

WATER PERMIT NO. 7381-3

Name of Applicant: **Brookings-Deuel RWS**

Address: **47602 SD Hwy 28, Toronto SD 57268**

Phone: **605 794-4201**

Amount of Water Claimed: **no additional**

Total Acres:

Source of Water Supply: **existing wells**

Water to be used for: **rural water system**

County: **Deuel**

Type of Waste Disposal System:

Location:

PRIORITY

Date Received: **7-16-12**

Application/License Fee: **\$ 300**

Corrected Application Received:

Period of Annual Use: **January 1 – December 31**

Remarks: **Adding Lincoln Pipestone Rural Water to system**

Diversion Point:

Land to be Irrigated:

Depth of Well:

Well Driller:

Remarks:

Type of Map:

Prepared by:

Reviewed and the Number Assigned on: **7-18-12**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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JUL 16 2012

WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	(office use only)	
	No. <u>7381-3</u>	Hydrologic Unit <u>07020003</u>
	Basin <u>Minnesota Whitestone</u>	
	Newspaper <u>See list</u>	

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

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

Type of Application:
(check one)

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

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

- Name of Applicant Brookings-Deuel Rural Water System Phone 605-794-4201
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 47602 SD Hwy. 28 Toronto SD 57268
(Address) (City) (State) (Zip Code)
- Amount of water claimed No Additional *CFS or **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply _____
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County _____
Clear Lake Well Field
- County or counties where water will be used Deuel, Grant, Brookings, Moody, Hamlin
- Annual period during which water is to be used Jan 1 - Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
The project will consist of adding Lincoln Pipestone Rural Water as a customer to Brookings-Deuel Rural Water. No additional CFS required.

STATE OF SOUTH DAKOTA)
County of Deuel) SS

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

I, Gene Wilts, 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 Gene P. WiltsSubscribed and sworn to before me this 13 day of July 20 12

Notary Public signature

Laurie J. Santucci
My commission expires - 5-16-16

**SOUTH DAKOTA
WATER PERMIT NO. 7381-3**

Date of first receipt of application July 16, 2012.

Date of return to applicant for corrections, amendments or changes July 16, 2012.

Date of receipt of corrected application July 18, 2012.

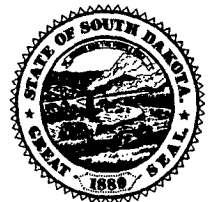
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7381-3 to Brookings-Deuel Rural Water System, 47602 SD Hwy 28, Toronto SD 57268 authorizing the connection of a separate water distribution system to a water supply system subject to the following limitations, conditions and qualifications:

1. Brookings-Deuel RWS holds water rights and permits appropriating water for rural water system use from wells completed into the Big Sioux:Brookings, Big Sioux:Aurora and Prairie Coteau Aquifers. Water Permit No. 7381-3 authorizes connection of the Lincoln Pipestone Rural Water System to the Brookings-Deuel RWS distribution system from the Clear Lake well field. This well field has wells located in the SW 1/4 Section 8, NW 1/4 Section 16, NW 1/4 Section 17 and the NE 1/4 Section 18: all in T115N, R48W. This permit does not increase the authorized diversion rates.
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. 7381-3 is October 16, 2012.
5. The date from which applicant may claim right is July 16, 2012.
6. One-fifth of the construction is to be completed on or before April 16, 2015.
7. All construction is to be completed on or before October 16, 2017.
8. Water is to be put to beneficial use on or before October 16, 2021.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

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

DEC 11 2012
date



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 7/18, 2012

RECEIVED OF Brookings Deuel rural water System 47602 SD Hwy 28 Toronto SD 57268

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

Fee for Application for Permit No. <u>7381-3</u> to Appropriate Water, to construct and to put water to beneficial use	100	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>7381-3</u>	200	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	300	00

No. **05489**

By *Lance Erbe*
Chief Engineer



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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

July 16, 2012

Brookings-Deuel Rural Water System
Gene P Wilts, Manager
47602 SD Hwy 28
Toronto SD 57268

Dear Mr. Wilts:

Thank you for submitting the *Application for a Permit to Appropriate Water* to connect the Lincoln Pipestone Rural Water to the Brookings-Deuel RWS. In order to complete the application, the following is required.

