

**WATER PERMIT NO. 6731-3**

Name of Applicant: Kingbrook RWS

Address: PO Box 299, Arlington SD 57212

Phone: 605 983-5074

Amount of Water Claimed: 1.2

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: rural water system use

County: Lake Kingsbury

Type of Waste Disposal System:

Location: 4 miles northwest of DeSmet

PRIORITY

Date Received: 6-5-06

Application/License Fee: \$200

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: SE ¼ NW ¼ Sec 6-T111N-R56W

Land to be Irrigated: NA

Depth of Well: 105

Well Driller: : Thein Well Drilling

Remarks:

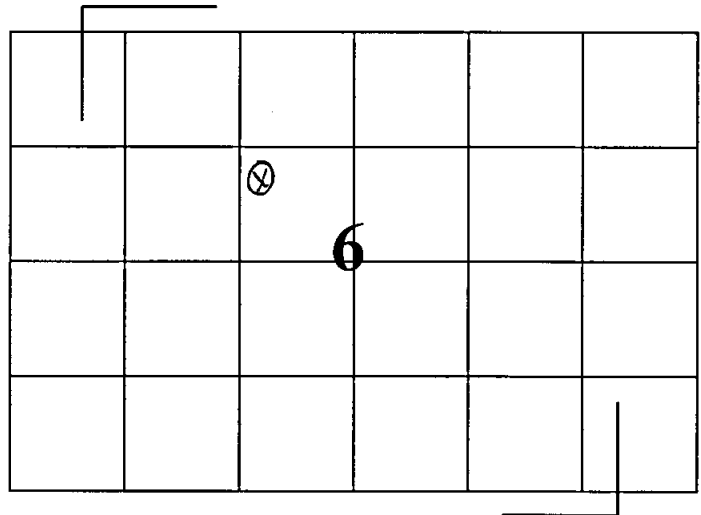
Type of Map: aerial

Prepared by: Bruce Jennings, PE

Reviewed and the Number Assigned on: 6-5-06

By: **Karen Schlaak**

Notice of Hearing - date to intervene: \_\_\_\_\_



DeSmet #9

|                                                                                                                    |                                                                        |
|--------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| Mail to:<br>Water Rights Program<br>Joe Foss Building<br>523 E. Capitol<br>Pierre, SD 57501-3181<br>(605) 773-3352 | No. <u>6731-3</u> (office use only)<br>Hydrologic Unit <u>10170203</u> |
|                                                                                                                    | Basin <u>Sioux River</u>                                               |
|                                                                                                                    | Newspaper _____                                                        |

RECEIVED  
JUN - 5 2006  
WATER RIGHTS  
PROGRAM

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

### Check use(s) of water:

- |                                                        |                                           |                                          |                                          |
|--------------------------------------------------------|-------------------------------------------|------------------------------------------|------------------------------------------|
| <input type="checkbox"/> Municipal                     | <input type="checkbox"/> Suburban Housing | <input type="checkbox"/> Recreational    | <input type="checkbox"/> Institutional   |
| <input checked="" type="checkbox"/> Rural Water System | <input type="checkbox"/> Commercial       | <input type="checkbox"/> Fish & Wildlife | <input type="checkbox"/> Geothermal Heat |
| <input type="checkbox"/> Domestic (over 18 gpm)        | <input type="checkbox"/> Industrial       | <input type="checkbox"/> 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. 5209-3  
☐ Amendment/Correction to Permit No. \_\_\_\_\_

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

1. Name of Applicant Kingbrook Rural Water System, Inc. Phone (605) 983-5074  
(check one) ☒ Owner ☐ Tenant/lessee  
Mailing Address P.O. Box 299 Arlington State SD 57212  
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.200 \*CFS or            \*\*GPM            \*\*\*AF  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Groundwater, Vermillion East Fork Aquifer
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Kingsbury  
Add Well No. 9, located (SE1/4, NW1/4) 1,650 feet east and 1,700 feet south of the NW corner, Sec. 6, T111N, R56W
5. County or counties where water will be used Same as 5785-3
6. Annual period during which water is to be used Year-around
7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Add one diversion point to the Kingbrook RWS DeSmet well field. The total annual diversion license will remain at 1,350 afa.

STATE OF SOUTH DAKOTA)  
County of Kingsbury ) SS

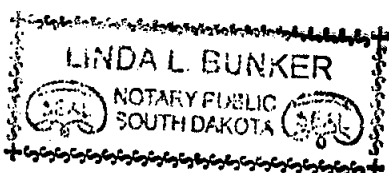
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Jolene King for Kingbrook RWS, 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

Jolene King

Subscribed and sworn to before me this 31 day of May 20 06



Linda L. Bunker

Notary Public signature

**SOUTH DAKOTA**  
**WATER PERMIT NO. 6731-3**

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Date of first receipt of application June 5, 2006.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6731-3 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. 6731-3 appropriates an additional 1.2 cubic feet per second (cfs) from an additional well completed into the Vermillion:East Fork Aquifer (105 feet deep) located in the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  Section 6-T111N-R56W. This permit increases the diversion rate authorized by Water Right No. 5785-3 from 1.4 cfs to 2.6 cfs. The existing water right appropriates 1.4 cfs from two wells located in the N  $\frac{1}{2}$  NW  $\frac{1}{4}$  Section 6-T111N-R56W. Water Right No. 5785-3 along with Water Right Nos. 4137-3 and 5186-3 are limited to a withdrawal volume of 1,350 acre feet of water annually. No increase in annual volume of 1,350 acre feet of water is authorized by this permit.
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. 6731-3 is September 5, 2006.
5. The date from which applicant may claim right is June 5, 2006.
6. One-fifth of the construction is to be completed on or before March 5, 2009.
7. All construction is to be completed on or before September 5, 2011.
8. Water is to be put to beneficial use on or before September 5, 2015.
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. 6731-3 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 Nos. 4137-3, 5186-3, 5426-3, 5785-3 and 6731-3 authorize a total annual diversion of 1,350 acre-feet of water.
4. Kingbrook Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn from the DeSmet well field completed into the Vermillion:East Fork Aquifer.

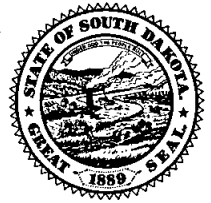
**WATER MANAGEMENT BOARD**

By: Garland Erbele

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

NOV 01 2008

date



(type or print in ink)

**1. Well Information - Proposed Construction**

- a) Drill Hole Diameter 17.5" Depth 105
- b) Casing Type Steel Diameter 12" Thickness .375
- c) Screen Type Stainless WW Diameter 12" Thickness 80 slot
- d) Gravel Pack Muscatine Length of Gravel Pack 30
- e) Depth to Top of Water Bearing Material 36
- f) Depth to Water (ground surface to water level) 59
- g) Distance to nearest existing domestic well:
- On applicants property N/A On property owned by others 4,000 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

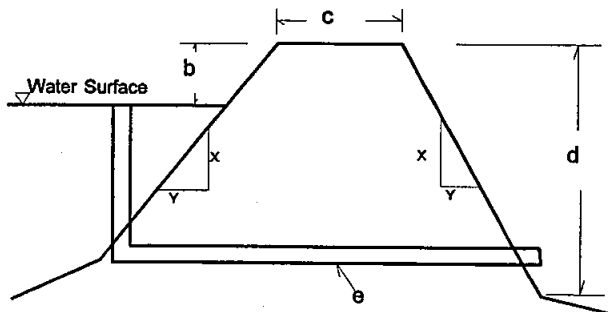
**3. Dugout Information**

- 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 June 5, 20 06

RECEIVED OF Kingbrook 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. <u>6731-3</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>6731-3</u>            | 50    | 00     |
| Fee for Filing Transfer Form _____                                                                                     |       |        |
| Fee for _____                                                                                                          |       |        |
| Fee for Issuing New Well Driller's License No. _____ for C.Y. _____                                                    |       |        |
| Fee for Renewal of Well Driller's License No. _____ for C.Y. _____                                                     |       |        |
| Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____                                                 |       |        |
| Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____                                              |       |        |
| (Any Other Work Provided by Law)                                                                                       | TOTAL | 200.00 |

No.

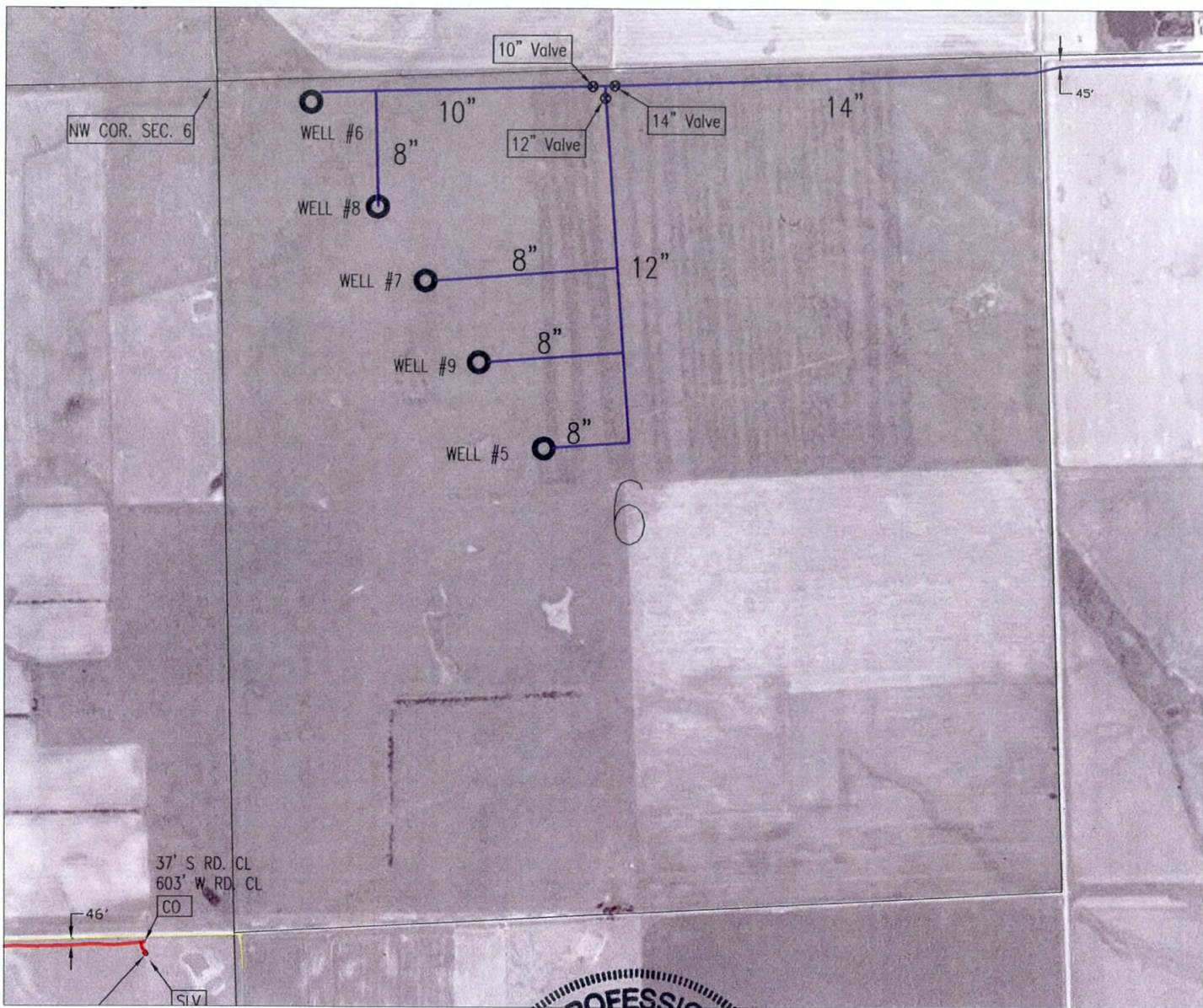
07480

By

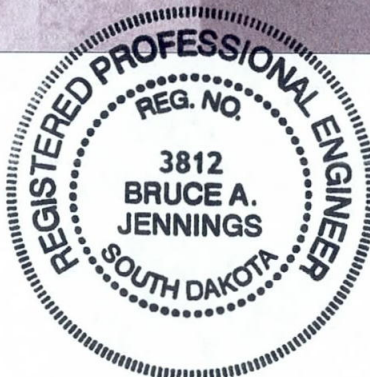
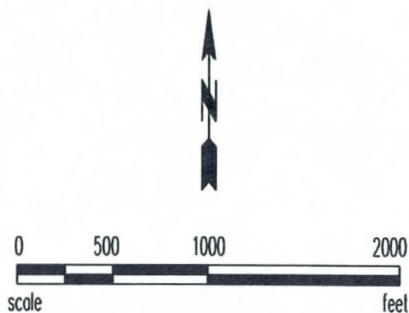
Darland Erbe

Chief Engineer

gm



PROPOSED WELL NO.9 LOCATED  
1,650 FEET EAST AND 1,700 FEET SOUTH  
OF THE NW CORNER, SEC. 6, T111N, R56W



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

Bruce Jennings, P.E.  
Date 5-19-2006

T 111 N  
R 56 W  
Sec. 6



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

Date 2004  
Drawn By JMG  
Approved BAJ

P:\08\007\25\DWG\NW-RECORDS.DWG

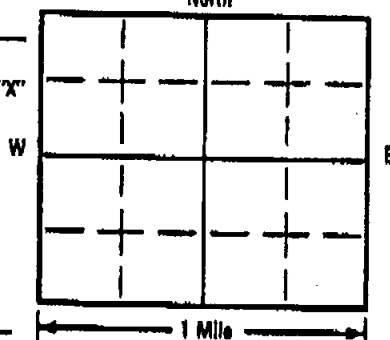
**KINGBROOK**  
RURAL WATER SYSTEM  
ARLINGTON, SOUTH DAKOTA  
DISTRIBUTION SYSTEM

## SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location \_\_\_\_\_ N. NW Sec 6 Twp 111 Rg 56  
 County \_\_\_\_\_  
KINGSBURY  
 North

Please mark well location with an "X"



Well Completion Date \_\_\_\_\_

Well Owner: KINGSBROOK RURAL WATER

Business Name: \_\_\_\_\_

Address: P O BOX 299ARLINGTON, SD 57212

## WELL LOG:

| FORMATION     | DEPTH |     |
|---------------|-------|-----|
|               | FROM  | TO  |
| BRN CLAY      | 0     | 15  |
| GRAVEL        | 15    | 25  |
| CLAY          | 25    | 26  |
| SAND & CLAY   | 26    | 36  |
| COARSE SAND   | 36    | 75  |
| ROCK          | 75    | 78  |
| SAND & GRAVEL | 78    | 105 |
| GRAY CLAY     | 105   | 110 |

## LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? \_\_\_\_\_ ft. from \_\_\_\_\_ (identify source).

## PROPOSED USE:

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

## METHOD OF DRILLING:

## ROTARY

CASING DATA: ☐ Steel ☐ Plastic ☐ Other

If other describe \_\_\_\_\_

| PIPEWEIGHT  | DIAMETER     | FROM        | TO           | HOLE DIAMETER    |
|-------------|--------------|-------------|--------------|------------------|
| _____ LB/FT | <u>12</u> IN | <u>0</u> FT | <u>83</u> FT | <u>17 1/2</u> IN |
| _____ LB/FT | _____ IN     | _____ FT    | _____ FT     | _____ IN         |
| _____ LB/FT | _____ IN     | _____ FT    | _____ FT     | _____ IN         |

## GROUTING DATA

Grout Type NEAT CEMENT No. of Sacks 149.5 Grout Weight \_\_\_\_\_ lb./gal From 75 ft. To 8 ft.  
 \_\_\_\_\_ lb./gal \_\_\_\_\_ ft. \_\_\_\_\_ ft.

Describe grouting procedure \_\_\_\_\_

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 12 IN Length 20 FEETMaterial STAINLESS STEELSlot Size 80 Set From 63 Feet to 103 Feet

Other information \_\_\_\_\_

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? \_\_\_\_\_

Describe packer(s) and location? \_\_\_\_\_

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: \_\_\_\_\_☐ NO, Why Not? \_\_\_\_\_

Laboratory sent to for water quality analysis \_\_\_\_\_

STATIC WATER LEVEL 59 Feet

If flowing: closed in pressure \_\_\_\_\_ PSI

GPM flow \_\_\_\_\_ through \_\_\_\_\_ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other \_\_\_\_\_

Reduced Flowrate \_\_\_\_\_ GPM

Can well be completely shut in? \_\_\_\_\_

## WELL TEST DATA:

☒ Pumped Describe: \_\_\_\_\_☐ Bailed \_\_\_\_\_☐ Other \_\_\_\_\_

Pumping Level Below Land Surface

67.5 ft. After 12 Hrs. pumped 400 GPM

\_\_\_\_\_ ft. After \_\_\_\_\_ Hrs. pumped \_\_\_\_\_ GPM

If pump installed, pump rate \_\_\_\_\_ GPM

REMARKS This well is not completed. Pump has not been installed.This well was drilled under license # 475

And this report is true and accurate.

Drilling firm THEIN WELL COMPANY, INC.

Signature of License Representative \_\_\_\_\_

Signature of Well Owner or Equitable Property Halder \_\_\_\_\_

Date: \_\_\_\_\_

## REPORT ON APPLICATION NO. 6731-3

For Kingbrook RWS

July 12, 2006

Application 6731-3 proposes to appropriate an additional 1.2 cubic feet per second (cfs) from an additional well completed into the Vermillion East Fork Aquifer (approximately 105 feet deep) located in the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  Section 6, T111N-R56W. This application is to increase the diversion rate to what is currently authorized by Water Right No. 5785-3. Water Right No. 5785-3 appropriates 1.4 cfs from two wells located in the N  $\frac{1}{2}$  NW  $\frac{1}{4}$  Section 6, T111N-R56W. Water Right No. 5785-3 along with Water Right No. 4137-3 and Water Right No. 5186-3 are limited to a withdrawal volume of 1,350 acre feet of water annually. No increase in the annual volume of 1,350 acre feet of water is authorized by the application.

### AQUIFER – VERMILLION EAST FORK (VEF)

The Vermillion East Fork Aquifer is composed of glacial sand and gravel (outwash) under mostly water table conditions in the area of this application. The Vermillion East Fork underlies 94 square miles, averages about 25 feet in saturated thickness and contains an estimated 300,000 acre feet of water in storage (Hamilton, 1989). Ground water movement is from northwest to southeast.

Recharge to the aquifer is primarily by direct infiltration of rainfall and snowmelt and has been estimated to be approximately 4 inches per year (20,000 acre feet) for the entire Kingsbury County area (Hedges, 1983). The estimated water use from the aquifer was found to be less than the estimated annual recharge to the aquifer.

The Water Rights Program monitors an observation well (KG-77C) completed into the Vermillion East Fork Aquifer located approximately  $\frac{1}{2}$  mile north of this site. Water levels for this well show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general the observation well record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2006). A hydrograph for this observation well is included in this report and labeled as Figure 1.

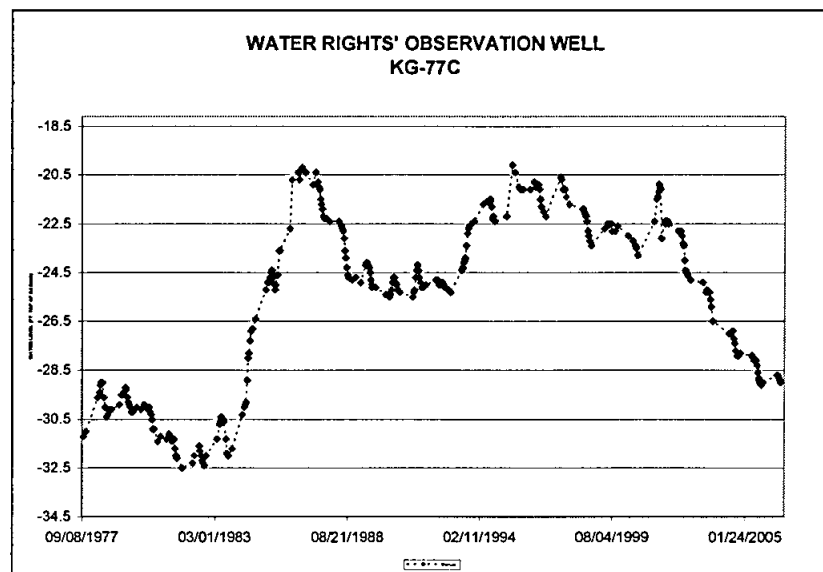


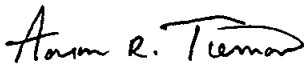
Figure 1. Hydrograph of observation well KG-77C.

## REVIEW OF EXISTING WATER PERMITS/RIGHTS

The well (designated #9) authorized by this permit is located within a well field utilized by Kingbrook RWS. There are four existing wells (well #5 through well #8) all located within the same quarter section. Therefore, the rural water system has control over the nearby wells and can manage their production wells so that interference is not expected to be a problem.

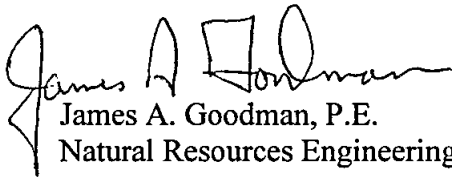
## CONCLUSIONS

1. The Vermillion East Fork Aquifer is a viable groundwater source and water is available for this appropriation.
2. The aquifer is under unconfined conditions at this site and Kingbrook RWS has control over the nearby wells and therefore can manage their production wells so that interference will not be a problem.
3. The well authorized for this application is an existing well and appears to be completed in accordance with SD Well Construction Standards.
4. No increase in the annual volume of 1,350 acre feet of water is authorized by the application.



Aaron R. Tieman  
Natural Resources Engineer

Approved by



James A. Goodman, P.E.  
Natural Resources Engineering Director

## BIBLIOGRAPHY

Hamilton, L.J., 1989, Water resources of Brookings and Kingsbury Counties, SD, USGS WRI Report 88-4185, USGS, Huron, SD, 57350.

Hedges, L.S., 1983, Same, Task 7: Ground Water Recharge, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, SD, 57069.

Water Right, 2006, Unpublished Observation Well Data, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 6731-3, 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. 6731-3, Kingbrook Rural Water System, Inc., c/o Jolene King, PO Box 299, Arlington SD 57212.

The Chief Engineer is recommending APPROVAL of Application No. 6731-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) 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. 6731-3 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 Nos. 4137-3, 5186-3, 5426-3, 5785-3 and 6731-3 authorize a total annual diversion of 1,350 acre-feet of water.
4. Kingbrook Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn from the Chester well filed completed into the Vermillion:East Fork Aquifer

See report on application for additional information.

Garland Erbele, Chief Engineer  
August 7, 2006

**NOTICE OF APPLICATION  
NOS. 4311A-3, 6730-3 AND 6731-3  
TO APPROPRIATE WATER**

Notice is given that Kingbrook Rural Water System, Inc., P.O. Box 299, Arlington, SD 57212 has filed the following applications for a water permit to appropriate water for rural water system use.

Application No. 4311A-3 proposes to change the water use and diversion point location authorized by Water Right No. 4311-3. Water Right No. 4311-3 appropriates 1.44 cubic feet of water per second (cfs) from one well completed into the Big Sioux:Northern Skunk Creek Aquifer (75 feet deep) located in the E 1/2 SE 1/4 Section 8-T105N-R51W for irrigation use. This application proposes to change the use from irrigation to rural water system use. The irrigation well will be abandoned and a new well will be drilled in the NW 1/4 SE 1/4 Section 8-T105N-R51W with an annual withdrawal volume of 266 acre feet of water. No increase in the diversion rate is authorized by this application.

Application No. 6730-3 proposes to increase the diversion rate and add a diversion point to Water Right No. 5429-3 and Water Permit No. 6531-3. Combined, these two existing water rights appropriate 1.11 cfs from a well completed into the Big Sioux:Northern Skunk Creek Aquifer located in the NW 1/4 NE 1/4 Section 17-T105N-R51W and is limited to a withdrawal volume of 350 acre feet of water annually. This application proposes to appropriate 0.80 cfs from one additional well (68 feet deep) completed into the same aquifer. This new well is located in SW 1/4 SE 1/4 Section 8-T105N-R51W. No increase in annual volume of 350 acre feet of water is authorized by this application.

Application No. 6731-3 proposes to appropriate an additional 1.2 cfs from an additional well completed into the Vermillion:East Fork Aquifer (105 feet deep) located in the SE 1/4 NW 1/4 Section 6-T111N-R56W. This application is an increase in the diversion rate to what is currently authorized by Water Right No. 5785-3. This existing water right appropriates 1.4 cfs from two wells located in the N 1/2 NW 1/4 Section 6-T111N-R56W. Water Right No. 5785-3 along with Water Right Nos. 4137-3 and 5186-3 are limited to a withdrawal volume of 1,350 acre feet of water annually. No increase in annual volume of 1,350 acre feet of water is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 4311A-3, 6730-3 and 6731-3 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 applications,

as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 September 5, 2006.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications.

Steven M. Pirner, Secretary,  
Department of Environment and  
Natural Resources  
8-16-26

**Affidavit of Publication**

State of South Dakota

§

County of Clark

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

**KINGBROOK RURAL WATER SYSTEM  
NOTICE OF APPLICATION  
TO APPROPRIATE WATER**

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

(two)

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

**August 16, 2006**

**August 23, 2006**

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

**\$74.40**

*William J. Krikac*

**RECEIVED**

**SEP 25 2006**

**WATER RIGHTS  
PROGRAM**

Subscribed and sworn to before me this

**21st day of September 2006**

*Kimberly Seefeldt*

Notary Public  
Clark County, South Dakota

My commission expires: 10-02-07

# Affidavit of Publication

State of South Dakota

Exhibit "A"

ss

County of Brookings

Amy B. Larsen 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 #584 "App no. 4311A-3"

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:

August 16, 2006

August 23, 2006

said Exhibit "A" inures to the sole benefit for 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:

Seventy-five dollars and sixty-nine cents. \$75.69

Subscribed and sworn to before me this

12th day of

August

2006

Christina Nelson

Notary Public in and for the County of Brookings, South Dakota.  
My Commission expires April 27, 2012

RECEIVED

SEP - 8 2006

WATER RIGHTS  
PROGRAM

Legal 584, 2x, 8/16, 23  
NOTICE OF  
APPLICATION NOS.  
4311A-3, 6730-3  
and 6731-3 to  
Appropriate Water

Notice is given that Kingbrook Rural Water System, Inc., PO Box 299, Arlington SD 57212 has filed the following applications for a water permit to appropriate water for rural water system use.

Application No. 4311A-3 proposes to change the water use and diversion point location authorized by Water Right No. 4311-3. Water Right No. 4311-3 appropriates 1.44 cubic feet of water per second (cfs) from one well completed into the Big Sioux-Northern Skunk Creek Aquifer (75 feet deep) located in the E 1/2 SE 1/4 Section 8-T105N-R51W for irrigation use. This application proposes to change the use from irrigation to rural water system use. The irrigation well will be abandoned and a new well will be drilled in the NW 1/4 SE 1/4 Section 8-T105N-R51W with an annual withdrawal volume of 266 acre feet of water. No increase in the diversion rate is authorized by this application.

