

1. Considered JANUARY 30 1989
2. Name of Applicant Aurora - Brule Rural Water System
3. Post Office Address Kimball, S.D.
4. Amount of Water Claimed 0.8
5. Source of Water Supply Missouri River
6. Water to be used for Ru's & Municipal
7. Acres to be irrigated — maximum — acre feet
8. Water to be diverted and used in Brule County
about 1/2 mile SW of CHAMBERLAIN
9. PROOF OF PUBLICATION Received 1-22-80

No. Received —

APPLICATION

Approved 1-30-80

HAVE PERMIT NO. 4185-2
FROM KANSAS RWS -

Subject to —

Not Approved —

Action deferred —

Priority

Date

12-17-79

Received 12-17-79 Application Complete yes X no — FEE N/A

Remarks Feasibility Report in Office of Water Development

Date information and/or

fee or corrected Application received 12-28-79 (map)

Period of Annual use Continuously

WATER
QUALITY

N/A

Received yes — no ✓ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes — no — marks —

Disapproved —

Returned —

Diversion Point —

SW⁴ SW⁴, SEC. 20-

T 104N - R 71W

Lands to be irrigated —

WELL
LOG

N/A

Remarks —

Driller —

Licensed yes — no —

Depth —

MAP Map No. 3684-3 Map located in Water Right X Map file _____

Type of Map Drawn - Engr. Prepared by Hoskins - Western
Landeroggen Engr.

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 1-30-80.

D. Westlund
(Signed)

+++++

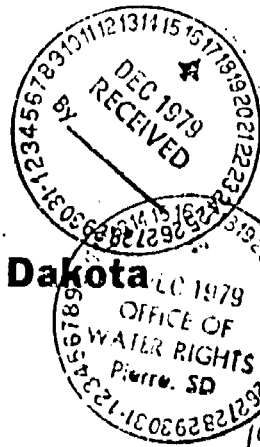
PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
F.F. & C Final Decision, including F.F. & C of Law were adopted _____
OF LAW, Date
FINAL Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS was adopted _____
ETC.

Remarks _____

No. 4455-3

Map No. 3684-3 Water Division No. 3 MISSOURI RIVER District
Above for Office Use



APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New X Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Aurora-Brule Rural Water System, Inc. Phone No. (605) 778-6316

Post Office Address c/o Miller, Miller & Sebastian State Kimball, SD 57355
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation Kimball, SD 57355 - June 5, 1972

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract

3. Name of diversion work Aurora-Brule Rural Water System, Inc., Proj. II, Intake Facilities

4. Amount of water claimed (cubic feet per second) 0.8 CFS

5. Source of water supply Lake Francis Lake (Missouri River)

6. Location of point of diversion Southwest Quarter of Southwest Quarter of Section 20, Township 104 North, Range 71, West of the 5th P.M., SW 4 SW 4 20-104N-71W

Brule County South Dakota

7. Annual period or periods during which water is to be used Throughout the year

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Rural Water System and Municipal.

9. For irrigation use, No. Total number of acres to be irrigated N.A.

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

Land Description	No. Acres Irr.

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Two (2) years. Additional time required to complete application of water to the proposed beneficial use N.A. years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Chamberlain Register.

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Intake Screens, Lake Pumps (2), Encasement Pipes, Pump Discharge Lines.

B. Works proposed to transport water to place of use.

Raw Water Booster Station, Raw Water Pipeline.

C. Works proposed to apply water to beneficial use.

Water Treatment Facility, Water Distribution System.

Estimated Total Cost \$ N.A.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map. (see instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
County of Brule) ss.

I, Ronald K. Miller the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Ronald K. Miller

Subscribed and sworn to before me this 14th day of December, 1979.

(SEAL)

Mary Ann Fox
Notary Public (or other qualified officer)

My Commission Expires: 8-11-85

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 4455-3

AUKORA-BRULE RURAL WATER SYSTEM YO MILLER, MILLER & SEBASTIAN
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57355 KIMBALL
 (State) With the following qualifications.

Date of first receipt of application DECEMBER 17, 1979
 Date of return to applicant for correction, amendments or changes required DECEMBER 17, 1979
 Date of receipt of corrected application DECEMBER 28, 1979
 Approved JANUARY 30, 1980, Recorded in Book 21 Page 112

WATER RIGHT PERMIT NO. 4455-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4455-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is DECEMBER 17, 1979
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 30, 1981
3. The whole of said work is to be completed on or before JANUARY 30, 1982
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 30, 1982
5. The water appropriated shall be used for the purpose of MUNICIPAL AND A RURAL WATER SYSTEM
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed .8 cubic feet per second, neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for ~~beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to~~ USED FOR MUNICIPAL & RURAL WATER SYSTEM PURPOSES which water is actually and beneficially applied for irrigation on or before JANUARY 30, 1982; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 4th day of FEBRUARY, 1980

