

WATER PERMIT NO. 6002-3

Name of Applicant: Brookings-Deuel/Kingbrook Joint Well Field

Address: RR2 Box 84, Toronto, SD 57268

Phone: 794-4201

Amount of Water Claimed: 1.0 cfs (362 ac-ft)

Total Acres: N/A

Source of Water Supply: Ground water

Water to be used for: RWS County: Brookings

Type of Waste Disposal System: N/A

Location: about 3 miles north of Bruce

PRIORITY Date Received: 5/7/97

Fee: \$275

Corrected Application Received: XX

Period of Annual Use: Jan. 1 - Dec. 31

Remarks: construct and place to beneficial use water reserved by FU Permit Nos. 3982-3 and 3982A-3

XX

XX

Diversion Point: NW1/4 SW1/4 Section 19,

T112N, R50W

XX

Land to be Irrigated: N/A

XX

XX

XX

Depth of Well: 40 feet

Well Driller: XX

Remarks: XX

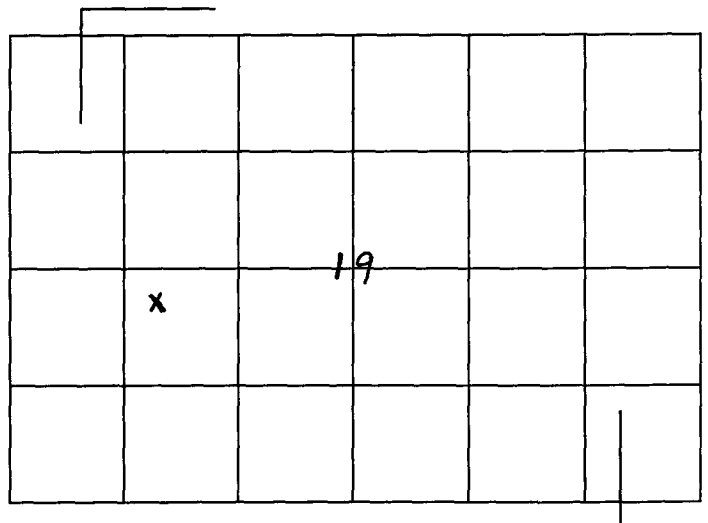
Type of Map: Plat

Prepared by: Bruce Jennings - PE No. 3812

Reviewed and the Number Assigned on: 5/8/97

By: Eric Gronlund

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 6002-3**

Date of first receipt of application May 7, 1997.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6002-3 to Brookings-Deuel/Kingbrook Joint Well Field, 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. 6002-3 authorizes construction and placement to beneficial use of 1.0 cubic feet of water per second (362 acre-feet annually) from one well located in the NW 1/4 SW 1/4 Section 19-T112N-R50W. The water was reserved by Future Use Permit Nos. 3982-3 and 3982A-3.
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 purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 6002-3 is July 14, 1997.
5. The date from which applicant may claim right is June 6, 1977.
6. One-fifth of the construction is to be completed on or before January 14, 2000.
7. All construction is to be completed on or before July 14, 2002.
8. Water is to be put to beneficial use on or before July 14, 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. 6002-3 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. Permit No. 6002-3 authorizes a total annual diversion of 362 acre-feet of water annually.
4. The Brookings-Deuel/Kingbrook Joint Well Field shall report to the Chief Engineer annually the amount of water withdrawn each year from the Big Sioux:Brookings Aquifer.

WATER MANAGEMENT BOARD

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

JAN 08 1998

date



(type or print)



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

No. 6002-3 Hydrologic Unit 10170202
Basin Big Sioux River
Newspaper See Attached Sheet
(office use only)

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

Check use of water:

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

Type of Application: ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☒ Place to Beneficial Use Water Reserved by Future Use Permit No. 3982-3

☐ 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/Kingbrook Joint Well Field Phone 605-794-4201

(check one) ☒ Owner ☐ Tenant/lessee

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

2. Amount of water claimed 1.0 *CFS or 362 **GPM ***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 Big Sioux Aquifer

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well in 112N-50W
Section 19 - ~~SW~~ NW 1/4 SW 1/4

County Brookings

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

6. Annual period during which water is to be used 12 months January 1 - December 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)

McCook-Miner-Lake-Clark

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, B-D/K JWF, 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 1997

[Signature]

