

WATER PERMIT NO. 6531-3

Name of Applicant: Kingbrook Rural Water System, Inc.

Address: PO Box 299, Arlington SD 57212 Phone: 605 983-5074

Amount of Water Claimed: 118 additional acre-feet Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: RWS County: Lake

Type of Waste Disposal System:

Location: 2 miles northwest of Chester

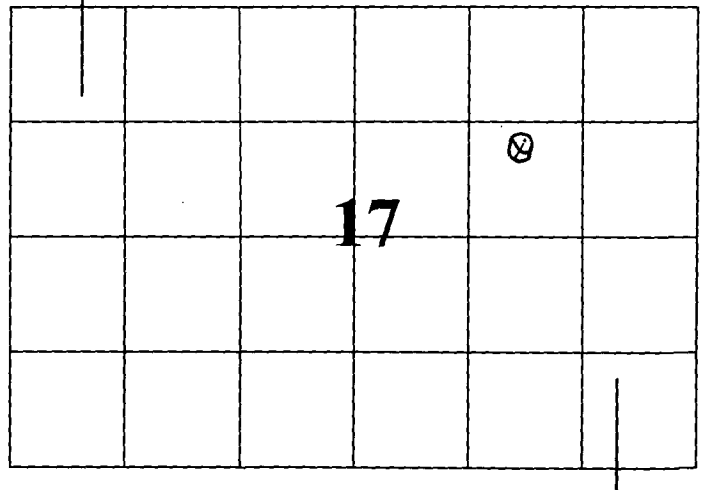
PRIORITY Date Received: 8-5-04 Application/License Fee: \$200

Corrected Application Received: Period of Annual Use: Jan 1 – December 31

Remarks: Change of use for Water Right No. 5429-3 from irrigation to rural water system use, change to year round use and appropriates additional water

Diversion Point: SE ¼ NE ¼ Sec 17-T105N-R51W

Land to be Irrigated:



Depth of Well: 50 feet deep

Well Driller: : Pullman Well Drilling

Remarks:

Type of Map: aerial

Prepared by: Mark Rath

Reviewed and the Number Assigned on: 8-5-04

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6531-3</u> (office use only) Hydrologic Unit <u>10170203</u>
	Basin <u>Big Sioux River</u>
	Newspaper _____

RECEIVED
AUG 05 2004
WATER RIGHTS
PROGRAM

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

Check use(s) of water:

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

Type of Application: (check one)

- ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☒ Amendment/Correction to Permit No. 5429-3

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

Kingbrook requests change of use under water rights #5429-3, requests a change of use to year around and to appropriate additional water.

- Name of Applicant Kingbrook Rural Water System, Inc. Phone (605) 983-5074
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO Box 299, Arlington State SD 57212
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed no add'l *CFS or 118.00 add'l **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Lake
1 well in NE 1/4 of 17-105-51
- County or counties where water will be used Lake, Miner, McCook, Minnehaha, Brookings, Kingsbury
- Annual period during which water is to be used year around Jan 1 - Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
construction of well #4 for Chester Water Treatment Plant

STATE OF SOUTH DAKOTA)

County of Kingsbury SS

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, Randall C. Jencks, 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 R C Jencks

Subscribed and sworn to before me this 4 day of August

Jolene King

Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 6531-3

Date of first receipt of application August 5, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6531-3 to Kingbrook Rural Water System, Inc., PO Box 299, Arlington SD 57212 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6531-3 authorizes an additional appropriation of water and changes the irrigation use as authorized by Water Right No. 5429-3 to year around use by the Kingbrook Rural Water System. Water Right No. 5429-3 appropriates 1.11 cubic feet of water per second (232 acre-feet of water annually) from one well completed into the Big Sioux North Skunk Creek Management Unit (approximately 60 feet deep) located in the SE ¼ NE ¼ Section 17-T105N-R51W to irrigate 116 acres with a February 27, 1990 priority date. This permit increases the water appropriation from 232 acre-feet of water annually by 118 acre-feet for a total appropriation of 350 acre-feet of water annually. A new well has been drilled for rural water system use in the NW ¼ NE ¼ Section 17-105N-R51W. Use of the water for irrigation is to be abandoned and changed to year around rural water system use.
2. The water appropriated shall be used for the purpose of rural water system use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 6531-3 is November 15, 2004.
5. The date from which applicant may claim right is August 5, 2004 (118 acre-feet of additional water).
6. One-fifth of the construction is to be completed on or before May 15, 2007.
7. All construction is to be completed on or before November 15, 2009.
8. Water is to be put to beneficial use on or before November 15, 2013.
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. 6531-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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.

(continued)

3. Water Right No. 5429-3 and Water Permit No. 6531-3 authorizes a total annual diversion of 350 acre-feet of water.
4. Approval of Permit No. 6531-3 cancels irrigation use from Water Right No. 5429-3. The original well authorized by Water Right No. 5429-3 shall be plugged in accordance with SD Well Construction Standards.
5. Kingbrook Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux - Northern Skunk Creek Aquifer.

WATER MANAGEMENT BOARD

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

DEC 21 2004
date



Supplemental Information

(Complete applicable portions only)

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 20 " Depth 67'
- b) Casing Type steel Diameter 12" Thickness .375
- c) Screen Type stainless steel Diameter 12" Thickness 0.250
- d) Gravel Pack yes Length of Gravel Pack 19'
- e) Depth to Top of Water Bearing Material 37'
- f) Depth to Water (ground surface to water level) 9'
- g) Distance to nearest existing domestic well:

On applicants property _____ On property owned by others more than 1000 feet

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

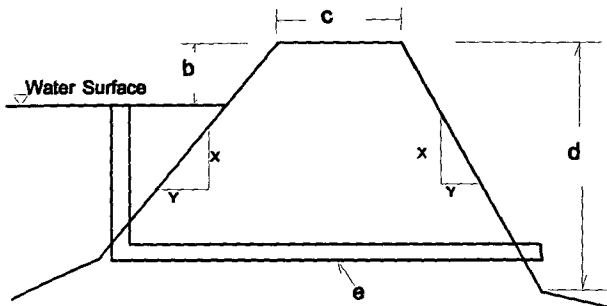
3. Dugout Information

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

4. Water Storage Dams

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

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



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date August 5, 20 04

RECEIVED OF Kingbrock Rural Water System Inc., PO Box 299, Arlington SD 57212

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

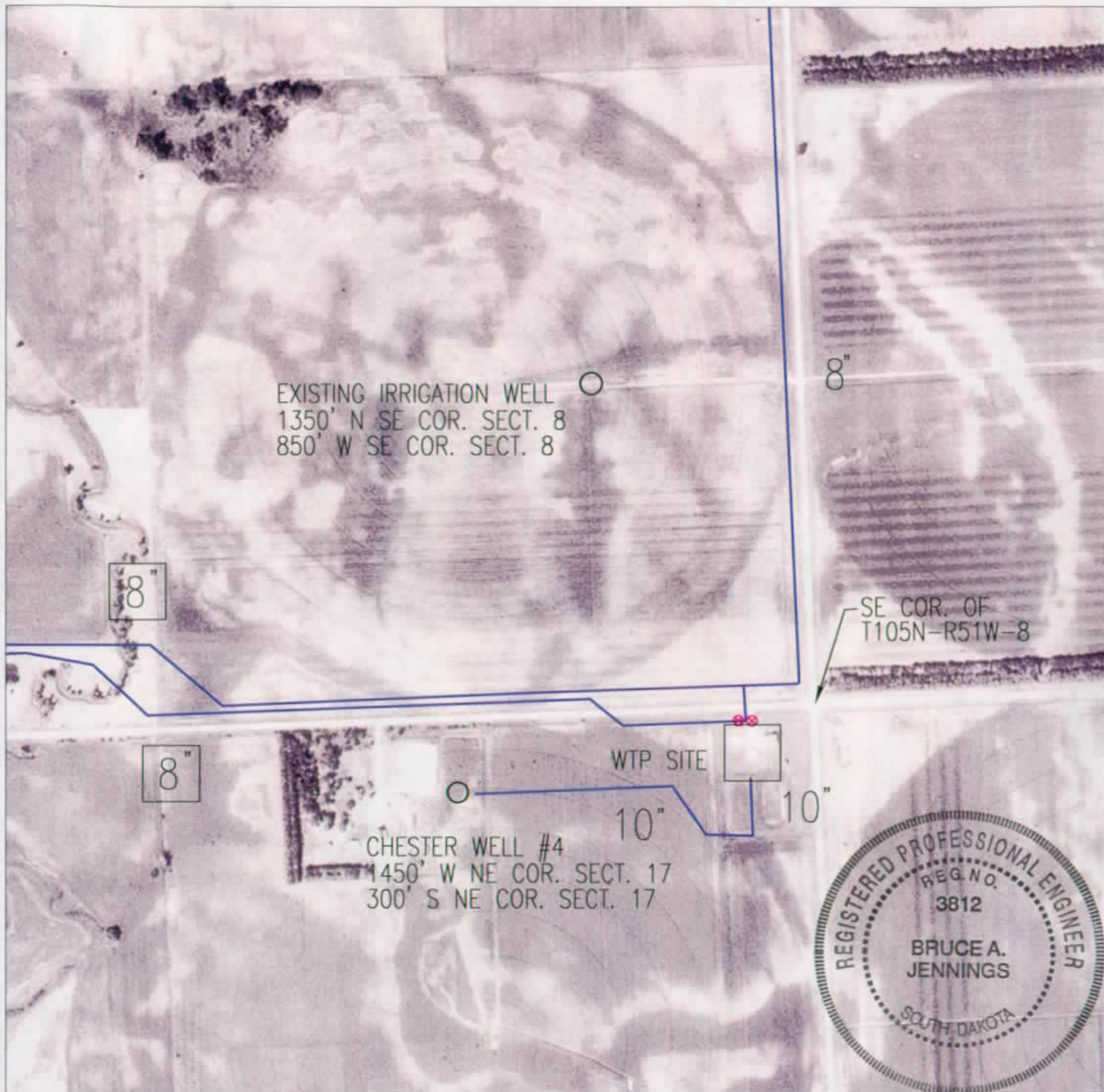
Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	200.00

No.

004209

By

Darlene Gilbre
Chief Engineer



I hereby certify that this plan, specification, or report, was prepared by me or under my direct personal supervision, and that I am a duly Registered Professional Engineer under the laws of the State of South Dakota. Registration No. 3812
 By *Bruce Jennings*
 Date *7-23-04*

T 105 R
 R 51 W
 Sec. 17



DeWild Grant Reckert
 and Associates Company
 Consulting Engineers
 Rock Rapids, Iowa

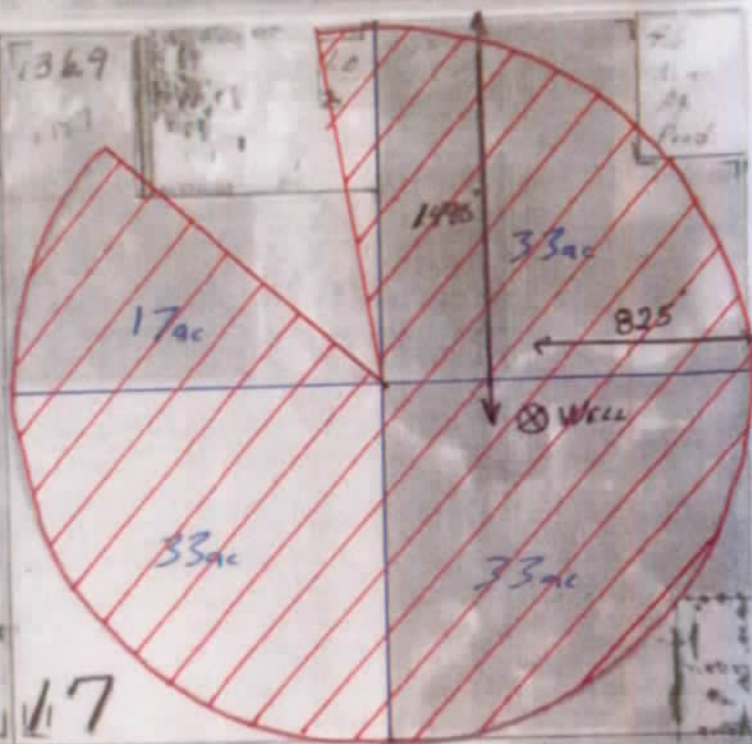
Date 2004
 Drawn By JMG
 Approved BAJ

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KINGBROOK
 RURAL WATER SYSTEM
 ARLINGTON, SOUTH DAKOTA
 DISTRIBUTION SYSTEM

6531-3

NOT TO SCALE



Paul D. Kelly
Narciso Reservoir, Engineer
8/24/98

105-51

No 5429-3

Well Completion Date 6-13-90

☐ Domestic	☐ Municipal	☐ Test Holes
☒ Irrigation	☐ Industrial	☐ Stock

Reverse

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	<u>16</u> IN	<u>0</u> FT	<u>35</u> FT	<u>26</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

What was grout weight? _____ LB/GAL

Other information

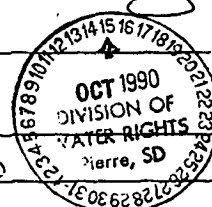
Describe packer(s) and location?