THE BOARD OF WATER MANAGEMENT

By John Hatch
 Chief Engineer, Water Rights

• Certificate of Construction Issued _____, 19____

• Water License Issued _____, 19____

No. 4453-3

Publish first publication, on or before January 10, 1960

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

12/31/79

Notice is hereby given the Aurora-Brule Rural
Water System, Inc. whose post office

address is Kimball, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 0.8 cubic feet of

water per second of time from the Missouri River through the Aurora-Brule RWS, Inc. Proj. II - Intake Facilities, the point(s) of diversion of which is(~~are~~) to be located

in the SW $\frac{1}{4}$ EW $\frac{1}{4}$

of Section 20, Twp. 104 N, Range 71 W. Said water to be used for the purpose of providing ~~irrigation on portions of the following described land:~~

water supplies for Rural Water System and municipal use

This Application No. 4453-3 will be considered by the Water Management Board at Meeting Room #1, Kneip Building,
Church & Illinois Street, Pierre, So. Dak. upon the 30th day of January 1960

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

BETTY WESTLUND
Water Rights Specialist

cc: Aurora-Brule Rural Water System
c/o Miller, Miller & Sebastian
Kimball, SD 57355

FORM 6 - Notice of Intent to Appropriate Water
SURFACE WATER

No. 1455-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Brule) ss.

I, E. J. Buckingham, Jr. hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Chamberlain Register

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the
city of Chamberlain
County of Brule and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

January 16, 1980

January 17, 1980

E. J. Buckingham, Jr.
(Signature)

Register
(Title)

1/17/80
(Date Signed)

NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota

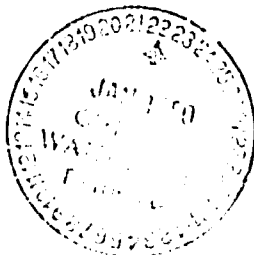
Dec. 31, 1979

Notice is hereby given the
Aurora Brule Rural Water Sys-
tem, Inc. whose post office
address is Kimball, South Dako-
ta, has made an application in
accordance with the provisions
of SDCL 46-1-1 through 46-1-9,
46-1-14; 46-2-9 through 46-2-11,
46-2-13; 46-5-1 through 46-5-8
46-5-10 through 46-5-22, 46-5-41
and Board Rules ARSD
52:01:01:01 through 52:01:01:13
for a permit to appropriate for
beneficial use 0.8 cubic feet of
water per second of time from
the Missouri River through the
Aurora-Brule RWS, Inc. Proj. II
Intake Facilities, the point of
diversion of which is to be
located in the SW 1/4 SW 1/4 of
Section 20, Twp. 104 N, Range
71 W. Said water to be used for
the purpose of providing water
supplies for Rural Water System
and municipal use.

This Application No. 4455-3
will be considered by the Water
Management Board at Meeting
Room #1, Knapp Building,
Church and Illinois Street,
Pierre, SD, upon the 30th day of
January, 1980, at 10 a.m. The
Board is authorized to make a
determination on this applica-
tion at the hearing. All Inter-
ested persons may appear and
be heard. Any person who may
be affected by a Board decision
who desires to present evidence
or cross-examine witnesses ac-
cording to SDCL 1-26 may notify
the Board in writing prior to the
hearing or orally at the hearing.

This hearing is an adversary
proceeding. Any person 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 at the hearing. Deci-
sions of the Board may be
appealed to the Courts as pro-
vided by law.

Water Management Board
Betty Westlund
Water Right Specialist
(Jan. 10-17)



December 17, 1979

Aurora-Brule Rural Water System Inc.
% Miller, Miller & Sebastian
Kimball, South Dakota 57355

ATTENTION: Ronald K. Miller:

Dear Mr. Miller:

We have received the applications for the Aurora-Brule RWS. One for .8 cfs in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, T104N, R71W and one for 2.4 cfs (Future Use) with the diversion point in the same location. These are both for Project 11, Intake Facilities.

On the future use application, you state that the time required to complete the construction of the water supply system is 2 years. A future use application is to reserve an amount of water for future use and at such time as definite plans are made, specific applications for all or part of the water granted must be submitted prior to the construction of facilities. If this application is to be constructed it would not be a future use application. 7

Also a detailed feasibility report must be submitted with the applications. A filing fee is not required for a municipal or rural water system.

We are enclosing an instruction sheet for your information regarding the map required. Please note the lines underlined in red.

Upon receipt of the correct map, feasibility report and etc., further processing will proceed. If you have any questions, feel free to contact this office.

