

nsidered: _____

WATER PERMIT NO. 5429-3

HAP No. 489-2273

Name of Applicant Richard Harms

Post Office Address Box 55A Chester SD 57016

Amount of Water Claimed 2.2 cfs ^{1.66 ~~maximum~~ allowed} Total Acres 120 acres ^{116 see letter}

Source of Water Supply 2 groundwater wells

Water to be used for irrigation County Lake

About 2 miles NW of Chester

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received 3/28/90 Fee \$225⁰⁰ Remarks _____

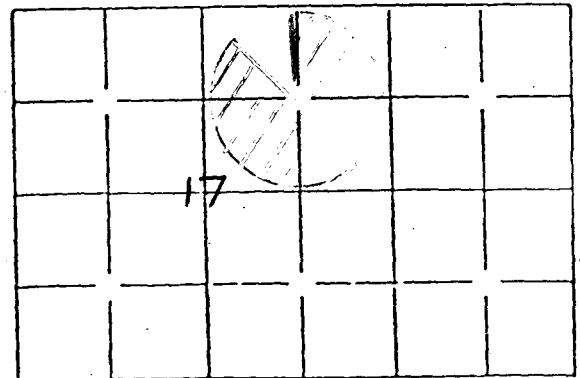
Corrected Application Received _____ Period of Annual Use _____

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

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

Diversion Point #1 1550' W + 850' South of NE corner
of Section 17-T105N-R51W #2 Center
of NE ^{1/4} corner of Section 17-T105N-R51W

Land to be Irrigated _____
NE ^{1/4} Section 17-T105N-R51W



Well Log: Driller Pullman Licensed YES X NO _____

Depth of Well 60' 50' see log REMARKS _____

Type of Map Aerial PREPARED BY Chalel Lilidi Reviewed and the Number

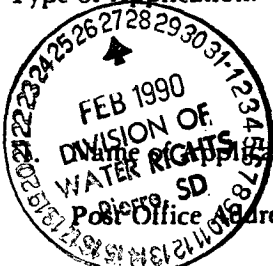
assigned on 4/2/90 By Eric Thibault

(See instructions)

No. 5429-3 Hydrologic Unit 10170203
Basin Big Sioux
Newspaper Madison Daily Leader, Box 348

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____



Applicant Richard Harms Phone No. 489-2273
Address Box 55A Chester State SD 57016
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s) 2.2 Total acres irrigated 120

3. Source of Water supply 2 Wells

4. Location of point of diversion Well #1 - 1550' West + 800' South - Well #2 1300' West
1300' S of NE corner Sec 17 105 N-51 W

County Lake

5. Counties where water will be used Lake

6. Annual period during which water is to be used Apr - Oct April 1 - October 31

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

Sec 17 - 105 N-51 W

Land Description	No. Acres Irr.
NW 1/4 of NE 1/4	11
NE 1/4 of NE 1/4	33
SW 1/4 of NE 1/4	33
SE 1/4 of NE 1/4	33

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: X Gun: _____ Other: _____
(Specify)

9. Crops to be Irrigated: Corn Beans Wheat RY. Oats

10. Give a description of proposed project. (Attach sheet if more-space is needed)
Valley Center Pivot with Two Wells

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Brookings) ss

I, Richard Harms, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Richard Harms

Subscribed and sworn to before me this 26th day of February 1990

Notary Public

SOUTH DAKOTA
WATER PERMIT No. 5429-3 FOR IRRIGATION

Date of first receipt of application February 27, 1990.

Date Soil/Water Compatibility Permit received April 30, 1990.

Date of return to applicant for corrections, amendments or changes March 23, 1990.

Date of receipt of corrected application March 28, 1990.

The Water Management Board approved Water Permit Application No. 5429-3 on May 24, 1990 for Richard Harms, Box 55A, Chester, SD 57016 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. 5429-3 appropriates 1.66 cubic feet of water per second from 2 wells (Big Sioux North Skunk Creek Management Unit) 60 feet deep to irrigate 116 acres. The wells are to be located near the center of the NE1/4 and in the NW1/4 NE1/4 of Section 17 T105N-R51W. The land to be irrigated is located in the NE1/4 of Section 17 T105N-R51W.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is February 27, 1990.
4. One-fifth of the construction is to be completed on or before November 24, 1992.
5. All construction is to be completed on or before May 24, 1995.
6. Water is to be put to beneficial use on or before May 24, 1999.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. 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.

Permit No. 5429-3

Page 2

3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Approval of Permit No. 5429-3 limits the diversion rate to 1.66 cfs.

