

WATER PERMIT NO. 5785-3

Phone: 983-5074

Name of Applicant: Kingbrook Rural Water System, Inc.

Post Office Address: PO Drawer 299, Arlington SD 57212

Amount of Water Claimed: no add'l Total Acres: NA

Source of Water Supply: groundwater

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

About _____ miles _____ of _____

PRIORITY Date Received: 8-25-93 Fee: \$150 Remarks: Adding the

City of Lake Preston to the system

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

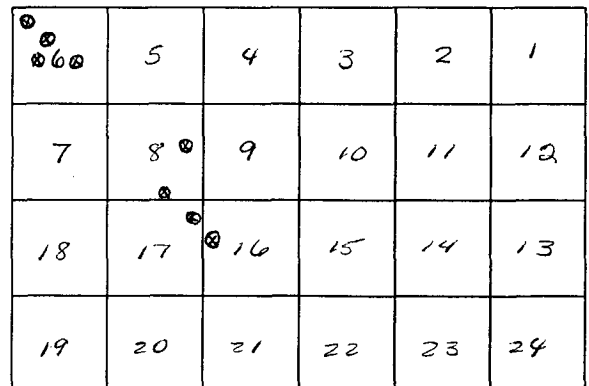
WATER QUALITY APPROVAL RECEIVED: NA APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: eight wells located in Sections

6, 8, 16 and 17; all in T111N-R56W

Land to be Irrigated: _____

	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24

Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: _____ REMARKS: _____

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

Assigned on: 8-26-93 By: Karen Schlaak

FORM 2: Application for uses other than irrigation

(type or print)



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

No. 5785-3 Hydrologic Unit 10170103
Basin Vermillion River
Newspaper (see attached sheet)

(office use only)

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

Check use of water:

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

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

☒ Amendment/Correction to Permit No. * 5208A-3

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

* Add Lake Preston to Permits # 4137-3, 5186-3 and 5426-3 NO additional water
is being requested we just need to add Lake Preston to our permits.

1. Name of Applicant Kingbrook Rural Water System Inc. Phone 605-983-5074
(check one) ☐ Owner ☐ Tenant/lessee

Mailing Address P.O. Drawer 299, Arlington State S.D. 57212
(Street, RR, or Box) (City) (Zip Code)

2. Amount of water claimed NO Additional *CFS or _____ **CPM _____ ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Wells permitted under the above mentioned permits

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Well #1-SW1/4 SE1/4, Well #2- SE1/4 NE1/4
Sec 8; Well #3- SE1/4 NE1/4 Sec 17;
Well #4-SW1/4 SW1/4 Sec 16;
Well #5-E1/2 NW1/4, Well #6-SW1/4 NE1/4 Sec 6, Well #7-SE1/4 NW1/4
Well #8-NW1/4 NW1/4 Sec 6; all in T11N-R56W County Kingsbury

5. County or counties where water will be used Minnehaha, McCook, Moody, Brookings, Kingsbury, Minner, Lake,
Same areas as currently permitted: Clark, Hamlin

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

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

The adding of the City of Lake Preston as a Bulk user to the Kingbrook Rural Water System.

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

STATE OF SOUTH DAKOTA)

County of Kingsbury)^{SS}

I, Kingbrook Rural Water, 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 Stenberg

Subscribed and sworn to before me this 16th day of August 19 93

Maria Elcock Exp 8/1/99

SOUTH DAKOTA WATER PERMIT NO. 5785-3

Date of first receipt of application August 25, 1993.

The Water Management Board approved Water Permit Application No. 5785-3 on December 1, 1993 for Kingbrook Rural Water System, Inc., PO 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. 5785-3 adds the City of Lake Preston to the Kingbrook Rural Water System. The City is to be supplied through the Kingbrook Rural Water System, DeSmet treatment plant with water permitted by Water Permit Nos. 4137-3, 5186-3, 5208-3, 5208A-3 and 5426-3. Water Permit No. 4137-3 appropriates 3.0 cubic feet of water per second (cfs) from three wells located in the SW 1/4 SE 1/4, SE 1/4 NE 1/4 Section 8 and the SE 1/4 NE 1/4 Section 17; all in T111N-R56W. Water Permit No. 5186-3 appropriates 0.7 cfs from 1 well located in the SW 1/4 Section 16-T111N-R56W. Water Permit No. 5208-3 and 5208A-3, combined, appropriate 1.4 cfs from 2 wells located in the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 Section 6-T111N-R56W. Water Permit No. 5426-3 appropriates 1.4 cfs from 2 wells located in the SE 1/4 NW 1/4 and the NW 1/4 NW 1/4 Section 6-T111N-R56W. This permit will not change the authorized diversion rates or the maximum withdrawal of 1,350 acre-feet of water.
2. The water appropriated shall be used for the purpose of supplying water to the 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 from which applicant may claim right is August 25, 1993.
5. One-fifth of the construction is to be completed on or before June 1, 1996.
6. All construction is to be completed on or before December 1, 1998.
7. Water is to be put to beneficial use on or before December 1, 2002.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Total combined annual withdrawals under Permit Nos. 4137-3, 5186-3, 5208-3, 5208A-3, 5426-3 and 5785-3 are limited to 1350 acre-feet annually.
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.

(continued)

3. 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.

WATER MANAGEMENT BOARD

By: _____

John Hatch, Chief Engineer

Water Rights Division

Department of Environment and Natural Resources

FEB 1 1994

date

RECEIPT

413872

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, August 25, 19 93

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>5785-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	150 00

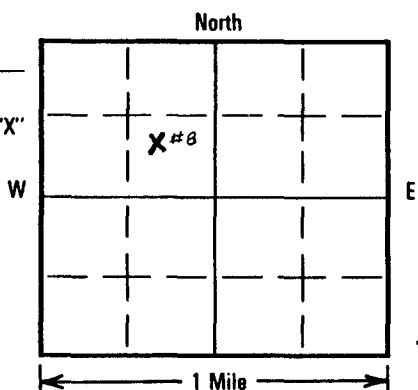
By John Hatch
Chief Engineer

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 NW 1/4 Sec 6 Twp 111 Rg 56County KINGBURY

Please mark well location with an "X"

Well Completion Date 3-23-95PUMP INSTALLED 8-8-95

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? _____ ft. from _____ (identify source).

PROPOSED USE:

☐ Domestic/Stock ☒ Municipal ☐ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

FORWARD ROTARY

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>49.56 LB/FT</u>	<u>12 IN</u>	<u>+2 FT</u>	<u>82 FT</u>	<u>17 1/2 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>CEMENT</u>	<u>15</u>	<u>15.8 lb./gal</u>	<u>10 ft</u>	<u>30 ft</u>
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure PUMPEDSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12" IN Length 10' FEETMaterial STAINLESSSlot Size 70 Set From 82 Feet to 92 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION:

Was well disinfected upon completion? ☒ YES, How: JET WITH CHLORINE

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: KINGBROOK R/W

Business Name: _____

Address: Box 299
ARLINGTON S.D. 57212

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	1
Rock + GRAVEL	1	5
CLAY w/ Rock + GRAVEL	5	16
CLAY	16	28
GRAVEL	28	35
SANDY CLAY	35	39
SAND + GRAVEL	39	46
SANDY CLAY	46	47
SAND	47	57
SANDY CLAY	57	62
SAND + GRAVEL	62	70
Rock	70	71
SAND	71	92
SANDY CLAY	92	107

STATIC WATER LEVEL 50 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: SUB. PUMP☐ Bailed _____☐ Other _____

Pumping Level Below Land Surface

73.2 ft. After 6 Hrs. pumped 665 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 395 GPM

REMARKS

This well was drilled under license # 381

And this report is true and accurate.

Drilling firm L.T.P. ENTERPRISES, INC.

Signature of License Representative:

Randy Pullen 9-7-95

Signature of Well Owner or Equitable Property Holder:

Mavis ElcockDate: 9/11/95

DEGR

DEGR

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**KINGBROOK
RURAL WATER SYSTEM**

SERVICE STUDY

CITY OF LAKE PRESTON

**January 1993
Revised April 1993**

**DeWild Grant Reckert
and Associates Company**

Project No. 41176

KINGBROOK RURAL WATER SYSTEM

SERVICE STUDY

CITY OF LAKE PRESTON

January 1993

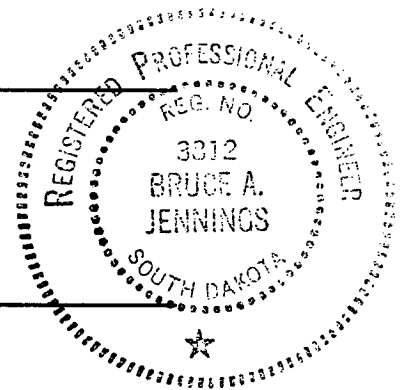
Revised April 1993

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

By Bruce Jennings
Bruce Jennings, P.E.