Sincerely,

BETTY WESTLUND
Water Rights Specialist I

BW/gy

encl

Miller, Miller
and

Sebastian
Attorneys at Law



WALTER C. MILLER
PLANKINTON, SO DAK. 57368
PHONE 942-4881

December 14, 1979

RONALD K. MILLER
MICHAEL E. SEBASTIAN
KIMBALL, S. DAK. 57355
PHONE 778-6316

Mr. Pat Rice
Water Resources Engineer
Department of Natural Resource Development
Joe Foss Building
Pierre, South Dakota 57501

Re: Aurora-Brule Rural Water System, Inc.
Application for Water Permit

Dear Pat:

After discovering we did not have a Water Right Application in for our Project II area and what will become Project III, our Engineer, Dean M. Connett, prepared the enclosed Permit Applications. I assume they go directly to your office, and I am in hopes that you will give them to the proper person for doing whatever is necessary with them. Please advise if anything further is needed concerning this Application. I am unsure if a payment is still required or not.

Have a Happy Holiday!

Very truly yours,

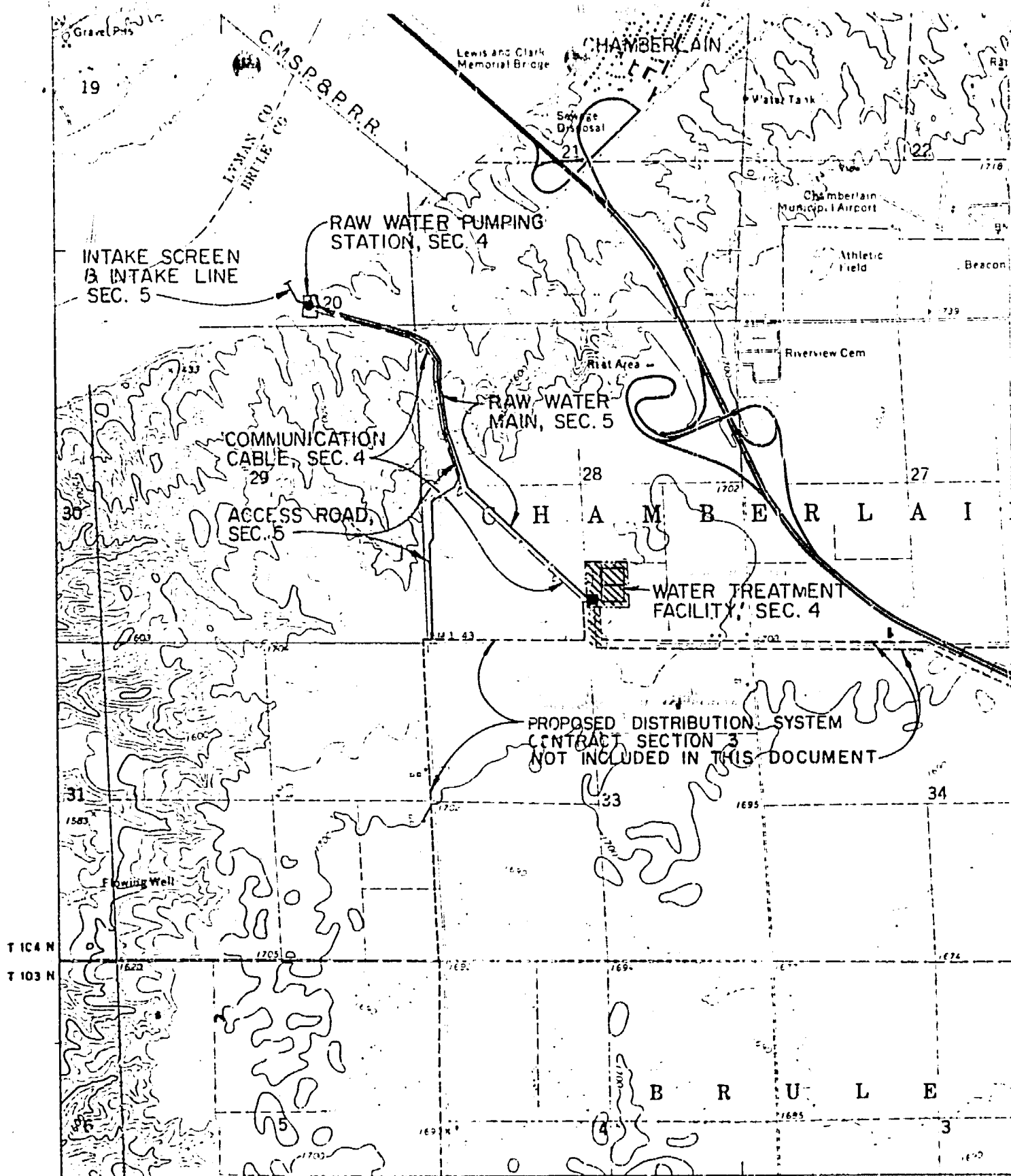
MILLER, MILLER & SEBASTIAN

A handwritten signature in cursive script that reads "Ronald K. Miller".

