

Considered: _____

WATER PERMIT NO. 5208A-3

Phone: 983-5074

Name of Applicant: Kingbrook Rural Water System, Inc.

Post Office Address: Drawer 299, Arlington SD 57212

Amount of Water Claimed: no add'l (1.4 cfs) Total Acres: NA

Source of Water Supply: groundwater (2 wells)

Water to be used for: RWS County: Kingsbury

About 4 miles NW of DeSmet

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C/.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received: 3-27-92 Fee: \$50 Remarks change

location of the diversion points

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

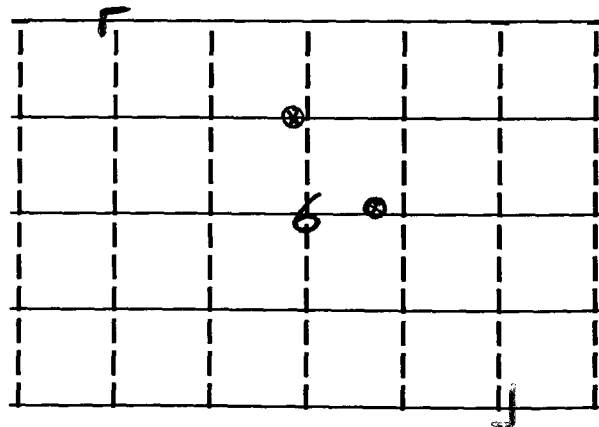
WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: E 1/2 NW 1/4, SW 1/4 NE 1/4

Sec 6-T111N-R56W

Land to be Irrigated: _____



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 80' REMARKS several test hole logs in Permit No. 5208-3

Type of Map: topo PREPARED BY: Bruce Jennings Reviewed and the Number

Assigned on 3-27-92 By Karen Schlaak

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

No. 5208A-3 Hydrologic Unit 10170103
Map No. _____ Basin Vermillion River
Newspaper see attached list

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

Check use of water: Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
Rural Water System ☒ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☐ Vested Right ☐ Future Use ☐ Change Use ☐

☒ Amend Permit No. 5208-3 with old priority date retained

Change diversion point(s) ☒ Add diversion point(s) ☐ Other ☐

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☐ Construction to use water reserved by Future Use Permit No. _____



1. Name of Applicant Kingbrook Rural Water System, Inc. Phone No. 605-983-5074

Post Office Address Drawer 299 Arlington State SD 57212
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 1.4 (no add'l)

3. Source of water supply 2 wells

4. Location of point of diversion E 1/2 NW 1/4, Sec. 6 and NE 1/4, Sec. 6, T11N,
R56W, Kingsbury County, South Dakota

5. Counties where water will be used Minnehaha, McCook, Moody, Brookings,
Kingsbury, Miner, Lake, Clark, Hamlin

6. Annual period during which water is to be used continuously Jan 1 - Dec 31

7. Give a brief description of proposed 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)
Kingbrook Rural Water System will construct two additional wells to increase water source reliability. The change in diversion point is requested due to land availability. The new wells will be connected to the existing Kingbrook system, serving existing rural and town consumers including Bancroft.

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

STATE OF SOUTH DAKOTA)
County of _____)

I, Kingbrook Rural Water System, Inc.

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 Larry Sterling
Larry Sterling, Chairman

Subscribed and sworn to before me this 17th day of March 19 92

Monica Elcock
Notary Public

**SOUTH DAKOTA
WATER PERMIT No. 5208A-3**

Date of first receipt of application March 27, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5208A-3 to Kingbrook Rural Water System, Inc., Drawer 299, Arlington SD 57212 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5208A-3 changes the location of the points of diversion authorized by Water Permit No. 5208-3. Water Permit No. 5208-3 appropriates 1.4 cubic feet of water per second from 2 wells located in the SW 1/4 Section 16; and the NE 1/4 Section 17; all in T111N-R56W. This application proposes to change the locations of the two wells (Vermillion East Fork Aquifer) 80 feet deep to the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 Section 6; all in T111N-R56W. This permit does not increase the diversion rate authorized by Water Permit No. 5208-3.
2. The water appropriated shall be used for the purpose of supplying water to the Kingbrook Rural Water System and may not exceed the amount of water needed for beneficial use for rural water system purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 5208A-3 is July 29, 1992.
5. The date from which applicant may claim right is August 15, 1988.
6. One-fifth of the construction is to be completed on or before January 29, 1995.
7. All construction is to be completed on or before July 29, 1997.
8. Water is to be put to beneficial use on or before July 29, 2001.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Wells authorized by Permit No. 5208A-3 shall be spaced at least 660 feet apart and at least 660 feet from other wells.
2. The casing of the wells to be constructed under Permit No. 5208A-3 shall be pressure grouted with cement (bottom to top) from the producing formation to the surface and constructed in compliance with Water Management Board Well Construction Rules, Chapter 74:02:04.

(continued)

3. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
4. The Kingbrook Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn each year from the Vermillion East Fork Aquifer.
5. Approval of Permit No. 5208A-3 does not increase the authorized maximum combined annual withdrawals under Permit Nos. 4137-3, 5186-3, 5208-3 and 5208A-3 of 1,350 acre-feet annually.

WATER MANAGEMENT BOARD

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

AUG 12 1992
date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction - 2 wells

- a) Drill Hole Diameter 20 inches Depth 80 feet
- b) Casing Type Steel Diameter 12 inches Thickness 0.375 inches
- c) Screen Type Stainless steel Diameter 12 inches Thickness 3/16 inches
- d) Gravel Pack Thickness 4 inches Length of Gravel Pack 35 feet
- e) Depth to Top of Water Bearing Material 25 feet
- f) Depth to Water (ground surface to water level) 40 feet
- g) Distance to nearest existing domestic well:
- On applicants property None On property owned by others 3,000 feet

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

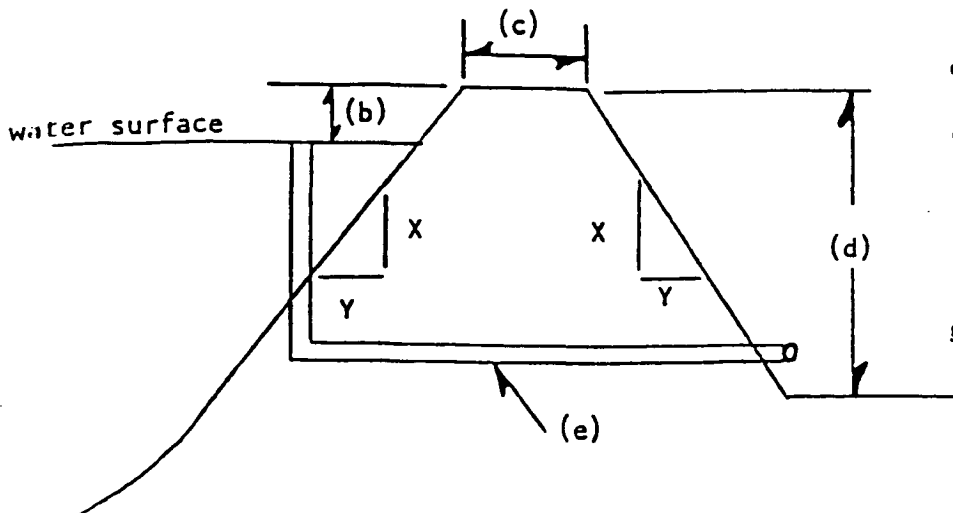
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413155

