

WATER PERMIT NO. 6322-3

Name of Applicant: City of Brookings

Address: 221 Main Ave, Brookings SD 57006

Phone: 605 692-2708

Amount of Water Claimed: 1.66 cfs

Total Acres: 52 acres

Source of Water Supply: dugouts (gravel pits)

Water to be used for: irrigation

County: Brookings

Type of Waste Disposal System:

Location: south edge of Brookings

PRIORITY

Date Received: 5-1-02

Fee: \$150

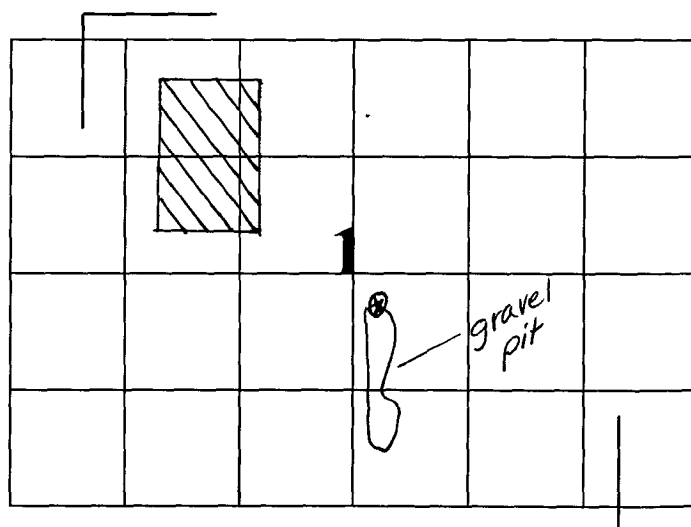
Corrected Application Received:

Period of Annual Use: April 1 – October 31

Remarks: irrigation of soccer fields

Diversion Point: NW ¼ SE ¼ Sec 1- T109N-R50W

Land to be Irrigated: NW ¼ Sec 1-T109N-R50W



Depth of Well: NA

Well Driller: : NA

Remarks:

Type of Map: aerial

Prepared by: Gregg E Jongeling, PE

Reviewed and the Number Assigned on: 5-2-02

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**SOUTH DAKOTA
WATER PERMIT NO. 6322-3**

Date of first receipt of application May 1, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6322-3 to the City of Brookings, Parks and Recreation Department, 221 Main Ave, Brookings SD 57006 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. 6322-3 appropriates 1.66 cubic feet of water per second (cfs) from a dugout (gravel pits with an approximate storage capacity of 40 acre feet of water) located in the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 1 to irrigate 52 acres of soccer fields located in the NW $\frac{1}{4}$ Section 1; all in T109N-R50W. The water source is the Big Sioux: Aurora Aquifer and incidental surface runoff.
2. The amount of the appropriation may not exceed 2 ^{acre} feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is May 1, 2002.
4. The date of approval of Permit No. 6322-3 is June 24, 2002.
5. One-fifth of the construction is to be completed on or before December 24, 2004.
6. All construction is to be completed on or before May 24, 2007.
7. Water is to be put to beneficial use on or before May 24, 2011.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6322-3 authorizes a maximum diversion rate of 1.66 cfs for the irrigation of 52 acres with an annual volume not to exceed 3 acre-feet of water per acre per year.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

JUL 31 2002

date



FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6322-3</u> (office use only) Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>
	Newspaper <u>Brookings Register, Brookings</u>

RECEIVED
MAY 01 2002
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: X New Vested Right Amendment/Correction to Permit No.
(Use predates Mar 2, 1955)

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

- Name of Applicant CITY OF BROOKINGS PARKS AND RECREATION Phone 605-692-2708
(check one) Owner Tenant/lessee
- Mailing Address 221 MAIN AVE BROOKINGS State BROOKINGS, S.D. 57006
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.66 *CFS or 750 **GPM ***AF Total Acreage 52 ACRES
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply GROUND WATER FROM DUGOUT PONDS (GRAVEL PITS)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 250 FEET, 300 FT. SOUTH
OF NW CORNER OF SE1/4 OF SECTION 1, T104N R 50W
(NW1/4 SE1/4) County BROOKINGS
- County or counties where water will be used BROOKINGS
- Annual period during which water is to be used APRIL THRU OCTOBER 31
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW1/4 OF NW1/4 SEC 1, T104N R 50W	24.75		
SW1/4 OF NW1/4 SEC 1, T104N R 50W	8.25		
SE1/4 OF NW1/4 SEC 1, T104N R 50W	14.5		
NE1/4 OF NW1/4 SEC 1, T104N R 50W	4.75		

8. Give a description of the project. (Attach sheet if more space is needed)

IRRIGATE TURF ON 10 SOCCER FIELDS AND SURROUNDING SUPPORT AREAS,
AUTOMATED UNDERGROUND DISTRIBUTION SYSTEM, ROTARY PADDLES, VERTICAL
SHAFT PUMP, 750 GPM MAXIMUM, 80 P.S.I.

STATE OF SOUTH DAKOTA) SS
County of BROOKINGS)

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)

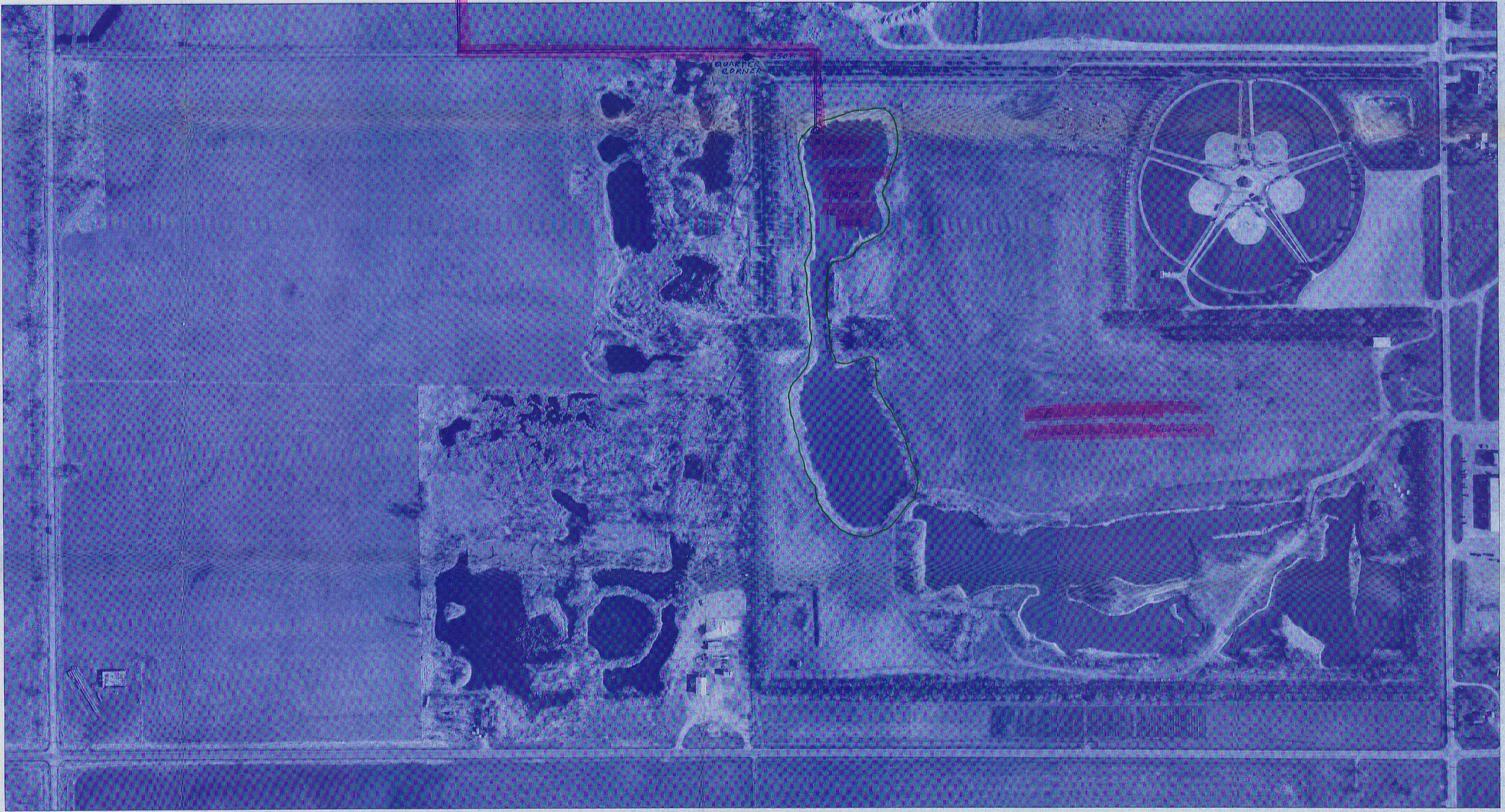
I, ALLEN FRIEDRICHS (CITY OF BROOKINGS) the applicant, certify that I have read this application, have examined the attached
map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Allen Friedrichs

