hearing before the Water Management Board on Application No. 3982A-3 and the review of Future Use Permit No. 3982-3 will be sent to all parties. At this hearing you will have an opportunity to bring your concerns before the Water Management Board.

If you have any questions, please call Eric Gronlund at (605) 773-3352.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
605 773-3352

c: Diane Best, Assistant Attorney General
Patrick Gillman Brookings/Deuel Rural Water System



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 1, 1994

NOTICE

TO: Patrick Gilligan
Brookings/Deuel Rural Water System
RR 2, Box 84
Toronto, SD 57268
and Parties of Record (see attached list)

FROM: *for* John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Rescheduling of Hearing for Water Permit Application No. 3982A-3 and
Review of Future Use Water Permit No. 3982-3

The Water Management Board will consider Water Permit Application No. 3982A-3 and the review of Future Use Water Permit No. 3982-3 on August 31, 1994 at 10:00 am in the Conference Room, Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Ave., Pierre, SD 57501. The actual time of the hearing may be later than 10:00 am due to prior agenda items. The June 28, 1994 hearing on this application was not held because of an error in the notice of hearing published in the Estelline Journal.

Applicable provisions of the Notice of Hearing published during the last week of May and the first week of June, 1994, in the Brookings Register, DeSmet News, Clear Lake Courier, Moody Co. Enterprise, The Argus Leader, Canistota Clipper, Miner Co. Pioneer, Madison Daily Leader and the Clark Co. Courier and the July 28, 1994, and August 4, 1994 publication of the Estelline Journal will still apply at this hearing. This hearing is an adversary proceeding. Any party of record has the right to be present or to be represented by an attorney. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Contact Eric Gronlund by August 22, 1994 at 773-3352 to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired. Hearing procedural questions can be directed to Diane Best, Assistant Attorney General at 773-3215.

c: Diane Best, Assistant Attorney General

PARTIES OF RECORD LIST
WATER PERMIT APPLICATION NO. 3982A-3
BROOKINGS-DEUEL-KINGBROOK JWF

Applicant

Patrick Gilligan
Brookings/Deuel-Kingbrook Joint Well Field
RR 2, Box A4
Toronto, SD 57268

Petitioners

Wilfred Eighmy
RR 2, Box 364
Bruce, SD 57220

Wayne Eighmy
RR 2, Box 360
Bruce, SD 57220

CERTIFICATION

I hereby certify that on August 1, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated August 1, 1994, along with a copy of the Parties of Record List, regarding Rescheduling of Hearing for Water Permit Application No. 3982A-3 and Review of Future Use Permit No. 3982-3, addressed as stated below:

Patrick Gilligan
Brookings/Deuel Rural Water System
RR 2, Box 84
Toronto, SD 57268

Wilfred Eighmy
RR 2, Box 364
Bruce, SD 57220

Wayne Eighmy
RR 2, Box 360
Bruce, SD 57220

Copy Sent Inter-office to:

Diane Best, Assistant Attorney General, Capitol Building.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 10th day of August, 1994.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 7, 1994

NOTICE

Patrick Gilligan
Brookings/Deuel Rural Water System
RR 2, Box 84
Toronto SD 57268

Dear Mr. Gilligan:

I am writing in response to action taken by the Water Management Board at the hearing on August 31, 1994 to review Future Use Permit No. 3982-3. The Board allowed the permit to remain in effect and amended Permit No. 3982-3 adding the qualification on the enclosed "Amendment". The "Amendment" should be placed with the permit. Future Use Permit No. 3982-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 3982-3 is \$37.50 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

Please contact Eric Gronlund, Water Rights Staff Engineer, if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosure

AMENDMENT TO FUTURE USE PERMIT NO. 3982-3

BROOKINGS-DEUEL/KINGBROOK RURAL WATER SYSTEM

Pursuant to the August 31, 1994 Water Management Board hearing, Future Use Permit No. 3982-3 was allowed to remain in effect and amended by adding the following qualification:

That Permit No. 3982-3 reserve for future use a total of 869 acre-feet annually.

CERTIFICATION

I hereby certify that on September 8, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated September 7, 1994, regarding action taken by the Water Management Board at the hearing on August 31, 1994, to review Future Use Permit No. 3982-3, along with a copy of the Amendment to the Future Use Permit, addressed as stated below:

Patrick Gilligan, Brookings/Deuel Rural Water System, RR 2, Box 84,
Toronto, SD 57268.

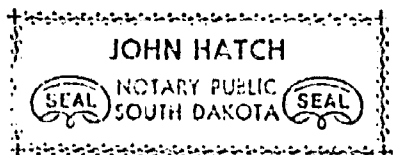
Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
)
COUNTY OF HUGHES)

SS

Sworn to, before me, this 9th day of September, 1994



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

3982-3
414284

Pierce, _____ September 28, 19 94

RECEIVED OF Erookings-Deuel-Kingbrook JWE, RR 2 Box 84, Toronto, SD 57268

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. <u>5982-3</u> after period of seven years.	37	50
Fee for Inspecting Constructed Works, confirming beneficial use and Issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	37 50

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 15, 1995

Morris Elcock, Manager
Kingbrook Rural Water System
Drawer 299
Arlington SD 57212

Dear Mr. Elcock:

I am writing in response to your December 14, 1995, request for a summary of your water permits. Attached is a listing dated December 15, 1995, of the requested permits.

The listing of permits is grouped by aquifer: BS-NSC (Big Sioux-Northern Skunk Creek aquifer); VEF (Vermillion East Fork aquifer); BS-B (Big Sioux-Brookings aquifer.) The amount of water appropriated in CFS (cubic feet of water per second), AF (acre-feet of water), priority date, diversion point location, and status (PE - permit, LC - licensed, and FU - future use) is listed for each permit. Any water permit with a "PE" status will eventually be licensed following completion of an on-site investigation.

A couple points to consider when reviewing this list:

- The "CFS" listed for "PE" status permits will be reduced upon licensing if the actual diversion rate is less than the specified rate, and
- The "AF" listed for each future use permit is the number of acre-feet remaining in reserve.

Please let me know if you need any further assistance (605) 773-3352. Have a Merry Christmas!

Sincerely,

Ron Duvall
Natural Resources Engineer
Water Rights Program

enclosure

PERMIT	NAME	CFS	AF	PRIORITY	DIV. PT. LOCATION	AQUIFER	STATUS
4367-3	KINGBROOK RWS	3.00	*	1979-01-09	SE¼NE¼ 8-105N-51W NE¼NE¼ 17-105N-51W	BS-NSC	PE
5646-3	KINGBROOK RURAL WATER SYS	1.00	425	1992-03-19	NW¼SW¼ 9-105N-51W	BS-NSC	PE
*No acre-feet limitation specified on Permit No. 4367-3							
5643-3	KINGBROOK RWS. INC		425	1992-03-19	Portions of sections 8, 9, 17; all in 105N-51W	BS-NSC	FU
4137-3	KINGBROOK RWS INC	1.06	*	1977-03-04	SW¼SE¼ 8-111N-56W SE¼NE¼ 8-111N-56W SE¼NE¼ 17-111N-56W	VEF	LC
5186-3	KINGBROOK RWS INC	0.70	*	1988-03-29	SW¼SW¼ 16-111N-56W	VEF	LC
5208-3	KINGBROOK RWS	1.40	*	1988-08-15	5208A-3 changes location of diversion points	VEF	PE
5208A-3	KINGBROOK RURAL WATER SYS		*	1988-08-15	E½NW¼, SW¼NE¼ 6-111N-56W	VEF	PE
5426-3	KINGBROOK RWS	1.40	*	1988-08-15	SE¼NW¼, NW¼NW¼ 6-111N-56W	VEF	LC
5785-3	KINGBROOK RWS. INC.		*	1993-08-25		VEF	PE
*Combined diversions under all permits in the Vermillion East Fork aquifer may not exceed 1,350 acre-feet annually							
5209-3	KINGBROOK RWS		550	1988-08-15	Portions of sections 10 & 8, 6; all in 111N-56W	VEF	FU
5079-3	BROOKINGS-DEUEL-KINGBROOK	2.90	*	1975-05-05 1977-06-06	NE¼ 24; NE¼NE¼ 25; 112N-51W; NW¼SW¼ 19-112N-50W	BS-B	LC
2612A-3	BROOKINGS-DEUEL-KINGBROOK	0.89	210	1976-03-01	NW¼NE¼ 25-112N-51W	BS-B	LC
5434-3	BROOKINGS-DEUEL-KINGBROOK		224	1990-04-02	Same as 2612A-3	BS-B	PE
5602-3	BROOKINGS-DEUEL-KINGBROOK	1.00	434	1977-06-06	NE¼NE¼ 25-112N-51W	BS-B	PE
5821-3	BROOKINGS-DEUEL-KINGBROOK			1994-05-05	Connect City of Arlington	BS-B	PE
*No acre-feet limitation specified on Permit No. 5079-3							
3982-3	BROOKINGS-DEUEL-KINGBROOK		869	1977-06-06	Parts of 24, 25-112N-51W and 19-112N-50W	BS-B	FU
3982A-3	BROOKINGS-DEUEL-KINGBROOK			1994-01-10	Added all SW¼ sec 19	BS-B	FU

December 15, 1995

3982-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 26, 2001

Patrick Gilligan
Brookings-Deuel-Kingbrook Joint Well Field
RR 2 Box 84
Toronto SD 57268

Dear Mr. Gilligan

I am writing in regard to the seven year review of Future Use Water Permit No. 3982-3 from groundwater (Big-Sioux Brookings Aquifer) which is held by Brookings-Deuel-Kingbrook Joint Well Field. By law, all future use permits are to be reviewed by the Water Management Board every seven years. The permit reserves water for future water supply needs for the system. Currently, our records show that 73 acre-feet remain in reserve under this future use permit that was issued in 1978 and last reviewed in 1994.

Please respond in writing by August 1, 2001, regarding the system's intention for the future use permit. If the system plans to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs.

Permit No. 3982-3 will then be public noticed and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permit. A fee will be charged if the Board allows the permit to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352



BROCKINGS-DEUEL RURAL WATER SYSTEM

*Quality Water For Our Members
One Pledge...
...One Goal*

RR 2 Box 84 • Toronto, SD 57268 • Phone (605) 794-4201 • Fax (605) 794-4061

July 12, 2001

Karen Schlaak, Environmental Scientist
Water Rights Program
DENR
Pierre SD



RE: Future Use # 3982-3

Dear Ms. Schlaak

Concerning the review of Future Use Permit No. 3982-3, held by the Brookings-Deuel RWS and Kingbrook RWS Joint Wellfield facility, we request that this permit be renewed and remain whole for our use to meet future needs.

In the past five years the annual pumping rate at the Joint Wellfield Facility has increase 17%, which is significant when used to anticipate future planning needs. Both systems continue to expand and aggressively seek new members as well react to special needs of farm and community needs. Dairy expansion is being anticipated in both systems, and commercial expansion in Elkton (Twin City Fan and Blower) may become a significant demand on Joint Wellfield water withdrawals.

Both systems are serving the majority of the communities in their respective service area's, which places an extra burden on future planning parameters to meet un-anticipated needs of those communities future requirements.

Please contact me if you have any questions, or need additional information.

Sincerely,

Pat Gilligan, Mgr.
Brookings-Deuel-Kingbrook Joint Wellfield



**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 FUTURE USE WATER PERMIT
NO. 3982-3, Brookings-Deuel-Kingbrook Rural Water Joint Well Field**

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 Future Use Water Permit No. 3982-3, Brookings-Deuel-Kingbrook Rural Water Joint Well Field, c/o Pat Gilligan, RR 2 Box 84, Toronto SD 57268.

The Chief Engineer is recommending that Future Use Permit No. 3982-3 REMAIN in EFFECT for 73 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 3982-3, 2) the system has demonstrated a reasonable need for the water reserved by Permit No. 3982-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 3982-3 is subject to payment of the \$15.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the system after the Board hearing.

Garland Erbele, Chief Engineer
August 1, 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 1, 2001

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

Patrick Gilligan
Brookings-Deuel-Kingbrook Joint Well Field
RR 2 Box 84
Toronto SD 57268

Dear Mr. Gilligan

Future Use Permit No. 3982-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in each county where water will be diverted or used. The notice of this review has been sent to the following papers:

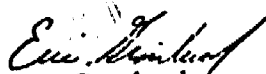
Brookings Register, Brookings 605 692-6271
DeSmet News, DeSmet 605 854-3331
Hamlin Co. Herald Enterprise, Hayti 605 713-3636
Clear Lake Courier, Clear Lake 605 874-2499
Moody Co. Enterprise, Flandreau 605 997-3725

Argus Leader, Sioux Falls 605 331-2200
Salem Special, Salem 605 425-2361
Miner Co. Pioneer, Howard 605 772-5644
Daily Leader, Madison 605 256-4555
Clark Co. Courier, Clark 605 532-3654

For your information, a copy of the recommendation of the Chief Engineer is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPERS IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the papers can eliminate delays. The publishers have been instructed to publish the notice once each week for two consecutive weeks with the last publication to occur at least twenty days before the board meeting. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 1, 2001

Brookings Register
PO Box 177
Brookings SD 57006-0177

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on August 8, 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-Kingbrook Joint Well Field, RR 2 Box 84. Toronto SD 57268.

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

Date _____

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

We are in receipt of your letter of August 1, 2001 enclosing Notice of Hearing to Review Future Use Water Permit No. 3982-3 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

August 1, 2001

DeSmet News
Box 69
DeSmet SD 57231-0069

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on August 8, 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-Kingbrook Joint Well Field, RR 2 Box 34, Toronto SD 57268.

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

Date _____

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

We are in receipt of your letter of August 1, 2001 enclosing Notice of Hearing to Review Future Use Water Permit No. 3982-3 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

August 1, 2001

Hamlin Co. Herald Enterprise
Box 207
Hayti SD 57241-0207

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on August 8, 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-Kingbrook Joint Well Field, RR 2 Box 84, Toronto SD 57268.

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Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of August 1, 2001 enclosing Notice of Hearing to Review Future Use Water Permit No. 3982-3 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

August 1, 2001

Clear Lake Courier
Box 830
Clear Lake SD 57226-0830

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on August 8, 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-Kingbrook Joint Well Field, RR 2 Box 84, Toronto SD 57268.

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3332

enclosures

CUT HERE

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of August 1, 2001 enclosing Notice of Hearing to Review Future Use Water Permit No. 3982-3 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

August 1, 2001

Moody Co. Enterprise
Box 71
Flandreau SD 57028-0071

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on August 8, 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-Kingbrook Joint Well Field, RR 2 Box 84, Toronto SD 57268.

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Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

Date _____

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

We are in receipt of your letter of August 1, 2001 enclosing Notice of Hearing to Review Future Use Water Permit No. 3982-3 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

August 1, 2001

Argus Leader
PO Box 5034
Sioux Falls SD 57117-5034

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on August 8, 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 Blockings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto SD 57268.

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Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of August 1, 2001 enclosing Notice of Hearing to Review Future Use Water Permit No. 3982-3 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/dem

August 1, 2001

Salem Special
PO Box 220
Salem SD 57058-0220

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on August 9, 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-Kingbrook Joint Well Field, RR 2 Box 84, Toronto SD 57268.

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of August 1, 2001 enclosing Notice of Hearing to Review Future Use Water Permit No. 3982-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____



August 1, 2001

Miner Co. Pioneer
PO Box 220
Howard SD 57349

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on August 9, 2001 with the second publication 7 days later.

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

Date _____

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Name _____

Newspaper _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 1, 2001

Daily Leader
PO Box 248
Madison SD 57042-0348

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on August 8, 2001 with the second publication 7 days later.

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

Date _____

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

We are in receipt of your letter of August 1, 2001 enclosing Notice of Hearing to Review Future Use Water Permit No. 3982-3 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 57601-3182
www.state.sd.us/demr

August 1, 2001

Clark Co. Courier
117 1st Ave E
Clark SD 57225

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on August 8, 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-Kingbrook Joint Well Field, RR 2 Box 84, Toronto SD 57268.

