

Considered: _____

WATER PERMIT NO. 1559-1

Phone: 394-2244

Name of Applicant: S. D. Dept of Transportation

Post Office Address: PO Box 1970, Rapid City SD 57709-1970

Amount of Water Claimed: 0.10 cfs Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: rest area near Tilford County: Meade

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 8-20-92 Fee: NA Remarks _____

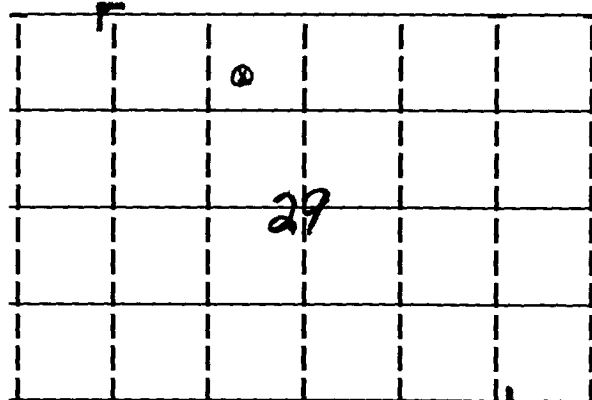
Corrected Application Received 8-27-92 Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: NE 1/4 NW 1/4 Sec 29-T4N-R6E

Land to be Irrigated: _____



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 80' REMARKS _____

Type of Map: _____ PREPARED BY: Jim L. Hemmen, P.E. Reviewed and the Number

Assigned on 8-27-92 By Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT NO. 1559-1**

Date of first receipt of application August 20, 1992.

Date of return to applicant for corrections, amendments or changes August 24, 1992.

Date of receipt of corrected application August 27, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1559-1 to the South Dakota Department of Transportation, PO Box 1970, Rapid City SD 57709-1970 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. 1559-1 appropriates 0.10 cubic feet of water per second from one well (Opeche Formation) 80 feet deep located in the NE 1/4 NW 1/4 Section 29-T4N-R6E.
2. The water appropriated shall be used for the purpose of supplying water to the eastbound and westbound rest areas on I-90 near Tilford 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. 1559-1 is December 2, 1992.
5. The date from which applicant may claim right is August 20, 1992.
6. 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 approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

MAR 16 1993
date

No. 1559-1 Hydrologic Unit 10120111
 Map No. _____ Basin Upper Cheyenne
 Newspaper Meade Co. Times-Tribune, Box 69

523 E. Capitol
 Pierre, SD 57501
 (605) 773-3352

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 ☒ Rest Areas along I90 near Tilford, SD at MRM 41

Type of Application: Check one or more of the following

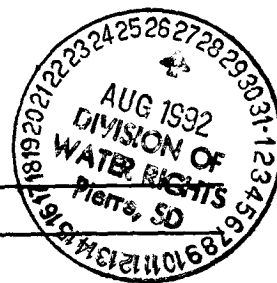
New ☒ Vested Right ☒ Future Use ☐ Change Use ☐

☐ 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. _____



1. Name of Applicant So. Dak. Dept. of Transportation Phone No. 394-2244

Post Office Address P O Box 1970 Rapid City SD State 57709-1970
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 0.10 CFS

3. Source of water supply 80' flowing well

4. Location of point of diversion NE1/4 of NW1/4 of Sec. 29, T4N, R6E

_____ County Meade

5. Counties where water will be used Meade

6. Annual period during which water is to be used 12 months per year Jan 1 - Dec 31

7. 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)
 This is an existing well drilled in 1968. Since the Rest Areas were upgraded in 1973 this well has supplied the water for both eastbound and westbound Rest Area at M.P. 41 on I90 near Tilford, SD.

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, Jim L. Hennen 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.