Notary Public

My commission
expires - 5/16/2004

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 20" Depth 40'
- b) Casing Type steel Diameter 14" Thickness _____
- c) Screen Type stainless steel Diameter 14" Thickness _____
- d) Gravel Pack Thickness 3' Length of Gravel Pack 25'
- e) Depth to Top of Water Bearing Material 8'
- f) Depth to Water (ground surface to water level) 8'
- g) Distance to nearest existing domestic well:

On applicants property NA On property owned by others 1,200'

2. Dugout Information

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below 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

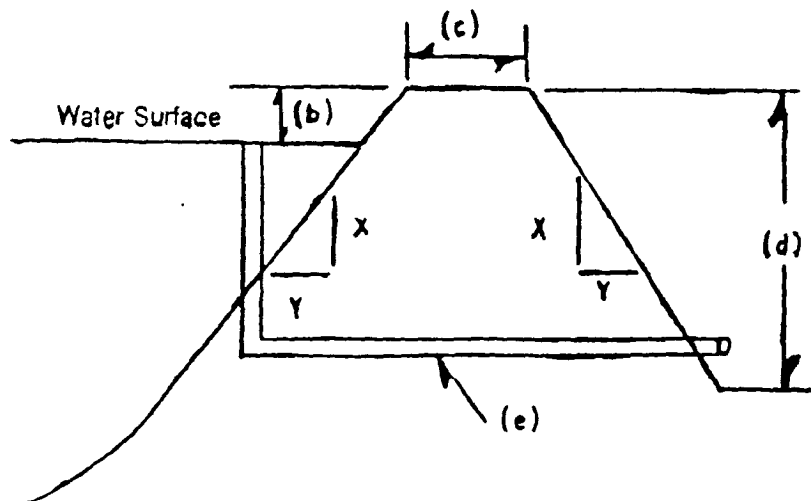
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



SOUTH DAKOTA WATER WELL COMPLETION REPORT

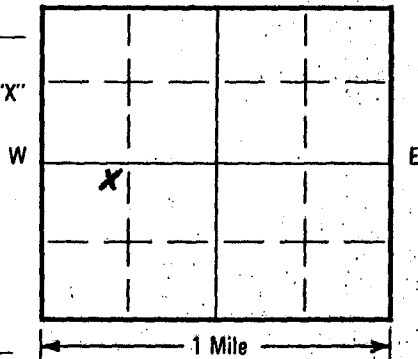
6002-3

07-92

Location NW 1/4 SW 1/4 Sec 19 Twp 112-N Rg 50W
County Brookings North

Brookings

Please mark well location with an "X"



Well Completion Date

10-17-97

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 1/2 mile ft. from open site (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Bucket-

CASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
____ LB/FT	<u>12" IN</u>	<u>+1 FT</u>	<u>25' FT</u>	<u>20" 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>Bedrock</u>	____	____ lb./gal	<u>8' ft</u>	<u>10' ft</u>
____	____	____ lb./gal	____ ft	____ ft

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 12" IN Length 10' FEET

Material Stainless Steel

Slot Size .080 Set From 2 1/2" Feet to 3 1/2" Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

YES, How: Chlorine

NO, Why Not? _____

Laboratory sent to for water quality analysis

Self

Well Owner: Brookings - Devel

Business Name: _____

Address: Box 87
Toronto, So. Dak. 57268

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Topsoil</u>	<u>0</u>	<u>1</u>
<u>Fine Brown Sand</u>	<u>1</u>	<u>4</u>
<u>Coarse Gravel</u>	<u>4</u>	<u>30</u>
<u>Medium Sand</u>	<u>30</u>	<u>34'6"</u>

STATIC WATER LEVEL 9' 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 7 Describe: 7

☐ Bailed #

☐ Other

Pumping Level Below Land Surface

27'8" ft. After 3 Hrs. pumped 500 GPM

____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS: Good Well

This well was drilled under license # 111

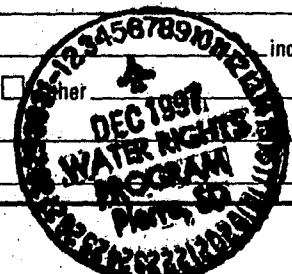
And this report is true and accurate.