Application No. 6730-3 proposes to increase the diversion rate and add a diversion point to Water Right No. 5429-3 and Water Permit No. 6531-3. Combined, these two existing water rights appropriate 1.11 cfs from a well completed into the Big Sioux-Northern Skunk Creek Aquifer located in the NW 1/4 NE 1/4 Section 17, T105N, R51W and is limited to a withdrawal volume of 350 acre feet of water annually. This application proposes to appropriate 0.80 cfs from one additional well (68 feet deep) completed into the same aquifer. The new well is located in SW 1/4 SE 1/4 Section 8-T105N-R51W. No increase in annual volume of 350 acre feet of water is authorized by this application.

Application No. 6731-3 proposes to appropriate an additional 1.2 cfs from an additional well completed into the Vermillion-East Fork Aquifer (105 feet deep) located in the SE 1/4 NW 1/4 Section 6-T111N-R56W. This application is an increase in the diversion rate to what is currently authorized by Water Right No. 5785-3. This existing water right appropriates 1.4 cfs from two wells located in the N 1/2 NW 1/4 Section 6-T111N-R56W. Water Right No. 5785-3 along with Water Right Nos;

4137-3 and 5186-3 are limited to a withdrawal volume of 1,350 acre feet of water annually. No increase in annual volume of 1,350 acre feet of water is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 4311A-3, 6730-3 and 6731-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 September 5, 2006.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications.

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

Form 8

Wed., Aug., 16, 23, 2006

**NOTICE OF APPLICATION NOS.  
4311A-3, 6730-3 and 6731-3 to  
Appropriate Water**

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Application No. 6730-3 proposes to increase the diversion rate and add a diversion point to Water Right No. 5429-3 and Water Permit No. 6531-3. Combined, these two existing water rights appropriate 1.11 cfs from a well completed into the Big Sioux: Northern Skunk Creek Aquifer located in the NW 1/4 NE 1/4 Section 17, T105N, R51W and is limited to a withdrawal volume of 350 acre feet of water annually. This application proposes to appropriate 0.80 cfs from one additional well (68 feet deep) completed into the same aquifer. This new well is located in SW 1/4 SE 1/4 Section 8-T105N-R51W. No increase in annual volume of 350 acre feet of water is authorized by this application.

Application No. 6731-3 proposes to appropriate an additional 1.2 cfs from an additional well completed into the Vermillion: East Fork Aquifer (105 feet deep) located in the SE 1/4 NW 1/4 Section 6-T111N-R56W. This application is an increase in the diversion rate to what is currently authorized by Water Right No. 5785-3. This existing water right appropriates 1.4 cfs from two wells located in the N 1/2 NW 1/4 Section 6-T111N-R56W. Water Right No. 5785-3 along with Water Right Nos; 4137-3 and 5186-3 are limited to a withdrawal volume of 1,350 acre feet of water annually. No increase in annual volume of 1,350 acre feet of water is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Applications Nos. 4311A-3, 6730-3 and 6731-3 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 applications, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications.

Steven M. Pirner  
Secretary  
Department of Environment  
and Natural Resources

**PROOF OF PUBLICATION**

STATE OF SOUTH DAKOTA )  
County of Lake ) SS

I, Deanna D. Bergheim

certify that the attached printed Notice was taken

from the Madison Daily Leader

printed and published in City of Madison

County of Lake and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Wednesday, August 16, 2006

Wednesday, August 23, 2006

Cost of Printing 82.76

Deanna D. Bergheim  
(Signature)

Secretary  
(Title)

8-23-06  
(Date Signed)

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SD - ENR  
WATER RIGHTS  
PROGRAM

Form 8

RECEIVED  
WATER RIGHTS  
PROGRAM

**PROOF OF PUBLICATION**

STATE OF SOUTH DAKOTA )  
County of Hamlin ) SS

I, Lee Anne Archer

certify that the attached printed Notice was  
taken

from the The Hamlin County  
Republican

printed and published in Castletown

County of Hamlin and

state of South Dakota. The notice was  
published

in the newspaper on the following two dates:

Aug. 16, 2006

Aug. 23, 2006

Cost of Printing \$ 72.57

Lee Anne Archer  
(Signature)

Owner  
(Title)

8/23/2006  
(Date Signed)

**NOTICE OF APPLICATION  
NOS. 4311A-3, 6730-3 and  
6731-3 to Appropriate Water**

Notice is given that Kingbrook Rural Water System, Inc., PO Box 299, Arlington SD 57212 has filed the following applications for a water permit to appropriate water for rural water system use.

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Application No. 6730-3 proposes to increase the diversion rate and add a diversion point to Water Right No. 5429-3 and Water Permit No. 6531-3. Combined, these two existing water rights appropriate 1.11 cfs from a well completed into the Big Sioux:Northern Skunk Creek Aquifer located in the NW 1/4 NE 1/4 Section 17-T105N-R51W and is limited to a withdrawal volume of 350 acre feet of water annually.

This application proposes to appropriate 0.80 cfs from one additional well (68 feet deep) completed into the same aquifer. This new well is located in SW 1/4 SE 1/4 Section 8-T105N-R51W. No increase in annual volume of 350 acre feet of water is authorized by this application.

Application No. 6731-3 proposes to appropriate an additional 1.2 cfs from an additional well completed into the Vermillion:East Fork Aquifer (105 feet deep) located in the SE 1/4 NW 1/4 Section 6-T111N-R56W. This application is an increase in the diversion rate to what is currently authorized by Water Right No. 5785-3. This existing water right appropriates 1.4 cfs from two wells located in the N 1/2 NW 1/4 Section 6-T111N-R56W. Water Right No. 5785-3 along with Water Right Nos. 4137-3 and 5186-3 are limited to a withdrawal volume of 1,350 acre feet of water annually. No increase in annual volume of 1,350 acre feet of water is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 4311A-3, 6730-3 and 6731-3 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 applications, as recommended, unless a petition is filed opposing the appli-

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The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications.

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

Form 8

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
 ) SS  
County of Kingsbury )

I, Dale Blegen

certify that the attached printed Notice was  
taken

from the De Smet News

printed and published in De Smet

County of Kingsbury and

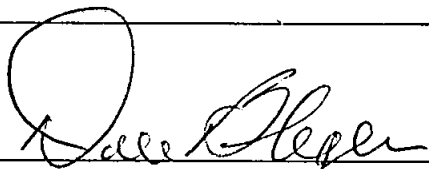
state of South Dakota. The notice was  
published

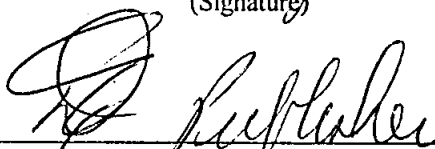
in the newspaper on the following two dates:

August 16, 2006

August 23, 2006

Cost of Printing 74.72

  
(Signature)

  
(Title)

9-1-06  
(Date Signed)

## NOTICE OF APPLICATION NOS. 4311A-3, 6730-3 AND 6731-3 TO APPROPRIATE WATER

Notice is given that Kingbrook Rural Water System, Inc., P.O. Box 299, Arlington, SD 57212, has filed the following applications for a water permit to appropriate water for rural water system use.

Application No. 4311A-3 proposes to change the water use and diversion point location authorized by Water Right No. 4311-3. Water Right No. 4311-3 appropriates 1.44 cubic feet of water per second (cfs) from one well completed into the Big Sioux: Northern Skunk Creek Aquifer (75 feet deep) located in the E1/2SE1/4 Section 8-T105N-R51W for irrigation use. This application proposes to change the use from irrigation to rural water system use. The irrigation well will be abandoned and a new well will be drilled in the NW1/4SE1/4 Section 8-T105N-R51W with an annual withdrawal volume of 266 acre feet of water. No increase in the diversion rate is authorized by this application.

Application No. 6730-3 proposes to increase the diversion rate and add a diversion point to Water Right No. 5429-3 and Water Permit No. 6531-3. Combined, these two existing water rights appropriate 1.11 cfs from a well completed into the Big Sioux: Northern Skunk Creek Aquifer located in the NW1/4NE1/4 Section 17, T105N, R51W and is limited to a withdrawal volume of 350 acre feet of water annually. This application proposes to appropriate 0.80 cfs from one additional well (68 feet deep) completed into the same aquifer. This new well is located in SW1/4SE1/4 Section 8-T105N-R51W. No increase in annual volume of 350 acres feet of water is authorized by this application.

Application No. 6731-3 proposes to appropriate an addition 1.2 cfs from an additional well completed into the Vermillion: East Fork Aquifer (105 feet deep) located in the SE1/4NW1/4 Section 6-T111N-56W. This application is an increase in the diversion rate to what is currently authorized by Water Right No. 5785-3. This existing water right appropriates 1.4 cfs from two wells located in the N1/2NW1/4 Section 6-T111N-R56W. Water Right No. 5785-3 along with Water Right Nos; 4137-3 and 5186-3 are limited to a withdrawal volume of 1,350 acre feet of water annually. No increase in annual volume of 1,350 acre feet of water is authorized by this application.

RECEIVED  
2006-08-16  
WATER RIGHTS  
PROGRAM

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 4311A-3, 6730-3 and 6731-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

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Seven M. Pirner  
Secretary

**AFFIDAVIT OF PUBLICATION-**

Customer Number: 078340  
Invoice Number: 962124

Water Rights Program

**State Notices**

**Argus Leader**  
**AFFIDAVIT OF PUBLICATION**

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

Betty Jones 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 16 day of August 2006,  
Wednesday, the 23 day of August 2006,  
\_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_ 2006,  
\_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_ 2006,  
\_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_ 2006,  
\_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_ 2006,  
\_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_ 2006,

and that \$181.21 was charged for publishing the same

*Betty Jones*

Subscribed and sworn to before me 8/23/2006

JACQUELINE ZIMMERMAN

SEAL NOTARY PUBLIC SOUTH DAKOTA SEAL

*J. Zimmerman*  
Notary Public, South Dakota

My Commission expires December 22, 2009

**NOTICE OF APPLICATION**  
NOS. 4311A-3, 6730-3 and 6731-3

to Appropriate Water  
Notice is given that Kingbrook Rural Water System, Inc., PO Box 299, Arlington SD 57212 has filed the following applications for a water permit to appropriate water for rural water system use.

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Application No. 6730-3 proposes to increase the diversion rate and add a diversion point to Water Right No. 5429-3 and Water Permit No. 6531-3. Combined, these two existing water rights appropriate 1.11 cfs from a well completed into the Big Sioux/Northern Skunk Creek Aquifer located in the NW 1/4 NE 1/4 Section 17-T105N-R51W and is limited to a withdrawal volume of 350 acre feet of water annually. This application proposes to appropriate 0.80 cfs from one additional well (68 feet deep) completed into the same aquifer. This new well is located in SW 1/4 SE 1/4 Section 8-T105N-R51W. No increase in annual volume of 350 acre feet of water is authorized by this application.

Application No. 6731-3 proposes to appropriate an additional 1.2 cfs from an additional well completed into the Vermillion/East Fork Aquifer (105 feet deep) located in the SE 1/4 NW 1/4 Section 6-T111N-R56W. This application is an increase in the diversion rate to what is currently authorized by Water Right No. 5785-3. This existing water right appropriates 1.4 cfs from two wells located in the N 1/2 NW 1/4 Section 6-T111N-R56W. Water Right No. 5785-3 along with Water Right Nos. 4137-3 and 5186-3 are limited to a withdrawal volume of 1,350 acre feet of water annually. No increase in annual volume of 1,350 acre

feet of water is authorized by this application.

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or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

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962124 Aug. 16 & 23, 2006

RECEIVED  
AUG 28 2006  
WATER RIGHTS PROGRAM

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NOS. 4311A-3, 6730-3 and  
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# 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 Nos. 4311A-3, 6730-3 and 6731-3 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 17<sup>th</sup> day of Aug. 2006

and the last publication on the 24<sup>th</sup> day of Aug. 2006

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

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

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

The fourth publication being made on the.....day 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 \$74.60 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 24<sup>th</sup> day of Aug. 2006

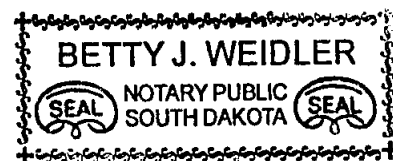
Betty J. Weidler

My Commission expires the 24<sup>th</sup> day of April 2010

RECEIVED

AUG 25 2006

WATER RIGHTS  
PROGRAM



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"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 September 5, 2006.

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(Aug. 17 & 24)

## Affidavit of Publication

STATE OF SOUTH DAKOTA )

:SS

COUNTY OF McCOOK: )

The undersigned, being first duly sworn, on his oath says: THE MONTROSE HERALD is a weekly newspaper of general circulation, printed and published in the City of Canistota, McCook County, South Dakota, by MATTHEW ANDERSON, and has been such newspaper during the times hereinafter mentioned: that it has bona fide circulation of more than 200 copies weekly; that it has been published within said County of McCook in the English language and admitted to the United States mail under the second class mailing privilege for more than one year next prior to the publication of the notice hereinafter mentioned, and has been printed during such period and at the present time in part in an office maintained at the said place of publication: that I, the undersigned, am either the publisher@ or an employee of the said publisher@ of said newspaper and have personal knowledge of all the facts stated in the affidavit: that the advertisement headed

Notice of Application

a printed copy of which is hereto attached, was printed and published in the said newspaper for two (2) successive weeks; that said notice was published in the issues of said paper on the dates as follows, to-wit:

The first publication be made on 8-17

The second publication on 8-24

The third publication on \_\_\_\_\_

The fourth publication on \_\_\_\_\_

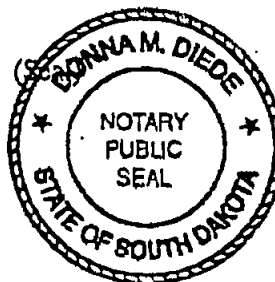
that 80.71 Being the full amount of the fee for publication of the annexed notice, insured solely to the benefit of the publisher of the said newspaper, that no agreement or understanding for the division thereof have been made with any other person whomsoever, and that said newspaper is a legal newspaper under the law of the state of South Dakota.