Iowa Registration No. 3812

Date April 7, 1993



DGR Project No. 41176

DEWILD GRANT RECKERT & ASSOCIATES COMPANY
CONSULTING ENGINEERS
ROCK RAPIDS, IOWA

KINGBROOK RURAL WATER SYSTEM

SERVICE STUDY

CITY OF LAKE PRESTON

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APPENDIX

I. SCOPE

This report describes cost estimates and alternatives for water service to the City of Lake Preston from Kingbrook Rural Water System (Kingbrook). These estimates were prepared for Kingbrook at the request of Lake Preston. Partial funding for this study was provided by the East Dakota Water Development District.

Alternatives considered here address full service for the Lake Preston water needs. Full service alternatives provide for historical water demand with allowance for modest growth. Partial service alternatives with water delivery at flow rates less than the maximum required by Lake Preston, or interruptible service which allows for Kingbrook to suspend water delivery to meet other needs, were not considered feasible in light of the existing Kingbrook system demands.

This study does not consider other water supply alternatives for Lake Preston. The City is considering water supply improvements due to unsatisfactory quality of the existing supply. Some changes may be mandated by new standards of the Safe Drinking Water Act. Kingbrook offers an adequate supply of quality water which meets the regulatory requirements. Water quality data are given in Table 1.

Data for this report was gathered by Alan Nelson of DeWild Grant Reckert and Associates with Bob Bode, City of Lake Preston Water Superintendent, on November 13, 1992 at Lake Preston.

II. WATER REQUIREMENTS

Lake Preston is a small commercial center serving a rural economy in the area. No water intensive industrial or commercial businesses were identified. The population of

the City is presently 663, declining over the last 30 years at approximately 10 percent per year. Population stability in the city will come from area retirees and from development of small commercial businesses.

Historical water use is typical of small communities in the region. Total annual production in 1990 was 33 million gallons. Water production in more recent years has been less, probably due to higher precipitation. On an annual average basis, historical total water production is 115 to 135 gallons per capita per day. Water produced is metered at the wells. Water sales are also metered. Detailed calculations are not kept, but a review of records by city staff recently concluded that water produced but not accounted for is 10 to 15 percent of production.

Historical maximum day water pumped was reported by the City at 115,000 gallons, approximately 175 gallons per capita per day. This maximum demand is within the commonly reported demands for communities of this size, and well within the capacity of the existing City water supply.

The City has existing elevated water storage in excess of half the maximum day demand. Water can be delivered over a full day period with storage used to meet peak instantaneous or peak hourly demand.

The 115,000 gallon maximum day demand requires approximately 80 gallons per minute over a 24 hour delivery period. To allow for equipment maintenance and downtime, a 16 hour delivery period is recommended. A design flow rate of 150 gallons per minute was used as a target for analysis of project alternatives, which allows for a 25 percent increase in maximum day demand.

III. EXISTING KINGBROOK SYSTEM

The Kingbrook Rural Water System utilizes three water sources and numerous pumping stations and reservoirs to provide water service over a multi-county area. In the Lake Preston area, Kingbrook operates their DeSmet well field and water treatment plant approximately 3 miles north of DeSmet. Water from the DeSmet plant is pumped south to the Kingbrook Lake Preston reservoir 2 miles south of Lake Preston. Also, water is pumped to an elevated tank north of Howard.

Kingbrook has capacity to deliver approximately 220,000 gallons per day to the Kingbrook Lake Preston reservoir with a 16 hour delivery day. Kingbrook use exceeded 225,000 gallons per day regularly in 1992, with a maximum of 286,000 gallons per day. There is no available excess capacity in the existing Kingbrook water supply system.

In addition to the six inch pipeline from the Kingbrook DeSmet plant which is being used to supply the Kingbrook Lake Preston reservoir, Kingbrook has in the Lake Preston area another six inch pipeline which has been out of service for several years. This pipeline had a leak which was under the water of Lake Thompson and could not be repaired. This pipeline was repaired in March, 1993. However, due to the maintenance difficulty of the Lake Thompson pipeline, it is not considered prudent to commit to Lake Preston water supply on the basis of capacity of that pipeline.

Kingbrook constructed new 10 inch pipeline south from the Kingbrook DeSmet water treatment plant in 1990. This 10 inch pipeline parallels South Dakota Highway 25 south from DeSmet. The new 10" pipeline is closest to Lake Preston approximately 9 miles directly west of Lake Preston. However, wet conditions through the intervening distance will prevent a direct pipeline route.

IV. LAKE PRESTON SUPPLY ALTERNATIVES

New pipeline construction will be required to connect Lake Preston to the Kingbrook system. Alternatives were reviewed with the objective of a delivery capacity of 150 gallons per minute.

Water delivery is planned to Lake Preston at the south edge of the city. The existing city wells are south of the city, and connection there will be more compatible with the existing city system. Construction conditions west of Lake Preston preclude new pipeline routes which lead directly to the south side of the City. New pipeline will therefore be constructed adjacent to the City on the west and south.

Three alternatives were considered. Two of these utilized the existing Kingbrook 10 inch main pipeline south of DeSmet. These alternatives offered no savings of cost when prior investment in the existing pipeline was considered. The selected alternative anticipates new pipeline construction from Lake Preston to the Kingbrook DeSmet water treatment plant. This alternative provides total pipeline capacity of 150 gallons per minute. The pipeline will provide sufficient residual pressure to fill the Lake Preston elevated storage without repumping.

The connection to the existing City system will be on the present well field water line. It is anticipated that the existing level control system will be utilized to control the Kingbrook supply valve.

V. ESTIMATED COSTS

Estimated construction costs are given in Table 2.

Estimated costs were developed based on recent bid costs for similar construction within the Kingbrook system and the surrounding region, with some allowance for wet construction conditions. The estimates presented herein are estimates only, based on the judgment of the Engineer. Estimates were prepared without detailed field investigations, and final project design will change the estimated costs. Cost estimates are presented here solely for comparative evaluation among alternatives.

In addition to estimated new construction costs, Kingbrook has previous investment costs to recoup. The existing DeSmet water treatment plant and well system have available capacity for allocation to Lake Preston. However, allocation of capacity will reduce the reserve capacity presently available for demand growth of existing consumers and the possible addition of other new consumers. As such, service to Lake Preston may accelerate future construction of new facilities. The capital cost of existing capacity, allocated on the basis of flow, is presented here to document discussion of an equitable method for reimbursement of prior costs to Kingbrook. Potential methods include payment of prior costs as an up-front "connection fee" or repayment of prior costs through an appropriate monthly minimum fee.

TABLE 1
Water Quality Data

<u>Parameter</u>	<u>Source</u>		<u>Kingbrook</u>
	<u>Lake Preston</u> <u>Well 2 (South)</u>	<u>Lake Preston</u> <u>Well 1 & 2 (South)</u>	
Nitrate, mg/l as N	0.1	0.4	0.4
Fluoride, mg/l	0.37	2.44	0.90
Chloride, mg/l	33.6	96.3	10.0
Iron, mg/l	1.22	0.77	0.05
Manganese, mg/l	1.85	1.22	0.06
Sulfate, mg/l	734	845	204
Total Dissolved Solids, mg/l	1493	1771	656
Calcium, mg/l	251	148	125
Magnesium, mg/l	55.0	31.8	41.4
Hardness, gpg	49.8	30.4	29.7
Sodium, mg/l	102	338	15.0

