

WATER PERMIT NO. 3982A-3

Phone: 794-4201

Name of Applicant: Brookings-Deuel-Kingbrook JWF

Post Office Address: RR 2, Box 84, Toronto SD 57268

Amount of Water Claimed: no additional Total Acres: _____

Source of Water Supply: groundwater

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

About 3 miles North of Bruce

PRIORITY Date Received: 1-10-94 Fee: \$50 Remarks: Expanding

future use area on permit No. 3982A-3

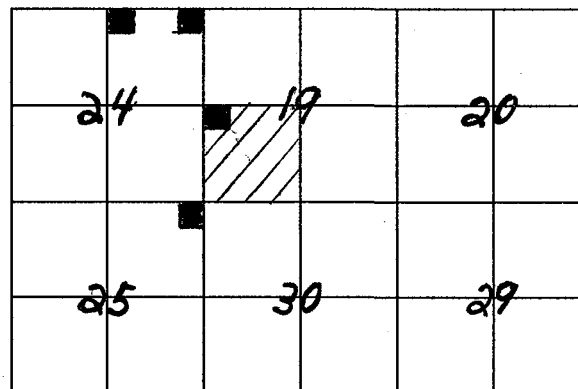
Corrected Application Received: 1-31-94 Period of Annual Use: Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED: NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES ____ NO ____ REMARKS: _____

Diversion Point: SW 1/4 Sec 19-T112N-R50W

Land to be Irrigated: _____



■ - existing future use area

Well Log: Driller: _____ Licensed YES ____ NO ____

Depth of Well: _____ REMARKS: _____

Type of Map: plat PREPARED BY: Bruce Jennings, PE Reviewed and the Number

Assigned on: 2-1-94 By: Karen Schlaak

FORM 2: Application for uses other than irrigation

(type or print)

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 3982A-3 Hydrologic Unit 10170202
Basin Big Sioux River
Newspaper See attached sheet
(office use only)



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

Check use of water:

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

Type of Application: ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☒ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☒ Amendment/Correction to Permit No. 3982-3

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

1. Name of Applicant Brookings-Deuel-Kingbrook JWF Phone 605 794-4201
(check one) ☐ Owner ☐ Tenant/lessee

Mailing Address RR 2 Box 84 Toronto State SD 57268
(Street, RR, or Box) (City) (Zip Code)

2. Amount of water claimed _____ *CFS or _____ **GPM 1150 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet -- storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply wells

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) SW 1/4 of Sec 19-
112N - 50W

County Brookings

5. County or counties where water will be used Brookings - Kingsbury - Hamlin - Deuel - Moody -

6. Annual period during which water is to be used Minnehaha - McCook - Miner - Lake - Clark
year around Jan 1 - Dec 31

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Re-defining and updating to reflect current situation,
consistent with current licenses, withdrawals, land acquisitions
and anticipated needs.

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

STATE OF SOUTH DAKOTA)

County of Deuel)^{ss}

I, Brookings-Deuel-Kingbrook JWF, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed [Signature]
Subscribed and sworn to before me this 7th day of January 19 94

[Signature]
Notary Public

My commission expires - 5/16/96

SOUTH DAKOTA
FUTURE USE WATER PERMIT NO. 3982A-3

Date of first receipt of application January 10, 1994.

Date of return to applicant for corrections, amendments or changes January 12, 1994.

Date of receipt of corrected application January 31, 1994.

The Water Management Board approved Future Use Water Permit Application No. 3982A-3 on August 31, 1994 for Brookings-Deuel-Kingbrook Joint Well Field, % Patrick Gilligan, RR 2, Box 84, Toronto SD 57268 subject to the following limitations, conditions and qualifications:

1. Future Use Water Permit No. 3982A-3 is to amend Future Use Permit No. 3982-3 to expand the future use area. The future use area authorized by Future Use Permit No. 3982-3 is 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. This permit expands the area to include the entire SW 1/4 Section 19-T112N-R50W. This permit does not authorize construction of works or application of water to beneficial use.
2. The water appropriated shall be used for the purpose of supplying water to the Brookings-Deuel-Kingbrook Joint Well Field and may not exceed the amount of water needed for beneficial use for rural water system use.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is January 10, 1994.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