Signed Jim L. Hennen

Subscribed and sworn to before me this 20th day of August 1992

Marvin E. Schmitt

Notary Public

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter ? Depth 80'
- b) Casing Type Steel Diameter 4" Thickness 0.25"
- c) Screen Type Slotted Brass Diameter 4" Thickness unknown
- d) Gravel Pack Thickness unknown Length of Gravel Pack unknown
- e) Depth to Top of Water Bearing Material 70'
- f) Depth to Water (ground surface to water level) Free Flow
- g) Distance to nearest existing domestic well:
 On applicants property NA On property owned by others 1/2 Mile

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) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

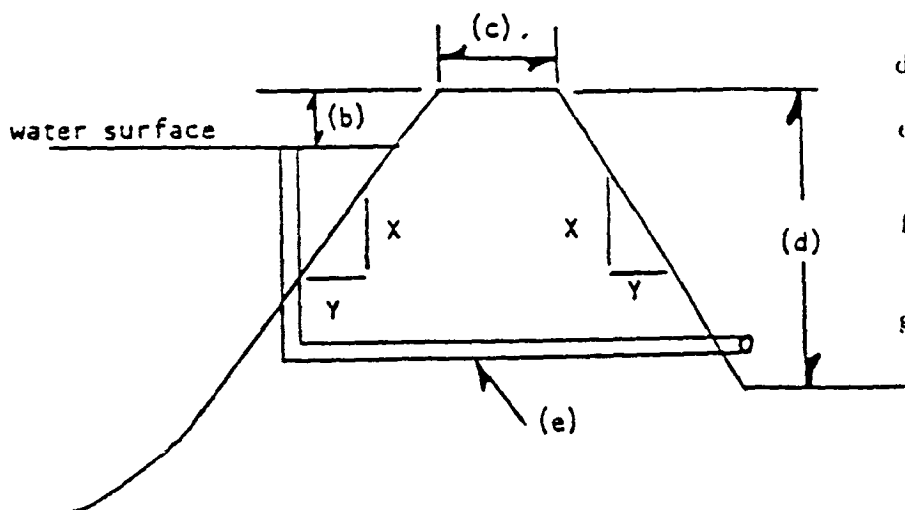
g) X & Y Slope
 Upstream _____

Downstream _____

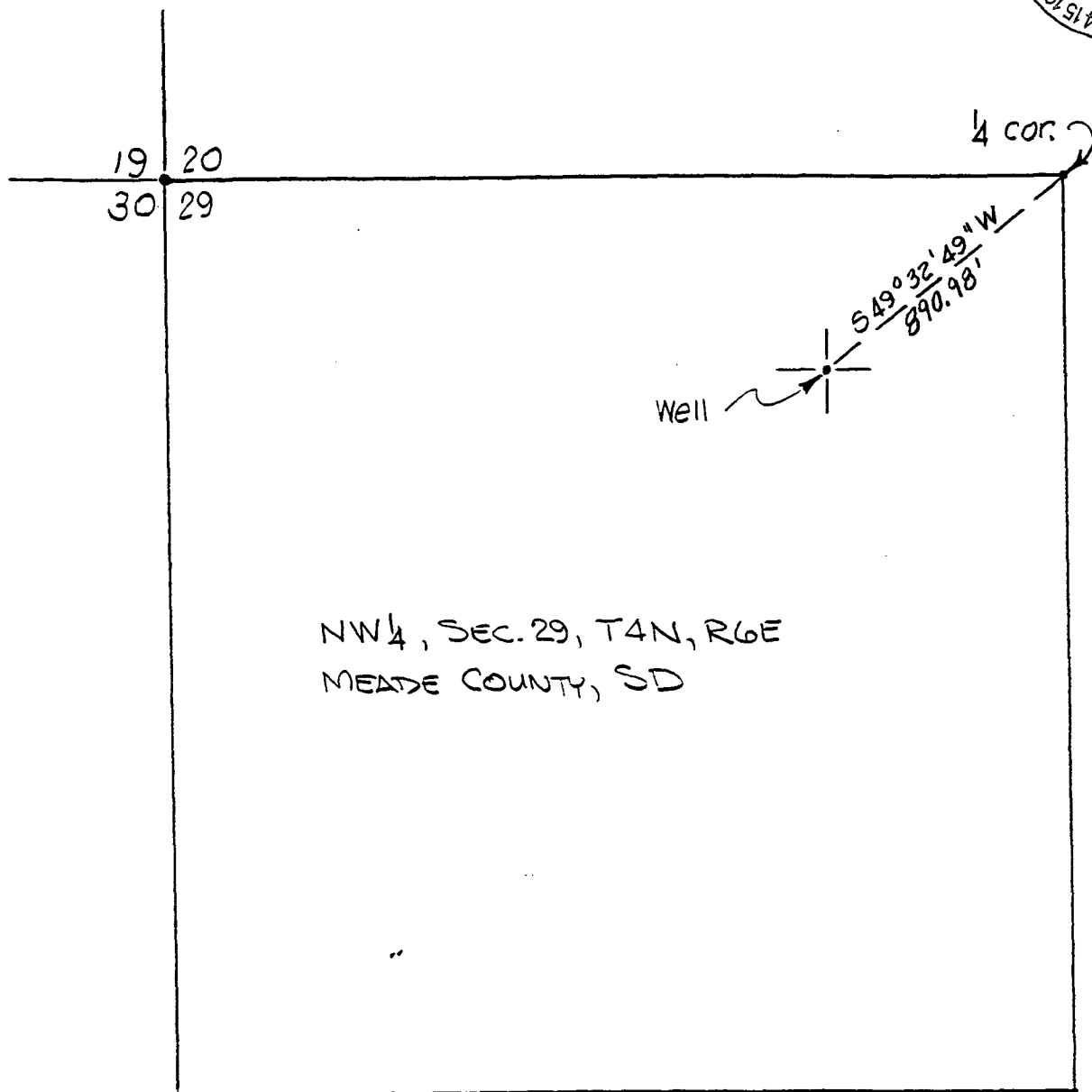
Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