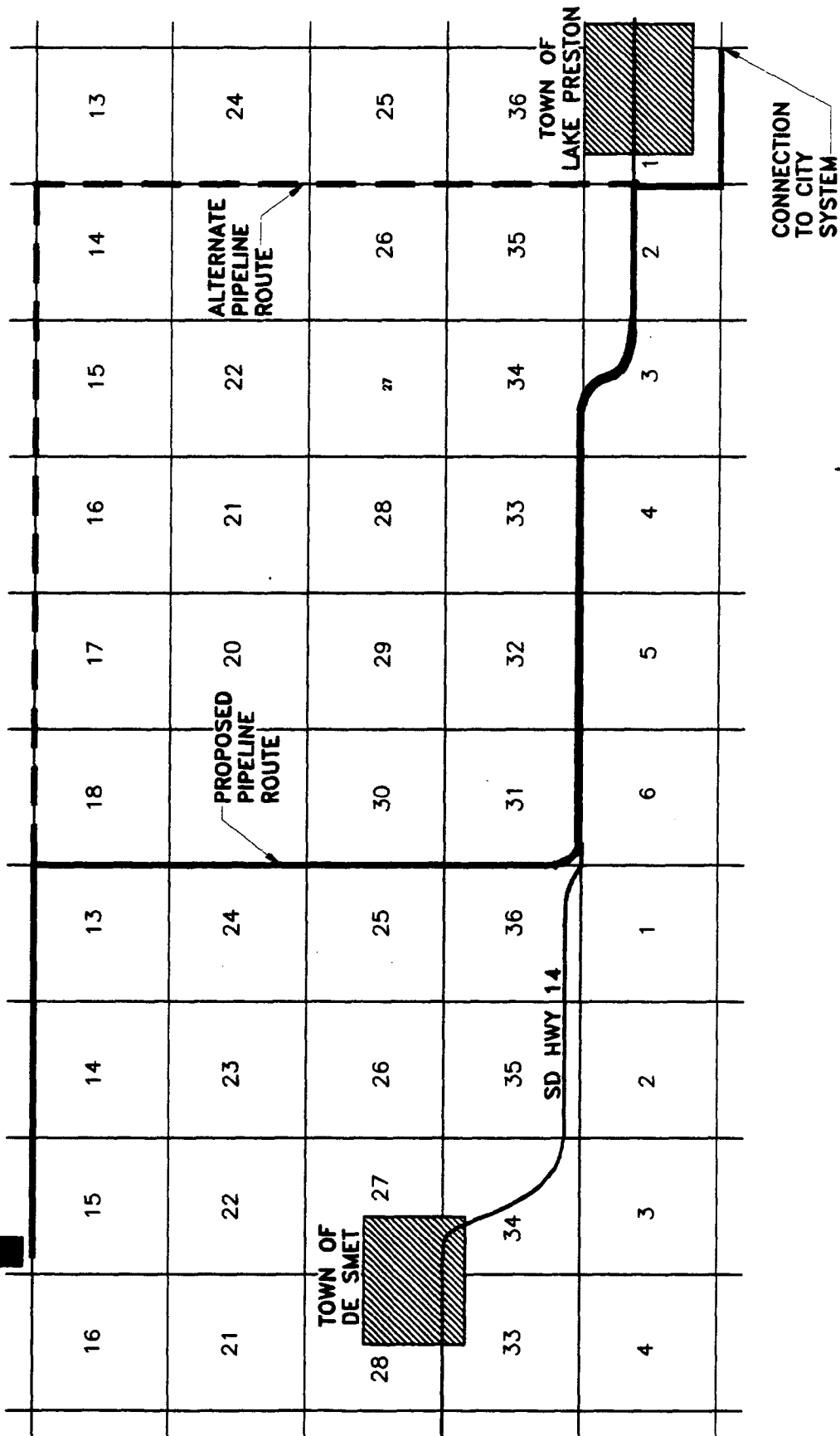
Source: SDDWNR Reports

TABLE 2
Project Alternatives
Lake Preston Water Service by Kingbrook

Description	6 inch pipeline from Lake Preston to Kingbrook DeSmet water treatment plant
Construction	
Pipeline	\$323,000 ⁽¹⁾
Miscellaneous	50,000
City Connection	15,000
Other Costs, new construction	<u>70,000</u>
Total new construction	\$458,000
Prior costs	<u>250,000</u>
Total Project Cost	\$708,000
Capacity to Lake Preston	150 gpm

1. 14 miles 6 inch pipeline at \$4.35/ft.

KINGBROOK
WATER TREATMENT PLANT



LOCATION MAP
NOT TO SCALE (41176440/41176441)



Dewild Grant Reckert & Assoc. Co.
Consulting Engineers
Rock Rapids, Iowa

Date JAN 1993
Drawn By BH
Approved BJ
Revised
Project No. 41176

KINGBROOK RURAL WATER SYSTEM
ARLINGTON, SOUTH DAKOTA
LAKE PRESTON CONNECTION

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Kingbrook RWS

ADDRESS: Arlington, SD COUNTY: Kingsbury

DATE: 9/14/93 TELEPHONE:

RE: Call from Morris Elcock

COMMENTS:

Morris Elcock called me in response to questions I had regarding the what the wells under Permit No. 5186-3 and 5426-3 were capable of diverting.

An inspection by Norma Job of Water Permit No. 5186-3 found the well (which is permitted for 0.70 cfs) capable of diverting 0.72 cfs.

And inspection by Norma Job of Water Permit No. 5426-3 found the 2 wells (which were permitted for 1.4 cfs) capable of diverting 1.77 cfs.

I asked Mr. Elcock whether the inspection figures were correct and informed him that if there were, the RWS should amend there application (which is to add the Town of Lake Preston) to include the additional appropriations of water. Mr. Elcock said that he was going to measure the flow from the wells.

The flow from the well covered by No. 5186-3 was measured at 270 gpm (0.6 cfs). Mr. Elcock stated the pipeline needed to be pigged (cleaned) but the he doubted that the well would produce over the 0.7 cfs appropriation. He was going to have the line pigged in the next few months.

The flow from the wells covered by No. 5426-3 was at 650 gpm which is 20 gpm greater than the amount authorized by the Permit. However, Mr. Elcock indicated that this was without any other wells in the well field operating. He added if other wells were operating the flow rate from these wells would be reduced most certainly to below 630 gpm (which is the amount authorized by No. 5426-3). I stated that if the maximum diversion rate from the well was greater than the authorized 630 gpm, then a water permit would be required.

I believe the well capacities listed on Norma Job's inspection reports were based on the size of the pumps and didn't reflect the actual production of the well. The new application is only to add the Town of Lake Preston and not for any additional appropriation of water.

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

NAME: Eric Henderson

REPORT ON APPLICATION NO. 5785-3
for Kingbrook Rural Water System
October 12, 1993

Application No. 5785-3 proposes to add the City of Lake Preston to the Kingbrook Rural Water System. The City is to be supplied through Kingbrook Rural Water System, DeSmet treatment plant with water permitted by Water Permit Nos. 4137-3, 5186-3, 5208-3, 5208A-3 and 5426-3. Water Permit No. 4137-3 appropriates 3.0 cfs from three wells located in the SW 1/4 SE 1/4, SE 1/4 NE 1/4 of section 8 and the SE 1/4 NE 1/4 of section 17; all in T111N R56W. Water Permit No. 5186-3 appropriates 0.7 cfs from one well located in the SW 1/4 of section 16, T111N R56W. Water Permit Nos. 5208-3 and 5208A-3, combined, appropriate 1.4 cfs from 2 wells located in the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 of section 6, T111N R56W. Water Permit No. 5426-3 appropriates 1.4 cfs from 2 wells located in the SE 1/4 NW 1/4 and the NW 1/4 NW 1/4 of section 6, T111N R56W in Kingsbury County. This application will not change the authorized diversion rates or the maximum withdrawal of 1,350 acre-feet of water per year.

AQUIFER - VERMILLION EAST FORK (VEF)

The Vermillion East Fork is mostly unconfined glacial outwash (sand and gravel). The aquifer underlies 94 square miles and contains an estimated 300,000 acre feet of water in storage (Hamilton, 1988). Recharge to the aquifer is through direct infiltration of rainfall and snowmelt into the aquifer. Recharge has been estimated to be approximately 4 inches per year (20,000 acre feet annually) for the entire Kingsbury County area (Hedges, 1983). Water use data for the area indicates that the aquifer is capable of supplying 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 water levels during wet years due to recharge and gradually declining water levels during dry years due to pumping and natural discharge. The water level record for the aquifer indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1993).