Subscribed and sworn to before me this 29 day of April 20 02

Branda McCracken
Notary Public signature

S 1/2 SECTION 1 T109N R50W



HORIZONS, INC.
AERIAL MAPPING PROFESSIONALS
3600 Jet Drive • PO Box 3134
Rapid City, SD 57709-3134 • (605)343-0280
HORIZONS' FILE 0-4736

Approximate Scale 1" = 200'
200 0 200 400



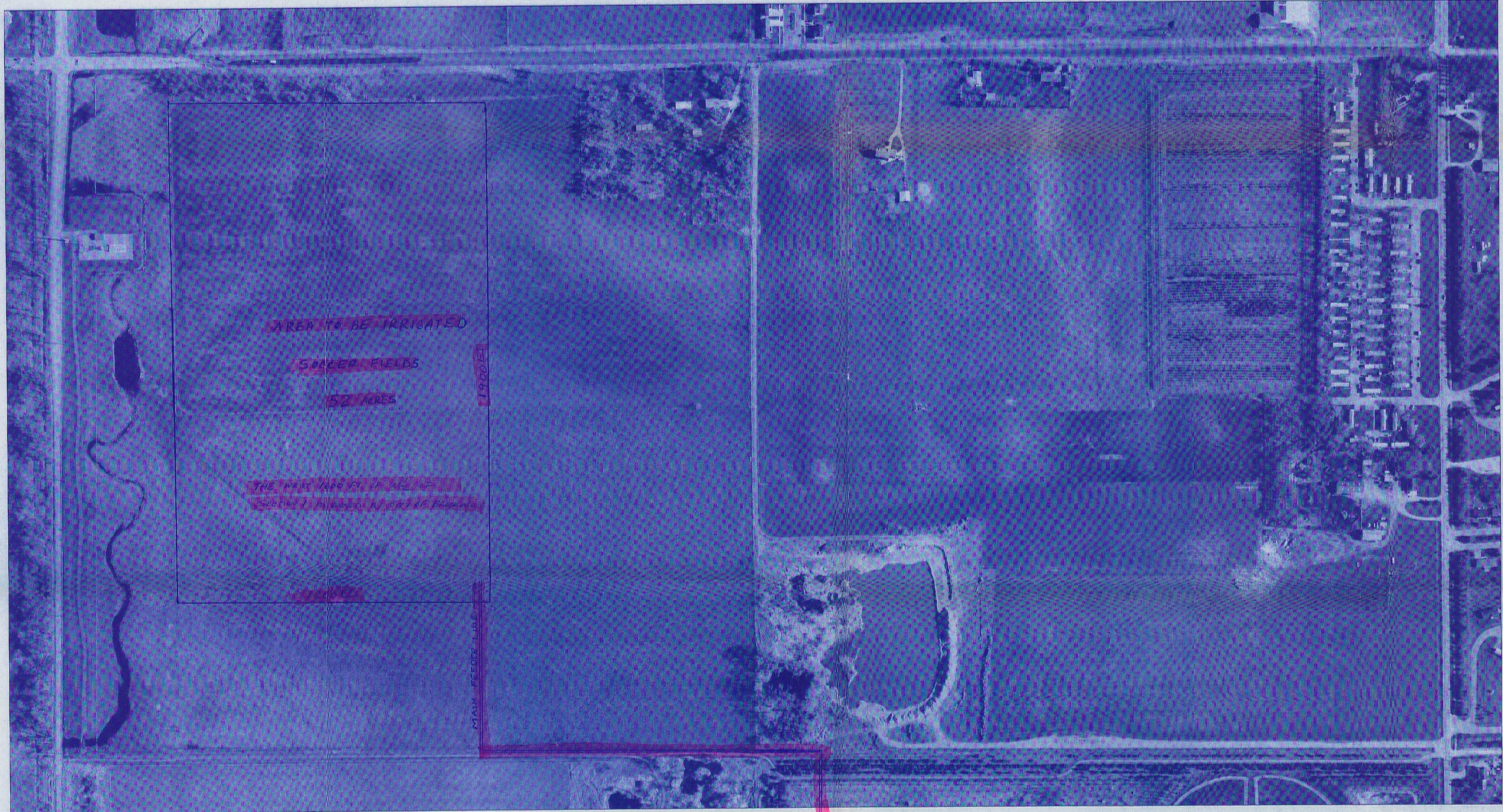
CITY OF BROOKINGS

Date of Photography: 4-24-00
Gregg E Jongeling PE-LS
City Engineer 4-29-02



6322-3

N 1/2 SECTION 1 T109N R50W



Approximate Scale 1" = 200'



CITY OF BROOKINGS

Date of Photography: 4-24-00
Gregg E. Jongeling PE-LS
City Engineer 4-29-02



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AERIAL MAPPING PROFESSIONALS
3560 1st Drive • PO Box 3134
Rapid City, SD 57709-3134 • (605)343-0280
HORIZONS' FILE 0-4736

6322-3

Form 2A

(Complete applicable portions only)

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 3 FEET
- f) Depth to Water (ground surface to water level) 3-7 FT., DEPENDENT ON YEAR
- g) Distance to nearest existing domestic well: _____

On applicants property APPROX. 2,000 FT.On property owned by others UNKNOWN, AT LEAST
1/2 MILE, AREA IS SERVED BY RAIN WATER

2. Wastewater Disposal System Information

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

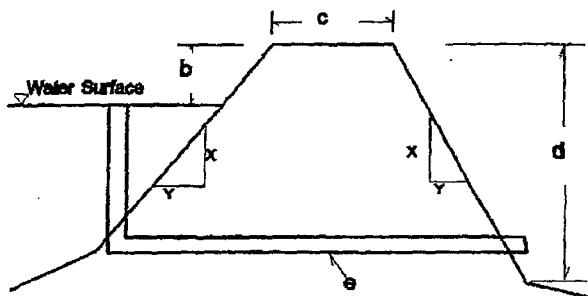
3. Dugout Information

- a) Surface Dimensions IRREGULAR - TWO PONDS, 300 FT X 600 FT. 450 FT. X 250 FT. Depth 12-15 FT.
- b) Depth to water (ground surface to water level) 3-7 FT., DEPENDENT ON YEAR + WATER TABLE,
DUG INTO WATER-BEARING GRAVEL, RECHARGED BY GROUND WATER.

