

Considered: _____

WATER PERMIT NO. 1393-1

MAP No. same

Name of Applicant S.D. Department of Transportation

Post Office Address Box 560, Rapid City SD 57709-0560

Amount of Water Claimed 10gpm 0.022 Total Acres NA

Source of Water Supply ground water 1 well

Water to be used for sanitary purposes County Harding

About 1 1/2 miles S of Buffalo SD.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received April 29, 1987 Fee none Remarks _____

Corrected Application Received May 27, 1987 Period of Annual Use Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point well: NW 1/4 NW 1/4 section 5 - T18N-

RSE

Land to be Irrigated NA

well ⊗					
		5			

Well Log: Driller well not constructed Licensed YES _____ NO _____

Depth of Well 350 feet REMARKS _____

Type of Map plat PREPARED BY Jim L. Hennen P.E. Reviewed and the Number

assigned on June 18, 1987 By Ron Duvall

No. 1393-1 Hydrologic Unit 10130302
 Map No. same Basin Grand River
 Newspaper Nation's Center News, Box 107, Buffalo
 (Wend)

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

Check use of water: Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☒ (above 18gpm) Other ☒ Sanitary

Type of Application: Check one or more of the following

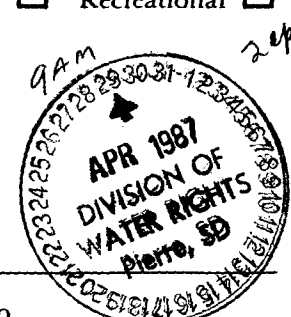
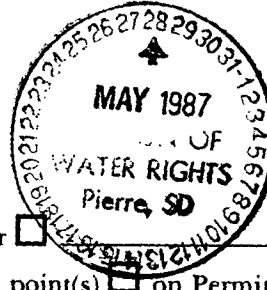
New ☐ Vested Right ☐ Future Use ☐ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☐ Construction to use water reserved by Future Use Permit No. _____



- Name of Applicant So. Dak. Department of Transportation Phone No. 394-2244
 Post Office Address Box 560, Rapid City, So. Dakota State 57709-0560
(Street, RR or Box) Zip Code
- Amount of water claimed (c.f.s) 10 gpm or 0.0223 cfs
- Source of water supply Well
- Location of point of diversion Lot B in the NW1/4 of the NW1/4 of Section 5, T18N, R5E.
Location is at the junction of highways US85 and SD20 south of Buffalo, SD in
Harding County. Lot B is east of US85 and south of SD20. County Harding
- Counties where water will be used Harding
- Annual period during which water is to be used Year around January 1 - December 31
- Give a brief description of proposed 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)

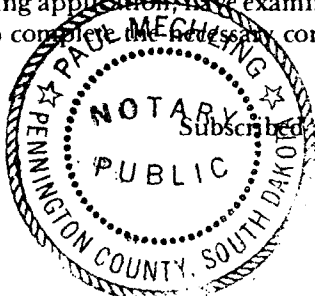
Well is intended to be the source of water for a Highway Maintenance Shop to be constructed on the above mentioned Lot B.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA
 County of Pennington ss

I, Charles A. Piper the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Charles A. Piper



Subscribed and sworn to before me this 28th day of April 1987

Paul Meckling
 Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1393-1

S. D. Dept. of Transportation

P.O. Box 560

(Applicant)

(Street, RR or Box)

Rapid City, South Dakota 57709-0560

(City)

(State)

(Zip Code)

With the following qualifications.

1. The casing of the well to be constructed under Permit No. 1393-1 shall be pressure grouted with cement (bottom to top) from the producing formation to the surface and the well constructed in compliance with Water Management Board Well Construction Rules, Chapter 74:02:04.