WATER MANAGEMENT BOARD

By: _____


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JUN 21 1990

(date)

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 26" Depth 50'
- b) Casing Type PVC Diameter 16" Thickness 1/2
- c) Screen Type Stainless Diameter 16" Thickness 3/8
- d) Gravel Pack Thickness 10" Length of Gravel Pack 12'
- e) Depth to Top of Water Bearing Material 33'
- f) Depth to Water (ground surface to water level) 33'
- g) Distance to nearest existing domestic well:
On applicants property 900' On property owned by others _____

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 _____

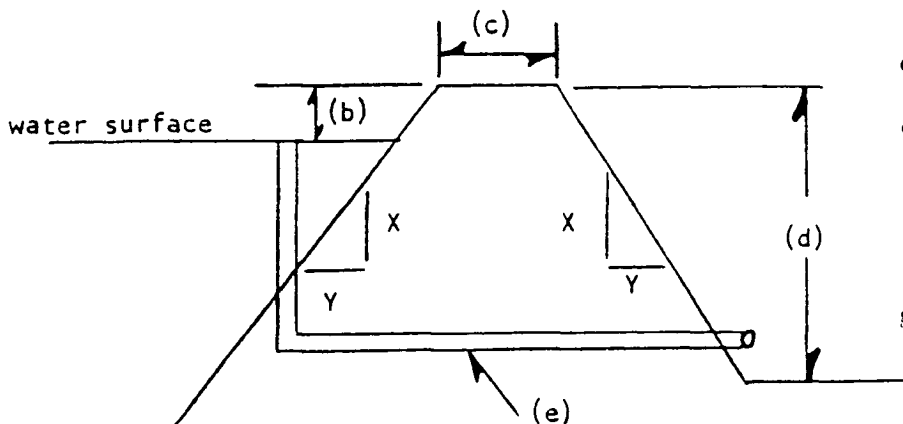
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



E. Richard Harris
Signature of Applicant





MAR 10, 1990

Mr. Ron Duvall
Water Rights Divison
RWNR
Joe Foss Bldg.
Pierre, SD 57501
Dear Sir:

I recently applied for an irrigation permit to irrigate 100 acres on Lake County land-Section 17-105-51. Dave Gullickson from Farmers Implement and Irrigation suggested that I write to try and get permission to place in a well before the actual permit will be actuated. I am for see any problems in me not receiving a permit please let it be known because of the investment.

I am new to irrigation so therefore this is a gray area in my mind by placing a well in before the permit is granted.

I greatly appreciate and suggestions and problems that you forsee. Thank you very much for your time.

E. Richard Harms
RFD 1, Box 55A
Chester, SD 57016

March 23, 1990

Richard Harms
Box 55A
Chester, SD 57016

RE: Water Permit Application

Dear Mr. Harms:

This letter is in reference to your application for a water permit which was received by this office on February 27, 1990. I need some clarification on the total number of acres to be irrigated.

Under Item No. 2 you indicated total acres irrigated as 120 acres. This however conflicts with the 116 acres listed in Item No. 7 of the application. Please clarify this discrepancy.

Also, the map you submitted must be signed by one of the following: 1) SD Registered Land Surveyor; 2) SD Registered Professional Engineer; 3) or by any other government employee who normally prepares maps as part of his assigned duties (SCS, ASCS, etc.).

The water permit application can not be considered by the Water Management Board until the application is complete and the soil/water compatibility permit is approved by the Department of Agriculture. Please address these issues and your application will be processed.

If you have any questions, please contact me.

Sincerely,

Eric Gronlund
Natural Resources Engineer
Division of Water Rights
(605) 773-3352

enc.



March 24, 1990

Eric Gronlund
Natural Resources Engineer
Division of Water Rights

RE: Water Permit Application

Dear Mr. Gronlund:

This letter is in reference to your letter of March 23, 1990 for the clarification of the discrepancy of item #2 on the number of acres to be irrigated. This should read 116 acres do to the farmstead is part of the pie in the NW1/4 of the NE 1/4. In other words item #2 and #7 should read 116 acres total.

Also inclosed is the map signed by an ASCS employee varifing the map.

Hopefully everything is in place for application to be processed. If not would you please let me know immediatelly.

Thank you,


Richard Harms
Box 55A
Chester, SD 57016
605-489-2273



April 5, 1990

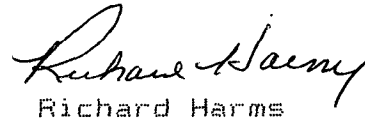
Water Rights Division
Ron Duvall
Joe Foss Building
Pierre, SD 57501

Dear Ron:

The application for my irrigation water permit appears to have been temporarily delayed concerning the soils part of the review. As it stands now, Jim Stueckel will be here to look at my land on the 16th of April.

To insure that the permit procedure is not delayed any further, I am requesting that you advertise prior to receiving the information from the soils committee.

