

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. 5821-3 Hydrologic Unit 10170202
Basin Big Sioux River
Newspaper _____

(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:

(check one)

☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

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

Connect City of Arlington to distribution system from Brookings-Deuel/Kingbrook
Joint Well Field

- Name of Applicant Brookings-Deuel-Kingbrook JWF Phone 794-4201
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address RR 2, Box 84 Toronto State SD 57268
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed no additional *CFS or _____ **GPM _____ ***AF _____
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply wells
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) SW 1/4 Section 19, T112N, R50W
NE 1/4 NE 1/4, NW 1/4 NE 1/4 Section 24, NE 1/4 NE 1/4 Section 25, T112N, R51W
County Brookings
- County or counties where water will be used Brookings-Kingsbury-Hamlin-Deuel-Moody-Minnehaha-
McCook-Miner-Lake-Crawford
- Annual period during which water is to be used January 1 - December 31
- 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)

Connect City of Arlington

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

STATE OF SOUTH DAKOTA)

County of Deuel)^{ss}

I, Patrick Gilligan, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed [Signature]Subscribed and sworn to before me this 5th day of May 19 94Laurie J. Santvoort

Notary Public

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Brookings/Deuel - Kingbrook JWF, WP Appl. NO. 5821-3

ADDRESS: COUNTY:

DATE: May 6, 1994 TELEPHONE:

RE: Call to Pat Gilligan

COMMENTS:

I contacted Mr. Gilligan to inform him that there must be a notary seal on the application.

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.

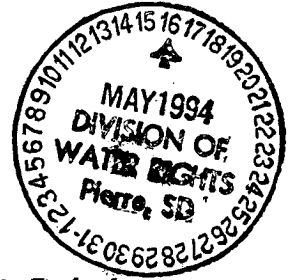
NAME:

Eric S. Hansen

FORM 2: Application for uses other than irrigation (type or print)

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Water Rights Division
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No. 5821-3 Hydrologic Unit 10170202
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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. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)
Connect City of Arlington to distribution system from Brookings-Deuel/Kingbrook
Joint Well Field

- Name of Applicant Brookings-Deuel-Kingbrook JWF Phone 794-4201
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address RR 2, Box 84 Toronto State SD 57268
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed no additional *CFS or _____ **GPM _____ ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply wells
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) SW 1/4 Section 19, T112N, R50W
NE 1/4 NE 1/4, NW 1/4 NE 1/4 Section 24, NE 1/4 NE 1/4 Section 25, T112N, R51W
County Brookings
- County or counties where water will be used Brookings-Kingsbury-Hamlin-Deuel-Moody-Minnehaha-
McCook-Rising-Lake-Tarkenton
- Annual period during which water is to be used January 1 - December 31
- 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)

Connect City of Arlington

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 Brookings)^{SS}

I, Patrick Gulligan, 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 Patrick Gulligan

Subscribed and sworn to before me this 13th day of May 1994

Laurie LeSant

Notary Public

**SOUTH DAKOTA
WATER PERMIT NO. 5821-3**

Date of first receipt of application May 5, 1994.

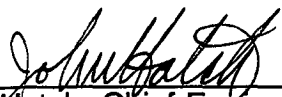
The Water Management Board approved Water Permit Application No. 5821-3 on June 28, 1994 for Brookings-Deuel-Kingbrook Joint Well Field, c/o Patrick Gilligan, RR 2, Box 84, Toronto SD 57268 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5821-3 authorizes connection of the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water System are authorized by this permit.
2. The water appropriated shall be used for the purpose of supplying water to the City of Arlington 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 May 5, 1994.
5. One-fifth of the construction is to be completed on or before December 28, 1996.
6. All construction is to be completed on or before June 28, 1999.
7. Water is to be put to beneficial use on or before June 28, 2003.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

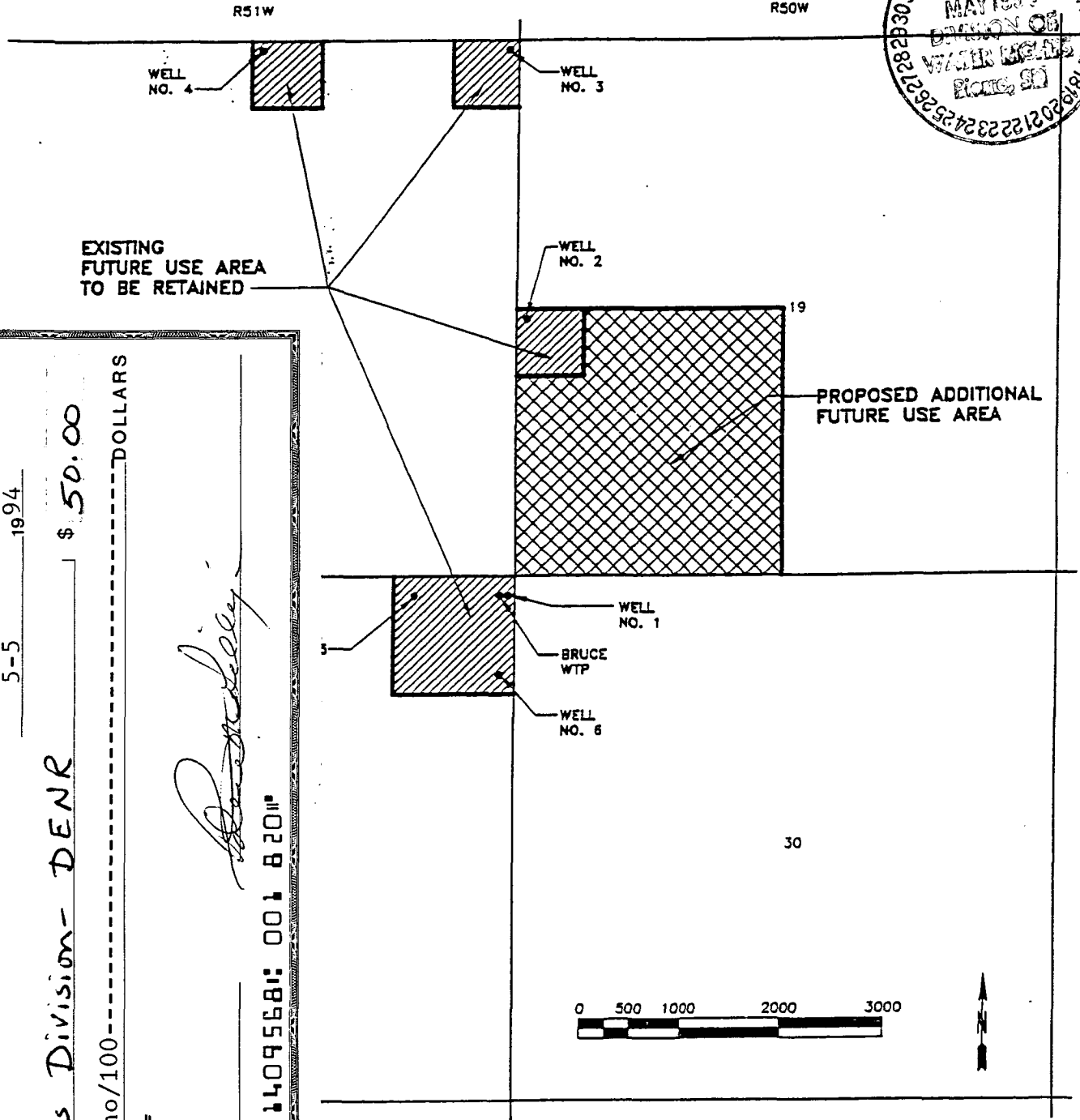
That Kingbrook Rural Water System report to the Chief Engineer annually the amount of water withdrawn each year from each water source.