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

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

No. 417154

Pierre, May 2, 2002

RECEIVED OF City of Brookings, Brookings, SD 57006
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6322-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6322-3</u> _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	200 00

By

Darland Ebele

Chief Engineer

gm

Water Rights Division - DENR

Conversation or File Documentation

Name of Person: Allyn Frerichs (City of Brookings) **File No.** 6322-3

Address: 221 Main Avenue, Brookings SD 57006 **County:** Brookings

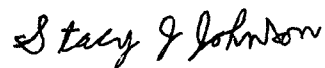
Date: May 22, 2002 **Telephone:** (605) 692-2708

RE: Water Permit Application No. 6322-3

Comments: I asked Allyn if the dugouts would receive any runoff water. He told me that they would but it would not be any substantial amount. He wanted to know if this was going to hurt the application. I told him no. I told him we needed to let people know that the dugouts will be receiving some runoff water. I told him I thought our office could handle changing the application to reflect runoff also. I told him if we needed any more information from him I would let him know.

I explained to him how the application process works.

He asked me who to talk to about test pumping. I told him to talk to either Jim Goodman or Ken Buhler.



Stacy J. Johnson
Natural Resources Project Engineer

$$\text{Surface Area 1} = 300\text{ft} \times 600\text{ft} = 180,000\text{ft}^2$$

$$\text{Surface Area 2} = 450\text{ft} \times 250\text{ft} = 112,500\text{ft}^2$$

$$\text{Total Surface Area} = \text{Surface Area 1} + \text{Surface Area 2} = 180,000\text{ft}^2 + 112,500\text{ft}^2 = 292,500\text{ft}^2$$

$$\text{Total Surface Area} = 292,500\text{ft}^2 \cdot \frac{1 \text{ Acre}}{43,560\text{ft}^2} = 6.71 \text{ Acres}$$

$$\text{Maximum Depth} = 15\text{ft}$$

$$\text{Maximum Storage Capacity} = 6.71 \text{ Acres} \times 15\text{ft} \times 0.4 = \underline{\underline{40.3 \text{ Ac-ft}}}$$

Average Recharge of Big Sioux Aurora Aquifer

Average Recharge Factor (IN/YR)

3

4

5

6

7

8

9

42

$$\frac{42 \text{ IN/YR}}{7} = 6 \text{ IN/YR}$$

$$\text{Average Recharge} = \text{Acres} \times \text{Average Recharge Factor} = 39,300 \text{ Acres} \times \frac{6 \text{ In}}{\text{Yr}} \cdot \frac{1 \text{ Ft}}{12 \text{ In}} = \underline{\underline{19,650 \frac{\text{Ac-ft}}{\text{Yr}}}}$$

REPORT ON WATER PERMIT APPLICATION NO. 6322-3

City of Brookings

May 23, 2002

The City of Brookings has filed an application for a water permit to appropriate 1.66 cubic feet of water per second (cfs) from a dugout (gravel pits with a storage capacity of approximately 40.3 acre-feet of water) located in the NW ¼ SE ¼ and SW ¼ SE ¼ Section 1 T109N-R50W. The dugout will be used to irrigate 52.25 acres of soccer fields located in the NW ¼ Section 1 T109N-R50W. The applicant is requesting a diversion rate greater than the statutory limit of one cfs per 70 acres.

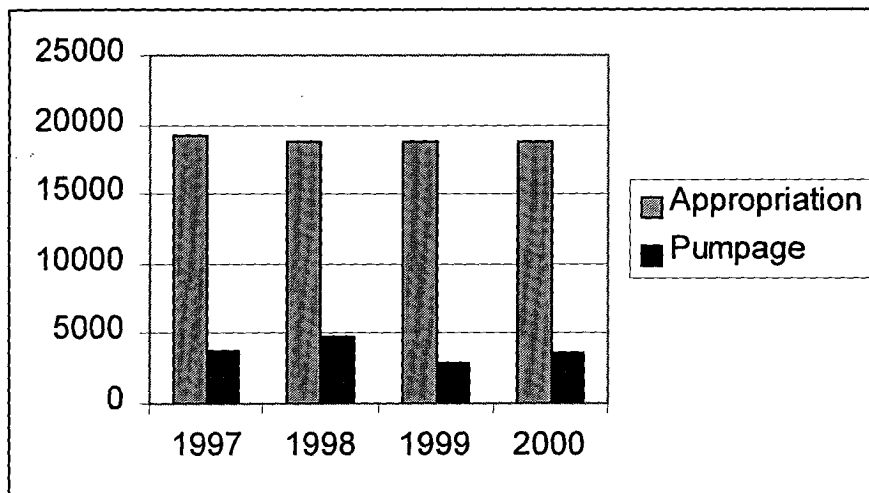
The proposed project is located approximately 2.3 miles southeast of the City of Brookings in Brookings County.

Review of the Proposed Project and Existing Water Rights

The primary source of water for this project is the Big Sioux Aurora (BS: A) Aquifer with limited local runoff. Observation wells BG-08 and BG-77R are completed into the BS: A Aquifer and located in the proximity of the proposed dugout. From 1982-2001, BG-08 depth to water measurements have varied from 2.2 feet to 8.4 feet. From 1978-2001, BG-77R depth to water measurements have varied from 0.2 feet to 8.8 feet. Observation well data for BG-08 and BG-77R can be found as Attachment 1.

The appropriations and pumpage for the BS: A Aquifer from 1997-2000 are shown below (Water Rights Program 1997-2000).

Year	Appropriation (AC-FT)	Pumpage (AC-FT)
1997	19255	3799
1998	18842	4750
1999	18786	2920
2000	18786	3544



The maximum amount of water in the BS: A Aquifer is 165, 060 acre-feet of water. This aquifer underlies 39, 300 acres of land (Office of Geological Survey p.29). Average recharge for the BS: A Aquifer is 19, 650 acre-feet/year. Water availability for this project should not be a problem during wet years. However during dry years, the dugouts may not be a reliable source of water due to fluctuation in groundwater levels and evaporation.

The applicant owns a water right located approximately 2,200 feet southeast of the proposed project. It uses groundwater to irrigate 25 acres of softball fields. There are eight other water rights within a two mile radius of the proposed project taking water from the BS: A Aquifer. These water rights appropriate 21.4 cfs of groundwater. If this application is approved, it should not adversely impact these water rights.

The applicant has requested a rate of diversion that exceeds the standard of one cfs per 70 acres. SDCL 46-5-6 provides that the Water Management Board may allow a greater diversion, in volume or rate or both, if the method of irrigation, any time constraints on diversion of water, or the type of soil so requires. It is common that application rates for irrigation of soccer fields exceed the statutory limit because of the time constraints of watering the fields and type of equipment. In addition, irrigation of soccer fields is for the purpose of keeping the turf green which often requires an annual volume of three acre feet per acre delivered to the land.

The dugout may require maintenance because of sediment build up.