Thank You,


Richard Harms

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4488

WR#

OWNERS NAME: HARMS, RICHARD E. OWNERS ADDRESS: Box 55A
Chester, SD 57016

COUNTY LAND LOCATED IN: Lake PHONE: 489-2273

LEGAL DESCRIPTION:

1. LOCATION 17-T105N-R51W

Depth _____

(2) ☒ Well ☐ Surface



Legal Description	Acres	Legal Description	Acres
<u>NW 1/4 NE 1/4 17-T105N-R51W</u>	<u>17</u>		
<u>NE 1/4 NE 1/4 17-T105N-R51W</u>	<u>33</u>		
<u>SW 1/4 NE 1/4 17-T105N-R51W</u>	<u>33</u>		
<u>SE 1/4 NE 1/4 17-T105N-R51W</u>	<u>33</u>		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: XX GUN: _____ OTHER: (Specify) _____

3. CROPS TO BE IRRIGATED: Corn, Beans, Wheat, Hay, Oats

WATER QUALITY:

4. WATER SAMPLE NUMBER: 90-0066

7. ADJUSTED (SAR): 0.57

5. SALINITY (EC X 10⁶): 850

8. PERCENT SODIUM: 5.59

6. SODIUM (SAR): 0.24

Requirements:

The area mapped (Wh), Whitewood-Silty Clay loam has areas, which may be subject to occasional flooding. Under irrigation, this could cause trafficability problems and drowning of crops. Should this occur, these areas shall be placed in permanent vegetation.

Peter Quick
Director, Division of Conservation

April 18, 1990

Date

XX APPROVED
____ DISAPPROVED
____ WAIVER
XX REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412109

Pierre, February 27, 1990

RECEIVED OF Dick Harms, Box 55A, Chester, SD 57016

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

Fee for Application for Permit No. <u>5429-3</u> to Appropriate Water, to construct works and to put water to beneficial use	225	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	225 00

By John H. Kline
Chief Engineer

FEB 26 '90 11:15

P.1

PULLMAN DRILLING — DRILLERS LOG

LAKE COUNTY

Phone: 1-800-451-4884

RICHARD HARMS, Madison, SD
JOB NAMET-105-N, R-51-W
Sec. 17, NW-NW
LOCATION1-29-90
DATE7
RIG NO.JDP
FOREMAN

Jt No.	DEPTH	TIME	REMARKS
1	20		0-2 Topsoil 2-17 Yellow sand & gravel 17-20 Gray sand
2	40		20-23 Blue Clay 33-40 Gray Sand (maybe small clay break)
3	60		40-50 Medium sand 50-60 Blue Clay
4			
5			
6			
7			JERARINE PULLMAN
8			<i>Jeraine Pullman</i>
9			
10			
11			<i>Both wells the same</i>
12			
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REPORT ON APPLICATION NO. 5429-3
RICHARD HARMS
April 6, 1990

Water Permit Application No. 5429-3, Richard Harms, proposes to irrigate 116 acres in section 17, T105N, R51W with 2.2 cfs of water from two wells located 850 feet south and 1550 feet west of the north east corner of section 16 and the center of the northeast quarter 17 T105N R51W. The wells will be approximately 50 feet deep.

Hydrology and Geology

Application No. 5429-3 proposes to withdraw 2.2 cfs of water from the Big Sioux Aquifer North Skunk Creek management unit (BS:NSC).

The BS:NSC is a glacial outwash aquifer consisting of poorly sorted sandy gravel northwest of Lake Madison to well sorted sand and gravels southeast of Lake Madison (Adolphson and Ellis, 1965)

The aquifer is hydraulically connected to Lakes Herman, Madison, and Brant. Recharge to the aquifer is obtained from direct infiltration of precipitation and snowmelt (Hansen, 1986). Recharge estimates vary from 2 to 5.6 inches (Hedges and others, 1983).

The Division of Water Rights monitors six observation wells in the BS:NSC aquifer. A review of the hydrographs for these wells indicates a rise and fall of the water levels in response to climatic changes with no net change in the amount of water in storage.

Existing Permits and Water Use

The following is a list of existing water rights on file that withdraw water from BS:NSC aquifer.

<u>Permit</u>	<u>Use</u>	<u>CFS</u>	<u>Acres</u>	<u>Owner</u>
371-3	Mun	0.31		City of Madison
372-3	Mun	0.26		City of Madison
611-3	Irr	2.23	194	Lawrence & Darlene Kappenman
747-3	FU	6.41		City of Madison
1079-3	Mun	2.70		City of Madison
1268-3	Irr	0.90	143	Ray Wenk
1328-3	Irr	2.50	176	Charles Alverson
1453-3	Mun	0.78		City of Madison
1604-3	Mun	1.22		City of Madison
2987-3	Irr	2.28	160	Larry Alverson
3048-3	Irr	6.85	480	Lester Anderson
3072-3	Irr	9.08	636	Lester Anderson
3385-3	Irr	2.28	160	Dennis Brown