Date of first receipt of application April 29, 1987

Date of return to applicant for correction, amendments or changes required May 26, 1987

Date of receipt of corrected application May 28, 1987 Approved September 9, 1987

The Water Management Board approved this Water Permit No. 1393-1 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is April 29, 1987
2. The equivalent of at least one-fifth of the specified work is to be completed on or before March 9, 1990
3. The whole of said work is to be completed on or before September 9, 1992
4. The limit of time for proof of beneficial use of water appropriated in accordance herewith is September 9, 1996
5. The water appropriated shall be used for the purpose of domestic and sanitary use for cleaning, sanitary and drinking purposes.
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation granted shall not exceed 0.022 cubic feet per second; neither shall it exceed the amount of water needed for the beneficial uses served and to which water is actually and beneficially applied for domestic and sanitary use on or before September 9, 1996. The water is to be used during the following described annual period: January 1 - December 31

WATER MANAGEMENT BOARD

By: John Hatch

Chief Engineer JOHN HATCH

Division of Water Rights

Dept. of Water and Natural Resources

NOV 3 1987

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 8" Depth 350'
- b) Casing Type steel Diameter 5" Thickness 0.258"
- c) Screen Type stainless - 18 slot Diameter 5" Thickness N/A
- d) Gravel Pack Thickness 1.25" Length of Gravel Pack 20' (10' screen)
- e) Depth to Top of Water Bearing Material 300' +/-
- f) Depth of Water (ground surface to water level) 60' +/-
- g) Distance to nearest existing domestic well:
- On applicants property N/A On property owned by others unknown

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

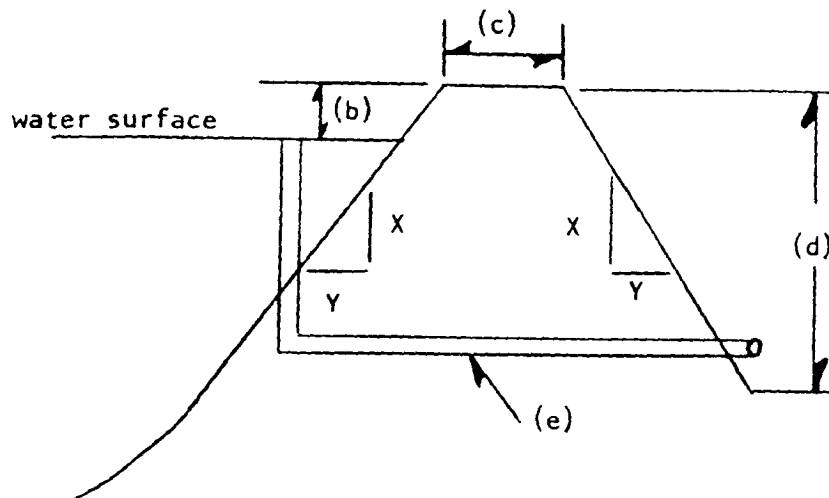
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____