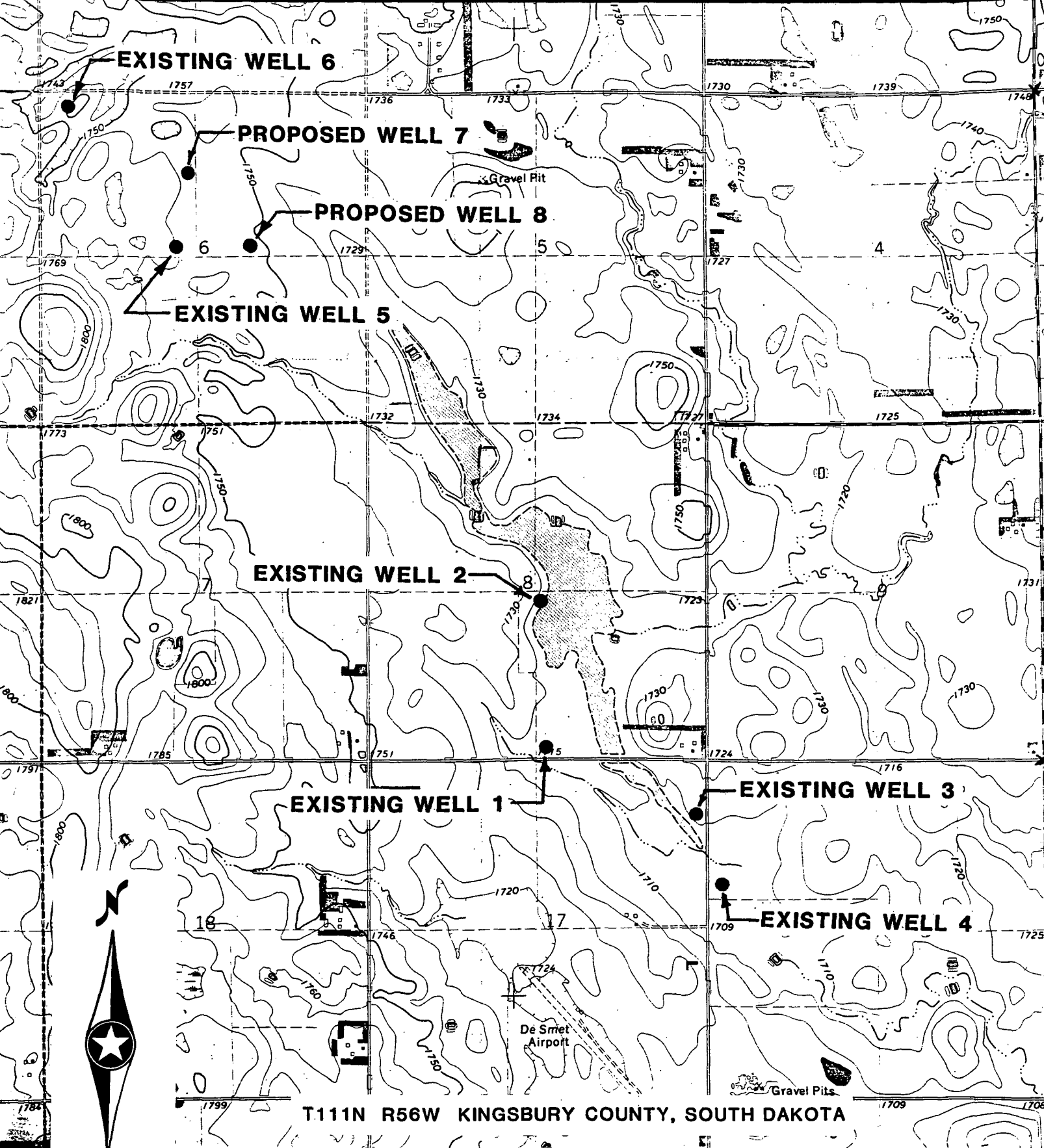
Pierre, March 27, 1992

RECEIVED OF Kingbrook Rural Water System, Inc., Arlington, SD 57212

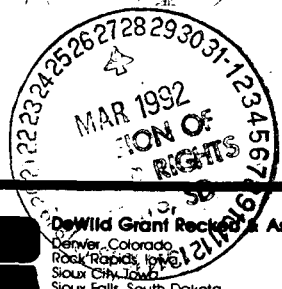
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>5208A-3</u> to Appropriate Water, to construct works 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 Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John H. Holt 
Chief Engineer



1" = APPROX. 2000'



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 Janning Date March 19, 1992

W&A

DeWitt Grant Rockwell & Associates Co.
Denver, Colorado
Rock Rapids, Iowa
Sioux City, Iowa
Sioux Falls, South Dakota

Date **3-18-92**
Drawn By
Approved
Revised

KINGBROOK RURAL WATER SYSTEM

DESMET WELL FIELD

5208A3

REPORT ON APPLICATION NO. 5208A-3
for Kingbrook Rural Water System
May 19, 1992

Water Permit Application No. 5208A-3 is to change the location of the points of diversion authorized by Water Permit No. 5208-3. Water Permit No. 5208-3 appropriates 1.4 cfs from 2 wells located in the SW 1/4 of section 16; and the NE 1/4 of section 17; all in T111N R56W in Kingsbury County. This application proposes to change the location of the two wells to wells approximately 80 feet deep (#7 and #8) to be located in the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 of section 6; all in T111N R56W. The water will be used to supply the Kingbrook Rural Water System. This application does not increase the diversion rate authorized by Water Permit No. 5208-3.

AQUIFER - VERMILLION EAST FORK (VEF)

The Vermillion East Fork is a predominantly unconfined glacial outwash (sand and gravel) under mostly water table conditions in this area. The Vermillion East Fork aquifer underlies 94 square miles, averages about 25 feet in saturated thickness and contains an estimated 300,000 acre feet of water in storage (Hamilton, 1988). The aquifer is in hydraulic connection with the Vermillion East Fork Antelope Lake aquifer to the north and with area lakes: Spirit, Henry and Thompson. Ground water moves generally from north to south and west to east. Recharge to the aquifer is primarily by direct infiltration of rainfall and snowmelt into the aquifer and has been estimated to be approximately 4 inches per year (20,000 acre feet per year) for the entire Kingsbury County area (Hedges, 1983). Water use data indicates that the aquifer is capable of sustaining additional withdrawals.

The Division of Water Rights monitors 9 observation wells completed into the Vermillion East Fork aquifer between Spirit Lake and Lake Thompson. Water levels for these wells show good response to climatic conditions, that is, rising during wet years (recharge) and gradually declining water levels during dry years. The observation well record indicates the aquifer is capable of sustaining additional withdrawals (Water Rights, 1992).