WATER MANAGEMENT BOARD

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

AUG 19 1994
date

BROOKINGS COUNTY, SOUTH DAKOTA



LOCATION MAP
(DWG. 00230010/00230011)

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

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

Wild Grant Rechart and Associates Company
Routing Engineers

Date JAN 1994
Drawn By BH
Approved BJ
Reviewed
Project No. 500230

**BROOKINGS DEUEL/KINGBROOK
RURAL WATER SYSTEMS
JOINT WELL FIELD**

St. Regis, Iowa
Rt. City, Iowa
No. Farm, South Dakota

865

BROOKINGS-DEUEL-KINGBROOK

JOINT WELLFIELD
R.R. 2, BOX 84
TORONTO, SD 57268

78-956/914

5-5 1994

\$ 50.00

Water Rights Division - DENR

Fifty Dollars and no/100-----DOLLARS

BANKFIRST
P.O. BOX 458 N.A.
TORONTO, SD 57268

[Signature]

11000865 11094409568 001 82011

FOR

PAY
TO THE
ORDER OF

RECEIPT

Division of Water Rights

414165

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 6, 19 94

RECEIVED OF Brookings-Deuel-Kingbrook, RR 2 Box 84, Toronto, SD 57268

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

Fee for Application for Permit No. <u>5821-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

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

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

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

AQUIFER - BIG SIOUX BROOKINGS

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

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

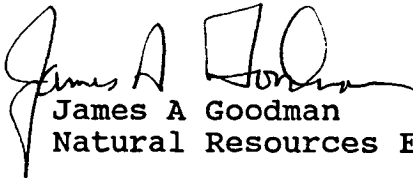
REVIEW OF EXISTING WATER PERMITS/RIGHTS

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

CONCLUSIONS

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

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


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hedges, L.S., 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Hedges, L.S., 1983, Same, Task 7, Ground Water Recharge, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 1994, Unpublished Observation Well Records for Brookings County, SD DENR, Division of Water Rights, Pierre, SD, 57501.
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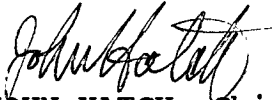
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5821-3, Brookings-Deuel-Kingbrook Joint Well Field

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 5820-3, Brookings-Deuel-Kingbrook Joint Well Field, c/o Patrick Gilligan, RR 2 Box 84, Toronto, SD 57268.

The Chief Engineer is recommending APPROVAL of Application No. 5820-3 because 1) existing rights will not be impaired, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualification:

That Kingbrook Rural Water System report to the Chief Engineer annually the amount of water withdrawn each year from each water source.

See report on application for additional information.


JOHN HATCH, Chief Engineer
May 16, 1994

Wednesday, May 25 & June 1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Lake) ss

I, Deanna D Bergheim

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

printed and published in Madison SD

County of Lake and State of

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

Wednesday, May 25, 94

Wednesday, June 1, 94

Cost of Printing: 80.41

Deanna D Bergheim
 (Signature)

Secretary

(Title)

6-6-94
 (Date Signed)

**NOTICE OF HEARING**

On Application No. 5821-3, 3982A-3 to Amend Future Use Permit No. 3982-3, and to Review Future Use Water Permit No. 3982-3

Notice is given that the Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 has filed Water Permit Application Nos. 3982A-3 and 5821-3 and the review of Future Use Permit No. 3982-3.

The Water Management Board will review Future Use Permit No. 3982-3 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978, to reserve 3.0 cfs from the Big Sioux Brookings Aquifer located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25; T112N-R51W and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19-T112N-R50W for rural water system use. Water Permit Nos. 5079-3 and 5602-3 put a total of 1.80 cfs to beneficial use reserved by No. 3982-3 leaving 1.20 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommend that Permit No. 3982-3 REMAIN IN EFFECT for 869 acre-feet of water because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Water Permit Application No. 3982A-3 is to amend Future Use Permit No. 3982-3 to expand the future use area (Future Use Permit No. 3982-3 is described above). This permit expands the future use area to include the entire SW $\frac{1}{4}$ Section 19-T112N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3982A-3 because 1) the use area can be expanded without unlawful impairment of existing rights, 2) the proposed use will be a beneficial use of water and 3) it is in the public interest.

Water Permit Application No. 5821-3 is to connect the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water System are authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5821-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting these applications or the review of Future Use Permit No. 3982-3 must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 20, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the applications or future use review, the petitioner's reasons for opposing or supporting the applications or future use review, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider these applications and the review of Future Use Permit No. 3982-3 at 10:00 a.m., June 28, 1994, Gallery D Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications or future use review based on the facts presented at the public hearing. The June 28, 1994, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or an interested person opposing the applications. The request for an automatic delay must be filed by June 20, 1994.

Any hearing will be an adversarial proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 20, 1994 at the above Water Rights Division address to request copies of information pertaining to these applications or future use review, to assure access to the hearing by the handicapped to obtain an interpreter for the hearing impaired.

These applications and future use review are made pursuant to SDCL 46-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:0 thru 74:02:01:15; 75:02:01:24 thru 74:02:01:25; (10,000 AF) 74:02:01:15.0 thru 74:02:01:15.05.

RUSSELL L. STONE
 Acting Secretary
 Department of Environment
 and Natural Resources

Affidavit of Publication

STATE OF SOUTH DAKOTA,

SS.