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

Date _____

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

We are in receipt of your letter of August 1, 2001 enclosing Notice of Hearing to Review Future Use Water Permit No. 3982-3 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)

County of Hamlin) SSI, LeeAnne Archer

certify that the attached printed Notice was taken

from the Hamlin County
Herald Enterpriseprinted and published in HeraldCounty of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Aug. 8, 2001Aug. 15, 2001Cost of Printing 168.74

LeeAnne Archer
(Signature)

Owner
(Title)

8-15-01

(Date Signed)

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 3982-3

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 filed by Brookings-Devel-Kingshook Water Joint Well Field for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. The permit was approved in 1974 and currently reserves 73 acre feet from the Big-Sioux Brookings Aquifer located in NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN in EFFECT for 73 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 at 10:00 am, September 5, 2001 at the Conference Room, Kelly Inn, 1807 E. Highway 50, Yankton SD.

The recommendation of the

Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intend to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDGL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by August 27, 2001. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 Capitol Ave, Pierre, SD 57501, (605 773 3352) and the permit holders mailing address is given above. The petition may be informal but it must include a statement describing the petitioners interest in this future use permit, the reasons for the petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

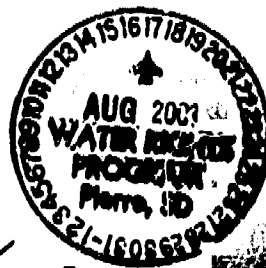
The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions

of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure the access to the hearing by the handicapped or obtain an interpreter for the hearing, may contact Eric Gronlund, Water Rights Program, (605 773 3352) by August 27, 2001. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by August 27, 2001. Steven M. Pimer, Secretary, Department of Environment and Natural Resources.

(publish aug. 8 and 15, 2001)



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Miner) SSI, Penny Schwane

certify that the attached printed Notice was taken

from the Miner County
Pioneerprinted and published in HowardCounty of Miner and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

August 9, 2001August 16, 2001Cost of Printing \$ 72.41Penny Schwane
(Signature)President

(Title)

8-16-01

(Date Signed)

NOTICE OF HEARING TO
REVIEW FUTURE USE

WATER PERMIT NO. 3982-3

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 held by Brookings, Duval, Kingbrook Rural Joint Well Field for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved in 1978 currently reserves 73 acre feet from the Big Sioux Aquifer located in NW 1/4 NW 1/4 NE 1/4 and NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W for rural water use.

Pursuant to SDCL 48-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN IN EFFECT for 73 acre-feet annually because 1) the reserved water may be developed, 2) there is a need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 at 10:00 a.m., September 5, 2001 at the Conference Room, Kelly Inn, 1607 E. Highway 50, Yankton, SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by August 27, 2001. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E. Capitol Ave., Pierre, SD 57501 (605 773-3352) and the permit holders mailing address

is given at the. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions of SDCL 48-1-14, 48-2-5, 48-2-9, 48-2-11, 48-5-38.1; Board Rules ARSD 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program (605 773-3352) by August 27, 2001. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for the delay must be filed with the Chief Engineer by August 27, 2001.

Steven M. Pirner
Secretary, Department
of Environment and
Natural Resources
(Aug. 9-16)

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

) SS

County of MoodyI, Angela Nickeline

certify that the attached printed Notice was taken

from the Moody CountyEnterpriseprinted and published in HandmanCounty of Moody and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

August 8, 2001Aug. 15, 2001Cost of Printing \$ 66.20Angela Nickeline
(Signature)Brooks
(Title)8-8-01

(Date Signed)



Any person wishing a copy of the Chief Engineer's recommendation, or wishing to appear at the hearing to be heard or to present an objection to the permit, must file a written petition with BOTH the permit owner and the Chief Engineer by August 27, 2001. The time for filing a petition will be automatically extended for 30 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuation of the Future Use Permit. The petition for a delay must be filed with the Chief Engineer by August 27, 2001.

Steven M. Prier, Secretary
Department of Environment and Natural Resources
(Aug. 8 & 15, 2001)

NOTICE OF HEARING TO REVIEW
FUTURE USE WATER PERMIT
NO. 3982-3

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 held by Brookings-Daniel-Elmendorf Rural Water Joint Board for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved in 1978 currently reserves 73 acre feet from the Big Sioux Brookings Aquifer located in NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN IN EFFECT for 73 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 at 10:00 a.m., September 5, 2001 at the Conference Room, Kelly Inn, 1807 E. Highway 50, Yankton, SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before

the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by August 27, 2001. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave., Pierre, SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA

Nancy Hyronimus being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

Wednesday, the 8 day of August 2001

Wednesday, the 15 day of August 2001

,the day of _____ 2001

,the day of 2001

,the day of 2001

,the day of _____ 200

_____, the _____ day of _____, 2000

and that \$138.12 was charged for publishing the same, including a \$5.00 affidavit fee.

Subscribed and sworn to before August 16, 2001.

JOAN STAHL

NOTARY PUBLIC
SOUTH DAKOTA

Notary Public, South Dakota

My Commission expires June 30th, 2005

person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-4-16, must file a written petition with BOTH the permit owner and the Chief Engineer by August 27, 2001.

Support and training of the
here Use Petrol. The de
for a drive, you can find
the Old English by August
27, 2001. Steven M. Petrol
Secretary, Department of
recovery and National
Council.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER

PERA-JT No. 3088-3
Notes: It is given that the Water Management Board will review Future Use Permit No. 3088-3 held by Brookings-Danaher-Kingston, Rural Water Joint Water Field for programs made in the development of the water reserved by the Permit, and the water reserved by the permit was reviewed by Permit No. 1-105-3. The permit was approved in 1976 currently reserves 73 acres from the Elk River Brook-

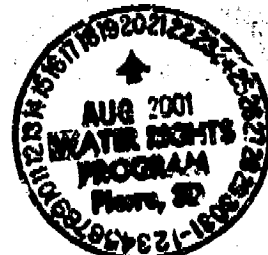
The hearing to review Future Use Permit No. 5223-3 will be conducted pursuant to the provisions of SDCL 48-1-14, 48-2-5, 48-2-8, 48-2-11, 48-2-13, 48-2-14, 48-2-15, 48-2-16, 48-2-17, 48-2-18, 48-2-19, 48-2-20, 48-2-21, 48-2-22, 48-2-23, 48-2-24, 48-2-25, 48-2-26, 48-2-27, 48-2-28, 48-2-29, 48-2-30, 48-2-31; Board Rules ARSD 01.01:01, 01.01:02, 01.01:03, 01.01:04, 01.01:05, 01.01:06, 01.01:07, 01.01:08, 01.01:09, 01.01:10, 01.01:11, 01.01:12, 01.01:13, 01.01:14, 01.01:15, 01.01:16, 01.01:17, 01.01:18, 01.01:19, 01.01:20, 01.01:21, 01.01:22, 01.01:23, 01.01:24, 01.01:25, 01.01:26, 01.01:27, 01.01:28, 01.01:29, 01.01:30, 01.01:31, 01.01:32, 01.01:33, 01.01:34, 01.01:35, 01.01:36, 01.01:37, 01.01:38, 01.01:39, 01.01:40, 01.01:41, 01.01:42, 01.01:43, 01.01:44, 01.01:45, 01.01:46, 01.01:47, 01.01:48, 01.01:49, 01.01:50, 01.01:51, 01.01:52, 01.01:53, 01.01:54, 01.01:55, 01.01:56, 01.01:57, 01.01:58, 01.01:59, 01.01:60, 01.01:61, 01.01:62, 01.01:63, 01.01:64, 01.01:65, 01.01:66, 01.01:67, 01.01:68, 01.01:69, 01.01:70, 01.01:71, 01.01:72, 01.01:73, 01.01:74, 01.01:75, 01.01:76, 01.01:77, 01.01:78, 01.01:79, 01.01:80, 01.01:81, 01.01:82, 01.01:83, 01.01:84, 01.01:85, 01.01:86, 01.01:87, 01.01:88, 01.01:89, 01.01:90, 01.01:91, 01.01:92, 01.01:93, 01.01:94, 01.01:95, 01.01:96, 01.01:97, 01.01:98, 01.01:99, 01.01:100, 01.01:101, 01.01:102, 01.01:103, 01.01:104, 01.01:105, 01.01:106, 01.01:107, 01.01:108, 01.01:109, 01.01:110, 01.01:111, 01.01:112, 01.01:113, 01.01:114, 01.01:115, 01.01:116, 01.01:117, 01.01:118, 01.01:119, 01.01:120, 01.01:121, 01.01:122, 01.01:123, 01.01:124, 01.01:125, 01.01:126, 01.01:127, 01.01:128, 01.01:129, 01.01:130, 01.01:131, 01.01:132, 01.01:133, 01.01:134, 01.01:135, 01.01:136, 01.01:137, 01.01:138, 01.01:139, 01.01:140, 01.01:141, 01.01:142, 01.01:143, 01.01:144, 01.01:145, 01.01:146, 01.01:147, 01.01:148, 01.01:149, 01.01:150, 01.01:151, 01.01:152, 01.01:153, 01.01:154, 01.01:155, 01.01:156, 01.01:157, 01.01:158, 01.01:159, 01.01:160, 01.01:161, 01.01:162, 01.01:163, 01.01:164, 01.01:165, 01.01:166, 01.01:167, 01.01:168, 01.01:169, 01.01:170, 01.01:171, 01.01:172, 01.01:173, 01.01:174, 01.01:175, 01.01:176, 01.01:177, 01.01:178, 01.01:179, 01.01:180, 01.01:181, 01.01:182, 01.01:183, 01.01:184, 01.01:185, 01.01:186, 01.01:187, 01.01:188, 01.01:189, 01.01:190, 01.01:191, 01.01:192, 01.01:193, 01.01:194, 01.01:195, 01.01:196, 01.01:197, 01.01:198, 01.01:199, 01.01:200, 01.01:201, 01.01:202, 01.01:203, 01.01:204, 01.01:205, 01.01:206, 01.01:207, 01.01:208, 01.01:209, 01.01:210, 01.01:211, 01.01:212, 01.01:213, 01.01:214, 01.01:215, 01.01:216, 01.01:217, 01.01:218, 01.01:219, 01.01:220, 01.01:221, 01.01:222, 01.01:223, 01.01:224, 01.01:225, 01.01:226, 01.01:227, 01.01:228, 01.01:229, 01.01:230, 01.01:231, 01.01:232, 01.01:233, 01.01:234, 01.01:235, 01.01:236, 01.01:237, 01.01:238, 01.01:239, 01.01:240, 01.01:241, 01.01:242, 01.01:243, 01.01:244, 01.01:245, 01.01:246, 01.01:247, 01.01:248, 01.01:249, 01.01:250, 01.01:251, 01.01:252, 01.01:253, 01.01:254, 01.01:255, 01.01:256, 01.01:257, 01.01:258, 01.01:259, 01.01:260, 01.01:261, 01.01:262, 01.01:263, 01.01:264, 01.01:265, 01.01:266, 01.01:267, 01.01:268, 01.01:269, 01.01:270, 01.01:271, 01.01:272, 01.01:273, 01.01:274, 01.01:275, 01.01:276, 01.01:277, 01.01:278, 01.01:279, 01.01:280, 01.01:281, 01.01:282, 01.01:283, 01.01:284, 01.01:285, 01.01:286, 01.01:287, 01.01:288, 01.01:289, 01.01:290, 01.01:291, 01.01:292, 01.01:293, 01.01:294, 01.01:295, 01.01:296, 01.01:297, 01.01:298, 01.01:299, 01.01:300, 01.01:301, 01.01:302, 01.01:303, 01.01:304, 01.01:305, 01.01:306, 01.01:307, 01.01:308, 01.01:309, 01.01:310, 01.01:311, 01.01:312, 01.01:313, 01.01:314, 01.01:315, 01.01:316, 01.01:317, 01.01:318, 01.01:319, 01.01:320, 01.01:321, 01.01:322, 01.01:323, 01.01:324, 01.01:325, 01.01:326, 01.01:327, 01.01:328, 01.01:329, 01.01:330, 01.01:331, 01.01:332, 01.01:333, 01.01:334, 01.01:335, 01.01:336, 01.01:337, 01.01:338, 01.01:339, 01.01:340, 01.01:341, 01.01:342, 01.01:343, 01.01:344, 01.01:345, 01.01:346, 01.01:347, 01.01:348, 01.01:349, 01.01:350, 01.01:351, 01.01:352, 01.01:353, 01.01:354, 01.01:355, 01.01:356, 01.01:357, 01.01:358, 01.01:359, 01.01:360

Pursuant to SDCL 46-24-2 the Chief Engineer of the Water Pollution Control Commission

This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to "appear and to be represented by a lawyer. Those and other due process rights will be forfeited if they are not exercised. Decla-

The Water Management Board will conduct the hearing to review Future Use Permit No. 36993-3 at 10:00 a.m. September 5, 2001 at the Conference Room, Kelly Inn, 100 E. Highway 80, Taylor, MO.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to: 1) allow the permit to remain in effect, 2) amend the permit by adding questionnaires, 3) cancel the permit for no development, or no planned future development, 4) take certain development off the permit, or 5) make a conditional decision based upon facts presented. Any interested party may request a hearing on this permit, to secure access to the hearing by submitting a written request to the Chief Engineer or obtain an interview with the Chief Engineer. For further information, if you wish to contact Eric Gronlund, Director of the Department of Water & Rights Programs, call 805-775-3830 by August 22, 1987. The time of the hearing will be set by the Chief Engineer, but at least 20 days upon written request of the permittee or any person who has filed a petition to oppose the permit.



Form 8

Public Notice

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 3982-3

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 held by Brookings-Deuel-Kingsbrook Rural Water Joint Well Field for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved in 1978 currently reserves 73 acre feet from the Big-Sioux Brookings Aquifer located in NW 1/4 NE 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W for rural water system use.

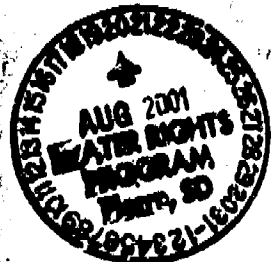
Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN in EFFECT for 73 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 at 10:00 am, September 5, 2001 at the Conference Room, Kelly Inn, 1607 E. Highway 50, Yankton, SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by August 27, 2001. The Chief Engineer's address is "Water Right Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of McCook) SS

I, Troy Schvans

certify that the attached printed Notice was taken

from the Salem Special

printed and published in Salem

County of McCook and

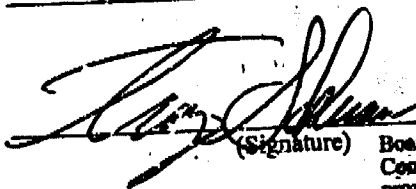
state of South Dakota. The notice was published

in the newspaper on the following two dates:

August 9, 2001

August 16, 2001

Cost of Printing \$56.44


(Signature)

Editor

(Title)

8-16-01

(Date Signed)

Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by August 27, 2001. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by August 27, 2001. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

8/9, 8/16

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

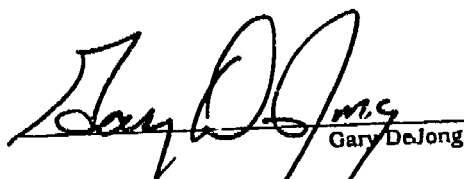
Notice of Water Permit

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, August 8, 2001

On Wednesday, August 15, 2001

that the full amount of the fees for the publication of the annexed notice is \$68.57


Gary DeJong

Subscribed and sworn to before me this 17 day
of August, 2001.


Notary Public, South Dakota
Shirley Denekamp

My Commission Expires: January 16,
2007

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NO. 3982-3

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 held by Brookings-Deuel-Kingbrook Rural Water Joint Well Field for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permits No. 3982-3. This permit was approved in 1977 currently reserves 73 acre feet from the Big Sioux Brookings Aquifer located in NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW1/4 Section 19; T112N-R50W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN IN EFFECT for 73 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future use Permit No. 3982-3 at 10:00 a.m., September 5, 2001 at the Conference Room, Kelly Inn, 1607 E. Highway 50, Yankton SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-28, must file a written petition with BOTH the permit owner and the Chief Engineer by August 27, 2001. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E. Capitol Ave. Pierre SD 57501 (605-773-3352) and the permit holder's mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02: 01:25: 01 thru 74:02:01:25:03 and contested case procedures contained in SDCL 1-28.