Laboratory sent to

Can well be completely shut in: _____

_____ ft. After _____ Hrs. pumped _____ GP

Date _____



Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 6531-3, Kingbrook RWS

ADDRESS: COUNTY: Lake

DATE: August 6, 2004 TELEPHONE: 983-5074

RE: Discussion with Jolene

COMMENTS:

I called Jolene with Kingbrook RWS. I asked if this application involved only water associated with Water Right No. 5429-3 (old Harm's irrigation right). She said that this application was only to change use of Water Right No. 5429-3, appropriate an additional 118 acre feet of water and make the water use year round.

I asked why the map showed the irrigation well located in the SE ¼ Section 8, T105N, R51W. Water Right No 4311-3 (originally held by Darrell Muller) was transferred to Kingbrook RWS in 2004 but still has irrigation as it's listed use. Jolene indicated that an application will be filed to change the use of this water right likely in November after test drilling is completed.

NAME: Eric Hansen



January 29, 2003

6531-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Kingbrook Rural Water System, Inc.
c/o Randy Jencks, General Manager
PO Box 299
Arlington SD 57212

Dear Mr. Jencks:

The Water Rights Program recently received a well completion report for a well drilled May 20, 2002 by Lacey Well Drilling for Kingbrook RWS. A review of our files indicates that Kingbrook RWS does not have a permit for a well located in Section 17-T105N-R51W. Is this new well a replacement well previously authorized by an existing water right or is this an additional well for the system?

If this well increases the system's ability to divert water to meet it's needs, this would constitute a new appropriation of water and require a new water permit.

Please let us know the status of this new well. If you have any questions, please contact Eric Gronlund or me.

Sincerely,

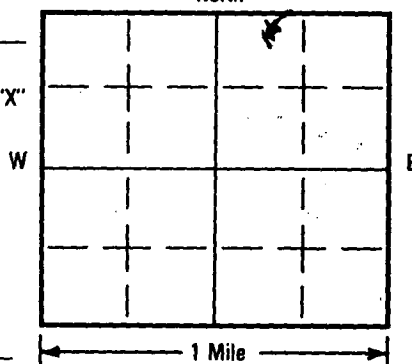
Karen Schlaak
Karen Schlaak
Water Rights Program
605 773-3352

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW 1/4 NE 1/4 Sec 17 Twp 105-N Rg 51-W
County Lake

Please mark well location with an "X"



Well Completion Date

5-20-02

LOCATION:

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

PROPOSED USE:

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

METHOD OF DRILLING:

Bucket-False casingCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>50 LB/FT</u>	<u>12" IN</u>	<u>12 FT</u>	<u>57 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>Bentonite</u>	<u>44</u>	<u>50 lb./gal</u>	<u>38 ft</u>	<u>10 ft</u>
<u>Cement Grout</u>		<u>lb./gal</u>	<u>12 ft</u>	<u>5 ft</u>

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12" IN Length 10' FEETMaterial Stainless SteelSlot Size 1060 Spt From 57 Feet to 67 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

X YES, How: chlorine

____ NO, Why Not? _____

Laboratory sent to for water quality analysis

RWWell Owner: Kingbrook RWBusiness Name: 505 East AshAddress: P.O. Box 299
Arlington, SD. 57212

WELL LOG:

DEPTH

FORMATION

FROM

TO

<u>HARDPAN</u>	<u>0</u>	<u>7</u>
<u>Rusty GRAVEL</u>	<u>7</u>	<u>11</u>
<u>GRAVEL & ROCKS</u>	<u>11</u>	<u>22</u>
<u>CLAY</u>	<u>22</u>	<u>37</u>
<u>GRAVEL & SAND</u>	<u>37</u>	<u>67</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:

☐ PumpedDescribe: not yet☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

JAN 10 2003

WATER RIGHTS PROGRAM

This well was drilled under license # 111

And this report is true and accurate.

Drilling firm Lacey Well Drilling

Signature of License Representative:

Jean Reddelacy

Signature of Well Owner or Equitable Property Holder:

R C GrundDate: 12/30/02

1-10-03



DeWild Grant Reckert and Associates Company
Consulting Engineers

1302 South Union Street
P.O. Box 511
Rock Rapids, Iowa 51246
(712) 472-2531
Fax (712) 472-2710

February 4, 2003

Eric Gronlund
South Dakota Department of Environment and Natural Resources
Division of Water Rights
Joe Foss Office Building
523 East Capitol
Pierre, SD 57501-3181

RECEIVED

FEB 18 2003

WATER RIGHTS
PROGRAM

RE: Kingbrook Rural Water System
DGR Project No. 800714

Dear Eric:

Your office has inquired of Kingbrook Rural Water regarding a well completion report filed by Lacey Well Drilling for a well in the Chester area. You are correct in your assessment that Kingbrook does not currently have a water right for this well.

Kingbrook Rural Water is in the process of purchasing additional well field property near their Chester Water Treatment Plant. As part of the process of evaluating the proposed added property, Kingbrook has conducted some test drilling in the area. The test drilling includes a test production well installed by Lacey Well Drilling.

The testing process is ongoing and will continue into this spring. When we have determined the locations of one or more additional production wells for the Kingbrook System, Kingbrook will file the appropriate water rights applications. At this time, we expect that Kingbrook will utilize some of their future use permit in the area for the new wells.

Thank you for your attention to this matter and we look forward to further discussion with you.

Sincerely,

DEWILD GRANT RECKERT
& ASSOCIATES COMPANY

Bruce A. Jennings, P.E.

BAJ:cvm

cc: Randy Jencks

REPORT ON WATER PERMIT APPLICATION NO. 6531-3
For Kingbrook Rural Water System
September 16, 2004

Application No. 6531-3 proposes to change the irrigation use authorized by Water Right No. 5429-3 to year around use by the Kingbrook Rural Water System. Water Right No. 5429-3 appropriates 1.11 cfs (232 acre feet annually) from one well approximately 60 feet deep located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 17, T105N R51W in Lake County to irrigate 116 acres with a February 27, 1990 priority date. This application proposes to increase the water appropriation from 232 acre-feet annually by 118 acre-feet for a total appropriation of 350 acre-feet of water annually. A new well has been drilled in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 17; T105N R51W. Use of the water for irrigation is to be abandoned and changed to year around rural water system use. The 118 acre-feet appropriation will be a new appropriation and receive a new priority date.