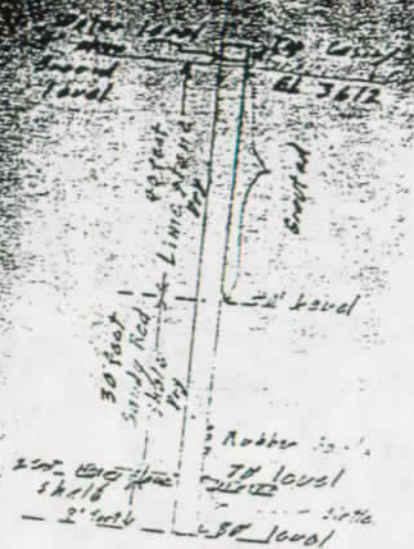
Signature of Applicant _____



WELL LOCATION
I90 Rest Area near Tilford (EBL)



Prepared by: *Jim L. Hennen*
Jim L. Hennen, P.E.
Registration # 1422, So. Dak.



Tilford Rest Area
E.B.L.



Jim,

11/1/02

This is the only info
I have on the well
at the Tilford Rest Area.

Ron Jarvis RECEIVED
NOV 04 2002
WATER RIGHTS
PROGRAM

FROM: Accounting Section
Department of Highways
Pierre, South Dakota 57501

TO: T. J. Bonn
District Engineer
Department of Highways
Rapid City, South Dakota

MAINTENANCE
CONSTRUCTION ENGINEER: R. N. Canis

RE:

PROJECT NO: 1 28-1(28)41

COUNTY: Meade

TYPE OF WORK: Testing wells

PRIME CONTRACTOR: Downen Drilling, Inc.
Rapid City, South Dakota

Accepted Final Pay Sheet on
above captioned contract has
been received by this division
and final voucher is being
placed in line for payment.