- The application/license filing fee is \$300.00.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

PAID
PAID JUL 17 2012 PAID
BY: 32648



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7381-3, Brookings-Deuel Rural Water System**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 7381-3, Brookings-Deuel Rural Water System, c/o Gene Wilts, 47602 SD Hwy 28, Toronto SD 57268.

The Chief Engineer is recommending APPROVAL of Application No. 7381-3 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.

See report on application for additional information.

Garland Erbele, Chief Engineer
September 17, 2012

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 7381-3
BROOKINGS-DEUEL RWS
AUGUST 23, 2012

Water Permit Application No. 7381-3 proposes to connect Lincoln Pipestone Rural Water System to the Brookings- Deuel Rural Water System (RWS) distribution system. Pursuant to Administrative Rules of South Dakota (ARSD) 74:02:01:03.01, a new water permit is required to connect a separate water distribution system to a water distribution system.

SDCL 46-2A-9

SDCL 46-2A-9 requires that a permit to appropriate water may be issued only if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water and existing water rights in the area.

WATER AVAILABILITY:

Application No. 7381-3 does not propose an increase to the amount of water that Brookings-Deuel RWS is permitted to divert from their Clear Lake well field. This application simply proposes to supply water to the Lincoln Pipestone RWS from existing wells using the diversion rate and volume authorized by existing water rights/permits. Appropriations currently allow Brookings-Deuel RWS to withdraw up to 2,517.4 acre-feet per year from their Clear Lake well field at a maximum diversion rate of 5.18 cfs (see Table 1).

PERMIT NO	STATUS	AQUIFER	USE	CFS	ACRES	APPROPRIATION (AC-FT/YR)
2245-3A	LC	BS:B	IRR	1.93	135	270
4830-3	LC	BS:B	RWS	2	0	1,447.9*
5108-3	LC	PS:U	RWS	0.13	0	94.1*
5185-3	LC	PCO	RWS	0.56	0	405.4*
5975-3	LC	PCO	RWS	0.56	0	300
2245B-3	PE	BS:B	RWS	0	0	0, change use of 2245-3A from IRR to RWS
LC= Water Right; PE= Water Permit; BS:B= Big Sioux: Brooking; PS:U = Pleistocene Series: Unknown; PCO= Prairie Coteau; IRR= Irrigation, RWS= Rural Water System * appropriation calculated from cfs times 723.96694 ac-ft/cfs for one year						

Table 1. Water Rights/Permits authorizing Brookings-Deuel RWS to divert from the Clear Lake Well Field (Water Rights, 2012).

EXISTING WATER RIGHTS:

The approval of this permit application will result in Brookings-Deuel RWS diverting more water. According to Gene Wilts, System Manager for Brookings-Deuel RWS, the Lincoln-Pipestone RWS expansion will require an additional 40-50 million gallons per year pumped from the Clear Lake well field (Wilts_b). Historic use from the Clear Lake well field is shown in Table 2.

YEAR	GALLONS	AC-FT
2007	235,463,000	722.609
2008	241,716,000	741.799
2009	234,543,000	719.786
2010	226,467,000	695.002
2011	233,385,000	716.232

Table 2. Water use from the Clear Lake well field by Brookings- Deuel RWS (modified from (Wilts_a)).

An annual withdrawal of 50 million gallons is equivalent to 153.4 acre-feet per year or a continuous withdrawal rate of 0.2119 cfs (i.e. approximately 95 gallons per minute). The impact of an additional diversion of 0.2119 cfs from the Clear Lake to existing water rights/permits was evaluated by considered a worst case scenario in which the entire diversion would be from one well completed into either the Big Sioux: Brookings aquifer or the Prairie Coteau aquifer.

Big Sioux: Brookings

A pump test conducted on a well completed into the Big Sioux aquifer approximately four miles north-northwest of the Clear Lake well field identified a transmissivity (T) of 13,000 ft²/d (97,240 gpd/ft) and a storage coefficient(S) of 0.04 (Kume, 1985). The analytical model known as the Theis solution was used to estimate the response of pumping 95 gallons per minute continuously for one year from a single well completed into the Big Sioux aquifer with similar aquifer characteristics, the additional drawdown would be less than one foot at a maximum of 600 feet from the production well (see Figure 1).

