

WATER PERMIT NO. 5975-3

Name of Applicant: Brookings-Deuel Rural Water System, Inc.

Address: RR 2, Box 84, Toronto SD

Phone: 605 794-4201

Amount of Water Claimed: 0.67 cfs (300 acre-feet annually)

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: rural water system use

County: Deuel

Type of Waste Disposal System: NA

Location: 3 miles northwest of Clear Lake

PRIORITY

Date Received: 12-26-96

Fee: \$275

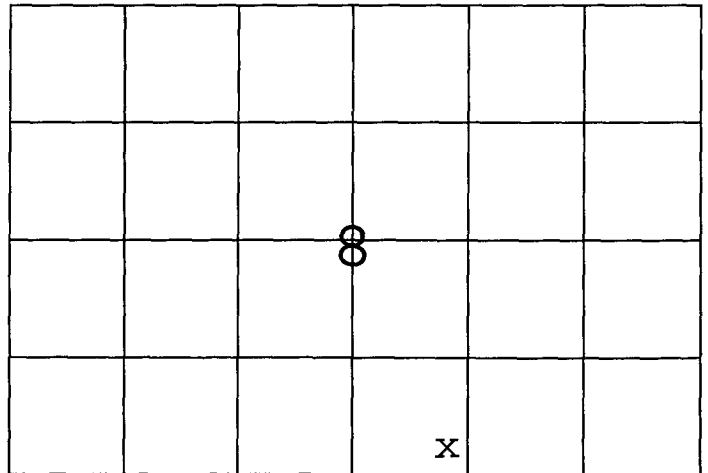
Corrected Application Received:

Period of Annual Use: January 1 - December 31

Remarks: Includes adding the towns of Reville and Gary

Diversion Point: SE 1/4 SW 1/4 Section 8-
T115N-R48W

Land to be Irrigated: NA



Depth of Well: approximately 200 feet deep

Well Driller:

Remarks:

Type of Map: plat

Prepared by: Bruce Jennings

Reviewed and the Number Assigned on: 1-2-97

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 5975-3**

Date of first receipt of application December 26, 1996.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5975-3 to Brookings-Deuel Rural Water System, Inc., 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. 5975-3 appropriates 0.67 cubic feet of water per second (300 acre-feet annually) from one well (Prairie Coteau Aquifer) approximately 200 feet deep located in the SE 1/4 SW 1/4 Section 8-T115N-R48W. The towns of Gary and Revillo have been connected and are served water by the rural water system.
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 use.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 5975-3 is March 17, 1997.
5. The date from which applicant may claim right is December 26, 1996.
6. One-fifth of the construction is to be completed on or before September 17, 1999.
7. All construction is to be completed on or before March 17, 2002.
8. Water is to be put to beneficial use on or before March 17, 2006.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well 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.
2. The well authorized by Permit No. 5975-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Water Permit No. 5975-3 authorizes a total annual diversion of 300 acre-feet of water annually.

(continued)

Water Permit No. 5975-3

Brookings-Deuel Rural Water System

Page 2

4. The Brookings-Deuel Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn each year from the Prairie Coteau Aquifer.

WATER MANAGEMENT BOARD

By: John Hatch

John Hatch, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

APR 18 1997

date



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



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only) No. <u>5975-3</u> Hydrologic Unit <u>07020003</u> Basin <u>Minnesota-Whetstone</u> Newspaper _____
--	---

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

Check use(s) of water:

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

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.) _____

1. Name of Applicant Brookings-Deuel Rural Water System, Inc Phone 605-794-4201
(check one) ☒ Owner ☐ Tenant/lessee

Mailing Address RR 2 Box 84 Toronto State SD 57268
(Street, RR, or Box) (Zip Code)

2. Amount of water claimed .67 *CFS or 300 **GPM 300 ***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 Clear Lake Aquifer (Prairie Coteau)

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well in SE corner of the SW 1/4 Section 8 T115N R48W

County Deuel

5. County or counties where water will be used Deuel - Grant - Brookings - Moody - Hamlin

6. Annual period during which water is to be used All year 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)

Well & treatment plant expansion to meet increasing user demands and additionally, a lower nitrate source of water.

Includes adding towns of Reville and Gary.

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)

SS

County of Deuel)

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 _____

Subscribed and sworn to before me this 26 day of November 19 96

Jamie Le Santvoort

Notary Public

Expires: 5/16/2004

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 18" Depth est 200 feet
- b) Casing Type steel Diameter 12" Thickness
- c) Screen Type stainless steel Diameter 12" Thickness
- d) Gravel Pack Thickness Length of Gravel Pack
- e) Depth to Top of Water Bearing Material 120'
- f) Depth to Water (ground surface to water level) 120'
- g) Distance to nearest existing domestic well:
- On applicants property NA On property owned by others 1 mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field)
- b) System Capacity (gallons) c) Year Constructed
- d) Connected to the City of Sanitary System.