Conclusions

1. This application is to appropriate 1.66 cfs from a dugout to irrigate 52.25 acres of soccer fields.
2. Water availability for this project should not be a problem during wet years. However during dry years, the dugouts may not be a reliable source of water due to fluctuation in groundwater levels and evaporation.
3. There are nine water rights within a two mile radius of the proposed project taking water from the BS: A Aquifer. If this application is approved, it should not adversely impact these water rights.
4. The applicant has requested a rate of diversion that exceeds the standard of one cfs per 70 acres. This request is based upon the time constraints for applying water to the soccer fields. In addition, the volume of water required may be 3 acre feet of water per acre irrigated per year. This request is reasonable.


Fox Stacy J. Johnson

Natural Resources Project Engineer
Reviewed by:

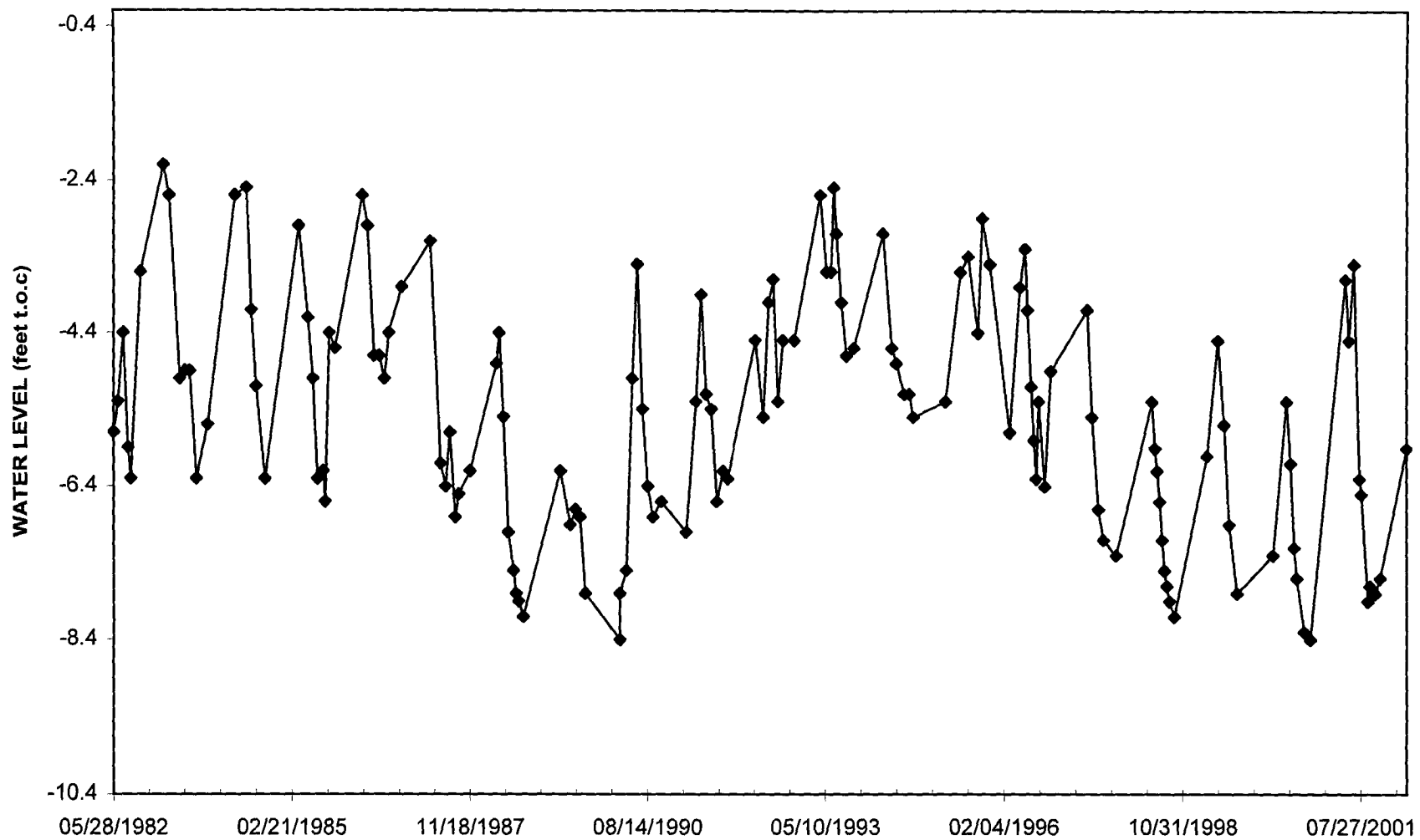
for Eric Hurland

Lynn Beck
Natural Resources Engineering Specialist

References

1. Water Rights Program file, "Water Rights Nos. 1880-3, 2073-3, 2404-3, 3979-3, 4112-3, 4241-3, 4537-3, 4773-3, and 6048-3", DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501.
2. Office of Geological Survey. Evaluation of Groud-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Vermillion, SD: 1982. Page 29.
3. Water Rights Program, 1997-200 Irrigation Summary by Aquifer, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501.

**WATER RIGHTS' OBSERVATION WELL
BG-#08**



Area Map of Water Permit Application 6322-3



 Brookings Sections



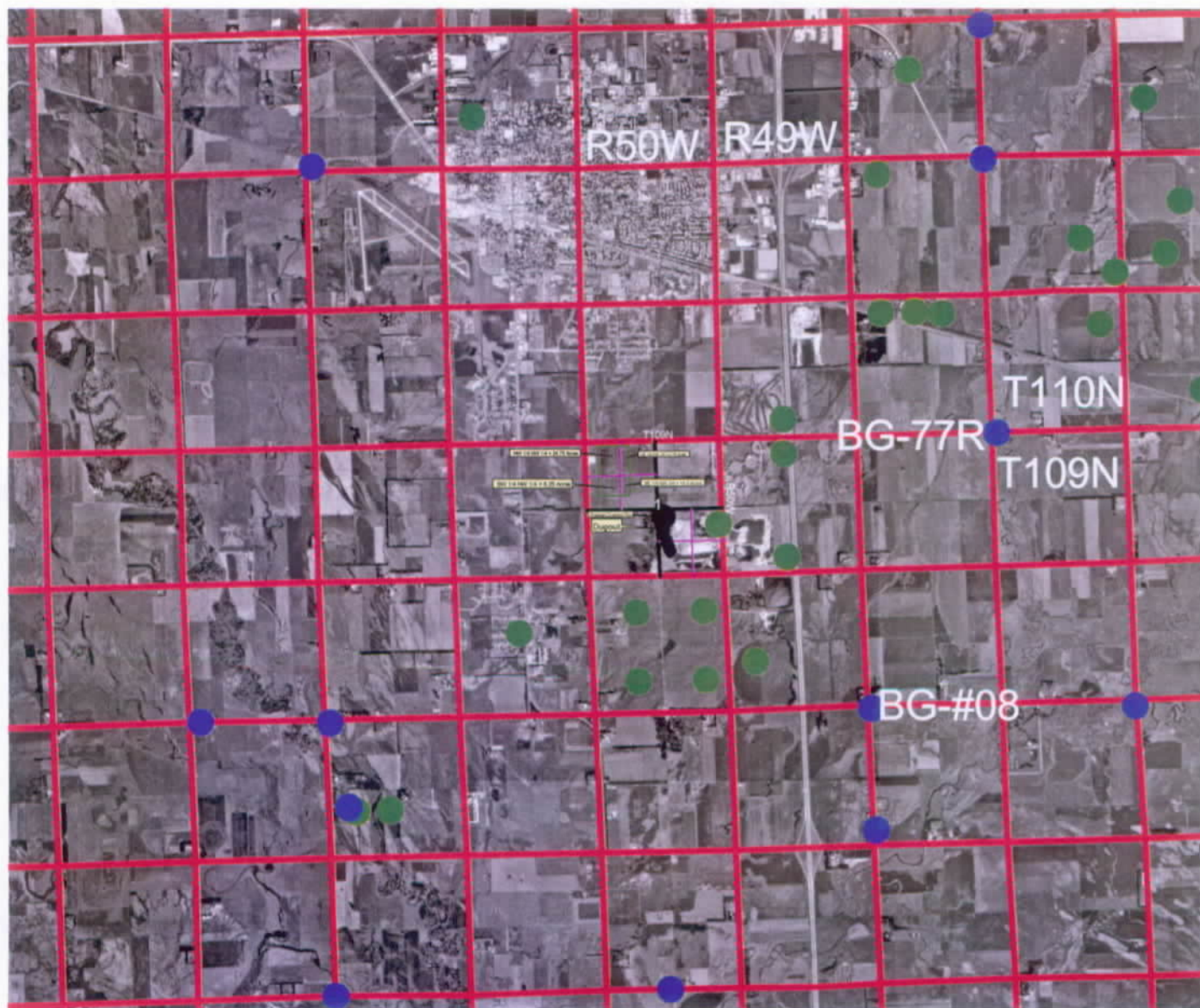
South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today