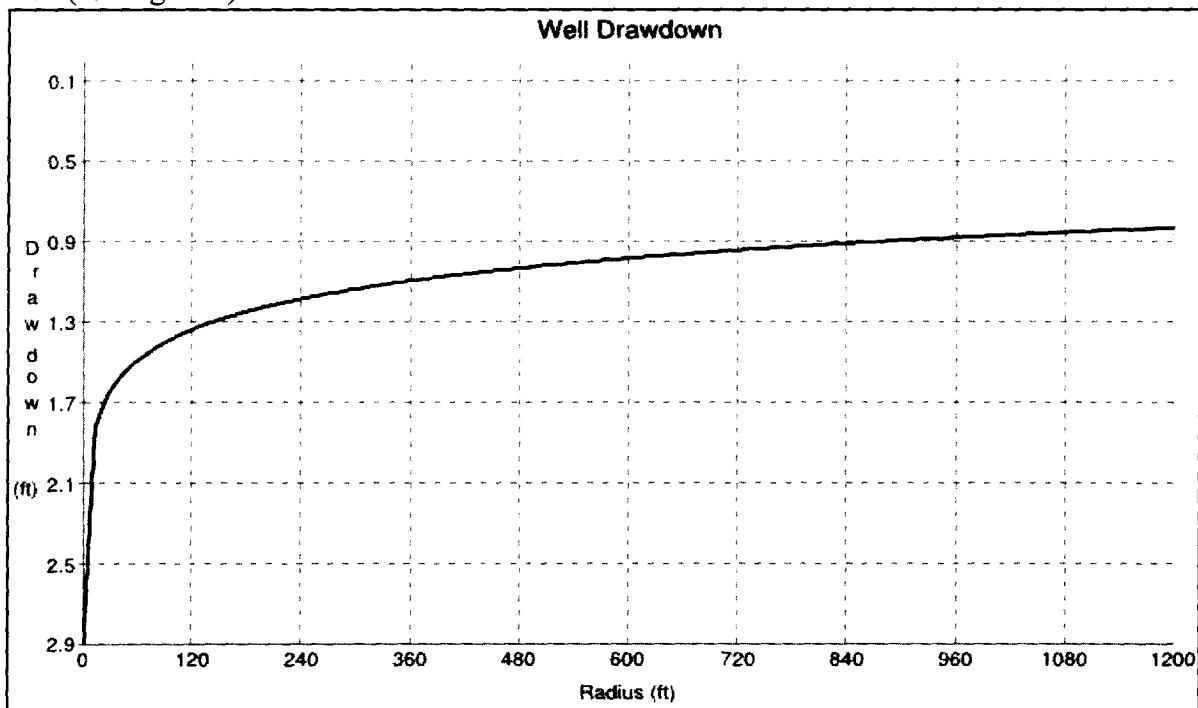


Figure 1. Drawdown versus distance graph based on the Theis Solution, for a production well completed into the Big Sioux: Brookings aquifer where: $T=97,240$ GPD/ft, $S=0.004$, $t=365$ days, $Q=95$ gpm

Prairie Coteau aquifer:

The South Dakota Water Well Completion Report for a well completed into the Prairie Coteau aquifer to supply Water Right No. 5975-3, Brookings Deuel Rural Water, indicates there was 5.95 feet of drawdown when the well was test pumped at 465 gallons per minute. The Transmissivity based on a specific capacity of 83.19 gallons per minute per foot of drawdown is estimated to be 166,380 gallons per day per foot ("Transmissivity from Specific Capacity"). Assuming a storage coefficient of 0.0005, the Theis solution was used to estimate the response of pumping 95 gallons per minute continuously for one year from a single well completed into the Prairie Coteau aquifer with similar aquifer characteristics, the additional drawdown would be less than one foot at a maximum of 600 feet from the production well (see Figure 2).