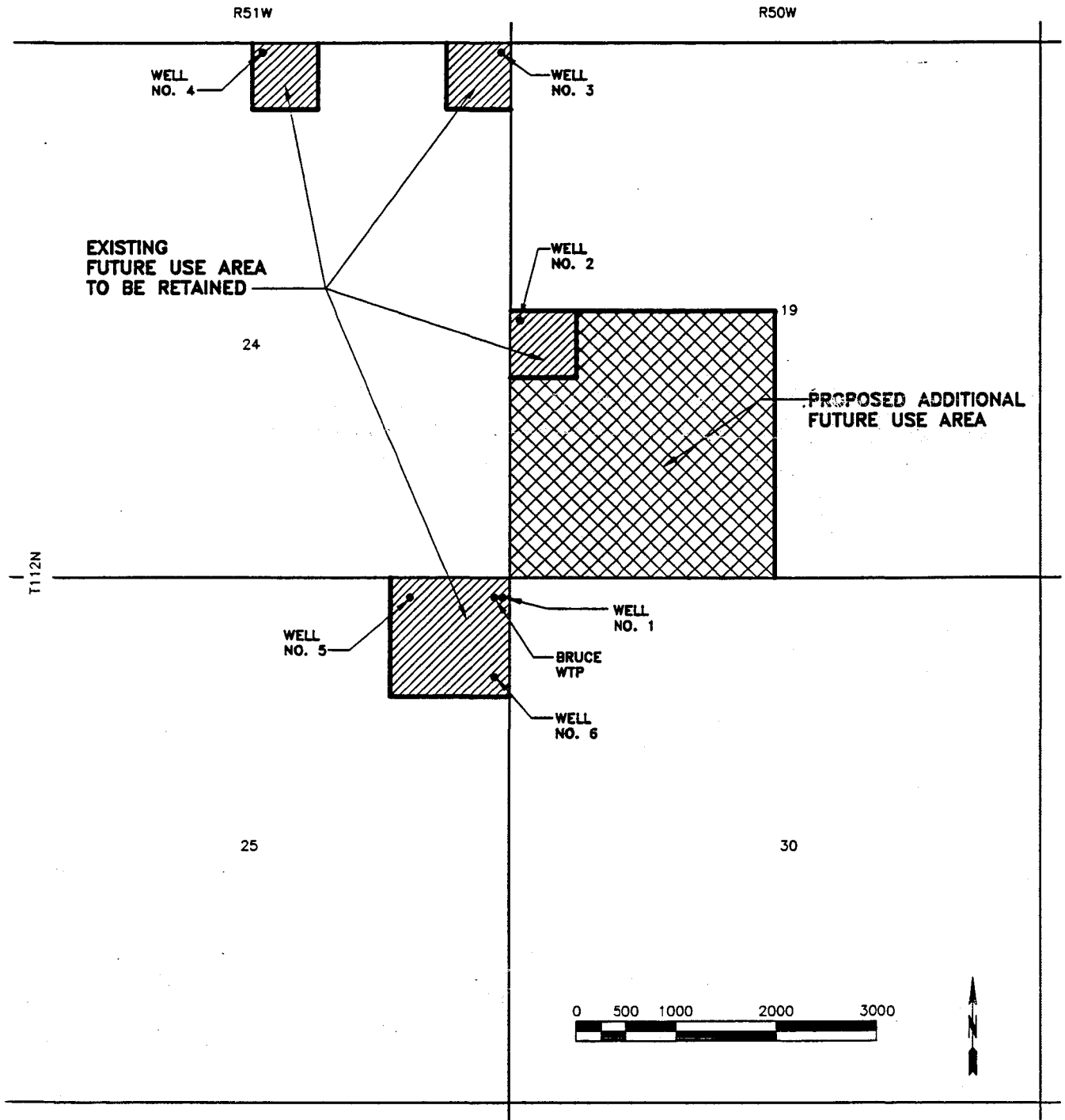
1. At such time as definite plans are made to construct works and put water reserved by this permit to beneficial use, specific applications for all or any part of the water must be submitted prior to construction of facilities pursuant to SDCL 46-5-38.1.
2. Water Permit No. 3982A-3 is approved with the stipulation that this Permit and Future Use Permit No. 3982-3 are subject to review by the Water Management Board as to accomplishment thereunder upon expiration of seven (7) years.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

NOV 14 1994
date

BROOKINGS COUNTY, SOUTH DAKOTA



LOCATION MAP

(DWG. 00230010/00230011)



I hereby certify that this plan, specification, or report was prepared by me or under my direct personal supervision, and that I am a duly Registered Professional Engineer under the laws of the