3407-3	Irr	0.17	12	Virgil Schoeberl
4133-3	Irr	1.14	80	Charles Alverson
4311-3	Irr	2.00	140	Darrell Muller
4360-3	Irr	2.10	156	Darrell Muller
4361-3	Irr	3.60	255	Darrell Muller
4367-3	RWS	3.00		Kingbrook RWS
4453-3	Irr	2.00	144	Alan Brown
4499-3	RWS	0.33		Chester Sanitary District
4943-3	RWS	0.50		Big Sioux Community RWS
4960-3	Irr	2.85	200	Ronald Alverson
5065-3	Com	0.10		Marv's Beach Resort
5151-3	Irr	1.57	100	Charles Alverson
5373-3	Irr	0.80	56	Ron Alverson
5422-3	Irr	2.2	210	Ron Alverson (Application at May 1990 meeting)

Based on water permit appropriations allowing irrigation at either 2 acre-feet/acre or 3 acre-feet/acre depending on the permit and allowing municipal and rural water permits to pump continuously at permitted rates, there is 19,444 acre-feet of water appropriated from this aquifer. The average reported water use for irrigation for the last four years of record is approximately 900 acre feet. At the present time municipal and rural water permits actually use only 50% of the water permitted or 5665 acre-feet. This shows that of the 19556 acre feet appropriated only 6565 acre feet are being utilized (34% of appropriated).

There is an estimated 240,000 acre feet of recoverable water in storage (Hansen, 1986). Using 240,000 acre feet available the percentage appropriated is 8% of the recoverable water and usage is 3% of the recoverable water.

As previously discussed recharge varies from 2 to 5.6 inches over the aquifer. Using 48 mi² of areal extent (Hansen, 1986) there are 5120 acre feet to 14,335 acre feet of recharge to the aquifer. The recharge rate will depend on evapotranspiration, precipitation and water use. With the hydraulic connection to the lakes, additional withdrawals from the aquifer will induce additional recharge.

The requested withdrawal rate exceeds the statutory limit of 1 cubic foot per second per 70 acres of land. The maximum withdrawal rate would be 1.66 cubic feet per second. At the time this report was written the soil and water compatibility permit had not been received by the Division of Water Rights. Before any action can be taken by the Water Management Board the soil and water compatibility permit must be submitted to the Water Rights Division.

Conclusions

1. Water Permit Application No. 5429-3, Richard Harms, proposes to irrigate 116 acres in section 17, T105N R51W from two wells located in section 17, T105N R51W.

2. Water will be withdrawn from the Big Sioux Aquifer North Skunk Creek management unit.
3. Observation wells exist and are being monitored in the Big Sioux Aquifer, North Skunk Creek management unit.
4. Prior water rights exist that withdraw water from the same aquifer as No. 5429-3.
5. Existing water rights should not be adversely affected by this application.
6. Unappropriated water is available for Water Permit Application No. 5429-3.
7. The amount of water appropriated must be limited to 1.66 cubic feet per second to comply with statute.
8. Soil and water compatibility permit has not been received for this application

Gale N. Selken

Gale N. Selken P.E.
Natural Resources Engineer IV

Adolphson, D.G. and Ellis, M.J., 1964 Basic Hydrogeologic Data, Skunk Creek-Lake Madison Drainage Basin, South Dakota:
South Dakota Geological Survey Water Resources Report No. 3.

Hansen, D.S., 1986, Water Resources of Lake and Moody Counties, South Dakota: US Geological Survey, Water-Resources Investigations Report 84-4209.

Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, R.A. Schoon, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, For US Army Corps of Engineers, DWNR, SDGS, Vermillion SD 57069.

South Dakota Department of Water and Natural Resources, water right permit files, irrigation questionnaire data, and observation well files, unpublished.

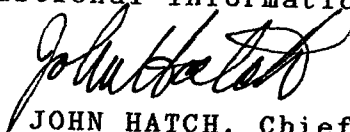
REVISED RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5429-3, Richard Harms

Pursuant to SDCL 46-2A-2, the following is the Revised recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5429-3, Richard Harms, Box 55A, Chester SD.

The Chief Engineer is recommending APPROVAL of Application No. 5429-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The wells authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. 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.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Approval of Permit No. 5429-3 limits the diversion rate to 1.66 cfs.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
May 7, 1990

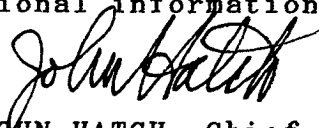
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5429-3, Richard Harms

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5429-3, Richard Harms, Box 55A, Chester SD.