By August 27, 2001
(605-773-3352)
The hearing will be audio-taped.
Interested persons may request of the permit owner or any person who has filed a petition to oppose or support continuation of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by August 27, 2001.
Steven M. Finner, Secretary, Department of Environment and Natural Resources.
Aug. 8 & 15

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Lake) SSI, Deanna D. Bergheim

certify that the attached printed Notice was taken

from the Madison Daily Leaderprinted and published in City of MadisonCounty of Lake and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Wednesday, August 8, 2001Wednesday, August 15, 2001Cost of Printing 62.11

Deanna D. Bergheim
(Signature)

Secretary
(Title)

August 17, 2001
(Date Signed)



OK

Wed., Aug. 8, 15, 2001

**NOTICE OF HEARING TO
REVIEW FUTURE USE WATER
PERMIT NO. 3982-3**

Notice is hereby given that the Water Management Board will review Future Use Permit No. 3982-3 held by Brookings-Deuel-Kingbrook Rural Water Joint Well Field for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved in 1978 currently reserves 73 acre feet from the Big-Sioux Brookings Aquifer located in NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 10-T112N-R50W for rural water system use.

Pursuant to SDCL 48-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN IN EFFECT for 73 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 at 10:00 am, September 5, 2001 at the Conference Room, Kelly Inn, 1607 E. Highway 50, Yankton SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by August 27, 2001. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit NO. 3982-3 will be conducted

SDCL 48-2A-2. The permit owner or any other person claiming an interest in the water reserved by the permit, has the right to be represented by counsel, and other persons may be represented if they are interested in the water reserved by the permit. In the Circuit Court of the State of South Dakota as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, or the petition on this permit, to the Water Management Board, may obtain a copy of the permit by request of the Chief Engineer by August 27, 2001. The permit will be on file at least 30 days prior to the hearing of the permit. The permit has been filed with the Chief Engineer by August 27, 2001. The permit is on file at the Chief Engineer's office, Department of Environment and Natural Resources.

Affidavit of Publication

State of South Dakota

County of Brookings

KRISTI OLSON 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 newspaper has been published within the said County Brookings and State of South Dakota, for more than 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; that the

Legal #501 Water Permit 3982-3

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

August 8, 2001

August 15, 2001

said Exhibit "A" inures to the sole benefit to the publishers or 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:

Sixty-five dollars and seventy-two cents \$65.72

Subscribed and sworn to before me this
August 15 day of

2001.

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



This hearing is an advisory proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court.

As a condition of the permit, the Chief Engineer recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605) 773-3352 by August 27, 2001. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by August 27, 2001. Steven M. Firmer, Secretary, Department of Environment and Natural Resources.

Legal 591, 2a, 8/8, 15
NOTICE OF HEARING TO REVIEW
FUTURE USE WATER PERMIT
NO. 3982-3

Notice is given that the Water Management Board will review Future Use Permit, No. 3982-3 held by Brookings-Daniel-Kingbrook Rural Water Joint Well Field for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved in 1978 currently reserves 73 acre feet from the Big Sioux Brookings Aquifer located in NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4, NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN IN EFFECT for 73 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 at 10:00 am, September 5, 2001 at the Conference Room, Kelly Inn, 1607 E. Highway 50, Yankton SD.

We recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BC/TH the permit owner and the Chief Engineer by August 27, 2001. The Chief Engineer's address is "Water Rights Program", Joe Foss Building Building 523 E. Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions of SDCL 46-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38. Board Rules ARSD 74:02:01:25.01 the 74:02:01:27:03 and contested case procedures contained in SDCL 1-26.

Kristi Olson

Christina Nelson

**NOTICE OF HEARING TO
REVIEW FUTURE USE WATER
PERMIT NO. 3982-3**

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 held by Brookings-Dual-Kingbrook Rural Water Joint Well Field for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved in 1978 currently reserves 73 acre feet from the Big-Sioux Brookings Aquifer located in NW1/4NW1/4NE1/4 and NE1/4NE1/4NE1/4 Section 24; NE1/4NE1/4NE1/4 Section 25; all in T112N-R51W and SW1/4 Section 19-T112N-R50W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN in EFFECT for 73 acre-feet annually because (1) the reserved water may be developed, (2) there is need for the reserved water, (3) the proposed use will be a beneficial use and (4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 at 10:00 a.m., Sept. 5, 2001, at the Conference Room, Kelly Inn, 1607 E. Highway 50, Yankton, S.D.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to (1) allow the permit to remain in effect, (2) amend the permit by adding qualifications, (3) cancel the permit for no development or no planned future development, or (4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by August 27, 2001. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E. Capitol Ave., Pierre, SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.



This is a public hearing for any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing, may contact Eric Gronlund, Water Rights Program, (605 773-3352) by August 27, 2001. The time of the hearing will be postponed only if the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by August 27, 2001.

Eric Gronlund, Secretary
Department of Environment and
Natural Resources

Affidavit of Publication

State of South Dakota

§

County of Clark

William J. Krikac of said county, being first duly sworn, on oath says that he is the publisher of the *Clark County Courier*, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of a 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

NOTICE TO CREDITORS

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

(two)

successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

August 8, 2001
August 15, 2001

that the full amount of the fees for the publication of the annexed notice is **\$61.78**

William J. Krikac

Subscribed and sworn to before me this

27th day of August, 2001

Joan M. Furness
Notary Public
Clark County, South Dakota

My commission expires
7-1-2005



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 15, 2001

Patrick Gilligan
Brookings-Deuel-Kingbrook Joint Well Field
RR 2 Box 84
Toronto SD 57268

Dear Mr. Gilligan

Enclosed is a copy of the notice regarding Future Use Permit No. 3982-3. The notice has been sent to the DeSmet News (605 854-3331) to be published on October 24 and 31. If you will remember, this permit was originally scheduled to be reviewed at the September 5, 2001 Water Management Board meeting. Because the DeSmet News failed to publish the notice for 2 consecutive weeks, the hearing was delayed until proper public notice could be given. It will not be necessary to have the notice run in all 10 papers again.

**BE SURE TO CONTACT THE DESMET NEWS IMMEDIATELY TO AUTHORIZE
PUBLICATION OF THE NOTICE OF HEARING.**

If you have any questions, please contact Karen Schlaak or me.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 15, 2001

DeSmet News
Box 69
DeSmet SD 57231-0069

Attention: Dale

Enclosed is a Notice of Hearing to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on October 24, 2001 with the second publication 7 days later. This is the notice that originally was published August 8th but did not get published for the second time on August 15th.

The applicant must verify to you that the notice is to be published, before you make the first publication. The APPLICANT is Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto SD 57268.

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 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-----

Date _____

TO: Water Rights Program
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181

We are in receipt of your letter of October 15, 2001 enclosing Notice of Hearing to Review Future Use Water Permit No. 3982-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Kingsbury) SS

I, Dale Blegen

certify that the attached printed Notice was taken

from the De Smet News

printed and published in De Smet

County of Kingsbury and

state of South Dakota. The

in the newspaper on the following dates:

October 24

October 31

Cost of Printing 0

The hearing to review Future Use Permit No. 3982-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing, impaired may contact Eric Gronlund, Water Rights Program, (605) 773-3352 by Nov. 19, 2001. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permit. The request for a delay must be filed with the Chief Engineer by Nov. 19, 2001. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

10-24-2wc-10-31

NOTICE OF HEARING TO REVIEW FUTURE USE

WATER PERMIT NO. 3982-3

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 held by Brookings-Deuel-Kingbrook Rural Water Joint Well Field for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved in 1978 and currently reserves 73 acre feet from the Big-Sioux Brookings Aquifer located in NW1/4NW1/4NE1/4 and NE1/4NE1/4/NE1/4 Section 24; NE1/4NE1/4NE1/4 Section 25; all in T112N-R51W and SW1/4 Section 19-T112N-R50W for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN IN EFFECT for 73 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 at 10:00 a.m., Dec. 5, 2001, at the Floyd Matthew Training Center, Joe Foss Building, 528 E. Capitol, Pierre, SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by Nov. 19, 2001. The Chief Engineer's address is "Water Rights Program," Joe Foss Building, 528 E. Capitol Ave., Pierre, SD 57501 (605-773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 6, 2001

NOTICE

Patrick Gilligan
Brookings-Deuel-Kingbrook Joint Well Field
RR 2 Box 84
Toronto SD 57268

Dear Mr. Gilligan

I am writing in response to action taken by the Water Management Board at the hearing on December 5, 2001 to review Future Use Permit No. 3982-3. The Board allowed the permit to remain in effect for 73 acre-feet of water annually. Future Use Permit No. 3982-3 is subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit No. 3982-3 is \$15.00 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

Please contact Eric Gronlund, staff engineer, if you have any questions.

Sincerely,

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

CERTIFICATION

I hereby certify that on December 6, 2001, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated December 6, 2001 regarding Future Use Permit #3982-3 addressed as stated below:

Patrick Gilligan
Brookings-Deuel-Kingbrook Joint Well Field
RR 2 Box 84
Toronto, SD 57268


Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 7th day of December, 2001.


Karen Schlaak
Notary Public
My Commission expires April 1, 2007



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 417034

Pierre, December 24, 2001

RECEIVED OF Brookings-Deuel/Kingbrook, RR 2 Box 84, Toronto, SD 57268

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

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

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

Fee to retain Future Use Permit No. 3982-3 after period of seven years.

15 00

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

15 00

By David L. Erbe
Chief Engineer

gm

Range 51W Range 50W

12 7
13 18

Future Water Use Permit

For Brookings-Deuel Water
+ Kingbrook Water System
also referred to as B-D-K well field

Applied for by
East Dakota Conservancy
Sub-District

524-17th Ave 57000
Brookings S. Dakota

Twp - 112 N

Legal Descriptions

NE¹ of NE¹ of NE¹ Sec 25-112-51

NW¹ of NW¹ of SW¹ Sec 19-112-50

NE¹ of NE¹ of NE¹ Sec 24-112-51

NW¹ of NW¹ of NE¹ Sec 24-112-51

24 19
25 30

N



Well Field for Future Use

□ Present Irrigation Wells

■ Present B-D-K Wells

○ Farmsteads

Scale - 4" = 1 mile

5-31-77

Certified Correct

John S. Edwards
P.E. #1916

MAP NO 3231-3 (APP. NE 3982-3)

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: Brookings – Deuel - Kingbrook Rural Water Joint Well Field

ADDRESS: 47602 SD Hwy 28, Toronto SD 57268

DATE: April 19, 2006

TELEPHONE: (605) 794-4201

RE: Future Use Reserve for No. 3982-3

COMMENTS:

Future Use Permit No. 3982-3 was approved January 25, 1978 to reserve 3.00 cfs for future use development.

Water Right No. 5079-3 applied for 0.80 cfs from the future use reservation and was licensed for the full amount requested. Therefore, none of the water appropriated by the permit reverted back to the future use permit. Water balance for Future Use Permit No. 3982-3:

$$3.00 \text{ cfs} - 0.80 \text{ cfs} = 2.20 \text{ cfs remaining in reserve as of 1986 and confirmed by a future use review in 1987}$$

Water Right No. 5602-3 applied for 1.00 cfs and was approved for 1.00 cfs with an annual limitation of 434 AF annually and was licensed for the permitted amount. Therefore, none of the water appropriated by the permit reverted back to the future use permit. Water balance for Future Use Permit No. 3982-3:

$$2.20 \text{ cfs (1,592 AF)} - 1.00 \text{ cfs (434 AF)} = 1.20 \text{ cfs (1,158 AF) in reserve as of 1992}$$

However, the maximum annual diversion volume at a rate of 1.20 cfs is 869 AF [1.20 cfs (724 AF/cfs) = 869 AF]

In 1994 a review of Future Use Permit No. 3982-3 was conducted and the remaining diversion rate of 1.20 cfs was converted to an acre-feet value as was the case for all future use permits. Typically, the conversion involved estimating the annual pump time at 60% and then using that factor to determine the annual volume (AF) remaining in reserve. In the case of No. 3982-3 the 60% factor was not applied probably due to the fact that No. 5602-3 did not appropriate the full number of acre-feet allowed considering a 1.00 cfs diversion rate.

$$1.20 \text{ cfs (724 AF/cfs)} = 869 \text{ AF in reserve following the 1994 review}$$

This amount of water (869 AF) was also confirmed in a letter dated December 15, 1995 to Morris Elcock, then manager of the rural water system.

Water Right No. 6002-3 was approved for 1.00 cfs (362 AF) and was licensed for the full annual volume of 362 AF. Therefore, none of the water appropriated by the permit reverted back to the future use permit. Water balance for Future Use Permit No. 3982-3:

$869 \text{ AF} - 362 \text{ AF} = 507 \text{ AF}$ in reserve as of 1998

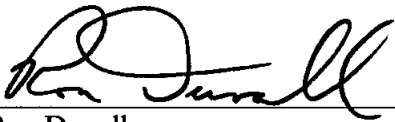
The report for No. 6002-3 also noted that 507 AF would remain in reserve following approval of No. 6002-3.

In 2001 Patrick Gilligan, manager, was contacted concerning the 7 year review of No. 3982-3. The letter dated June 26, 2001, indicated that No. 3982-3 had 73 AF of water in reserve rather than 507 AF as noted in 1998 following approval of No. 6002-3. On December 5, 2001, the Water Management Board allowed the future use permit to remain in effect for 73 AF of water.

A review of the water right files has not turned up any basis for the change in the amount of water reserved from 507 AF to 73 AF. No withdrawals from the future use permit have been made since the approval of No. 6002-3. It appears a typographical error was made that needs to be corrected.

RECOMMENDED ACTION:

In order to correct the error Future Use Permit No. 3982-3 should be scheduled for another review by the board so that public notice is provided concerning the correction. SDCL 46-5-38.1 provides for the review of future use permits every 7 years and ARSD 74:02:01:25 provides the board the authority to review future use permits on a more frequent basis should the board choose to do so.



Ron Duvall
Natural Resources Engineer
Water Rights Program

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: Brookings – Deuel - Kingbrook Rural Water Joint Well Field

ADDRESS: 47602 SD Hwy 28, Toronto SD 57268

DATE: June 7, 2006

TELEPHONE: (605) 794-4201

RE: Expansion of future use area covered by Future Use Permit No. 3982-3

COMMENTS:

As part of a file review of Future Use Permit No. 3982-3 in connection with correcting the amount of water in reserve (see file documentation dated April 19, 2006 in No. 3982-3) it was discovered Permit No. 5602-3 placed water to beneficial use reserved by No. 3982-3 even though No. 5602-3 is outside of the future use area. According to No. 3982-3 the future use area includes the NE¼ NE¼ section 25-T112N-R51W but the well authorized under No. 5602-3 is located in the SE¼ NE¼ NE¼ of section 25.

RECOMMENDED ACTION:

Application No. 6718-3 has been submitted to complete construction of a new well and place water to beneficial use that has been reserved under No. 3982-3. The application is also serving to correct the amount of water in reserve under No. 3982-3. After discussing the situation concerning No. 5602-3 with Pat Gilligan, manager of the rural water system, it was decided to amend Application No. 6718-3 to request an expansion of the future use area authorized by No. 3982-3. Mr. Gilligan indicated that the entire N½ NE¼ section 25 is owned by the rural water system so this is the requested expansion area. If approved, the expanded area will then include the location of the well authorized by No. 5602-3 thus correcting use of No. 3982-3 as the source of water for the well. The proposed expansion of the future use area does not authorize any change in the amount of water reserved by No. 3982-3 nor result in any change to the June 6, 1977 priority date.



Ron Duvall
Natural Resources Engineer
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

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 3982-3, 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 Future Use Water Permit No. 3982-3, Brookings-Deuel Rural Water System, c/o Pat Gilligan, 47602 SD Hwy 28, Toronto SD.