County of Hamlin

Mark R. Hausman and Carla Clarke, of said county, being first duly sworn, on oath say that they are the publishers or managers of The Estelline Journal, a weekly newspaper printed and published in Estelline, said County of Hamlin, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said county for fifty-one successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

Notice 1 day

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

May 26, 1994; _____, 19____
June 2, 1994; _____, 19____
_____, 19____; _____, 19____
_____, 19____; _____, 19____
_____, 19____; _____, 19____

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

Subscribed and sworn to before me this 15

day of June, 1994.

Connie Jean Jensen
Notary Public

CONNIE JEAN JENSEN

My Commission Expires
Sept. 29, 1994

2x-May 26, June 2

**NOTICE OF HEARING on
Application No. 5821-3, 3982A-3
to Amend Future Use Permit No.
3982-3, and to Review Future
Use Water Permit No. 3982-3**

Notice is given that the Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 has filed Water Permit Application Nos. 3982A-3 and 5821-3 and the review of Future Use Permit No. 3982-3.

The Water Management Board will review Future Use Permit No. 3982-3 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978, to reserve 3.0 cfs from the Big-Sioux Brookings Aquifer located in the NE 1/4 NE 1/4 NE 1/4 and NW 1/4 NW 1/4 NE 1/4 Section 24, NE 1/4 NE 1/4 NE 1/4 Section 25; T112N-R51W and the NW 1/4 NW 1/4 SW 1/4 Section 29-T112N-R50W for rural water system use. Water Permit Nos. 5079-3 and 5602-3 put a total of 1.80 cfs to beneficial use reserved by No. 3982-3 leaving 1.20 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommend that Permit No. 3982-3 REMAIN IN EFFECT for 869 acre-feet of water because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Water Permit Application No. 3982A-3 is to amend Future Use Permit No. 3982-3 to expand the future use area (Future Use Permit No. 3982-3 is described above). This permit expands the future use area to include the entire SW 1/4 Section 19-

T112N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3982A-3 because 1) the use area can be expanded without unlawful impairment of existing rights, 2) the proposed use will be a beneficial use of water and 3) it is in the public interest.

Water Permit Application No. 5821-3 is to connect the City of Arlington to the Kingbrook Rural Water System. No increase in the diversions rates currently authorized for Kingbrook Rural Water System are authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5821-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting these applications or the review of Future Use Permit No. 3982-3 must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 20, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the applications or future use review, the petitioner's reasons for opposing or supporting the applications or future use review, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

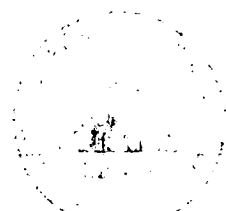
The Water Management Board will consider these applications and the review of Future Use Permit No. 3982-3 at 10:00 am, June 28, 1994, Gallery D, Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. The Chief Engineer's recommendations are not

final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications or future use review based on the facts presented at the public hearing. The June 28, 1994, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by June 20, 1994.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 20, 1994, at the above Water Rights Division address to request copies of information pertaining to these applications or future use review, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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RUSSELL L. STONE
Acting Secretary
Department of Environment
and Natural Resources





PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Miner) ss

I, Brent Munger

certify that the attached printed Notice was

taken from the Miner County Pioneer

printed and published in Howard, SD
Miner County Pioneer

County of Miner and State of

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

May 26, 1994

June 2, 1994

Cost of Printing: \$1.40

Brent Munger
(Signature)

NOTARY PUBLIC
(Title)

6/10/1994
(Date Signed)



on Application No. 5821-3
3982A-3 to Amend Future
Use Permit No. 3982-3, and
to Review Future Use
Water Permit No. 3982-3.
Notice is given that the
Brookings-Daugh Kingbrook
Joint Well Field, RR2, Box 84,
Toronto, SD 57268 has filed
Water Permit Application Nos.
3982A-3 and 5821-3, and the
review of Future Use Permit
No. 3982-3.

The Water Management Board
will review Future Use Permit
No. 3982-3 for progress made in
the development of the water
reserved by the Permit and
future plans for development of
the water reserved by Permit
No. 3982-3. This permit was
approved January 25, 1978, to
reserve 3.0 cfs from the Big
Sioux Brookings Aquifer located
in the NE 1/4 NE 1/4 NE 1/4
and NW 1/4 NW 1/4 NE 1/4
Section 24, NE 1/4 NE 1/4 NE
1/4 Section 25, T112N-R51W
and the NW 1/4 NW 1/4 SW 1/4
Section 19, T112N-R50W for
rural water system use. Water
Permit Nos. 5079-3 and 5602-3
put a total of 1.80 cfs to
beneficial use reserved by No.

3982-3 leaving 1.20 cfs held in
reserve. Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water
Rights Division recommends that
Permit No. 3982-3 REMAIN IN
EFFECT for 869 acre-feet of
water because 1) the reserve
water may be developed, 2)
there is need for the reserved
water, 3) the proposed use will
be a beneficial use, and 4) it is in
the public interest. This does not
Water Permit Application No.
3982A-3 is to amend Future
Use Permit No. 3982-3, to
expand the future use area
(Future Use Permit No. 3982-3
is described above). This permit
expands the future use area to
include the entire SW 1/4
Section 19-T112N-R50W.

Pursuant to SDCL 46-2A-2,
the Chief Engineer recommends
APPROVAL of Application No.
3982A-3 because 1) the use area
can be expanded without
unlawful impairment of existing
rights, 2) the proposed use will
be a beneficial use of water, and
3) it is in the public interest.

Water Permit Application No.
5821-3 is to connect the City of
Arlington to the Kingbrook
Rural Water System. No
increase in the diversion rates
currently authorized for
Kingbrook Rural Water System
are authorized by this
application.

Pursuant to SDCL 46-2A-2,
the Chief Engineer recommends
APPROVAL of Application No.
5821-3 because 1) existing
rights will not be unlawfully
impaired, 2) it is a beneficial use
of water, and 3) it is in the
public interest.

Any person interested in
opposing or supporting these
applications or the review of
Future Use Permit No. 3982-3
must file a written petition with
BOTH the applicant and Chief
Engineer. The applicant must
also file a petition if opposed to
the Chief Engineer's
recommendations. The Chief

Engineer's address is: Water
Rights Division, Foss Building,
623 E. Capitol, Pierre, SD
57501 (605/773-3352) and the
applicant's mailing address is
given above. A petition filed by
either an interested person or
the applicant must be filed by
June 20, 1994. The petition may
be informal, but must include a
statement describing the
petitioner's interest in the
applications or future use
review, the petitioner's reasons
for opposing or supporting the
application or future use
review, and the signature and
mailing address of the
petitioner or the petitioner's
legal counsel, if legal counsel is
obtained.