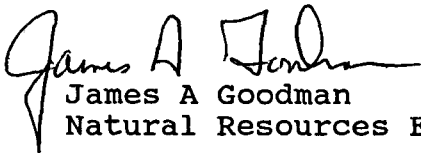
REVIEW OF EXISTING WATER PERMITS/RIGHTS

The only permit/right in this immediate area is Water Permit No. 5426-3 which is held by the Rural Water System. Interference is not expected to be a concern. There are three existing irrigation permits/rights which are located within a 1 mile radius of these proposed diversion points. Interference is not expected to be a concern. Significant drawdown caused by pumping high capacity wells in this area do not extend very far from the individual production well. This is verified by the observation well record.

CONCLUSIONS

1. Water is available from the Vermillion East Fork aquifer.

2. The aquifer is unconfined and under water conditions. Significant drawdown is not expected. Interference is not expected to be a concern.
3. This application is a transfer of two diversion points to another site. This transfer can be done without impairment of existing rights.
4. No additional water is requested by this application. The original Water Permit No. 5208-3 contains the qualification that the maximum allowable diversion can not exceed 1350 acre feet per year. This limit is applied to all diversions by the Rural Water System and includes Water Permit Nos. 4137-3, 5186-3, 5426-3 and 5208-3. This application if approved will not affect the existing Future Use Permit No. 5209-3 which reserves water on the same lands these wells will be located.
5. All Kingbrook Rural Water System permits in Kingsbury County are for water from the Vermillion East Fork aquifer.
6. Any wells authorized by this application must be constructed in accordance with South Dakota Well Construction Standards.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hamilton, L.J., 1989, Water Resources of Brookings and Kingsbury Counties, SD, USGS WRI 88-4185, USGS, Huron, SD, 57350.
- Hedges, L.S., et al, 1983, Task 7: Ground Water Recharge, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 1992, Unpublished Observation Well Records for Vermillion East Fork Aquifer in Kingsbury County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

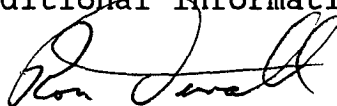
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5208A-3, Kingbrook Rural Water System, Inc.

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. 5208A-3, Kingbrook Rural Water System, Inc., c/o Larry Sterling, Drawer 299, Arlington, SD 57212.

The Chief Engineer is recommending APPROVAL of Application No. 5208A-3 because 1) the proposed diversions can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest with the following qualifications:

1. Wells authorized by Permit No. 5208A-3 shall be spaced at least 660 feet apart and at least 660 feet from other wells.
2. The casing of the wells to be constructed under Permit No. 5208A-3 shall be pressure grouted with cement (bottom to top) from the producing formation to the surface and constructed in compliance with Water Management Board Well Construction Rules, Chapter 74:02:04.
3. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
4. The Kingbrook Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn each year from the Vermillion East Fork aquifer.
5. Approval of Permit No. 5208A-3 does not increase the authorized maximum combined annual withdrawals under Permit Nos. 4137-3, 5186-3, 5208-3 and 5208A-3 of 1,350 acre feet annually.

See report on application for additional information.


for JOHN HATCH, Chief Engineer
May 21, 1992

Instruction to Newspaper - Publish first Notice on or before July 2, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARINGS on Application Nos. 5646-3 and 5208A-3 to Appropriate Water

Notice is given that Kingbrook Rural Water System, Inc., Drawer 299, Arlington, SD 57212 has filed applications for water permits.

Water Permit Application No. 5646-3 is to construct and place to beneficial use 425 acre-feet annually at a rate of 1.0 cubic foot of water per second (cfs) from one well (Big Sioux:Northern Skunk Creek Aquifer) 65 feet deep located in the NW 1/4 SW 1/4 Section 9-T105N-R51W. The water was appropriated and reserved by Future Use Permit No. 5643-3. The water will be used to supply the Kingbrook Rural Water System.

Water Permit Application No. 5208A-3 is to change the location of the points of diversion authorized by Water Permit No. 5208-3. Water Permit No. 5208-3 appropriates 1.4 cfs from 2 wells located in SW 1/4 Section 16; and the NE 1/4 Section 17; all in T111N-R56W. This application proposes to change the locations of the two wells (Vermillion East Fork Aquifer) 80 feet deep to the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 Section 6; all in T111N-R56W. The water will be used to supply the Kingbrook Rural Water System. This application does not increase the diversion rate authorized by Water Permit No. 5208-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 5646-3 and 5208A-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. Unless a petition is filed opposing the applications or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider these applications and the chief engineer will issue the permits as recommended. Petitions filed in support of the applications will NOT require the Board to hear the applications.

Any person interested in opposing or supporting these applications 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 July 20, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearings on Application No. 5646-3 and 5208A-3 and 2) the chief engineer's recommendations, a meeting at the Division of Water Rights office to hear these applications is scheduled for July 29, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If these applications are opposed or the recommendations are contested, the July 29, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 29, 1992, 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 July 20, 1992.

If a hearing is held, 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 based on the facts presented at the public hearing.

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 the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

These applications 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; 46-5-1 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.



**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.

June 24, 1992

Larry Sterling
Kingbrook Rural Water System
Drawer 299
Arlington, SD 57212

Dear Mr. Sterling:

Water Permit Application Nos. 5646-3 and 5208A-3 for rural water system use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publishers of the Moody County Enterprise printed at Flandreau, SD (Ph # 997-3725); Argus Leader printed at Sioux Falls, SD (Ph # 331-2200); Salem Special printed at Salem, SD (Ph #425-2361); Miner county Pioneer printed at Howard, SD (Ph # 772-5644); Daily Leader printed at Madison, SD (Ph # 256-4555); Clark County Courier printed at Clark, SD (Ph # 532-3654); Brookings Daily Register printed at Brookings, SD (Ph # 692-6271); DeSmet News printed at DeSmet, SD (Ph #854-3331); and Estelline Journal printed at Estelline, SD (Ph # 873-2475). 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.

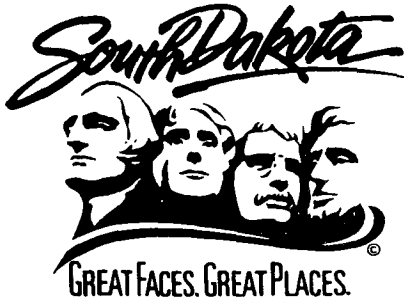
Be sure to contact the above newspapers to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the papers can eliminate delays. The publishers have been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 24, 1992

DeSmet News
Box 69
DeSmet, SD 57231

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5646-3 and 5208A-3 to be published twice. Please publish the first notice on July 1, 1992, 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 Kingbrook Rural Water System, Inc., Drawer 299, Arlington, SD 57212 (Ph # 983-5074).