Stacy J. Johnson
Stacy J. Johnson
5-23-02
Natural Resources Project Engineer
SD DENR Water Rights Program

Area Map of Water Permit Application 6322-3



- Obs98a.dbf
- Wr_gis.dbf
- Brookings Sections



South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today

3 0 3 6 Miles

Stacy J Johnson
Stacy J Johnson 5-23-02
Natural Resources Project Engineer
SD DENR 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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6322-3, City of Brookings**

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. 6322-3, City of Brookings, c/o Allyn Frerichs, City of Brookings Parks and Recreation, 221 Main Avenue, Brookings, SD 57006.

The Chief Engineer is recommending APPROVAL of Application No. 6322-3 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) it is in the public interest with the following qualifications:

1. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6322-3 authorizes a maximum diversion rate of 1.66 cfs for the irrigation of 52 acres with an annual volume not to exceed 3 acre-feet of water per acre per year.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
May 28, 2002



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

DIVISION III

**TEMPORARY PERMIT TO USE PUBLIC WATERS
FOR CONSTRUCTION AND TESTING PURPOSES**

This temporary permit to use public waters for construction and testing purposes is issued to City of Brookings Parks & Recreation % Allyn Frerichs, 221 Main Ave, Brookings, SD 57006 authorizing withdrawal of 750 gallons of water per minute from a dugout (gravel pits) located in the NW ¼ SE ¼ Section 1, T109N, R50W. The project involves testing a new irrigation system for the Soccer Field Complex which involves pump start-up, blowing out new distribution lines and applying water to facilitate ground settling around sprinklers and pipelines.

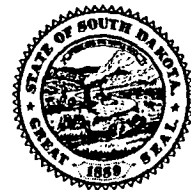
This temporary permit becomes effective June 7, 2002 and expires on December 31, 2002.

A water permit is being processed for irrigation of the soccer field complex. This temporary water permit will expire upon approval of the new water permit if the permit is approved prior to December 31st.

This permit does not provide necessary right-of-way. Such arrangements should be made with the proper land owner.

Issued: June 7, 2002

Gale N Selken, PE, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program
605 773-3352



NOTE: A temporary permit application form is now available on the internet. You may complete an application form on-line and submit the application directly to the Water Rights Program. The address of the form is www.state.sd.us/denr/des/waterrights/temp_form.htm

Affidavit of Publication

State of South Dakota

Exhibit "A"

SS

County of Brookings

Robyn Overby of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed in the office maintained at said place of publication; and that the

RECEIVED

JUN 19 2002

WATER RIGHTS PROGRAM

Legal 732, 2x, 6/6, 13
NOTICE OF APPLICATION NO. 6322-3 to
Appropriate Water

Notice is given that the City of Brookings, 221 Main Ave, Brookings SD 57006 has filed an application for a water permit to appropriate 1.66 cubic feet of water per second (cfs) from a dugout (gravel pits with an approximate storage capacity of 40 acre feet of water) located in the W 1/2 SE 1/4 Section 1 to irrigate 52 acres of soccer fields located in the NW 1/4 Section 1; in T109N-R50W. The water source is the Big Sioux: Aurora Aquifer and incidental surface runoff. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6322-3 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 petitioner is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recom-

mendation. 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 June 24, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Legal # 732 Application # 6322-3

Brookings and State of South Dakota, for more than one a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit "A," and is made a part of this affidavit, was published in said newspaper for _____ 2 times, to-wit:

June 6, 2002

June 13, 2002

said Exhibit "A" inures to the sole benefit to the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Forty-two dollars and eighty-six cents \$42.86

Robyn Overby

Subscribed and sworn to before me this

13th

day of

June

2002.

Christina Nelson

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires April 27, 2006



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 29, 2002

Brookings Register
PO Box 177
Brookings, SD 57006

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 6322-3 to Appropriate Water to be published twice. Please publish the first notice on June 6, 2002 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 City of Brookings Parks & Recreation, % Allyn Frerichs, 221 Main Ave., Brookings, SD 57006 (Ph # 605-692-2708).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 6322-3

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of May 29, 2002 enclosing Notice of Hearing to Appropriate Water by Application No. 6322-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on June 6, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6322-3 to Appropriate Water

Notice is given that the City of Brookings, 221 Main Ave, Brookings SD 57006 has filed an application for a water permit to appropriate 1.66 cubic feet of water per second (cfs) from a dugout (gravel pits with an approximate storage capacity of 40 acre feet of water) located in the W ½ SE ¼ Section 1 to irrigate 52 acres of soccer fields located in the NW ¼ Section 1; all in T109N-R50W. The water source is the Big Sioux: Aurora Aquifer and incidental surface runoff. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6322-3 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 June 24, 2002.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

May 29, 2002

City of Brookings Parks & Recreation
% Allyn Frerichs
221 Main Ave.
Brookings, SD 57006

Dear Mr. Frerichs:

Water Permit Application No. 6322-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Brookings Register printed at Brookings, SD (Ph # 605-692-6271). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

JUL 31 2002

City of Brookings Parks & Recreation
% Allyn Frerichs
221 Main Ave
Brookings SD 57006

Dear Mr. Frerichs:

Enclosed is Water Permit No. 6322-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures



6322-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: CITY OF BROOKINGS SOFTBALL COMPLEX, ALLYN FRERICHS, 221 MAIN AVENUE,
BROOKINGS, SD 57006

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 4773-3 & 6322-3, 1880-3. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1880-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4773-3 & 6322-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4773-3 & 6322-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1880-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaires are received in this office on/or before February 28, 2003, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



6322-3

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Delivery Status

You entered 2301 0370 0000 7541 4456

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BROOKINGS, SD 57006. The item was signed for by M DEMPSTER.