3. Dugout Information

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

4. Water Storage Dams

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

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

b) Freeboard

c) Crest Width

Crest Length

d) Height

e) Primary Outlet Capacity

If pipe, diameter

f) Secondary Spillway Capacity

Spillway Width

g) X & Y Slope

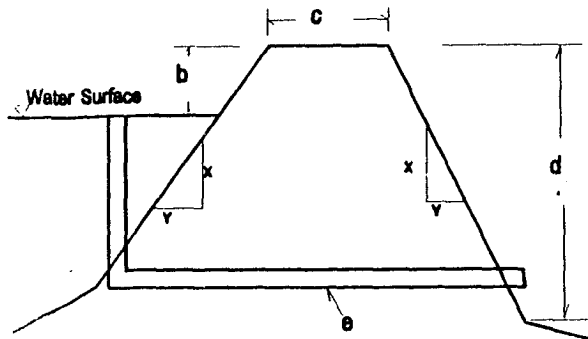
Upstream

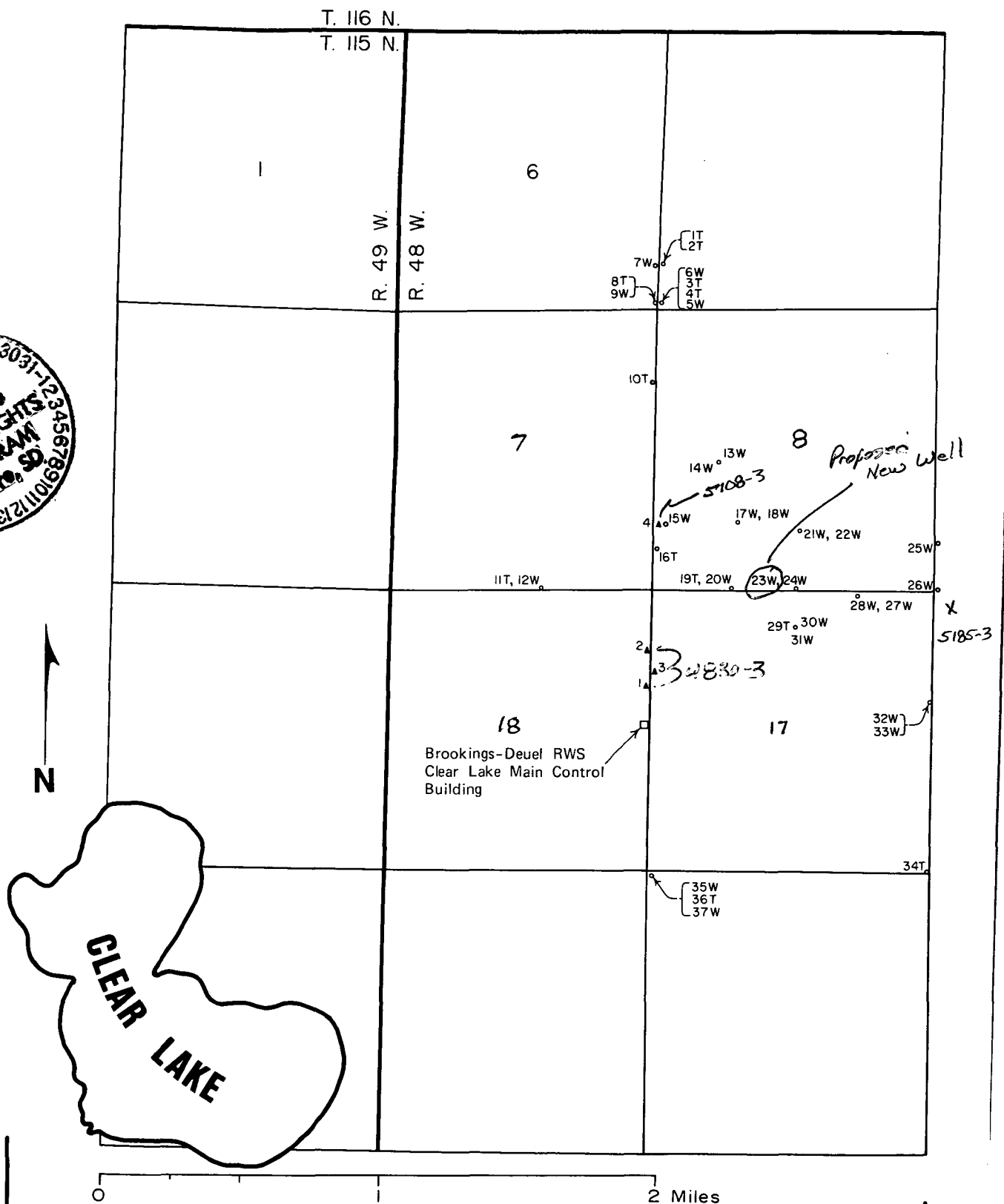
Downstream

h) Surface Area of Impoundment

i) Storage Acre Feet

j) Drainage Area Above Dam Acres



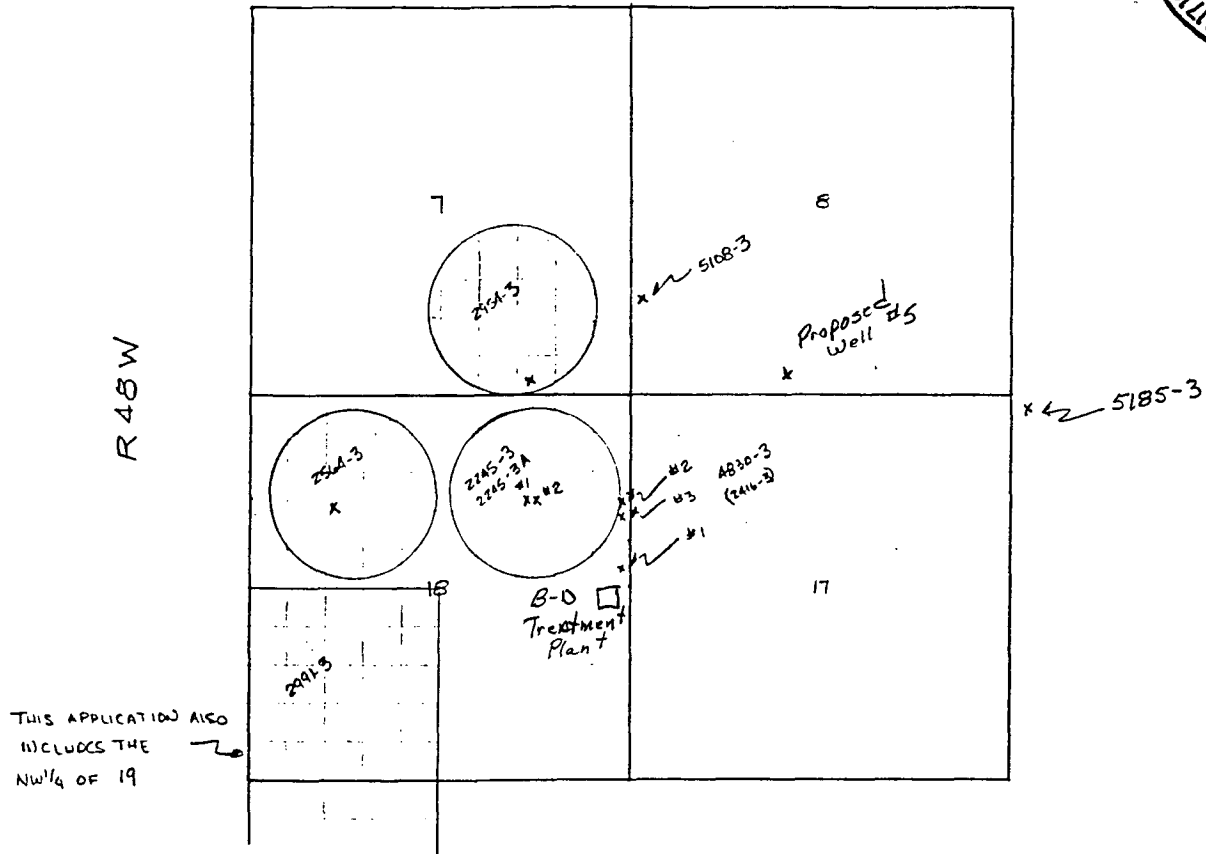


34T
27W° Test hole or well drilled for this report. The letter "T" indicates a test hole; the letter "W" indicates a monitoring well. The number refers to Map Location (ML) numbers in Appendix B.

2▲ Brookings-Deuel Rural Water System (RWS) production well. The number is the RWS identification number.

Figure 1. Site location and data map.

T115N



THIS APPLICATION ALSO INCLUDES THE NW 1/4 OF 19

2245-3	} ATYEO BROS.	#1 WELL	54'	*	RS:B	2.2 CFS	NL
2245-3A		#2 WELL	105'		PS:U		
2564-3	GARY EIDE	1 WELL	158'		PS:U	1.57 CFS	L
2954-3	ILS RANCH	1 WELL	130'		PSU	1.00 CFS	L
2991-3	ATYEO BROS	2 WELLS	128' 138'		PSU	3.90 CFS	NL
2416-3	} BD RWS	3 WELLS	55'	*	RS:B	2.0 CFS	L
4830-3			55' 61'				
3483-3	BD RWS	FUTURE USE		*	RS:B	1.0 CFS	
(ALL INCORPORATED INTO 4830-3)							
-5108-3	BD RWS	1 WELL	85'	*	RS:B	1.0 CFS	

SCALE 2" TO MILE

52.0 -	64.0	CLAY, YELLOW-BROWN, VERY SILTY
64.0 -	111.0	CLAY, GRAY, VERY SILTY; GRAVEL STRINGERS
111.0 -	137.0	GRAVEL, MEDIUM TO COARSE PEBBLE