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

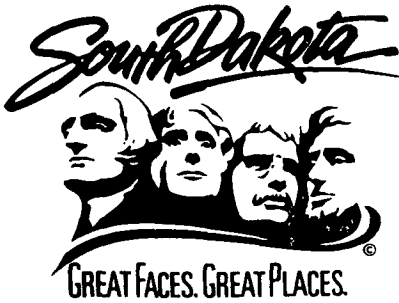
No. _____

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

June 24, 1992

Brookings Daily Register
Box 177
Brookings, SD 57006

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5646-3 and 5208A-3 to be published twice. Please publish the first notice on July 1, 1992, with the second publication 7 days later.

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Sincerely,

Eric Gronlund

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

June 24, 1992

Clark County Courier
Box 189
Clark, SD 57225

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5646-3 and 5208A-3 to be published twice. Please publish the first notice on July 1, 1992, with the second publication 7 days later.

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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

June 24, 1992

Daily Leader
PO Box 348
Madison, SD 57042

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5646-3 and 5208A-3 to be published twice. Please publish the first notice on July 1, 1992, 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 Kingbrook Rural Water System, Inc., Drawer 299, Arlington, SD 57212 (Ph # 983-5074).

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

June 24, 1992

Miner County Pioneer
Box P
Howard, SD 57349

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5646-3 and 5208A-3 to be published twice. Please publish the first notice on July 2, 1992, 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 Kingbrook Rural Water System, Inc., Drawer 299, Arlington, SD 57212 (Ph # 983-5074).

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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
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

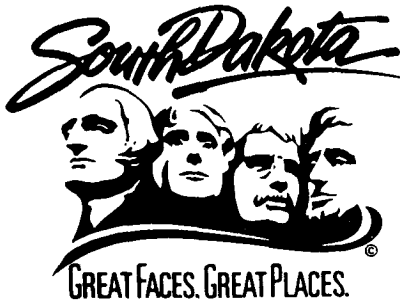
No. _____

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

June 24, 1992

Salem Special
Box 220
Salem, SD 57058

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5646-3 and 5208A-3 to be published twice. Please publish the first notice on July 2, 1992, with the second publication 7 days later.

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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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

June 24, 1992

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

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5646-3 and 5208A-3 to be published twice. Please publish the first notice on July 1, 1992, with the second publication 7 days later.

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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

June 24, 1992

Moody County Enterprise
Box 71
Flandreau, SD 57028

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5646-3 and 5208A-3 to be published twice. Please publish the first notice on July 1, 1992, with the second publication 7 days later.

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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

-----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

June 24, 1992

Estelline Journal
Box 159
Estelline, SD 57234

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 5646-3 and 5208A-3 to be published twice. Please publish the first notice on July 2, 1992, 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 Kingbrook Rural Water System, Inc., Drawer 299, Arlington, SD 57212 (Ph # 983-5074).

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

-----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

County of Brookings

Jerry Schrier

I, Jerry Schrier, duly sworn, on oath, says: That he is BROOKINGS REGISTER, a daily newspaper, City of Brookings, in said County of Brookings and State of South Dakota; that he has full and true knowledge of the facts herein stated; that said newspaper is a bona fide circulation of at least two thousand copies daily; that said newspaper has been published in said County of Brookings and State of South Dakota for the year next prior to the first publication of and herein mentioned, and was and is published at said place of publication; and that the

Legal #399

153 lines @ .436

a printed copy of which, taken from the newspaper published, is hereto attached marked Exhibit "A".

of this affidavit, was published in said newspaper for two

successive week s, to-wit:

July 1, 1992

July 8, 1992

That the full amount of the fee charged for the publication of said Exhibit "A" inures to the sole benefit of 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:

Sixty-six dollars and seventy-one cents Dollars

Subscribed and sworn to before me this 8th day of

July, 1992

Legal 399, 2x, July 1, 8
NOTICE OF HEARINGS on
Application Nos. 5646-3 and
5208A-3 to Appropriate Water
Notice is given that Kingbrook
Rural Water System, Inc., Drawer
299, Arlington, SD 57212 has filed
applications for water permits.
Water Permit Application No.
5646-3 is to construct and place to
beneficial use 425 acre-feet annually
at a rate of 1.0 cubic foot of water
per second (cfs) from one well (Big
Sioux: Northern Skunk Creek
Aquifer) 65 feet deep located in the
NW 1/4 SW 1/4 Section 9-T105N-
R51W. The water was appropriated
and reserved by Future Use Permit
No. 5643-3. The water will be used
to supply the Kingbrook Rural
Water System.

Water Permit Application No.
5208A-3 is to change the location of
the points of diversion authorized
by Water Permit No. 5208-3. Water
Permit No. 5208-3 appropriates 1.4

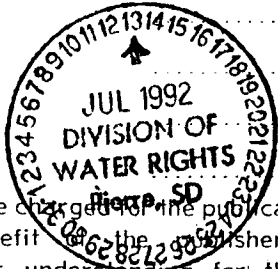
cfs from 2 wells located in SW 1/4
Section 16; and the NE 1/4 Section
17; all in T111N-R56W. This
application proposes to change the
locations of the two wells
(Vermillion East Fork Aquifer) 80
feet deep to the E 1/2 NW 1/4 and
the SW 1/4 NE 1/4 Section 6; all in
T111N-R56W. The water will be
used to supply the Kingbrook Rural
Water System. This application
does not increase the diversion rate
authorized by Water Permit No.
5208-3.

Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends
APPROVAL of Application Nos.
5646-3 and 5208A-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. Unless a
petition is filed opposing the
applications or the applicant files a
petition contesting the chief
engineer's recommendations, the
Water Management Board will
NOT CONDUCT a HEARING to
consider these applications and the
chief engineer will issue the permits
as recommended. Petitions filed in
support of the applications will
NOT require the Board to hear the
applications.

Any person interested in opposing
or supporting these applications
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 July 20, 1992. The
petition may be informal, but must
include a statement describing the
petitioner's interest in the
applications, the petitioner's
reasons for opposing or supporting
the applications, and the signature
and mailing address of the
petitioner or the petitioner's legal
counsel, if legal counsel is obtained.

For purposes of publishing 1) the
notice of hearings on Application
No. 5646-3 and 5208A-3 and 2) the
chief engineer's recommendations,
a meeting at the Division of Water
Rights office to hear these
applications is scheduled for July
29, 1992, at 9:00 am in Room 413,
Joe Foss Building, 523 E Capitol,

Pierre SD
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Jerry Schrier

Mary Schrier

Printed and for the County of Brookings, South Dakota.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Moody) ss.



1. Angela Nibbelink

certify that the attached printed Notice was taken from the Moody County Enterprise

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

City of Handrean

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

June 30, 1992

July 7, 1992

Angela Nibbelink
(Signature)

Trishkeeper
(Title)

July 8, 1992
(Date Signed)

Cost of Printing: 68.51

NOTICE OF HEARING

on Application Nos. 5646-3 and 5208A-3 to Appropriate Water. Notice is given that Kingbrook Rural Water System, Inc., Drawer 299, Arlington, SD. 57212 has filed applications for water permits.