AQUIFER – BIG SIOUX-NORTHERN SKUNK CREEK (BS-NSC)

The Big Sioux Northern Skunk Creek is predominantly a surficial outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies 48 square miles and contains an estimated 196,000 acre feet of water in storage in Lake County (Hansen, 1986). The aquifer is hydraulically connected to area lakes (Madison and Brant) and also to Skunk Creek. Ground water movement is from the northwest to the southeast and locally toward the lakes and Skunk Creek (Hansen, 1986). Average annual recharge to the aquifer has been estimated at 3.1 inches per year (7,936 acre-feet) and could range from 2.0 to 5.6 inches per year (Hedges, 1983). Water use from the aquifer was about 3,280 acre-feet in 2003. This included rural water system, irrigation and municipal uses. The amount of water remaining in Future Use permits is about 1,818 acre-feet. Even with full development of the Future Use permits there is water available from the Big Sioux Northern Skunk Creek aquifer.

The Water Rights Program monitors five observation wells within four miles of this application all completed into the Big Sioux Northern Skunk Creek aquifer. Two of these wells LK-79C and LK-79D are located within one mile of this application. Hydrographs for these two observation wells are included with this report. In general, the water level record indicates that the aquifer does recharge, does show some effects of pumping but mostly illustrates the effects of climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. The water level record indicates that the aquifer is capable of supporting additional development (Water Rights, 2004).

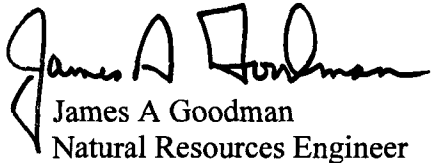
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing irrigation wells Water Right Nos. 4311-3 and 5429-3 located within one-half mile of this application. Both of these rights are now held by the Kingbrook Rural Water System. Rural Water System Well #1 is located about one-quarter mile to the east of this application. Interference is not expected to be a concern.

Drawdown does occur as a result of pumping but this does not appear to be significant. The rural water system has control over the nearby irrigation wells and can manage them along with their production wells. It appears that the irrigation water rights can be cancelled.

CONCLUSIONS

1. Water is available from the Big Sioux Northern Skunk Creek aquifer.
2. Drawdown created by pumping is not expected to be significant. Interference should not be a concern. The observation well records indicate that historically climatic conditions cause more fluctuation of water levels than pumping.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. Approval of this application cancels the irrigation portion of Water Right No. 5429-3. It appears the existing irrigation well will be abandoned and should be plugged in accordance with SD Well Construction Standards.
5. The amount of water transferred from the irrigation permit to this application is based upon the two acre-feet per acre maximum allowance by statute. In this case 116 acres were developed meaning 232 acre-feet maximum allowance. However, this full volume of water was never used. According to the irrigation questionnaire it appears that a volume of about 76 acre-feet was most ever used and would be all that can be transferred. Because there is water available from the aquifer in this area this is probably a moot point. The only difference would be in priority date for the difference between 76 acre-feet and 232 acre-feet.
6. Another Water Right No. 4311-3 has also been transferred to Kingbrook RWS and is located just to the north of this application. This irrigation right should also be quantified for water use and cancelled for irrigation purposes if that is the intent of the rural water system.


James A Goodman
Natural Resources Engineer

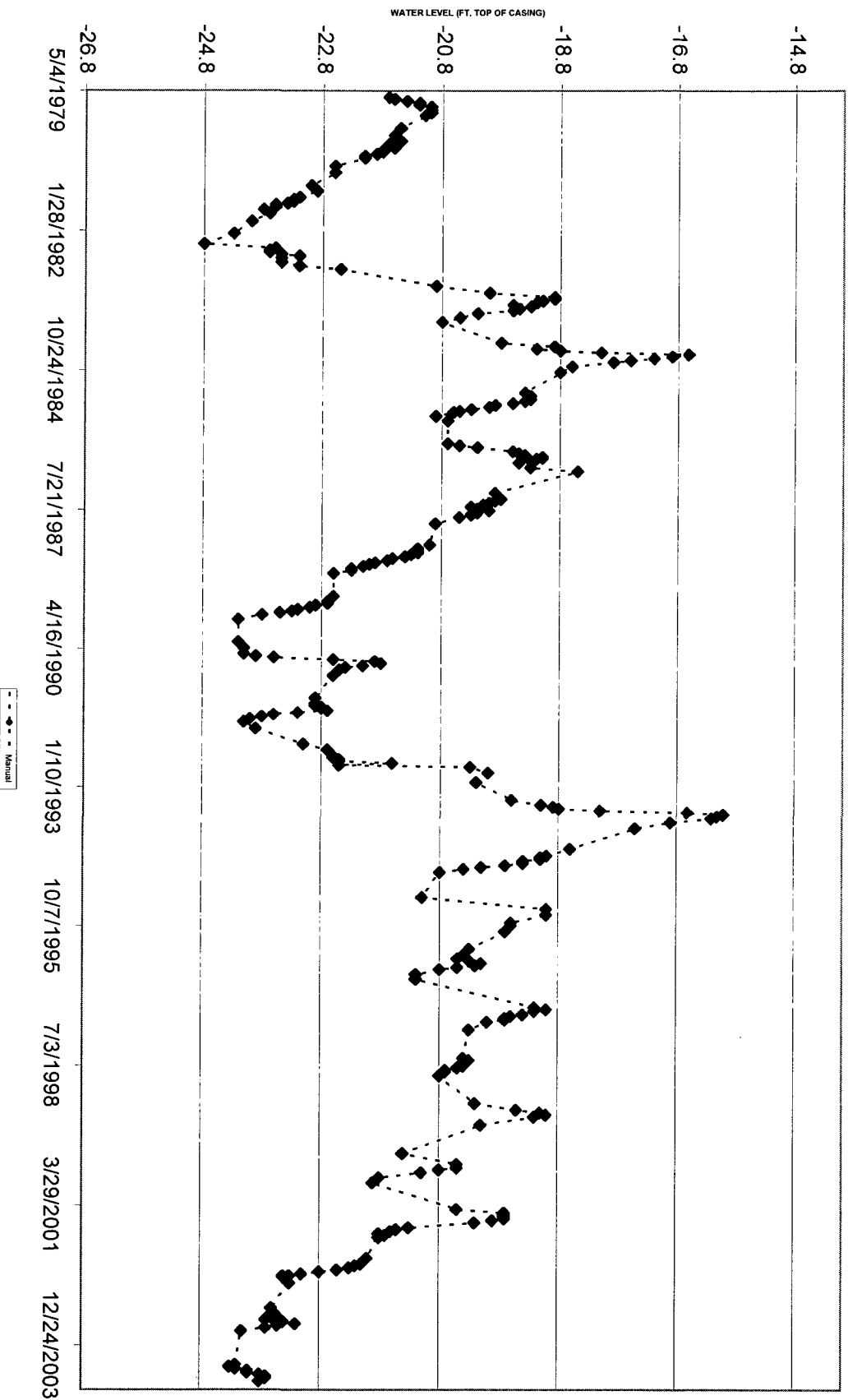
BIBLIOGRAPHY

Hansen, D.S., 1986, Water Resources of Lake and Moody Counties, South Dakota, USGS WRI 84-4209, USGS, Huron, SD, 57350.