Drilling firm Lacey Well Drilling

Signature of License Representative: _____

Jerry Padden-Lacey
Signature of Well Owner or Equitable Property Holder:

Nov 18 1997
Date:



RECEIPT

415340

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 7, 19 97

RECEIVED OF Brookings-Deuel/Kingbrook Joing Well Field, 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>6002-3</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

REPORT ON WATER PERMIT APPLICATION NO. 6002-3
for Brookings Deuel/Kingbrook Joint Well Field
June 3, 1997

Application No. 6002-3 proposes to construct and put to beneficial use 1.0 cfs (362 acre feet annually) from one well located in the NW 1/4 SW 1/4 of Section 19, T112N-R50W in Brookings County. The water is reserved by Future Use Permit Nos. 3982-3 and 3982A-3 for rural water system use.

AQUIFER - BIG SIOUX BROOKINGS (BS-B)

The Big Sioux Brookings is composed of outwash (sand and gravel) which is predominantly under water table conditions. The Big Sioux aquifer underlies 540 square miles and contains an estimated 2.0 million acre feet in Brookings and Kingsbury Counties (most of this is in Brookings County) (Hamilton, 1989). The aquifer is areally extensive into Hamlin County to the north and into Moody to the south. The aquifer is in hydraulic connection to the Big Sioux River and locally to some area streams and lakes. Ground water movement is generally toward the Big Sioux River which is a discharge area for the aquifer under most conditions. The Big Sioux Brookings aquifer is a portion of the entire Big Sioux aquifer. The portion of the Big Sioux Brookings which lies in Brookings underlies 74,500 acres and contains an estimated 245,850 acre feet of recoverable water in storage.

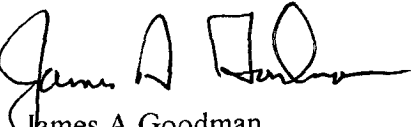
The Water Rights Program monitors nine observation wells within a one mile radius of this application. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1997). Hydrographs for observation wells BG-75K, BG-75L and BG-75M which are all located within one-half mile of this application are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing well is Well #2 for the rural water system. This well is located about 600 feet north of this application. Interference is not expected to be a concern. Even though drawdown will overlap if both wells are used at the same time, this should not cause significant problems. In that event, the rural water system can minimize these effects by controlling the water use from each of the wells.

CONCLUSIONS

1. Water is available from the Big Sioux Brookings aquifer.
2. The aquifer is unconfined and under water table conditions. Drawdown will occur as a result of pumping and at the distance between production wells there will be some interference. This is not expected to be adverse. The rural water system can manage the pumping to minimize this effect.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. Approval of this application will leave 507 acre feet of water remaining in reserve under Future Use Permit Nos. 3982-3 and 3982A-3.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Hamilton, L.J., 1989, Water Resources of Brookings and Kingsbury Counties, South Dakota, Water-Resources Investigations Report 88-4185, USGS, Huron, SD, 57350.
- Water Rights, 1997, Unpublished Observation Well Records for Brookings County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS OBSERVATION WELL