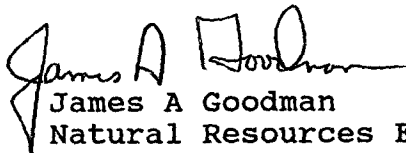
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are numerous existing water permits/rights in this area (Goodman, 1990). These are existing wells and have been used with no apparent problems. This application will increase the annual use from the existing well field by about 130 acre feet per year. This estimate is taken from the Engineer's report included with this application. Increasing the pumping rate from the well field by an average of 80 gpm or an instantaneous rate of 150 gpm will not affect the drawdown in the well field significantly. Drawdown caused under existing conditions does

not extend very far from individual production wells. This is verified by the monitoring wells in the area. Interference is not expected to be a concern.

CONCLUSIONS

1. Water is available from the Vermillion East Fork Aquifer.
2. The aquifer is mostly unconfined and under water table conditions. Drawdown caused by pumping is not significant and increasing the annual withdrawals for this application will not adversely affect any existing user. Interference should not be a problem.
3. Kingbrook Rural Water System already has the amount of water needed for this application allocated by permit. Also there is no increase in existing diversion rate needed for this application. This application is necessary because the Rural Water System is hooking up an existing water distribution system.
4. Kingbrook is authorized to divert up to 1350 acre feet annually by permit from the Vermillion East Fork Aquifer. Kingbrook reported diverting 463 acre feet in 1991 and 557 acre feet in 1992 from this well field. The increase in volume authorized by this application will not affect the qualifications on their existing permits.
5. Approval of this application does not allow any increase in existing diversion rates or the addition of any new wells.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Goodman, J.A., 1990, Report on Application No. 5426-3 for Kingbrook Rural Water System, SD DENR, Division of Water Rights, Pierre, SD, 57501.
- Hamilton, L.J., 1989, Water Resources of Brookings and Kingsbury Counties, South Dakota, USGS WRI 88-4185, USGS, Huron, SD, 57350.
- Hedges, L.S., 1983, Task 7: Ground Water Recharge, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 1993, Unpublished Observation Well Records for Vermillion East Fork Aquifer in Kingsbury County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

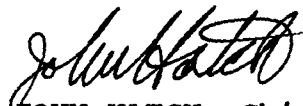
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5785-3, Kingbrook Rural Water System

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5785-3, Kingbrook Rural Water System, c/o Morris Elcock, Drawer 299, Arlington, SD 57212.

The Chief Engineer is recommending APPROVAL of Application No. 5785-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. Total combined annual withdrawals under Permit Nos. 4137-3, 5186-3, 5208-3, 5208A-3, 5426-3 and 5785-3 are limited to 1350 acre-feet annually.
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. 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.

See report on application for additional information.



JOHN HATCH, Chief Engineer
October 15, 1993



**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.

October 18, 1993

Morris Elcock
Kingbrook Rural Water System, Inc.
PO Drawer 299
Arlington, SD 57212

Dear Mr. Elcock:

Water Permit Application No. 5785-3 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 Argus Leader printed at Sioux Falls, SD (Ph # 331-2200), Salem Special printed at Salem, SD (Ph # 425-2361), Moody County Enterprise printed at Flandreau, SD (Ph # 997-3725), Brookings Daily Register printed at Brookings, SD (Ph # 692-6271), DeSmet News printed at DeSmet, SD (Ph # 854-3331), Miner Co. 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), and the Hamlin Co. Herald-Enterprise printed at Hayti, SD (Ph # 783-3636). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application 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 application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, 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 application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 18, 1993

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

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5785-3 to be published twice. Please publish the first notice on October 27, 1993, 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., PO 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
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

October 18, 1993

Salem Special
Box 220
Salem, SD 57058-0220

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5785-3 to be published twice. Please publish the first notice on October 28, 1993, with the second publication 7 days later.

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Natural Resources Engineer
605 773-3352

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Pierre SD 57501-3181

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 18, 1993

Moody County Enterprise
Box 71
Flandreau, SD 57028

ATTENTION: Legal Department

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Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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Joe Foss Building
Pierre SD 57501-3181

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Date _____

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 18, 1993

Brookings Daily Register
Box 177
Brookings, SD 57006

ATTENTION: Legal Department

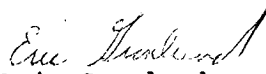
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Natural Resources Engineer
605 773-3352

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Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 18, 1993

DeSmet News
Box 69
DeSmet, SD 57231

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5785-3 to be published twice. Please publish the first notice on October 27, 1993, with the second publication 7 days later.

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Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 18, 1993

Miner Co. Pioneer
Box P
Howard, SD 57349

ATTENTION: Legal Department

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Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 18, 1993

Daily Leader
PO Box 348
Madison, SD 57042

ATTENTION: Legal Department

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Sincerely,

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Natural Resources Engineer
605 773-3352

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Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 18, 1993

Clark County Courier
Box 189
Clark, SD 57225

ATTENTION: Legal Department

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Natural Resources Engineer
605 773-3352

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Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 18, 1993

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

ATTENTION: Legal Department

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Eric Gronlund
Natural Resources Engineer
605 773-3352

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Joe Foss Building
Pierre SD 57501-3181

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FIRST PUBLICATION.

Name

Newspaper

28

Instruction to Newspaper - Publish first Notice on October 27, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5785-3 to Appropriate Water

Notice is given that the Kingbrook Rural Water System, Inc., PO Drawer 299, Arlington, SD 57212 has filed an application for a water permit to add the City of Lake Preston to the Kingbrook Rural water System. The City is to be supplied through Kingbrook Rural Water System, DeSmet treatment plant, with water permitted by Water Permit Nos. 4137-3, 5186-3, 5208-3, 5208A-3 and 5426-3. Water Permit No. 4137-3 appropriates 3.0 cubic feet of water per second (cfs) from three wells located in the SW 1/4 SE 1/4, SE 1/4 NE 1/4 Section 8 and the SE 1/4 NE 1/4 Section 17; all in T111N-R56W. Water Permit No. 5186-3 appropriates 0.7 cfs from 1 well located in the SW 1/4 Section 16-T111N-R56W. Water Permit Nos. 5208-3 and 5208A-3, combined, appropriate 1.4 cfs from 2 wells located in the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 Section 6-T111N-R56W. Water Permit No. 5426-3 appropriates 1.4 cfs from 2 wells located in the SE 1/4 NW 1/4 and the NW 1/4 NW 1/4 Section 6-T111N-R56W. This application will not change the authorized diversion rates or the maximum withdrawal of 1,350 acre-feet of water.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5785-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 22, 1993. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 10:00 a.m., December 1, 1993, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The December 1, 1993, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 22, 1993.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by November 22, 1993, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss
 County of Minnehaha)



I, D. Reicher

certify that the attached printed Notice was

taken from the Argus Leader

printed and published in City of Sioux Falls

County of Minnehaha and State of

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

Wed., October 27, 1993

Wed., November 3, 1993

Cost of Printing: \$121.43

D. Reicher
 (Signature)

Asst. Controller
 (Title)

11/3/93
 (Date Signed)

NOTICE OF HEARING on
 Application No. 5785-3 to
 Appropriate Water
 Notice is given that the Kingbrook
 Rural Water System, Inc., PO
 Drawer 299, Arlington, SD 57212

has filed an application for a water permit to add the City of Lake Preston to the Kingbrook Rural Water System. The City is to be supplied through Kingbrook Rural Water System, DeSmet treatment plant, with water permitted by Water Permit Nos. 4137-3, 5186-3, 5208-3, 5208A-3 and 5426-3. Water Permit No. 4137-3 appropriates 3.0 cubic feet of water per second (cfs) from three wells located in the SW 1/4 SE 1/4, SE 1/4 NE 1/4 Section 8 and the SE 1/4 NE 1/4 Section 17; all in T111N-R56W. Water Permit No. 5186-3 appropriates 0.7 cfs from 1 well located in the SW 1/4 Section 16-T111N-R56W. Water Permit Nos. 5208-3 and 5208A-3, combined, appropriate 1.4 cfs from 2 wells located in the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 Section 6-T111N-R56W. Water Permit No. 5426-3 appropriates 1.4 cfs from 2 wells located in the SE 1/4 NW 1/4 and the NW 1/4 NW 1/4 Section 6-T111N-R56W. This application will not change the authorized diversion rates or the maximum withdrawal of 1,350 acre feet of water.