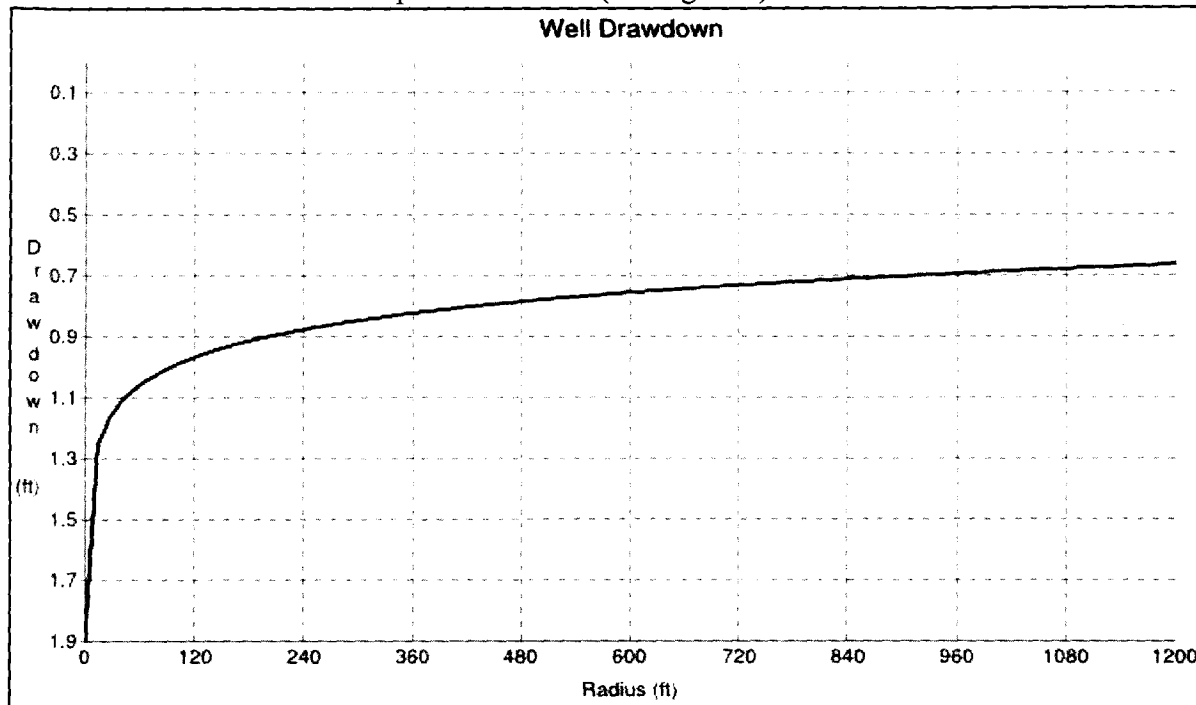


Figure 2. Drawdown versus distance graph based on the Theis Solution, for a production well completed into the Prairie Coteau aquifer where: $T=166,380$ GPD/ft, $S=0.0005$, $t=365$ days, $Q=95$ gpm

The Brookings-Deuel RWS has six wells in their Clear Lake well field (Friedeman) and the additional water that will be diverted under this permit will come from more than one well so the drawdown curves depicted in Figures 1 and 2 are extremely conservative (i.e. drawdown will be much less than shown). Therefore, there is a reasonable probability that approval of this application will not adversely impact existing water rights/permits.

CONCLUSIONS:

1. Water Permit Application No. 7381-3 proposes to connect Lincoln Pipestone Rural Water System to the Brookings- Deuel Rural Water System (RWS) distribution system.
2. Water Permit Application No. 7381-3 does not propose an increase to amount of water that Brookings-Deuel RWS is permitted to divert from their Clear Lake well field.
3. There is a reasonable probability that approval of this application will not adversely impact existing water rights/permits.



Ken Buhler
DENR-Water Rights Program

Friedeman, Barbara. "6 wells". E-mail to Ken Buhler. 30 Aug. 2012

Kume, J., 1985, Water Resources of Deuel and Hamlin Counties, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 84-4069, 53 p.

"Transmissivity from Specific Capacity." Aquifer Test Forum sponsored by HydroSOLVE, Inc.
29 August.2012< <http://www.aqtesolv.com/forum/transcap.asp>

Water Rights Program, 2012, Water Permit/Right Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501

Wilts, Gene. System Manager, Brookings-Deuel Rural Water System. Telephone interview. 23 Aug. 2012

Wilts, Gene. "Clear Lake Wellfield." E-mail to Ken Buhler. 23 Aug. 2012

Printer's Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF GRANT

} ss.