State of SOUTH DAKOTA Registration No. 3812
 By Bruce Jennings Date 1-25-94



DeWitt Grant Reckert and Associates Company
 Consulting Engineers

Rock Rapids, Iowa
 Sioux City, Iowa
 Sioux Falls, South Dakota

Date JAN 1994
 Drawn By BH
 Approved BJ
 Revised
 Project No. 800230

BROOKINGS DEUEL/KINGBROOK
 RURAL WATER SYSTEMS
 JOINT WELL FIELD

3982A-3

U. M. Church
Acct #6041
50-14-604-1-0

Neil Ribstein
Acct #6038
50-14-603-8-0

Gordon Drewes
Acct #6042
50-14-604-2-0

Don Boettcher
Acct #6043
50-14-604-3-0

Rod Poppe
Acct #6044
50-14-604-4-0

Rolf Hovey
Acct #6039
50-14-603-9-0

Don Behrns
Acct #6045
50-14-604-5-0

Bill Grieme
Acct #6040
50-14-604-0-0

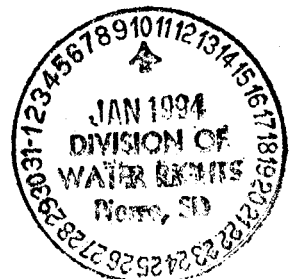
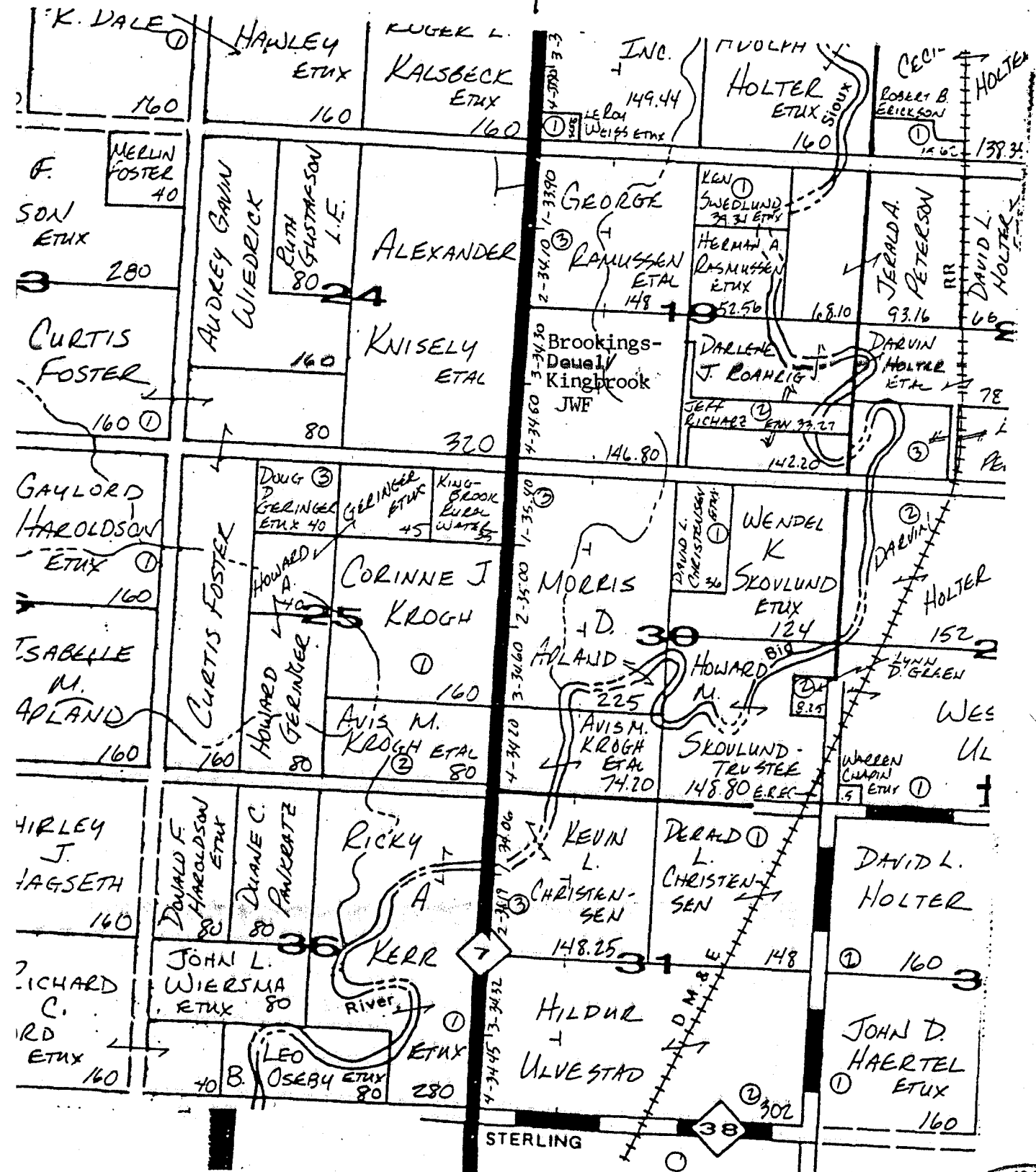
North

Block #14



112-51

112-50



RECEIPT

Division of Water Rights

414022

South Dakota Department of Environment and Natural Resources

Pierre, January 31, 19 94

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. <u>3982A-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer



BROOKINGS-DEUEL

Rural Water System, Inc.

R.R. 2 Box 84

Toronto, South Dakota 57268

(605) 794-4201

April 22, 1994

Eric Gronlund
Natural Resources Engineer
Dept of Environment & Natural Resources



RE: 3982-3 Future Use Permit

As I mentioned in our phone conversation, Arlington will be connecting to Kingbrook RWS and be served from the existing permits. If you can add Arlington to the same publication, it would save us considerable publication expense.

The remaining water under 3982-3 is not entirely clear to me, and it is probably my not understanding. The Jan. 3rd letter indicated there was 1,158 acre-feet remaining under 3982-3. However in the "Draft Recommendation" the future use reserve is only 521 acre-feet.

Also, I would ask consideration concerning the 60% "pumping factor" to not apply the factor until an application for withdrawal is filed. This would give us the latitude, if more water is needed than 60% of reserved use, to make a case and justify the additional water at the time. The way our reserved allotment is presently stated, we are already reduced and would need to re-apply for additional withdrawal above the reduced amount addressed in the recommendation.

Appreciate your input, and have no objection to the application as it is presently recommended, only give some consideration to the alternative.

Sincerely,

Pat Gilligan
Brookings-Deuel & Kingbrook Joint Wellfield

PG/pw

cc: Morris-Kingbrook

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: WP Application No. 3982A-3, Brookings-Deuel-Kingbrook Joint Well Field

ADDRESS: COUNTY:

DATE: 4/22/94 TELEPHONE:

RE: Conversation with Pat Gilligan

COMMENTS:

Mr. Gilligan called regarding hooking up the Town of Arlington to the water supply system from the Brookings-Deuel-Kingbrook Joint Well Field. He said in his discussion with Morris Elcock of Kingbrook he found out that when a new community is added it needs to be publically noticed. Mr. Gilligan wanted to know if that could be included in their current application to expand the future use area. I thought it could added to their application and said I would make the appropriate amendment to the application.

We also briefly discussed the review of FU Permit No. 3982-3. He had just received my letter from April 21, 1994. He is going to send in a letter responding to your draft recommendation.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Henderson



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 12, 1994

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

Dear Mr. Gilligan:

In regard to the water permit application received on January 10, 1994, the following information needs to be submitted and clarified in order to process your application.

1. Enclosed is the map submitted with the application. Please outline the area to be included on Future Use Permit No. 3982-3. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).
2. The filing fee for this application will be \$50.00.

It is my understanding, this application requests to expand the area of Future Use Permit No. 3982-3. At this time, you are not requesting to appropriate additional water from the future use permit. Is this correct? Since this amendment and the future use review must be advertised in several papers, it may be possible to combine the two notices and have them considered by that Water Management Board at the same time.

Upon receipt of the above, further processing of your application will continue. If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure



BROOKINGS-DEUEL

Rural Water System, Inc.

R.R. 2 Box 84

Toronto, South Dakota 57268

(605)794-4201

January 28, 1994



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

Dear Karen:

Enclosed are the certified maps required for our future use application under 3982-3.

Your understanding is correct, we are not requesting additional water. We are adding a new area to be included under 3982-3.

Thank you for your assistance, should you have any questions please contact me.