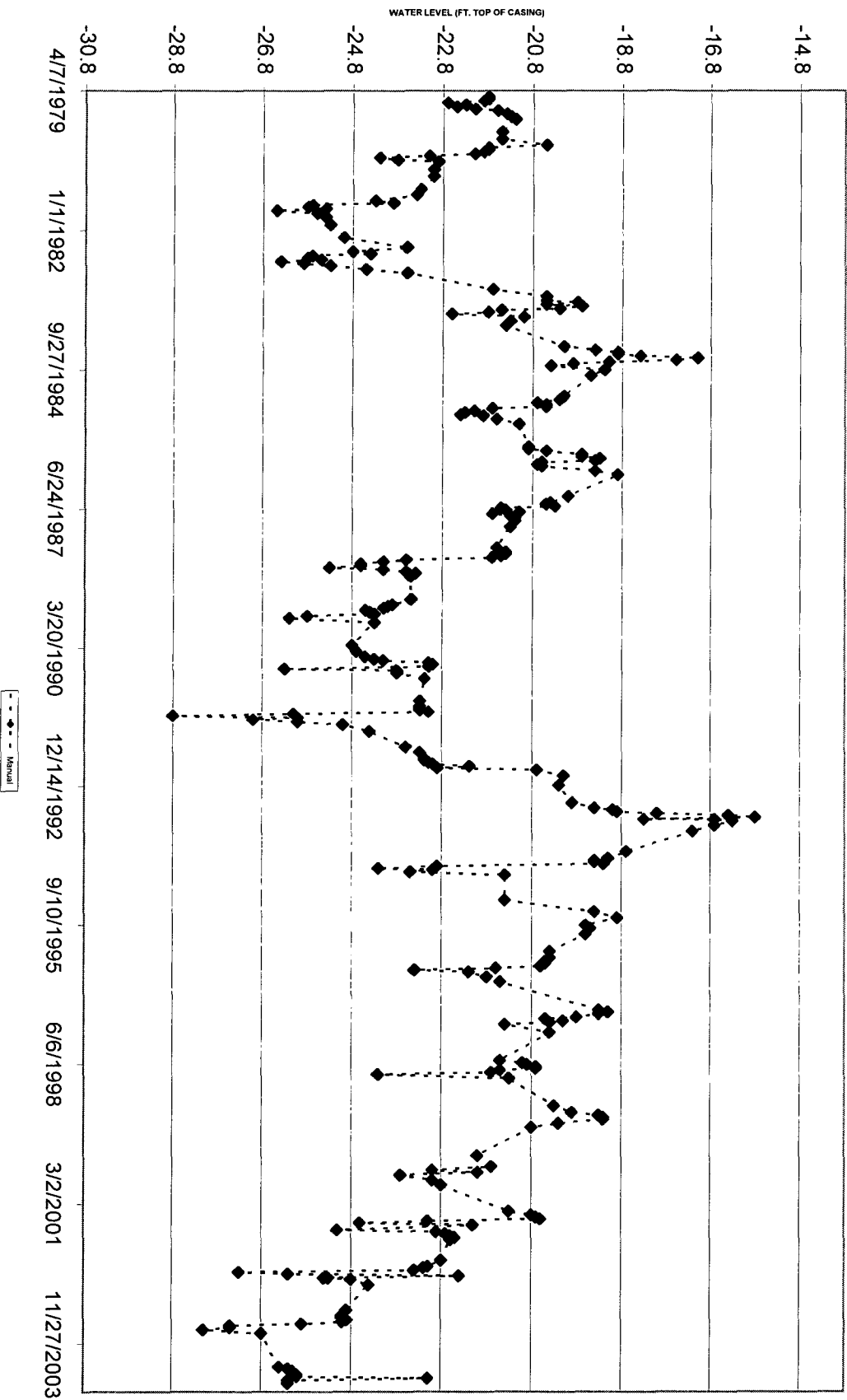
Hedges, L.S., and others, 1983, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River South and Iowa, Task 7 : Ground Water Recharge, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2004, Unpublished Observation Well Data for Lake County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS' OBSERVATION WELL LK-79D



WATER RIGHTS' OBSERVATION WELL LK-79C





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

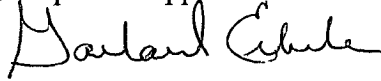
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6531-3, Kingbrook Rural Water System, Inc.**

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. 6531-3, Kingbrook Rural Water System, Inc., c/o Randall C. Jenks, PO Box 299, Arlington SD 57212.

The Chief Engineer is recommending APPROVAL of Application No. 6531-3 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. 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. 6531-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. Water Right No. 5429-3 and Water Permit No. 6531-3 authorizes a total annual diversion of 350 acre feet of water.
4. Approval of Permit No. 6531-3 cancels irrigation use from Water Right No. 5429-3. The original well authorized by Water Right No. 5429-3 shall be plugged in accordance with SD Well Construction Standards.
5. Kingbrook Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux - Northern Skunk Creek Aquifer.

See report on application for additional information.


Garland Erbele, Chief Engineer
October 18, 2004



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 19, 2004

Salem Special
PO Box 220
Salem SD 57058-0020

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6531-3 to Appropriate Water to be published twice. Please publish the first notice on October 28, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Kingsbrook Rural Water System Inc, % Randall C Jencks, PO Box 299, Arlington (Ph # 605-983-5074).