BG-75K



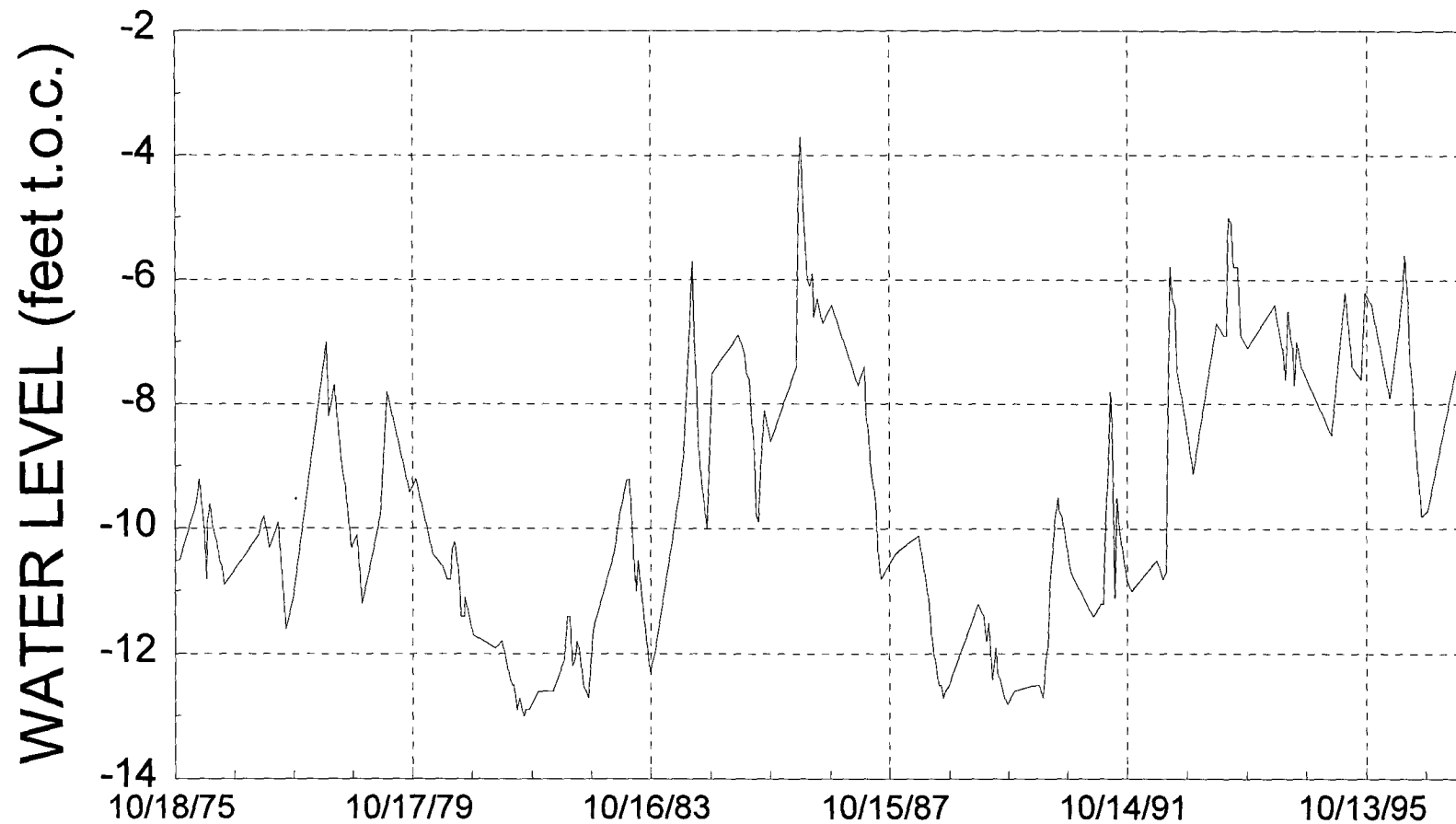
WATER RIGHTS OBSERVATION WELL

BG-75L



WATER RIGHTS OBSERVATION WELL

BG-75M



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6002-3, Brookings-Deuel / Kingbrook Joint Well Field**

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. 6002-3, 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. 6002-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. 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. 6002-3 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. Permit No. 6002-3 authorizes a total annual diversion of 362 acre-feet of water annually.
4. The Brookings-Deuel / Kingbrook Joint Well Field shall report to the Chief Engineer annually the amount of water withdrawn each year for the Big Sioux:Brookings Aquifer.

See report on application for additional information.



JOHN HATCH, Chief Engineer
June 12, 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.

June 16, 1997

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

Dear Mr. Gilligan:

Water Permit Application No. 6002-3 for rural water system use has been examined and found to comply with the South Dakota Water Laws and applicable rules. Attached is a list of publishers and their phone numbers to which a notice of hearing has been sent. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the attached list of 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 notices of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on June 24, 1997, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6002-3 to Appropriate Water

Notice is given that Brookings-Deuel/Kingbrook Joint Well Field, c/o Patrick Gilligan, RR 2, Box 84, Toronto, SD 57268 has filed an application for a water permit to construct and place to beneficial use 1.0 cubic feet of water per second (362 acre feet annually) from one well located in the NW1/4 SW1/4 Section 19, T112N, R50W. The water was reserved by Future Use Permit Nos. 3982-3 and 3982A-3 for rural water system use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6002-3 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. 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 July 14, 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

June 16, 1997

Brookings Register
Box 117
Brookings, SD 57006-0177

ATTENTION: Legal Department

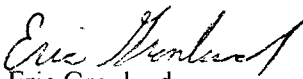
Enclosed is a Notice of Hearing on Application No. 6002-3 to be published twice. Please publish the first notice on June 24, 1997, with the second publication 7 days later.

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/Kingbrook Joint Well Field, %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:

June 24, 1997

July 1, 1997

Cost of Printing Thirty-one dollars
and eighty-four cents, \$31.84

Nancy P. Skyberg
(Signature)

Legal Ad Coordinator
(Title)

7-1-97
(Date Signed)

Legal 363, 2x, 6/24, 7/1
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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 16, 1997

Moody County Enterprise
Box 71
Flandreau, SD 57028-0071

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 6002-3 to be published twice. Please publish the first notice on June 24, 1997, with the second publication 7 days later.