For the Brookings-Deuel/Kingbrook Joint Well Field,

Patrick Gilligan

PG:lt

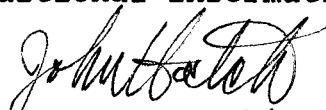
Enclosure

RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER PERMIT
APPLICATION NO. 3982A-3, Brookings-Deuel-Kingbrook Joint Well Field

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 Water Permit Application No. 3982A-3, Brookings-Deuel-Kingbrook Joint Well Field, c/o Patrick Gilligan, RR 2 Box 84, Toronto, SD 57268.

The Chief Engineer recommends DEFERRAL of Application No. 3982A-3 to allow the staff report on this application to be prepared at the same time as the staff report for Water Permit Application No. 5820-3 and Future Use Permit No. 3982-3 is reviewed.

See report on application for additional information.


JOHN HATCH, Chief Engineer
March 18, 1994

REVISED RECOMMENDATION OF CHIEF ENGINEER FOR FUTURE USE WATER
PERMIT APPLICATION NO. 3982A-3, Brookings-Deuel-Kingbrook
Joint Well Field

Pursuant to SDCL 46-2A-2, the following is the revised recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 3982A-3, Brookings-Deuel-Kingbrook Joint Well Field, c/o Patrick Gilligan, RR 2 Box 84, Toronto, SD 57268.

The Chief Engineer is recommending APPROVAL of Application No. 3982A-3 because 1) the future 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 with the following qualifications:

1. At such time as definite plans are made to construct works and put water reserved by this permit to beneficial use, specific applications for all or any part of the water must be submitted prior to construction of facilities pursuant to SDCL 46-5-38.1.
2. Water Permit No. 3982A-3 is approved with the stipulation that this Permit and Future Use Permit No. 3982-3 are subject to review by the Water Management Board as to accomplishment thereunder upon expiration of seven (7) years.

See report on application for additional information.



JOHN HATCH, Chief Engineer
May 16, 1994

REPORT ON FUTURE USE APPLICATION NO. 3982A-3 and Water Permit
Application No. 5821-3 for Brookings-Deuel-Kingbrook
Joint Well Field
April 18, 1994

Application No. 3982A-3 proposes to amend Future Use Permit No. 3982-3 to expand the future use area. Future Use Permit No. 3982-3 holds in reserve 1.2 cubic feet of water per second from the Big Sioux Brookings aquifer from wells to be located in the NE 1/4 NE 1/4 NE 1/4 and the NW 1/4 NW 1/4 NE 1/4 of section 24, NE 1/4 NE 1/4 NE 1/4 of section 25; T112N R51W and NW 1/4 NW 1/4 SW 1/4 of section 19, T112N R50W. This permit expands the future use area to include the entire SW 1/4 of section 19, T112N R50W in Brookings County.

Water Permit Application No. 5821-3 proposes to connect the City of Arlington to the distribution system supplied from the Kingbrook Rural Water System.

AQUIFER - BIG SIOUX BROOKINGS

The Big Sioux Brookings aquifer is an unconfined glacial outwash (sand and gravel) under predominantly water table conditions. The aquifer underlies 74,500 acres and contains an estimated 245,850 acre feet of recoverable water in storage in Brookings County (Hedges, 1982). The aquifer is areally extensive into Hamlin County to the north and is hydraulically connected to the Big Sioux River.

Recharge in just Brookings County to the aquifer has been estimated to range between 2.7 and 6.9 inches per year (16,762 to 42,837 AF/YR) (Hedges, 1983). Water use from the aquifer has historically been less than the recharge to the aquifer. The Division of Water Rights monitors four observation wells (BG-75L, BG-75M, BG-75Y, BG-57A) which border this future use area. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1994).

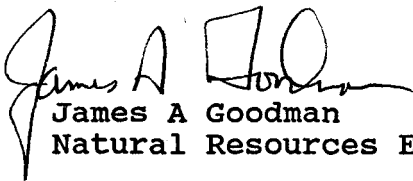
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing diversions are for the rural water system. Rural water well #2 is located in the northwest corner and well #1 is located a short distance south of the southwest corner of this proposed future use area. Interference is not expected to be a concern if future wells are developed. Spacing of wells can be controlled by the rural water system.

CONCLUSIONS

1. Water is available from the Big Sioux Brookings aquifer.

2. Since this is a future use area expansion request, permits will need to be obtained to develop the water.
3. No additional request for water is authorized by this application. Only an expansion of future use area is authorized by this application.
4. The volume of water associated with this request is limited by Future Use Permit No. 3982-3. In 1987, Future Use Permit No. 3982-3 was reviewed by the Water Management Board and contained a diversion rate of 2.2 cfs (1592 AF). Since, Water Permit No. 5602-3 was approved from the future use for 1.0 cfs and 454 AF. The review in 1987 did not quantify the volume of water using the 60% criteria used now. This leaves 1.2 cfs in future use.
5. The combined well field produced 832 AF of water in 1991 (based upon reported water use from Brookings-Deuel RWS).
6. Water Permit Application No. 5821-3 proposes to connect the City of Arlington a separate water distribution system, to the Kingbrook Rural Water System as required by ARSD 74:02:01:3.01.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hedges, L.S., 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Hedges, L.S., 1983, Same, Task 7, Ground Water Recharge, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 1994, Unpublished Observation Well Records for Brookings County, SD DENR, Division of Water Rights, Pierre, SD, 57501.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

May 18, 1994

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

Dear Mr. Gilligan:

Water Permit Application Nos. 5821-3, 3982A-3 to Amend Future Use Permit No. 3982-3, and to Review Future Use Water Permit No. 3982-3 have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publishers of the Brookings Register printed at Brookings, SD (Ph # 692-2979), DeSmet News printed at DeSmet, SD (Ph # 854-3331), Estelline Journal printed at Estelline, SD (Ph # 873-2475), Clear Lake Courier printed at Clear Lake, SD (Ph # 874-2499), Moody Co. Enterprise printed at Flandreau, SD (Ph # 997-3725), The Argus Leader printed at Sioux Falls, SD (Ph # 331-2200), Canistota Clipper printed at Canistota, SD (Ph # 296-3181), Miner Co. Pioneer printed at Howard, SD (Ph # 772-5644), Madison Daily Leader printed at Madison, SD (Ph # 256-4555), and Clark Co. Courier printed at Clark, SD (Ph # 532-3654). For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspapers to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the papers can eliminate delays. The publishers have been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspapers have been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

c: Morris Elcock, Kingbrook Rural Water System, PO Drawer 299, Arlington, SD 57212