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. 6531-3

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

Date _____

We are in receipt of your letter of October 19, 2004 enclosing Notice to Appropriate Water by Application No. 6531-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 19, 2004

Miner Co. Pioneer
Box 220
Howard SD 57349

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6531-3 to Appropriate Water to be published twice. Please publish the first notice on October 28, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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and NATURAL RESOURCES

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

October 19, 2004

Brookings Register
PO Box 177
Brookings SD 57006-0177

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and NATURAL RESOURCES

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

October 19, 2004

Argus Leader
PO Box 5034
Sioux Falls SD 57117-5034

ATTENTION: Legal Public Notice

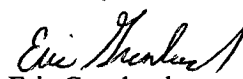
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and NATURAL RESOURCES

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

October 19, 2004

Daily Leader
PO Box 348
Madison SD 57042-0348

ATTENTION: Legal Public Notice

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Newspaper



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and NATURAL RESOURCES

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

October 19, 2004

DeSmet News
PO Box 69
De Smet SD 57231-0069

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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 NEWSPAPERS RIGHT AWAY.**

October 19, 2004

Kingbrook Rural Water Systems Inc
% Randall C Jencks
PO Box 299
Arlington SD 57212

Dear Mr. Jencks:

Water Permit Application No. 6531-3 for Rural Water System use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Daily Leader printed at Madison, SD (Ph # 605-256-4555), the Miner Co. Pioneer, printed at Howard, SD (Ph# 605-772-5644), the Salem Special printed at Salem, SD (Ph # 605-425-2361), the Argus Leader printed at Sioux Falls, SD (Ph# 605-331-2200), the Brookings Register printed at Brookings, SD (Ph # 605-692-6271) and the DeSmet News printed at DeSmet, SD (Ph #605-854-3331). You will need to contact the newspapers 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 notices prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization, the publishers have been instructed to publish your notice once each week for two consecutive weeks. The newspapers have 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.

Instruction to Newspaper - Publish first Notice on October 27, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6531-3 to Appropriate Water

Notice is given that Kingbrook Rural Water System, Inc., PO Box 299, Arlington SD 57212 has filed an application for a water permit to appropriate water and change the irrigation use as authorized by Water Right No. 5429-3 to year around use by the Kingbrook Rural Water System. Water Right No. 5429-3 appropriates 1.11 cubic feet of water per second (232 acre-feet of water annually) from one well completed into the Big Sioux North Skunk Creek Management Unit (approximately 60 feet deep) located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17-T105N-R51W to irrigate 116 acres with a February 27, 1990 priority date. This application proposes to increase the water appropriation from 232 acre-feet of water annually by 118 acre-feet for a total appropriation of 350 acre-feet of water annually. The 118 acre feet of water additional appropriation will receive a new priority date. A new well has been drilled for rural water system use in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, 105N, R51W. Use of the water for irrigation is to be abandoned and changed to year around rural water system use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6531-3 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 November 15, 2004.

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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of McCook) SS

I, Troy Schwans

certify that the attached printed Notice was taken

from the _____

Salem Special

printed and published in Salem

County of McCook and

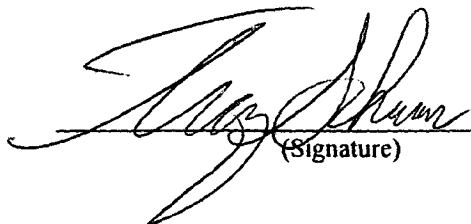
state of South Dakota. The notice was published

in the newspaper on the following two dates:

Oct 28, 2004

Nov. 4, 2004

Cost of Printing _____


 (Signature)

Owner
 (Title)

11/4/04
 (Date Signed)

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.

10-28,11-2

Public Notice**NOTICE OF APPLICATION NO. 6531-3 to Appropriate Water**

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AFFIDAVIT OF PUBLICATION-
Customer Number: 078340
Invoice Number: 771249

DEPARTMENT OF ENVIRONMENT & NAT. RES.

Argus Leader
AFFIDAVIT OF PUBLICATION

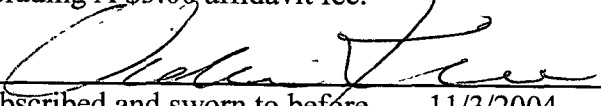
STATE OF SOUTH DAKOTA

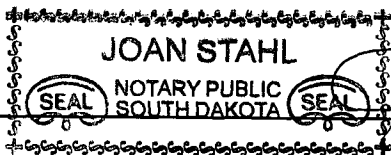
COUNTY OF MINNEHAHA } ss

Vicki Kiel being duly sworn, says: That The 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; 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

Wednesday, the 27 day of October 2004 ,
Wednesday, the 3 day of November 2004 ,
_____, the _____ day of _____ 2004 ,
_____, the _____ day of _____ 2004 ,
_____, the _____ day of _____ 2004 ,
_____, the _____ day of _____ 2004 ,
_____, the _____ day of _____ 2004 ,

and that \$120.87 was charged for publishing the same including A \$5.00 affidavit fee.


Subscribed and sworn to before 11/3/2004 .




Notary Public, South Dakota

My Commission expires June 30, 2005

RECEIVED

NOV 05 2004

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION
NO. 6531-3

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771249 Oct. 27 & Nov. 3, 2004

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
 County of Kingsbury)

I, Dale Elegen

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:

October 27, 2004

November 3, 2004

Cost of Printing 49.90

Dale Elegen
 (Signature)

Publisher
 (Title)

Nov. 7, 2004
 (Date Signed)

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 10-27-2wc-11-3

49x35.1 =
 27.72
 x 802 = 2218
 49.90

RECEIVED

NOV 05 2004

WATER RIGHTS
 PROGRAM

Affidavit of Publication

State of South Dakota

SS

County of Brookings

Katy VanMaanen 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

that the

Legal 698 "No. 6531-3 Appr. Water"

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

said newspaper for _____ 2 times, to-wit:

October 27, 2004

November 4, 2004

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:

Fifty three dollars and thirty-three cents \$53.33

Subscribed and sworn to before me this

15th

day of

November

2004.

Christina Nelson

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

Legal 698, 2x, 10/27, 11/4

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Exhibit "A"

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RECEIVED

NOV 17 2004

WATER RIGHTS
PROGRAM

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA }
County of Lake } ss.

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NOV 18 2004

WATER RIGHTS
PROGRAM

NOTICE OF APPLICATION NO.
6531-3

to Appropriate Water

Notice is given that Kingbrook Rural Water System, Inc. PO Box 299, Arlington, SD 57212 has filed an application for a water permit to appropriate water and change the irrigation use as authorized by Water Right No. 5429-3 to year around use by the Kingbrook Rural Water System. Water Right No. 5429-3 appropriates 1.11 cubic feet of water per second (232 acre-feet of water annually) from one well completed into the Big Sioux North Skunk Creek Management Unit (approximately 60 feet deep) located in the SE 1/4 NE 1/4 Section 17-T105N-R51W to irrigate 116 acres with a February 27, 1990 priority date. This application proposes to increase the water appropriation from 232 acre-feet of water annually by 118 acre-feet for a total appropriation of 350 acre-feet of water annually. The 118 acre feet of water additional appropriation will receive a new priority date. A new well has been drilled for rural water system use in the NW 1/4 NE 1/4 Section 17, 105N, R51W. Use of the water for irrigation is to be abandoned and changed to year around rural water system use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6531-3 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 November 15, 2004.