Matthew Anderson

Subscribed and sworn to before me this 21

day of August 2006

Donna M. Diede  
Notary Public, South Dakota



My commission expires 2-3-2010

# NOTICE OF APPLICATION NOS. 4311A-3, 5730-3 and 6731-3 to Appropriate Water

Notice is given that Kingbrook Rural Water System, Inc., PO Box 299, Arlington SD 57212 has filed the following applications for a water permit to appropriate water for rural water system use.

Application No. 4311A-3 proposes to change the water use and diversion point location authorized by Water Right No. 4311-3. Water Right No. 4311-3 appropriates 1.44 cubic feet of water per second (cfs) from one well completed into the Big Sioux: Northern Skunk Creek Aquifer (75 feet deep) located in the E 1/2 SE 1/4 Section 8-T105N-R51W for irrigation use. This application proposes to change the use from irrigation to rural

water system use. The irrigation well will be abandoned and a new well will be drilled in the NW 1/4 SE 1/4 Section 8-T105N-R51W with an annual withdrawal volume of 266 acre feet of water. No increase in the diversion rate is authorized by this application.

Application No. 6730-3 proposes to increase the diversion rate and add a diversion point to Water Right No. 5429-3 and Water Permit No. 6531-3. Combined, these two existing water rights appropriate 1.11 cfs from a well completed into the Big Sioux: Northern Skunk Creek Aquifer located in the NW 1/4 NE 1/4 Section 17-T105N-R51W and is limited to a withdrawal volume of 350

acre feet of water annually. This application proposes to appropriate 0.80 cfs from one additional well (68 feet deep) completed into the same aquifer. This new well is located in SW 1/4 SE 1/4 Section 8-T105N-R51W. No increase in annual volume of 350 acre feet of water is authorized by this application.

Application No. 6731-3 proposes to appropriate an additional 1.2 cfs from an additional well completed into the Vermillion: East Fork Aquifer (105 feet deep) located in the SE 1/4 NW 1/4 Section 6-T111N-R56W. This application is an increase in the diversion rate to what is currently authorized by Water Right No. 5785-3. This existing water right appropriates 1.4 cfs from two wells located in the N 1/2 NW 1/4

Section 6-T111N-R56W. Water Right No. 5785-3 along with Water Right Nos. 4137-3 and 5186-3 are limited to a withdrawal volume of 1,350 acre feet of water annually. No increase in annual volume of 1,350 acre feet of water is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 4311A-3, 6730-3 and 6731-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's

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Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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

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The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Granlund at the above Water Rights Program address to request copies of information pertaining to these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. B-17-2tc

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )

County of Moody ) SSI, Angela Nibbelink

certify that the attached printed Notice was taken

from the Moody CountyEnterpriseprinted and published in FlandreauCounty of Moody and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

August 16, 2006August 23, 2006Cost of Printing \$79.78Angela Nibbelink  
(Signature)Office Mgr.  
(Title)8-23-2006  
(Date Signed)RECEIVED  
AUG 25 2006  
WATER RIGHTS  
PROGRAM

## NOTICE OF APPLICATION NOS.

4311A-3, 6730-3 and 6731-3 to

Appropriate Water

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Clara M. Dinger, Secretary



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 10, 2006

Kingbrook Rural Water System  
% Jolene King  
PO Box 299  
Arlington SD 57212

Dear Ms. King:

Enclosed is an **AMENDED** notice on Kingbrook Rural Water Systems Application Nos 14311A-3, 6730-3 & 6731-3 to Appropriate Water. The 3<sup>rd</sup> paragraph describing Application No. 6730-3 has been amended. The amended notice has been sent to the newspapers to be published.

Sincerely,

Eric Gronlund  
Natural Resources Engineer  
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 10, 2006

Montrose Herald  
PO Box 128  
Canisota SD 57012-0128

ATTENTION: Legal Public Notice

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Sincerely,

Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 10, 2006

Miner Co Pioneer  
PO Box 220  
Howard SD 57349

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Sincerely,

Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures

Instruction to Newspaper - Publish first Notice on August 17, 2006 with the second publication 7 days later. The applicant is responsible for payment.

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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](http://www.state.sd.us/denr)

August 10, 2006

Moody Co. Enterprise  
PO Box 71  
Flandreau SD 57028-0071

ATTENTION: Legal Public Notice

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Sincerely,

Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 10, 2006

Argus Leader  
PO Box 5034  
Sioux Falls SD 57117-5034

ATTENTION: Legal Public Notice

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Sincerely,

Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 10, 2006

Daily Leader  
PO Box 348  
Madison SD 57042-0348

ATTENTION: Legal Public Notice

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Sincerely,

  
Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 10, 2006

Hamlin Co. Republican  
PO Box 50  
Castlewood SD 57223-0050

ATTENTION: Legal Public Notice

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Sincerely,

Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 10, 2006

DeSmet News  
PO Box 69  
DeSmet SD 57231-0069

**ATTENTION: Legal Public Notice**

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Sincerely,

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Natural Resources Engineer  
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 10, 2006

Brookings Register  
PO Box 177  
Brookings SD 57006-0177

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Natural Resources Engineer  
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 10, 2006

Clark Co. Courier  
119 1<sup>st</sup> Ave E  
Clark SD 57225

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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](http://www.state.sd.us/denr)

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

August 8, 2006

Kingbrook Rural Water System  
% Jolene King  
PO Box 299  
Arlington SD 57212

Dear Ms. King:

Water Permit Application Nos. 4311A-3, 6730-3, & 6731-3 for rural water system use have 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 Moody Co. Enterprise printed at Flandreau, SD (Ph # 605-997-3725), the Argus Leader printed at Sioux Falls, SD (Ph #605-331-2200), the Montrose Herald printed at Canisota, SD (Ph #605-296-3181), the Miner Co. Pioneer printed at Howard, SD (Ph #605-772-5644), the Daily Leader printed at Madison, SD (Ph #605-256-4555), Hamlin Co Republican printed at Castlewood, SD (Ph #605-793-2293), the DeSmet News printed at DeSmet, SD (605-854-3331), Brookings Register printed at Brookings, SD (Ph#605-692-6271) and the Clark Co. Courier printed at Clark, SD (Ph #605-532-3654). You will need to contact the newspapers and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and the reports on the applications 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 newspapers to authorize publication of your Notice 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. 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 applications.

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  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 8, 2006

Montrose Herald  
PO Box 128  
Canisota SD 57012-0128

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos 4311A-3, 6730-3 & 6731-3 to Appropriate Water to be published twice. Please publish the first notice on August 17, 2006 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.

**Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Kingbrook Rural Water System, % Jolene King, PO Box 299, Arlington, SD (Ph # 605-983-5074).

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Natural Resources Engineer  
605 773-3352

enclosures

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

Nos. 4311A-3, 6730-3 & 6731-3

Date \_\_\_\_\_

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Name

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Newspaper



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PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 8, 2006

Miner Co Pioneer  
PO Box 220  
Howard SD 57349

ATTENTION: Legal Public Notice

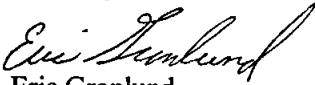
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523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 8, 2006

Moody Co. Enterprise  
PO Box 71  
Flandreau SD 57028-0071

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523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 8, 2006

Argus Leader  
PO Box 5034  
Sioux Falls SD 57117-5034

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[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 8, 2006

Daily Leader  
PO Box 348  
Madison SD 57042-0348

ATTENTION: Legal Public Notice

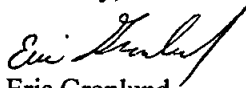
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PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 8, 2006

Hamlin Co. Republican  
PO Box 50  
Castlewood SD 57223-0050

ATTENTION: Legal Public Notice

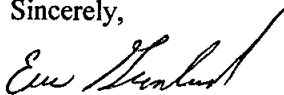
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PMB 2020  
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523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 8, 2006

DeSmet News  
PO Box 69  
DeSmet SD 57231-0069

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Joe Foss Building  
Pierre SD 57501-3181

Nos. 4311A-3, 6730-3 & 6731-3

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Newspaper



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](http://www.state.sd.us/denr)

August 8, 2006

Brookings Register  
PO Box 177  
Brookings SD 57006-0177

ATTENTION: Legal Public Notice

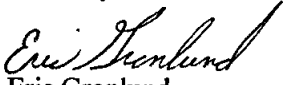
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523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 8, 2006

Clark Co. Courier  
119 1<sup>st</sup> Ave E  
Clark SD 57225

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NOTICE OF APPLICATION NOS. 4311A-3, 6730-3 and 6731-3 to Appropriate Water

Notice is given that Kingbrook Rural Water System, Inc., PO Box 299, Arlington SD 57212 has filed the following applications for a water permit to appropriate water for rural water system use.

Application No. 4311A-3 proposes to change the water use and diversion point location authorized by Water Right No. 4311-3. Water Right No. 4311-3 appropriates 1.44 cubic feet of water per second (cfs) from one well completed into the Big Sioux:Northern Skunk Creek Aquifer (75 feet deep) located in the E  $\frac{1}{2}$  SE  $\frac{1}{4}$  Section 8-T105N-R51W for irrigation use. This application proposes to change the use from irrigation to rural water system use. The irrigation well will be abandoned and a new well will be drilled in the NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section 8-T105N-R51W with an annual withdrawal volume of 266 acre feet of water. No increase in the diversion rate is authorized by this application.

Application No. 6730-3 proposes to increase the diversion rate to what is currently authorized by Water Right No. 5429-3 and Water Permit No. 6531-3 appropriates 1.11 cfs from a well located in the NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  Section 17, T105N, R51W and is limited to a withdrawal volume of 350 acre feet of water annually. This application proposes to appropriate 0.80 cfs from one well completed into the Big Sioux:Northern Skunk Creek Aquifer (68 feet deep) located in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section 8-T105N-R51W. No increase in annual volume of 350 acre feet of water is authorized by this application.

Application No. 6731-3 proposes to appropriate an additional 1.2 cfs from an additional well completed into the Vermillion:East Fork Aquifer (105 feet deep) located in the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  Section 6-T111N-R56W. This application is an increase in the diversion rate to what is currently authorized by Water Right No. 5785-3. This existing water right appropriates 1.4 cfs from two wells located in the N  $\frac{1}{2}$  NW  $\frac{1}{4}$  Section 6-T111N-R56W. Water Right No. 5785-3 along with Water Right Nos; 4137-3 and 5186-3 are limited to a withdrawal volume of 1,350 acre feet of water annually. No increase in annual volume of 1,350 acre feet of water is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 4311A-3, 6730-3 and 6731-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 September 5, 2006.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, 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 these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 4311A-3, 6730-3 and 6731-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

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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](http://www.state.sd.us/denr)

NOV 01 2008

Kingbrook Rural Water System Inc  
% Jolene King  
PO Box 299  
Arlington SD 57212

Dear Ms. King:

Enclosed are Water Permit Nos. 6731-3 and 6730-3 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*, are enclosed. Please return these completed forms after you have finished the systems 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



# 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

October 31, 2007

RECEIVED

NOV - 1 2007

WATER RIGHTS  
PROGRAM

Water Rights Program, DENR  
Attn: Karen Schlaak  
523 East Capitol Ave.  
Pierre, SD 57501

Dear Karen:

Enclosed please find corrected Form 10 Notice of Completion of Works and Application of Water to Beneficial Use for Water Permit No. 4311A-3 Chester Well # 5 not De Smet well #9. Please make this correction in your records. Originally Form 10 for Water Permit No. 4311A-3 was sent to you on May 30, 2007.

Also find enclosed Form 10 for Water Permit No. 6730-3 Chester Well #6 and Form 10 for Water Permit No. 6731-3 for De Smet Well #9.

Again, here's a summary of the Form 10 enclosed:

4311A-3 – Chester Well #5  
6730-3 – Chester Well #6  
6731-3 – De Smet Well #9

I understand these form complete the required paperwork needed from Kingbrook. Please let me know if you have any questions.