The Chief Engineer is recommending APPROVAL of Application No. 5429-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The wells authorized pursuant to this permit shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. 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.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
April 12, 1990

NOTE: This recommendation was prepared prior to receiving an approved Soil/Water Compatibility Application (SWCA) from the Department of Agriculture in order to avoid delaying Application No. 5429-3 until the July, 1990 Water Management Board meeting. Pursuant to General Rule 74:02:01:09, an approved SWCA must be received prior to a hearing being held on a water permit application. If your approved SWCA is not received prior to the May 23, 1990 hearing, then Application No. 5429-3 will need to be rescheduled for a later hearing date. Approval of the SWCA by the Department of Agriculture is also subject to review by the Conservation Commission. This note is to advise you that authorizing publication of the enclosed notice of hearing may **NOT** result in a hearing at the May 23, 1990 Water Management Board meeting due to the above described circumstances. In addition, once the application is advertised for hearing, the cost of publication will be an expense incurred if the SWCA is denied by the Department of Agriculture.



Department of Water & Natural Resources

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

April 13, 1990

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

Richard Harms
Box 55A
Chester, SD 57016

Dear Mr. Harms:

Water Permit Application No. 5429-3 for irrigation 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 Publisher of the Daily Leader printed at Madison SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also 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 newspaper to authorize publication of your Notice of Intent to Appropriate Water and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has 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. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

A handwritten signature in cursive script, reading "Eric Gronlund".

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: Please refer to note on the Chief Engineer's Recommendation prior to authorizing publication of this notice of hearing.

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

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

Joe Foss Building
Pierre, SD 57501

April 13, 1990

Madison Daily Leader
Box 348
Madison, SD 57042-0348

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 5429-3 to be published twice. Please publish the first notice on or before April 19, 1990 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 Richard Harms, Box 55A, Chester, SD 57016.

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. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

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

Instruction to Newspaper - Publish first Notice on or before April 19, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5429-3 to Appropriate Water

Notice is given that Richard Harms, Box 55A, Chester, SD 57016 has filed an application for a water permit to appropriate 2.2 cubic feet of water per second (cfs) from 2 wells (Big Sioux Aquifer North Skunk Creek Management Unit) 60 feet deep to irrigate 116 acres. The wells are to be located near the center of the NE1/4 and in the NW1/4 NE1/4 of Section 17-T105N-R51W. The land to be irrigated is to be located in the NE1/4 of Section 17-T105N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5429-3 for 1.66 cfs because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in the Pelican Room, Ramkota Inn, Hwy 212, Watertown, SD on May 23, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by May 11, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. 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. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by May 11, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Lake) ss.

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,

City of Madison,

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

Tuesday, April 17, 1990

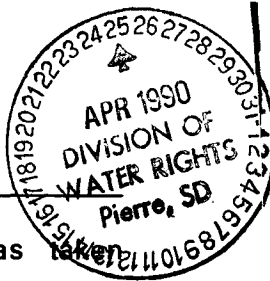
Tuesday, April 24, 1990

Deanna D. Bergheim
 (Signature)

Secretary
 (Title)

April 24, 1990
 (Date Signed)

Cost of Printing: 32.73



NOTICE OF HEARING ON APPLICATION NO. 5429-3 TO APPROPRIATE WATER

Notice is given that Richard Harms, Box 55A, Chester, SD 57016 has filed an application for a water permit to appropriate 2.2 cubic feet of water per second (cfs) from 2 wells (Big Sioux Aquifer North Skunk Creek Management Unit) 60 feet deep to irrigate 116 acres. The wells are to be located near the center of the NE $\frac{1}{4}$ and in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17-T105N-R51W. The land to be irrigated is to be located in the NE $\frac{1}{4}$ of Section 17-T105N-R51W.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5429-3 for 1.66 cfs because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in the Pelican Room, Ramkota Inn, Hwy 212, Watertown, SD on May 23, 1990 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualification, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by May 11, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Divisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by May 11, 1990.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.



Department of Water & Natural Resources

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

May 7, 1990

Richard Harms
Box 55A
Chester SD 57016

Dear Mr. Harms:

Enclosed is a copy of the Revised Recommendation of the Chief Engineer for Water Permit Application No. 5429-3. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schlaak".

KAREN SCHLAAK
Senior Secretary
Water Rights Division
605 773-3352

enclosure



Department of Water & Natural Resources

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

JUN 21 1990

Richard Harms
Box 55A
Chester SD 57016

Dear Mr. Harms:

Enclosed is Water Permit No. 5429-3 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

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 system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch".

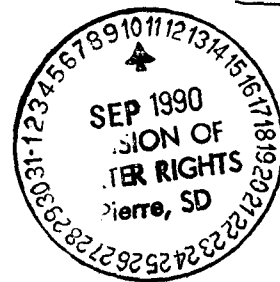
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit 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.

LK

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 8-1-90TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181FROM: E. RICHARD HARMS RR1 BOX 55A CHESTER, SD 57016
name address city

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. 5429-3.

Water Permit No. 5429-3 states that the diversion system is to be constructed by Pollman DRILLING + FARMERS INC., and that the water it put to beneficial use by RICHARD HARMS.

The diversion system was completed on 7/15/90.
Applying the water to beneficial use was completed on 7/21/90.