The Chief Engineer is recommending that Future Use Permit No. 3982-3 REMAIN in EFFECT for 507 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit No. 3982-3, 2) the rural water system has demonstrated a reasonable need for the water reserved by Permit No. 3982-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit No. 3982-3 is subject to payment of the \$22.50 fee* pursuant to SDCL 46-2-13(2) within 60 days of notice to the rural water system after the Board hearing.

Garland Erbele, Chief Engineer
June 7, 2006

NOTE: * Subject to approval of Application No. 6718-3, the fee for maintaining this future use permit will be as follows: 507 acre-feet minus 300 acre-feet equals 207 acre-feet remaining in effect.

Instruction to Newspaper - Publish first Notice on June 14, 2006 with the second publication 7 days later. The applicant is responsible for payment.

Notice of Hearing to Review Future Use Permit No. 3982-3 and
Consider Water Permit Application No. 6718-3

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 and consider Application No. 6718-3 filed by the Brookings-Deuel Rural Water System, c/o Pat Gilligan, 47602 SD Hwy 28, Toronto SD 57268.

Future Use Permit No. 3982-3 will be reviewed for progress made in the development of the water reserved by the permit and to correct an error when the future use permit was last reviewed on December 5, 2001. This permit was approved in 1978 to reserve water from the Big Sioux Aquifer located in NW ¼ NW ¼ NE ¼ and NE ¼ NE ¼ NE ¼ Section 24; NE ¼ NE ¼ NE ¼ Section 25; all in T112N-R51W and SW ¼ Section 19-T112N-R50W for rural water system use. During the last review of the future use permit, it was allowed to remain in effect for 73 acre-feet of water. This was incorrect in that 434 acre-feet of water was inadvertently deducted from the future use permit. This notice serves to clarify that 507 acre-feet of water remains in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN in EFFECT for 507 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Application No. 6718-3 proposes to annually place to beneficial use 300 acre-feet of water reserved by Future Use Permit No. 3982-3. One well is to be completed in the SW ¼ SW ¼ Section 19-T112N-R50W and divert water at a rate of 1.00 cubic feet of water per second from the Big Sioux Aquifer (approximately 45 feet deep). The water will be used to supply the Brookings-Deuel Rural Water System to serve users in Brookings, Deuel, Kingsbury, Hamlin, Moody, Minnehaha, McCook, Miner, Lake and Clark Counties. If Application No. 6718-3 is approved, the amount of water remaining in reserve under No. 3982-3 will be 207 acre-feet. In addition, Application No. 6718-3 seeks to expand the future use area authorized by No. 3982-3 to include the entire N½ NE¼ section 25-T112N-R51W. This expansion does not authorize any change in the amount of reserved water and the expanded area will retain the June 6, 1977 priority date established under No. 3982-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6718-3 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.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 and Application No. 6718-3 at 10 A.M. July 12, 2006 at the Matthew Training Center, Foss Building, 523 E Capitol, Pierre SD. The July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the future use permit and/or application. The request for an automatic delay must be filed by July 3, 2006.

Any person interested in opposing or supporting the future use review and/or application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. 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 July 3, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the future use review and/or application, the petitioner's reasons for opposing or supporting the future use review and/or application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by July 3, 2006, at the above Water Rights Program address to request copies of information pertaining to the future use review and/or the application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since the application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006

The future use review and this application are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-5, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, 74:02:01:24 thru 74:02:01:25. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Affidavit of Publication

State of South Dakota

Exhibit "A"

ss

County of Brookings

Amy B. Larsen 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

that the

Legal #656 "Water Permit"

a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit

said newspaper for _____ 2 times, to-wit:

June 14, 2006

June 21, 2006

said Exhibit "A" inures to the sole benefit for 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:

One hundred twelve dollars and seventy-five cents. \$112.75

Subscribed and sworn to before me this

22nd

day of

June

2006

Christina Nelson

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires April 27, 2012

RECEIVED
JUL 12 2006
WATER RIGHTS
PROGRAM

Legal 656, 2x, 06/14, 21
Notice of Hearing to
Review Future Use Permit
No. 3982-3 and

Consider Water Permit
Application No. 6718-3

Notice is given that the
Water Management Board
will review Future Use
Permit No. 3982-3 and
consider Application No.
6718-3 filed by the
Brookings-Deuel Rural
Water System, c/o Pat
Gilligan, 47602 SD Hwy
28, Toronto SD 57268.

Future Use Permit No.
3982-3 will be reviewed for
progress made in the
development of the water
reserved by the permit and
to correct an error when
the future use permit was
last reviewed on
December 5, 2001. This
permit was approved in
1978 to reserve water
from the Big Sioux Aquifer
located in NW 1/4 NW 1/4
NE 1/4 and NE 1/4 NE 1/4
NE 1/4 Section 24; NE 1/4
NE 1/4 NE 1/4 Section 25;
all in T12N-R51W and
SW 1/4 Section 19-T112N-
R50W for rural water sys-
tem use. During the last
review of the future use
permit, it was allowed to
remain in effect for 73
acre-feet of water. This
was incorrect in that 434
acre-feet of water was
inadvertently deducted
from the future use permit.
This notice serves to clari-
fy that 507 acre-feet of
water remains in reserve.

Pursuant to SDCL 46-
2A-2 the Chief Engineer of
the Water Rights Program
recommends that Permit
No. 3982-3 REMAIN in
EFFECT for 507 acre-feet
annually because 1) the
reserved water may be
developed, 2) there is
need for the reserved
water 3) the proposed use
will be a beneficial use and
4) it is in the public inter-
est.

The recommendation of
the Chief Engineer is not
final or binding upon the
Board and the Board is
authorized to 1) allow the
permit to remain in effect,
2) amend the permit by
adding qualifications, 3)
cancel the permit for no
development or no
planned future develop-
ment, or 4) take no action
after it reaches a conclu-
sion based upon facts pre-
sented at the public hear-
ing.

Application No. 6718-3
proposes to annually
place to beneficial use 300
acre-feet of water
reserved by Future Use
Permit No. 3982-3. One
well is to be completed in
the SW 1/4 SW 1/4 Section
19-T112N-R50W and
divert water at a rate of
1.00 cubic feet of water
per second from the Big
Sioux Aquifer (approx-
imately 45 feet deep). The
water will be used to sup-
ply the Brookings-Deuel
Rural Water System to
serve users in Brookings,
Deuel, Kingsbury, Hamlin,
Moody, Minnehaha,
McCook, Miner, Lake and
Clark Counties. If
Application No. 6718-3 is
approved, the amount of
water remaining in reserve
under No. 3982-3 will be
207 acre-feet. In addition,

Application No. 6718-3
seeks to expand the future
use area authorized by
No. 3982-3 to include the
entire N 1/2 NE 1/4 section
25-T112N-R51W. This
expansion does not autho-
rize any change in the
amount of reserved water
and the expanded area
will retain the June 6, 1977
priority date established
under No. 3982-3.

Pursuant to SDCL 46-
2A-2, the Chief Engineer
recommends APPROVAL
of Application No. 6718-3
because 1) unappropriat-
ed 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.

The recommendation of
the Chief Engineer is not
final or binding upon the
Board and the Board is
authorized to 1) approve,
2) approve with qualifica-
tions, 3) defer, or 4) deny
this application based on
the facts presented at the
public hearing.

The Water Management
Board will conduct the
hearing to review Future
Use Permit No. 3982-3
and
Application No. 6718-3 at
10 A.M. July 12, 2006 at
the Matthew Training
Center, Foss Building, 523
E Capitol, Pierre SD. The
July 12, 2006 hearing date
will be automatically
delayed for at least 20
days upon written request
to the Chief Engineer from
the applicant or any inter-
ested person opposing the
future use permit and/or
application. The request
for an automatic delay
must be filed by July 3,
2006.

Any person interested
in opposing or supporting
the future use review
and/or application must
file a written petition with
BOTH the applicant and
Chief Engineer. The appli-
cant must also file a peti-
tion if opposed to the Chief
Engineer's recommenda-
tions. 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
July 3, 2006. The petition
may be informal,
but must include a state-
ment describing the peti-
tioner's interest in the
future use review and/or
application, the
petitioner's reasons for
opposing or supporting
the future use review
and/or application, and the
signature and mailing
address of the petitioner or
the petitioner's legal coun-
sel, if legal counsel is
obtained.

Any hearing will be an
adversary proceeding. Any
person filing a petition
and/or the applicant have
the right to be represented
by a lawyer and may pre-
sent evidence or cross-
examine witnesses
according to SDCL 1-26.

These and other due
process rights will be for-
feited if not exercised.
Decisions of the Board
may be appealed to the
Circuit Court and State
Supreme Court as provid-
ed by law. Contact Eric
Gronlund by July 3, 2006,
at the above Water Rights
Program - address to
request copies of informa-
tion pertaining to the
future use review and/or
the application, to assure
access to the hearing by
the handicapped or to
obtain an interpreter for
the hearing impaired.

Since the application
does not involve a mon-
etary controversy in excess
of \$2,500.00 or termina-
tion of a property right in
accordance with SDCL 1-
26-18.3, the Chief
Engineer has determined
this contested case may
not be referred to the
Office of Hearing
Examiners. If any party
disagrees with this deter-
mination, the Chief
Engineer shall be notified
by July 3, 2006.

The future use review
and this application are
made pursuant to SDCL
46-1-1 thru 46-1-9, 46-1-
12 thru 46-1-16; 46-2-3.1,
46-2-5, 46-2-9, 46-2-11,
46-2-13, 46-2-17; 46-2A-1
thru 46-2A-10, 46-2A-12,
46-2A-14, 46-2A-15, 46-
2A-20, 46-2A-21; 46-5-1
thru 46-5-11, 46-5-13 thru
46-5-15, 46-5-24, 46-5-25,
46-5-30.2, 46-5-30.4, 46-5-
31; 46-6-3, 46-6-3.1, 46-6-
6.1, 46-6-10, 46-6-13, 46-
6-14, 46-6-26; 46-5-38
thru 46-5-40; and Board
Rules ARSD 74:02:01:01
thru 74:02:01:15,
74:02:01:24 thru
74:02:01:25.

Steven M. Pimer,
Secretary,
Department of
Environment and
Natural Resources.

Conradell

AFFIDAVIT OF PUBLICATION-

Customer Number: 78200

Invoice Number: 945317

Argus Leader
AFFIDAVIT OF PUBLICATION

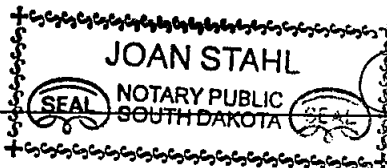
STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

Linda Schulte being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

Wednesday, the 14 day of June 2006 ,
Wednesday the 21 day of June 2006 ,
_____, the _____ day of _____ 2006 ,
_____, the _____ day of _____ 2006 ,
_____, the _____ day of _____ 2006 ,
_____, the _____ day of _____ 2006 ,
_____, the _____ day of _____ 2006 ,
and that \$268.53 was charged for publishing the same

Linda Schulte
Subscribed and sworn to before me 6/21/2006



Joan Stahl
Notary Public, South Dakota

My Commission expires June 30, 2011

RECEIVED

JUL 18 2006

WATER RIGHTS PROGRAM

Notice of Hearing to Review Future Use Permit No. 3982-3 and Consider Water Permit Application No. 6718-3
Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 and consider Application No. 6718-3 filed by the Brookings-Deuel Rural Water System, c/o Pat Gilligan, 47602 SD Hwy 28, Toronto SD 57268.

Future Use Permit No. 3982-3 will be reviewed for progress made in the development of the water reserved by the permit and to correct an error when the future use permit was last reviewed on December 5, 2001. This permit was approved in 1978 to reserve water from the Big Sioux Aquifer located in NW1/4 NE1/4 NE1/4 and NE1/4 NE1/4 Section 24; NE1/4 NE1/4 NE1/4 Section 25; all in T112N-R51W and SW1/4 Section 19-T112N-R50W for rural water system use. During the last review of the future use permit, it was allowed to remain in effect for 73 acre-feet of water. This was incorrect in that 434 acre-feet of water was inadvertently deducted from the future use permit. This notice serves to clarify that 507 acre-feet of water remains in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN IN EFFECT for 507 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to: 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Application No. 6718-3 proposes to annually place to beneficial use 300 acre-feet of water reserved by Future Use Permit No. 3982-3. One well is to be completed in the SW1/4 SW1/4 Section 19-T112N-R50W and divert water at a rate of 1.00 cubic feet of water per second from the Big Sioux Aquifer (approximately 45 feet deep). The water will be used to supply the Brookings-Deuel Rural Water System to serve users in Brookings, Deuel, Kingsbury, Hamlin, Moody, Minnehaha, McCook, Miner, Lake and Clark Counties. If Application No. 6718-3 is approved, the amount of water remaining in reserve under No. 3982-3 will be 207 acre-feet. In addition, Application No. 6718-3 seeks to expand the future use area authorized by No. 3982-3 to include the entire N1/2 NE1/4 section 25-T112N-R51W. This expansion does not authorize any change in the amount of reserved water and the expanded area will retain the June 6, 1977 priority date established under No. 3982-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6718-3 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.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 and Application No. 6718-3 at 10 A.M. July 12, 2006 at the Matthew Training Center, Foss Building, 523 E Capitol, Pierre SD. The July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the future use permit and/or application. The request for an automatic delay must be filed by July 3, 2006.

Any person interested in opposing or supporting the future use review and/or application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. 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 July 3, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the future use review and/or application.

the petitioner's reasons for opposing or supporting the future use review and/or application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by July 3, 2006, at the above Water Rights Program address to request copies of information pertaining to the future use review and/or the application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since the application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006.

The future use review and this application are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-5, 46-2-8, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, 74:02:01:24 thru 74:02:01:25. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

945317 June 14 & 21, 2006

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF McCOOK:)

The undersigned, being first duly sworn, on his oath says: THE CANISTOTA CLIPPER is a weekly newspaper of general circulation, printed and published in the City of Canistota, McCook County, South Dakota, by MATTHEW ANDERSON, and has been such newspaper during the times hereinafter mentioned: that it has bona fide circulation of more than 200 copies weekly; that it has been published within said County of McCook in the English language and admitted to the United States mail under the second class mailing privilege for more than one year next prior to the publication of the notice hereinafter mentioned, and has been printed during such period and at the present time in part in an office maintained at the said place of publication: that I, the undersigned, am either the publisher or an employee of the said publisher of said newspaper and have personal knowledge of all the facts stated in the affidavit: that the advertisement headed

Notice of Hearing

a printed copy of which is hereto attached, was printed and published in the said newspaper for two (2) successive weeks; that said notice was published in the issues of said paper on the dates as follows, to-wit:

The first publication be made on 6-15

The second publication on 6-22

The third publication on _____

The fourth publication on _____

that 119.02 Being the full amount of the fee for publication of the annexed notice, insured solely to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof have been made with any other person whomsoever, and that said newspaper is a legal newspaper under the law of the state of South Dakota.

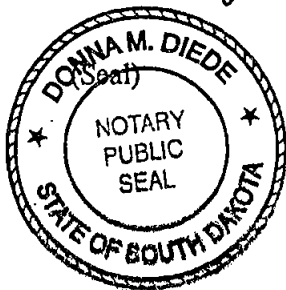
Matthew Anderson

Subscribed and sworn to before me this 26

day of June 2006

Donna M. Diede
Notary Public, South Dakota

My commission expires 2-2-2010



RECEIVED
JUL - 3 2006
WATER RIGHTS
PROGRAM

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 and consider Application No. 6718-3 filed by the Brookings-Deuel Rural Water System, c/o Pat Gilligan, 47602 SD Hwy 28, Toronto SD 57268.