Water Permit Application No. 5646-3 is to construct and place to beneficial use 25 acre-feet annually at a rate of 1.0 cubic feet of water per second (cfs) from one well (Big Sioux: Northern Skunk Creek Aquifer) 65 feet deep located in the NW 1/4 SW 1/4 Section 9-T105N-R51W. The water was appropriated and reserved by Future Use Permit No. 5643-3. The water will be used to supply the Kingbrook Rural Water System.

Water Permit Application No. 5208A-3 is to change the location of the points of diversion authorized by Water Permit No. 5208-3. Water Permit No. 5208-3 appropriates 1.4 cfs from 2 wells located in SW 1/4 Section 16; and the NE 1/4 Section 17; all in T111N-R56W. This application proposes to change the locations of the two wells (Vermillion East Fork Aquifer) 80 feet deep to the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 Section 6; all in T111N-R56W. The water will be used to supply the Kingbrook Rural Water System. This application does not increase the diversion rate authorized by Water Permit No. 5208-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 5646-3 and 5208A-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. Unless a petition is filed contesting the applications or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider these applications and the chief engineer will issue the permits as recommended. Petitions filed in support of the applications will NOT require the Board to hear the applications.

Any person interested in opposing or supporting these applications must file a petition with BOTH the applicant and the Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights 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 July 20, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearings on Application No. 5646-3 and 5208A-3 and 2) the chief engineer's recommendations, a meeting at the Division of Water Rights office to hear these applications is scheduled for July 29, 1992, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre

SD. If the applications are opposed or the recommendations are contested, the July 29, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 29, 1992, 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 July 20, 1992.

If a hearing is held, 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 based on the facts presented at the public hearing.

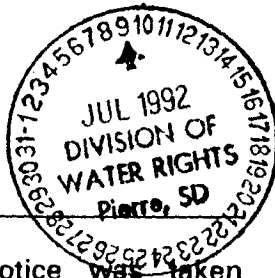
Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-18; 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; 46-5-1 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.

(June 30-July 7, 1992)

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
 County Clark)



I, Bert Moritz

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

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

_____ State _____ of _____ South Dakota

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

July 1, 1992

July 8, 1992

Bert Moritz
 (Signature)

Publisher
 (Title)

7/8/92
 (Date Signed)

Cost of Printing: * 69.54

148 lines

2 times

Notice of Hearing on Application Nos. 5646-3 and 5208A-3 to

Appropriate Water

Notice is given that Kingbrook Rural Water System, Inc., Drawer 299, Arlington, SD 57212 has filed applications for water permits.

Water Permit Application No. 5646-3 is to construct and place to beneficial use 425 acre-feet annually at a rate of 1.0 cubic foot of water per second (cfs) from one well (Big Sioux: Northern Skunk Creek Aquifer) 65 feet deep located in the NW 1/4 SW 1/4 Section 9-T105N-R51W. The water was appropriated and reserved by Future Use Permit No. 5643-3. The water will be used to supply the Kingbrook Rural Water System.

Water Permit Application No. 5208A-3 is to change the location of the points of diversion authorized by Water Permit No. 5208-3. Water Permit No. 5208-3 appropriates 1.4 cfs from 2 wells located in SW 1/4 Section 16; and the NE 1/4 Section 17; all in T111N-R56W. This application proposes to change the locations of the two wells (Vermillion East Fork Aquifer) 80 feet deep to the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 Section 6; all in T111N-R56W. The water will be used to supply the Kingbrook Rural Water System. This application does not increase the diversion rate authorized by Water Permit No. 5208-3.

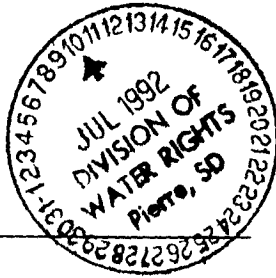
Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 5646-3 and 5208A-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. Unless a petition is filed opposing the applications or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider these applications and the chief engineer will issue the permits as recommended. Petitions filed in support of the applications will NOT require the Board to hear the applications.

Any person interested in opposing or supporting these applications 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 July 20, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the applicants, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearings on Application No. 5646-3 and 5208A-3 and 2) the chief engineer's recommendations, a meeting at the Division of Water Rights office to hear these applications is scheduled for July 29, 1992, at 9:00 a.m. in Room 413, Joe Foss Building, 423 E. Capitol, Pierre, SD. If these applications are opposed or the recommendations are contested, the July 29, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant, and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 29, 1992, hearing date will be automatically

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Kingsbury) ss.



I, Dale Blegen
 certify that the attached printed Notice was taken
 from the De Smet News

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 _____ De Smet

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

July 1, 1992

July 8, 1992

Dale Blegen
 (Signature)

Public
 (Title)

July 9, 1992
 (Date Signed)

Cost of Printing: 67.77

5-88

NOTICE OF HEARINGS

on Application Nos. 5646-3 and
 5208A-3 to Appropriate Water

Notice is given that Kingsbrook Ru-
 ral Water System, Inc., Drawer 299, Ar-
 lington, SD 57212 has filed applications
 for water permits.

Water Permit Application No. 5646-3
 is to construct and place to beneficial
 use 425 acre-feet annually at a rate of
 1.0 cubic foot of water per second (cfs)
 from one well (Big Sioux:Northern
 Skunk Creek Aquifer) 65 feet deep lo-
 cated in the NW 1/4 SW 1/4 Section 9-
 T105N-R51W. The water was appro-
 priated and reserved by Future Use
 Permit No. 5643-3. The water will be
 used to supply the Kingbrook Rural
 Water System.

Water Permit Application No.
 5208A-3 is to change the location of the
 points of diversion authorized by Water
 Permit No. 5208-3. Water Permit No.
 5208-3 appropriates 1.4 cfs from 2 wells
 located in SW 1/4 Section 16; and the
 NE 1/4 Section 17; all in T111N-R56W.
 This application proposes to change the
 locations of the two wells (Vermillion
 East Fork Aquifer) 80 feet deep to the E
 1/2 NW 1/4 and the SW 1/4 NE 1/4 Sec-
 tion 6; all in T111N-R56W. The water
 will be used to supply the Kingbrook
 Rural Water System. This application
 does not increase the diversion rate au-
 thorized by Water Permit No. 5208-3.

Pursuant to SDCL 46-2A-2, the Chief
 Engineer recommends APPROVAL of
 Application Nos. 5646-3 and 5208A-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 in-
 terest. Unless a petition is filed opposing
 the applications or the applicant files a
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 HEARING to consider these applica-
 tions and the chief engineer will issue
 the permits as recommended. Petitions
 filed in support of the applications will
 NOT require the Board to hear the ap-
 plications.

Any person interested in opposing or
 supporting these applications must file
 a written petition with BOTH the appli-
 cant 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 ad-
 dress is given above. A petition filed by
 either an interested person or the appli-
 cant must be filed by July 20, 1992. The
 petition may be informal, but must in-
 clude a statement describing the peti-
 tioner's interest in the applications, the
 petitioner's reasons for opposing or
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 signature and mailing address of the
 petitioner or the petitioner's legal coun-
 sel, if legal counsel is obtained.