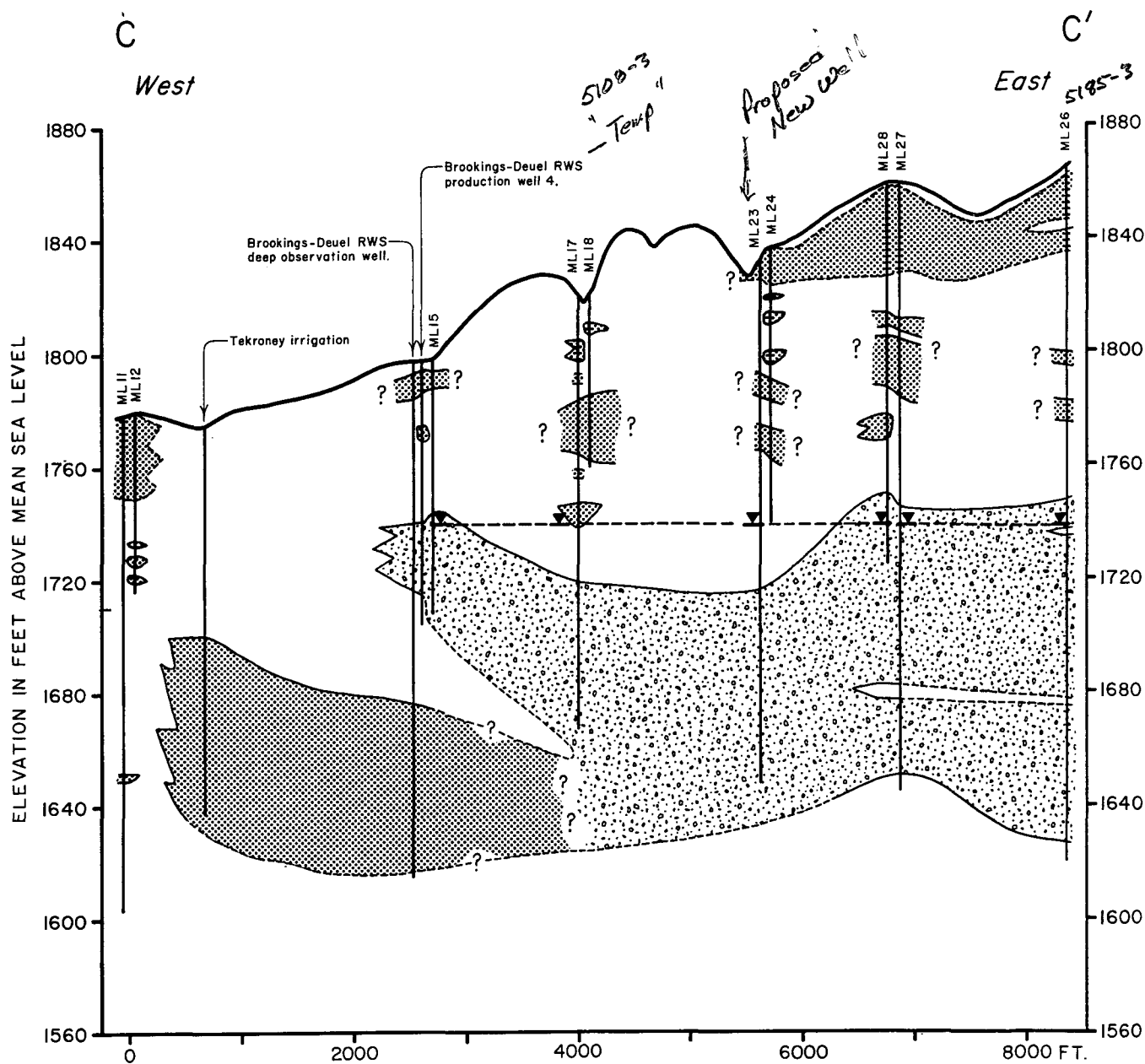
* * * *

COUNTY: DEUEL	LOCATION: 115N-48W-08DCCC 1
MAP LOCATION: 23	
LEGAL LOCATION: SW SW SW SE SEC. 08, T. 115 N., R. 48 W.	
LATITUDE: 44.4634	LONGITUDE: 96.3643
LAND OWNER:	
PROJECT: BROOKINGS-DEUEL RWS	
DRILLING COMPANY: SDGS	
DRILLER: D. JACOBSON	DRILLER'S LOG:
GEOLOGIST: P. DAWSON	GEOLOGIST'S LOG: X
DATE DRILLED: 05-27-1987	DRILLING METHOD: ROTARY
GROUND SURFACE ELEVATION: 1836.00 T	
TOTAL DRILL HOLE DEPTH: 188.0	TEST HOLE NUMBER: CO-87-06
WATER RIGHTS WELL:	SDGS WELL NAME: CO-87-06
OTHER WELL NAME:	
BASIN: BIG SIOUX	AQUIFER: PRAIRIE COTEAU
MANAGEMENT UNIT:	
SCREEN TYPE: PVC, MFG.	SCREEN LENGTH: 10.0
CASING TYPE: PVC	CASING DIAMETER: 2.0
CASING TOP ELEVATION:	
CASING STICK-UP: 3.00	TOTAL CASING AND SCREEN: 185.0
WELL MAINTENANCE DATE:	
USGS HYDROLOGICAL UNIT CODE: 10170202	
ELECTRIC LOG INFORMATION:	
SPONTANEOUS POTENTIAL:	SINGLE POINT RESISTIVITY:
NATURAL GAMMA:	EXTRA:
SAMPLES:	

0	-	10.0	SAND, FINE TO MEDIUM; VERY CLEAN, OXIDIZED
10.0	-	43.0	CLAY, SANDY, PEBBLY (TILL)
43.0	-	51.0	SAND, FINE TO MEDIUM
51.0	-	61.0	CLAY, GRAY, SANDY, PEBBLY (TILL)
61.0	-	70.0	SAND AND GRAVEL, FINE SAND TO COARSE PEBBLE GRAVEL
70.0	-	120.0	CLAY, GRAY, SILTY, SANDY; SOME PEBBLES
120.0	-	188.0	GRAVEL, FINE TO COARSE PEBBLE; OXIDIZED, HIT ROCK AT 188 FEET