The Water Management Board
will consider these applications
and the review of Future Use
Permit No. 3982-3 at 10:00
a.m. June 28, 1994, Gallery D,
Ramkota Inn Best Western, 920
West Sioux, Pierre, SD. The
Chief Engineer's recom-
mendations are not final or
binding upon the Board. The
Board is authorized to 1)
approve, 2) approve with
qualifications, 3) defer, or 4)
deny these applications or
future use review based on the
facts presented at the public
hearing. The June 28, 1994,
hearing date will be
automatically delayed for at
least 20 days upon written
request to the Chief Engineer
from the applicant or any
interested person opposing the
applications. The request for an
automatic delay must be filed
by June 20, 1994.

Any hearing will be an
adversary proceeding. Any
person filing a petition and/or
the applicant have the right to
be represented by a lawyer and
may present evidence or cross-
examine witnesses according to
SDCL 1-26. These and other
due process rights will be
forfeited if not exercised.
Decisions of the Board may be
appealed to the Circuit Court
and State Supreme Court as

provided by law. Contact Eric
Gronlung by June 20, 1994, at
the above Water Rights Division
address to request copies of
information pertaining to these
applications or future use
review to assure access to the
hearing by the handicapped or
to obtain an interpreter for the
hearing impaired.

These applications and future
use review are made pursuant
to SDCL 46-1-1 thru 46-1-9, 46-
1-12 thru 46-1-16, 46-2-3-1, 46-
2-9, 46-2-11, 46-2-13, 46-2-17,
46-2A-1 thru 46-2A-10, 46-2A-
12, 46-2A-14, 46-2A-15, 46-2A-
20, 46-2A-21, 46-5-1 and 46-5-
13, 46-5-13 thru 46-5-15, 46-5-
24, 46-5-25, 46-5-30-2, 46-5-30-4,
46-5-31, 46-5-3, 46-6-3-1, 46-6-
16-1, 46-6-10, 46-6-13, 46-6-14,
46-6-26, 46-5-38 thru 46-5-40,
and Board Rules ARSD
74-02:01:01 thru 74-02:01:15,
74-02:01:24 thru 74-02:01:25,
(10,000 AF) 74-02:01:15:02 thru
74-02:01:15:05, Russell L. Stone,
Acting Secretary, Department of
Environment and Natural
Resources.

(May 26, June 2)

PROOF OF PUBLICATION

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:

May 25, 1994

June 1, 1994

Cost of Printing: \$81.50 (eighty-one

dollars and fifty cents)

Nancy Skyberg
(Signature)

Legal Ad Coordinator

(Title)

6-10-94
(Date Signed)

378, 2x, May 25, June 1

NOTICE OF HEARING

on Application No. 5821-3, 3982A-3 to Amend Future Use Permit No. 3982-3, and to Review Future Use Water Permit No. 3982-3

Notice is given that the Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 has filed Water Permit Application Nos. 3982A-3 and 5821-3 and the review of Future Use Permit No. 3982-3.

The Water Management Board will review Future Use Permit No. 3982-3 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978, to reserve 3.0 cfs from the Big-Sioux Brookings Aquifer located in the NE 1/4 NE 1/4 NE 1/4 and NW 1/4 NW 1/4 NE 1/4 Section 24, NE 1/4 NE 1/4 NE 1/4 Section 25; T112N-R51W and the NW 1/4 NW 1/4 SW 1/4 Section 19-T112N-R50W for rural water system use. Water Permit Nos. 5079-3 and 5602-3 put a total of 1.80 cfs to beneficial use reserved by No. 3982-3 leaving 1.20 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommend that Permit No. 3982-3 REMAIN IN EFFECT for 869 acre-feet of water because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Water Permit Application No. 3982A-3 is to amend Future Use Permit No. 3982-3 to expand the future use area (Future Use Permit No. 3982-3 is described above). This permit expands the future use area to include the entire SW 1/4 Section 19-T112N-R50W. Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3982A-3 because 1) the use area can be expanded without unlawful impairment of existing rights, 2) the proposed use will be a beneficial use of water and 3) it is in the public interest. Water Permit Application No. 5821-3 is to connect the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water system are authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of

Application No. 5821-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting these applications or the review of Future Use Permit No. 3982-3 must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 20, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the applications or future use review, the petitioner's reasons for opposing or supporting the applications or future use review, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider these applications and the review of Future Use Permit No. 3982-3 at 10:00 a.m., June 28, 1994, Gallery D, Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications or future use review based on the facts presented at the public hearing. The June 28, 1994, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by June 20, 1994.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 20, 1994, at the above Water Rights Division address to request copies of information pertaining to these applications or future use review, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

These applications and future use review are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25; (10,000 AF) 74:02:01:15.02 thru 74:02:01:15.05. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of M^cCook) ss

MaryAnn Letell

certify that the attached printed Notice was

taken from the The Canistota

Clipper

printed and published in Canistota

County of M^cCook and State of

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

May 26, 1994

June 2, 1994

Cost of Printing: \$83.70

MaryAnn Letell
(Signature)

Office Manager
(Title)

6-7-94
(Date Signed)

LEGAL
NOTICE

Notice Of Hearing On
Application No. 5821-3, 3982A-3
To Amend Future Use
Permit No. 3982-3, And To
Review Future Use Water
Permit No. 3982-3

Notice is given that the Brookings
- Deuel - Kingbrook Joint Well Field,
RR 2 Box 84, Toronto, SD 57268 has
filed Water Permit Application Nos.
3982A-3 and 5821-3 and the review of
Future Use Permit No. 3982-3.

The Water Management Board
will review Future Use Permit No.
3982-3 for progress made in the
development of the water reserved
by the Permit and future plans for
development of the water reserved by
Permit No. 3982-3. This permit was
approved January 25, 1978, to reserve
3.0 cfs from the Big - Sioux Brookings
Aquifer located in the NE 1/4 NE 1/4 NE
1/4 and NW 1/4 NW 1/4 NE 1/4 Section
24, NE 1/4 NE 1/4 NE 1/4 Section
25; T112N-R51W and the NW 1/4 NW
1/4 SW 1/4 Section 19-T112N-R50W for
rural water system use. Water Permit
Nos. 5079-3 and 5602-3 put a total
of 1.80 cfs to beneficial use reserved
by No. 3982-3 leaving 1.20 cfs held in
reserve.

Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water Rights
Division recommended that Permit No.
3982-3 REMAIN IN EFFECT for 869
acre - feet of water because 1) the
reserved water may be developed, 2)
there is need for the reserved water,
3) the proposed use will be a beneficial
use and 4) it is in the public interest.

Water Permit Application NO.

3982A-3 is to amend Future Use Permit
No. 3982-3 to expand the future use
area (Future Use Permit No. 3982-3 is
described above). This permit expands
the future use area to include the entire
SW 1/4 Section 19-T112N-R50W.

Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends APPROV-
AL of Application No. 3982A-3 because
1) the use area can be expanded without
unlawful impairment of existing rights,
2) the proposed use will be a beneficial
use of water and 3) it is in the public
interest.

Water Permit Application No.
5821-3 is to connect the City of
Arlington to the Kingbrook Rural
Water System. No increase in the
diversion rates currently authorized
for Kingbrook Rural Water System are
authorized by this application.

Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends APPROV-
AL of Application No. 5821-3 because
1) existing rights will not be unlawfully
impaired, 2) it is a beneficial use of
water, and 3) it is in the public interest.

Any person interested in oppos-
ing or supporting these applications or
the review of Future Use Permit No.
3982-3 must file a written petition with
BOTH the applicant and Chief Engi-
neer. The applicant must also file a
petition if opposed to the Chief Engi-
neer's recommendations. The Chief Engi-
neer's address is "Water Rights Divi-
sion, Foss Building, 523 E. Capitol,
Pierre SD 57501 (605 773-3352)" and
the applicant's mailing address is given
above. A petition filed by either an in-
terested person or the applicant must
be filed by June 20, 1994. The peti-
tion may be informal, but must include
a statement describing the petitioner's
interest in the applications or future use
review, the petitioner's reasons for op-
posing or supporting the applications or

future use review, and petitioner's rea-
sons for opposing or supporting the ap-
plications or future use review, and the
signature and mailing address of the pe-
titioner or the petitioner's legal coun-
sel, if legal counsel is obtained.

The Water Management Board
will consider these applications and the
review of Future Use Permit No. 3982-
3 at 10:00 a.m., June 28, 1994, Gallery
D, Ramkota Inn Best Western, 920
West Sioux, Pierre, SD. The Chief
Engineer's recommendations are not
final or binding upon the Board. The
Board is authorized to 1) approve, 2)
approve with qualifications, 3) defer,
or 4) deny these applications or future
use review based on the facts presented
at the public hearing. The June 28,
1994, hearing date will be automatically
delayed for at least 20 days upon written
request to the Chief Engineer from
the applicant or any interested person
opposing the applications. The request
for an automatic delay must be filed by
June 20, 1994.

Any hearing will be an adversary
proceeding. Any person filing a petition
and/or the applicant have the right to
be represented by a lawyer and may
present evidence or cross - examine
witnesses according to SDCL 1-26.
These and other due process rights will
be forfeited if not exercised. Decisions
of the Board may be appealed to
the Circuit Court and State Supreme
Court as provided by law. Contact Eric
Gronlund by June 20, 1994, at the
above Water Rights Division address to
request copies of information pertaining
to these applications or future use
review, to assure access to the hearing
by the handicapped or to obtain an
interpreter for the hearing impaired.

These applications and future use
review are made pursuant to SDCL
46-1-1 thru 46-1-9, 46-1-12 thru 46-
1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-
2-13, 46-2-17; 46-2A-1 thru 46-2A-
10; 46-2A-12, 46-2A-14, 46-2A-15, 46-
2A-20, 46-2A-21, 46-5-1 thru 46-5-
11; 46-5-13 thru 46-5-15; 46-5-24,
46-5-25, 46-5-30.2, 46-5-30.4, 46-5-
31, 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-
10, 46-6-13, 46-6-14, 46-6-26, 46-5-
38 thru 46-5-40; and Board Rules
ARSD 74:02:01:01 thru 74:02:01:15;
74:02:01:24 thru 74:02:01:25; (10,000
AF) 74:02:15:02 thru 74:02:01:15.05.
Russell L. Stone, Acting Secretary,
Department of Environment and Natu-
ral Resources.

5-26-2tc.



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Moody) ss

I, Angela Nibbelink

certify that the attached printed Notice was

taken from the Moody County
Enterprise

printed and published in Flanigan

County of Moody and State of

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

May 24, 1994
May 31, 1994

Cost of Printing: \$79.00

Angela Nibbelink
(Signature)

Bookkeeper
(Title)

5-31-94
(Date Signed)

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

Notice is given that the Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 has filed Water Permit Application Nos. 3982A-3 and 5821-3 and the review of Future Use Permit No. 3982-3.

The Water Management Board will review Future Use Permit No. 3982-3 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978, to reserve 3.0 cfs from the Big-Sioux Brookings Aquifer located in the NE 1/4 NE 1/4 NE 1/4 and NW 1/4 NW 1/4 NE 1/4 Section 24, NE 1/4 NE 1/4 NE 1/4 Section 25; T112N-R51W and the NW 1/4 NW 1/4 SW 1/4 Section 19-T112N-R50W for rural water system use. Water Permit Nos. 5079-3 and 5602-3 put a total of 1.80 cfs to beneficial use reserved by No. 3982-3 leaving 1.20 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommend that Permit No. 3982-3 REMAIN IN EFFECT for 869 acre-feet of water because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Water Permit Application No. 3982A-3 is to amend Future Use Permit No. 3982-3 to expand the future use area (Future Use Permit No. 3982-3 is described above). This permit expands the future use area to include the entire SW 1/4 Section 19-T112N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3982A-3 because 1) the use area can be expanded without unlawful impairment of existing rights, 2) the proposed use will be a beneficial use of water and 3) it is in the public interest.

Water Permit Application No. 5821-3 is to connect the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water System are authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5821-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting these applications or the review of Future Use Permit No. 3982-3 must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's

recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773 3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 20, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the applications or future use review, the petitioner's reasons for opposing or supporting the applications

and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

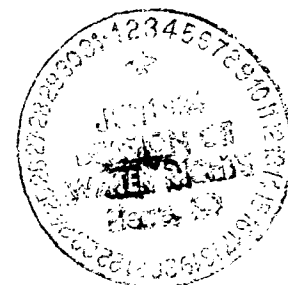
The Water Management Board will consider these applications and the review of Future Use Permit No. 3982-3 at 10:00 a.m., June 28, 1994, Gallery D, Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications or future use review based on the facts presented at the public hearing. The June 28, 1994, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by June 20, 1994.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 20, 1994, at the above Water Rights Division address to request copies of information pertaining to these applications or future use review, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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Russell L. Stone, Acting Secretary,
Department of Environment and Natural
Resources

(May 24 & 31, 1994)



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Clark) ss

I, David Moritz

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

printed and published in Clark

County of Clark and State of

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

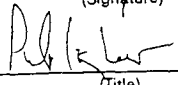
May 25, 1994

June 1, 1994

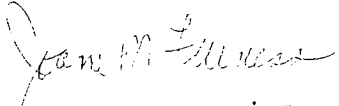
Cost of Printing: \$77.15

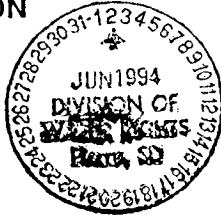
157 lines 2 times


(Signature)