Sincerely,

Jolene King  
Office Supervisor

Enclosures

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

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WATER RIGHTS  
PROGRAMDate 5-23-2007

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

FROM: Kingbrook Rural Water Systems, Inc  
(name)  
P.O. Box 299  
(address)  
Arlington, SD 57212  
(city, state, zip)

9835074  
(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. 6731-3 states that the water use system is to be constructed by  
September 5, 2011 , and water is to be put to beneficial use by September 5, 2015 .  
(date) (date)

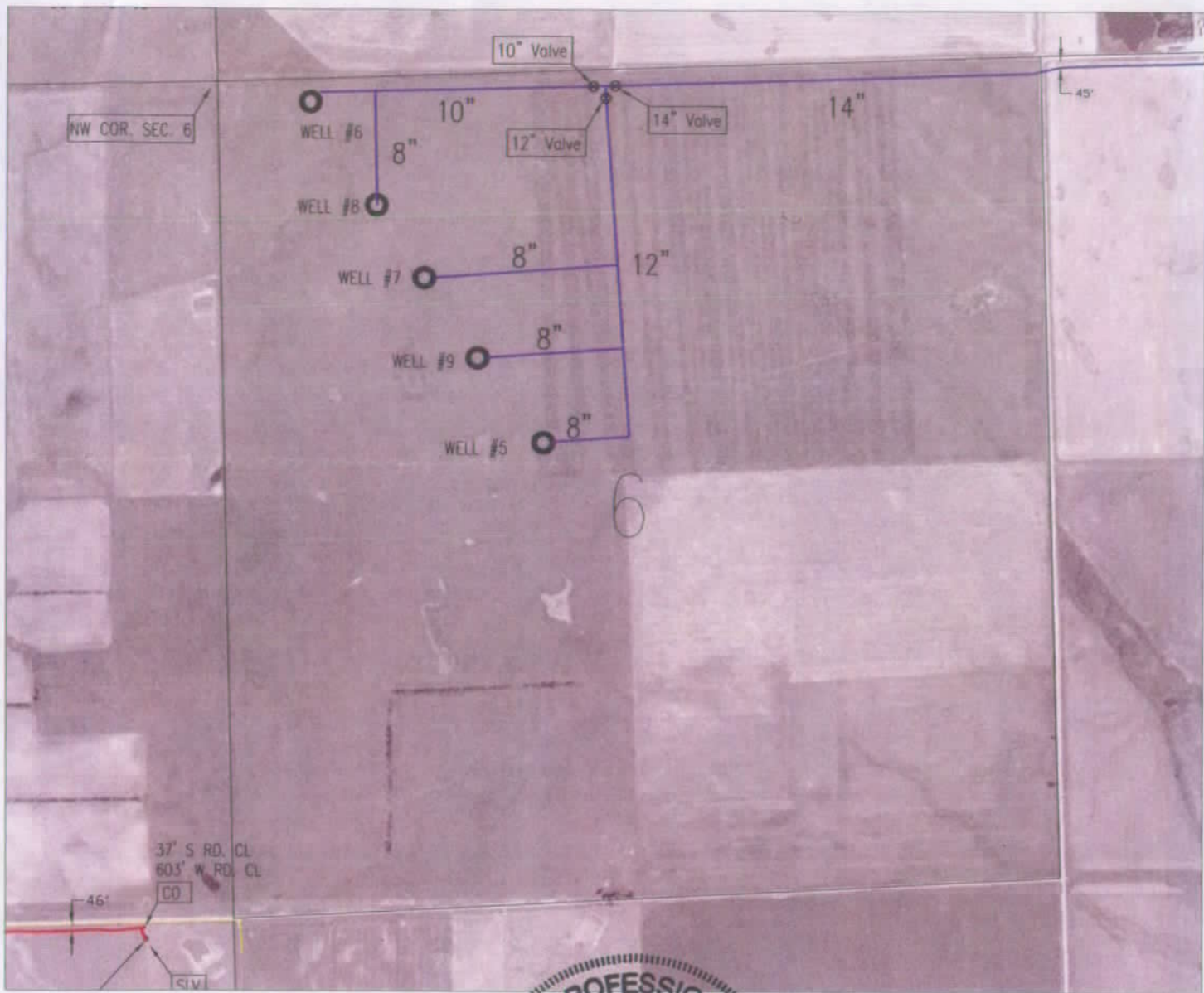
The water use system was completed on May 23, 2007 .  
(date)

Applying the water to beneficial use was completed on May 23, 2007 .  
(date)

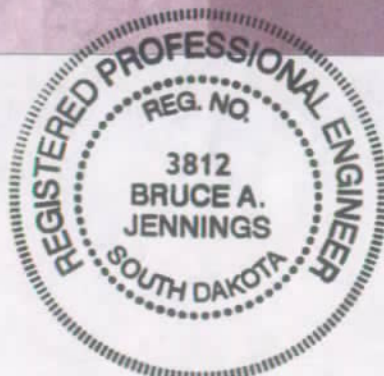
You may schedule an investigation so that the water license may be issued.

Jolene King, Office Supervisor  
(signature)





PROPOSED WELL NO.9 LOCATED  
1,650 FEET EAST AND 1,700 FEET SOUTH  
OF THE NW CORNER, SEC. 6, T111N, R56W



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

Bruce Jennings, P.E.  
Date 5-19-2006

T 111 N  
R 56 W  
Sec. 6

**DER**

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

Date 2004  
Drawn By JMG  
Approved BAJ

P:\06\007\25\DWG\NW-RECORDS.DWG

**KINGBROOK**  
RURAL WATER SYSTEM  
ARLINGTON, SOUTH DAKOTA  
DISTRIBUTION SYSTEM

**Permit No. 6731-3**  
**Big 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, September 13, 2011, made a thorough examination of the water use system constructed Kingbrook Rural Water System of PO Box 299, Arlington SD 57212 holder of Permit No. 6731-3, bearing the priority of June 5, 2006 authorizing the diversion of 1.2 cu. ft. per second from the Vermillion:East Fork Aquifer for Rural Water System purposes, in Minnehaha, McCook, Moody, Brookings, Kingsbury (diversion location), Miner, Lake, Clark and Hamlin County.

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

A. Works used to divert the water:

**Well No. 9 is in place with a 25 hp Grundfos pump capable of producing 500 gpm**

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

**Rural Water System main.**

C. Water has been applied water to beneficial use:

**Rural Water System main**

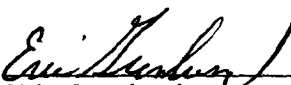
The system is in the following condition excellent. The point of diversion (well) is located specifically at Lat 44.45050 Lon -097.60583 in the SE 1/4 NW 1/4 Section 6, T111N, R56W approximately 1,780 feet south and 1,650 feet east from NW corner of Section 6. T111N, R56W.

Water Right No. 5785-3 authorizes Well Nos. 7 & 8 located specifically at Lat 44.45205 Long -097.60708 & Lat 44.45318 and Lon - 097.60828 in N 1/2 NW 1/4 Section 6 , T111N, R56W approximately 1,230 feet south and 1,325 feet east and 800 feet south and 1,010 feet east from the NW corner of Section 6, T111N, R56W

The works are capable of diverting 1.11 cfs (500 gpm) from well No. 9 (6731-3) and 1.67 from well Nos. 7 & 8 (5785-3) which is to be used for rural water system use. Water has been put to beneficial use to the maximum extent and the license should incorporate Water Right No. 5785-3 and be issued for 2.6 cfs from the wells. Please note that a works are capable of greater than 2.6 cfs, all three wells are not run at the same time and the pipeline to the treatment plant is a limiting factor.

Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: none Date Report Completed: October 24, 2011

  
Eric Gronlund  
Natural Resources Engineer  
DENR, Water Rights Program

## FIELD INVESTIGATION REPORT FOR PERMIT NO. 6731-3

|                                                                                          |                                                                                               |
|------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| DATE OF INVESTIGATION:                                                                   | <b>September 13, 2011</b>                                                                     |
| NAME & ADDRESS OF PERMIT HOLDER                                                          | <b>Kingbrook Rural Water System<br/>c/o Jolene King<br/>PO Box 299<br/>Arlington SD 57212</b> |
| NAME & ADDRESS OF INVESTIGATION CONTACT/<br>RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE | <b>Guy Gronewold (accompanied on the<br/>licensing investigation)</b>                         |
| DIVERSION POINT LEGAL LOCATION                                                           | <b>SE ¼ NW 1/4 Section 6, T111N, R56W</b>                                                     |

Other permit(s) associated with the project: 5785-3 and 5426-3

### WELL INFORMATION: Well No. 9

- 1) Well Drilling Firm: Thein Well Company
- 2) No. of Wells One
- 3) Depth(s) 110 feet
- 4) Well log is available Yes
- 5) Comment:

### Casing:

- 1) Diameter 12 inches
- 2) Length 83 feet
- 3) Type steel

### Screen:

- 1) Type stainless steel
- 2) Length 20 feet
- 3) Static water level 59 feet

### Pump:

- 1) Make Gould
- 2) Size
- 3) Capacity 500 GPM

### Motor:

- 1) Make Franklin
- 2) Model No
- 3) Horsepower rating 25 hp

See comments at end

### PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Yes
- 2) All structures, wells and lands on map Yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Not applicable

### COMMENTS:

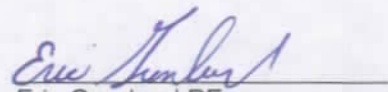
- Information on Well Nos. 7 & 8 can be found in the administrative file for Water Right No. 5785-3. However, there appears to be some discrepancy regarding the pump in Well No. 8 and the production from the wells when comparing current information with Gale Selken's 1996 inspection. Mr. Gronewold represented on September 13, 2011 that the horsepower of the pump in this well is 15 hp and its production is 250 gpm. He also represented that both wells Nos. 7 & 9 had 25 hp pumps each capable of producing 500 gpm. Regardless, Water Right No. 5785-3 and 6731-3 can be incorporated and licensed for 2.6 cfs which is the combined appropriation of both water rights. The limiting factor which leads to my recommendation to license for 2.6 cfs is not the total capacity of the three wells combined which is 2.78 cfs but instead is the fact that Kingbrook represents that all three wells are not operated at the same time and that the pipeline carrying water to the treatment plant is the limiting factor
- A case can be made that Water Right No. 5426-3 (Well Nos. 5 & 6) can also be incorporated into this water right. All five wells under Water Right Nos. 5426-3, 5785-3 and Permit No. 6731-3 are located in the NW ¼ of Section 6. However, since Water Permit No. 6731-3 directly references itself as being an increase in diversion rate authorized by Water Right No. 5785-3, I recommend keeping No. 5426-3 separate at this time.
- The license should include the qualification that Water Right Nos. 4137-3, 5186-3, 5426-3, 5785-3 and 6731-3 authorize a total annual diversion of 1,350 acre feet of water.



Well No. 9 authorized by Water Permit No. 6731-3 located in the SE 1/4 NW 1/4 Section 6, T111N, R56W  
From NW corner - 1,780 feet south and 1,650 feet east  
Lat 44.45050 Lon -097.60583

Well Nos. 5 & 6 authorized by Water Right No. 5426-3 located in SE 1/4 NW 1/4 and NW 1/4 NW 1/4  
Section 6 -- From NW corner 2,290 feet south and 2,000 feet east and 250 feet south and 625 feet east  
Lat 44.44910 Long -097.60453 & Lat 44.45473 and Lon - 097.60972

Well Nos. 7 & 8 authorized by Water Right No. 5785-3 located  
in N 1/2 NW 1/4 Section 6 -- From NW corner 1,230 feet south  
and 1,325 feet east and 800 feet south and 1,010 feet east  
Lat 44.45205 Long -097.60708 & Lat 44.45318 and Lon - 097.60828

  
Eric Gronlund PE  
Water Rights Program, DENR  
Licensing Investigation - September 13, 2011



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[denr.sd.gov](http://denr.sd.gov)

AUG 10 2012

6731-3

Kingbrook Rural Water System Inc  
Jolene King  
PO Box 299  
Arlington SD 57212

Dear Ms. King:

Enclosed is Water License No. 6731-3. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

Note: The applicable portions of No. 5785-3 are incorporated into Water License No. 6731-3.

enclosures

**STATE OF SOUTH DAKOTA**  
**WATER LICENSE NO. 6731-3**

---

(1) Kingbrook Rural Water System, Inc., PO Box 299, Arlington SD 57121 made Application No. 6731-3, June 5, 2006 for a water permit to divert 1.2 cubic feet of water per second (cfs) from groundwater (Well #9), Kingsbury County, South Dakota for rural water system purposes. Permit No. 6731-3, with a priority date of June 5, 2006 was approved September 5, 2006 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 5, 2011 and for the application to beneficial use of water on or before September 5, 2015.

Water Right No. 5785-3, with a priority date of August 15, 1988 authorizes 1.4 cfs from two wells (Well #7 and #8). The applicable portions of No. 5785-3 are incorporated into this Water License No. 6731-3.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Incorporated Water Right No. 6731-3 is issued a license, bearing priority dates of August 15, 1988 (1.4 cfs) and June 5, 2006 (1.2 cfs) to appropriate a total of 2.6 cfs from groundwater (3 wells) for rural water system purposes.

The diversion points are located: all located in the NW  $\frac{1}{4}$  **Section 6-T111N-R56W**

Well #7 – 1,230 feet south and 1,325 feet east from the northwest corner (NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ )

Well #8 – 800 feet south and 1,010 feet east from the northwest corner (NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ )

Well #9 – 1,780 feet south and 1,650 feet east from the northwest corner (SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ )

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Permit No. 6731-3 including the following now applicable qualifications:

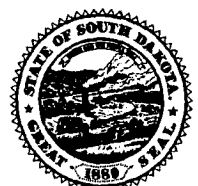
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 6731-3 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.
- Water Right Nos. 4137-3, 5186-3, 5426-3 and 6731-3 authorize a total annual diversion of 1,350 acre-feet of water.
- Kingbrook Rural Water System shall report to the Chief Engineer annually the amount of water withdrawn from the DeSmet well field completed into the Vermillion:East Fork Aquifer.



Garland Erbele, Chief Engineer  
Water Rights Program

Department of Environment and Natural Resources

AUG 10 2012  
date



6731-3

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WATER RIGHTS  
PROGRAM



November 12, 2013

Eric Gronlund  
Joe Foss Building  
523 E Capitol  
Pierre SD 57501

**RE: Kingbrook De Smet Well Field**

Dear Mr. Gronlund:

Please find attached the water rights application for the Proposed Well #10 at the Kingbrook Rural Water De Smet well field.