Future Use Permit No. 3982-3 will be reviewed for progress made in the development of the water reserved by the permit and to correct an error when the future use permit was last reviewed on December 5, 2001. This permit was approved in 1978 to reserve water from the Big Sioux Aquifer located in NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W for rural water system use. During the last review of the future use permit, it was allowed to remain in effect for 73 acre-feet of water. This was incorrect in that 434 acre-feet of water was inadvertently deducted from the future use permit. This notice serves to clarify that 507 acre-feet of water remains in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN in EFFECT for 507 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Application No. 6718-3 proposes to annually place to beneficial use 300 acre-feet of water reserved by Future Use Permit No. 3982-3. One well is to be completed in the SW 1/4 SW 1/4 Section 19-T112N-R50W and divert water at a rate of 1.00 cubic feet of water per second from the Big Sioux Aquifer (approximately 45 feet deep). The water will be used to supply the Brookings-Deuel Rural Water System to serve users in Brookings, Deuel, Kingsbury, Hamlin, Moody, Minnehaha, McCook, Miner, Lake and Clark Counties.

If Application No. 6718-3 is approved, the amount of water remaining in reserve under No. 3982-3 will be 207 acre-feet. In addition, Application No. 6718-3 seeks to expand the future use area authorized by No. 3982-3 to include the entire N 1/2 NE 1/4 section 25-T112N-R51W. This expansion does not authorize any change in the amount of reserved water and the expanded area will retain the June 6, 1977 priority date established under No. 3982-3.

based on the facts presented at the public hearing.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 and Application No. 6718-3 at 10 A.M. July 12, 2006 at the Matthew Training Center, Foss Building, 523 E Capitol, Pierre SD. The July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the future use permit and/or application. The request for an automatic delay must be filed by July 3, 2006.

Any person interested in opposing or supporting the future use review and/or application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. 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 July 3, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the future use review and/or application, the petitioner's reasons for opposing or supporting the future use review and/or application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by July 3, 2006, at the above Water Rights Program address to request copies of information pertaining to the future use review and/or the application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since the application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006.

The future use review and this application are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-5, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15; 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-9, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, 74:02:01:24 thru 74:02:01:25.

Steven M. Pirner, Secretary,
Department of Environment and Natural
Resources

6-15-2tc

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6718-3 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.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application

Notice of Hearing to Review Future
Use Permit No. 3982-3 and
Consider Water Permit Application
No. 6718-3

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Deuel) SS

I, Gary DeJong

certify that the attached printed Notice was
taken

from the Clear Lake Courier

printed and published in Clear Lake

County of Deuel and

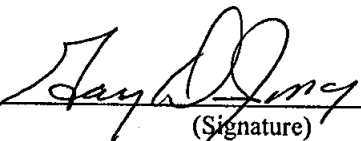
state of South Dakota. The notice was
published

in the newspaper on the following two dates:

June 14, 2006

June 21, 2006

Cost of Printing 116.28


(Signature)

Publishe
(Title)

6/28/06
(Date Signed)

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 and consider Application No. 6718-3 filed by the Brookings-Deuel Rural Water System, c/o Pat Gilligan, 47602 SD Hwy 28, Toronto SD 57268.

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The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6718-3 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.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 and Application No.

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6718-3 at 10 A.M. July 12, 2006 at the Matthew Training Center, Foss Building, 523 E Capitol, Pierre SD. The July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the future use permit and/or application. The request for an automatic delay must be filed by July 3, 2006.

Any person interested in opposing or supporting the future use review and/or application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. 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 July 3, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the future use review and/or application, the petitioner's reasons for opposing or supporting the future use review and/or application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by July 3, 2006, at the above Water Rights Program address to request copies of information pertaining to the future use review and/or the application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since the application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006.

The future use review and this application are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-5, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, 74:02:01:24 thru 74:02:01:25. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

June 14 & 21

NOTICE OF HEARING TO REVIEW FUTURE USE PERMIT NO. 3982-3 AND CONSIDER WATER PERMIT APPLICATION NO. 6718-3

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 and consider Application No. 6718-3 filed by the Brookings-Deuel Rural Water System, c/o Pat Gilligan, 47602 SD Hwy. 28, Toronto, SD 57268.

Future Use Permit No. 3982-3 will be reviewed for progress made in the development of the water reserved by the permit and to correct an error when the future use permit was last reviewed on December 5, 2001. This permit was approved in 1978 to reserve water from the Big Sioux Aquifer located in NW1/4NW1/4NE1/4 and NE1/4NE1/4NE1/4 Section 24; NE1/4NE1/4NE1/4 Section 25; all in T112N-R51W and SW1/4 Section 19-T112N-R50W for rural water system use. During the last review of the future use permit, it was allowed to remain in effect for 73 acre-feet of water. This was incorrect in that 434 acre-feet of water was inadvertently deducted from the future use permit. This notice serves to clarify that 507 acre-feet of water remains in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN in EFFECT for 507 acre-feet annually because (1) the reserved water may be developed, (2) there is need for the reserved water, (3) the proposed use will be a beneficial use, and (4) it is in the public interest.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to (1) allow the permit to remain in effect, (2) amend the permit by adding qualifications, (3) cancel the permit for no development or no planned future development, or (4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

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Pursuant to SDCL 45-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6718-3 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.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to (1) approve, (2) approve with qualifications, (3) defer, or (4) deny

this application based on the facts presented at the public hearing.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 and Application No. 6718-3 at 10:00 a.m. July 12, 2006, at the Matthew Training Center, Foss Building, 523 E. Capitol, Pierre, S.D. The July 12, 2006, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the future use permit and/or application. The request for an automatic delay must be filed by July 3, 2006.

Any person interested in opposing or supporting the future use review and/or application must file a written petition with BOTH the applicant and the Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. 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 July 3, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the future use review and/or application, the petitioner's reasons for opposing or supporting the future use review and/or application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

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Since the application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006.

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Steven M. Pirner, Secretary
Department of Environment
and Natural Resources

6-14-26

Affidavit of Publication

State of South Dakota

§

County of Clark

William J. Krikac of said county, being first duly sworn, on oath says that he is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein 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 SYSTEM
WATER PERMIT #3982-3 AND 6718-3**

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

(two)

successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

**June 14, 2006
June 21, 2006**

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

\$112.50

William J. Krikac

Subscribed and sworn to before me this

22nd day of June 2006

Kimberly L. Seefeldt

Notary Public
Clark County, South Dakota

My commission expires: 10-02-07

AFFIDAVIT OF PUBLICATION

Thursday, June 22,

NOTICE OF HEARING TO REVIEW FUTURE USE PERMIT NO. 3982-3 AND CONSIDER WATER PERMIT

APPLICATION NO. 6718-3

Noice is given that the Water Management Board will review Future Use Permit No. 3982-3 and consider Application No. 6718-3 filed by the Brookings-Deuel Rural Water System, c/o Pat Gilligan, 47602 SD Hwy 28, Toronto SD 57268.

Future Use Permit No. 3982-3 will be reviewed for progress made in the development of the water reserved by the permit and to correct an error when the future use permit was last reviewed on December 5, 2001. This permit was approved in 1978 to reserve water from the Big Sioux Aquifer located in NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W for rural water system use. During the last review of the future use permit, it was allowed to remain in effect for 73 acre-feet of water. This was incorrect in that 434 acre-feet of water was inadvertently deducted from the future use permit. This notice serves to clarify that 507 acre-feet of water remains in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN in EFFECT for 507 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be beneficial use and 4) it is the public interest.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

STATE OF SOUTH DAKOTA, County of Miner: ss.

Danny Schwans of said County and State, being duly sworn, on his oath says: That the Miner County Pioneer is a legal newspaper of general circulation, printed and published in Howard, said County and State, by Danny Schwans, and has been such newspaper during the time hereinafter mentioned; and that I, Danny Schwans, the undersigned, am publisher of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the advertisement or notice

headed Notice of Hearing to Review Future Use

Permit No 3982-3 And Consider Water Permit
Application No 6718-3

a printed copy of which is hereunto attached, was printed and publishing in the regular and entire issue of said newspaper and not in a supplement, once each week for 2

successive weeks, the first publication being made on the 15th day of June 2006

and the last publication on the 22nd day of June 2006

The first publication being made on theday of.....20.....

The second publication being made on the.....day of.....20.....

The third publication being made on theday of.....20.....

The fourth publication being made on the.....day of.....20.....

The fifth publication being made on the..... day of.....20.....

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Miner, for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in an office maintained in Howard, South Dakota, the place of publication of said newspaper. That the full amount of fees for publication of the annexed notice is \$114.00 and inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any person whomever.

Danny Schwans
Subscribed and swore to me this 22nd day of June 2006

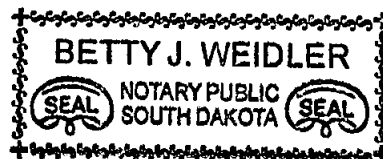
Betty J. Weidler

My Commission expires the 29th day of April 2010

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JUN 26 2006

WATER RIGHTS
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Application No. 6718-3 proposes to annually place to beneficial use 300 acre-feet of water reserved by Future Use Permit No. 3982-3. One well is to be completed in the SW 1/4 SW 1/4 Section 19-T112N-R50W and divert water at a rate of 1.00 cubic feet of water per second from the Big Sioux Aquifer (approximately 45 feet deep). The water will be used to supply the Brookings-Deuel Rural Water System to serve users in Brookings, Deuel, Kingsbury, Hamlin, Moody, Minnehaha, McCook, Miner, Lake and Clark Counties. If Application No. 6718-3 is approved, the amount of water remaining in reserve under No. 3982-3 will be 207 acre-feet. In addition, Application No. 6718-3 seeks to expand the future use area authorized by No. 3982-3 to include the entire N 1/2 NE 1/4 section 25-T112N-R51W. This expansion does not authorize any change in amount of reserved water and the expanded area will retain the June 6, 1977 priority date established under No. 3982-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6718-3 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.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing.

The Water Management Board will conduct the hearing

006/MINER COUNTY PIONEER

to review Future Use Permit No. 3982-3 and Application No. 6718-3 at 10:00 a.m. July 12, 2006 at the Matthew Training Center, Foss Building, 523 E Capitol, Pierre SD. The July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any other interested person opposing the future use permit and/or application. The request for an automatic delay must be filed by July 3, 2006.

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Since the application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006.

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Wed., June 14, 21, 2006

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Lake) SS

I, Deanna D. Bergheim

certify that the attached printed Notice was
taken

from the Madison Daily Leader

printed and published in City of Madison

County of Lake and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

Wednesday, June 14, 2006

Wednesday, June 21, 2006

Cost of Printing 122.44

Deanna D. Bergheim
(Signature)

Bookkeeper

(Title)

June 21, 2006
(Date Signed)

NOTICE OF HEARING TO REVIEW FUTURE USE PERMIT NO. 3982-3 and CONSIDER WATER PERMIT APPLICATION NO. 6718-3

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 and consider Application No. 6718-3 filed by the Brookings-Duel Rural Water System, c/o Pat Gilligan, 47602 SD Hwy 28, Toronto, SD 57268.

Future Use Permit No. 3982-3 will be reviewed for progress made in the development of the water reserved by the permit and to correct an error when the future use permit was last reviewed on December 5, 2001. This permit was approved in 1978 to reserve water from the Big Sioux Aquifer located in NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W for rural water system use. During the last review of the future use permit, it was allowed to remain in effect for 73 acre-feet of water. This was incorrect in that 434 acre-feet of water was inadvertently deducted from the future use permit. This notice serves to clarify that 507 acre-feet of water remains in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN in EFFECT for 507 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

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JUN 26 2006
WATER RIGHTS
PROGRAM

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6718-3 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.

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The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 and Application No. 6718-3 at 10 A.M. July 12, 2006 at the Matthew Training Center, Foss Building, 523 E Capitol, Pierre, SD. the July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the future use permit and/or application. The request for an automatic delay must be filed by July 3, 2006.

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Steven M. Pirner
Secretary

Department of Environment
and Natural Resources.

RECEIVED

JUN 23 2006

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Moody) SS

I, Angela Nibbelink

certify that the attached printed Notice was
taken

from the Moody County
Enterprise

printed and published in Handerson

County of Moody and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

June 14, 2006

June 21, 2006

Cost of Printing 119.86

Angela Nibbelink
(Signature)

Brookheiser
(Title)

June 21, 2006
(Date Signed)

NOTICE OF HEARING TO REVIEW
FUTURE USE PERMIT NO. 3982-3
and CONSIDER WATER PERMIT
APPLICATION NO. 6718-3

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Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN in EFFECT for 507 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Application No. 6718-3 proposes to annually place to beneficial use 300 acre-feet of water reserved by Future Use Permit No. 3982-3. One well is to be completed in the SW 1/4 SW 1/4 Section 19-T112N-R50W and divert water at a rate of 1.00 cubic feet of water per second from the Big Sioux Aquifer (approximately 45 feet deep). The water will be used to supply the Brookings-Deuel Rural Water System to serve users in Brookings, Deuel, Kingsbury, Hamlin, Moody, Minnehaha, McCook, Miner, Lake and Clark Counties. If Application No. 6718-3 is approved, the amount of water remaining in reserve under No. 3982-3 will be 207 acre-feet. In addition, Application No. 6718-3 seeks to expand the future use area authorized by No. 3982-3 to include the entire N 1/2 NE 1/4 section 25-T112N-R51W. This expansion does not authorize any change in the amount of reserved water and the expanded area and will retain the June 6, 1977 priority date established under No. 3982-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6718-3 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.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 and Application No. 6718-3 at 10 A.M. July 12, 2006 at the Matthew Training Center, Foss Building, 523 E Capitol, Pierre SD. The July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the future use permit and/or application. The request for an automatic delay must be filed by July 3, 2006.

Any person interested in opposing or supporting the future use review and/or application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. 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 July 3, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the future use review and/or application, the petitioner's reasons for opposing or supporting the future use review and/or application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by July 3, 2006, at the above Water Rights Program address to request copies of information pertaining to the future use review and/or the application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since the application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006.

The future use review and this application are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-5, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3; 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, 74:02:01:24 thru 74:02:01:25.

Steven M. Pimer, Secretary
Department of Environment
and Natural Resources
(June 14 & 21, 2006)

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) SS

I, Lyle Anne Archer

certify that the attached printed Notice was
taken

from the The Estelline Journal

printed and published in Estelline

County of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 14, 2006

June 21, 2006

Cost of Printing \$112.32

Lyle Anne Archer
(Signature)

Owner
(Title)

6/22/2006
(Date Signed)

RECEIVED

JUN 23 2006

WATER RIGHTS
PROGRAM

**NOTICE OF HEARING TO
REVIEW FUTURE USE PERMIT
NO. 3982-3 AND CONSIDER
WATER PERMIT APPLICATION
NO. 6718-3**

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 and consider Application No. 6718-3 filed by the Brookings-Deuel Rural Water System, c/o Pat Gilligan, 47602 SD Hwy 28, Toronto, SD 57268.

Future Use Permit No. 3982-3 will be reviewed for progress in the development of the water reserved by the permit and to correct an error when the future use permit was last reviewed on December 5, 2001. This permit was approved in 1978 to reserve water from the Big Sioux Aquifer located in NW1/4NW1/4 NE 1/4 and NE1/4NE1/4NE1/4 in Section 24; NE1/4NE1/4NE1/4 Section 25; all in T112N-R51W and SW1/4 Section 19-T112N-R50W for rural water system use. During the last review of the future use permit, it was allowed to remain in effect for 73 acre feet of water. This was incorrect in that 434 acre-feet of water was inadvertently deducted from the future use permit. This notice serves to clarify that 507 acre-feet of water remains in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN IN EFFECT for 507 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect 2) amend the permit by adding qualifications, 3) cancel the permit for no development or not planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Application No. 6718-3 proposes to annually place to beneficial use 300 acre-feet of water reserved by Future Use Permit No. 3982-3. One well is to be completed in the SW1/4SW1/4 Section 19-T112N-R50W and divert water at a rate of 1.00 cubic feet of water per second from

the Big Sioux Aquifer (approximately 45 feet deep). The water will be used to supply the Brookings-Deuel Rural Water System to serve users in Brookings, Deuel, Kingsbury, Hamlin, Moody, Minnehaha, McCook, Miner, Lake and Clark Counties. If Application No. 6718-3 is approved, the amount of water remaining in reserve under No. 3982-3 will be 207 acre-feet. In addition, Application No. 6718-3 seeks to expand the future use area authorized by No. 3982-3 to include the entire N1/2NE1/4 section 25-T112N-R51W. This expansion does not authorize any change in the amount of reserved water and the expanded area will retain the June 6, 1977 priority date established under No. 3982-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6718-3 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.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 and Application No. 6718-3 at 10 a.m. July 12, 2006 at the Matthew Training Center, Joe Foss Building, 523 E. Capitol, Pierre, SD. The July 12, 2006 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the future use permit and/or application. The request for an automatic delay must be filed by July 3, 2006.