Ronald K. Miller

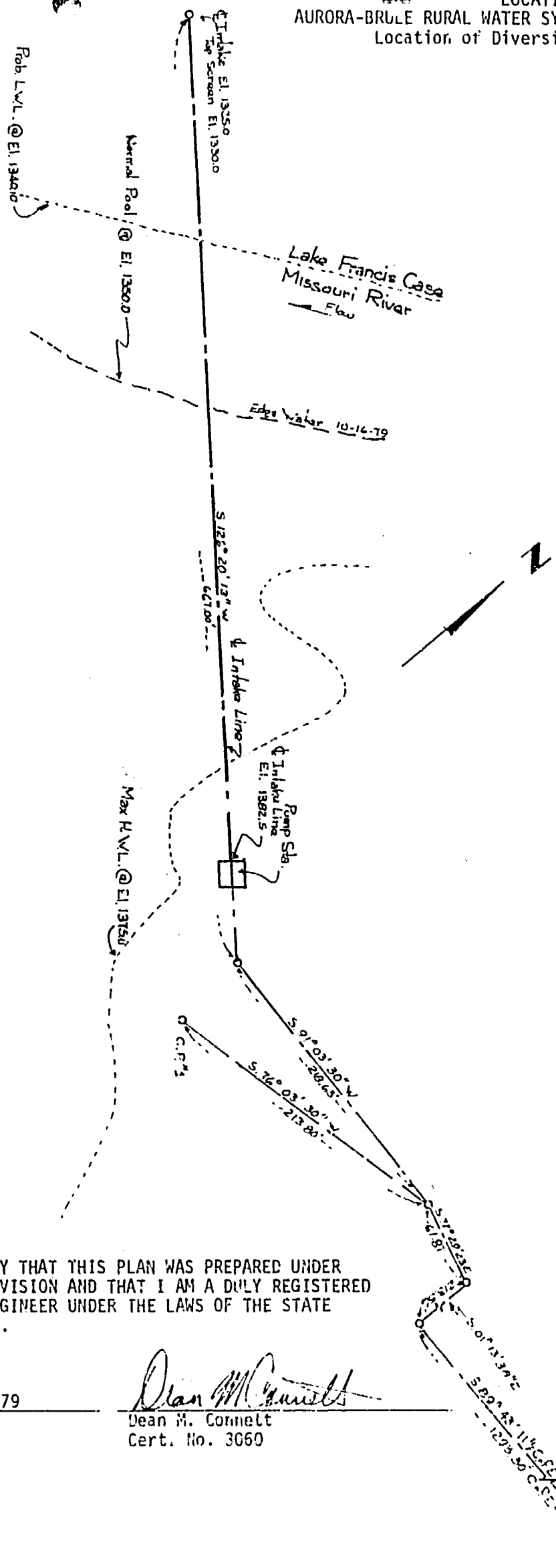
RKl:mak

Enclosures



LOCATION MAP
SCALE: 1" = 2 000'

LOCATION MAP
AURORA-BRULE RURAL WATER SYSTEM INC.
Location of Diversion Point



CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA.

DATE: 12-24-79

Dean M. Connett
Dean M. Connett
Cert. No. 3060

SF Coman Sec. 27
1/4 N
20
R 7E W

4455-3

File No. (4455-3)
4456-3

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Aurora-Brule Rural Water System, Inc.

ADDRESS: Kimball SD COUNTY: Brule

DATE: 6-5-96

RE: Correction of the location of the diversion point and future use area.

COMMENTS:

Water Permit No 5909-3 was advertised to increase the diversion rate authorized by Water Permit No. 4455-3. The advertisement for No. 5909-3 included correcting the location of the diversion point authorized by Permit No. 4455-3 and the location of the future use area authorized by Permit No. 4456-3.

The diversion point and future use area is located in the SW 1/4 SE 1/4 Section 20-T104N-R71W.

Karen Schlaak

Karen Schlaak
Environmental Scientist



4455-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

OCT 17 1996

5909-3

Aurora-Brule Rural Water System, Inc.
%Wade J. Blasius
P.O. Box 140
Kimball, SD 57335-0140

Dear Mr. Blasius:

Enclosed is Water License No. 5909-3 and Receipt No. 415049 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 5909-3 is the final document which completes the process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

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

ks
enclosures

NOTE: The applicable portions of No. 4455-3 have been incorporated into this Water License No. 5909-3.