* * * *

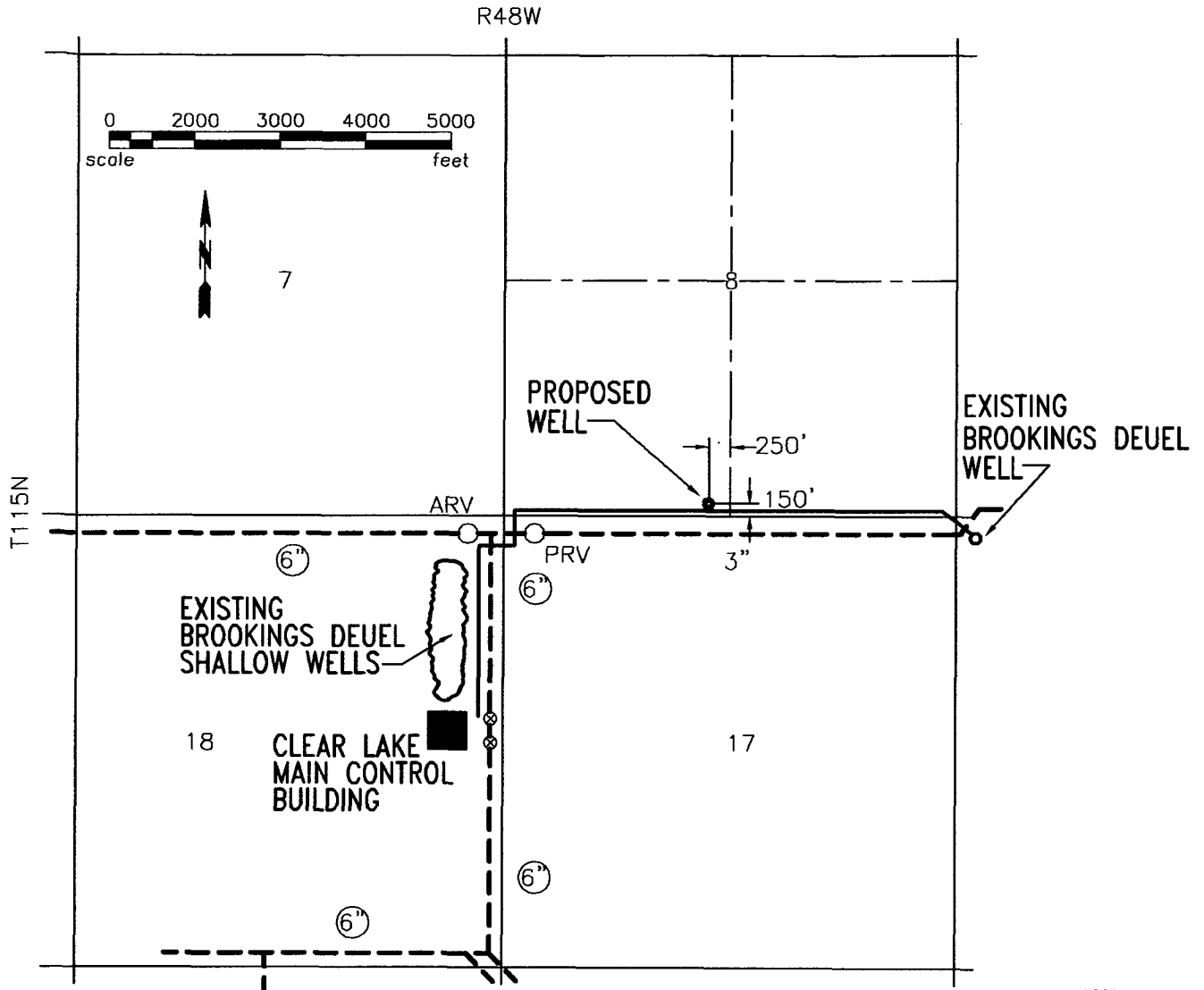
COUNTY: DEUEL	LOCATION: 115N-48W-08DCCC 2
MAP LOCATION: 24	
LEGAL LOCATION: SW SW SW SE SEC. 08, T. 115 N., R. 48 W.	
LATITUDE: 44.4634	LONGITUDE: 96.3643
LAND OWNER:	
PROJECT: BROOKINGS-DEUEL RWS	
DRILLING COMPANY: SDGS	
DRILLER: D. JACOBSON	DRILLER'S LOG:



EXPLANATION

- See map on page 69 for cross section location.
- Outwash, undifferentiated
- Outwash, Clear Lake aquifer
- Unpatterned portions represent non-aquifer sediment which is primarily till, unless otherwise noted.
- Approximate water level in well on 10-7-87.
- Approximate water level in the Clear Lake aquifer on 10-7-87.
- Lithologic contact. Dashed where approximate. A "?" is used where lateral extent is very uncertain.
- Vertical exaggeration = 25

Appendix H. Cross section C-C'



----- FINISHED WATER PIPELINE

——— WELL PIPELINE

PROPOSED WELL: 150 FT. NORTH AND 250 FT. WEST OF THE
SOUTH 1/4 CORNER, SECTION 8, T115N, R48W,
DEUEL COUNTY, SOUTH DAKOTA



I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME
OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED
PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA.

SIGNATURE: Bruce Jennings LICENSE NO. 3812

NAME: BRUCE JENNINGS

DATE: DECEMBER 18, 1996



DeWild Grant Reckert and Associates Company
Consulting Engineers
Rock Rapids, Iowa
Sioux City, Iowa
Sioux Falls, South Dakota

Date DEC 1996
Drawn By BH
Approved BJ
Revised
PROJECT NO. 800205

BROOKINGS DEUEL RWS
TORONTO, SOUTH DAKOTA
WELLS

5975-3

RECEIPT

415214

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 26, 19 96

RECEIVED OF Brookings-Deuel RWS, Inc., RR 2, Box 84, Toronto, SD 58263

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

Fee for Application for Permit No. <u>5975-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	275	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	275 00

By John Hatch
Chief Engineer

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Brookings-Deuel RWS

ADDRESS: RR 2 Box 84, Toronto, SD COUNTY:

DATE: 12/31/96 TELEPHONE: 794-4201

RE: Call to Pat Gilligan

COMMENTS:

I contacted Mr. Gilligan regarding the water permit application for Brookings-Deuel RWS. The volume amount of water claimed is listed as 4 acre feet of water annually. I asked if this was correct and Mr. Gilligan stated that it was an error and the correct volume amount should be 300 acre feet of water. The diversion rate remains the same at 300 gallons per minute.

I asked Mr. Gilligan about the counties served by Brookings-Deuel RWS. He stated that water from this expansion would primarily be used in Deuel and Grant County (as listed on application), however, water in some circumstances may go to the other counties served. I explained that the notice of hearing for the application will need to be published in all counties served by the RWS.

Finally, I asked Mr. Gilligan if the RWS had hooked up any new towns. He said that Gary and Revillo have been hooked up since 1992. He was not sure whether these towns were included during the processing of a previous application. I told him I would check this out.

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 Handberg

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 Sec 8 Twp 115 Rg 48
County DEUEL

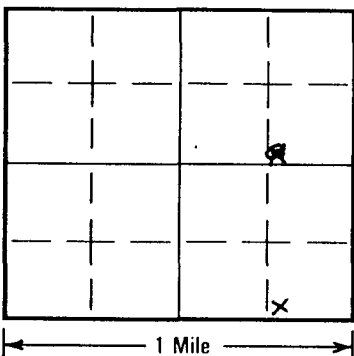
Please mark well location with an "X"

W

E

Well Completion Date

6-16-97



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:

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>72 FT</u>	<u>137 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>20</u>	_____ lb./gal	_____ ft.	_____ ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 12" IN Length 20 FEET

Material STAINLESS

Slot Size 045 Set From 137 Feet to 157 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?

X YES, How:

CHLORINE

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: BROOKINGS DEUEL RURAL WATER

Business Name: _____

Address: R1 Box 84
TORONTO, S.D. 57268

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	6
Silty clay	6	11
Dirty Fine Sand	11	23
Sandy clay	23	30
Fine Sand	30	71
Sandy clay	71	98
Sand	98	157
Sand w/ lenses GRAVEL & clay	157	161
Sand	161	177
Fine Sand & clay	177	182
Sandy clay	182	202
STATIC WATER LEVEL	77.5	

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

☐ Bailed

☐ Other

Pumping Level Below Land Surface

83.45 ft. After 3 Hrs. pumped 465 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 381

And this report is true and accurate.

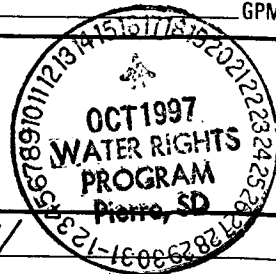
Drilling firm LTP ENTERPRISES, INC.