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 18, 1994

Brookings Register
Box 117
Brookings, SD 57006-0177

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5821-3, 3982A-3 to Amend Future Use Permit No. 3982-3, and to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on May 25, 1994, 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 Patrick Gilligan, Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 (Ph # 794-4201).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ 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 57501-3181

May 18, 1994

DeSmet News
Box 69
DeSmet, SD 57231-0069

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5821-3, 3982A-3 to Amend Future Use Permit No. 3982-3, and to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on May 25, 1994, with the second publication 7 days later.

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Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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Name

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 18, 1994

Estelline Journal
Box 159
Estelline, SD 57234-0159

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5821-3, 3982A-3 to Amend Future Use Permit No. 3982-3, and to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on May 26, 1994, 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 Patrick Gilligan, Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 (Ph # 794-4201).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ 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 57501-3181

May 18, 1994

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

ATTENTION: Legal Department

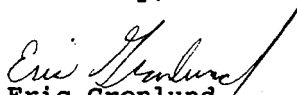
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The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Patrick Gilligan, Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 (Ph # 794-4201).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181
No. _____

Date _____
We are in receipt of your letter of _____ enclosing Notice of
Hearing to Appropriate Water by Application No. _____ 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 57501-3181

May 18, 1994

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

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5821-3, 3982A-3 to Amend Future Use Permit No. 3982-3, and to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on May 25, 1994, with the second publication 7 days later.

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Joe Foss Building
Pierre SD 57501-3181

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Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 18, 1994

The Argus Leader
PO Box 5034
Sioux Falls, SD 57117-5034

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5821-3, 3982A-3 to Amend Future Use Permit No. 3982-3, and to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on May 25, 1994, with the second publication 7 days later.

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Natural Resources Engineer
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Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 18, 1994

Canistota Clipper
Box 128
Canistota, SD 57012-0128

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5821-3, 3982A-3 to Amend Future Use Permit No. 3982-3, and to Review Future Use Water Permit No. 3982-3 to be published twice. Please publish the first notice on May 26, 1994, with the second publication 7 days later.

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Natural Resources Engineer
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Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 18, 1994

Miner Co. Pioneer
Box P
Howard, SD 57349

ATTENTION: Legal Department

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Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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Date _____

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Name _____

Newspaper _____



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 18, 1994

Madison Daily Leader
PO Box 348
Madison, SD 57042-0348

ATTENTION: Legal Department

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Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

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Name _____

Newspaper _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 18, 1994

Clark Co. Courier
117 1st St E
Clark, SD 57225-0172

ATTENTION: Legal Department

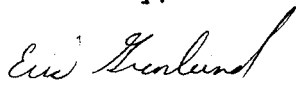
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Eric Gronlund
Natural Resources Engineer
605 773-3352

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Joe Foss Building
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published in our issue of _____. ENCLOSED IS A COPY OF THIS
FIRST PUBLICATION.

Name

Newspaper

26

Instruction to Newspaper - Publish first Notice on May 25, 1994, with the second publication 7 days later. The applicant is responsible for payment.

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 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 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.

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 for SDCL 46-2A-3
 to Amend Future Use Permit No. 3982-3

Notice is hereby given that the Board of Water Management will review Future Use Permit 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 NW 1/4 NE 1/4 Section 24, 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 5802-3 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 recommends 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

filed by June 20, 1994, the petition must be filed but must include a statement describing the petitioner's interest in the application. In the 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 review 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.

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

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

Gary DeJong
(Signature)

Publisher
(Title)

6/1/94
(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.

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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.

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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, 46-2A-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.
May 25 & June 1

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 notice was published in
 the newspaper on the following two dates:

May 25, 1994

June 1, 1994

Cost of Printing: 79.02

Dale Blegen
 (Signature)

Publiker
 (Title)

June 1, 1994
 (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 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 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 46-1-9, 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; 46-5-38 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.
5-25-2wc-6-1

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: \$77.15

157 lines 2 times

(Signature)

(Title)

(Date Signed)

My commission expires
7-15-1999

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 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 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.

OK

Added twice

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of McCook) ssI, MaryAnn Leteul

certify that the attached printed Notice was

taken from the The CanistotaClipper
printed and published in CanistotaCounty of McCook and State ofSouth Dakota. The notice was published in
the newspaper on the following two dates:May 26, 1994
June 2, 1994Cost of Printing: \$83.70LEGAL
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 - 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 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 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 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 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, 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 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 orMaryAnn Leteul
(Signature)Office Manager
(Title)6-7-94

(Date Signed)



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 Handreau

County of Moody 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 Nibbelink
(Signature)

Balkester
(Title)

5-31-94
(Date Signed)

NOTICE OF HEARING on Application No. 5821-3, 3382A-3 to Amend Future Use Permit No. 3982-3, and to Expand Future Use Permit No. 3982-3

Notice is given that the Brookings-Daniel Kingbrook Joint Well Field, Box 2, Brookings, South Dakota, 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 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 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.

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

Notary Public

_____, 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



2x 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-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.

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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 diversions 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.