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 9104 Oct. 27; Nov. 3, 1993

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of McCook) ss

I, Troy Schwans

certify that the attached printed Notice was
 taken from the Salem Special

printed and published in Salem

County of McCook and State of

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

October 28, 1993

November 4, 1993

Cost of Printing: 59.98


 (Signature)

Editor

(Title)

11/4/93

(Date Signed)

**Public Notice**

**NOTICE OF HEARING
 ON APPLICATION NO. 5785-3
 TO APPROPRIATE WATER**

Notice is given that the Kingbrook Rural Water System, Inc., PO Drawer 299, Arlington, SD 57212 has filed an application for a water permit to add the City of Lake Preston to the Kingbrook Rural Water System. The City is to be supplied through Kingbrook Rural Water System, DeSmet treatment plant, with water permitted by Water Permit Nos. 4137-3, 5186-3, 5208-3, 5208A-3 and 5426-3. Water Permit No. 4137-3 appropriates 3.0 cubic feet of water per second (cfs) from three wells located in the SW 1/4 SE 1/4, SE 1/4 NE 1/4 Section 8 and the SE 1/4 NE 1/4 Section 17; all in T111N-R56W. Water Permit No. 5186-3 appropriates 0.7 cfs from 1 well located in the SW 1/4 Section 16-T111N-R56W. Water permit Nos. 5208-3 and 5208A-3, combined, appropriate 1.4 cfs from 2 wells located in the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 Section 6-T111N-R56W. Water Permit No. 5426-3 appropriates 1.4 cfs from 2 wells located in the SE 1/4 NW 1/4 and the NW 1/4 NW 1/4 Section 6-T111N-R56W. This application will not change the authorized diversion rates or the maximum withdrawal of 1,350 acre-feet of water.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5785-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The

Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 22, 1993. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 10:00 a.m., December 1, 1993, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The December 1, 1993, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 22, 1993.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by November 22, 1993, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

10/28, 11/4

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Moody) ssI, Angela Nippelink

certify that the attached printed Notice was

taken from the Moody County
Enterpriseprinted and published in FlandreauCounty of Moody and State ofSouth Dakota. The notice was published in
the newspaper on the following two dates:Oct. 26, 1993Nov. 2, 1993Cost of Printing: 58.75Angela Nippelink
(Signature)Bookkeeper
(Title)Nov. 2, 1993
(Date Signed)

NOTICE OF HEARING on Application No. 5785-3 to Appropriate Water

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(Oct. 26 & Nov. 2, 1993)



PROOF OF PUBLICATION *OK*

STATE OF SOUTH DAKOTA)
County of Brookings) ss

I, Nancy Skyberg

certify that the attached printed Notice was
taken from the Brookings Register

printed and published in Brookings

County of Brookings and State of

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

October 27th 1993

November 3rd 1993

Cost of Printing: \$60.06

Nancy Skyberg
(Signature)

Legal Ad Coordinator
(Title)

11-3-93

(Date Signed)

Legal 494, 2x, Oct. 27, Nov. 3

NOTICE OF HEARING on
Application No. 5785-3 to Appropriate
Water

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PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Kingsbury)I, Dale Blegen

certify that the attached printed Notice was

taken from the De Smet Newsprinted and published in De SmetCounty of Kingsbury and State ofSouth Dakota. The notice was published in
the newspaper on the following two dates:October 27, 1993November 3, 1993Cost of Printing: 57.67

Dale Blegen
(Signature)

Publisher
(Title)

November 3, 1993
(Date Signed)

NOTICE OF HEARING
on Application No. 5785-3
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109

57.67

(100)

sented at the public hearing. The December 1, 1993, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 22, 1993.

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10-27-2wc-11-3

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Kingbrook RWS

ADDRESS: PO Drawer 299, Arlington SD COUNTY: Kingsbury

DATE: 11-3-93 TELEPHONE:

RE: Publication Notice - Miner County Pioneer

COMMENTS:

Notice was published in the Miner County Pioneer on October 28, 1993. We received a clipping of the first notice on November 3, 1993. I called the paper to have the errors corrected. At that time, I was informed that the paper for November 4, 1993 had already been printed. The error occurred in the legal description describing the location of the well for Permit Nos. 5208-3 and 5208A-3. The location of the wells was described as being in the E 1/2, NW 1/4 and the SW 1/4 NE 1/4 Section 6-T111N-R56W. The correct location is the E 1/2 NW 1/4 (no comma). Eric Gronlund stated that the way it was incorrectly advertised included the entire NW 1/4 which was a broader area than the E 1/2 NW 1/4 but legally the location would still be correct.



Karen Schlaak
Natural Resources Analyst

NOTICE OF HEARING
On Application No. 5785-3
to Appropriate Water

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AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, County of Miner: ss.

Danny Schwans of said County and State, being duly sworn, on his oath says: That the Miner County Pioneer is a legal newspaper of general circulation, printed and published in Howard, said County and State, by Danny Schwans, and has been such newspaper during the time hereinafter mentioned; and that I, Danny Schwans, the undersigned, am publisher of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the advertisement or notice

headed Notice of Hearing

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper and not in a supplement, once each week for 2

successive weeks, the first publication being made on the 28 day of Oct. 1993

and the last publication on the 4 day of Nov. 1993

The first publication being made on the 28 day of Oct. 1993

The second publication being made on the 4 day of Nov. 1993

The third publication being made on the day of 19

The fourth publication being made on the day of 19

The fifth publication being made on the day of 19

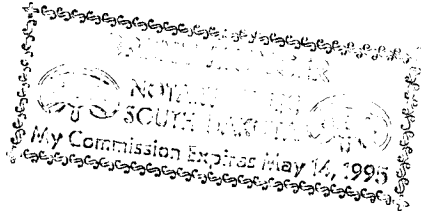
That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Miner, for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in an office maintained in Howard, South Dakota, the place of publication of said newspaper. That the full amount of fees for publication of the annexed notice is \$50.00 and inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any person whomever.

Danny Schwans

Subscribed and sworn to me this 19th day of Nov. 1993

Brent Mung

My Commission expires the 14th day of May 1995



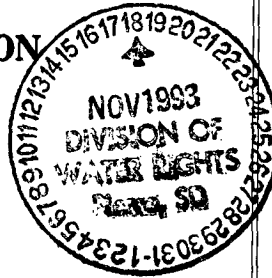
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(Oct. 28-Nov. 4)

Wednesday, Oct. 27 & Nov. 3

AFFIDAVIT OF PUBLICATION



STATE OF SOUTH DAKOTA

County of Lake

ss.

Deanna Bergheim

..... of the City of Madison,
County of Lake, State of South Dakota, being first duly sworn on oath, deposes and says:

The Madison Daily Leader is a daily legal newspaper of general circulation, printed and published in the City of Madison, in said County of Lake, by Hunter Publishing, Inc., Jon M. Hunter, publisher, and has been such legal newspaper during the times hereinafter mentioned; that the said Madison Daily Leader has been in existence as such legal newspaper for more than one year prior to the publication of the notice hereunto attached, and has during all of said time had, and now has, more than 200 bona fide subscribers; that the undersigned, the affiant, is the Secretary of the said newspaper, in charge of the advertising department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed

Notice of Hearing on Application #5785-3 to
Appropriate Water/Kingbrook Water

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

On Wednesday, the 27th day of October, 19 93;
On Wednesday, the 2nd day of November, 19 93;
On, the day of, 19;
On, the day of, 19;
On, the day of, 19;
On, the day of, 19;
On, the day of, 19;
On, the day of, 19;

That \$ 53.05 being the full amount of the fees for publication of the attached notice inures solely for the benefit of the publisher of the said newspaper; that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Deanna Bergheim

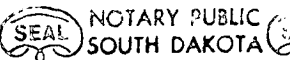
16th

Subscribed and sworn to before me this day of

November, 19 93.

Cheryl Wiseman
Notary Public, Lake County, South Dakota:

CHERYL WISEMAN



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ON APPLICATION NO. 5785-3
TO APPROPRIATE WATER

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5785-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, 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 November 22, 1993. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 10:00 a.m., December 1, 1993, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The December 1, 1993, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 22, 1993.