Signature of License Representative

Randy J. Pullen

Signature of Well Owner or Equitable Property Holder:

Date: _____



REPORT ON WATER PERMIT APPLICATION NO. 5975-3
for Brookings Deuel Rural Water System, Inc.
February 6, 1997

Application No. 5975-3 proposes to appropriate 0.67 cfs (300 gpm) and 300 acre feet annually from one well approximately 200 feet deep located in the SE 1/4 SW 1/4 of Section 8, T115N R48W in Deuel County. The water will be used to supply the Brookings Deuel Rural Water System, Inc. This publication also serves as notice that the towns of Gary and Reville have been connected and are supplied water from the rural water system.

AQUIFER - PRAIRIE COTEAU (PCO)

The Prairie Coteau is a buried glacial outwash (sand and gravel) which underlies 1100 square miles and contains an estimated 5.0 million acre feet of water in storage in Hamlin and Deuel Counties (Kume, 1985). However, hydrologically it is not fair to lump the entire Prairie Coteau system which Kume described into one aquifer. It is apparent that the buried sand and gravel are not hydraulically connected uniformly across Deuel County. In the area of this application the South Dakota Geological Survey completed a fairly extensive study although in a relatively small area to determine a water source for the rural water system. It is clear from reviewing that report that differentiating hydrogeologically among the different buried outwash deposits was a difficult proposition (Iles, 1988). The Iles report named the outwash water source for this application the Clear Lake aquifer. Even so, it is also clear that the aquifer is sufficiently large enough areally and thick enough to provide the amount of ground water requested by this application.

Test drilling at this proposed site indicates sand and gravel from 122 to 188 feet below land surface with a static water level of about 90 feet below land surface. A nearby production well into the same buried outwash and constructed for the rural water system yielded 600 gpm with about 10 feet of drawdown which is a specific capacity of about 60 gpm/ft of drawdown. Also cross sections in the Iles report indicate that the aquifer is confined and under artesian conditions at this site however nearby the aquifer is simply buried and under unconfined or water table conditions.

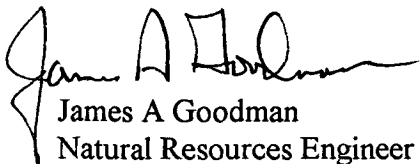
The Water Rights Program does monitor observation wells in this area. Two of these monitor wells DU-72A and DU-78F are completed into a buried outwash and located about two miles south of this application. Another well DU-75A is completed into shallow outwash (Big Sioux aquifer) and located about two miles southwest of this application. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1997). Hydrographs for these wells are included with the report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water permits/rights are held by Brookings Deuel Rural Water System. There are two existing wells located one half mile east and west of this application which are completed into the same aquifer. Interference is not a concern. Test pumping data from the rural water system well located about one half mile east of this application indicates that significant drawdown will not occur. In fact, during the test about one foot of drawdown occurred at a distance of one fourth mile from the production well.

CONCLUSIONS

1. Water is available from the Prairie Coteau aquifer. The term Prairie Coteau is the same as the Clear Lake aquifer for purposes of the report.
2. Interference is not expected to be a concern. This is based upon actual aquifer testing in the vicinity of this application.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



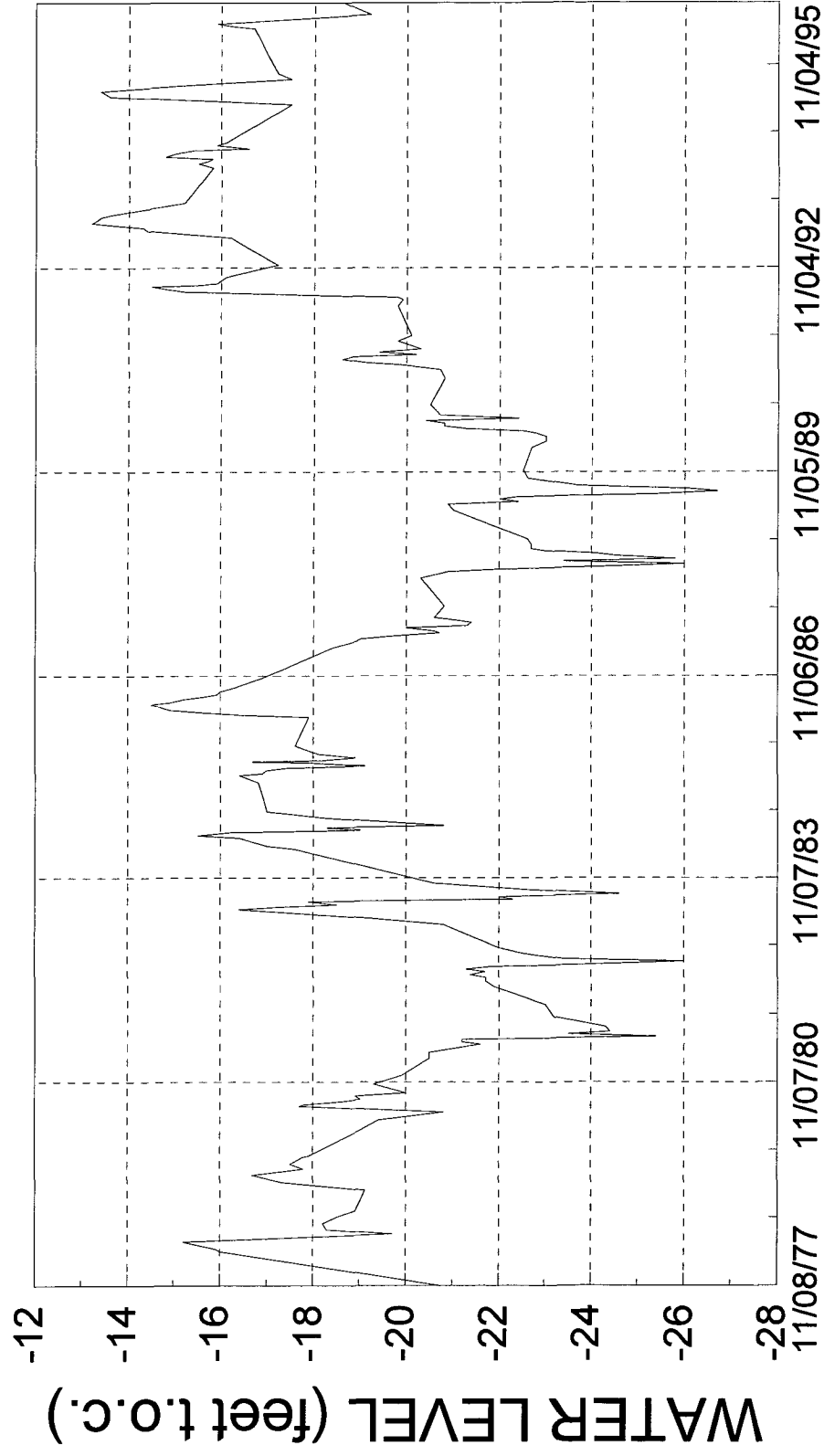
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Iles, D.L., P.M. Dawson, 1988, Hydrogeologic Investigation for an Alternate Water Source for the Brookings-Deuel Rural Water System Near Clear Lake, South Dakota, SD DENR, SDGS, Vermillion, SD, 57069.
- Kume, J., 1985, Water Resources of Deuel and Hamlin Counties, South Dakota, USGS WRI 84-4069, SD DENR, SDGS, Vermillion, SD, 57069.
- Water Rights, 1997, Unpublished Observation Well Data for Deuel County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