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

E. Richard Harms
signature

File No. 5429-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: Richard Harms

ADDRESS: Box 55A Chester, SD 57016 COUNTY: Lake

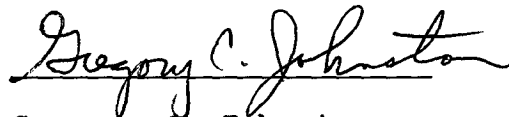
DATE: 8/13/91 TELEPHONE: (605)/489-2273

RE: Time of Final Inspection

COMMENTS:

Inspected Permit #5429-3 on August 13, 1991 and found out that Mr. Harms had intended to place a second well on the land being irrigated in the next two years. The original permit was for two wells and Mr. Harms has until 5/24/95 to complete all construction and put water to beneficial use by 5/24/99. I told Mr. Harms that I believed it would be best for him to wait to license the permit after he had placed the second well as long as all the work was completed prior to 1995. I called 8/19/91 and left a message to confirm waiting for the final inspection until the second well is in and being used.

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



Gregory C. Johnston

Natural Resources Engineer

DENR, Water Rights Division

Permit No. 5429-3
Big Sioux River - Water District

**Report Of Examination Of Works And/Or Application of Water To
Beneficial Use**

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

On, **August 11, 1998**, I made a thorough examination of the water use system constructed by **Richard Harms** of **RR1 Box 55A, Chester SD** holder of Permit No. **5429-3**, bearing the priority of **February 27, 1990** authorizing the diversion of **1.66** cu. ft. per second of the waters of **groundwater, Big Sioux Aquifer** for **irrigation** purposes, in **Lake** County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

Hitachi submersible pump with a 500 gpm capacity

B. Works used to transport water to place of use:

600 ft of 6 inch aluminum pipe

C. Works used to apply water to beneficial use:

A Valley centerpivot

The system is in the following condition **good**. The point of diversion is located **from the NE corner of Sec 17 T105N-R51W: 825 ft West and 1490 ft South**. The works are capable of diverting and conveying to the place of use **1.11** cu. ft. per second of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

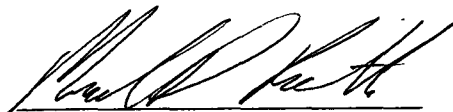
All land located in Sec 17 T105N-R51W:

NW NE - 17 ac NE NE - 33 ac SE NE - 33 ac SW NE - 33 ac

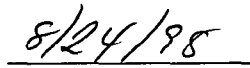
comprising a total of **116** acres of land and the license should be issued for **1.11** cfs.

Applicable permit qualifications have been complied with: **yes**

Exceptions to compliance are: **none**



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



Date

REPORT ON INSPECTION OF PERMIT NO. 5429-3

DATE OF INSPECTION: 8/11/98

Contact Person & Address: Richard Harms, RR1 Box 55A, Chester SD

DIVERSION POINT LEGAL LOCATION: from the NE corner of Section 17 T105N-R51W: 825 ft West and 1490 ft South

WATER SUPPLY Source: groundwater, Big Sioux

Well Information:

- | | |
|---------------------------------------|-------------------------------------|
| 1) Well Drilling Firm: <u>Pullman</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>50</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|------------------------------|--------------------------|
| 1) Diameter <u>16</u> inches | 2) Length <u>35</u> feet |
| 3) Type <u>PVC</u> | |

Screen:

- | | |
|--------------------------------------|--------------------------|
| 1) Type <u>stainless steel</u> | 2) Length <u>15</u> feet |
| 3) Static water level <u>12</u> feet | |

Pump:

- | | |
|------------------------|----------------------------------|
| 1) Make <u>Hitachi</u> | 2) Model <u>VCTI submersible</u> |
| 3) Size <u>8</u> | 4) Capacity <u>500</u> GPM |

Motor:

- | | |
|-----------------------------------|-----------------------|
| 1) Make <u>Hitachi</u> | 2) Model No. <u>#</u> |
| 3) Horsepower rating <u>30</u> hp | |

DISTRIBUTION LINES OR CANALS:

- | | | |
|-------------------------|-------------------------|---------------------------|
| 1) Type <u>Aluminum</u> | 2) Size <u>6</u> inches | 3) Length <u>600</u> feet |
|-------------------------|-------------------------|---------------------------|

SYSTEM TYPE:

Center pivot:

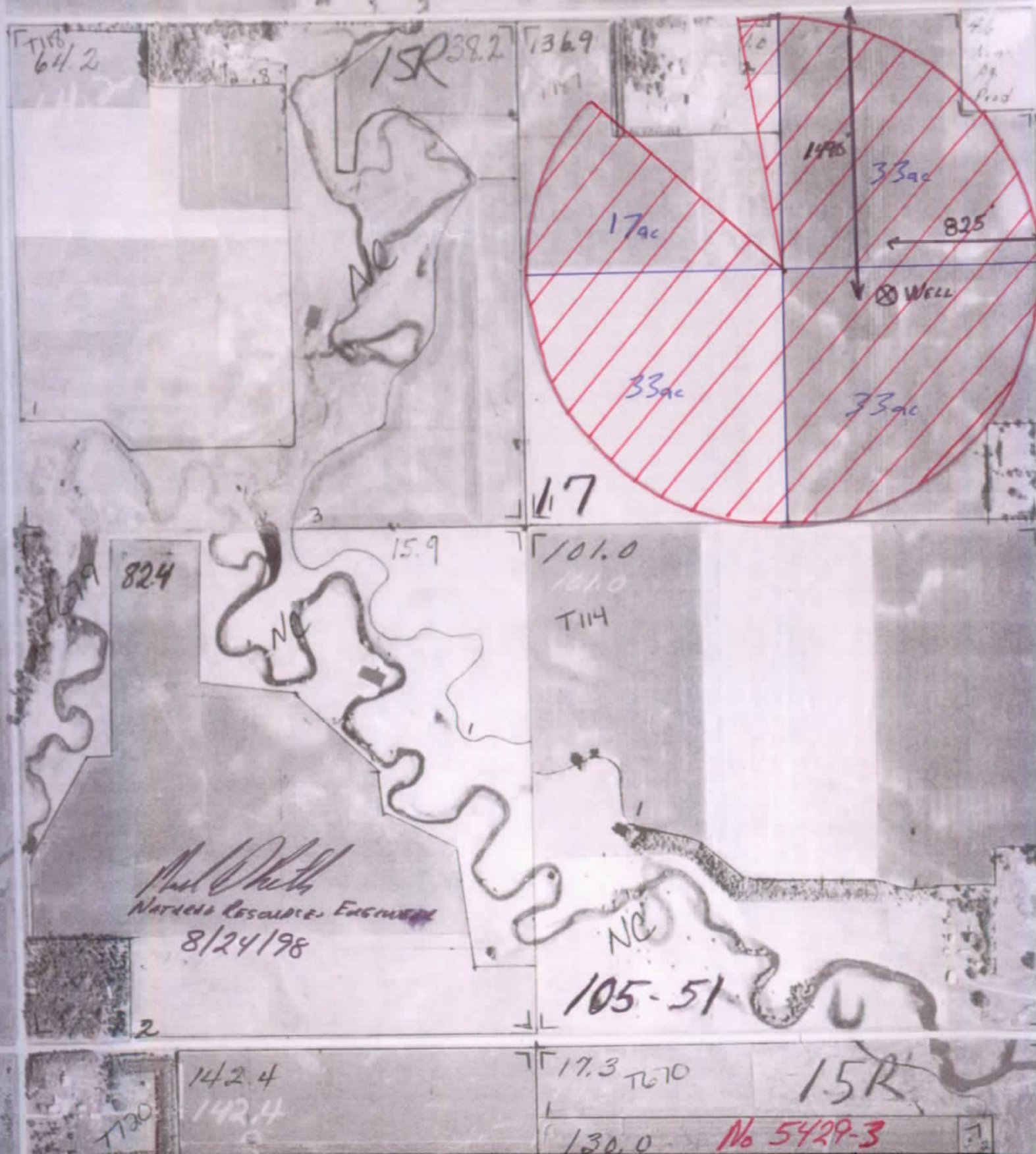
- | | |
|-----------------------------------|------------------------------------|
| 1) Make <u>Valley</u> | 2) Overall length <u>1280</u> feet |
| 3) Number of towers <u>7</u> | 4) End gun <u>y</u> |
| 5) High or low pressure <u>hi</u> | 6) Capacity <u>500</u> GPM |

CHEMIGATION EQUIPMENT:

- 1) Does chemigate n

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes



RECEIPT
Water Rights Program
South Dakota Department of Environment and Natural Resources

N2 415847

Pierre, _____ **August 31, 19 98**

RECEIVED OF Richard Harms, RR 1, Box 55A, Chester, SD 57016
the following amount in fees for services rendered as provided for by law:

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

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

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water

License No. 5429-3

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By _____
Chief Engineer

John Hatch 



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

August 26, 1998

5429-3

Richard Harms
RR 1, Box 55A
Custer, SD 57016

Dear Mr. Harms:

The investigation of your water use system was conducted on August 11, 1998, by Mark D. Rath, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 5429-3. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5429-3

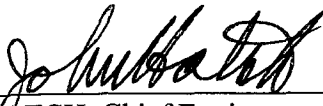
(1) Richard Harms, RR 1 Box 55A, Chester SD 57016 made Application No. 5429-3, February 27, 1990 for a water permit to divert 1.66 cubic feet of water per second from groundwater (2 wells), Lake County, South Dakota for irrigation purposes. Permit No. 5429-3, with a priority date of February 27, 1990 was approved May 24, 1990 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 24, 1995 and for the application to beneficial use of said water on or before May 24, 1999.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.11 cubic feet of water per second for beneficial use. The location of the diversion point is 825 feet west and 1,490 feet south from the northeast corner of Section 17-T105N-R51W (SE ¼ NE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 17-T105N-R51W	NW ¼ NE ¼	17 acres
	NE ¼ NE ¼	33 acres
	SE ¼ NE ¼	33 acres
	SW ¼ NE ¼	33 acres
Total		116 acres