(Title)

6-1-94
(Date Signed)


My commission expires
7-15-1999



**Notice of Hearing on
Application No. 5821-3, 3982A-3
to Amend Future Use Permit No.
3982-3, and to Review Future
Use Water Permit No. 3982-3**

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Water Permit Application No. 5821-3 is to connect the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water System are authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5821-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting these applications or the review of Future Use Permit No. 3982-3 must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 20, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the applications or future use review, the petitioner's reasons for opposing or supporting the applications or future use review, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider these applications and the review of Future Use Permit No. 3982-3 at 10:00 a.m., June 28, 1994, Gallery D, Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications or future use review based on the facts presented at the public hearing. The June 28, 1994, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by June 20, 1994.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 20, 1994, at the above Water Rights Division address to request copies of information pertaining to these applications or future use review, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

These applications and future use review are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25; (10,000 AF) 74:02:01:15.02 thru 74:02:01:15.05. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources. 5-25-2t

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of King'sbury) ssI, Dale Blege

certify that the attached printed Notice was

taken from the De Smet Newsprinted and published in De SmetCounty of King'sbury and State ofSouth Dakota. The notice was published in
the newspaper on the following two dates:May 25, 1994June 1, 1994Cost of Printing: 79.02

(Signature)

(Title)

(Date Signed)

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

Notice is given that the Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 has filed Water Permit Application Nos. 3982A-3 and 5821-3 and the review of Future Use Permit No. 3982-3.

The Water Management Board will review Future Use Permit No. 3982-3 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978, to reserve 3.0 cfs from the Big-Sioux Brookings Aquifer located in the NE 1/4 NE 1/4 NE 1/4 and NW 1/4 NW 1/4 NE 1/4 Section 24, NE 1/4 NE 1/4 NE 1/4 Section 25; T112N-R51W and the NW 1/4 NW 1/4 SW 1/4 Section 19-T112N-R50W for rural water system use. Water Permit Nos. 5079-3 and 5602-3 put a total of 1.80 cfs to beneficial use reserved by No. 3982-3 leaving 1.20 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends that Permit No. 3982-3 REMAIN IN EFFECT for 869 acre-feet of water because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Water Permit Application No. 3982A-3 is to amend Future Use Permit No. 3982-3 to expand the future use area (Future Use Permit No. 3982-3 is described above). This permit expands the future use area to include the entire SW 1/4 Section 19-T112N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3982A-3 because 1) the use area can be expanded without unlawful impairment of existing rights, 2) the proposed use will be a beneficial use of water and 3) it is in the public interest.

Water Permit application No. 5821-3 is to connect the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water System are authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5821-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting these applications or the review of Future Use Permit No. 3982-3 must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 20, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the applications or future use review, the petitioner's reasons for opposing or supporting the applications or future use review, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider these applications and the review of Future Use Permit No. 3982-3 at 10:00 a.m., June 28, 1994, Gallery D, Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications or future use review based on the facts presented at the public hearing. The June 28, 1994, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by June 20, 1994.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 20, 1994, at the above Water Rights Division address to request copies of information pertaining to these applications or future use review, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

These applications and future use review are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A12, 46-2A-14, 46-2A-15, 46-2A-20, 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25; (10,000 AF) 74:02:01:15.02 thru 74:02:01:15.05. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.
5-25-2wc-6-1

PROOF OF PUBLICATION

NOTICE OF HEARING On Application No. 5821-3 to Amend Future Use Permit No. 3982-3, and to Review Future Use Water Permit No. 3982-3

STATE OF SOUTH DAKOTA)
County of Deuel) ss

I, Gary DeJong

certify that the attached printed Notice was

taken from the _____

Clear Lake Courier

printed and published in _____

County of Deuel and State of

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

Wednesday, May 25, 1994

Wednesday, June 1, 1994

Cost of Printing: \$84.85

Notice is given that the Brookings-Deuel-Kingbrook Joint Well Field, RR 2 Box 84, Toronto, SD 57268 has filed Water Permit Application Nos. 3982-3 and 5821-3 and the review of Future Use Permit No. 3982-3.

The Water Management Board will review Future Use Permit No. 3982-3 for progress made in the development of the water reserved by the Permit and future plans for development of the water reserved by Permit No. 3982-3. This permit was approved January 25, 1978, to reserve 3.0 cfs from the Big-Sioux Brookings Aquifer located in the NE ¼ NE ¼ NE ¼ and NW ¼ NW ¼ NE ¼ Section 25; T112N-R51W and the NW ¼ NW ¼ SW ¼ Section 19-T112N-R50W for rural water system use. Water Permit Nos. 5079-3 and 5602-3 put a total of 1.80 cfs to beneficial use reserved by No. 3982-3 leaving 1.20 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommend that Permit No. 3982-3 REMAIN IN EFFECT for 869 acre-feet of water because 1) the reserved water may be developed, 2) there is need for the reserved water, 3) the proposed use will be a beneficial use and 4) it is in the public interest.

Water Permit Application No. 3982A-3 is to amend Future Use Permit No. 3982-3 to expand the future use area (Future Use Permit No. 3982-3 is described above). This permit expands the future use area to include the entire SW ¼ Section 19-T112N-R50W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 3982A-3 because 1) the use area can be expanded without unlawful impairment of existing rights, 2) the proposed use will be a beneficial use of water and 3) it is in the public interest.

Water Permit Application No. 5821-3 is to connect the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water System are authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5821-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting these applications or the review of Future Use Permit No. 3982-3 must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the

applicant must be filed by June 20, 1994. The petition may be informal, but must include a statement describing the petitioner's interest in the applications or future use review, the petitioner's reasons for opposing or supporting the applications or future use review, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider these applications and the review of Future Use Permit No. 3982-3 at 10:00 a.m. June 28, 1994, Gallery D, Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications or future use review based on the facts presented at the public hearing. The June 28, 1994, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by June 20, 1994.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by June 20, 1994, at the above Water Rights Division address to request copies of information pertaining to these applications or future use review, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

These applications and future use review are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-20; 46-2A-21; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; 46-5-38 thru 46-5-40; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25; (10,000 AF) 74:02:01:15.02 thru 74:02:01:15.05. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.
May 25 & June 1

Gary DeJong
(Signature)

Publisher
(Title)

6/1/94
(Date Signed)



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss
 County of Minnehaha)

I, D. Reicher

certify that the attached printed Notice was

taken from the Argus Leader

printed and published in Sioux Falls

County of Minnehaha and State of

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

Wednesday, May 25, 1994

Wednesday, June 6, 1994

Cost of Printing: \$165.98

D. Reicher
 (Signature)

Asst. Controller
 (Title)

6/1/94
 (Date Signed)

NOTICE OF HEARING
 On Application No. 5821-3, 3982A-3
 to Amend Future Use Permit
 No. 3982-3, and to Review Future
 Use Water Permit No. 3982-3
 Notice is given that the Brook-
 ings-Deuel-Kingbrook Joint Well
 Field, RR 2 Box 84, Toronto, SD
 57268 has filed Water Permit Appli-
 cation Nos. 3982A-3 and 5821-3
 and the review of Future Use
 Permit No. 3982-3.