This application is to add a diversion point for the existing water right. The total withdrawal for Kingbrook is limited by the raw water pipeline and the treatment plant capacity. Existing wells will be cycled with this proposed well such the total amount of water withdrawn will not change. Kingbrook is making these improvements to increase the reliability of their water source, rather than increase capacity.

If you have any questions, please do not hesitate to contact me.

Sincerely,

DGR Engineering

A handwritten signature in black ink, appearing to read "Matt Oed", written over a faint, dotted line.

Matthew N. Oedekoven, P.E.  
Project Manager

cc: Jolene King, KBRW (via email)

|                                                                                                                 |                                                       |
|-----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| Mail to:<br>PMB 2020<br>DENR - Water Rights<br>523 E Capitol Ave<br>Pierre, SD 57501-3182<br>ph. (605) 773-3352 | (office use only )<br>No. _____ Hydrologic Unit _____ |
|                                                                                                                 | Basin _____                                           |
|                                                                                                                 | Newspaper _____                                       |
|                                                                                                                 |                                                       |

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WATER RIGHTS  
PROGRAM**Application For Permit To Appropriate Water Within The State Of South Dakota****Check use(s) of water:**

|                                                        |                                           |                                          |                                          |
|--------------------------------------------------------|-------------------------------------------|------------------------------------------|------------------------------------------|
| <input type="checkbox"/> Municipal                     | <input type="checkbox"/> Suburban Housing | <input type="checkbox"/> Recreational    | <input type="checkbox"/> Institutional   |
| <input checked="" type="checkbox"/> Rural Water System | <input type="checkbox"/> Commercial       | <input type="checkbox"/> Fish & Wildlife | <input type="checkbox"/> Geothermal Heat |
| <input type="checkbox"/> Domestic (over 18 gpm)        | <input type="checkbox"/> Industrial       | <input type="checkbox"/> Other _____     |                                          |

**Type of Application:**  
(check one)

|                                                                                                |                                                                  |                                                 |
|------------------------------------------------------------------------------------------------|------------------------------------------------------------------|-------------------------------------------------|
| <input checked="" type="checkbox"/> New                                                        | <input type="checkbox"/> Vested Right (Use predates Mar 2, 1955) | <input type="checkbox"/> Future Use Reservation |
| <input type="checkbox"/> Place to Beneficial Use Water Reserved by Future Use Permit No. _____ |                                                                  |                                                 |
| <input type="checkbox"/> Amendment/Correction to Permit No. _____                              |                                                                  |                                                 |

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

Add diversion point for new Well #111. Name to Appear on Water Permit Kingbrook Rural Water System(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent Randy Jencks

(name and complete address if different than above name)

Mailing Address 302 East Ash P.O. Box 299 Arlington SD 57212

(Address)

(City)

(State)

(Zip Code)

Home Phone 605-983-5074 Cell \_\_\_\_\_ Email kbrw@mediacombb.net2. Amount of water claimed 2.6 \*CFS or 1,350 \*\*GPM \*\*\*AF

(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Groundwater, East Fork Vermillion Aquifer4. Location of point of diversion Proposed Well #11 in NW1/4 NW1/4 S6 T111N R56W County Kingsbury

(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☐ No

If "Yes," where will water be used? \_\_\_\_\_

(example - NW1/4 section 12-T104N-R53W)

5. County or counties where water will be used Beadle/Clark/Kingsbury/Lake/Miner/McCook/Hamlin/Sanborn6. Annual period during which water is to be used January 1 - December 31

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Add one diversion point to the Kingbrook Rural Water System De Smet well field. The total annual diversion will remain the same at 1,350 acre-feet annually. Withdrawal rate will stay the same at 2.6 CFS.

I, Kingbrook Rural Water, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

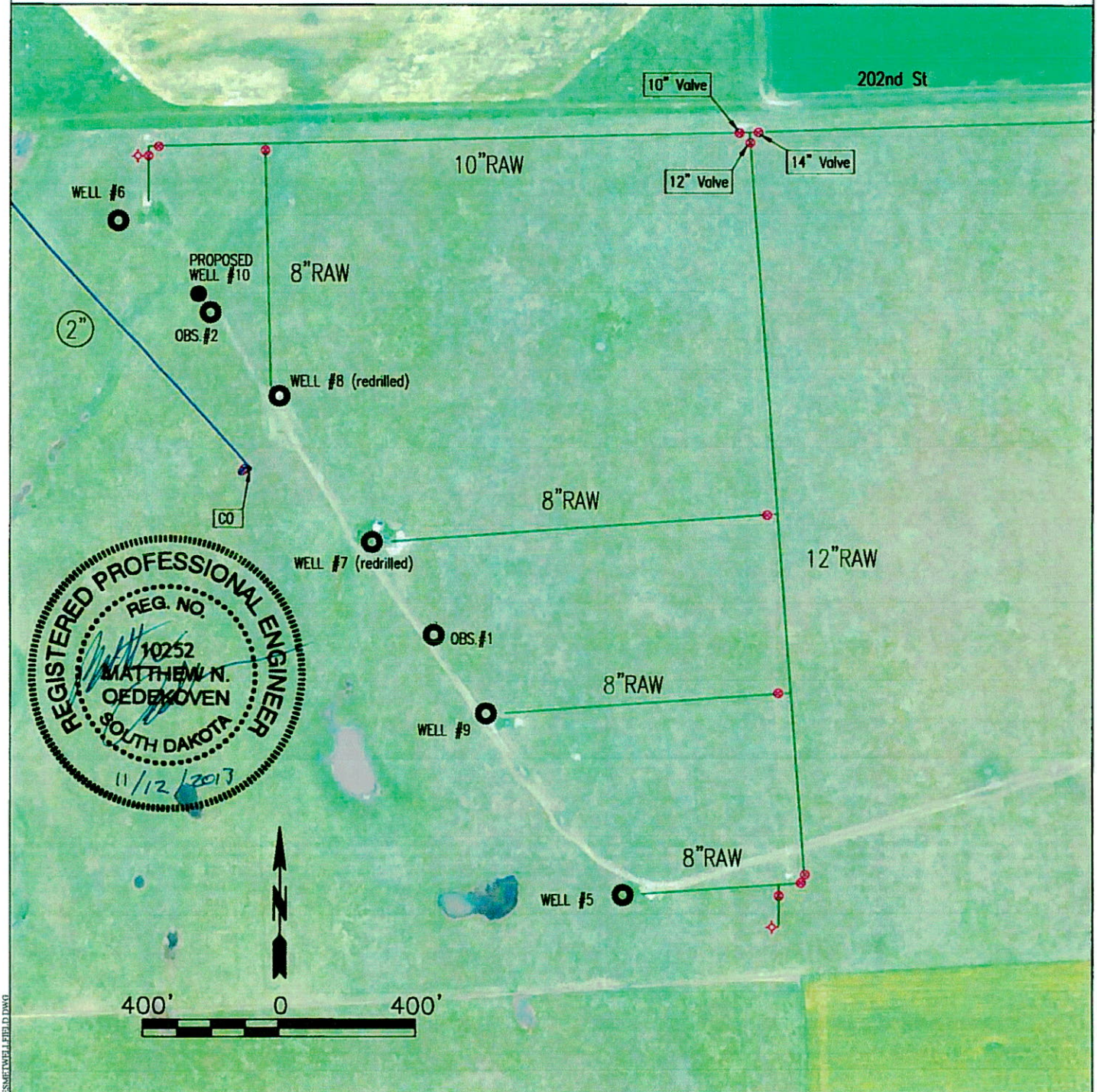


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Plot Date: 11/12/2013 9:18 AM



Plot Date: 11/12/2013 9:18 AM

| REV | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |
|     |      |             |
|     |      |             |
|     |      |             |

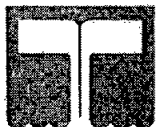


Project Manager: MNO  
 Designer: JMG  
 Project Number: 800700  
 Phone: (712) 472-2531

KINGBROOK RURAL  
 WATER SYSTEM  
 ARLINGTON, SOUTH DAKOTA

DeSMET WELL FIELD

S  
H  
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E  
T  
1



# THEIN WELL

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SALES ~ SERVICE

Since 1893

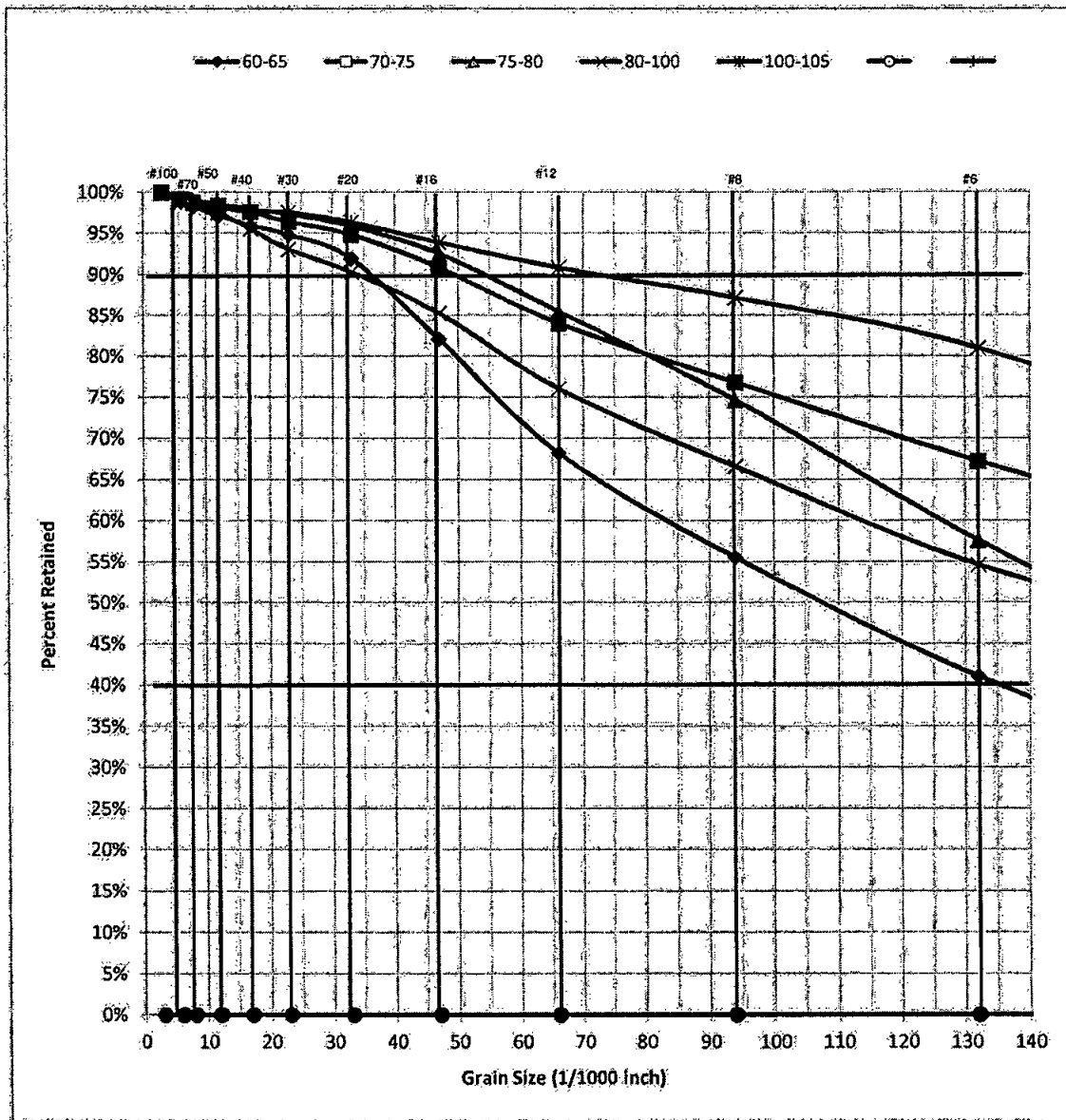
| #1 NORTH END - KINGSBROOK RURAL WATER - 5/28/13 |       |          |      |     |
|-------------------------------------------------|-------|----------|------|-----|
| FORMATION                                       | COLOR | HARDNESS | FROM | TO  |
| TOP SOIL                                        | BLACK |          | 0    | 1   |
| CLAY                                            | BROWN |          | 1    | 13  |
| CLAY/GRAVEL                                     | BROWN |          | 13   | 20  |
| CLAY                                            | BLUE  |          | 20   | 23  |
| CLAY                                            | BROWN |          | 23   | 33  |
| COARSE GRAVEL                                   | BROWN |          | 33   | 57  |
| COARSE GRAVEL/SAND                              | GRAY  |          | 57   | 100 |
| CLAY                                            | BLUE  |          | 100  | 105 |

CLARA CITY, MN 56222 (320) 847-3207 • MONTICELLO, MN 55362 (763) 271-4200 • ROCHESTER, MN 55906 (507) 288-5554

MEMBER  
NGWA

CERTIFIED MASTER WATER WELL CONTRACTOR  
Equal Opportunity Employer

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AWWA



Job Name Kingbrook Rural Water  
Location Desmet, SD  
Driller Their Well

Sample ID 062713-1  
Analyzed by: Al Smith, 651-638-3160  
Date: 6/27/2013

Casing  $\phi$  12"  
Screen  $\phi$  12" Pipe Size

Yield 500 GPM  
SWL (ft) 45' (Estimated)

Recommended Slot Size 120 Slot From 85' - 105'  
Recommended Gravel Pack #120 Well Slot Red Flint