RECEIVED

SEP 28 2012

Pauline Hicks

WATER RIGHTS
PROGRAM

of said County and State, being first duly sworn, on oath says that the Grant County Review is a legal weekly newspaper of general circulation, printed and published in Milbank, in said County of Grant and State of South Dakota, by Phyllis Justice, and has been such newspaper during the times hereinafter mentioned; that said newspaper is a legal newspaper; and that it has a bona fide circulation of more than two hundred copies weekly, and has been published within said County of Grant in the English language and has been admitted to the United States mail under second class mailing privilege, for at least one year next prior to the publication of the Notice herein mentioned, and has been printed wholly in an office maintained at the said place of publica-

tion, that I, the undersigned, Bookkeeper of said newspaper, in charge of the advertising department thereof, have personal knowledge of all the facts stated in this affidavit; that the advertisement headed Notice of

Application No. 7381-3

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet and is made a part of this Affidavit, was published in said newspaper at least once each week for one successive weeks, on the day of each week on which the said newspaper was regularly published, to-wit:

<u>September 26 2012</u>	<u>20</u>
<u>20</u>	<u>20</u>
<u>20</u>	<u>20</u>

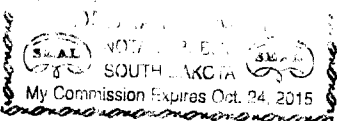
That \$ 27.35, being the full amount of the fee charged for the publication of said Notice, inures to the benefit of the publisher of the Grant County Review; that no agreement or understanding for the division thereof has been made with any person, and that no part has been agreed to be paid to any person whomsoever.

Pauline Hicks

Subscribed and sworn to before me this 26th day of Sept 20 12

Leora Hammyr

Notary Public, Grant County, South Dakota



Publication Fee \$ 27.35
Notarial Fee \$
Total \$ 27.35

NOTICE OF APPLICATION NO. 7381-3

Notice is given that Brookings-Deuel Rural Water System, c/o Gene Wilts, 47602 SD Hwy 28, Toronto, SD, 57268 has filed an application for a water permit to connect a separate water distribution system to a water supply system as required by ARSD 74:02:01:03:01.

Brookings-Deuel RWS holds water rights and permits appropriating water for rural water system use from wells completed into the Big Sioux; Brookings, Big Sioux; Aurora and Prairie Coteau Aquifers. This application requests authorization to connect the Lincoln Pipestone Rural Water System to the Brookings-Deuel RWS distribution system from the Clear Lake well field. This well field has wells located in the SW 1/4 Section 8, NW 1/4 Section 16, NW 1/4 Section 18; all in T115N, R48W. This application, if approved, does not increase the authorized diversion rates.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7381-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The application must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is Water Rights Program, Foss Building, 523 E Capitol, Pierre, SD, 57501 (605 773-3352) and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 9, 2012.

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

Published once at an approximate cost of \$27.35.

Section 17 and the NE 1/4
October 16

Printer's Affidavit of Publication

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STATE OF SOUTH DAKOTA
COUNTY OF GRANT

} ss.

OCT - 4 2012

WATER RIGHTS
PROGRAM

Pauline Hicks

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No. 7381-3

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<u>October 3</u> 2012	20
20	20
20	20

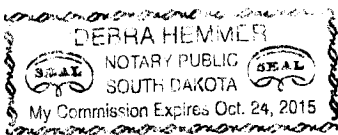
That \$ 27.70, being the full amount of the fee charged for the publication of said Notice, inures to the benefit of the publisher of the Grant County Review; that no agreement or understanding for the division thereof has been made with any person, and that no part has been agreed to be paid to any person whomsoever.

Pauline Hicks

Subscribed and sworn to before me this 3rd day of Oct 2012

DERRA HEMMER

Notary Public, Grant County, South Dakota



Publication Fee \$ 27.70
Notarial Fee \$ _____
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Published once at an approximate cost of \$27.70.

Affidavit of Publication

STATE OF SOUTH DAKOTA, County of Hamlin, ss

LeeAnne Dufek of said County and State being first duly sworn, on her oath says: that The Hamlin County Herald Enterprise is a weekly newspaper of general circulation, printed and published in Hamlin in said County and State by LeeAnne Dufek, that the 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 for fifty consecutive weeks 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; and has been such newspaper during the time hereinafter mentioned; and that I, LeeAnne Dufek, the undersigned, am publisher of said newspaper, in charge of the advertising department thereof and have personal knowledge of all facts stated in this affidavit and that the advertisement headed:

Notice of Application #7381-3

A printed copy of which is hereto attached, was printed and published in the regular and entire issue of said newspaper and not in supplement, once each week for 1 successive weeks, the first publication made on the 26th day of Sept., 2012, and the last publication on the 26th day of Sept., 2012.

The 1st publication made on the 26th day of Sept. 2012.

The 2nd publication made on the day of 2012.

The 3rd publication made on the day of 2012.

The 4th publication made on the day of 2012.

The 5th publication made on the day of 2012.

The 6th publication made on the day of 2012.