The Water Management Board
 will review Future Use Permit No.
 3982-3 for progress made in the
 development of the water reserved
 by the Permit and future plans for
 development of the water reserved
 by Permit No. 3982-3. This permit
 was approved January 25, 1978, to
 reserve 3.0 cfs from the Big-Sioux
 Brookings Aquifer located in the NE
 1/4 NE 1/4 NE 1/4 and NW 1/4 NW
 1/4 NE 1/4 Section 24, NE 1/4 NE
 1/4 NE 1/4 Section 25, T112N-
 R51W and the NW 1/4 NW 1/4 SW
 1/4 Section 19-T112N-R50W for
 rural water system use. Water
 Permit Nos. 5079-3 and 5602-3 put
 a total of 1.80 cfs to beneficial use
 reserved by No. 3982-3 leaving
 1.20 cfs held in reserve.

Pursuant to SDCL 46-2A-2 the
 Chief Engineer of the Water Rights
 Division recommend that Permit
 No. 3982-3 REMAIN IN EFFECT for
 869 acre-feet of water because 1)
 the reserved water may be devel-
 oped, 2) there is need for the
 reserved water, 3) the proposed
 use will be a beneficial use and 4) it
 is in the public interest.

Water Permit Application No.
 3982A-3 is to amend Future Use
 Permit No. 3982-3 to expand the
 future use area (Future Use Permit
 No. 3982-3 is described above).
 This permit expands the future use
 area to include the entire SW 1/4
 Section 19-T112N-R50W.

Pursuant to SDCL 46-2A-2, the
 Chief Engineer recommends AP-
 PROVAL of Application No.
 3982A-3 because 1) the use area
 can be expanded without unlawful
 impairment of existing rights, 2) the
 proposed use will be a beneficial
 use of water and 3) it is in the
 public interest.

Water Permit Application No.
 5821-3 is to connect the City of
 Arlington to the Kingbrook Rural
 Water System. No increase in the
 diversion rates currently authorized
 for Kingbrook Rural Water System
 are authorized by this application.
 Pursuant to SDCL 46-2A-2, the
 Chief Engineer recommends AP-
 PROVAL of Application No. 5821-3
 because 1) existing rights will not
 be unlawfully impaired, 2) it is a
 beneficial use of water, and 3) it is
 in the public interest.

Any person interested in op-
 posing or supporting these applica-
 tions or the review of Future Use
 Permit No. 3982-3 must file a
 written petition with BOTH the
 applicant and Chief Engineer. The
 applicant must also file a petition if
 opposed to the Chief Engineer's
 recommendations. The Chief Engi-
 neer's address is "Water Rights
 Division, Foss Building, 523 E.
 Capitol, Pierre, SD 57501-605-
 773-3352" and the applicant's
 mailing address is given above. A
 petition filed by either an interested
 person or the applicant must be
 filed by June 20, 1994. The petition
 may be informal, but must include a
 statement describing the petition-
 er's interest in the applications or
 future use review, the petitioner's
 reasons for opposing or supporting
 the applications or future use re-
 view, and the signature and mailing
 address of the petitioner or the
 petitioner's legal counsel, if legal
 counsel is obtained.

The Water Management Board
 will consider these applications and
 the review of Future Use Permit No.
 3982-3 at 10:00 a.m., June 28,
 1994, Gallery D, Ramkota Inn Best,
 Western, 920 West Sioux, Pierre,
 SD. The Chief Engineer's recom-
 mendations are not final or binding
 upon the Board. The Board is
 authorized to 1) approve, 2) ap-
 prove with qualifications, 3) defer,
 or 4) deny these applications or
 future use review based on the
 facts presented at the public
 hearing. The June 28, 1994,
 hearing date will be automatically
 delayed for at least 20 days upon
 written request to the Chief Engi-
 neer from the applicant or any
 interested person opposing the ap-
 plications. The request for an auto-
 matic delay must be filed by June
 20, 1994.

Any hearing will be an adversary
 proceeding. Any person filing a
 petition and/or the applicant have
 the right to be represented by a
 lawyer and may present evidence
 or cross-examine witnesses ac-
 cording 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 Su-
 preme Court as provided by law.
 Contact Eric Gronlund by June 20,
 1994, at the above Water Rights
 Division address to request copies
 of information pertaining to these
 applications or future use review, to
 assure access to the hearing by the
 handicapped or to obtain an inter-
 preter for the hearing impaired.

These applications and future
 use review are made pursuant to
 SDCL 46-1-1 thru 46-1-9, 46-1-12
 thru 46-1-16; 46-2-3.1, 46-2-9,
 46-2-11, 46-2-13, 46-2-17; 46-2A-1
 thru 46-2A-10, 46-2A-12, 46-2A-14,
 46-2A-15, 46-2A-20, 46-2A-21;
 46-5-1 thru 46-5-11, 46-5-13 thru
 46-5-15, 46-5-24, 46-5-25, 46-5-
 30.2, 46-5-30.4, 46-5-31; 46-6-3,
 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13,
 46-6-14, 46-6-26; 46-5-38 thru
 46-5-40; and Board Rules ARSD
 74:02:01:01 thru 74:02:01:15;
 74:02:01:24 thru 74:02:01:25;
 (10,000 AF) 74:02:01:15.02 thru
 74:02:01:15.05.

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





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 19 1994

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

Dear Mr. Gilligan:

Enclosed is Water Permit No. 5821-3 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.

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

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**Date 11-2-2000

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

FROM: Pat Gilligan RR1 Box 84
(name) (address)
Toronto SD 57268 605-794-4201
(city) (state) (zip) (phone)

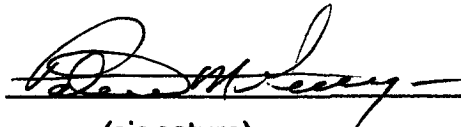
I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5821-3.