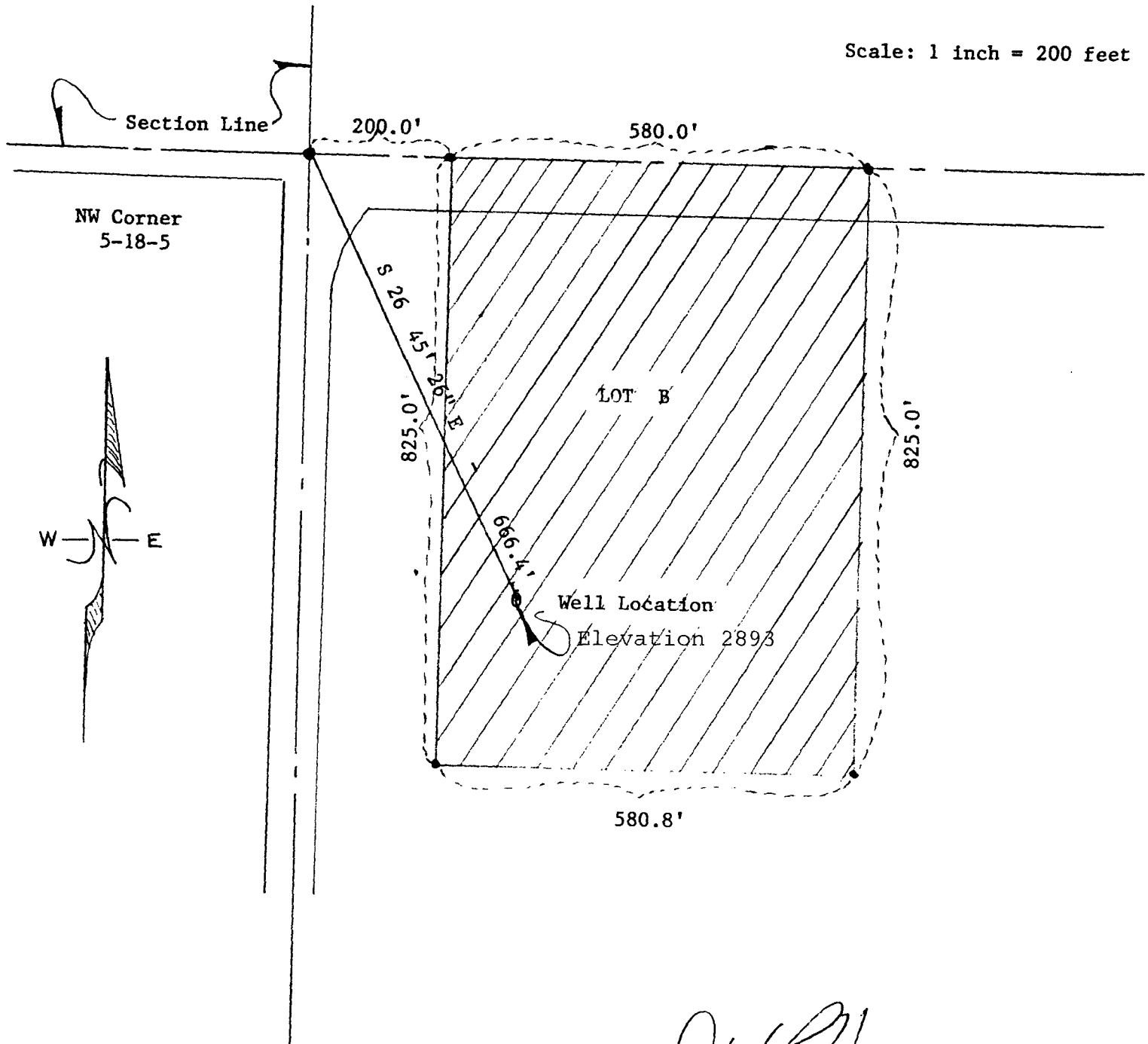


Signature of Applicant _____

LOT B - NW $\frac{1}{4}$ NW $\frac{1}{4}$ - SECTION 5 - T 18 N - R 5 E

HARDING COUNTY, SOUTH DAKOTA

Scale: 1 inch = 200 feet



Jim L. Hennen
Jim L. Hennen, P. E.
Operations Engineer
Rapid City Region
Department of Transportation

APR - NO. 1315-1

LITHOLOGIC LOG
for
D.O.T. WELL
BUFFALO, SD

<u>INTERVAL</u>	<u>LITHOLOGY</u>	<u>FORMATION</u>
0-10	Clay, Gray-brown, silty, sandy, oxidized (shale)	HELL CREEK
10-20	Clay, gray-brown, silty, V.sandy oxidized (shale)	
20-30	Sand, reddish-brown, sub-rounded, fine grained, some clay, mica oxidized (Ss)	
30-40	Clay, gray-black, silty, sandy, brittle (shale)	
40-50	Clay, gray-green-black, silty, sandy, brittle (shale)	
50-60	Sand, gray, V.fine grained, clayey some mica (Ss)	
60-70	Clay, gray-black, silty, sandy (shale)	
70-80	Clay, light-gray, silty, brittle (shale)	
80-90	Clay, dark-gray (shale)	
90-100	Clay, dark-gray, silty, (shale)	
100-110	Clay, yellow-brown, silty, sandy oxidized (shale)	
110-120	Clay, gray, V.sandy, (shale)	
120-130	Clay, gray, V.sandy, (shale)	
130-140	Clay, gray-black (shale)	
140-150	Sand, light gray, V. fine to fine, clayey, mica (Ss)	