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.

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. 6531-3

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

On Wednesday, the 27th day of October, 2004;
On Wednesday, the 3rd day of November, 2004;
On , the day of , 20 ;
On , the day of , 20 ;
On , the day of , 20 ;
On , the day of , 20 ;
On , the day of , 20 ;
On , the day of , 20 ;
On , the day of , 20 ;

That \$ 52.40 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

Subscribed and sworn to before me this 16th day of November, 2004

ANN L. KOCH

NOTARY PUBLIC
SOUTH DAKOTA

Ann L. Koch

Notary Public, Lake County, South Dakota

**NOTICE OF APPLICATION
NO. 6531-3 to**

Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6531-3 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

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 6531-3 to
Appropriate Water

a printed copy of which is hereunto attached, was printed and publishing 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 28th day of Oct 2004

and the last publication on the 4th day of Nov 2004

The first publication being made on theday of.....20.....

The second publication being made on theday of.....20.....

The third publication being made on theday of.....20.....

The fourth publication being made on theday of.....20.....

The fifth publication being made on the day of.....20.....

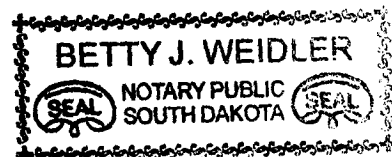
That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Miner, for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in an office maintained in Howard, South Dakota, the place of publication of said newspaper. That the full amount of fees for publication of the annexed notice is \$51.66 and inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any person whomever.

Danny Schwans
Subscribed and swore to me this 4th day of Nov 2004

Betty J. Weidler

My Commission expires the 21st day of April 2010

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PROGRAM



given above. A petition filed by either an interested person or the applicant must be filed by November 15, 2004.

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.

(Oct. 28 & Nov. 7)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 21 2004

Kingsbrook Rural Water System Inc
% Randall C Jencks
PO Box 299
Arlington SD 57212

Dear Mr. Jencks:

Enclosed is Water Permit No. 6531-3 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

6531-3



Kingbrook

Rural Water System, Inc.

PO Box 299 • Arlington, SD 57212 • Phone 605-983-5074 • 1-800-605-5279 • Fax 605-983-5636 • E-Mail: kbrw@mchsi.com

April 18, 2006

Garland Erbele, Chief Engineer
DENR, Water Rights
523 E. Capitol
Pierre, SD 57501

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Dear Mr. Erbele:

Enclosed is the completed Notice of Completion of Works and Application of Water to Beneficial Use for Water Permit No. 6531-3 (Chester well #4 on Harms land).

This should complete the required documentation for the permit and future water licensing.

Please call if you have further questions.

Sincerely,

Jolene King
Office Supervisor

Enclosure

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

Date April 18, 2006

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

FROM: Kingbrook Rural Water System, Inc.
(name)
PO Box 299
(address)
Arlington, SD 57212
(city, state, zip) 605-983-5074
(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6531-3 states that the water use system is to be constructed by
Nov. 15, 2009 , and water is to be put to beneficial use by Nov. 15, 2013
(date) (date)

The water use system was completed on July 2, 2005
(date)

Applying the water to beneficial use was completed on July 2, 2006
(date)

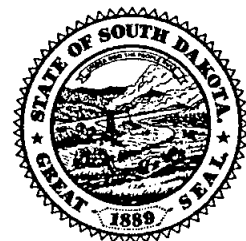
You may schedule an investigation so that the water license may be issued.

Jolene King / Office Sup.
(signature)

RECEIVED

APR 19 2006

WATER RIGHTS
PROGRAM



Permit No. 6531-3
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 27, 2012, made a thorough examination of the water use system constructed by Kingbrook Rural Water System of PO Box 299, Arlington, SD 57212 holder of Permit No. 6531-3, bearing the priority of August 5, 2004 authorizing the diversion of 118 additional acre-feet of the waters of the Big Sioux North Skunk Creek Management Unit for Rural Water System purposes, in Lake County.

Inspection contact & relationship **Randy Jencks, GM**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Lacey Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 67 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 12 inches
- 2) Length 57 feet

Screen:

- 1) Type Stainless Steel
- 2) Length 10 feet
- 3) Static water level 9 feet

Pump:

- 1) Make Grundfos
- 2) Model 475S200-2
- 3) Size 20 hp
- 4) Capacity 475 GPM

B. 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 NA
- 3) Exceptions to compliance are: None

The system is in Good condition with the point(s) of diversion located as follows:

Approximately 225 feet south and 1,408 feet west of the NE corner of Section 17-T105N-R51W
(N 43.90653, W -96.97442) (NW ¼ NE ¼)

The works are capable of diverting and conveying to the place of use 1.05 cu. ft. per second of water which is to be used for rural water system purposes.

The license should be issued for 1.05 cfs and 350 acre-feet of water annually.

All structures, wells and lands on map Y

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

Water Permit No. 6531-3 authorizes additional appropriation of water and changes the irrigation use as authorized by Water Right No. 5429-3 to year round use by the applicant. Water Right No. 5429-3 is licensed to appropriate 1.11 cfs of water (232 acre-feet annually) from one well in the SE ¼ NE ¼ Section 17-T105N-R51W. A new well has been constructed for the system in the NW ¼ NE ¼ Section 17-T105N-R51W. The original well authorized by Water Right No. 5429-3 is plugged.

This permit authorizes an increase of 118 acre-feet of water for a combined total appropriation of 350 acre-feet annually and cancels irrigation use by Water Right No. 5429-3. Water Right 5429-3 and Permit No. 6531-3 should be incorporated into one license while each retaining their priority dates.