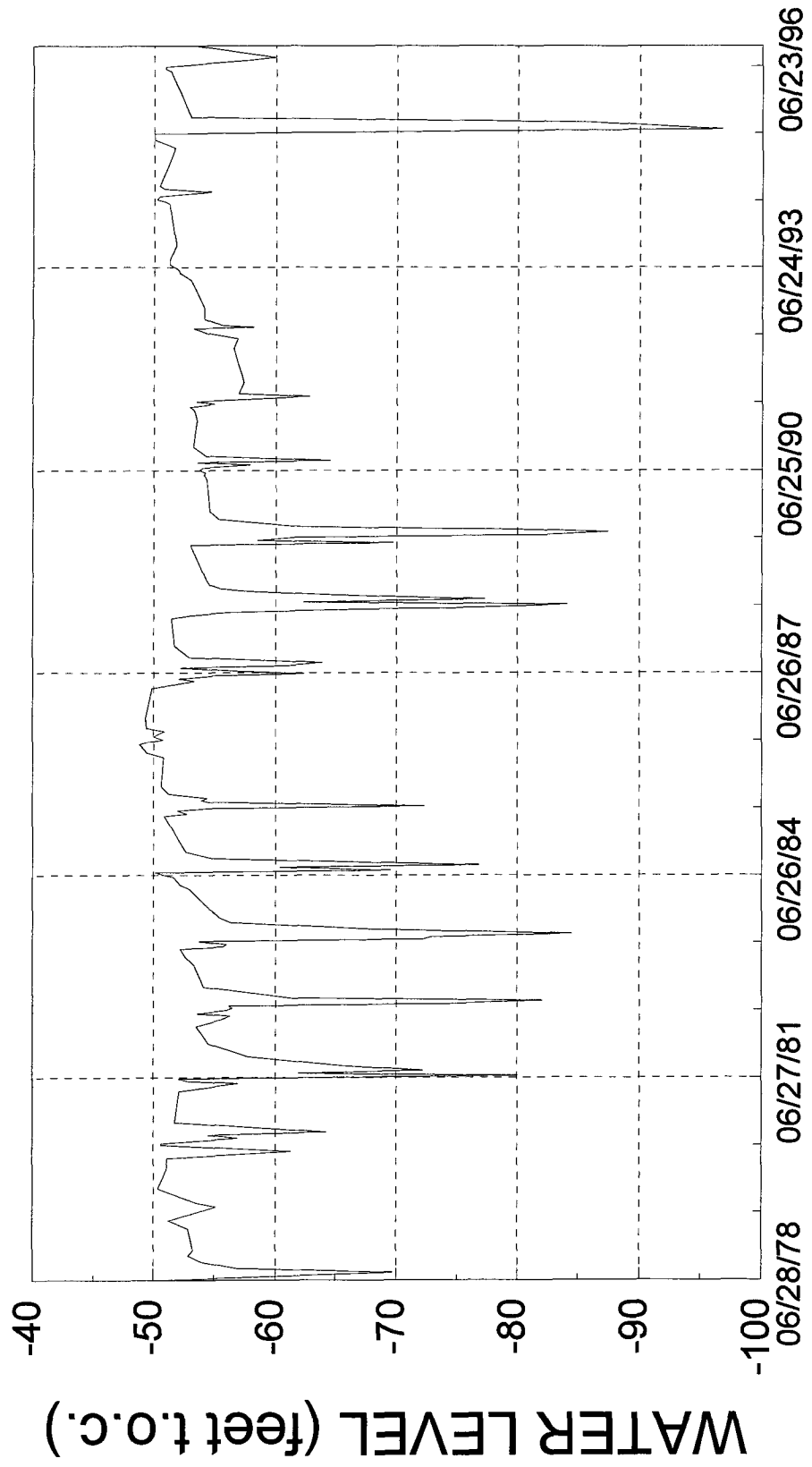
WATER RIGHTS OBSERVATION WELL

DU-75A



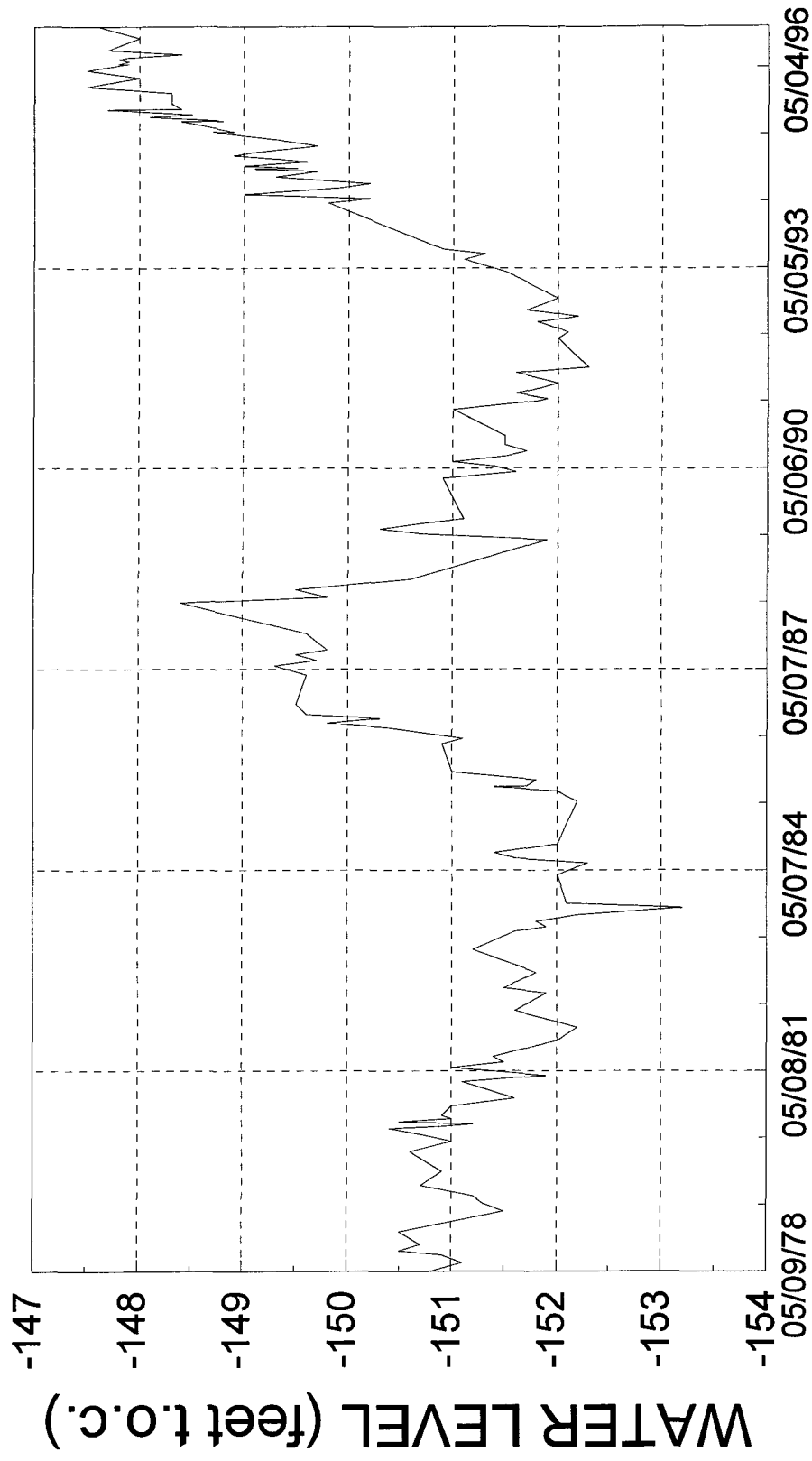
WATER RIGHTS OBSERVATION WELL

DU-78F



WATER RIGHTS OBSERVATION WELL

DU-72A



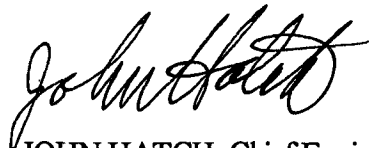
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT APPLICATION
NO. 5975-3, Brookings-Deuel Rural Water System**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5975-3, Brookings-Deuel Rural Water System, Inc., c/o Patrick Gilligan, RR 2, Box 84, Toronto, SD 57268.