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SIGNATURE CONFIRMATION NUMBER:
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ALLYN FRERICH
221 MAIN AVENUE
BROOKINGS SD 57006

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PS Form 153, February 2001



**DEPARTMENT of ENVIRONMENT
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PMB 2020
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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 3, 2003

1880-3
4773-3
6322-3

Allyn Frerichs
City of Brookings
221 Main Avenue
Brookings SD 57006

Dear Mr. Frerichs:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1880-3, 4773-3 and 6322-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



January 14, 2004

6322-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: CITY OF BROOKINGS SOFTBALL COMPLEX, ALLYN FRERICHs, 221 MAIN AVENUE,
BROOKINGS, SD 57006

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program 

SUBJECT: Reporting Requirement for 2003 Irrigation Questionnaires

Our records indicate that the 2003 Irrigation Questionnaires have not been submitted for Permit Nos. 4773-3 & 6322-3, 1880-3. The request for the Questionnaires was dated October 17, 2003. The Water Management Board has directed that owners of water permits who have not submitted the 2003 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1880-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4773-3 & 6322-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 8:30 am, March 3, 2004 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4773-3 & 6322-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1880-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaires are received in this office on/or before February 27, 2004, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



6322-3

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BROOKINGS SD 57006

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

March 1, 2004

1880-3
4773-3
6322-3

Allyn Frerichs
City of Brookings
221 Main Ave
Brookings SD 57006

Dear Mr. Frerichs:

I am writing to acknowledge receipt of your 2003 irrigation questionnaires. You may disregard the January 14, 2004, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1880-3, 4773-3 and 6322-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



6322-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: CITY OF BROOKINGS SOFTBALL COMPLEX, ALLYN FRERICHs, 221 MAIN AVENUE,
BROOKINGS, SD 57006

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaires

Our records indicate that the 2004 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1880-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4773-3 & 6322-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 8:30 am, March 2, 2005 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4773-3 & 6322-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1880-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaires are received in this office on/or before February 25, 2005, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



6322-3

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6322-3

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

February 24, 2005

1880-3
4773-3
6322-3

Allyn Frerichs
City of Brookings
221 Main Ave
Brookings SD 57006

Dear Mr. Frerichs:

I am writing to acknowledge receipt of your 2004 irrigation questionnaires. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right or Permit Nos. 1880-3, 4773-3 and 6322-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



6322-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2006

NOTICE

TO: CITY OF BROOKINGS SOFTBALL COMPLEX, ALLYN FRERICHS, 221 MAIN AVENUE,
BROOKINGS, SD 57006

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaires

Our records indicate that the 2005 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1880-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4773-3 & 6322-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 10:30 am, March 2, 2006 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4773-3 & 6322-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1880-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaires are received in this office on/or before **February 24, 2006**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

6322-3



**DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

February 3, 2006

1880-3
4773-3
6322-3

Allyn Frerichs
Parks & Recreation Department
221 Main Ave
Brookings SD 57006

Dear Sir:

I am writing to acknowledge receipt of your 2005 irrigation questionnaires. You may disregard the January 24, 2006, "Notice" concerning reporting requirements for Water Permit or Right Nos. 1880-3, 4773-3 and 6322-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



January 26, 2007

NOTICE

6322-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

TO: CITY OF BROOKINGS SOFTBALL COMPLEX, ALLYN FRERICHS, 221 MAIN AVENUE,
BROOKINGS, SD 57006

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaires

Our records indicate that the 2006 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1880-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4773-3 & 6322-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 10:30 am, March 7, 2007 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4773-3 & 6322-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1880-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



6322-3

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 26, 2007

1880-3
4773-3
6322-3

Allyn Frerichs
City of Brookings
221 Main Ave
Brookings SD 57006

Dear Mr. Frerichs:

I am writing to acknowledge receipt of your 2006 irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Permit No. 6322-3 and Water Right Nos. 1880-3 and 4773-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: CITY OF BROOKINGS SOFTBALL COMPLEX, ALLYN FRERICH, 221 MAIN AVENUE,
BROOKINGS, SD 57006

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaires

Our records indicate that the 2007 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. - The hearing is to determine if Permit No(s) 1880-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4773-3 & 6322-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 11, 2008** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4773-3 & 6322-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1880-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before **March 3, 2008**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-IQ.pdf>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 14, 2008

1880-3
4773-3
6322-3

Allyn Frerichs
City of Brookings
221 Main Ave
Brookings SD 57006

Dear Mr. Frerichs:

I am writing to acknowledge receipt of your 2007 irrigation questionnaires. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Permit No. 6322-3 and Water Right Nos. 1880-3 and 4773-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



6322-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2009

NOTICE

TO: CITY OF BROOKINGS SOFTBALL COMPLEX, ALLYN FRERICH, 221 MAIN AVENUE,
BROOKINGS, SD 57006

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaires

Our records indicate that the 2008 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1880-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4773-3 & 6322-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 11, 2009** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4773-3 & 6322-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1880-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 17, 2009

1880-3
4773-3
6322-3

Allyn Frerichs
City of Brookings
221 Main Ave
Brookings SD 57006

Dear Mr. Frerichs:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right Nos. 1880-3, 4773-3 and 6322-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

Permit No. 6322-3
Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

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

I have this day, **July 9, 2007**, made a thorough examination of the water use system constructed by the **City of Brookings, Parks and Recreation** of **221 Main Ave., Brookings, SD 57006** holder of Permit No. **6322-3**, bearing the priority of **May 1, 2002** authorizing the diversion of **1.66** cu. ft. per second of the waters of **Surface water (gravel pits)** for **Irrigation** purposes, in **Brookings** County.

Inspection contact & relationship to permit holder, if applicable: **Allyn Frerichs (692-2708)**

A. Works used to divert the water:

Pump:

- 1) Make **Rain Bird Vari-Speed**
- 2) Model **J11LC-04**
- 3) Capacity **750** GPM

Motor:

- 1) Make **Marathon Electric**
- 2) Model No. **324VTDB7026**
- 3) Horsepower rating **40** hp

B. Works used to apply water to beneficial use:

8 in., 6 in., 4 in., and 3 in. pipe with 350 rotary pop-up sprinklers.

Chemigation Equipment:

- 1) Does chemigate **N**

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by **Y**
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **Y**
- 3) Exceptions to compliance are: **None**

The system is in **Good** condition with the point(s) of diversion located as follows: **Approximately 2377 feet north and 2440 feet west of the SE corner of Section 1-T109N-R50W (N 44.27455, W -96.77768).**

Report of Examination of Works

Permit No. 6322-3

The works are capable of diverting and conveying to the place of use **1.66** cu. ft. per second of water which is to be used for **Irrigation of the Soccer Complex**. Water has been put to beneficial use to the maximum extent as follows:

Section 1-T109N-R50W

NW ¼ NW ¼ - 19 acres

SW ¼ NW ¼ - 16 acres

NE ¼ NW ¼ - 5 acres

SE ¼ NW ¼ - 3 acres

comprising a total of **43** acres of land and the license should be issued for **1.66** cfs.

All structures, wells and lands on map **Y**

Comments or other permit(s) associated with the project:

The appropriation of water for Water Permit No. 6322-3 exceeds the standard of one cfs per 70 acres. SDCL 46-5-6 provides that the Water Management Board may allow a greater diversion, in volume or rate or both, if the method, time constraints on diversion of water, or the type of soil so requires. The application rates for irrigation of soccer fields exceed the statutory rates because of the time constraints of watering the fields and type of equipment. In addition, irrigation of soccer fields is for the purpose of keeping the turf green which often requires a greater volume of water to be applied to the land.



Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: **November 16, 2007**

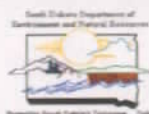
City of Brookings
221 Main Ave
Brookings, SD 57006
692-2708

Water Permit No. 6322-3



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
November 16, 2007



0 600 1,200 2,400 3,600 Feet



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 14 2009

6322-3

Allyn Frerichs
City of Brookings
Parks & Recreation Department
221 Main Ave
Brookings SD 57006

Dear Mr. Frerichs:

Enclosed is Water License No. 6322-3. Included with the license is a map prepared by the staff engineer who conducted the field investigation. Water License No. 6322-3 is the final document which completes the process of obtaining a water right.