150-160	Sand, light gray, fine, some clay, some mica, some black accessory mineral, some coal (Ss)	
160-170	Clay, light gray to brown, some sand, silty, mica (shale)	
170-180	Clay, gray-black (shale)	
180-190	Sand, light gray, V. fine to fine, clay, mica (Ss)	
190-200	Sand, light gray, fine, subrounded, mostly quartz (Ss)	
200-210	Clay, dark gray, V. sandy (shale)	
210-220	Sand, light gray, fine, subrounded, mostly quartz grains, black accessory mineral, mica (Ss)	FOX HILLS
220-230	Sand, light gray, fine, same as above (shale)	
230-240	Sand, light gray, V. fine to fine, some clay (Ss)	
240-250	Sand, light gray, V. fine, some clay, black accessory, mica (Ss)	
250-260	Sand, gray, V. fine, some clay (Ss)	
260-270	Sand, gray, V. fine, clayey, Black accessory mineral, mica (Ss)	
270-280	Clay, gray, V. sandy, silty (shale)	
280-290	Clay, gray-black, some silt brittle (shale)	PIERRE
290-300	Clay, gray-black, silty brittle (shale)	
300-360	Clay, gray black, silty, brittle (shale)	

WELL DRILLED BY HAMEBAUGH DRILLING - 26 FEB 88, SAMPLES RECEIVED BY K. BUNLER - 27 FEB 88
 SAMPLES LOGGED BY K. BUNLER & J. GOODMAN 9 MARCH 88

HIMEBAUGH DRILLING

E. BOYD HIMEBAUGH, JR.

Post Office Box 806

Bowman, N. D. 58623

Ph. 701-523-3104

April 4, 1988

Office Of The State Engineer
Suite 205, Joe Foss Building
523 East Capitol
Pierre
South Dakota 577501-3183
Ph. 605-773-3466

RE: Well and Water Supply System
Department of Transportation
Maintenance Shop Building
Buffalo, South Dakota
OSE #TBF8700141/W

Dear Mr. Johnson;

Listed below are the results from the pumping test on the above well.
The pump is set at 163 feet pumping 17.74 gpm.

Depth	Time
28	6:30
48	6:35
63	6:40
78	6:45
93	6:50
99	6:55
101	7:00
101	7:05
102	7:10
103	7:15
103	7:20
103	7:25
103	7:30
103	7:50
103	8:10
105	8:30
105	8:50
107	9:10
107	9:30
107	10:30
108	11:30

108	12:30
108	1:30
108	2:30
110	3:30
110	4:30
110	5:00

RECOVERY

53	5:05
41	5:10
37	5:15
36	5:20
33	5:30
33	5:40
33	5:50
31	6:00
31	7:00
31	8:00
29	9:00
28	12:00

Himebaugh Drilling

Boyd Himebaugh

Boyd Himebaugh



BACTERIOLOGICAL WATER ANALYSIS
DEPARTMENT OF HEALTH AND CONSOLIDATED LABORATORIES
SFN 8732 (5/87) FOR INSTRUCTIONS - SEE REVERSE

• TO BE COMPLETED BY COLLECTOR •									
Name of Collector <i>Himebaugh Drilling</i>									
Telephone No. <i>701 523 3104</i>									
Time Collected <i>2:30 PM</i>	Date Collected <i>05-02-88</i>								
Remarks									
☐ PUBLIC WATER SYSTEM (Coliform Analysis)									
Name of Public Water System <i>D.O.T. Maintenance Bldg.</i>									
Free Chlorine Residual mg./l.									
☐ PRIVATE WATER SYSTEM (Coliform and/or Nitrate Analysis)									
Well Diameter <i>5"</i>	Depth of Well <i>260</i>								
☐ SWIMMING POOL (Standard Plate Count & Coliform Analysis)									
Facility									
pH									
Free Chlorine Residual mg./l.									
Total Chlorine Residual mg./l.									
☐ LAGOON ☐ RIVER ☐ LAKE									
Enter your assigned Public Water System Identification Code Number									
<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>									
Send report to: Name <i>Himebaugh Drilling</i> Address <i>Box 806</i> City, State, Zip Code <i>Bowman, N.D. 58623</i>									

NC
004728

FOR LABORATORY USE ONLY

MAY 3 9 12 AM '88

ANALYSIS METHOD:
☐ Membrane Filter ☒ Fermentation Tube

Analyst *CH*

COLIFORMS PER 100 ML *0 pasteurizer*

☒ Satisfactory
☐ Unsatisfactory - SEND CHECK SAMPLES

SAMPLE VOIDED - SEND REPLACEMENT
☐ Confluent Growth
☐ Too numerous to count
☐ Sample too old
☐ Other

STANDARD PLATE COUNT PER ML

☐ Satisfactory ☐ Unsatisfactory

NITRATE SCREEN mg./l.