Any person interested in opposing or supporting the future use review and/or application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Joe 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 July 3, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the future use review and/or application, the petitioner's reasons for opposing or supporting the future use review and/or application, and the signature and mailing address of the petitioner or the petitioner's legal council, if legal council is obtained.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by July 3, 2006, at the above Water Rights Program address to request copies of information pertaining to the future use review and/or the application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since the application does not involve a monetary controversy in excess of \$2,500.00 or termination of a property right in accordance with SDCL 1-26-18.3, the Chief Engineer has determined this contested case may not be referred to the Office of Hearing Examiners. If any party disagrees with this determination, the Chief Engineer shall be notified by July 3, 2006.

The future use review and this application are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-5, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, 74:02:01:24 thru 74:02:01:25.

Steven M. Pirner,
Secretary,
Department of Environment
and Natural Resources
(publish June 14 and 21, 2006)

RECEIVED

JUN 23 2006

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Kingsbury)

I, Dale Blegen

certify that the attached printed Notice was
taken

from the The De Smet News

printed and published in De Smet

County of Kingsbury and

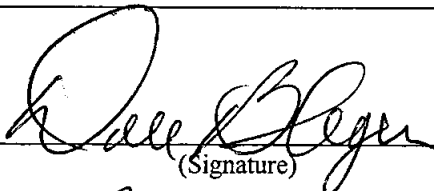
state of South Dakota. The notice was
published

in the newspaper on the following two dates:

June 14, 2006

June 21, 2006

Cost of Printing 115.00


(Signature)


(Title)

June 21, 2006
(Date Signed)

NOTICE OF HEARING TO REVIEW FUTURE USE PERMIT NO. 3982-3 AND CONSIDER WATER PERMIT APPLICATION NO. 6718-3

Notice is given that the Water Management Board will review Future Use Permit No. 3982-3 and consider Application No. 6718-3 filed by the Brookings-Deuel Rural Water System, c/o Pat Gilligan, 47602 SD Hwy. 28, Toronto, SD 57268.

Future Use Permit No. 3982-3 will be reviewed for progress made in the development of the water reserved by the permit and to correct an error when the future use permit was last reviewed on Dec. 5, 2001. This permit was approved in 1978 to reserve water from the Big Sioux Aquifer located in NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W for rural water system use. During the last review of the future use permit, it was allowed to remain in effect for 73 acre-feet of water. This was incorrect in that 434 acre-feet of water was inadvertently deducted from the future use permit. This notice serves to clarify that 507 acre-feet of water remains in reserve.

Pursuant to SDCL 46-2A-2, the chief engineer of the Water Rights Program recommends that Permit No. 3982-3 REMAIN in EFFECT for 507 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and, 4) it is in the public interest.

The recommendation of the chief engineer is not final or binding upon the board and the board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing.

Application No. 6718-3 proposes to annually place to beneficial use 300 acre-feet of water reserved by Future Use Permit No. 3982-3. One well is to be completed in the SW 1/4 SW 1/4 Section 19-T112N-R50W and divert water at a rate of 1.00 cubic feet of water per second from the Big Sioux Aquifer (approximately 45 feet deep). The water will be used to supply the Brookings-Deuel Rural Water System to serve users in Brookings, Deuel, Kingsbury, Hamlin, Moody, Minnehaha, McCook, Miner, Lake and Clark counties. If Application No. 6718-3 is approved, the amount of water remaining in reserve under No. 3982-3 will be 207 acre-feet. In addition, Application No. 6718-3 seeks to expand the future use area authorized by No. 3982-3 to include the entire N1/2NE1/4 Section 25-T112N-R51W. This expansion does not authorize any change in the amount of reserved water and the expanded area will retain the June 6, 1977, priority date established under No. 3982-3.

Pursuant to SDCL 46-2A-2, the chief engineer recommends APPROVAL of Application No. 6718-3 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.

The recommendation of the chief

1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing.

The Water Management Board will conduct the hearing to review Future Use Permit No. 3982-3 and Application No. 6718-3 at 10 a.m. July 12, 2006, at the Matthew Training Center, Foss Building, 523 E. Capitol, Pierre SD. The July 12, 2006, hearing date will be automatically delayed for at least 20 days upon written request to the chief engineer from the applicant or any interested person opposing the future use permit and/or application. The request for an automatic delay must be filed by July 3, 2006.

Any person interested in opposing or supporting the future use review and/or application must file a written petition with BOTH the applicant and chief engineer. The applicant must also file a petition if opposed to the chief engineer's recommendations. 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 July 3, 2006. The petition may be informal, but must include a statement describing the petitioner's interest in the future use review and/or application, the petitioner's reasons for opposing or supporting the future use review and/or application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decision of the board may be appealed to the Circuit Court and the state Supreme Court as provided by law. Contact Eric Gronlund by July 3, 2006, at the above Water Rights Program address to request copies of information pertaining to the future use review and/or the application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

Since the application does not involve a monetary controversy in excess of \$2,500 or termination of a property right in accordance with SDCL 1-26-18.3, the chief engineer has determined this contested case may not be referred to the office of hearing examiners. If any party disagrees with this determination, the chief engineer shall be notified by July 3, 2006.

The future use review and this application are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-5, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21, 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, 74:02:01:24 thru 74:02:01:25.

Steven M. Pirner
Secretary

Department of Environment and
Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 13, 2006

NOTICE

Brookings-Deuel RWS
c/o Pat Gilligan, Manager
47602 SD Hwy 28
Toronto SD 57268

Dear Mr. Gilligan:

I am writing in response to action taken by the Water Management Board at the hearing on July 12, 2006 to review Future Use Permit No. 3982-3. The Board allowed the permit to remain in effect for 507 acre-feet of water annually.

Water Permit No. 6718-3 (will be sent at a later date) was approved at the same time withdrawing 300 acre-feet from this future use permit. Therefore, 207 acre-feet of water annually remains in Future Use Permit No. 3982-3 at this time. The fee for maintaining the effectiveness of Future Use Permit No. 3982-3 is \$22.50 pursuant to SDCL 46-2-13(2). This is based on the remaining 207 acre-feet. Please remit the fee within 60 days.

Future Use Permit No. 3982-3 is subject to another review in seven years.

Please contact Eric Grönlund, staff engineer, if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Garland Erbele".

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

CERTIFICATION

I hereby certify that on July 13, 2006 , I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated July 13, 2006 regarding Future Use Permit No. 3982-3 addressed as stated below:

Brookings-Deuel RWS
%Pat Gilligan Manager
47602 SD Hwy 28
Toronto SD 57268



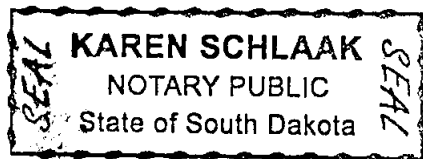
Eric Gronlund
Natural Resource Engineer
Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 14th day of July, 2006.



Karen Schlaak
Notary Public
My Commission expires April 1, 2007



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date JULY 28, 2006

RECEIVED OF Brookings-Deuel Rural Water System, 47602 SD Highway 28, Toronto SD 57268

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>3982-3</u> after period of seven years.	22	50
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
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	22.50

No.:

02586

By

Darland Eide
Chief Engineer
gm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 12, 2008

3982-3
3982A-3

Gene Wilts
Joint Well Field Inc
47602 SD Hwy 28
Toronto SD 57268

Dear Mr. Wilts:

I am writing in regard to Future Use Permit Nos. 3982-3 and 3982A-3 listed in the name of Brookings, Deuel & Kingbrook Rural Water System. Eric Gronlund with our program indicated you wished to transfer the future use permits to "Joint Well Field Inc."

Enclosed are partially completed Notice of Transfer of Ownership forms for filing the ownership changes. Please review the forms and complete as needed. Upon completion, please sign and return the forms to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact Eric Gronlund with our program at (605) 773-3352.

Sincerely,

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

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

SEP - 4 2008

WATER RIGHTS
PROGRAM

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

No. 3982-3

Date: 8-03-08

I/We request that Future Use Permit No. 3982-3

formerly owned by: Brookings-Deuel & Kingbrook Rural Water System

be transferred to: (name & address) Joint Wellfield Inc., 47602 SD
Hwy 28, Toronto SD 57268

Telephone No. 605-794-4201

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

The Joint Wellfield Inc. was created & is jointly
owned by the two systems

I/We understand that the validity of Future Use Permit No. 3982-3 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 Two Dollars and Fifty Cents (\$2.50) 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 Gene Wiltz, the new owner, certify that the above information is true and correct.

Gene P. Wiltz
(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 9/4, 20 08

RECEIVED OF Joint Wellfield 47602 SD Hwy 28 Toronto SD 57268

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>3982-3</u>	2	50
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	2 50

No.

By

Garland Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 24, 2008

3982-3
3982A-3

Gene Wilts
Joint Well Field Inc
47602 SD Hwy 28
Toronto SD 57268

Dear Mr. Wilts:

I am writing to acknowledge receipt of the ownership changes you filed for Future Use Permit Nos. 3982-3 and 3982A-3. The transfers have been completed. The future use permits formerly held by the Brookings-Deuel & Kingbrook Rural Water System are now listed in the name of "Joint Well Field Inc".

Enclosed are your Receipt Nos. 03740 and 03741 in the amount of \$2.50 each. You may keep these for your records.

If I can answer any questions for you, please contact me.

Sincerely,


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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

May 15, 2013

Joint Well Field Inc.
Gene Wilts, Manager
47602 SD Hwy 28
Toronto SD 57268

Dear Mr. Wilts:

I am writing in regard to the seven year review of Future Use Water Permit No. 3982-3 and 3982A-3 from the Big Sioux Aquifer held by the joint well field. By law, all future use permits are to be reviewed by the Water Management Board every seven years to determine whether a reasonable need exists for the reserved water. The permit reserves water for future water supply needs for the joint well field. Currently, our records show that 207 acre-feet remain in reserve under this future use permit that was issued in 1978 and last reviewed in 2006.

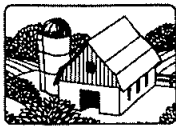
Please respond in writing by June 15, 2013 regarding the joint well field's intention for the future use permit. If you plan to retain the permit, then the response should outline a reasonable need for retaining the future use permit, including an estimate of future needs.

Permit No. 3982-3 and 3982A-3 will then be public noticed at your expense and scheduled for review before the Water Management Board pursuant to SDCL 46-5-38.1. Notice will be given of the hearing time and place at a future date. The purpose of this review is to determine if a reasonable need exists for retaining the permit. A fee will be charged if the Board allows the permit to remain in effect after the hearing. The fee to be assessed will be dependent upon the amount of water allowed to remain in reserve. If the entire 207 acre-feet remain in reserve, the fee will be \$75.00.

Please contact Eric Gronlund, if you have any questions.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us



BROOKINGS-DEUEL RURAL WATER SYSTEM

*Quality Water For Our Members
One Pledge...
...One Goal*

PO Box 340 • Toronto, SD 57268 • Phone (605) 794-4201 • Fax (605) 794-4061 • bdrws@itctel.com

June 7, 2013

RECEIVED

JUN 10 2013

**WATER RIGHTS
PROGRAM**

Karen Schlaak
Water Rights Program
523 East Capitol
Pierre, SD 57501

Dear Karen:

This letter is in response to the letter we received on Future Water Rights Permit No. 3982-3 and 3982A-3. The Joint Wellfield Inc. wishes to continue to retain these future water rights.

The Joint Wellfield is a cooperative venture between the Brookings-Deuel Rural Water System and the Kingbrook Rural Water System. The Joint Wellfield operates a group of wells and a water treatment plant north of Bruce, South Dakota. This water source is on the boundary between the two rural water systems.

On the Brookings-Deuel side, water from the Joint Wellfield source serves water to the southern half of the system. Brookings-Deuel has seen increased demand from commercial dairies including a new 3,500 head dairy that was connected in March of 2013. New rural connections also continue to be installed in the Brookings and Aurora area.

The Joint Wellfield also serves the NE area of the Kingbrook system. They have also continued to see increased demand, especially with new housing developments in the Lake Poinsett area.

With construction of the new Bel-Brands Cheese Plant in Brookings, both systems expect to see continued interest in new commercial dairies as well as expansion of existing dairies. As in the past, both systems expect to see a continued increase in annual usage of around 3%.

Water produced from the well field has increased from 427,000,000 gallons in 2003 to 562,000,000 in 2012.

Please feel free to contact me at (605-794-4201) if you need any other information to continue the process.

Thank You,

Gene Wilts
General Manager
Brookings-Deuel Rural Water System

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, and familial status. (Not all prohibited bases apply to all programs)."

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice), or (202) 720-6382 (TDD)."



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
NO. 3982-3 and 3982A-3, Joint Well Field, Inc.**

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 Future Use Water Permit Nos. 3982-3 and 3982A-3, Joint Well Field, Inc., c/o Gene Wilts, Manager, PO Box 340, Toronto SD 57268.

The Chief Engineer is recommending that Future Use Permit Nos. 3982-3 and 3982A-3 REMAIN in EFFECT for 207 acre-feet annually because 1) there is reasonable probability that there may be development of the water reserved under Permit Nos. 3982-3 and 3982A-3, 2) the system has demonstrated a reasonable need for the water reserved by Permit Nos. 3982-3 and 3982A-3, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Maintaining the effectiveness of Future Use Permit Nos. 3982-3 and 3982A-3 is subject to payment of the \$75.00 fee pursuant to SDCL 46-2-13(2) within 60 days of notice to the system after the Board hearing.

A handwritten signature in cursive script that reads "Jeanne Goodman".

Jeanne Goodman, Chief Engineer
June 12, 2013

RECEIVED

} ss.

JUN 21 2013

**WATER RIGHTS
PROGRAM**

Ann Tuchscherer

Bookkeeper

Notice of Hearing

To Review Future Use Water Permit Nos.
3982-3 AND 3982A-3

_____ 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 one ~~successive~~ weeks, on the day of each week on which the said newspaper was regularly published, to-wit:

June 19 2013

20

20

20.

20

20

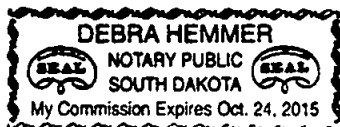
That \$ 39.82, being the full amount of the fee charged for the publication of said Notice, inures to the benefit of the publisher of the Grant County Review; that no agreement or understanding for the division thereof has been made with any person, and that no part has been agreed to be paid to any person whomsoever.

Ann Buchscherer

Subscribed and sworn to before me this 19th day of June 2013

Debra Hemmle

Notary Public, Grant County, South Dakota



**NOTICE OF
REVIEW FUTURE USE WATER P**

Notice is given that the Water Management Board will review Future Use Permit Nos. 3982-3 and 3982A-3 held by the Joint Well Field, Inc., Gene Wilts, Manager, 47602 SD Hwy 28, Toronto, SD, 57268 for progress made in the development of the water reserved and future plans for development of the water reserved for Permit Nos. 3982-3 and 3982A-3. The permits were last reviewed in 2006 and currently reserves 207 acre-feet annually from the Big Sioux Aquifer located in the NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W. The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit Nos. 3982-3 and 3982A-3 REMAIN in EFFECT for 207 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 at 10:00 a.m. July 11, 2013, at Floyd Mathew Training Center, Joe Foss Bldg., 523 E. Capitol, Pierre, SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permits to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written permit with BOTH the permit owner and the Chief Engineer by July 1, 2013. The

Publication Fee \$ 39.82

Notarial Fee \$_____

Total \$ 39,82

Printer's Affidavit of Publication
and Attorney's Affidavit Ex-Rel. Fees

In _____ Court

STATE OF SOUTH DAKOTA
COUNTY OF GRANT

} ss.