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. 6322-3

(1) The City of Brookings, Parks and Recreation Department, 221 Main Ave, Brookings SD 57006 made Application No. 6322-3, May 1, 2002 for a water permit to divert 1.66 cubic feet of water per second from gravel pits into the Big Sioux:Aurora Aquifer including incidental runoff, Brookings County, South Dakota for irrigation purposes. Permit No. 6322-3, with a priority date of May 1, 2002 was approved June 24, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 24, 2007 and for the application to beneficial use of water on or before May 24, 2011.

(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 City of Brookings, Parks and Recreation Department, 221 Main Ave, Brookings SD 57006 the holder and/or owner of Water Right No. 6322-3 is issued a license, bearing a priority date of May 1, 2002 to appropriate 1.66 cubic feet of water per second from gravel pits into the Big Sioux:Aurora Aquifer and includes incidental surface runoff for irrigation purposes. The gravel pits have an approximate storage capacity of 40 acre feet of water.

The diversion point is located:

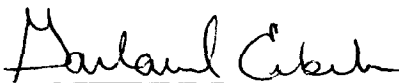
- approximately 2,377 feet north and 2,440 feet west of the SE corner of Section 1, T109N, R50W (NW $\frac{1}{4}$ SW $\frac{1}{4}$).

The acres authorized for irrigation are as follows:

Section 1, T109N, R50W	NW $\frac{1}{4}$ NW $\frac{1}{4}$	19 acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	16 acres
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	5 acres
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	<u>3 acres</u>
	Total	43 acres

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 6322-3 including the following qualifications:

- Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Right No. 6322-3 authorizes a maximum diversion rate of 1.66 cfs for the 43 acres with an annual volume not to exceed 3 acre-feet of water per acre per year.
- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.



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

AUG 14 2003

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2010

NOTICE

TO: CITY OF BROOKINGS SOFTBALL COMPLEX, ALLYN FRERICHs, 221 MAIN AVENUE, BROOKINGS, SD 57006

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaires

Our records indicate that the 2009 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1880-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4773-3 & 6322-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 10, 2010** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4773-3 & 6322-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1880-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link:
<https://denr.sd.gov/iq.aspx>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2010

Allyn Frerichs
City of Brookings
221 Main Ave
Brookings SD 57006

RE: 2009 Irrigation Questionnaires for Water Right Nos. 1880-3, 4773-3 & 6322-3

Dear Mr. Frerichs:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right Nos. 1880-3, 4773-3 & 6322-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

6322-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 23, 2013

1880-3
4773-3
6322-3

Peter Colson
City of Brookings Parks & Recreation Dept
520 3rd St Ste 130
Brookings SD 57006 2099

Dear Mr. Colson:

Enclosed is a "Notice" dated October 18, 2013 concerning the 2013 irrigation questionnaires.

The notice was originally mailed to 221 Main Ave, Brookings SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

enclosures

6322-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

November 22, 2016

Brookings Parks and Recreation Dept.
Dan Brettschneider, Director
520.3rd St, Suite 130
Brookings SD 57006

Dear Mr. Brettschneider:

A well driller's report (copy enclosed) filed by Lacey Well Drilling Inc. shows that they recently completed a new well for the Brookings Park Department. According to the report the well is located in the NW 1/4 NW 1/4 Section 36-T110N-R50W and to be used for irrigation.

This letter is an inquiry regarding the use from the new well. I reviewed the City of Brookings water permit/rights. Water Right No. 6322-3 authorizes a diversion rate of 1.66 cubic feet of water per second (745 gallons per minute) from gravel pits located in the NW 1/4 SW 1/4 Section 1 for irrigation of the soccer fields located in the NW 1/4 Section 1; all in T109N-R50W. The primary source of water is the Aurora Management unit of the Big Sioux Aquifer as the excavation exposes the aquifer. This water right is located in the vicinity of the new well. Once we know the proposed use of the new well, we can determine if any additional permitting is required.

Please contact Eric Gronlund or me to discuss water permitting and this recently completed well.

Sincerely,

Karen Schlaak
Water Rights Program
karen.schlaak@state.sd.us
605 773-3352

enclosure

received 12/6/16 by email

Parks, Recreation & Forestry Department

520 3rd Street Ste 130

Brookings, SD 57006

605.692.2708



www.cityofbrookings.org

12/5/2016

DENR Water Rights Program
Eric Gronlund
Joe Foss Bldg. 523 East Capitol
Pierre, SD 57501-3182

Dear Mr. Gronlund,

This letter is in response to your inquiry regarding a new well for the Brookings Parks, Recreation and Forestry Department. The well is located at NW ¼ NW ¼ Section 36-T110N-R50W. An overview is attached with the location of the well marked on the property.

The well will be utilized for irrigation for the Brookings Soccer Complex. The Soccer Complex has previously been permitted for irrigation as documented via Water Right No. 6322-3. The diversion point from the gravel pits will not be utilized moving forward for Water Right No. 6322-3.

The irrigation taking place will be for turf grass for 40 acres at a pump rate not to exceed 250 gallons per minute.

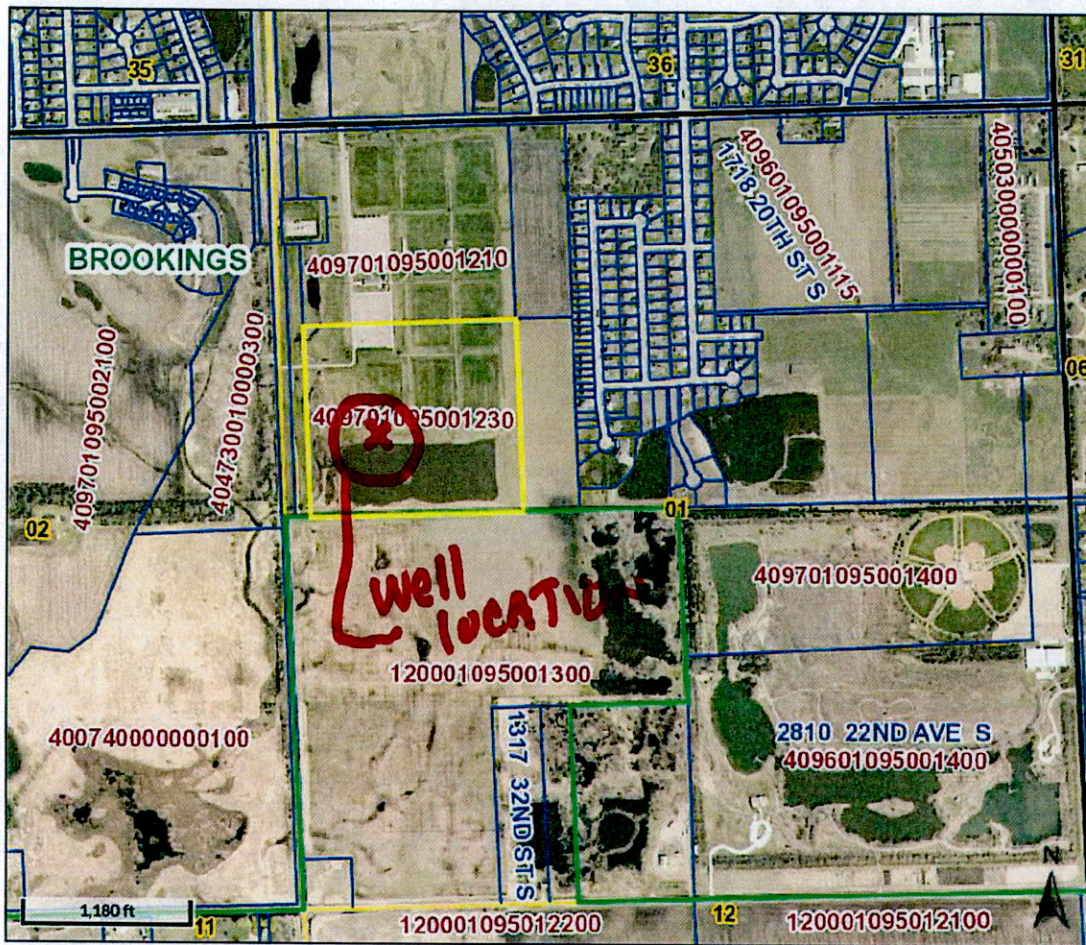
If you have any questions or need additional information at this time, please contact me.