For purposes of publishing 1) the
 notice of hearings on Application No.
 5646-3 and 5208A-3 and 2) the chief en-
 gineer's recommendations, a meeting at
 the Division of Water Rights office to
 hear these applications is scheduled for
 July 29, 1992 at 9:00 a.m. in Room 413,
 Joe Foss Building, 523 E Capitol, Pierre
 SD. If these applications are opposed or
 the recommendations are contested, the
 July 29, 1992, hearing date will be
 rescheduled for a regularly scheduled
 Board meeting. Notice of the time and
 place of the rescheduled hearing before
 the Board will be given by First Class
 Mail to the applicant and persons filing
 petitions. Anyone not filing a petition,

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Miner) ss.

I, Danny Schwans

certify that the attached printed Notice was taken
 from the Kingbrook Rural Water System, Inc.

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

_____ of Howard

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

July 2, 1992

July 9, 1992

Lauri Adler

(Signature)

Sec.

(Title)

7-9-92

(Date Signed)

Cost of Printing: \$ 178.93



5-88

NOTICE OF HEARINGS on Application Nos. 5646-3 and 5208A-3 to Appropriate Water

Notice is given that Kingbrook Rural Water System, Inc., Drawer 299, Arlington, SD 57212 has filed applications for water permits...

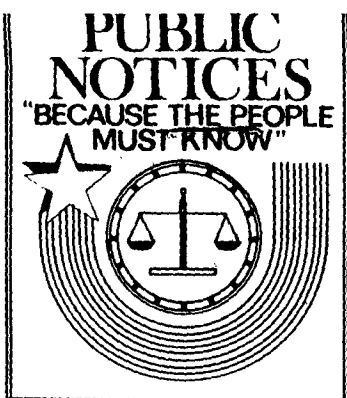
Water Permit Application No. 5646-3 is to construct and place to beneficial use 425 acre-feet annually at a rate of 1.0 cubic foot of water per second [cfs] from one well [Big Sioux: Northern Skunk Creek Aquifer] 65 feet deep located in the NW 1/4 SW 1/4 Section 9-T105N-R51W. The water was appropriated and reserved by Future Use Permit No. 5643-3. The water will be used to supply the Kingbrook Rural Water System.

Water Permit Application No. 5208A-3 is to change the location of the points of diversion authorized by Water Permit No. 5208-3. Water Permit No. 5208-3 appropriates 1.4 cfs from 2 wells located in SW 1/4 Section 16; and the NE 1/4 Section 17; all in T111N-R56W. This application proposes to change the locations of the two wells [Vermillion East Fork Aquifer] 80 feet deep to the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 Section 6; all in T111N-N56W. The water will be used to apply the Kingbrook Rural Water System. This application does not increase the diversion rate authorized by Water Permit No. 5208-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 5646-3 and 5208A-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. Unless a petition is filed opposing the applications or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider these applications and the chief engineer will issue the permits as recommended. Petitions filed in support of the applications will NOT require the Board to hear the applications.

Any person interested in opposing or supporting these applications 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 July 20, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearings on Application No. 5646-3 and 5208A-3 and 2) the chief engineer's recommendations, a meeting at the Division of Water Rights office to hear these applications is scheduled



NOTICE

NOTICE OF HEARINGS
ON APPLICATION NOS.
5646-3 and 5208A-3 to
APPROPRIATE WATER

Notice is given that Kingbrook Rural Water System, Inc., Drawer 299, Arlington, SD 57212 has filed applications for water permits.

Water Permit Application No. 5646-3 is to construct and place to beneficial use 425 acre-feet annually at a rate of 1.0 cubic foot of water per second (cfs) from one well (Big Sioux: Northern Skunk Creek Aquifer; 65 feet deep located in the NW 1/4 SW 1/4 Section 9-T105N-R51W. The water was appropriated and reserved by Future Use Permit No. 5643-3. The water will be used to supply the Kingbrook Rural Water System.

Water Permit Application No. 5208A-3 is to change the location of the points of diversion authorized by Water Permit No. 5208-3. Water Permit No. 5208-3 appropriates 1.4 cfs from 2 wells located in SW 1/4 Section 16; and the NE 1/4 Section 17; all in T111N-R56W. This application purports to change the locations of the two wells (Vermillion East Fork Aquifer) 80 feet deep to the E 1/4 NW 1/4 and the SW 1/4 NE 1/4 Section 6; all in T111N-R56W. The water will be used to supply the Kingbrook Rural Water System. This application does not increase the diversion rate authorized by Water Permit No. 5208-3.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 5646-3 and 5208A-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. Unless a petition is filed opposing the applications or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT A HEARING to consider these applications and the chief engineer will issue the permits as recommended. Petitions filed in support of the application will NOT require the Board to hear the applications.

Any person interested in opposing or supporting these applications 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 July 20, 1992. The petition may be informal, but must include a statement describing

applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearings on Application No. 5646-3 and 5208A-3 and 2) the chief engineer's recommendations, a meeting at the Division of Water Rights office to hear these applications is scheduled for July 29, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If these applications are opposed or the recommendations are contested, the July 29, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 29, 1992 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 July 20, 1992.

If a hearing is held, 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 based on the facts presented at the public hearing.

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 the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

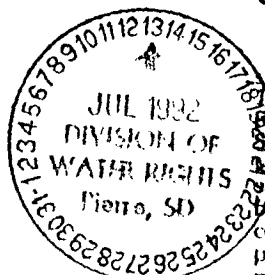
These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1; thru 46-2A-10; 46-2A-12; 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 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.

Affidavit of Publication

State of South Dakota

SS

County of Hamlin



Linda M. Walters, of Day County, being duly sworn on oath says, that she is the publisher of the Bryant Dakotan, a weekly newspaper published in Bryant, in said County of Hamlin, South Dakota, and has full and personal knowledge of all the facts herein stated, that said newspaper is a legal newspaper and has bona-fide circulation of at least two hundred copies weekly, for fifty-two successive weeks prior to the publication of the notice herein mentioned, and was and is published wholly in an office maintained at said place of publication, that the advertisement headed

Kingbrook Rural Water
System, Inc.
Notice of Hearings

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 once each week for

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

7-1-1992
7-8-1992
19
19

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 whatsoever and that the fees charged for the publication thereof are \$69.93

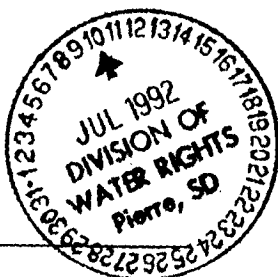
Linda M. Walters

Subscribed and sworn to before me, this 1st day of July, A.D. 1992.