Publication Fees \$

Notary Fees \$

Total \$

Received Payment,

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by November 22, 1993, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-12 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

ROBERT E. ROBERTS
Secretary, Department of
Environment and Natural Resources

**Notice of Hearing
on Application No. 5785-3
to Appropriate Water**

Notice is given that the Kingbrook Rural Water System, Inc., PO Drawer 299, Arlington, SD 57212 has filed an application for a water permit to add the City of Lake Preston to the Kingbrook Rural Water System. The City is to be supplied through Kingbrook Rural Water System, De Smet treatment plant, with water permitted by Water Permit Nos. 4137-3, 5186-3, 5208-3, 5208A-3 and 65426-3. Water Permit No. 4137-3 appropriates 3.0 cubic feet of water per second (cfs) from three wells located in the SW 1/4 SE 1/4, SE 1/4 NE 1/4 Section 8 and the SE 1/4 NE 1/4 Section 17; all in T111N-R56W. Water Permit No. 5186-3 appropriates 0.7 cfs from 1 well located in the SW 1/4 Section 16-T111N-R56W. Water Permit Nos. 5208-3 and 5208A-3, combined, appropriate 1.4 cfs from 2 wells located in the E 1/2 NW 1/4 and the SW 1/4 NE 1/4 Section 6-T111N-R56W. Water Permit No. 5426-3 appropriates 1.4 cfs from 2 wells located in the SE 1/4 NW 1/4 and the NW 1/4 NW 1/4 Section 6-T111N-R56W. This application will not change the authorized diversion rates or the maximum withdrawal of 1,350 acre-feet of water.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5785-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 22, 1993. The petition may be informal, but must include a statement describing the petitioner's interest in the appli-

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10-27-2t

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA,

County of Clark

ss.

Bert Moritz

David Moritz of said county being first duly sworn, on oath says that he is the publisher of the CLARK COUNTY COURIER, a weekly newspaper printed and published in Clark in said County of Clark and has a full and personal knowledge of all the facts therein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

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



that the full amount of the fees for the publication of the annexed notice is \$ 63.40

Bert Moritz
Subscribed and sworn to before me this 16th
day of November 19 93

Jan M. Furness

Notary Public
Clark County, South Dakota.

My commission expires
7-15-1999

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Hemlin) ss

I, Jeannette Easter

certify that the attached printed Notice was

taken from the Harshel C. Oster

printed and published in 1 Keytr

County of Hemlin and State of SD

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

10-28-93

11-4-93

Cost of Printing: 66.68

(Signature)

(Title)

(Date Signed)

2x-Oct. 28, Nov. 4

NOTICE OF HEARING ON APPLICATION NO. 5785-3 to Appropriate Water

Notice is given that the Kingbrook Rural Water System, Inc., PO Drawer 299, Arlington, SD 57212 has filed an application for a water permit to add

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ROBERT E. ROBERTS,
 Secretary
 Department of Environment
 and Natural Resources



5785-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 1 1994

Morris Elcock
Kingbrook Rural Water System, Inc.
PO Drawer 299
Arlington, SD 57212

Dear Mr. Elcock:

Enclosed is Water Permit No. 5785-3 authorizing construction of your water diversion system and beneficial use of the water, 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,

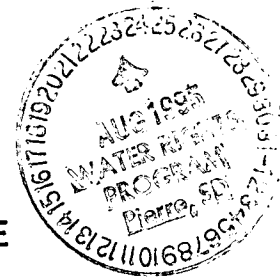
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

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.

5785-3

**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. 5785-3.

Water Permit No. 5785-3 states that the diversion system is to be constructed by December 1, 1998, and that the water is put to beneficial use by December 1, 2002.
(date) (date)

The diversion system was completed on April 4, 1995.
(date)

Applying the water to beneficial use was completed on April 4, 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)

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5785-3

DATE OF INVESTIGATION:	19 June 1994
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Guy Gronewold Operations Supervisor
NAME & ADDRESS OF PERMIT HOLDER	
DIVERSION POINT LEGAL LOCATION	

Other permit(s) associated with the project: 4367-3, 5168-3, 5426-3, 5208A-3, 5021-3

WELL INFORMATION:

- 1) Well Drilling Firm: _____
- 2) No. of Wells _____
- 3) Depth(s) _____ feet
- 4) Well log is available Y/N
- 5) Comment: _____

Casing:

- 1) Diameter _____ inches
- 2) Length _____ feet
- 3) Type _____

Screen:

- 1) Type _____
- 2) Length _____ feet
- 3) Static water level _____ feet

Pump:

- 1) Make _____
- 2) Model _____
- 3) Size _____
- 4) Capacity _____ GPM

Motor:

- 1) Make _____
- 2) Model No. _____
- 3) Horsepower rating _____ hp

DISTRIBUTION LINES OR CANALS:

- 1) Type _____
- 2) Size _____ inches
- 3) Length _____ feet

SYSTEM TYPE:

Center pivot:

- 1) Make _____
- 2) Overall length _____ feet
- 3) Number of towers _____
- 4) Distance between towers _____ feet
- 5) End gun Y/N
- 6) High or low pressure _____
- 7) Capacity _____ GPM

This permit allows Kingbrook Rural Water to supply water to Lake Preston. Lake Preston is being served.

Gale M. Selken

Gun:

- 1) Make _____
- 2) Nozzle size _____ inches
- 3) Capacity _____ GPM
- 4) Hose size _____ inches

Sideroll:

- 1) Length _____ feet
- 2) Diameter of pipe _____ inches
- 3) Sprinkler spacing _____ feet

Towline:

- 1) Length _____ feet
- 2) Diameter _____ inches
- 3) Spacing of gates _____ inches

Siphons:

- 1) Size _____ inches
- 2) Number _____

DAM INFORMATION:

- 1) Height to crest _____ feet
- 2) Height to primary spillway _____ feet
- 3) Height to secondary spillway _____ ft
- 4) Crest width _____ feet
- 5) Crest length _____ feet
- 6) Spillway length _____ feet
- 7) Spillway width _____ feet
- 8) Approx. storage _____ ac-ft
- 9) Approx. storage to crest _____ ac-ft
- 10) Date constructed: _____

CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y/N
- 2) Main line check valve Y/N
- 3) Inspection port/air relief Y/N
- 4) Low pressure drain Y/N
- 5) Discharge is 20' from source Y/N
- 6) Interlock type electrical or mechanical
- 7) Injection pump type piston or other
- 8) Injection check valve Y/N
- 9) Injection line check valve or positive displacement pump Y/N
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules Y/N
- 11) Comments: _____

PERMIT QUALIFICATIONS:

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

DATE: 19 June 1996

Other permit(s) associated with the project: 4367-3, 5168-3, 5426-3, 5821-3 Person contacted was Guy Gronewold, Operation Supervisor for the Rural Water System.

DIVERSION POINT LEGAL LOCATION: Well number 7 is located approximately 1410 feet east and 1280 feet south of the NW1/4 corner of section 6 T111N R56W, well number 8 is located approximately 1140 feet east and 840 feet south of the NW1/4 corner section 6 T111N R56W. The legal locations of the wells is approximate as the physical location of the NW1/4 corner was not found.

WELL INFORMATION:

- 1) Well Drilling Firm: LTP
- 2) No. of Wells well #7 105 feet, well #8 92 feet
- 4) Well log is available Yes
- 5) Comment: wells are operated one at a time at the permitted rate of 1.4 cfs. This permit allows the connection of Oldham and the City of Howard, Mr. Gronewold indicates that both towns are being served.

CASING: DIAMETER: well #7 12 inches well #8 is 12 inches

LENGTH: well #7 93 feet well #8 82 feet

TYPE: both wells are steel cased

SCREEN: Type: stainless steel for both wells

Length: well #7 39 feet and well #8 10 feet

Pump: Goulds Capacity well #7 is 700 gpm and well #8 is 665 gpm when not connected to the system

DISTRIBUTION LINES OR CANALS: Rural water system distribution lines

:

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit NA
- 2) Special qualifications to permit being abided by YES
- 3) All structures, wells and lands on map YES


Gale N. Selken P.E.