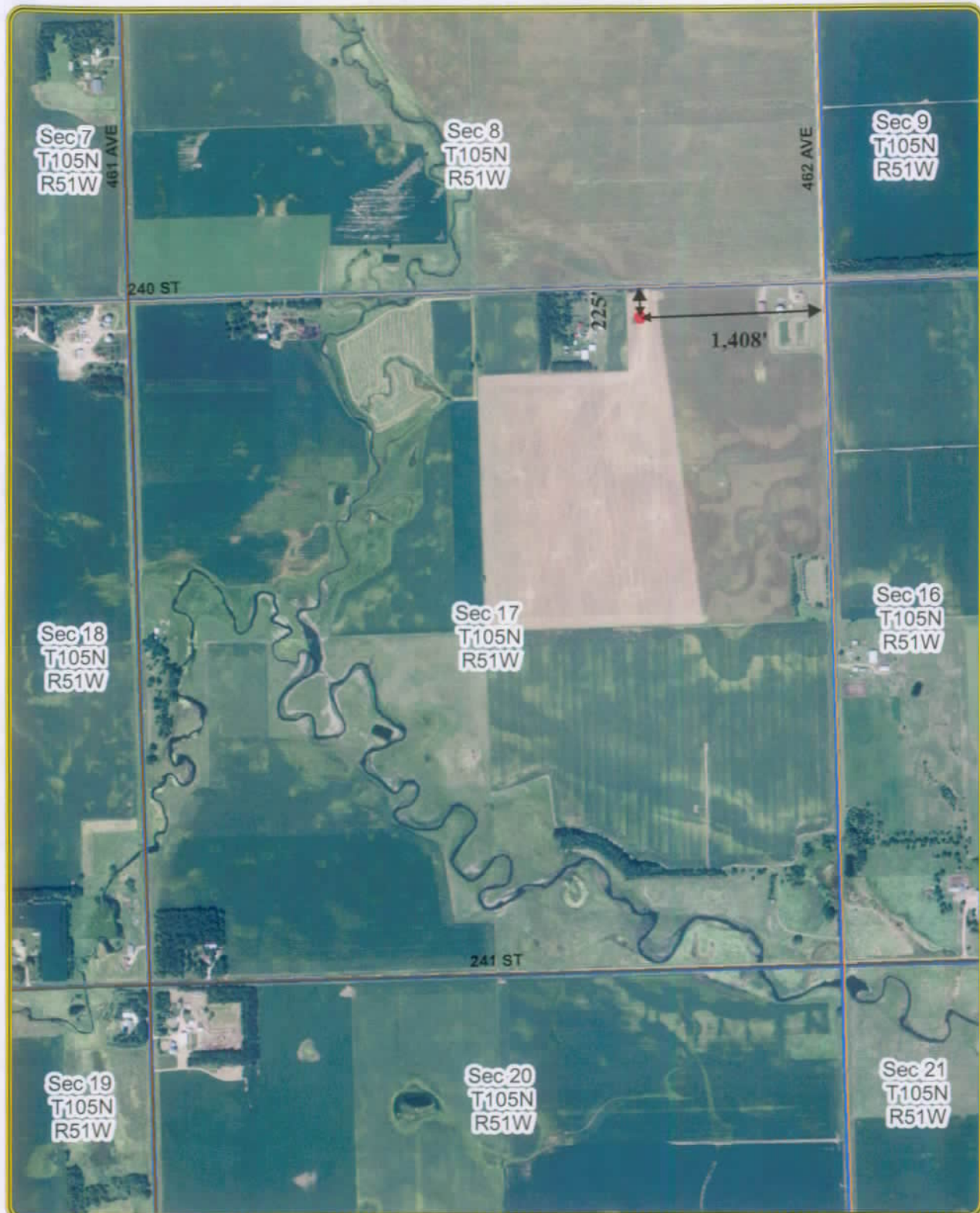


Mike DeFea

Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: August 6, 2012

**Kingbrook RWS
Permit No. 6531-3**



Mike DeFea
Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
August 6, 2012





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 07 2012

5429-3
6531-3

Randy Jencks, Manager
Kingbrook Rural Water System Inc
PO Box 299
Arlington SD 57212

Dear Mr. Jencks:

Enclosed is Water License No. 6531-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6531-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

Upon licensing, the applicable portions of Water Right No. 5429-3 were incorporated into Water License No. 6531-3. As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

A handwritten signature in black ink, which appears to read "Garland Erbele". The signature is fluid and cursive.

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6531-3

(1) Kingbrook Rural Water System Inc., PO Box 299, Arlington SD 57212 made Application No. 6531-3, August 5, 2004 for a water permit to increase the water appropriation and change the irrigation use authorized under Water Right No. 5429-3 to year around use by the rural water system. No. 6531-3 authorizes an additional 118 acre-feet of water annually from ground water (one well in the Big Sioux Aquifer - North Skunk Creek Management Unit) in Lake County, South Dakota for rural water system purposes. Permit No. 6531-3, with a priority date of August 5, 2004 was approved November 15, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 15, 2009 and for the application to beneficial use of said water on or before November 15, 2013.

Water Permit No. 5429-3, bearing a priority date of February 27, 1990, authorized 1.11 cfs (232 acre-feet of water annually) from a well located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, T105N, R51W for irrigation of 116 acres. Approval of Water Permit No. 6531-3 cancelled the irrigation portion of No. 5429-3 and authorized a new well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, T105N, R51W. With the irrigation portion previously cancelled, the diversion authority of 232 acre feet annually is being incorporated into Water License No. 6531-3 for a total authorized annual volume of water of 350 acre feet.

(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 1.05 cubic feet of water per second (350 acre feet annually) for beneficial use.

The location of the diversion point is 225 feet south and 1,408 feet west of the NE corner of Section 17, T105N, R51W (NW $\frac{1}{4}$ NE $\frac{1}{4}$).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for rural water system purposes.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the Kingbrook Rural Water System Inc., PO Box 299, Arlington SD 57212 the holder and/or owner of Incorporated Water Right No. 6531-3 is issued a license to appropriate water, the right to use 1.05 cubic feet of water per second with an annual volume of 350 acre-feet from ground water (one well in the Big Sioux Aquifer - North Skunk Creek Management Unit) with priority dates of February 27, 1990 (232 acre-feet) and August 5, 2004 (118 acre-feet) from the location specified in (2) of this license for rural water system purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6531-3 and subject to the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

- The well authorized by Permit No. 6531-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the 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. *The well was drilled in May, 2002 by Lacey Well Drilling. A copy of log is on file with the Water Rights Program.*
- Water Right No. 5429-3 and Water Permit No. 6531-3 authorize a total annual diversion of 350 acre feet of water. *License issued for full amount.*
- Approval of Permit No. 6531-3 cancels the irrigation use from Water Right No. 5429-3. The original well authorized by Water Right No. 5429-3 shall be plugged in accordance with SD Well Construction Standards. *The well once used for irrigation in the SE ¼ NE ¼ Section 17, T105N, R51W was plugged in December, 2004. Copy of plugging report is on file with the Water Rights Program.*
- Kingbrook Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn from the Big Sioux –Northern Skunk Creek Aquifer.



Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

SEP 07 2012

date