*Based exclusively on the samples provided by the contractor, a sieve analysis graph and suggested screen slot size is provided as requested. Since numerous construction considerations and site circumstances influence successful well completion, Johnson Screens assumes no responsibility for final well performance nor awareness of local regulations pertaining to well installations.*



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| #2 MIDDLE - KINGSBROOK RURAL WATER - 5/28/13 |       |          |      |     |
|----------------------------------------------|-------|----------|------|-----|
| FORMATION                                    | COLOR | HARDNESS | FROM | TO  |
| CLAY                                         | BROWN |          | 0    | 25  |
| CLAY                                         | BLUE  |          | 25   | 33  |
| CLAY/GRAVEL                                  | BROWN |          | 33   | 57  |
| COARSE GRAVEL/SAND                           | GRAY  |          | 57   | 72  |
| BOULDER                                      |       |          | 72   | 74  |
| GRAVEL/SAND                                  | GRAY  |          | 74   | 80  |
| GRAVEL W/ SEAMS OF CLAY                      | BLUE  |          | 80   | 100 |
| CLAY                                         | BLUE  |          | 100  | 105 |

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| #3 SOUTH END - KINGSBROOK RURAL WATER - 5/28/13 |           |          |      |     |
|-------------------------------------------------|-----------|----------|------|-----|
| FORMATION                                       | COLOR     | HARDNESS | FROM | TO  |
| CLAY                                            | BROWN     |          | 0    | 23  |
| GRAVEL                                          | BROWN     |          | 23   | 36  |
| CLAY                                            | BROWN     |          | 36   | 38  |
| GRAVEL                                          | BROWN     |          | 38   | 57  |
| CLAY                                            | BLUE      |          | 57   | 59  |
| GRAVEL/SAND                                     | GRAY      |          | 59   | 75  |
| CLAY/GRAVEL                                     | BLUE/GRAY |          | 75   | 80  |
| CLAY/SEAMS OF GRAVEL                            | BLUE/GRAY |          | 80   | 100 |

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| OB WELL #1 - KINGSBROOK RURAL WATER - 7-11-13 |         |          |      |     |
|-----------------------------------------------|---------|----------|------|-----|
| FORMATION                                     | COLOR   | HARDNESS | FROM | TO  |
| TOP SOIL                                      |         |          | 0    | 1   |
| CLAY                                          | BRN/YLW |          | 1    | 7   |
| CLAY W/ SAND                                  | YELLOW  |          | 7    | 15  |
| COURSE SAND - PEA ROCK                        |         |          | 15   | 19  |
| GRAVEL - ROCK                                 | YELLOW  |          | 19   | 54  |
| CLAY W/ SAND SEAM                             | BLUE    |          | 54   | 80  |
| COURSE SAND - ROCKS                           | BLUE    |          | 80   | 97  |
| CLAY - COURSE SAND                            | BLUE    |          | 97   | 100 |
| 50/50                                         |         |          |      |     |
| COURSE SAND - TRACE CLAY                      |         |          | 100  | 105 |
| CLAY                                          | BLUE    |          | 105  | 107 |

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| WELL #2 - KINGSBROOK RURAL WATER - 7-17-13 |         |          |      |     |
|--------------------------------------------|---------|----------|------|-----|
| FORMATION                                  | COLOR   | HARDNESS | FROM | TO  |
| TOP SOIL                                   |         |          | 0    | 1   |
| CLAY                                       | BRN/YLW |          | 1    | 14  |
| COURSE SAND TO GRAVEL<br>W/ ROCKS          |         |          | 14   | 38  |
| CLAY W/ COURSE SAND                        | BLUE    |          | 38   | 77  |
| COURSE SAND W/ THIN CLAY<br>SEAM           |         |          | 77   | 99  |
| CLAY W/ SAND                               | BLUE    | SOFT     | 99   | 105 |

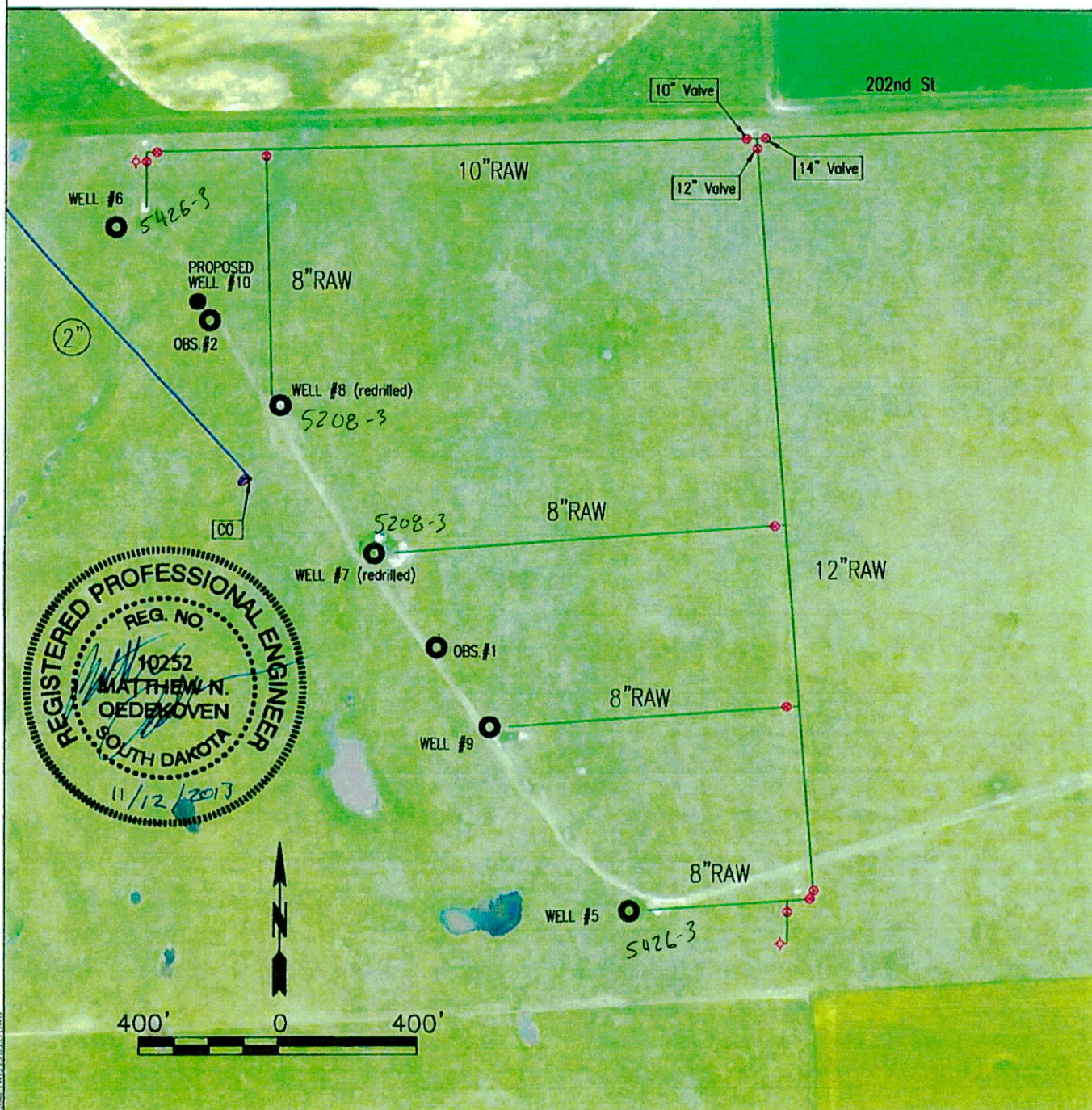
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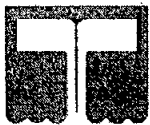
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P-00700702 WELLSIDE SMTWHL FIELD D TWO



|     |      |             |                                                                                     |                        |                                                            |                   |                       |   |
|-----|------|-------------|-------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------|-------------------|-----------------------|---|
| REV | DATE | DESCRIPTION |  | Project Manager: MNO   | KINGBROOK RURAL<br>WATER SYSTEM<br>ARLINGTON, SOUTH DAKOTA | DeSMET WELL FIELD | S<br>H<br>E<br>E<br>T | 1 |
|     |      |             |                                                                                     | Designer: JMG          |                                                            |                   |                       |   |
|     |      |             |                                                                                     | Project Number: 800700 |                                                            |                   |                       |   |
|     |      |             |                                                                                     | Phone: (712) 472-2531  |                                                            |                   |                       |   |
|     |      |             |                                                                                     |                        |                                                            |                   |                       |   |



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| #1 NORTH END - KINGSBROOK RURAL WATER - 5/28/13 |       |          |      |     |
|-------------------------------------------------|-------|----------|------|-----|
| FORMATION                                       | COLOR | HARDNESS | FROM | TO  |
| TOP SOIL                                        | BLACK |          | 0    | 1   |
| CLAY                                            | BROWN |          | 1    | 13  |
| CLAY/GRAVEL                                     | BROWN |          | 13   | 20  |
| CLAY                                            | BLUE  |          | 20   | 23  |
| CLAY                                            | BROWN |          | 23   | 33  |
| COARSE GRAVEL                                   | BROWN |          | 33   | 57  |
| COARSE GRAVEL/SAND                              | GRAY  |          | 57   | 100 |
| CLAY                                            | BLUE  |          | 100  | 105 |

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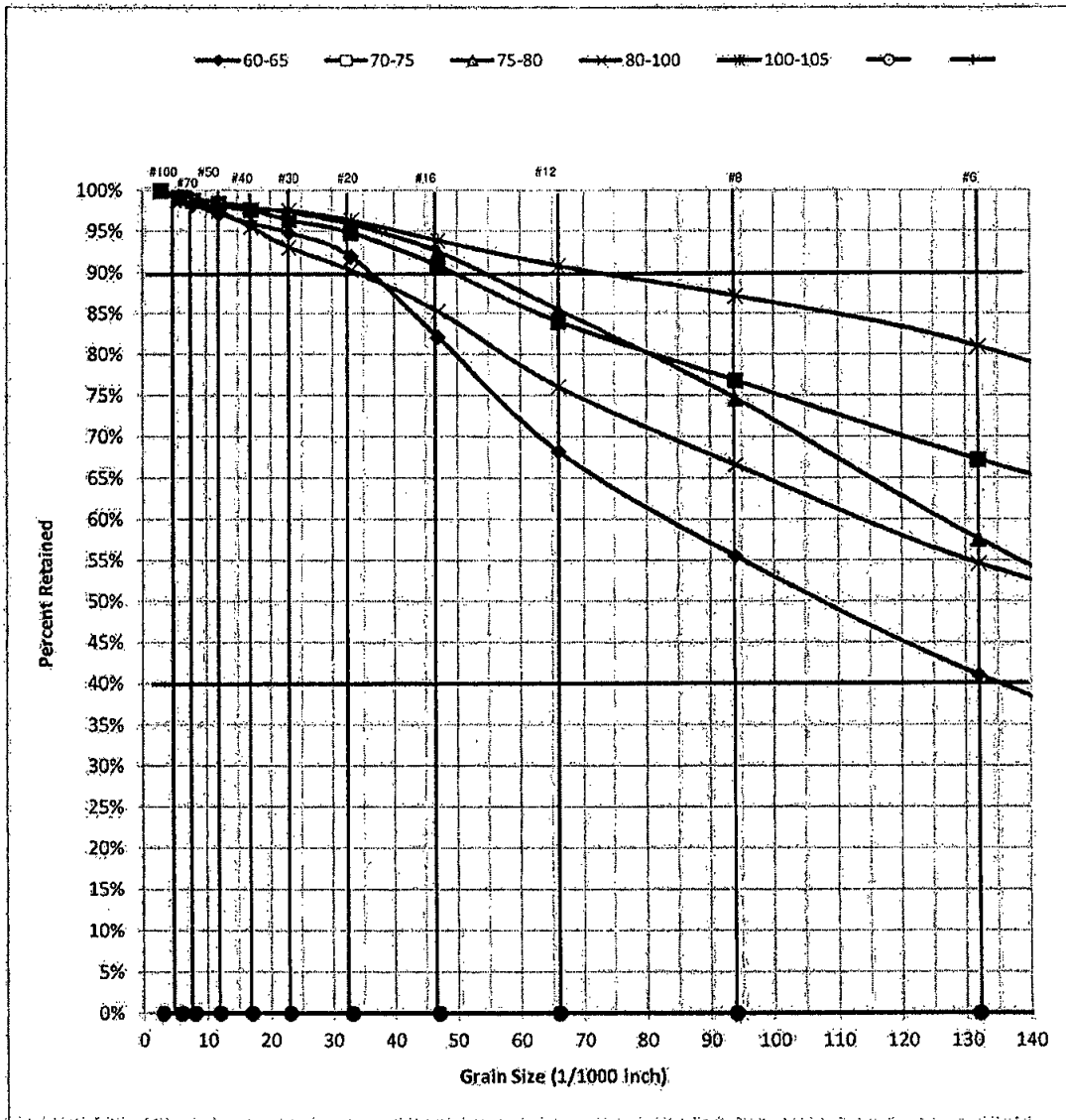
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Johnson Screens  
651-636-3900

## SAND ANALYSIS



Job Name Kingbrook Rural Water  
Location Desmet, SD  
Driller Thein Well

Sample ID 062713-1  
Analyzed by: Al Smith, 651-638-3160  
Date: 6/27/2013

Casing  $\phi$  12"  
Screen  $\phi$  12" Pipe Size

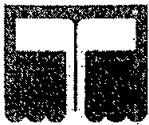
Yield 500 GPM  
SWL (ft) 45' (Estimated)

Recommended Slot Size 120 Slot From 85' - 105'  
Recommended Gravel Pack #120 Well Slot Red Flint