The 7th publication made on the day of 2012.

The full amount of the fees for the publication of the annexed notice is \$ 26.73 and insures solely to the benefit of said publisher; that no agreement or understanding for division thereof has been made with any person and that no part thereof has been agreed to be paid to any person whomsoever.

LeeAnne Dufek

Subscribed and sworn before me this 11 day of Oct., 2012.

Martine Mennenga
Notary Public

My commission expires

My Commission Expires
December 10, 2014.

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OCT 12 2012

WATER RIGHTS
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Published Sept. 26, 2012, at total cost of \$26.73.

RECEIVED

OCT - 4 2012

Affidavit of Publication

WATER RIGHTS
PROGRAM

Exhibit "A"

State of South Dakota

ss

County of Brookings

Chaylee Duis 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

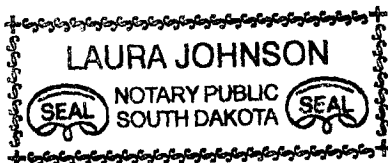
Leg#663 Notice of App #7381-3

same was published, is hereto attached marked Exhibit said newspaper for _____ 1 times, to-wit:

September 26, 2012

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:

twenty-six dollars and sixty-two cents \$26.62



Laura Johnson

27th day of

September

2012

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires August 3, 2017.

Legal 663, 1x, 9/26
NOTICE OF APPLICATION NO. 7381-3

Notice is given that Brookings-Deuel Rural Water System, c/o

Gene Wilts, 47602 SD Hwy 28, Toronto SD 57268 has filed an application for a water permit to connect a separate water distribution system to a water supply system as required by ARSD 74:02:01:03.01.

Brookings-Deuel RWS holds water rights and permits appropriating water for rural water system use from wells completed into the Big Sioux: Brookings, Big Sioux: Aurora and Prairie Coteau Aquifers. This application requests authorization to connect the Lincoln Pipestone Rural Water System to the Brookings-Deuel RWS distribution system from the Clear Lake well field. This well field has wells located in the SW 1/4 Section 8, NW 1/4 Section 16, NW1/4 Section 17 and the NE 1/4 Section 18: all in T115N, R48W. This application, if approved, does not increase the authorized diversion rates.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7381-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition. Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 9, 2012.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner,

Secretary, Department of Environment and Natural Resources.
Published once at the total approximate cost of \$26.62.

RECEIVED

SEP 28 2012

Form 8

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Moody) SS

I, Angela N. Bbelink

certify that the attached printed Notice was
taken

from the Moody County
Enterprise

printed and published in Flandreau

County of Moody and

state of South Dakota. The notice was
published

in the newspaper on the following date:

Sept. 26, 2012

Cost of Printing 27.53

Angela N. Bbelink
(Signature)

Office Manager
(Title)

9-26-2012
(Date Signed)

NOTICE OF APPLICATION NO.
7381-3

Notice is given that Brookings-Deuel Rural Water System, c/o Gene Wilts, 47602 SD Hwy 28, Toronto SD 57268 has filed an application for a water permit to connect a separate water distribution system to a water supply system as required by ARSD 74:02:01:03.01.

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Published once at the total approximate cost of \$25

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF DEUEL

RECEIVED

SEP 28 2012

WATER RIGHTS
PROGRAM

The undersigned Ken Reiste being first duly sworn, on oath deposes and says: That he is in charge of the advertising department of the Clear Lake Courier; which newspaper is published by Ken Reiste; that the Clear Lake Courier is a weekly newspaper printed and published in Clear Lake, Deuel County, South Dakota and the undersigned has full and personal knowledge of all facts hereinafter 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

Dept of Environment
And Natural Resources
Notice of Application No.7381-3
Brookings-Deuel RWS

printed copy of which, taken from the paper in which the same was printed, is attached to this sheet, and is made part of the Affidavit, was published in said newspaper at least once in each week for one successive weeks, on the day of each week on which said newspaper was regularly published, to wit:

September 26, 2012

that the full amount of the fees for the publication of the annexed notice is \$29.11

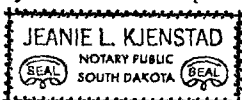
Ken Reiste
Ken Reiste

Subscribed and sworn to before me

this 26 day of September,
2012

Jeannie L. Kjenstad
Notary Public, South Dakota

My commission expires:



My Commission Expires
01/06/17

Public notice

NOTICE OF
APPLICATION NO. 7381-3

Notice is given that Brookings-Deuel Rural Water System, c/o Gene Wilts, 47602 SD Hwy 28, Toronto, SD 57268 has filed an application for a water permit to connect a separate water distribution system to a water supply system as required by ARSD 74:02:01:03.01.