George Kram
Notary Public
Hamlin County, South Dakota
My commission expires January 26, 2000

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 Lake) ss.
 County)



I, Deanna D. Bergheim

certify that the attached printed Notice was taken
 from the Madison Daily Leader

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 Madison

_____ of _____

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

Wednesday, July 1, 1992

Wednesday, July 8, 1992

Deanna D. Bergheim
 (Signature)
Secretary
 (Title)
Wed, July 8, 1992
 (Date Signed)

Cost of Printing: \$62.37

NOTICE OF HEARINGS ON
 APPLICATION NOS. 5208A-2 AND
 5208A-3 TO APPROPRIATE WATER
 Notice is given that Kingbrook Rural
 Water System, Inc., Drawer 289, Arlington,
 SD 57212 has filed applications for water
 permits.

Water Permit Application No. 5646-3 is to
 construct and place to beneficial use 425
 acre-feet annually at a rate of 1.0 cubic foot
 of water per second (cfs) from one well (Big
 Sioux: Northern Skunk Creek Aquifer) 65
 feet deep located in the NW 1/4 SW 1/4 Section
 9-T106N-R51W. The water was appropriated
 and reserved by Future Use Permit No.
 5643-3. The water will be used to supply the
 Kingbrook Rural Water System.

Water Permit Application No. 5208A-3 is to
 change the location of the points of diversion
 authorized by Water Permit No. 5208-3.
 Water Permit No. 5208-3 appropriates 1.4 cfs
 from 2 wells located in SW 1/4 Section 18; and
 the NE 1/4 Section 17; all in T111N-R56W. This
 application proposes to change the locations
 of the two wells (Vermillion East Fork
 Aquifer) 80 feet deep to the E 1/4 NW 1/4 and
 the SW 1/4 NE 1/4 Section 8; all in T111N-R56W.
 The water will be used to supply the
 Kingbrook Rural Water System. This ap-
 plication does not increase the diversion rate
 authorized by Water Permit No. 5208-3.

Pursuant to SDCL 46-2A-2, the Chief
 Engineer recommends APPROVAL of Ap-
 plication Nos. 5646-3 and 5208A-3 because 1)
 existing rights will not be unlawfully im-
 paired, 2) it is a beneficial use of water, and
 3) it is in the public interest. Unless a peti-
 tion is filed opposing the applications or the
 applicant files a petition contesting the chief
 engineer's recommendations, the Water
 Management Board will NOT CONDUCT a
 HEARING to consider these applications
 and the chief engineer will issue the permits
 as recommended. Petitions filed in support
 of the applications will NOT require the
 Board to hear the applications.

Any person interested in opposing or sup-
 porting these applications must file a writ-
 ten 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 ad-
 dress is "Water Rights Division, Foss
 Building, 523 E. Capitol, Pierre SD 57501 (605
 773-3332)" and the applicant's mailing ad-
 dress is given above. A petition filed by
 either an interested person or the applicant
 must be filed by July 20, 1992. The petition
 may be informal, but must include a state-
 ment detailing the petitioner's interest in
 the applications, the petitioner's reasons for
 opposing or supporting the applications, and
 the signature and mailing address of the
 petitioner or the petitioner's legal counsel,
 if legal counsel is obtained.

For purposes of publishing 1) the notice of
 hearings on Application No. 5646-3 and
 5208A-3 and 2) the chief engineer's recom-
 mendations, a meeting at the Division of
 Water Rights office to hear these applica-
 tions is scheduled for July 29, 1992, at 9:00
 a.m. in Room 413, Joe Foss Building, 523 E.
 Capitol, Pierre SD. If these applications are
 opposed or the recommendations are con-
 tested, the July 29, 1992, hearing date will be
 rescheduled for a regularly scheduled Board
 meeting. Notice of the time and place of the
 rescheduled hearing before the Board will be
 given by First Class Mail to the applicant
 and persons filing petitions. Anyone not fil-
 ing a petition, but interested in attending the
 hearing, may contact the Division of Water
 Rights to confirm a hearing date and loca-
 tion. The July 29, 1992, 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 July 20,
 1992.

If a hearing is held, 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 bas-
 ed on the facts presented at the public
 hearing.

Any hearing will be an adversary pro-
 ceeding. 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 accord-
 ing to SDCL 1-26. These and other due pro-
 cess 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 the Water
 Rights Division to request copies of informa-
 tion pertaining to this application or to
 assure access to the hearing by the
 handicapped.

These applications 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;
 46-3-1 thru 46-3-11, 46-3-13 thru 46-3-15; 46-3-24,
 46-3-25, 46-3-30.2, 46-3-30.4; 46-3-31; 46-3-3
 46-6-3.1, 46-6-3.1, 46-6-3.1, 46-6-3.1, 46-6-3.1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County McCook) ss.



I, Troy Schwans
certify that the attached printed Notice was taken
from the Salem Special

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 _____ Salem

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

July 2, 1992

July 9, 1992

Troy Schwans
(Signature)

Editor
(Title)

7-9-92
(Date Signed)

Cost of Printing: \$71.14

5-88

Public Notice

NOTICE OF HEARINGS
on Application Nos.
5646-3 and 5208A-3
to Appropriate Water

Notice is given that Kingbrook Rural Water System, Inc., Drawer 299, Arlington, SD 57212 has filed applications for water permits. Water Permit Application No. 5646-3 is to construct and place to beneficial use 425 acre-feet annually at a rate of 1.0 cubic foot of water per second (cfs) from one well (Big Sioux: Northern Skunk Creek Aquifer) 65 feet deep located in the NW 1/4 Section 9, T105N-R51W. The water was appropriated and reserved by Future Use Permit No. 5643-2. The water will be used to supply the Kingbrook Rural Water System.

Water Permit Application No. 5208A-3 is to change the location of the points of diversion authorized by Water Permit No. 5208-3. Water Permit No. 5208-3 appropriates 1.4 cfs from 2 wells located in SW 1/4 Section 16; and the NE 1/4 Section 17; all in T111N-R56W. This application proposes to change the locations of the two wells (Vermillion East Fork Aquifer) 80 feet deep to the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 Section 8; all in T111N-R56W. The water will be used to supply the Kingbrook Rural Water System. This application does not increase the diversion rate authorized by Water Permit No. 5208-3.

Pursuant to SDCL 48-22, the Chief Engineer recommends APPROVAL of Application Nos. 5646-3 and 5208A-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. Unless a petition is filed opposing the applications of the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT A HEARING to consider these applications and the chief engineer will issue the permits as recommended. Petitions filed in support of the applications will NOT require the Board to hear the applications.

Any person interested in opposing or supporting these applications 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 July 20, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearings on Application No. 5646-3 and 5208A-3 and 2) the chief engineer's recommendations, a meeting at the Division of Water Rights office to hear these applications is scheduled for July 29, 1992, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E Capitol, Pierre, SD. If these applications are opposed or the recommendations are contested the July 29, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 29, 1992, 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 July 20, 1992.

If a hearing is held, the Chief Engineer's recommendations are not final or binding upon the Board. The Board

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, }
COUNTY OF MINNEHAHA } ss.