Sincerely,

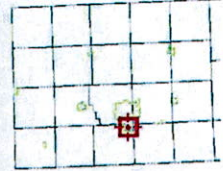
A handwritten signature in black ink, appearing to read "Dan Brettschneider". The signature is fluid and cursive.

Dan Brettschneider
Director of Parks, Recreation & Forestry
dbrettschneider@cityofbrookings.org
(605) 697-8332

BRING YOUR DREAMS



Overview



Legend

-  Brookings City Limits
-  City Limits
-  Township Boundar
-  Sections
-  Parcels

Parcel ID	409701095001230	Alternate ID	n/a	Owner Address	BROOKINGS CITY
Sec/Twp/Rng	1-109-50	Class	G		520 3RD ST STE 230/PO BOX 270
Property Address		Acreage	n/a		BROOKINGS SD 57006
District	4001 - BROOKINGS/BROOKINGS SCH				
Brief Tax Description	FARMLAND, W 1600' OF S 1/2 NW 1/4 EXC TRAIL ADD BLK 2 IN SEC 1-109-50, 43.93 AC				
	(Note: Not to be used on legal documents)				

Date created: 12/5/2016
Last Data Uploaded: 2/18/2014 4:02:57 AM

 Developed by
The Schneider Corporation

Request for Change of Diversion Point

NAME: City of Brookings.

ADDRESS: 520 3rd St, Suite 130, Brookings SD 57006

DATE: January 11, 2017 **COUNTY:** Brookings **TELEPHONE:**

BACKGROUND:

A well driller's report filed by Lacey Well Drilling Inc. shows that they recently completed a new well to be used for irrigation by the Brookings Parks, Recreation and Forestry Department. An inquiry sent to the Brookings Parks Department into the use of this well produced a letter indicating that the well is the new diversion point for Water Right No. 6322-3.

Water Right No. 6322-3 appropriates 1.66 cubic feet of water per second from gravel pits with a storage capacity of approximately 40.3 acre-ft of water located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1 T109N-R50W. The diversion point was erroneously described in the water license as being located in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1 T109N-R50W when it should read NW $\frac{1}{4}$ SE $\frac{1}{4}$ of the same section. The dugout was used to irrigate 43 acres of soccer fields located in the NW $\frac{1}{4}$ Section 1 T109N-R50W. The primary source of water for the dugout is the Big Sioux Aurora (BS: A) Aquifer and included incidental surface runoff.

The new well is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1 T109N-R50W approximately 2300 feet west northwest of the gravel pits. The well was drilled and completed to a depth of 17.3 feet. The water source for this well is the Big Sioux Aurora.

AUTHORITY:

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

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

The water source authorized by Water Right No. 6322-3 is the Aurora Management unit of the Big Sioux aquifer. The well completion report shows that the new well is placed in gravel at a depth similar to the original diversion. Although the change is from a gravel pit to a well, the water source is the same.

No additional appropriation of water is requested. This request is to replace the existing dugout with the newly drilled well. Water Right No. 6322-3 appropriates 1.66 cfs (745 gpm) from the dugout, however it is stated that the pumping rate from the well will not exceed 250 gallons per minute (0.56 cfs).

- **No new land for irrigation**

The request states that the water will be used to irrigate the same soccer complex. The letter indicated that the well will irrigate 40 acres, while the issued water license authorizes irrigation of 43 acres.

- **Review of Existing Diversions**

The well completion report and water rights databases were reviewed for the nearest domestic wells and water rights/permit on file. The nearest domestic well on file completed into this aquifer is approximately 2 miles southeast of the diversion. There are domestic wells within two miles of the well that utilize the Brookings management unit of the Big Sioux aquifer or other deeper aquifers. The nearest water rights completed into this aquifer are located approximately 1900 feet away from the gravel pit and 4300 feet away from the new diversion point. Based on the increase in distance from other users in the Aurora Management unit of the Big Sioux aquifer, interference is not expected to be a concern.

CONCLUSION

- The change in diversion point does not propose to appropriate additional water.
- The water source continues to be Big Sioux Aurora aquifer.
- Unlawful impairment of existing water rights/permits and domestic wells is not expected to occur.
- The reduction in usage from 1.66 cfs to 0.56 cfs may require an investigation in the future.

RECOMMENDED ACTION

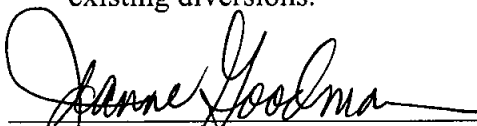
Based on the above criteria, it is recommended that the change in diversion point location under Water Right No. 6322-3 should be approved.



John Farmer
Water Rights Program

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

This change in diversion point location does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 17, 2017

Brookings Parks and Recreation Dept.
Dan Brettschneider, Director
520 3rd St, Suite 130
Brookings, SD 57006

Dear Mr. Brettschneider:

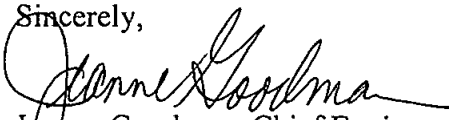
Water Right No. 6322-3 appropriates 1.66 cubic feet of water per second (cfs) from gravel pits with a storage capacity of approximately 40.3 acre-ft of water located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1 T109N-R50W. The dugout was used to irrigate 43 acres of soccer fields located in the NW $\frac{1}{4}$ of the same section. The requested diversion point is a new well in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1 T109N-R50W.

Upon review of the request and pursuant to SDCL 46-5-13.1, the change in diversion location is authorized without application or publication of a notice of hearing pursuant to SDCL 45-2A-4. No increase in the authorized diversion rate of 1.66 cfs or the number of irrigated acres (43 acres) under Water Permit No. 6322-3 has been requested or approved. If the total diversion rate or the number of acres irrigated increases, a new water permit will need to be obtained from the SD DENR Water Rights Program.

There is potential for forfeiture for nonuse of a portion of the diversion rate authorized by Water Right No. 6322-3. The request states that the diversion rate will not exceed 250 gpm (0.56 cfs) while the water right authorizes a rate of 745 gpm (1.66 cfs). SDCL 46-5-37 states that after a period of three years of nonuse, the unused water shall revert to the public and shall be regarded as unappropriated water.

If you have any questions, please contact John Farmer at (605) 773-3352.

Sincerely,


Jeanne Goodman, Chief Engineer
Water Rights Program