Filed in the office of _____

on the

day of _____, 20____

Attorney for _____

**HEARING TO
PERMIT NOS. 3982-3 AND 3982A-3**

Chief Engineer's address is "Water Rights Program," Joe Foss Building, 523 E. Capitol Ave., Pierre, SD, 57501 (605-773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on the permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605-773-3352) by July 1, 2013. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the Chief Engineer by July 1, 2013. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at an approximate cost of \$39.82.

AFFIDAVIT OF PUBLICATION

JUN 24 2013

STATE OF SOUTH DAKOTA }
County of Lake } ss.

**WATER RIGHTS
PROGRAM**

Sue Anne Artko of the City of Madison, County of Lake, State of South Dakota, being first duly sworn on oath, deposes and says:

The Madison Daily Leader is a daily legal newspaper of general circulation, printed and published in the City of Madison, in said County of Lake, by Hunter Publishing, Inc., Jon M. Hunter, publisher, and has been such legal newspaper during the times hereinafter mentioned; that the said Madison Daily Leader has been in existence as such legal newspaper for more than one year prior to the publication of the notice hereunto attached, and has during all of said time had, and how has, more than 200 bona fide subscribers; that the undersigned, the affiant, is the Secretary of the said newspaper, in charge of the advertising department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed

Joint Well Field Inc.

Hearing to Review Future Use Water Permits #3982-3 & 3982A-3

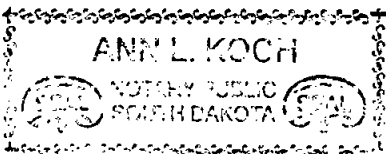
printed copy of which hereunto attached, was printed and published in the said newspaper for One successive weeks, once each week and on the same day of the week, on the following dates, to-wit:

On Wednesday, the 19th day of June, 2013;
On _____, the _____ day of _____, 20____;
On _____, the _____ day of _____, 20____;
On _____, the _____ day of _____, 20____;
On _____, the _____ day of _____, 20____;
On _____, the _____ day of _____, 20____;
On _____, the _____ day of _____, 20____;
On _____, the _____ day of _____, 20____;

That \$ 40.45 being the full amount of the fees for publication of the attached notice inures solely for the benefit of the publisher of the said newspaper; that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Sue Anne Artko

Subscribed and sworn to before me this 20th day of June, 2013



Ann L. Koch
Notary Public, Lake County, South Dakota

Wednesday, July 19

**NOTICE OF HEARING
TO REVIEW FUTURE USE
WATER PERMIT NOS. 3982-3
and 3982A-3**

Notice is given that the Water Management Board will review Future Use Permit Nos. 3982-3 and 3982A-3 held by the Joint Well Field, Inc., Gene Wilts, Manager, 47602 SD Hwy 28, Toronto SD 57268 for progress made in the development of the water reserved and future plans for development of the water reserved by Permit Nos. 3982-3 and 3982A-3. The permits were last reviewed in 2006 and currently reserves 207 acre-feet annually from the Big Sioux Aquifer located in the NW 1/4 NE 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W. The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit Nos. 3982-3 and 3982A-3 REMAIN in EFFECT for 207 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use, and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review

Future Use Permit Nos. 3982-3 and 3982A-3 at 10:00 am July 11, 2013 at Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permits to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the

Publication Fees _____ \$ _____

Notary Fees _____ \$ _____

Total _____ \$ _____

Received Payment, _____

In Court
County of

hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by July 1, 2013. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on the permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by July 1, 2013. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the Chief Engineer by July 1, 2013.

STEVEN M. PIRNER
Secretary, Department of
Environment and
Natural Resources

Published once at the total
approximate cost of \$40.45

AFFIDAVIT OF PUBLICATION

Filed in the office of
..... on the

..... day of

20

Attorneys for

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA,
County of Kingsbury.

SS.

David Tritle of said county being first duly sworn on oath, says that he is the publisher of **THE DE SMET NEWS**, a weekly newspaper printed and published in De Smet in said County of Kingsbury and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of a 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

Notice of Hearing to Review Water Permit
Nos. 3982-3 + 3982A-3, 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 in each week for 1 successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

6/19 2013: 20
20: 20
20: 20
20: 20

that the full amount of the fee charged for the publication of said notice accrues to the benefit of the publisher 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, and that the fees charged for the publication thereof are

\$ 43.15

[Signature]

Subscribed and sworn to before me this 20th

day of June A.D. 2013

[Signature]
Notary Public
Kingsbury County, South Dakota

My commission expires 9/27, 2017

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NOS. 3982-3 and 3982A-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 3982-3 and 3982A-3 held by the Joint Well Field, Inc., Gene Wilts, Manager, 47602 SD Hwy. 28, Toronto, SD 57268, for progress made in the development of the water reserved and future plans for development of the water reserved by Permit Nos. 3982-3 and 3982A-3. The permits were last reviewed in 2006 and currently reserves 207 acre-feet annually from the Big Sioux Aquifer located in the NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W. The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the chief engineer of the Water Rights Program recommends that Permit Nos. 3982-3 and 3982A-3 REMAIN in EFFECT for 207 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 at 10 am July 11, 2013, at Floyd Mathew Training Center, Joe Foss Bldg., 523 E. Capitol, Pierre SD.

The recommendation of the chief engineer is not final or binding upon the board and the board is authorized to 1) allow the permits to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a board decision and who intends to participate in the hearing before the board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the chief engineer by July 1, 2013. The chief engineer's address is "Water Rights Program," Joe Foss Building, 523 E. Capitol Ave., Pierre, SD 57501, (605.773-3352) and the permit holders' mailing address is given above. The petition may be informal, but it must include a

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JUN 24 2013

WATER RIGHTS
PROGRAM

statement describing the petitioners interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the board may be appealed to the circuit court and state Supreme Court as provided by law.

Any person wishing a copy of the chief engineer's recommendation, further information on the permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program (605 773-3352), by July 1, 2013. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the chief engineer by July 1, 2013.

Steven M. Pirner
Secretary

Department of Environment
& Natural Resources

Published once at the approximate
cost of \$43.15.
6-19-lwc

Joint Well Field
RECEIVED

Form 8

JUN 24 2013

WATER RIGHTS
PROGRAM

Public

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of McCook) SS

I, Troy Schwans

certify that the attached printed Notice was
taken

from the Salem Special

printed and published in Salem

County of McCook and

state of South Dakota. The notice was
published

in the newspaper on the following date:

June 20, 2013

Cost of Printing \$ 39.38

Troy Schwans
(Signature)

Owner
(Title)

June 20, 2013
(Date Signed)

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NOS. 3982-3 and 3982A-3

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Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit Nos. 3982-3 and 3982A-3 REMAIN in EFFECT for 207 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

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c Notice

Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

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Steven M. Pirner,
Secretary, Department of
Environment and Natural Resources.
Published once at the total approximate
cost of \$39.38.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF DEUEL

RECEIVED

JUN 20 2013

Public notice

NOTICE OF HEARING
TO REVIEW FUTURE USE
WATER PERMIT NOS. 3982-3
and 3982A-3

The undersigned Ken Reiste 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 Ken Reiste; 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 a 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

SURFACE WATER PROGRAM

Notice of Hearing To Review
Future Use Water Permit Nos.
3982-3 and 3982A-3
Joint Well Field, Inc

printed copy of which, taken from the paper in which the same was printed, is attached to this sheet, and is made 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:

June 19, 2013

at the full amount of the fees for the publication of the annexed notice is \$42.13

Ken Reiste
Ken Reiste

Subscribed and sworn to before me

this 19th day of June
2013

Jeanie L. Kjenstad
Notary Public, South Dakota

My commission expires: My Commission Expires

JEANIE L. KJENSTAD

01/06/17

NOTARY PUBLIC SEAL

Notice is given that the Water Management Board will review Future Use Permit Nos. 3982-3 and 3982A-3 held by the Joint Well Field, Inc., Gene Wilts, Manager, 47602 SD Hwy 28, Toronto SD 57268 for progress made in the development of the water reserved and future plans for development of the water reserved by Permit Nos. 3982-3 and 3982A-3. The permits were last reviewed in 2006 and currently reserves 207 acre-feet annually from the Big Sioux Aquifer located in the NW 1/4 NE 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W. The water is reserved for rural water system use.

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Steven M. Pirner,
Secretary, Department of
Environment and Natural Resources
Published once at the total approximate
cost of \$42.13. (17-1/110)

CUSTOMER NUMBER:	078200	Argus Leader	
AD ORDER NUMBER:	1418229		
6/19, 2013		P.O. Box 677349, Dallas, TX 75267-7349	
		\$98.12	

Joint Well Field Inc.
% Gene Wilts, Manager
PO Box 340
Toronto, SD 57268

RECEIVED

JUN 20 2013

WATER RIGHTS
PROGRAM

PAYMENT DUE UPON RECEIPT

AFFIDAVIT OF PUBLICATION-

Customer Number: 078200

Invoice Number: 1418229

Argus Leader
AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

Linda Schulte being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

Wednesday the 19 day of June 2013 ,
the day of 2013 ,
,the day of 2013
,the day of 2013 ,
,the day of 2013 ,
,the day of 2013 ,
,the day of 2013 ,

and that \$98.12 was charged for publishing the same

Linda Schulte
Subscribed and sworn to before me 6/19/2013

J. Zimmerman
Notary Public, South Dakota
My Commission expires December 22, 2015

NOTICE OF HEARING TO
REVIEW FUTURE USE

WATER PERMIT NOS. 3982-3
and 3982A-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 3982-3 and 3982A-3 held by the Joint Well Field, Inc., Gene Wilts, Manager, 47602 SD Hwy 28, Toronto SD 57268 for progress made in the development of the water reserved and future plans for development of the water reserved by Permit Nos. 3982-3 and 3982A-3. The permits were last reviewed in 2006 and currently reserves 207 acre-feet annually from the Big Sioux Aquifer located in the NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W. The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Program recommends that Permit Nos. 3982-3 and 3982A-3 REMAIN IN EFFECT for 207 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 at 10:00 am July 11, 2013 at Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

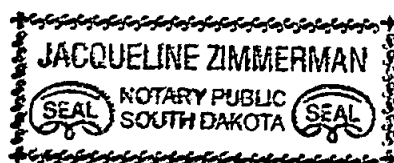
The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by July 1, 2013. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on the permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by July 1, 2013. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the Chief Engineer by July 1, 2013. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the approximate cost of \$98.12.
1418229 June 19, 2013



RECEIVED

JUN 21 2013

WATER RIGHTS
PROGRAM

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Hamlin) SSI, LeeAnne Dufekcertify that the attached printed Notice was
takenfrom the Hamlin County
Herald Enterpriseprinted and published in HaytiCounty of Hamlin andstate of South Dakota. The notice was
published

in the newspaper on the following date:

June 19, 2013Cost of Printing \$ 37.62LeeAnne Dufek
(Signature)6-20-13
(Title)Published
(Date Signed)NOTICE OF HEARING TO
REVIEW FUTURE USE WATER
PERMIT NOS. 3982-3 and 3982A-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 3982-3 and 3982A-3 held by the Joint Well Field, Inc., Gene Wilts, Manager, 47602 SD Hwy 28, Toronto SD 57268 for progress made in the development of the water reserved and future plans for development of the water reserved by Permit Nos. 3982-3 and 3982A-3. The permits were last reviewed in 2006 and currently reserves 207 acre-feet annually from the Big Sioux Aquifer located in the NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W. The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit Nos. 3982-3 and 3982A-3 REMAIN in EFFECT for 207 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01.25.01 thru 74:02:01.25.03 and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due

process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on the permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by July 1, 2013. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the Chief Engineer by July 1, 2013. Steven M. Pinner, Secretary, Department of Environment and Natural Resources. Published June 19, 2013, at total cost of \$37.62.

NOTICE OF HEARING TO
REVIEW FUTURE USE WATER
PERMIT NOS. 3982-3 and
3982A-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 3982-3 and 3982A-3 held by the Joint Well Field, Inc., Gene Wilts, Manager, 47602 SD Hwy 28, Toronto SD 57268 for progress made in the development of the water reserved and future plans for development of the water reserved by Permit Nos. 3982-3 and 3982A-3. The permits were last reviewed in 2006 and currently reserves 207 acre-feet annually from the Big Sioux Aquifer located in the NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W. The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit Nos. 3982-3 and 3982A-3 REMAIN in EFFECT for 207 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 at 10:00 am July 11, 2013 at Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by July 1, 2013. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, County of Miner: ss.

Carla Poulson of said County and State, being duly sworn, on her oath says: That the Miner County Pioneer is a legal newspaper of general circulation, printed and published in Howard, said County and State, by Carla Poulson, and has been such newspaper during the time hereinafter mentioned: and that I, Carla Poulson the undersigned, am publisher of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the advertisement or notice headed

Notice of Hearing to Review Future
Use Water Permit Nos 3982-3 and 3982A-3

A printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper and not in a supplement, once each week for successive weeks, the first publication being made on the 20th day of June 2013.

And the last publication on the day of 20.....

The first publication being made on the day of 20.....

The second publication being made on the day of 20.....

The third publication being made on the day of 20.....

The fourth publication being made on the day of 20.....

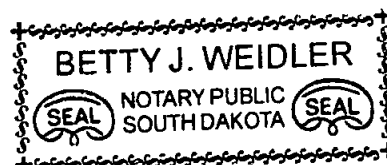
The fifth publication being made on the day of 20.....

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Miner, for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in an office maintained in Howard, South Dakota, the place of publication of said newspaper. That the full amount of fees for publication of the annexed notice is \$ 33.55 and insures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any person whomever.

Subscribed and sworn to me this 20th day of June 2013.

Betty J Weidler

My commission expires the 20th day of April 2016.



RECEIVED
JUN 21 2013
WATER RIGHTS
PROGRAM

**NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT
NOS. 3982-3 AND 3982A-3**

Notice is given that the Water Management Board will review Future Use Permit Nos. 3982-3 and 3982A-3 held by the Joint Well Field, Inc., Gene Wilts, Manager, 47602 SD Hwy 28, Toronto SD 57268 for progress made in the development of the water reserved and future plans for development of the water reserved by Permit Nos. 3982-3 and 3982A-3. The permits were last reviewed in 2006 and currently reserves 207 acre-feet annually from the Big Sioux Aquifer located in the NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W. The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit Nos. 3982-3 and 3982A-3 REMAIN in EFFECT for 207 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 at 10:00 am July 11, 2013 at Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permits to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by July 1, 2013. The Chief Engineer's address is "Water Rights Program",

Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 through 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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Any person wishing a copy of the Chief Engineer's recommendation, further information on the permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by July 1, 2013. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the Chief Engineer by July 1, 2013. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$39.44.
6-19-1t

Affidavit of Publication

State of South Dakota

§

County of Clark

William J. Krikac of said county, being first duly sworn, on oath says that he is the publisher of the **Clark County Courier**, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein 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

JOINT WELL FIELD, INC

a printed copy of which taken from the paper in which same was published, is attached to this sheet, and is made a part of this 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:

JUNE 19, 2013

that the full amount of the fees for the publication of the annexed notice is **39.44**

William J. Krikac

Subscribed and sworn to before me this

20TH DAY OF JUNE, 2013

Anna Helke

Notary Public
Clark County, South Dakota

My Commission expires: 06/04/2019

RECEIVED

JUN 19 2013

WATER RIGHTS
PROGRAM

RECEIVED
JUN 21 2013
WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Moody) SSI, Angela Nibbelink

certify that the attached printed Notice was taken

from the Moody County
Enterpriseprinted and published in FlanoreCounty of Moody and

state of South Dakota. The notice was published

in the newspaper on the following date:

June 19, 2013Cost of Printing \$39.80

Angela Nibbelink
(Signature)

Bookeen / office mgr
(Title)

June 19, 2013
(Date Signed)

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT

NOS. 3982-3 and 3982A-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 3982-3 and 3982A-3 held by the Joint Well Field, Inc., Gene Wilts, Manager, 47602 SD Hwy 28, Toronto, SD 57268 for progress made, in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit Nos. 3982-3 and 3982A-3. The permits were last reviewed in 2006 and currently reserves 207 acre-feet annually from the Big Sioux Aquifer located in the NW ¼ NW ¼ NE ¼ and NE ¼ NE ¼ NE ¼ Section 24; NE ¼ NE ¼ NE ¼ Section 25; all in T112N-51W and SW ¼ Section 19-T112N-R50W. The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit Nos. 3982-3 and 3982A-3 REMAIN in EFFECT for 207 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 at 10:00 a.m. July 11, 2013 at Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permit by adding qualifications, 3) cancel the permit for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit

owner and the Chief Engineer by July 1, 2013. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave., Pierre, SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permit, the reasons for petitioner's opposition to or support of continuing the future use permit, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this permit, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired my contact Eric Gronlund, Water Rights Program, (605 773-3352) by July 1, 2013. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the Chief Engineer by July 1, 2013.