Natural Resources Engineer IV

Water Rights Program

Permit No. 5208-3, 5208A-, 5785-3
Vermillion 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

I have this day, **20 June 1996**, made a thorough examination of the water use system constructed by **Kingbrook Rural Water System Inc. of Drawer 299, Arlington SD holder of Permit No. 5208-3, 5208A-3, and 5785-3** bearing the priority of **15 August 1988** authorizing the diversion of **1.4 cu. ft. per second** of the waters of the Vermillion East fork Aquifer for rural water system purposes, in **Kingsbury, Miner, Lake, Clark, Hamlin, Minnehaha, McCook, Moody and Brookings Counties.**

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

A. Works used to divert the water:

Two wells, well #7 and well #8 drilled by L.T.P. Enterprises Inc. and located in the NW1/4 section 6 T111N R56W

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

Rural Water System mains

C. Works used to apply water to beneficial use:

Rural Water System Mains

The system is in good condition. The points of diversion are located in the **NW1/4 section 6 T111N R56W or approximately 1410 feet east and 1280 feet south and 1140 feet east and 840 feet south of the NW1/4 corner of section 6 T111N R56W.** The works are capable of diverting and conveying to the place of use **1.4 cu. ft. per second** of water which is to be used for **rural water system purposes.**

Water has been put to beneficial use to the maximum extent as follows:

No. 5208-3 was approved for 1.4 cfs from two wells in the SW1/4 and NE1/4 section 17 T111N R56W. No. 5208A-3 changed the points of diversion to the E1/2 NW1/4 and SW1/4 NE1/4 section 6 T111n R56W. combined annual withdrawals of Nos. 4137-3, 5186-3, 5208-3, 5208A-3 and 5785-3 are limited to 1350 acre feet per year. Water permit no. 5785-3 allows service to Lake Preston. Lake Preston is being served by the system.

The license should be issued for 1.4 cfs.

Date report completed 20 June 1996.



Gale N. Selken, P.E.
Natural Resources Engineer
DENR, Water Rights Program

File Memo:

From: Gale N. Selken

Date: 20 June 1996

Re: Kingbrook Rural Water System

Guy Gronewold, operations supervisor for DeSmet area well fields provided the following information:

Permit 4367-3

Wells as shown on attached map and all wells are identical construction
pump size 4 inch Motor horsepower 7.5
pump and motor are U.S. Electric
capacity is 150 gpm
depths 65 feet

Permit 5168-3

Well is located as shown on attached map
pump size 4 inch Franklin motor and Layne pump
capacity is 360 gpm
depth 61 feet
driller LTP

Permit 5426-3

Wells are as located on attached map
pump size 6 inch
motor horsepower 15
Franklin motor and Layne pump
well #5 - 74 feet deep and capable of 450 gpm
well #6 - 90 feet deep and capable of 450 gpm

Permits 5208-3 and 5208A-3

Wells #7 and #8 as located on attached map
pumps Goulds 2 stage 3500 rpm 25 horsepower with Franklin motors
capacity #7 - 750 gpm and #8 - 800 gpm when not hooked to system only one well
is operated at a time. Permit is for 1.4 cfs (630gpm) Mr. Gronewold indicated that
when hooked to the system the wells will produce at permitted capacity.

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Kingbrook Rural Water System

ADDRESS: Drawer 299, Arlington SD

DATE: 19 June 1996 **COUNTY:** Kingsbury **TELEPHONE:** 605-983-5074

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

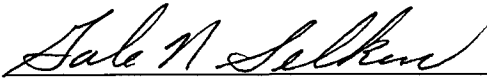
The water source for the wells is the Vermillion East Fork Aquifer, the same as applied for. The amount of water is 1.4 cfs as applied for.

- **Review of Existing Diversions**

The wells were to be located in the E1/2NW1/4 section 6 and SW1/4NE1/4 section 6 T111N R56W in Kingsbury County. One of the wells is actually located in the W1/2NW1/4 of section 6 T111N R56W.

RECOMMENDED ACTION

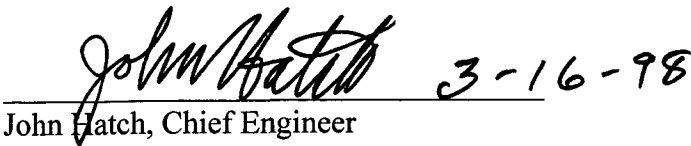
Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Gale N. Selken P.E. Natural Resources Engineer IV
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



John Hatch, Chief Engineer
Water Rights Program

T111NR56W

Kingbrook Rural Water

4367-3

5168-3

5208-3

5208A-3

5426-3

#2(4367-3)

#1 (4367-3)

#3(4367-3)

4. (5168-3)

Gravel Pits

Sale N. Selkin
20 June 1996

Gravel

Gravel
Pits

28

↓



1

17

7

Park

5785-3

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5785-3

(1) Kingbrook Rural Water System, Inc., Drawer 299, Arlington SD 57212 made Application No. 5785-3, August 25, 1993 for a water permit to add the City of Lake Preston to the rural water distribution system. Permit No. 5785-3, with a priority date of August 25, 1993 was approved December 1, 1993 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 1, 1998 and for the application to beneficial use of said water on or before December 1, 2002.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on August 23, 1995. The *Notice* stated the diversion system was completed on April 4, 1995 and the water placed to beneficial use on April 4, 1995.

Permits associated with this water use system:

- Water Permit No. 5208-3 - with a priority date of August 15, 1988, authorized 1.4 cubic feet of water per second (cfs) from 2 wells. The permit also authorized adding the Cities of Oldham and Howard to the rural water distribution system.
- Water Permit No. 5208A-3 - with a priority date of August 15, 1988, changed the location of the points of diversion authorized by Permit No. 5208-3. No. 5208A-3 did not increase the diversion rate authorized by No. 5208-3. An investigation conducted for licensing purposes found one of the wells under Water Permit No. 5208A-3 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.
- Combined annual withdrawals from Water Right/Permit Nos. 4137-3, 5186-3, 5208-3, 5208A-3 and 5785-3 are limited to 1,350 acre-feet of water per year.
- The applicable portions of Nos. 5208-3 and 5208A-3 are incorporated into No. 5785-3.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of this portion of the water supply system and is entitled to divert 1.4 cubic feet of water per second for beneficial use under Water Right No. 5785-3. The location of these diversion points are: Well #7 - 1,410 feet east and 1,280 feet south (NE 1/4 NW 1/4) and Well #8 - 1,140 feet east and 840 feet south (NW 1/4 NW 1/4); both from the northwest corner of Section 6-T111N-R56W.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for rural water system use including the Cities of Lake Preston, Howard, and Oldham.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Kingbrook Rural Water System, Inc., Drawer 299, Arlington SD 57212 the holder and/or owner of Incorporated Water Permit No. 5785-3 is issued a license to appropriate water, the right to use 1.4 cubic feet of water per second from groundwater (two wells) with a priority date of August 15, 1988 from the locations specified in (2) of this license for the purpose of rural water system use. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 5785-3 and subject to South Dakota State Law.



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

SEP 8 1998

date





March 24, 1998

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Permit No. 5785-3

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

Dear Mr. Elcock:

The investigation of your water use system was conducted on June 20, 1996, by Gale N. Selken, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit Nos. 5208-3, 5208A-3 and 5785-3. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit Nos. 5208-3 and 5208A-3 will be incorporated into 5785-3.

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**

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

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.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

42 415717

Pierre, April 2, 19 98

RECEIVED OF Kingbrook Rural Water System, Inc., P.O. Box 299, Arlingotn, 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 _____

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. 5785-3

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





**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.



5785-3

**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.



**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:

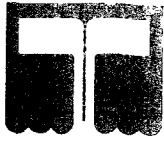
- The "CFS" listed for "PE" status permits will be reduced upon licensing if the actual diversion rate is less than the specified rate, and
- The "AF" listed for each future use permit is the number of acre-feet remaining in reserve.

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



THEIN WELL

P.O. BOX 778, 11355 HWY. 71 NE (ACROSS FROM RINGO LAKE)
SPICER, MINNESOTA 56288 • (320) 796-2111
www.theinwell.com • E-mail: theinwell@tds.net

5785-3

WELLS ~ PUMPS
SALES ~ SERVICE

Since 1893

August 12, 2008

RECEIVED

AUG 15 2008

WATER RIGHTS
PROGRAM

Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, SD 57501

To Whom It May Concern:

Enclosed please find a Water Well Completion Report and Plugging Report for Kingbrook Rural Water System for a project we recently completed. I have sent the originals for signatures and when I receive them back I will forward on to your office.

Please let me know if there is anything else needed.