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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 Vibbelink

certify that the attached printed Notice was taken

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

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 25, 1997July 2, 1997Cost of Printing \$33.70

Angela Vibbelink
(Signature)

Brdheper
(Title)

7-2-97
(Date Signed)

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Any person interested in opposing or supporting this application 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 July 14, 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.

(June 25 & July 2, 1997)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 16, 1997

Argus Leader
P.O. Box 5034
Sioux Falls, SD 57117-5034

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 6002-3 to be published twice. Please publish the first notice on June 24, 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/Kingbrook Joint Well Field, %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

AFFIDAVIT OF PUBLICATION

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

Diana Reicher being duly sworn, says: That The Sioux Falls Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota by Sioux Falls Newspapers, Inc.; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

TUES	, the	24	day of	JUNE	1997,
TUES	, the	1	day of	JULY	1997,
	, the		day of		1997,
	, the		day of		1997,
	, the		day of		1997,
	, the		day of		1997,
	, the		day of		1997,

and that \$74.57 was charged for publishing the same including a \$5.00 affidavit fee.

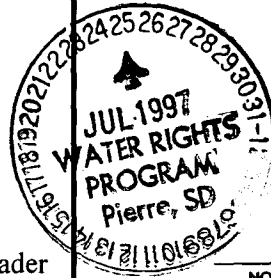
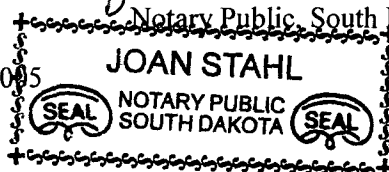
Diana Reicher

Subscribed and sworn to before me JULY 21, 1997,

Joan Stahl

Notary Public, South Dakota

My Commission expires June 30, 2005



NOTICE OF APPLICATION

NO. 6002-3 to Appropriate Water
Notice is given that Brookings-Deuel/Kingbrook Joint Well Field, c/o Patrick Gilligan, RR 2, Box 84, Toronto SD 57268, has filed an application for a water permit to construct and place to beneficial use 1.0 cubic feet of water per second (362 acre feet annually) from one well located in the NW1/4 SW1/4 Section 19, T112N, R50W. The water was reserved by Future Use Permit Nos. 3982-3 and 3982A-3 for rural water system use. Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6002-3 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. 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
8470 June 24, July 1, 1997



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 16, 1997

Madison Daily Leader
P.O. Box 348
Madison, SD 57042-0348

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 6002-3 to be published twice. Please publish the first notice on June 24, 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/Kingbrook Joint Well Field, %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. _____

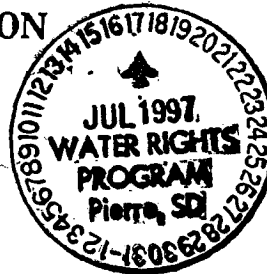
Date _____

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

AFFIDAVIT OF PUBLICATION



STATE OF SOUTH DAKOTA

County of Lake

ss.

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

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

Notice of Application No. 6002-3 to

Appropriate Water/Brookings-Deuel/Kingbrook

printed copy of which hereunto attached, was printed and published in the said

newspaper for two successive weeks, once each week and on the same day of the week, on the following dates, to-wit:

On Tuesday, the 24th day of June, 19 97;

On Tuesday, the 1st day of July, 19 97;

On, the day of, 19

On, the day of, 19

On, the day of, 19

On, the day of, 19

On, the day of, 19

On, the day of, 19

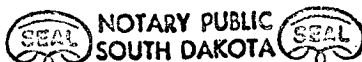
That \$ 35.18 being the full amount of the fees for publication of the attached notice inures solely for the benefit of the publisher of the said newspaper; that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Deanna Bergheim
.....
15th

Subscribed and sworn to before me this day of

July 19 97

CHERYL JONES



Cheryl Jones
Notary Public, Lake County, South Dakota:

Tuesday, June 24 & July 1

NOTICE OF APPLICATION

NO. 6002-3 to Appropriate Water

Notice is given that Brookings-Deuel/Kingbrook Joint Well Field, c/o Patrick Gilligan, RR 2, Box 84, Toronto, SD 57268 has filed an application for a water permit to construct and place to beneficial use 1.0 cubic feet of water per second (362 acre feet annually) from one well located in the NW 1/4 SW 1/4 Section 19, T112N, R50W. The water was reserved by Future Use Permit Nos. 3982-3 and 3982 A-3 for rural water system use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6002-3 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. In accordance with SDCL 46-2A-2, 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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NETTIE H. MYERS

Secretary
Department of Environment
and Natural Resources

Publication Fees \$.....