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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; (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

Affidavit of Publication

SS.
STATE OF SOUTH DAKOTA,
County of Hamlin
OFFICE OF REGISTER OF DEEDS

I hereby certify that the within
Instrument was filed in this office
for record on the _____ day of
_____, A.D., 19____, at _____
_____ o'clock _____ M.,
and was duly recorded in Book _____
of page _____

Register of Deeds
Deputy

By _____

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 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 Bergheim
(Signature)

Secretary
(Title)

6-6-94
(Date Signed)



Wednesday, 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. 3982-3

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 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 rate 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 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 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; 75:02:01:24 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 Miner) ss

I, Brent Munger

certify that the attached printed Notice was
taken from the Miner County Pioneer

printed and published in Howard, SD
Miner County Pioneer

County of Miner 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: \$91.40

Brent Munger
(Signature)

NOTARY PUBLIC
(Title)

6/10/1994
(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, RR2 Box 84,
Pierre, 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 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 reserve
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, Room 200,
528 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 Best 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 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 and 46-5-
11, 46-5-13 thru 46-5-15, 46-5-
22, 46-5-25, 46-5-30.2, 46-5-30.4,
46-5-31, 46-6-3, 46-6-3.1, 46-6-
11, 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 72:02:01:15;
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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 21, 1994

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

Dear Mr. Gilligan:

The legal notice of hearing on your Water Permit Application No. 3982A-3 and Review of Future Use Permit No. 3982-3 published in the Estelline Journal was not correct. The legal description of the future use area were published incorrectly. The newspaper was contacted on May 31 to have the error corrected on the second publication; however, the legal description was still incorrect on the June 2, 1994 publication.

As a result of the error, the notice of hearing needs to be readvertised in the Estelline Journal. The readvertisement is needed to ensure the permit is free from legal problems due to inaccurate public notice. The information needed to readvertise the notice is enclosed. Be sure to contact the Estelline Journal (Phone # 605 873-2475) to authorize publication on July 28 and August 4 and arrange for payment.

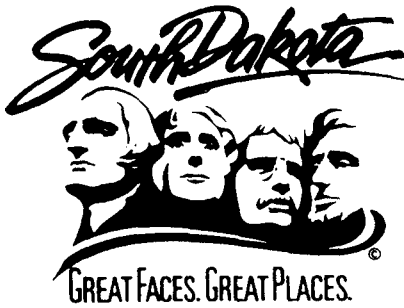
If you have questions, please contact me.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

cc: Estelline Journal



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 21, 1994

Estelline Journal
Box 159
Estelline, SD 57234-0159

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 3982A-3 to Amend Water Permit No. 3982-3 and to Review Future Use Permit No. 3982-3 to be published twice. Please publish the first notice on July 28, 1994, 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. The APPLICANT is Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 (Ph # 605-794-4201).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on July 28, 1994, with the second publication 7 days later.

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

Notice is given that the Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD has filed Water Permit Application No. 3982A-3 and the review of Future Use Permit No. 3982-3. This Notice was originally published in the Estelline Journal on May 26 and June 2, 1994 and contained an error in the legal description. This readvertisement is necessary to correct the error.

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 cubic feet of water per second (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 recommends 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.

Any person interested in opposing or supporting this 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 recommendation. 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 August 19, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 10:00 a.m., August 31, 1994, Floyd Matthew Training Center, 523 East Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. 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 August 31, 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 application. The request for an automatic delay must be filed by August 19, 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 August 19, 1994, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is 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. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of HAMLIN) ss

I, MACIL HAUSMAN

certify that the attached printed Notice was

taken from 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:

July 28, 1994

August 4, 1994

Cost of Printing: 76.81

[Signature]
 (Signature)

[Signature]
 (Title)

8-4-94
 (Date Signed)



2x-July 28, August 4

on Application No. 3982A-3
 to Amend
 Water Permit No. 3982-3
 and to Review

Future Use Permit No. 3982-3

Notice is given that the Brookings-
 Deuel-Kingbrook Joint Well Field, RR
 2 Box 84, Toronto, SD has filed Water
 Permit Application No. 3982A-3 and
 the review Future Use Permit No.
 3982-3. This notice was originally
 published in the Estelline Journal on
 May 26 and June 2, 1994 and con-

tained an error in the legal description.
 This readvertisement is necessary
 to correct the error.

The Water Management Board will
 review Future Use Permit No. 3982-3
 for progress made in the develop-
 ment of the water reserved by the
 permit and future plans for develop-
 ment of the water reserved by Permit
 No. 3982-3. This permit was approved
 January 25, 1978, to reserve 3.0 cu-
 bic feet of water per second (cfs) from
 the Big-Sioux Brookings Aquifer lo-
 cated 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 re-
 served 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 recommends 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 benefi-
 cial 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 fu-
 ture 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 ex-
 panded 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.

Any person interested in opposing
 or supporting this 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 rec-
 ommendation. 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 August 19, 1994. The
 petition may be informal, but must
 include a statement describing the
 petitioner's interest in the application,
 the petitioner's reasons for opposing
 or supporting the application, and the
 signature and mailing address of the
 petitioner or the petitioner's legal
 counsel, if legal counsel is obtained.

The Water Management Board will
 consider the petition on August 19, 1994,
 10 a.m., at the above address.

Training Center, 523 East Capitol,
 Pierre, SD. The Chief Engineer's
 recommendation is not final or bind-
 ing upon the Board. 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
 August 31, 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 ap-
 plication. The request for an auto-
 matic delay must be filed by August
 19, 1994.

Any hearing will be an adversary
 proceeding. Any person filing a peti-
 tion 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 pro-
 vided by law. Contact Eric Gronlund
 by August 19, 1994, at the above
 Water Rights Division address to re-
 quest copies of information pertaining
 to this application, to assure access
 to the hearing by the handicapped or
 to obtain an interpreter for the hearing
 impaired.

This application is 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.