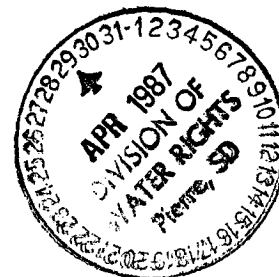
☐ Satisfactory ☐ Unsatisfactory

FECAL COLIFORMS PER 100 ML

DISTRIBUTION: White to Submitter, Yellow to W. S. & P. C., Pink for Laboratory

SOUTH Dakota
Department of Transportation

Rapid City Regional Office
P. O. Box 560
Rapid City, South Dakota 57709-0560



April 28, 1987

Water Rights Division
Department of Water & Natural Resources
Foss Building
523 East Capitol Avenue
Pierre, South Dakota 57501

Dear Sir:

Enclosed are two copies of an application for a permit to withdraw water from a well that the Department of Transportation plans to drill to serve a new maintenance shop at Buffalo. This shop is scheduled to be constructed in 1987 and we hope to be in it by the end of the year.

If further information is needed, please, advise.

Very truly yours,

DEPARTMENT OF TRANSPORTATION

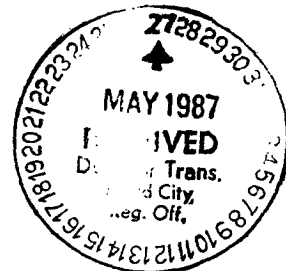
Charles A. Piper
Regional Engineer

CAP/baa
Enclosures

**SOUTH Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

WATER RIGHTS DIVISION
(605) 773-3352



May 26, 1987

Charles A. Piper, Regional Engineer
Department of Transportation
Rapid City Regional Office
P.O. Box 560
Rapid City, South Dakota 57709-0560

Dear Mr. Piper:

This letter is in response to your water permit application received on April 29, 1987 to appropriate water for use by the highway maintenance shop in Buffalo. The amount of water to be appropriated needs to be specified for question No. 2 (Amount of Water Claimed) on the enclosed forms. The amount specified should be the maximum pump capacity, not an average pumping rate.

The permit application cannot be processed until the permit application is complete. Please complete question No. 2 and return the application to the Water Rights Division to begin processing of the application. Contact us if you have any questions.

Sincerely,

Ron Duvall
Natural Resources Engineer

RD:ms
Enc.

5/27/87

Ron:

Maximum pump capacity to
be 10 gallons per minute.

This has now been shown on the
form so that the application
can be processed.

Don Gerlach or Frank Sherer in
the State Engineer's Office can
probably answer any questions for
you. They are preparing plans for
the shop.

*Sincerely,
Jim V. Henner
Operations Eng.*

REPORT OF APPLICATION NO. 1393-1
South Dakota Department of Transportation
July 13, 1987

Permit Application No. 1323-1 proposes to appropriate 0.022 cubic feet of water per second from one well 350 feet deep to be located in the NW 1/4 NW 1/4 Section 5, T18N, R5E. The water is to be used for cleaning, sanitary, and drinking purposes at the new highway maintenance shop.

AQUIFER: FOX HILLS

GEOLOGY AND AQUIFER CHARACTERISTICS

The Fox Hills Formation consists of grayish-white to yellow sandstone and sandy shale. The formation underlies approximately 1,640,960 acres of Harding County and contains an estimated 12,307,200 acre-feet of recoverable water in storage, (Allen, 1984). The Fox Hills Formation lies conformably above and interfingers with the Pierre Shale, and is conformably overlain by, and interfingers with the Hell Creek Formation. The top of the Fox Hills Formation is estimated to be approximately 300 feet below land surface, and the formation is estimated to be 200 feet thick (Rahn, 1979). Because the lithology of the Fox Hills Formation is variable, the porosity is also variable. The average porosity of the Fox Hills is estimated to be 20% and the effective porosity is estimated to be 5% (Rahn, 1979).