Notary Fees \$.....

Total \$.....

Received Payment,



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 16, 1997

Clark County Courier
1117 1st Street West
Clark, SD 57225

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 6002-3 to be published twice. Please publish the first notice on June 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/Kingbrook Joint Well Field, %Patrick Gilligan, RR 2, Box 84, Toronto, SD 57268 (Ph # (605) 794-4201).

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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

**NOTICE OF APPLICATION NO.
6002-3 to Appropriate Water**

Notice is given that Brookings-Deuel/Kingbrook Joint Well Field, c/o Patrick Gilligan, RR 2 Box 84, Toronto, SD 57268 has filed an application for a water permit to construct and place to be beneficial use 1.0 cubic feet of water per second (362 acre feet annually) from one well located in the NW 1/4 SW 1/4 Section 19, T112N, R50W. The water was reserved by Future Use Permit Nos. 3982-3 and 3982A-3 for rural water system use.

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Nettie H. Myers, Secretary
Dept. of Environment and
Natural Resources
(6-25-2t)



Affidavit of Publication

State of South Dakota

§

County of Clark

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

**Notice of Application
No. 6002-3 to Appropriate Water**

a printed copy of which, taken from the paper in which same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for

Two (2)

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

June 25, 1997

that the full amount of the fees for the publication of the annexed notice is

\$33.73

Subscribed and sworn to before me this

3rd Day of July, 1997

Notary Public
Clark County, South Dakota

My commission expires
7-18-1999



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 16, 1997

DeSmet News
Box 69
DeSmet, SD 57231-0069

ATTENTION: Legal Department

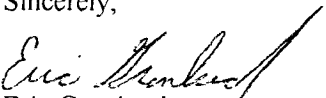
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Sincerely,


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)
County of Kingsbury) SS

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:

June 25, 1997

July 2, 1997

Cost of Printing 32.60

Dale Blegen
(Signature)

Publisher
(Title)

July 2, 1997
(Date Signed)

NOTICE OF APPLICATION NO. 6002-3 TO APPROPRIATE WATER

Notice is given that Brookings-Deuel/Kingbrook Joint Well Field, c/o Patrick Gilligan, RR2, Box 84, Toronto, SD 57268, has filed an for a water permit to construct and place to beneficial use 1.0 cubic feet of water per second (362 acre feet annually) from one well located in the NW1/4 SW1/4 Section 19, T112N, R50W. The water was reserved by Future Use Permit Nos. 3982-3 and 3982A-3 for rural water system use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6002-3 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. 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 July 14, 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 Grönlund 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.
6-25-2wc-7-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 16, 1997

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

ATTENTION: Legal Department

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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)
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, June 25, 1997

Wednesday, July 2, 1997

Cost of Printing \$37.64

Gary DeJong
(Signature)

Publisher
(Title)

6/25/97
(Date Signed)

NOTICE OF APPLICATION NO. 6002-3 TO APPROPRIATE WATER

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Nettie H. Myers, Secretary
Department of Environment
and Natural Resources

June 25 and July 2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 16, 1997

Estelline Journal
Box 159
Estelline, SD 57234-0159

ATTENTION: Legal Department

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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

OK

I, LeAnne Archer

certify that the attached printed Notice was taken

from the Estelline Journal

printed and published in Estelline

County of Hamlin and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 25, 1997

July 2, 1997

Cost of Printing 37.05

LeAnne Archer
(Signature)

Owner
(Title)

6-25-97
(Date Signed)

APPLICATION NO. 6002-3

NOTICE OF APPLICATION NO. 6002-3 TO APPROPRIATE WATER

Notice is given that Brookings-Deuel/Kingbrook Joint Well Field, c/o Patrick Gilligan, RR 2 Box 84, Toronto, SD 57268 has filed an application for a water permit to construct and place to beneficial use 1.0 cubic feet of water per second (362 acres feet annually) from one well located in the NW 1/4 SW 1/4 Section 19, T112N, R50W. The water was reserved by Future Use Permit Nos. 3982-3 and 3982A-3 for rural water system use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6002-3 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. 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. This 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 July 14, 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
(publish June 25 and July 2, 1997)