Steven M. Pirner, Secretary,
Department of Environment
and Natural Resources
(June 19, 2013)

Published once at the total approximate cost of \$42

RECEIVED

JUN 24 2013

10/

Affidavit of Publication

State of South Dakota

ss

WATER RIGHTS
PROGRAM

County of Brookings

Jennifer Milligan 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 that the

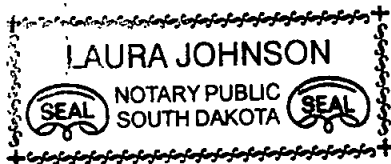
Leg#556 Hearing Notice #3982-3 and #3982A-3 - Well Field Inc

same was published, is hereto attached marked Exhibit
said newspaper for _____ 1 times, to-wit:

June 19, 2013

said Exhibit "A" inures to the sole benefit for 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:

thirty-eight dollars and fifty-six cents \$38.56



20th

day of

June

2013

Laura Johnson

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires August 3, 2017.

Legal 556, 1x, 6/19
NOTICE OF HEARING
TO REVIEW FUTURE
USE WATER PERMIT
NOS. 3982-3 and
3982A-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 3982-3 and 3982A-3 held by the Joint Well Field, Inc., Gene Wilts, Manager, 47602 SD Hwy 28, Toronto SD 57268 for progress made in the development of the water reserved and future plans for development of the water reserved by Permit Nos. 3982-3 and 3982A-3. The permits were last reviewed in 2006 and currently reserves 207 acre-feet annually from the Big Sioux Aquifer located in the NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W. The water is reserved for rural water system use. Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit Nos. 3982-3 and 3982A-3 REMAIN in EFFECT for 207 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest. The Water Management Board will conduct the hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 at 10:00 am July 11, 2013 at Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD. The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by July 1, 2013. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E

Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition. The hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26. This hearing is an adversary proceeding. The permit owner or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Any person wishing a copy of the Chief Engineer's recommendation, further information on the permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by July 1, 2013. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the Chief Engineer by July 1, 2013. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of \$38.56.

PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss.

RECEIVED

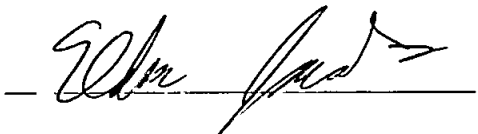
JUN 27 2013

WATER RIGHTS
PROGRAM

I, ELDON JACOBS, being duly sworn on oath, say that THE PLAINSMAN is a daily paper published at Huron, Beadle County, South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date, that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am Legal Advertising Coordinator of said newspaper and know the facts herein state. The annexed notice headed:

**SD DEPT OF ENVIORNMENTAL – WATER
RIGHTS (JOINT WELL FIELDS)**

was published for one day, in said newspaper, and not in any supplement of the said newspaper, the publication was of the 19TH day JUNE 2013 That the full FIFTY-ONE & 18/000 dollars insures to the benefit of the publisher 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 whom so ever.



Subscribed and sworn to before me this 30TH day of JUNE 2013.


Notary Public, South Dakota

My term expires 10/25/2017

Legal # 831

F.P. 06-19-13
**NOTICE OF HEARING
TO REVIEW FUTURE
USE WATER PERMIT
NOS. 3982-3 AND
3982A-3**

Notice is given that the Water Management Board will review Future Use Permit Nos. 3982-3 and 3982A-3 held by the Joint Well Field, Inc., Gene Wilts, Mariager, 47602 SD Hwy 28, Toronto SD 572613 for progress made in the development of the water reserved and future plans for development of the water reserved by Permit Nos. 3982-3 and 3982A-3. The permits were last reviewed in 2006 and currently reserves 207 acre-feet annually from the Big Sioux Aquifer located in the NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W. The water is reserved for rural water system use.

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The Water Management Board will conduct the hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 at 10:00 am July 11, 2013 at Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permits to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26,

must file a written petition with BOTH the permit owner and the Chief Engineer by July 1, 2013. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file for a petition.

The hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on the permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by July 1, 2013. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the Chief Engineer by July 1, 2013.

Steven M. Pirner,
Secretary, Department
of Environment and
Natural Resources.
No. 831 (adv.)
Published once at the
total approximate cost of
\$49.96.

RECEIVED

JUL - 5 2013

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Sanborn) SS

I, Hillary Lutter

certify that the attached printed Notice was taken

from the Sanborn Weekly Journal

printed and published in Woonsocket

County of Sanborn and

state of South Dakota. The notice was published

in the newspaper on the following date:

June 20, 2013

Cost of Printing \$37.93

Hillary Lutter
(Signature)

Publisher
(Title)

7-3-13

(Date Signed)

NOTICE OF HEARING TO
REVIEW FUTURE USE
WATER PERMIT NOS.

3982-3 and 3982A-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 3982-3 and 3982A-3 held by the Joint Well Field, Inc., Gene Wilts, Manager, 47602 SD Hwy. 28, Toronto SD 57268 for progress made in the development of the water reserved and future plans for development of the water reserved by Permit Nos. 3982-3 and 3982A-3. The permits were last reviewed in 2006 and currently reserves 207 acre-feet annually from the Big Sioux Aquifer located in the NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W. The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit Nos. 3982-3 and 3982A-3 REMAIN in EFFECT for 207 acre-feet annually because: 1.) the reserved water may be developed; 2.) there is need for the reserved water; 3.) the proposed use will be a beneficial use; and 4.) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 at 10:00 a.m. July 11, 2013 at Floyd Mathew Training Center, Joe Foss Bldg., 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to: 1.) allow the permits to remain in effect; 2.) amend the permits by adding qualifications; 3.) cancel the permits for no development or no planned future development; or 4.) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by July 1, 2013. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E. Capitol Ave., Pierre, SD 57501 (605-773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioner's interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 through 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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Any person wishing a copy of the Chief Engineer's recommendation, further information on the

permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605-773-3352) by July 1, 2013. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the Chief Engineer by July 1, 2013. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the approximate cost of \$46.50.

SJ43-1tb



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATE, CONTACT
THE NEWSPAPERS RIGHT AWAY.

Joint Well Field Inc.
Gene Wilts, Manager
PO Box 340
Toronto SD 57268

Dear Mr. Wilts:

Future Use Permit Nos. 3982-3 and 3982A-3 will be reviewed for progress in the development and future plans for use of the water reserved. Water rights law requires publication of a notice in each county where water will be diverted and/or used. The notice of this review has been sent to the Publishers of the following papers:

Lake Co. – Madison Daily Leader 605 256-4555	Moody Co. - Moody Co Enterprise 605 997-3725
McCook Co. – Salem Special 605 425-2361	Miner Co. – Miner County Pioneer 605 772-5644
Brookings Co. – Brookings Register 605 692-6271	Kingsbury Co. – DeSmet News 605 854-3331
Clark Co. – Clark County Courier 605 532-3654	Beadle Co. – The Plainsman 605 352-6401
Minnehaha Co. – Argus Leader 605 331-2200	Hamlin Co. – Hamlin Co Herald Enterprise 605 783-3636
Sanborn Co. – Sanborn Weekly Journal 605 796-4221	Deuel Co. – Clear Lake Courier 605 874-2499
Grant Co. – Grant Co. Review 605 432-4516	

For your information, a copy of the Chief Engineer's recommendation is enclosed. Please review this notice prior to publication and notify this office, if you have any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPERS IMMEDIATELY TO AUTHORIZE PUBLICATION OF THE NOTICE OF HEARING AND TO ARRANGE FOR PAYMENT. Early contact with the papers can eliminate delays. The publishers have been instructed to publish this notice on June 19th or 20th. We must receive Proof of Publication before the future use review can be considered by the Water Management Board.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

Instruction to Newspaper-Publish the following Notice on June 19 or 20, 2013. The permit owner is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF HEARING TO REVIEW FUTURE USE WATER PERMIT NOS. 3982-3 and 3982A-3

Notice is given that the Water Management Board will review Future Use Permit Nos. 3982-3 and 3982A-3 held by the Joint Well Field, Inc., Gene Wilts, Manager, 47602 SD Hwy 28, Toronto SD 57268 for progress made in the development of the water reserved and future plans for development of the water reserved by Permit Nos. 3982-3 and 3982A-3. The permits were last reviewed in 2006 and currently reserves 207 acre-feet annually from the Big Sioux Aquifer located in the NW 1/4 NW 1/4 NE 1/4 and NE 1/4 NE 1/4 NE 1/4 Section 24; NE 1/4 NE 1/4 NE 1/4 Section 25; all in T112N-R51W and SW 1/4 Section 19-T112N-R50W. The water is reserved for rural water system use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Program recommends that Permit Nos. 3982-3 and 3982A-3 REMAIN in EFFECT for 207 acre-feet annually because 1) the reserved water may be developed, 2) there is need for the reserved water 3) the proposed use will be a beneficial use and 4) it is in the public interest.

The Water Management Board will conduct the hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 at 10:00 am July 11, 2013 at Floyd Mathew Training Center, Joe Foss Bldg, 523 E Capitol, Pierre SD.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) allow the permit to remain in effect, 2) amend the permits by adding qualifications, 3) cancel the permits for no development or no planned future development, or 4) take no action after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the permit owner and the Chief Engineer by July 1, 2013. The Chief Engineer's address is "Water Rights Program", Joe Foss Building, 523 E Capitol Ave, Pierre SD 57501 (605 773-3352) and the permit holders mailing address is given above. The petition may be informal, but it must include a statement describing the petitioners interest in the future use permits, the reasons for petitioner's opposition to or support of continuing the future use permits, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The permit owner need not file a petition.

The hearing to review Future Use Permit Nos. 3982-3 and 3982A-3 will be conducted pursuant to the provisions of SDCL 46-1-14, 46-2-5, 46-2-9, 46-2-11, 46-5-38.1; Board Rules ARSD 74:02:01:25.01 thru 74:02:01:25.03 and contested case procedures contained in SDCL 1-26.

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Any person wishing a copy of the Chief Engineer's recommendation, further information on the permits, to assure access to the hearing by the handicapped or obtain an interpreter for the hearing impaired may contact Eric Gronlund, Water Rights Program, (605 773-3352) by July 1, 2013. The time of the hearing will be automatically delayed for at least 20 days upon written request of the permit owner or any person who has filed a petition to oppose or support continuance of the Future Use Permits. The request for a delay must be filed with the Chief Engineer by July 1, 2013. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published once at the approximate cost of _____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Daily Leader
PO Box 348
Madison SD 57042

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 3982-3 and 3982A-3 to be published on June 19, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

The applicant must verify to you that the notice is to be published. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Joint Well Field, Inc., c/o Gene Wilts, Manager, PO Box 340, Toronto SD 57268.

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Moody County Enterprise
PO Box 71
Flandreau SD 57028

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 3982-3 and 3982A-3 to be published on June 19, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Salem Special
PO Box 220
Salem SD 57058

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 3982-3 and 3982A-3 to be published on June 20, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Miner Co Pioneer
PO Box 220
Howard SD 57349

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 3982-3 and 3982A-3 to be published on June 20, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Brookings Register
PO Box 177
Brookings SD 57006

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 3982-3 and 3982A-3 to be published on June 19, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

DeSmet News
PO Box 69
DeSmet SD 57231

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 3982-3 and 3982A-3 to be published on June 19, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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Sincerely,

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Natural Resources Engineer
605 773-3352

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Hamlin County Herald Enterprise
PO Box 207
Hayti SD 57241

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 3982-3 and 3982A-3 to be published on June 19, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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Natural Resources Engineer
605 773-3352

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Clark Co. Courier
119 1st Ave E
Clark SD 57225

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 3982-3 and 3982A-3 to be published on June 19, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

The Plainsman
PO Box 1278
Huron SD 57350

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 3982-3 and 3982A-3 to be published on Jun 19, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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Sincerely,

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Natural Resources Engineer
605 773-3352

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Sanborn Weekly Journal
PO Box 218
Woonsocket SD 57385

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 3982-3 and 3982A-3 to be published on June 20, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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Natural Resources Engineer
605 773-3352

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Argus Leader
PO Box 5034
Sioux Falls SD 57117

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 3982-3 and 3982A-3 to be published on June 19, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Clear Lake Courier
PO Box 830
Clear Lake SD 57226

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 3982-3 and 3982A-3 to be published on June 19, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

June 12, 2013

Grant County Review
PO Box 390
Milbank SD 57252

Dear Sir:

Enclosed is a Notice of Hearing to Review Future Use Water Permit Nos. 3982-3 and 3982A-3 to be published on June 19, 2013. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at 605 773-3352 or email karen.schlaak@state.sd.us

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Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

July 15, 2013

NOTICE

Joint Well Field Inc.
Gene Wilts, Manager
47602 SD Hwy 28
Toronto SD 57268

Dear Mr. Wilts:

I am writing in response to action taken by the Water Management Board at the hearing on July 11, 2013 to review Future Use Permit Nos. 3982-3 and 3982A-3. The Board allowed the permits to remain in effect for 207 acre-feet of water annually. The permits are subject to another review in seven years.

The fee for maintaining the effectiveness of Future Use Permit Nos. 3982-3 and 3982A-3 is \$75.00 pursuant to SDCL 46-2-13(2). Please remit the fee within 60 days.

Please contact Eric Gronlund, staff engineer, if you have any questions.

Sincerely,

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

CERTIFICATION

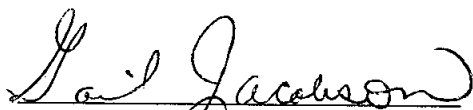
I hereby certify that on July 15, 2013, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated July 15, 2013 regarding Future Use permits addressed as stated below:

Joint Wellfield, 47602 SD Hwy 28, Toronto SD 57268 **Water Right No's. 3982-3 & 3982A-3**

Kingbrook RWS, PO Box 299, Arlington SD 57212 **Water Right No. 5643-3**

City of Brandon, PO Box 95, Brandon SD 57005 **Water Right No's. 6696-3 & 6697-3**

TM RWD, PO Box 445, Parker SD 57053 **Water Right No. 6705-3**



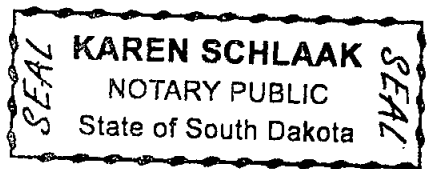
Gail Jacobson
Secretary/Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 15th day of July, 20 13.



Karen Schlaak
Notary Public
My Commission expires April 1, 2019



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

RECEIVED OF Joint Wellfield 47602 SD Hwy 28 Date 7/24, 20 13
Toronto SD 57268

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	75	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>3982-3</u> after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for _____	75	00
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	75 00

No. **06392**

By *Jeanne Lealman*
Chief Engineer

File Documentation

Date: May 12, 2026

Permit Holder: Joint Well Field Inc

Future Permit Nos. 3982-3, 3982A-3, 3982B-3

RE: Current Amount of Water Reserved

This serves as file documentation of the amount of water remaining in Future Use Permit Nos. 3982-3, 3982A-3, and 3982B-3. Review of the files determined Water Permit No. 8185-3 authorized to place all water reserved under those permits to beneficial use. Therefore, there is no water (0 ac-ft/yr) remaining under Future Use Permit Nos. 3982-3, 3982A-3, and 3982B-3.



Adam Mathiowetz
Acting Chief Engineer
SD DANR-Water Rights Program