Well yields from the Fox Hills formation in Western South Dakota range from 1 gpm to 80 gpm with specific capacities of the wells ranging from 0.03 to 0.9 gpm/ft (Rahn, 1979).

The main source of recharge to the Fox Hills Aquifer is through infiltration of precipitation falling on the outcrop. No known published reports exist which contain estimates of the rate of recharge to the aquifer.

The Division of Water Rights monitors one Fox Hills Formation observation well approximately 3.5 miles East of the applicant's proposed well site. The well was installed in 1986 so historical data (water levels) of the aquifer in this area is limited.

REVIEW OF EXISTING WATER RIGHTS

The Division of Water Rights does not have records of any domestic wells near the applicants well, and there are no water permits within two miles of the applicant's well.

CONCLUSIONS

1. The Fox Hills Formation is a viable aquifer and a properly completed well should yield the requested amount of water (10 gpm).
2. The well should be constructed according to the state well construction standards.

3. Recharge to the Fox Hills Formation has not been quantified. However, the aquifer is not being extensively utilized, and the aquifer is not overappropriated.



Kent Buhler
Natural Resources Engineer

REFERENCES

Allen, J.C., D. Iles, A. Petres, 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Task 3 & 4 Groundwater Resource Inventory, U.S. Army Corps of Engineers Contract DAWC 45-82-C-0151, S.D. DWR, Division of Geological Survey, Vermillion, SD.

Rahn, P.H., 1979, Groundwater Resources of Western South Dakota, U.S. Army Corps of Engineers, SDSM&T Project No.2533, SDSM&T, Rapid City, SD.

Division of Water Rights, 1987, "Domestic Well Log, Observation Well and Water Permit Files". DWR, Division of Water Rights, Joe Foss Building, Pierre, SD.

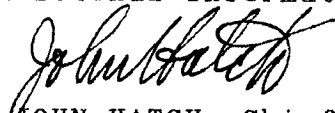
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1393-1

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1393-1, SD Dept. of Transportation, Box 560, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 1393-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

1. The casing of the well to be constructed under Permit No. 1393-1 shall be pressure grouted with cement (bottom to top) from the producing formation to the surface and the well constructed in compliance with Water Management Board Well Construction Rules, Chapter 74:02:04.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
July 15, 1987



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

July 29, 1987

Nation's Center News
Box 107
Buffalo, South Dakota 57720

Dear Sir:

Enclosed is a Notice of Hearing to Application No. 1393-1. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on or before August 5, 1987.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is SD Dept. of Transportation, Box 560 Rapid City, SD 57709-0560.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made before in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE
No. _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____

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

Name _____

Newspaper _____



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
(605) 773-3352

July 29, 1987

NOTE:

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

SD Dept. of Transportation
Box 560
Rapid City, South Dakota 57709-0560

Dear Sir:

Your Application No. 1393-1 for a permit to appropriate water for

maintenance use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Nation's Center News printed at Buffalo

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT.
Early contact with the paper can eliminate delays. The publisher has been
instructed to publish your notice once each week for two consecutive weeks
with the last publication to occur at least twenty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVALL
Natural Resources Engineer

enclosures



AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

) SS.

COUNTY OF HARDING)

Linda Stephens of said County and State, being duly sworn, on his oath, says: That the NATION'S CENTER NEWS is a weekly newspaper of general circulation, printed and published in the Town of Buffalo, in said County and State by Linda Stephens, Owner and has been such newspaper during the time hereinafter mentioned and that I, Linda Stephens, the undersigned, am OWNER of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit; and the advertisement headed Notice of Hearing #1393-1

110 lines

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

The first publication being made on the 5 day of August 1987

The second publication being made on the 12 day of August 1987

The third publication being made on the _____ day of _____ 19____

The fourth publication being made on the _____ day of _____ 19____

The last publication being made on the _____ day of _____ 19____

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of Harding for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in English in an office maintained in Buffalo, South Dakota, the place of publication of said newspaper. That the full amount of the fees for the publication of the annexed notice is \$41.38 and inures solely to the benefit of said publishers; 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 whomsoever.