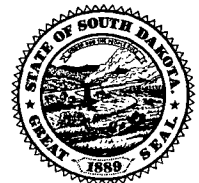
(4) Pursuant to South Dakota Water Law 46-5-30.1 Richard Harms, RR 1 Box 55A, Chester SD 57016 the holder and/or owner of Water Permit No. 5429-3 is issued a license to appropriate water, the right to use 1.11 cubic feet of water per second from groundwater (one well) with a priority date of February 27, 1990 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Permit No. 5429-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 10 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

SEP 10 1998

5429-3

Richard Harms
RR 1, Box 55A
Chester, SD 57016

Dear Mr. Harms:

Enclosed is Water License No. 5429-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415847 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. 5429-3, 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

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

NOV 26 2003

WATER RIGHTS
PROGRAM

No. 5429-3

Date: November 20, 2003

I/We request that Water Right No. 5429-3

formerly owned by: Richard Harms

be transferred to: (name & address) Kingbrook Rural Water System, Inc. , 302 East Ash Street,
Arlington, SD 57212

Telephone No. 605-983-5074

Title to the following described land(s)/property has been transferred as described above:

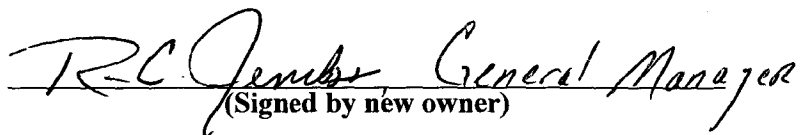
116 acres in the NE 1/4 Section 17, T105N, R51W

I/We understand that the validity of Water Right No. 5429-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Kingbrook Rural Water System, Inc., the new owner, certify that the above information is true and correct.


(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 26, 20 03

RECEIVED OF Kingbrook Rural Water System Inc., PO Box 299, Arlington SD 57212

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>5429-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____	2	50
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

008975

By

Darland Erbe

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

November 26, 2003

5429-3

Randy Jencks, General Mgr
Kingbrook Rural Water System Inc
302 E Ash St
PO Box 299
Arlington SD 57212

Dear Mr. Jencks:

Thank you for following up on the ownership change for Water Right No. 5429-3. The transfer has been completed. The water right formerly listed in the name of Richard Harms is now listed in the name of Kingbrook Rural Water System Inc.

Enclosed is your Receipt No. 000925 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

SOUTH DAKOTA WELL AND TEST HOLE PLUGGING REPORT

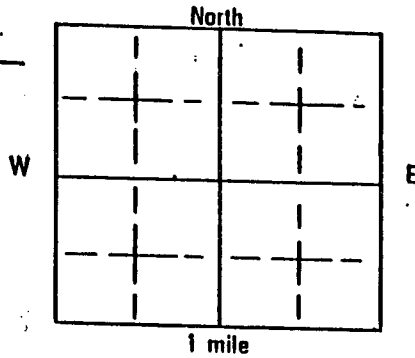
10-85

Location NE 1/4 Sec 17 Twp 105 Rg 51

County Lake

Please mark well location with an "X"

N43°54.597
W96°58.330



Well Owner:

Name Kingbrook Rural Water

Address P. O. Box 299

Arlington, SD 57212-0299

Plugging completion Date 11-18-04

CHECK APPROPRIATE BOX

EXISTING WELL ☒

TEST HOLE ☐

Well depth 59'

Casing material PVC

Casing size(s) 12"

Casing condition good

Hole depth _____

Hole size _____

RECEIVED

DEC 13 2004

WATER RIGHTS PROGRAM

Describe plugging procedure: A tremie line was installed to the bottom of the well and neat cement pumped to fill.

Describe grout or plugging material: Neat cement.

Type of non-slip plug: _____

This well or test hole was plugged under license # 475

And this report is true and accurate.

Drilling firm Thein Well Company, Inc.

Signature of Licensed Representative [Signature]

Signature of Well Owner [Signature]

Date 12/9/04

12-13-04



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

SEP 07 2012

5429-3
6531-3

Randy Jencks, Manager
Kingbrook Rural Water System Inc
PO Box 299
Arlington SD 57212

Dear Mr. Jencks:

Enclosed is Water License No. 6531-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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. 6531-3, 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.

Upon licensing, the applicable portions of Water Right No. 5429-3 were incorporated into Water License No. 6531-3. As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Garland Erbele".

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

enclosures