M. DEVISH, being duly sworn, says: That The Sioux Falls 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 by Sioux Falls Newspapers Inc.; 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 1 day of July, 1992,
Wednesday, the 8 day of July, 1992,
the day of 1992,
the day of 1992,
the day of 1992,
the day of 1992,
the day of 1992,
the day of 1992,

and that \$141.66 was charged for publishing the same.

M. Devish

Subscribed and sworn to before me August 3, 1992,

Nancy A. Bussley
Notary Public, South Dakota



NOTICE OF HEARINGS
on Application Nos. 5645-3 and 5208A-3 to Appropriate Water
Notice is given that Kingbrook Rural Water System, Inc., Drawer 299, Arlington, SD 57212 has filed applications for water permits.
Water Permit Application No. 5645-3 is to construct and place to beneficial use 425 acre-feet annually at a rate of 1.0 cubic foot of water per second (cfs) from one well (Big Sioux Northern Skunk Creek Aquifer) 85 feet deep located in the NW 1/4 SW 1/4 Section 9-T105N-R51W. The water was appropriated and reserved by Future Use Permit No. 5643-3. The water will be used to supply the Kingbrook Rural Water System.
Water Permit Application No. 5208A-3 is to change the location of the points of diversion authorized by Water Permit No. 5208-3. Water Permit No. 5208-3 appropriates 1.4 cfs from 2 wells located in SW 1/4 Section 18; and the NE 1/4 Section 17, all in T111N-R56W. This application proposes to change the locations of the two wells (Vermilion East Fork Aquifer) 80 feet deep to the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 Section 6; all in T111N-R56W. The water will be used to supply the Kingbrook Rural Water System. This application does not increase the diversion rate authorized by Water Permit No. 5208-3.
Pursuant to SDCL 48-2A-2, the Chief Engineer recommends AP-PROVAL of Application Nos. 5645-3 and 5208A-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. Unless a petition is filed opposing the applications of the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider these applications and the chief engineer will issue the permits as recommended. Petitions filed in support of the applications will NOT require the Board to hear the applications.
Any person interested in opposing or supporting these applications must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 623 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 20, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel. If legal counsel is obtained.
For purposes of publishing 1) the notice of hearings on Application No. 5645-3 and 5208A-3 and 2) the chief engineer's recommendations, a meeting at the Division of Water Rights office to hear these applications is scheduled for July 29, 1992, at 9:00 am in Room 413, Joe Foss Building, 623 E Capitol, Pierre SD. If these applications are opposed or the recommendations are contested, the July 29, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The July 29, 1992, 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 July 20, 1992.
If a hearing is held, 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 based on the facts presented at the public hearing.
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 the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.
These applications are made pursuant to SDCL 48-1-1 thru 48-1-9, 48-1-12 thru 48-1-16; 48-2-3, 48-2-9, 48-2-11, 48-2-13, 48-2-17; 48-2A-1 thru 48-2A-10, 48-2A-12, 48-2A-14, 48-2A-15; 48-5-1 thru 48-5-11, 48-5-13 thru 48-5-15; 48-5-24, 48-5-25, 48-5-30, 2, 48-5-30.4, 48-5-31; 48-6-3, 48-6-3.1, 48-6-6.1, 48-6-10, 48-6-13, 48-6-14, 48-6-26; 48-6-38 thru 48-6-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25.
10232 July 1, 8, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 12 1992

Larry Sterling
Kingbrook Rural Water System, Inc.
Drawer 299
Arlington, SD 57212

Dear Mr. Sterling:

Enclosed are Water Permit Nos. 5208A-3 and 5646-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the systems and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water Licenses may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permits within the five year construction period, usually without affecting the priority dates provided an application to amend your permits is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



5208A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 13, 1994

Larry Sterling
Kingbrook Rural Water System
Drawer 299
Arlington, SD 57212

Dear Mr. Sterling:

Pursuant to a qualification on Water Permit/Right Nos. 5785-3, 5208-3, 5208A-3, 5186-3, 4137-3, 5426-3 (Vermillion East Fork Aquifer) & 5646-3 (Big Sioux:Northern Skunk Creek Aquifer), I am requesting that the Kingbrook Rural Water System report the total amount of water diverted from the Vermillion East Fork Aquifer and the Big Sioux:Northern Skunk Creek Aquifer during 1993. Please respond by January 31, 1994.

If you have any questions concerning this or other water rights questions, please contact Barry McLaury, Natural Resources Analyst, (605) 773-3352.

Sincerely,

RON DUVALL, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division

Vermillion E.F.A = 221,910,000 gal.
Big Sioux = 140,064,000 gal.

KINGBROOK RURAL WATER SYSTEM, INC.

P.O. Box 299 • Arlington, SD 57212 • Phone 605-983-5074 or 1-800-605-5279

March 2, 1995

Jim Goodman
Water Rights Division
DENR Foss Building
Pierre, SD. 57501



Dear Jim:

I want to update you on the status of the two wells that are covered under Permit #5208A-3. As we visited some time ago construction has been delay some because of the work load of the well driller (LTP Fargo ND) and some by the weather.

The work performed to date is as follows. The test drilling has been completed and the screens and etc. have been ordered. The drilling of the production wells #7 & #8 are set to start on or about March 6th. To date we have spent on test drilling, pipe, controls, meter pits and etc. just over \$37,000.00

As soon as the well driller has completed the drilling we will connect the wells to our well line going to the plant. LTP will then be back to install the pumps and we will then put the wells on line. I estimate the date for the wells to be put on line to be about June 1, 1995.

If you have any questions or concerns please give me a call.

Sincerely,

Morris Elcock
Manager KBRW

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



Date August 22, 1995

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

FROM: Kingbrook Rural water System, Inc. P.O.Box 299
(name) (address)
Arlington, S.D. 57212-0299 605-983-5074
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5208A-3.

Water Permit No. 5208A-3 states that the diversion system is to be constructed by July 29, 1997, and that the water is put to beneficial use by July 29, 2001.
(date) (date)

The diversion system was completed on August 8, 1995.
(date)

Applying the water to beneficial use was completed on August 8, 1995.
(date)

You may schedule an inspection so that the Water License may be issued.

Morris Elcock, General Manager
Kingbrook Rural Water System, Inc.

Morris Elcock
(signature)



**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 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 17-105N-51W	BS-NSC	PE
5646-3	KINGBROOK RURAL WATER SYS	1.00	425	1992-03-19	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 9-105N-51W	BS-NSC	PE
*No acre-foot 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 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8-111N-56W SE $\frac{1}{4}$ NE $\frac{1}{4}$ 17-111N-56W	VEF	LC
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 1977-06-06	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-foot 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
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

SEP 8 1998

5785-3

Randy Jencks, General Manager
Kingbrook Rural Water System, Inc.
Drawer 299
Arlington, SD 57212

Dear Mr. Jencks:

Enclosed is Water License No. 5785-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415717 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5785-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

ks
enclosures

NOTE: The applicable portions of Nos. 5208-3 and 5208A-3 are incorporated into No. 5785-3.