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cation, if approved, does not increase the authorized diversion rates.

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Steven M. Pirner
Secretary
Department of Environmental and Natural Resources
Published once at the total approximate cost of \$29.11. (31-1/76)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

September 18, 2012

Grant County Review
PO Box 390
Milbank SD 57252

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7381-3 to Appropriate Water. Please publish the notice once on September 26, 2012. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Brookings-Deuel Rural Water System, c/o Gene Wilts, 47602 SD Hwy 28, Toronto SD 57268 (Ph # 605-794-4201).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

September 18, 2012

Hamlin County Republican
PO Box 50
Castlewood SD 57223

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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
denr.sd.gov

September 18, 2012

Brookings Register
PO Box 177
Brookings SD 57006

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Enclosed is a Notice on Application No. 7381-3 to Appropriate Water. Please publish the notice once on September 26, 2012. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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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
denr.sd.gov

September 18, 2012

Moody County Enterprise
PO Box 71
Flandreau SD 57028

ATTENTION: Legal Public Notice

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The applicant must verify to you that the notice is to be published and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Brookings-Deuel Rural Water System, c/o Gene Wilts, 47602 SD Hwy 28, Toronto SD 57268 (Ph # 605-794-4201).

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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
denr.sd.gov

September 19, 2012

Clear Lake Courier
PO Box 830
Clear Lake SD 57226

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7381-3 to Appropriate Water. Please publish the notice once on September 26, 2012. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Brookings-Deuel Rural Water System, c/o Gene Wilts, 47602 SD Hwy 28, Toronto SD 57268 (Ph # 605-794-4201).

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Sincerely,

Eric Gronlund / KS

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
denr.sd.gov

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATE, CONTACT
THE NEWSPAPER(S) RIGHT AWAY.

September 18, 2012

Brookings-Deuel Rural Water System
Gene Wilts
47602 SD Hwy 28
Toronto SD 57268

Dear Mr. Wilts:

Water Permit Application No. 7381-3 for rural water system use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the following papers:
Clear Lake Courier printed at Clear Lake SD (Ph # 605-532-3654) ~~874-2499~~
Grant County Review printed at Milbank SD (Ph # 605-432-4516)
Brookings Register printed at Brookings SD (Ph# 605-692-6271)
Moody County Enterprise printed at Flandreau SD (Ph# 605-997-3725)
Hamlin County Republican printed at Castlewood SD 57223 (Ph# 605-793-2293)

You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish the Notice on September 26, 2012. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7381-3

Notice is given that Brookings-Deuel Rural Water System, c/o Gene Wilts, 47602 SD Hwy 28, Toronto SD 57268 has filed an application for a water permit to connect a separate water distribution system to a water supply system as required by ARSD 74:02:01:03.01.

Brookings-Deuel RWS holds water rights and permits appropriating water for rural water system use from wells completed into the Big Sioux:Brookings, Big Sioux:Aurora and Prairie Coteau Aquifers. This application requests authorization to connect the Lincoln Pipestone Rural Water System to the Brookings-Deuel RWS distribution system from the Clear Lake well field. This well field has wells located in the SW ¼ Section 8, NW ¼ Section 16, NW ¼ Section 17 and the NE ¼ Section 18: all in T115N, R48W. This application, if approved, does not increase the authorized diversion rates.

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Published once at the total approximate cost of_____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

DEC 11 2012

Brookings-Deuel Rural Water System
Gene Wilts
47602 SD Hwy 28
Toronto SD 57268

Dear Mr. Wilts:

Enclosed is Water Permit No. 7381-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

enclosures

FEB 25 2013

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 2/22/13

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

FROM: Brookings-Denel Rural Water System
(name)

47602 SD Hwy 28
(address)

Toronto, SD 57268
(city, state, zip)

605-794-4201
(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. 7381-3 states that the water use system is to be constructed by
October 16, 2017 , and water is to be put to beneficial use by October 16, 2021
(date) (date)

The water use system was completed on 2/6/13
(date)

Applying the water to beneficial use was completed on 2/20/13
(date)

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

Sen P. Witt
(signature)