Water Permit No. 5821-3 states that the diversion system is to be constructed by June 28 1999, and that the water is put to beneficial use by June 28 2003.
(date) (date)

The diversion system was completed on Aug 1996.
(date)

Applying the water to beneficial use was completed on Sept. 1996.
(date)

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


(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 15, 1995

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

Dear Mr. Elcock:

I am writing in response to your December 14, 1995, request for a summary of your water permits. Attached is a listing dated December 15, 1995, of the requested permits.

The listing of permits is grouped by aquifer: BS-NSC (Big Sioux-Northern Skunk Creek aquifer); VEF (Vermillion East Fork aquifer); BS-B (Big Sioux-Brookings aquifer.) The amount of water appropriated in CFS (cubic feet of water per second), AF (acre-feet of water), priority date, diversion point location, and status (PE - permit, LC - licensed, and FU - future use) is listed for each permit. Any water permit with a "PE" status will eventually be licensed following completion of an on-site investigation.

A couple points to consider when reviewing this list:

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

Please let me know if you need any further assistance (605) 773-3352. Have a Merry Christmas!

Sincerely,

Ron Duvall
Natural Resources Engineer
Water Rights Program

enclosure

5785-3

PERMIT	NAME	CFS	AF	PRIORITY	DIV. PT. LOCATION	AQUIFER	STATUS
4367-3	KINGBROOK RWS	3.00	*	1979-01-09	SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8-105N-51W	BS-NSC	PE
5646-3	KINGBROOK RURAL WATER SYS	1.00	425	1992-03-19	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 17-105N-51W	BS-NSC	PE
*No acre-foot limitation specified on Permit No. 4367-3							
5643-3	KINGBROOK RWS, INC		425	1992-03-19	Portions of sections 8, 9, 17; all in 105N-51W	BS-NSC	FU
4137-3	KINGBROOK RWS INC	1.06	*	1977-03-04	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 8-111N-56W	VEF	LC
					SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8-111N-56W		
					SE $\frac{1}{4}$ NE $\frac{1}{4}$ 17-111N-56W		
5186-3	KINGBROOK RWS INC	0.70	*	1988-03-29	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 16-111N-56W	VEF	LC
5208-3	KINGBROOK RWS	1.40	*	1988-08-15	5208A-3 changes location of diversion points	VEF	PE
5208A-3	KINGBROOK RURAL WATER SYS		*	1988-08-15	E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6-111N-56W	VEF	PE
5426-3	KINGBROOK RWS	1.40	*	1988-08-15	SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ 6-111N-56W	VEF	LC
5785-3	KINGBROOK RWS, INC.		*	1993-08-25		VEF	PE
*Combined diversions under all permits in the Vermillion East Fork aquifer may not exceed 1,350 acre-feet annually							
5209-3	KINGBROOK RWS		550	1988-08-15	Portions of sections 10 & 8, 6; all in 111N-56W	VEF	FU
5079-3	BROOKINGS-DEUEL-KINGBROOK	2.90	*	1975-05-05 1977-06-06	NE $\frac{1}{4}$ 24; NE $\frac{1}{4}$ NE $\frac{1}{4}$ 25; 112N-51W; NW $\frac{1}{4}$ SW $\frac{1}{4}$ 19-112N-50W	BS-B	LC
2612A-3	BROOKINGS-DEUEL-KINGBROOK	0.89	210	1976-03-01	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 25-112N-51W	BS-B	LC
5434-3	BROOKINGS-DEUEL-KINGBROOK		224	1990-04-02	Same as 2612A-3	BS-B	PE
5602-3	BROOKINGS-DEUEL-KINGBROOK	1.00	434	1977-06-06	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 25-112N-51W	BS-B	PE
5821-3	BROOKINGS-DEUEL-KINGBROOK			1994-05-05	Connect City of Arlington	BS-B	PE
*No acre-foot limitation specified on Permit No. 5079-3							
3982-3	BROOKINGS-DEUEL-KINGBROOK		869	1977-06-06	Parts of 24,25-112N-51W and 19-112N-50W	BS-B	FU
3982A-3	BROOKINGS-DEUEL-KINGBROOK			1994-01-10	Added all SW $\frac{1}{4}$ sec 19	BS-B	FU

December 15, 1995

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5821-3

DATE OF INVESTIGATION:	19 June 1996
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Morris Elcock
NAME & ADDRESS OF PERMIT HOLDER	Kingbrook Rural Water
DIVERSION POINT LEGAL LOCATION	

Other permit(s) associated with the project: 4367-3, 5168-3, 5208-3, 5208A-3, 5426-3, 5821-3

This permit connects the City of Arlington to system. Work was approximated 3 weeks from being completed on this date.

WELL INFORMATION:

Casing:

- | | |
|-------------------------------------|--------------------------|
| 1) Well Drilling Firm: _____ | 1) Diameter _____ inches |
| 2) No. of Wells _____ | 2) Length _____ feet |
| 3) Depth(s) _____ feet | 3) Type _____ |
| 4) Well log is available <u>Y/N</u> | |
| 5) Comment: _____ | |

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 _____ | 5) End gun <u>Y/N</u> |
| 2) Overall length _____ feet | 6) High or low pressure _____ |
| 3) Number of towers _____ | 7) Capacity _____ GPM |
| 4) Distance between towers _____ feet | |

Sal N. Salter

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

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

Towline:

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

Siphons:

- 1) Size _____ inches
- 2) Number _____

REPORT ON INSPECTION OF PERMIT NO. 5821-3

other permits associated with the project: **5602-3**

Date of Inspection: **21 August 1996**

Name & address of inspection contact: **Morris Elcock**

Relationship to permit holder, if applicable: **Manager**

Name & address of permit holder: **Kingbrook Rural Water System Inc. Drawer 299
Arlington, SD**

Diversion point legal location: **not applicable**

Permit qualifications and regulations:

1) Special qualifications to permit being abided by YES

Water Permit No. 5821-3 authorizes connection of the City of Arlington to the Kingbrook Rural Water System. No increase in the diversion rates currently authorized for Kingbrook Rural Water System are authorized by this permit. The priority date for the permit is 5 May 1994.

Personnel communication with Mr. Elcock indicated that the City of Arlington's connection to the rural water system was completed on the 20 July 1996.



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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 1998

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

Dear Mr. Gilligan:

Enclosed is Reissued Water License No. 5602-3. The water license is being reissued to include Water Permit No. 5821-3 with a priority date of May 5, 1994, which authorized the connection of the City of Arlington to the rural water system. The applicable portions of No. 5821-3 have been incorporated into Water License No. 5602-3.

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

Very truly yours,

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

ks

enclosure