Sincerely,

Vicki Mackedanz
Accounting Clerk

SOUTH DAKOTA WATER WELL COMPLETION REPORT

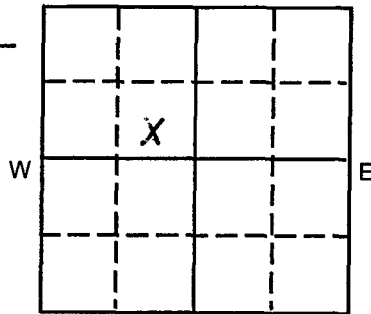
11-02

Location SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 6 Twp 111 Rg 56

County

Kingsbury

North

Please mark well
location with an "X"

Well Completion Date

6/17/2008

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? 20.0 ft. from Abandoned well #7 (identify source)

PROPOSED USE:

☐ Domestic/Stock Irrigation
 ☒ Municipal Industrial
 ☐ Business Institutional
 ☐ Test Holes Monitoring well

METHOD OF DRILLING:

Rotary

CASING DATA:

☒ Steel
 ☐ Plastic
 ☐ Other

If other describe

PIPEWEIGHT LB/FT	DIAMETER IN	FROM FT	TO FT	HOLE DIAMETER IN
	12.00	0.0	92.5	17.50

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight Lb/gal	From Ft	To Ft
Volclay Grout	35	50.0	0.0	88.0

Describe grouting procedure

Pressure grout with tremie line

SCREEN:

☐ Perforated pipe
 ☒ Manufactured
Diameter 12.00 Inches Length 15.0 FeetMaterial Stainless steelSlot Size 70 Set From 92.5 Feet to 107.5 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes
 ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine
☐ No, Why Not?
Lab sample sent to for
water quality analysis

By owner

Well Owner: Kingbrook Rural Water System

Business Name:

Address: PO Box 299City, State, Zip: Arlington SD 57212

WELL LOG:

DEPTH

FORMATION

FROM

TO

See attached formation log

STATIC WATER LEVEL

50.7 FEET

If flowing: closed in pressure

PSI

GPM flow

through

Inch pipe

Controlled by

☐ Valve☐ Reducers☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped

Describe:

with submersible pump

☐ Bailed☐ Other

Pumping Level Below Land Surface

73.3 Ft. After8.0 Hrs. pumped500.0 GPM

Ft. After

Hrs. pumped

GPM

If pump installed, pump rate:

400.0 GPM

REMARKS

Kingbrook - DeSmet #10

This well was drilled under license #

475

And this report is true and accurate.

Drilling firm: Thein Well Co., Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

RECEIVED

Date:

AUG 15 2008WATER RIGHTS
PROGRAM

City/Town: Kingbrook Rural Water, DeSmet, SD Well #10
 County: Kingsbury
 Township: 111
 Range: 56
 Section: 6
 Qtr. Section: SE/NW
 Address: 431st Ave
 Nearest
 Intersecting St.: 204th St.

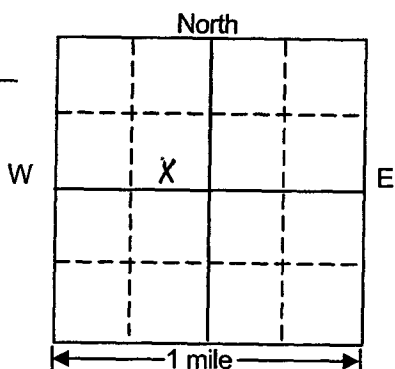
Geological Material	Color	Hardness or Formation	From	To
Sandy topsoil			0	2
Clay	Ylw		2	5
Sand		Coarse	5	8
Clay w/sand	Ylw		8	12
Gravel			12	30
Clay/cobble	Grn		30	33
Clay w/sand seams	Blue		33	37
Gravel			37	40
Clay w/sand seams	Blue		40	50
Clay	Blue		50	54
Sand		Med coarse	54	65
Clay	Blue		65	70
Sand/trace clay		Fine to coarse	70	80
Sand		Very coarse	80	98
Pea rock/clay	Blue		98	105
Clay	Blue		105	110

THEIN WELL CO., INC.
 P.O. BOX 778
 SPICER, MN 56288

Driller: _____

SOUTH DAKOTA WELL AND TEST HOLE PLUGGING REPORT

11-02

Location SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 6 Twp 111 Rg 56County
KingsburyPlease mark well
location with
an "X"

Well Owner:

Name: Kingbrook Rural Water SystemAddress: PO Box 299City, State, Zip: Arlington SD 57212

Comments:

Kingbrook - DeSmet #7Plugging Completion Date 6/17/2008

CHECK APPROPRIATE BOX

EXISTING WELL ☒TEST HOLE ☐Well depth 105'Casing material SteelCasing size(s) 12"Casing condition Poor

Hole depth _____

Hole size _____

Describe plugging procedure:

Pressure grout w/tremie line

Describe grout or plugging material:

3 yds. 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 Co., Inc.

Signature of Licensed Representative: _____

Signature of Well Owner: _____

Date: _____

Water Rights Program - File Documentation

NAME: Kingbook RWS – Jolene King

ADDRESS: Arlington SD

DATE: 8-9-11

RE: Well completion report

COMMENTS:

Jolene King stated the well completion report for the well drilled May 25, 2011 indicates it is Well #11. It is not Well #11. It is a replacement well for Well #8. The original Well #8 had problems and has been abandoned and plugged. The new well is the same water formation, no additional water and is located only a few feet away from the original wells.



Karen Schlaak
Environmental Scientist

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE ¼ NW ¼ Sec 6 Twp 11N Rg 56W

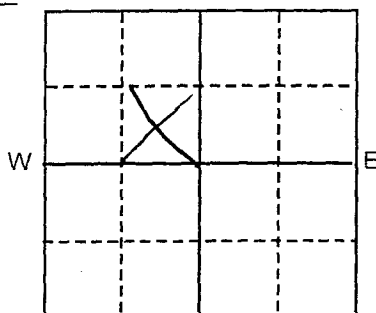
Well Owner:

PAGE 1 of 2

County Kingsbury

North

Please mark well location with an "X"



Well Completion Date

May 25, 2011

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
50.0 ft. from Septic (identify source)

PROPOSED USE:

☐ Domestic/Stock ☒ Municipal ☐ Business ☐ Test holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Rotary

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	12.00 IN	0.0 FT	86.0 FT	17.50 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Volclay	36	Lb/gal	0.0 Ft	80.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 12.00 Inches Length 12.0 Feet

Material Stainless Steel

Slot Size .070 Set From 86.0 Feet to 98.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorinated

☐ No, Why Not?

Lab to which water

quality sample sent for analysis

Owner to Obtain

Business Name:

Kingbrook Rural Water

Address:

PO Box 299

City, State, Zip:

Arlington

SD

57212

WELL LOG:

DEPTH

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	1
Gravel	1	18
Brown Clay	18	29
Sand & Gravel	29	37
Brown Sand & Clay	37	40
Brown Sand w/Clay Layers	40	57
Sand & Gravel	57	59
Gray Clay	59	63

Continued on Next Page ----->>>

STATIC WATER LEVEL

53.0 FEET

If flowing: closed in pressure

PSI

GPM flow

through

Inch pipe

Controlled by

☐ Valve☐ Reducers☐ Other

Reduced flow rate

GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:

☐ Bailed

☐ Other

Pumping Level Below Land Surface

70.2 Ft. After

8.0 Hrs. pumped

500.0 GPM

Ft. After

Hrs. pumped

GPM

If pump installed, pump rate:

GPM

REMARKS

GPS N44 27.191 Elev. 17637'
W097 36.496

RECEIVED

JUL 25 2011

WATER RIGHTS
PROGRAM

Well #11

This well was drilled under license #

475

and this

report is true and accurate.

Drilling firm:

Thein Well Company Incorporated

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

7/20/2011

SOUTH DAKOTA WATER

WELL COMPLETION REPORT

11-02

Well Owner: _____
 Business Name: Kingbrook Rural Water
 Address: PO Box 299
 City, State, Zip: Arlington SD 57212

WELL LOG: FORMATION	DEPTH	
	FROM	TO
Sand Gravel	63	72
Rock	72	74
Sand	74	76
Gray Clay & Sand	76	79
Sand & Gravel	79	96
Gray Clay	96	97
Sand	97	99
Gray Clay	99	109

THEIN WELL COMPANY INC.
 P.O. BOX 778
 WILLMAR, MN 56288

COUNTY - KINGSBURY

GPS N45 27.191
 W097 36.496

RECEIVED
JUL 25 2011
WATER RIGHTS
PROGRAM

5785-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

AUG 10 2012

6731-3

Kingbrook Rural Water System Inc
Jolene King
PO Box 299
Arlington SD 57212

Dear Ms. King:

Enclosed is Water License No. 6731-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

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,

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

Note: The applicable portions of No. 5785-3 are incorporated into Water License No. 6731-3.

enclosures