ROBERT E. ROBERTS
 Secretary of Environment
 and Natural Resources

6-6-94

Water Rights Division
Foss Building 323 E. Cape
Pine St. Des Moines 57501

We are opposed to Quaternary Dwell. Kingbrook well field use application no 3982-3 that would give them additional water from the big Sioux aquifer, to residents and towns many miles away, when there is plenty of Dwell that could take place closer to the Sioux Valley, the big Sioux aquifer is mostly shallow gravel bearing sand that could easily be dried up if it collapsed so it will not hold very much water from over pumping this has happened in California and other states where this has happened, end of aquifer.

The pumping that Dwell Kingbrook is doing is located in the deepest part of the aquifer as you know that could leave the rest of us high and dry if you understand what we mean, what good is your permits if the water is gone?

also there are other prospects closer to the points of delivery why should they have priority over the water in the Sioux Valley

if you have checked the quality of the water
being pumped from the aquifer, you will find
it has deteriorated in the last 10 years if you
haven't, may we suggest you do so before
issuing more permits for domestic use for
trucks and individuals located far away from
the Siraguipe, the water in the Dry Valley
is exposed to every contaminant known to
man, animals ~~drinking~~ sumps, sewage
lagoons etc, most of them were Gov. sponsored
why any one would want to drink it is a
mystery to us. I know I don't want to
drink it and haven't for 10 yrs. Please no
more Gov. sponsored help to help it worse than
it is please. yours truly. Mr. Mrs. Wilfred Egle
Mr. Mrs. Wayne Egle and others that
reside in and along the Dry Valley.

we are sending a copy of this to King
brook, Duck, Joint Wellfield R.R. 2 Box 84 Toronto
N. 2B,



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 20, 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: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Petition in Opposition and Error in Publication of Notice of Hearing for Water Permit Application No. 3982A-3 and Review of Future Use Water Permit No. 3982-3, Brookings/Deuel - Kingbrook Joint Well Field

A petition in opposition to Water Permit Application No. 3982A-3 and the review of Future Use Water Permit No. 3982-3 has been filed by Mr. and Mrs. Wilfred Eighmy and Mr. and Mrs. Wayne Eighmy. In addition, the notice of hearing published in the Estelline Journal contained a legal description error. Water Permit Application No. 3982A-3 and the review of Future Use Water Permit No. 3982-3 will need to be readvertised in the Estelline Journal. Therefore, the hearing on Application No. 3982A-3 and the review of Future Use Water Permit No. 3982-3 will not be held on June 28, 1994.

The notice of hearing for Application No. 3982-3 and 3982A-3 needs to be readvertised in only the Estelline Journal. The readvertised notice of hearing will be provided to all parties of record in the next few weeks. The readvertisement will schedule the hearing for the August 31 and September 1, 1994, Water Management Board meeting. The Eighmy's will be considered parties to this hearing and are not required to submit an additional petition.

Water Permit Application No. 5821-3 was not published in error and the petition submitted by the Eighmy's did not oppose this application. Application No. 5821-3 will be considered by the Water Management Board at 10:00 am, June 28, 1994, in Gallery D, Ramkota Inn - Best Western, 920 West Sioux Ave., Pierre, SD 57501.

Please contact Eric Gronlund, staff engineer at (605) 773-3352, if you have any questions.

c: Diane Best, Assistant Attorney General
Morris Elcock, Kingbrook Rural Water System, PO Drawer 299, Arlington, SD 57212

**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 84
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 June 20, 1994, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated June 20, 1994, regarding Petition in Opposition and Error in Publication of Notice of Hearing for Water Permit Application No. 3982A-3 and Review of Future Use Water Permit No. 3982-3, Brookings/Deuel - Kingbrook Joint Well Field, along with a copy of the Parties of Record List, addressed to the individuals stated below:

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

Morris Elcock
Kingbrook Rural Water system
P.O. Drawer 299
Arlington, SD 57212

Wilfred Eighmy
RR 2, Box 364
Bruce, SD 57220

Wayne Eighmy
RR 2, Box 360
Bruce, SD 57220

Copy Was Sent Inter-office to:

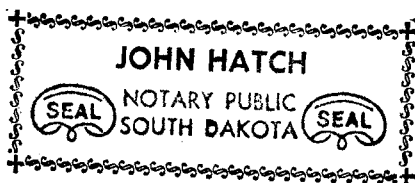
Diane Best, Assistant Attorney General, Capitol Building.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 21st day of June, 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

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.

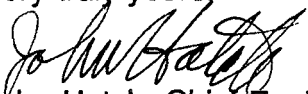
Application No. 3982A-3 does not allow any additional water to be taken from the Big Sioux Aquifer. The application proposes to amend Future Use Permit No. 3982-3 to expand the area where production wells may be located in the future. Future Use Permit No. 3982-3 was approved in January, 1978 to reserve 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 20, 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 Gilligan. Brookings/Deuel Rural Water Svstem



**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

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:

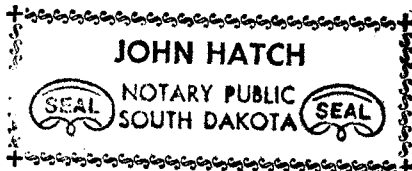
Diane Best, Assistant Attorney General, Capitol Building.

Cheryl F. Frost

Cheryl F. Frost
Secretary

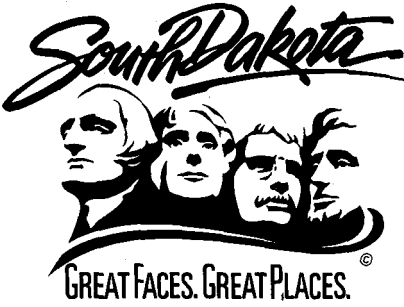
STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

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

NOV 14 1994

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

Dear Mr. Gilligan:

Enclosed is Future Use Water Permit No. 3982A-3 as approved by the Water Management Board.

When plans for facilities are prepared to put any portion of the water granted in the future use permits to beneficial use, an application covering such facilities and water use should be submitted to this office before construction is initiated.