The Chief Engineer is recommending APPROVAL of Application No. 5975-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well 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.
2. The well authorized by Permit No. 5975-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Water Permit No. 5975-3 authorizes a total annual diversion of 300 acre feet of water annually.
4. The Brookings-Deuel Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn each year from the Prairie Coteau Aquifer.

See report on application for additional information.


JOHN HATCH, Chief Engineer
February 14, 1997



February 18, 1997

**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.

Brookings-Deuel Rural Water System, Inc.
%Patrick Gilligan
RR 2, Box 84
Toronto, SD 57268

Dear Mr. Gilligan:

Water Permit Application No. 5975-3 for rural water system use has been examined and found to comply with the South Dakota Water Laws and applicable rules. Notices of hearing have been sent to the Publishers of the Register printed at Brookings, SD (Ph # (605) 692-6271), the Clear Lake Courier printed at Clear Lake, SD (Ph # (605) 874-2499), Moody Co. Enterprise printed at Flandreau, SD (Ph # (605) 997-3725), the Hamlin Co. Herald Enterprise printed at Hayti, SD (Ph # (605) 783-9140), and the DeSmet News printed at DeSmet, SD (Ph # (605) 854-3331). For your information, a copy of the notices, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notices 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.

Instruction to Newspaper - Publish first Notice on February 26, 1997, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5975-3 to Appropriate Water

Notice is given that Brookings-Deuel Rural Water System, Inc., RR 2 Box 84, Toronto SD 57268 has filed an application for a water permit to appropriate 0.67 cubic feet of water per second (300 acre-feet annually) from one well (Prairie Coteau Aquifer) approximately 200 feet deep located in the SE 1/4 SW 1/4 Section 8-T115N-R48W. The water will be used to supply the Brookings-Deuel Rural Water System, Inc. This publication also serves as notice that the towns of Gary and Revillo have been connected and are served water from the rural water system.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5975-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 March 17, 1997.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 1997

Register
P.O. Box 177
Brookings, SD 57006-0177

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5975-3 to be published twice. Please publish the first notice on February 26, 1997, 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 Brookings-Deuel Water system, Inc., %Patrick Gilligan, RR 2, Box 84, Toronto, SD 57268 (Ph # (605) 794-4201).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
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

Form 8



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Brookings) SS

I, Nancy P 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:

February 26, 1997
March 5, 1997

Cost of Printing Fifty-five dollars and
fifty-six cents, \$55.56

Nancy P Skyberg
(Signature)

Legal Ad Coordinator
(Title)

3-5-97
(Date Signed)

Legal 099, 2x, 2/26, 3/1 NOTICE OF APPLICATION NO. 5975-3 to Appropriate Water

Notice is given that Brookings-Deuel Rural Water System, Inc., RR 2 Box 84 Toronto SD 57268 has filed an application for a water permit to appropriate 0.67 cubic feet of water per second (300 acre-feet annually) from one well (Prairie Coteau Aquifer) approximately 200 feet deep located in the SE 1/4 SW 1/4 Section 8-T115N-R48W. The water will be used to supply the Brookings-Deuel Rural Water System, Inc. This publication also serves as notice that the towns of Gary and Revillo have been connected and are served water from the rural water system.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5975-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. **Nettie H. Myers, Secretary,** Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 1997

Clear Lake Courier
Box 830
Clear Lake, SD 57226-0830

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5975-3 to be published twice. Please publish the first notice on February 26, 1997, 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 Brookings-Deuel Rural Water system, Inc., %Patrick Gilligan, RR 2, Box 84, Toronto, SD 57268 (Ph # (605) 794-4201).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
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

Form 8



PROOF OF PUBLICATION

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 Clear Lake

County of Deuel and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Wednesday, February 26, 1997

Wednesday, March 5, 1997

Cost of Printing 40.53

Gary DeJong
(Signature)

Publisher
(Title)

3/6/97
(Date Signed)

NOTICE OF APPLICATION NO. 5975-3 to Appropriate Water

Notice is given that Brookings-Deuel Rural Water System, Inc., RR 2 Box 84, Toronto SD 57268 has filed an application for a water permit to appropriate 0.67 cubic feet of water per second (300 acre-feet annually) from one well (Prairie Coteau Aquifer) approximately 200 feet deep located in the SE 1/4 SW 1/4 Section 8-T115N-R48W. The water will be used to supply the Brookings-Deuel Rural Water System, Inc. This publication also serves as notice that the towns of Gary and Revillo have been connected and are served water from the rural water system.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5975-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of the water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Feb 26 & Mar 5



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 1997

Moody County Enterprise
Box 71
Flandreau, SD 57028-0071

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5975-3 to be published twice. Please publish the first notice on February 25, 1997, 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 Brookings-Deuel Rural Water System, Inc., %Patrick Gilligan, RR 2, Box 84, Toronto, SD 57268 (Ph # (605) 794-4201).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
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



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Moody) SSI, Angela Nibbelink

certify that the attached printed Notice was taken

from the Moody County
Enterpriseprinted and published in HlandreauCounty of Moody and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Feb. 26, 1997Mar. 5, 1997Cost of Printing 36.42Angela Nibbelink
(Signature)Bookkeeper
(Title)3-5-97
(Date Signed)NOTICE OF APPLICATION NO. 5975-3
to Appropriate Water

Notice is given that Brookings-Deuel Rural Water System, Inc., RR 2, Box 84, Toronto, SD 57268 has filed an application for a water permit to appropriate 0.67 cubic feet of water per second (300 acre-feet annually) from one well (Prairie Coteau Aquifer) approximately 200 feet deep located in the SE 1/4 SW 1/4 Section 8-T115N-R48W. The water will be used to supply the Brookings-Deuel Water System, Inc. This publication also serves as notice that the towns of Gary and Revillo have been connected and are served water from the rural water system.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5975-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application of contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the application and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 March 17, 1997.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

(Feb. 26 & Mar. 5, 1997)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 1997

Hamlin Co. Herald Enterprise
Box 207
Hayti, SD 57241-0207

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5975-3 to be published twice. Please publish the first notice on February 26, 1997, with the second publication 7 days later.