Linda Stephens

Subscribed and sworn to before me this 13 day of August 1987

Walter Stephens
6-88 95

NOTICE OF HEARING

On Application No. 1393-1

To Appropriate Water

Notice is hereby given that the S.D. Department of Transportation whose mailing address is Box 560, Rapid City, South Dakota has made an application for a permit to appropriate 0.022 cubic feet of water per second from one well (Fox Hills Formation) 350 feet deep to be located in the NW 1/4 NW 1/4 Section 5-T18N-R5E. Water is to be used for cleaning, sanitary and drinking purposes at a new highway maintenance shop.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1393-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD, September 9, 1987 at 10:00 am. The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by August 28, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-1-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74-02:01-01 thru 74-02:01-15.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWR, Joe Foss Bldg., Pierre, SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by August 28, 1981.

Water Rights Division
Joe Foss Bldg.
Pierre, SD 57501-3161

8-5, 12

No. 1393-1

Instruction to Newspaper - Publish first publication of the following Notice on or before August 5, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1393-1 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that the S.D. Department of Transportation whose mailing address is Box 560, Rapid City, South Dakota has made an application for a permit to appropriate 0.022 cubic feet of water per second from one well (Fox Hills Formation) 350 feet deep to be located in the NW1/4 Section 5-T18N-R5E. Water is to be used for cleaning, sanitary and drinking purposes at a new highway maintenance shop.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1393-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD, September 9, 19 87 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by August 28, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15:02 thru 74:02:01:15:05.

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

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNr, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by August 28, 1987.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

NOV 3 1987

S.D. Department of Transportation
P.O. Box 560
Rapid City, South Dakota 57709-0560

Dear Sir:

Enclosed herewith is your Water Permit No. 1393-1 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 1393-1.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1393-1

November 15, 1988

Charles Piper, Regional Engineer
Department of Transportation
Rapid City Regional Office
PO Box 560
Rapid City, South Dakota 57709-0560

Dear Mr. Piper:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1393-1 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.



Department of Transportation

P. O. Box 560
Rapid City, South Dakota 57709-0560

November 18, 1988

Maxine Stirling, Secretary
Department of Water & Natural Resources
Division of Water Rights
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

RE: Water Right No. 1393-1
Well for SDDOT shop at Buffalo

Dear Ms. Stirling:

Reference is made to your letter of November 15, 1988, wherein you indicated that we are to submit a \$50.00 fee prior to our Water License being sent to us.

At the time application was made in early 1987, Del Brosz of your office sent the application form along with a note attached that advised that State Agencies were not required to pay a fee. If your request is for something other than the \$50.00 fee referenced in the "Instructions for Application for a Water Permit and/or Right", please clarify so we know where we stand in this matter.

Please respond one way or the other so that we can be clear as to whether or not we, as a State Agency, are required to pay this fee.

Sincerely,

DEPARTMENT OF TRANSPORTATION



Jim L. Hennen, P.E.
Operations Engineer

cc: Buffalo Shop File



Date March 13, 1987

From DEL BROSE

To JIM HENNER

Subject:

*State Agencies do not
have to pay a fee.*

IN
WATER PERMIT AND/OR RIGHT

ght must include the following:

ppropriate Water.

here water is to be taken from) in
quarter corner by direction and distance.
on of the high water line and lands under
er than the applicant) and the capacity

nd name of the stream.

ng: Registered Land Surveyor, Registered
ment employee who normally prepares maps
tc.).

am, two completed copies of Form 2A must
emental plans or drawing for any storage
log or driller's test log signed by a
y the application. If the well is to be
n estimate of the depth of the well, pro-
countered can be submitted in lieu of a
e drillers log of the completed well must
mpletion.

filing fees are required for each
d) should be actual pump capacity.

ute) or portion thereof-----\$150.00
nute) or portion thereof----- 75.00
ns per minute) or portion thereof-- 25.00

ange a diversion point or add a diversion
point (on an existing permit) with no new appropriation of water = \$50.00

The filing fee for a future use permit application is 10% of the calculated fee for the amount of water applied for. If after the seven year review the permit is allowed to remain in effect, another 10% filing fee is required. When an application for part or all of the reserved water under a future use is received the applicable fees must be paid.