PUBLIC NOTICES:

Public Notices In Your
Local Newspaper Protects
Your Right To Know



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 16, 1997

Canistota Clipper
Box 128
Canistota, SD 57012-0128

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 6002-3 to be published twice. Please publish the first notice on June 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/Kingbrook Joint Well Field, %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 McCook) SS

I, Mary Ann Leterer

certify that the attached printed Notice was taken

from the Canistota

Clipper

printed and published in Canistota

County of McCook and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

June 26, 1997

July 3, 1997

Cost of Printing \$ 37.00

Mary Ann Leterer
(Signature)

Office Manager
(Title)

July 8, 1997
(Date Signed)

Notice of Application No. 6002-3 to "Appropriate Water

Notice is given that Brookings-Deuel/Kingbrook Joint Well Field, c/o Patrick Gilligan, RR 2, Box 84, Toronto, SD 57268 has filed an application for a water permit to construct and place to beneficial use 1.0 cubic feet of water per second (362 acre feet annually) from one well located in the NW 1/4 SW 1/4 Section 19, T112N, R50W. The water was reserved by Future Use Permit Nos. 3982-3 and 3982A-3 for rural water system use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6002-3 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. 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.

6-26-21c





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 16, 1997

Miner County Pioneer
Box P
Howard, SD 57349

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 6002-3 to be published twice. Please publish the first notice on June 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/Kingbrook Joint Well Field, %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

NOTICE OF APPLICATION
NO. 6002-3

To Appropriate Water
Notice is given that Brookings-Deuel/Kingbrook Join Well Field, c/o Patrick Gilligan, RR2, Box 84, Toronto, SD 57268 has filed an application for a water permit to construct and place to beneficial use 1.0 cubic feet of water per second (362 acre feet annually) from one well located in the NW 1/4 SW 1/4 Section 19, T112N, R50W. The water was reserved by Future Use Permit Nos. 3982-3 and 3982-A-3 for rural water system use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6002-3 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. 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, 23 E. Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by July 14, 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
(June 26, July 3)

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, County of Miner: ss.

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

headed Notice of Application NO. 6002-3
To Appropriate Water

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

successive weeks, the first publication being made on the 26 day of June 19 97

and the last publication on the 3 day of July 19 97

The first publication being made on the 26 day of June 19 97

The second publication being made on the 3 day of July 19

The third publication being made on the day of 19

The fourth publication being made on the day of 19

The fifth publication being made on the day of 19

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Miner, for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in an office maintained in Howard, South Dakota, the place of publication of said newspaper. That the full amount of fees for publication of the annexed notice is \$35.52 and inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any person whomever.

Subscribed and sworn to me this 14th day of July 19 97

Brent Meyer

My Commission expires the 14th day of May 2002





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 08 1998

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

Dear Mr. Gilligan:

Enclosed is Water Permit No. 6002-3 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 7-6-99

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

FROM: Brookings-Deuel/Kingbrook Joint Well Field RR2 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. 6002-3.

Water Permit No. 6002-3 states that the diversion system is to be constructed by 7-14-2002, and that the water is put to beneficial use by
(date)

7-14-2006.
(date)

The diversion system was completed on 6-20-99.
(date)

Applying the water to beneficial use was completed on 6-21-99.
(date)

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

[Signature]
(signature)

REPORT ON INSPECTION OF PERMIT NO. 6002-3

DATE OF INSPECTION: May 23, 2000

Contact Person & Address: Pat Gilligan, RR 2 Box 84 Toronto SD 57268

DIVERSION POINT LEGAL LOCATION: from the SW corner of Section 19 T112N-R50W; 1910 feet north and 540 feet east

Longitude: -96.88510 **Latitude:** 44.49103

WATER SUPPLY Source: ground water (Big Sioux Brookings

Well Information:

- | | |
|---|-------------------------------------|
| 1) Well Drilling Firm: <u>Lacey well Drilling</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>34.5</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|------------------------------|--------------------------|
| 1) Diameter <u>12</u> inches | 2) Length <u>25</u> feet |
| 3) Type <u>steel</u> | |

Screen:

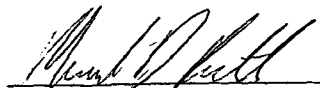
- | | |
|-------------------------------------|--------------------------|
| 1) Type <u>stainless steel</u> | 2) Length <u>10</u> feet |
| 3) Static water level <u>9</u> feet | |