*Based exclusively on the samples provided by the contractor, a sieve analysis graph and suggested screen slot size is provided as requested. Since numerous construction considerations and site circumstances influence successful well completion, Johnson Screens assumes no responsibility for final well performance nor awareness of local regulations pertaining to well installations.*

Prepared by: albert j smith

Send Samples to 1950 Old Highway 8, New Brighton, MN 55112



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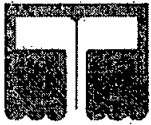
| #2 MIDDLE - KINGSBROOK RURAL WATER - 5/28/13 |       |          |      |     |
|----------------------------------------------|-------|----------|------|-----|
| FORMATION                                    | COLOR | HARDNESS | FROM | TO  |
| CLAY                                         | BROWN |          | 0    | 25  |
| CLAY                                         | BLUE  |          | 25   | 33  |
| CLAY/GRAVEL                                  | BROWN |          | 33   | 57  |
| COARSE GRAVEL/SAND                           | GRAY  |          | 57   | 72  |
| BOULDER                                      |       |          | 72   | 74  |
| GRAVEL/SAND                                  | GRAY  |          | 74   | 80  |
| GRAVEL W/ SEAMS OF CLAY                      | BLUE  |          | 80   | 100 |
| CLAY                                         | BLUE  |          | 100  | 105 |

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| #3 SOUTH END - KINGSBROOK RURAL WATER - 5/28/13 |           |          |      |     |
|-------------------------------------------------|-----------|----------|------|-----|
| FORMATION                                       | COLOR     | HARDNESS | FROM | TO  |
| CLAY                                            | BROWN     |          | 0    | 23  |
| GRAVEL                                          | BROWN     |          | 23   | 36  |
| CLAY                                            | BROWN     |          | 36   | 38  |
| GRAVEL                                          | BROWN     |          | 38   | 57  |
| CLAY                                            | BLUE      |          | 57   | 59  |
| GRAVEL/SAND                                     | GRAY      |          | 59   | 75  |
| CLAY/GRAVEL                                     | BLUE/GRAY |          | 75   | 80  |
| CLAY/SEAMS OF GRAVEL                            | BLUE/GRAY |          | 80   | 100 |

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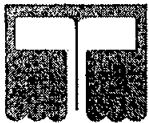
| OB WELL #1 - KINGSBROOK RURAL WATER - 7-11-13 |         |          |      |     |
|-----------------------------------------------|---------|----------|------|-----|
| FORMATION                                     | COLOR   | HARDNESS | FROM | TO  |
| TOP SOIL                                      |         |          | 0    | 1   |
| CLAY                                          | BRN/YLW |          | 1    | 7   |
| CLAY W/ SAND                                  | YELLOW  |          | 7    | 15  |
| COURSE SAND - PEA ROCK                        |         |          | 15   | 19  |
| GRAVEL - ROCK                                 | YELLOW  |          | 19   | 54  |
| CLAY W/ SAND SEAM                             | BLUE    |          | 54   | 80  |
| COURSE SAND - ROCKS                           | BLUE    |          | 80   | 97  |
| CLAY - COURSE SAND                            | BLUE    |          | 97   | 100 |
| 50/50                                         |         |          |      |     |
| COURSE SAND - TRACE CLAY                      |         |          | 100  | 105 |
| CLAY                                          | BLUE    |          | 105  | 107 |

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| WELL #2 - KINGSBROOK RURAL WATER - 7-17-13 |         |          |      |     |
|--------------------------------------------|---------|----------|------|-----|
| FORMATION                                  | COLOR   | HARDNESS | FROM | TO  |
| TOP SOIL                                   |         |          | 0    | 1   |
| CLAY                                       | BRN/YLW |          | 1    | 14  |
| COURSE SAND TO GRAVEL<br>W/ ROCKS          |         |          | 14   | 38  |
| CLAY W/ COURSE SAND                        | BLUE    |          | 38   | 77  |
| COURSE SAND W/ THIN CLAY<br>SEAM           |         |          | 77   | 99  |
| CLAY W/ SAND                               | BLUE    | SOFT     | 99   | 105 |

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**File No. 6731-3**

**Approval of Change of Diversion Point**

---

**NAME:** Kingbrook Rural Water System

**ADDRESS:** P.O. Box 299, Arlington, SD 57121

**DATE:** 12/4/13

**COUNTY:** Kingsbury

**TELEPHONE:** (605) 983-5074

**BACKGROUND:**

Water Right No. 6731-3 appropriates 2.6 cubic feet per second (cfs) from the Vermillion: East Fork aquifer. Water Rights Nos. 4137-3, 5186-3, 5426-3, and 6731-3 appropriate a maximum of 1,350 acre-ft annually from the Vermillion: East Fork aquifer. Water Right No. 6731-3 includes Water Right No. 5785-3, which in turn includes Water Right Nos. 5208-3, 5208A-3. The three preceding water rights have been incorporated into 6731-3 which consists of Well #7, located in the center of the NW ¼ of Sec 6, Well #8, located in the NW ¼ NW ¼ of Sec 6, and Well #9 in the SE ¼ NW ¼ of Sec 6, all in T111N-R56W. Water Right No. 4137-3 consists of Well #1, located in the SW ¼ SE ¼ of Sec 8, Well #2 in the SE ¼ NE ¼ of Sec 8, and Well #3 in the SE ¼ NE ¼ of Sec 8, all in T111N-R56W. Water Right No. 5186-3 consists of Well #4, located in the SW ¼ of Sec 16, T111N-R56W. Water Right No. 5426-3 consists of Well #5, located in the SE ¼ NW ¼ of Sec 6, T111N-R56W, and Well #6 located in the NW ¼ NW ¼ of Sec 6, T111N-R56W. Although the sum of the diversion rates authorized by the water rights listed and their associated wells exceed the 2.6 cfs authorized by Water Right No. 6731-3, the combined volume of water from all Water Rights listed above may not exceed 1,350 ac-ft annually. The licenses were conditioned with well interference, well construction, and annual use (from each well) questionnaire qualifications.

The Kingbrook Rural Water System (RWS) has requested permission to add a diversion point (Well #10) to the current system under Water Right No 6731-3. The proposed location for this well is in the NW ¼ NW ¼ of Sec 6, T111N-R56W. Use of this well, along with the existing nine wells will be cycled in order to create redundancies in the system, increasing the reliability of the system overall, and to prevent shortages should one of the wells in the system fail.

**AUTHORITY:**

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

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

The water source authorized by Water Right No. 6731-3 is the Vermillion East Fork aquifer. The existing wells were completed to depths between 90 and 110 feet. The new well is expected to be completed to a depth of 99 feet with a static water level of 31 feet below the surface. The new well will access the same aquifer as the existing wells.

No additional appropriation of water is authorized. Water Right No. 6731-3 appropriates 2.6 cfs and no additional diversion rate authority is being requested.

## **Review of Existing Diversion Points**

The well completion report and the water rights databases were reviewed for the nearest domestic wells and water rights on file. The nearest water right (No. 3131-3) is located approximately 2,900 feet to the northeast of the proposed new diversion site. The new well will be surrounded on all sides by existing wells in the Kingbrook WRS. The nearest domestic well is located approximately 1.4 miles to the southwest. Given the distance to the nearest domestic wells and water rights, and that the new well is designed to be redundant with no additional diversion rate authority requested with the proposed location surrounded by existing wells, all of which are operated by the Kingbrook RWS, interference with existing wells in the region is not expected to occur.

## **Observation Well Data**

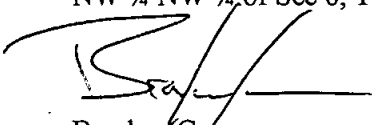
The Water Rights Program monitors several observation wells located in the Vermillion East Fork aquifer. The closest observation well (KG-88A) is located approximately one mile to the southeast of the proposed well location and 3,500 feet from the nearest well within the system. This well has been in place since 1988 and shows static water level fluctuations of between 20 and 31 feet below the ground surface. Water levels are primarily controlled by climatic conditions with small (less than two feet) season drawdowns which recover annually.

## **CONCLUSION**

- The new well location does not propose to appropriate additional diversion rate authority
- Water Right Nos. 4137-3, 5186-3, 5426-3 and 6731-3 are still restricted to an annual withdrawal of a combined 1,350 ac-ft.
- The new well is to be completed into the same formation as the existing well, the Vermillion East Fork aquifer.
- Unlawful impairment of existing water rights is not expected to occur.

## **RECOMMENDED ACTION:**

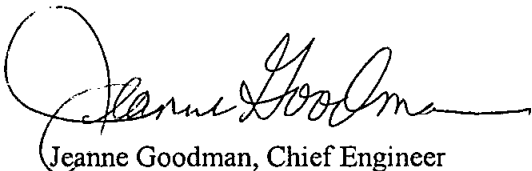
Based on the above criteria, it is recommended that the request for an additional diversion point in the NW ¼ NW ¼ of Sec 6, T111N-R56W be approved.



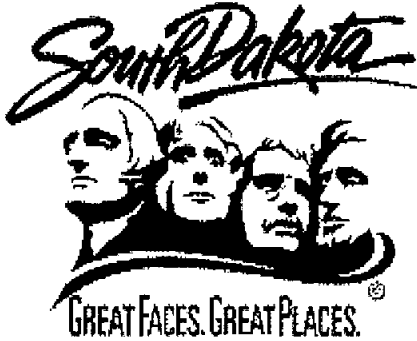
Bracken Capen  
Natural Resources Engineer

The Chief Engineer makes a finding pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14:01 that:

The additional diversion point 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  
PMB 2020  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3182  
[www.denr.sd.gov](http://www.denr.sd.gov)

December 4, 2013

6731-3

Kingbrook Rural Water System, Inc.  
c/o Matthew N. Oedekoven  
PO Box 299  
Arlington, SD 57121

Dear Mr. Oedekoven:

Water Permit No. 6731-3 appropriates 2.6 cubic feet per second (cfs) from three wells completed into the Vermillion: East Fork aquifer located in the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Sec 6, T111N R56W in order to supply the Kingbrook Rural Water System.

You requested authorization to add an additional well in the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 6. The basis for this request is to provide redundancies in the system in order to protect against failures and to prevent the need for all wells to be pumping simultaneously.

Upon review of the request and pursuant to SDCL 46-5-13.1, the additional well 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 2.6 cfs or the total volume (1,350 acre-feet) pumped annually from Water Right Nos. 4137-3, 5186-3, 5426-3 and 6731-3 has been requested or approved. If the total diversion rate or the total annual volume pumped increases, a new water permit will need to be obtained from the SD DENR Water Rights Program.

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

Sincerely,

A handwritten signature in black ink, which appears to read "Jeanne Goodman". The signature is fluid and cursive, with a long horizontal line extending to the right.

Jeanne Goodman  
Chief Engineer  
Water Rights Program

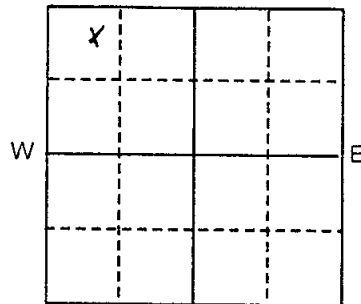
## SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ NW ¼ Sec 6 Twp 111N Rg 56W

County Kingsbury

North

Please mark well  
location with an "X"

Well Completion Date

June 25, 2014

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?  
50.0 ft. from cow pasture (identify source)

## PROPOSED USE:

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

## METHOD OF DRILLING:

Rotary

## CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe

| PIPEWEIGHT | DIAMETER | FROM   | TO      | HOLE DIAMETER |
|------------|----------|--------|---------|---------------|
| LB/FT      | 12.00 IN | 0.0 FT | 80.0 FT | 17.50 IN      |
| LB/FT      | IN       | FT     | FT      | IN            |
| LB/FT      | IN       | FT     | FT      | IN            |

## GROUTING DATA:

| Grout Type | No. of Sacks | Grout Weight | From   | To      |
|------------|--------------|--------------|--------|---------|
| Bentonite  | 35           | Lb/gal       | 0.0 Ft | 77.0 Ft |
|            |              | Lb/gal       | Ft     | Ft      |

Describe grouting procedure  
Tremie piped

## SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 12.00 Inches Length 20.0 Feet

Material Stainless steel

Slot Size 80 Set From 80.0 Feet to 100.0 Feet

Other information

## WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

## DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorinated☐ No, Why Not?Lab to which water  
quality sample sent for analysis

South Dakota State University

Well Owner: Kingbrook Rural Water System

Business Name:

Address: 302 East Ash St., PO Box 299

City, State, Zip: Arlington SD 57212

## WELL LOG:

| FORMATION               | DEPTH |     |
|-------------------------|-------|-----|
|                         | FROM  | TO  |
| Top soil                | 0     | 1   |
| Clay - yellow           | 1     | 13  |
| Coarse sand & gravel    | 13    | 38  |
| Blue clay w/coarse sand | 38    | 77  |
| Coarse sand             | 77    | 100 |
|                         |       |     |
|                         |       |     |
|                         |       |     |
|                         |       |     |

STATIC WATER LEVEL 35.6 FEET

If flowing: closed in pressure PSI

GPM flow through Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

## WELL TEST DATA:

☒ Pumped Describe:☐ Bailed☐ Other

Pumping Level Below Land Surface

53.5 Ft. After 8.3 Hrs. pumped 410.0 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

## REMARKS

GPS: N 44 27.236 W 097 36.537

RECEIVED

JUL 28 2014

WATER RIGHTS  
PROGRAMThis well was drilled under license # 475 and this  
report is true and accurate.

Drilling firm: Thein Well Co., Inc.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

7/21/14