The forms, signed map, fees and any other pertinent information for filing a Water Permit Application should be submitted to: Water Rights Division, DWNR
Joe Foss Building
Pierre, SD 57501
(605) 773-3352

5. Notice of an application must be published in one local county newspaper for two successive weeks with second publication at least 20 days before the Water Management Board Meeting. Publication notice will be sent to the newspaper by Water Rights Division.

THE COST OF PUBLICATION WILL BE PAID BY THE APPLICANT.

6. Upon completion of the construction of the system and the application of water to beneficial use an inspection will be conducted. The fee for the inspection is \$50.00. After the inspection and payment of the fee a Water License will be issued. The issuance of the Water License is the final action for obtaining a water right.

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

November 21, 1988

1393-1

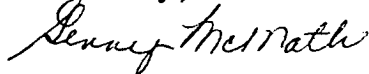
Jim L Hennen, PE
Operations Engineer
SD Department of Transportation
PO Box 560
Rapid City, SD 57709-0560

Dear Mr. Hennen:

I am contacting you in response to your letter of November 18, 1988, concerning payment of a \$50.00 license fee for Water Permit No. 1393-1. State Agencies do not have to pay the water permit application or licensing fees. The letter we sent to you dated November 15, was in error.

I apologize for the error and thank you for bringing this matter to our attention. If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352



Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

I have this day made a thorough examination of the water use system constructed by S.D. Department of
Transportation of Box 560, Rapid City, S.D. 57709 holder of
Permit No. 1393-1, bearing the priority of April 29 19 87 authorizing
the diversion of 0.022 cu. ft. per second of the waters of groundwater-Fox Hill well
for domestic-sanitary purposes, in Harding County.

Date 9/28/88

MZThadi

(signature)

LICENSE FOR PERMIT NUMBER 1393-1

1. Legal location of wells: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T18N-R5E

dams & structures: NA

2. Well Information: Well Drilling Firm Himebaugh Drilling

No. of wells 1 Depth 360 feet

Casing a) diameter 5 inch Screen a) type stainless steel

b) length 240 feet b) length 20 feet

c) type Polyvinyl Chloride Static Water Level 28 feet

Pump a) make submersible Motor a) make submersible

b) model _____ b) model no. _____

c) size _____ c) horsepower rating 1/2

d) capacity 10 GPM d) motor efficiency rating _____

e) turbine pump

no. of stages _____

3. Distribution lines:

a) size of lines 1 inch

b) type steel

c) length 200 feet

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES NO Check Items

- | | | | |
|-------|----|-------|---|
| _____ | NA | _____ | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| _____ | X | _____ | 2. Special Qualifications to permit being abided by. |
| _____ | X | _____ | 3. All Structures, wells and lands on map. |

REMARKS:

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1393-1

(1) The South Dakota Department of Transportation of Box 560 Rapid City, SD 57709-0560 made Application No. 1393-1, April 29, 1987 for a water permit to appropriate 0.022 cubic feet of water per second from groundwater (one well), Harding County, South Dakota for domestic and sanitary purposes. Permit No. 1393-1 with a priority date of April 29, 1987 was approved September 9, 1987 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before September 9, 1992 and for the application to beneficial use of said water on or before September 9, 1996.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.022 cubic feet of water per second for beneficial use. The location of the diversion point is: 270 feet east and 530 feet south of the NW corner of Section 5, T18N, R5E (NW1/4 NW1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. Water is diverted from the well for domestic and sanitary purposes at the Highway Maintenance Shop south of Buffalo, South Dakota.

(4) Pursuant to Section 46-5-30.1 SD Dept of Transportation of P.O. Box 560, Rapid City, SD 57709-0560 the holder(s) and/or owner(s) of Water Permit No. 1393-1 is issued a license to appropriate water, the right to use 0.022 cubic feet of water per second from groundwater (one well) with a priority date of April 29, 1987 from the location specified in (2) of this license. This license is subject to any limitations or qualifications listed in Water Permit No. 1393-1 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources

MAR 22 1989



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

MAR 22 1989

1393-1

Charles Piper
Regional Engineer
SD Dept of Transportation
PO Box 560
Rapid City, SD 57709-0560

Dear Mr. Piper:

Enclosed is Water License No. 1393-1. This is the final water right document completing your process of obtaining a Water Right.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1393-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

enclosure