Pump\ Motor:

- | | |
|------------------------------|----------------------------------|
| 1) Pump Make <u>Grundfos</u> | 2) Pump Model <u>submersible</u> |
| 3) Capacity <u>350</u> GPM | 4) Motor Make <u>Grundfos</u> |

PERMIT QUALIFICATIONS AND REGULATIONS:

- | |
|--|
| 1) Special qualifications to permit being abided by <u>yes</u> |
| 2) All structures, wells and lands on map <u>yes</u> |



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

5/30/00
Date

Permit No. 6002-3
Big Sioux River - Water District

Report Of Examination Of Works

On, May 23, 2000, I made a thorough examination of the water use system constructed by Brookings-Deuel/Kingbrook Rural Water Systems of RR 2 Box 84 Toronto SD holder of Permit No. 6002-3, bearing the priority of June 6, 1977 authorizing the diversion of 1.0 cu. ft. per second and/or the storage of 362 acre-feet of the waters of ground water (Big Sioux Brookings) for rural water system use purposes, with the well located in Brookings County.

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

A. Works used to divert the water:

A Grundfos submersible pump

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

A rural water distribution system

The system is in the following condition good. The point of diversion is located from the SW corner of Section 19 T112N-R50W; 1910 feet north and 540 feet east. with a longitude of -96.88510 and a latitude of 44.49103. The works are capable of diverting and conveying to the place of use 0.78 cu. ft. per second of water and using an annual volume of 362 acre-feet of water which is to be used for rural water system use. Water has been put to beneficial use and the license should be issued for 0.78 cfs and 362 acre-feet annually.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none



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

5/30/00

Date

No 6002-3



0.5 0 0.5 Miles

Mark D. Rath
Mark D. Rath 5/26/00
Natural Resources Engineer
SD Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 1, 2000

6002-3

Brookings-Deuel/Kingbrook RWS
%Pat Gilligan
RR 2, Box 84
Toronto, SD 57268

Dear Mr. Gilligan:

The investigation of your water use system was conducted on May 23, 2000, by Mark D. Rath, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 6002-3. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

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

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416543

Pierre, June 7, 2000

RECEIVED OF Brookings-Deuel/Kingbrook RWS, KR 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. _____ 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>6002-3</u>	50	00
Fee for Filing Transfer Form _____		
✓ Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By Harland Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 03 2001

6002-3

Brookings-Deuel/Kingbrook RWS
%Pat Gilligan
RR 2, Box 84
Toronto, SD 57268

Dear Mr. Gilligan:

Enclosed is Water License No. 6002-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416543 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

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

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6002-3

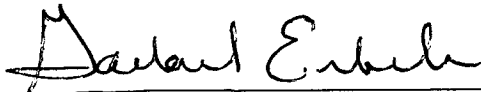
(1) Brookings-Deuel/Kingbrook Rural Water System, RR 2 Box 84, Toronto SD 57268 made Application No. 6002-3, May 7, 1997 for a water permit to divert 1.0 cubic feet of water per second (362 acre-feet annually) from groundwater (one well), Brookings County, South Dakota for rural water system purposes. Permit No. 6002-3, with a priority date of June 6, 1977 (established by Future Use Permit Nos. 3982-3 and 3982A-3) was approved July 14, 1997 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 14, 2002 and for the application to beneficial use of said water on or before July 14, 2006.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on July 9, 1999. The *Notice* stated the diversion system was completed on June 20, 1999 and the water placed to beneficial use on June 21, 1999.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.78 cubic feet of water per second (362 acre-feet annually) for beneficial use. The location of the diversion point is 1,910 feet north and 540 feet east of the southwest corner of Section 19-T112N-R50W (NW ¼ SW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to supply users in Brookings, Kingsbury, Deuel, Hamlin, Moody, Minnehaha, McCook, Miner, Lake and Clark Counties.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Brookings-Deuel/Kingbrook Rural Water System, RR 2 Box 84, Toronto SD 57268 the holder and/or owner of Water Right No. 6002-3 is issued a license to appropriate water, the right to use 0.78 cubic feet of water per second (362 acre-feet annually) from groundwater (one well) with a priority date of June 6, 1977 (established by Future Use Permit Nos. 3982-3 and 3982A-3) from the location specified in (2) of this license for rural water system use. This license is subject to any limitations or qualifications listed in Water Right No. 6002-3 and subject to South Dakota State Law.



GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 03 2001

date