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Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
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



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Hamlin) SS

I, Leelanne Archer

certify that the attached printed Notice was taken

from the Hamlin County
Herald Enterprise

printed and published in Hayt

County of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

February 26, 1997

March 5, 1997

Cost of Printing \$ 38.16

Leelanne Archer
 (Signature)

Owner
 (Title)

3-14-97
 (Date Signed)

NOTICE OF APPLICATION NO. 5975-3 TO APPROPRIATE WATER

Notice is given that Brookings-Deuel Rural Water System, Inc., RR2 Box 84, Toronto, SD 57268 has filed an application for a water permit to appropriate 0.67 cubic feet of water per second (300 acre-feet annually) from one well (Prairie Coteau Aquifer) approximately 200 feet deep located in the SE 1/4 SW 1/4 Section 8-T115N-R48W. The water will be used to supply the Brookings-Deuel Rural Water System, Inc. This publication also serves as notice that the town of Gary and Revillo have been connected and are served water from the rural water system.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5975-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petitions contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board

will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 March 17, 1997.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioners request for opposing or supporting the application, and the signature and mailing address of the petition or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources. (publish feb. 26 and march 5, 1997)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 18, 1997

DeSmet News
Box 69
DeSmet, SD 57231-0069

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5975-3 to be published twice. Please publish the first notice on February 26, 1997, 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 Brookings-Deuel Rural Water System, Inc., %Patrick Gilligan, RR 2, Box 84, Toronto, SD 57268 (Ph # (605) 794-4201).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
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

Form 8



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Kingsbury)

I, Dale Blegen

certify that the attached printed Notice was taken
from the De Smet News

printed and published in De Smet

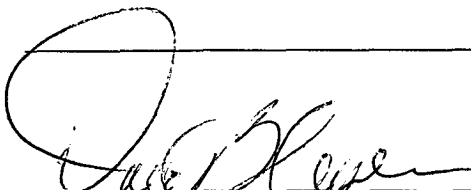
County of Kingsbury and

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

February 26, 1997

March 5, 1997

Cost of Printing 35.35


(Signature)


(Title)

March 7, 1997
(Date Signed)

$64 \times 30.7 = 19.64$
 $80\% \text{ Ind WR} = 15.71$
35.35

NOTICE OF APPLICATION NO.

5975-3 to Appropriate Water

Notice is given that Brookings-Deuel Rural Water System, Inc., RR 2 Box 84, Toronto, SD 57268, has filed an application for a water permit to appropriate 0.67 cubic feet of water per second (300 acre-feet annually) from one well (Prairie Coteau Aquifer) approximately 200 feet deep located in the SE 1/4 SW 1/4 Section 8-T115N-R48W. The water will be used to supply the Brookings-Deuel Rural Water System, Inc. This publication also serves as notice that the towns of Gary and Revillo have been connected and are served water from the rural water system.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5975-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 March 17, 1997.

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. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources. 2-26-2wc-3-5



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 18 1997

Brookings-Deuel Rural Water system, Inc.
%Patrick Gilligan
RR 2, Box 84
Toronto, SD 57268

Dear Mr. Gilligan:

Enclosed is Water Permit No. 5975-3 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 Program
605 773-3352

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.

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



Date October 17, 1997

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

FROM: Brookings-Deuel Rural Water System, Inc. RR 2 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 5975-3.

Water Permit No. 5975-3 states that the diversion system is to be constructed by 3-17-2002, and that the water is put to beneficial use by
(date)
3-17-2002.
(date)

The diversion system was completed on October 1, 1997.
(date)

Applying the water to beneficial use was completed on October 15, 1997.
(date)

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

[Signature]
(signature)

Permit No. 5975-3

Minnesota River - Water District

Contact Person & Address: Pat Gilligan, BDRWS RR2 Box 84, Toronto, SD 57268

Report Of Examination Of Works

On, July 2, 2002, I made a thorough examination of the water use system constructed by Brookings-Deuel Rural Water System of RR2 Box 84, Toronto, SD 57268 holder of Permit No. 5975-3, bearing the priority of December 26, 1996 authorizing the diversion of 0.67 cu. ft. per second of the waters of ground water (Prairie Coteau) for rural water system purposes, in Deuel County.

The system is in the following condition good. The point of diversion is located from the SW corner of Section 8 T115N-R48W: 2400 ft east and 100 ft north with a longitude of -96.613483 and a latitude of 44.77606 as determined using GPS. The works are capable of diverting and conveying to the place of use 0.56 cu. ft. per second of water which is to be used for rural water system purposes. Water has been put to beneficial and the license should be issued for 0.56 cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Exceptions to compliance are: none

Report On the Specifics of the System

Diversion Point Information:

Well Information:

- | | |
|---|-------------------------------------|
| 1) Well Drilling Firm: <u>LTP Enterprises</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>157</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|------------------------------|---------------------------|
| 1) Diameter <u>12</u> inches | 2) Length <u>137</u> feet |
| 3) Type <u>steel</u> | |

Screen:

- | | |
|--------------------------------------|--------------------------|
| 1) Type <u>stainless steel</u> | 2) Length <u>20</u> feet |
| 3) Static water level <u>78</u> feet | |

Pump:

- | | |
|--------------------------------------|----------------------------|
| 1) Make <u>unknown (submersible)</u> | 2) Model <u>NA</u> |
| 3) Size <u>NA</u> | 4) Capacity <u>250</u> GPM |

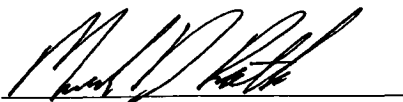
Motor:

- | | |
|--------------------------------------|------------------------|
| 1) Make <u>unknown (submersible)</u> | 2) Model No. <u>NA</u> |
| 3) Horsepower rating <u>NA</u> hp | |

DISTRIBUTION LINES OR CANALS:

- 1) Type RWS distribution system

Comments : none



Mark D. Rath

Natural Resources Engineering Specialist
DENR, Water Rights Program

10-30-02
Date

5975-3



South Dakota



Mark D. Rath

Mark D. Rath
Natural Resources Engineer
SD DENR

10-30-02





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 31, 2002

5975-3

Patrick Gilligan
Brookings-Deuel Rural Water System
RR 2 Box 84
Toronto SD 57268

Dear Mr. Gilligan:

On July 2, 2002, the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5975-3, was completed by Mark Rath, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires 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 complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 8, 20 02

RECEIVED OF Brookings-Deuel Rural Water System, 47602 SD Hiway 20, Toronto SD 57268

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. <u>5575-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No. 000074

By David E. Eide

Chief Engineer gme



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 26 2002

5975-3

Brookings-Deuel Rural Water System
Patrick Gilligan
47602 SD Highway 28
Toronto SD 57268

Dear Mr. Gilligan:

Enclosed is Water License No. 5975-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 000341 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. 5975-3, 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.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5975-3

(1) Brookings-Deuel Rural Water System, 47602 SD Highway 82, Toronto SD 57268 made Application No. 5975-3, December 26, 1996 for a water permit to divert 0.67 cubic feet of water per second (300 acre-feet annually) from groundwater (one well), Deuel County, South Dakota for rural water system purposes. Permit No. 5975-3, with a priority date of December 26, 1996 was approved March 17, 1997 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 17, 2002 and for the application to beneficial use of water on or before March 17, 2006.

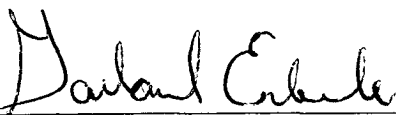
The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on October 21, 1997. The *Notice* stated the diversion system was completed on October 1, 1997 and the water placed to beneficial use on October 15, 1997.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 5975-3 is issued a license, bearing a priority date of December 26, 1996 to appropriate 0.56 cubic feet of water per second (300 acre-feet annually) from groundwater (one well) for rural water system purposes.

The diversion point is located 2,400 feet east and 100 feet north from the southwest corner of Section 8-T115N-R48W (SE ¼ SW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 5975-3 including the following qualifications:

- The well 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.
- The wells authorized by Permit No. 5975-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
- Water Permit No. 5975-3 authorizes a total annual diversion of 300 acre-feet of water annually.
- The Brookings-Deuel Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn each year from the Prairie Coteau Aquifer.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 26 2002

date