Very truly yours,

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

Enc.

c: Morris Elcock, Kingbrook RWS, PO Drawer 299, Arlington, SD
57212



**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	SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8-105N-51W	BS-NSC	PE
5646-3	KINGBROOK RURAL WATER SYS	1.00	425	1992-03-19	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 17-105N-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	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 8-111N-56W	VEF	LC
					SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8-111N-56W		
					SE $\frac{1}{4}$ NE $\frac{1}{4}$ 17-111N-56W		
5186-3	KINGBROOK RWS INC	0.70	*	1988-03-29	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 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	E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6-111N-56W	VEF	PE
5426-3	KINGBROOK RWS	1.40	*	1988-08-15	SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ 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	NE $\frac{1}{4}$ 24; NE $\frac{1}{4}$ NE $\frac{1}{4}$ 25; 112N-51W; NW $\frac{1}{4}$ SW $\frac{1}{4}$ 19-112N-50W	BS-B	LC
2612A-3	BROOKINGS-DEUEL-KINGBROOK	0.89	210	1976-03-01	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 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	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 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 SW $\frac{1}{4}$ sec 19	BS-B	FU

December 15, 1995



**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

RECEIVED

SEP - 4 2008

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 3982A-3

Date: 9-03-08

I/We request that Future Use Permit No. 3982A-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. 3982A-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 47609 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	2	50
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 _____ 3982A-3		
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. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	2	50

No.

03-1

By

Michael 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,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures

3982A-3



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

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

Karen Schlaak
Water Rights Program
523 East Capitol
Pierre, SD 57501

RECEIVED

JUN 10 2013

**WATER RIGHTS
PROGRAM**

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.

Jeanne Goodman, Chief Engineer

June 12, 2013

RECEIVED

} ss.

JUN 21 2013

**WATER RIGHTS
PROGRAM**

Ann Tuchscherer

Bookkeeper

_____ 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		20

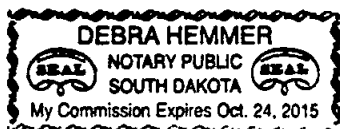
That \$ 39.82, being the full amount of the fee charged for the publication of said Notice, inures to the benefit of the publisher of the Grant County Review; that no agreement or understanding for the division thereof has been made with any person, and that no part has been agreed to be paid to any person whomsoever.

Ann Puchscherer

Subscribed and sworn to before me this 19th day of June 2013

Debra Hemminger

Notary Public, Grant County, South Dakota



NOTICE OF

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 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

STATE OF SOUTH DAKOTA }
County of Lake } ss.

JUN 24 2013

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

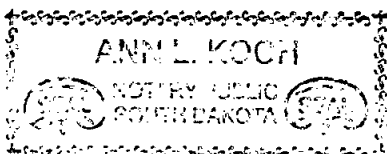
printed copy of which hereunto attached, was printed and published in the said newspaper for One successive weeks, once each week and on the same day of the week, on the following dates, to-wit:

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, _____

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

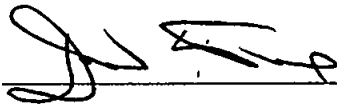
Notice of Hearing to Review Water Permit
Nos. 3982-3 + 3982A-3, a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least

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



Subscribed and sworn to before me this 20th

day of June A.D. 20 13

Jane Marie Lee
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

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",

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.

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 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

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 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.

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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

SURFACE WATER PROGRAM

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

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

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 \$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

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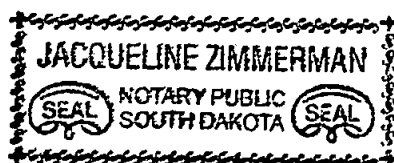
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Published once at the approximate cost of \$98.12.
1418229 June 19, 2013



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 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

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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 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.

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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.....

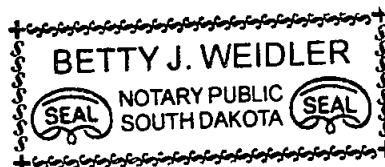
The fifth publication being made on the day of 20.....

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 \$ 23.55 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.

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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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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.
6-19-11

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 FlanahanCounty 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)

Bookkeeper/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.

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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

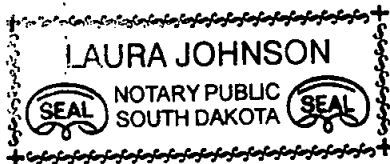
Leg#556 Hearing Notice #3982-3 and #3982A-3 - Well Field Inc

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

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

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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.

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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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RECEIVED

JUN 27 2013

WATER RIGHTS
PROGRAM

PRINTER'S AFFIDAVIT

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss.

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**

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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

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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. Pimer, 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.

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 _____.



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

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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

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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Natural Resources Engineer
605 773-3352

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and NATURAL RESOURCES

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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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and NATURAL RESOURCES

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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,


Eric Gronlund
Natural Resources Engineer
605 773-3352

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and NATURAL RESOURCES

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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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Sincerely,

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Natural Resources Engineer
605 773-3352

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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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,

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Natural Resources Engineer
605 773-3352

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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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Natural Resources Engineer
605 773-3352

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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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PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

June 12, 2013

Argus Leader
PO Box 5034
Sioux Falls SD 57117

Dear Sir:

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Natural Resources Engineer
605 773-3352

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PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

June 12, 2013

Clear Lake Courier
PO Box 830
Clear Lake SD 57226

Dear Sir:

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Natural Resources Engineer
605 773-3352

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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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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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

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

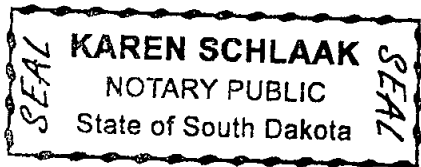
Gail Jacobson
Secretary/Water Rights

[illegible]

Sworn to, before me, this 15th day of July, 20 13.

Karen Schlaak

Karen Schlaak
Notary Public
My Commission expires April 1, 2019



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