DATE: March 15, 1971 BY: T. J. Bonn
Accounting Section

(Submit to District Engineer in duplicate)

The State of

Mr. T. J.
District
Department
P. O. Box
Rapid City

Dear Mr.:

We
herewith
project
notes re
survey

If
forced to
for the
be needed

To
islands
curb and
note

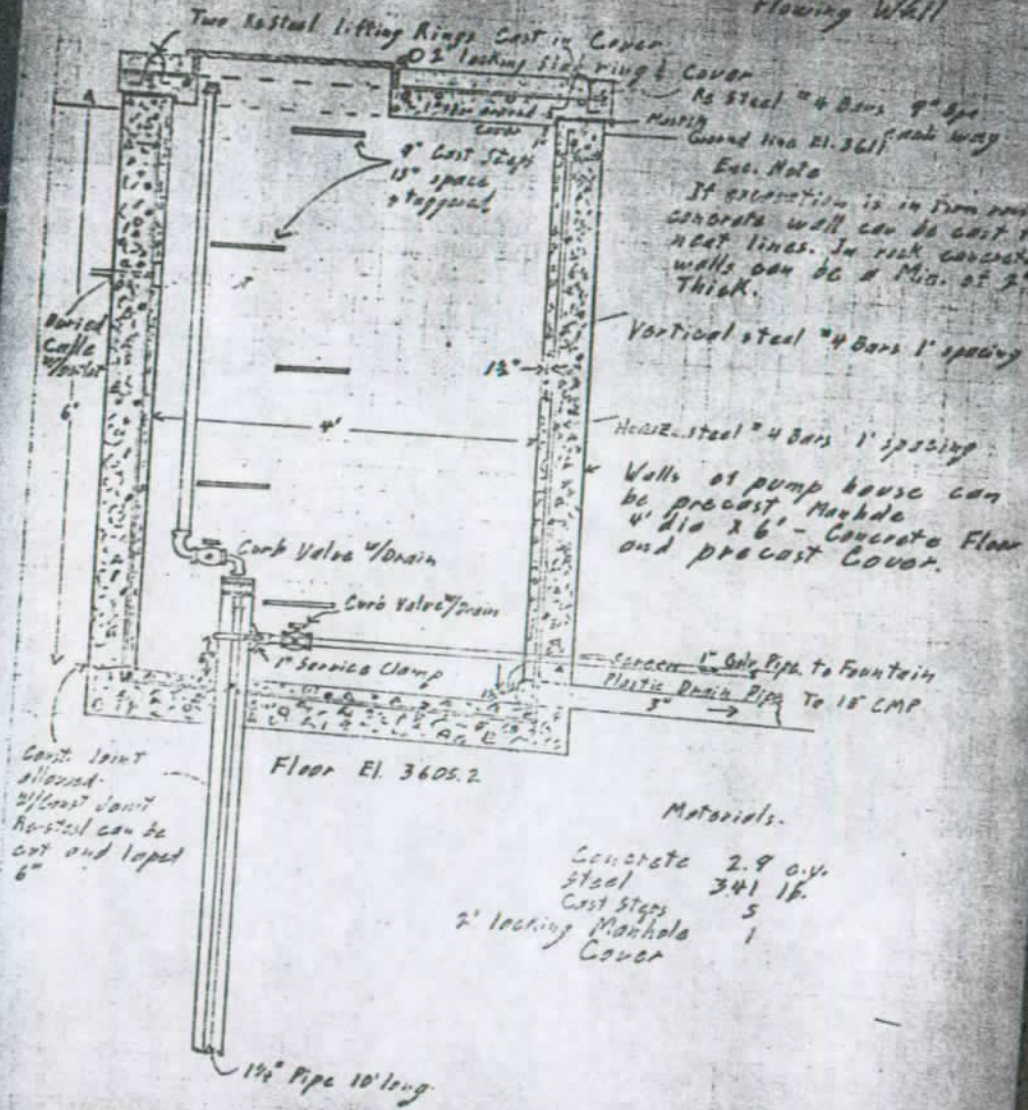
concrete
containing

and

every

5 of 11

L.S.D.-10-1(1)741
Harris County
Flowing Well



Materials.

Concrete	2.9 cu. yd.
Steel	3.41 lb.
Cast Steps	5
2" locking Manhole	1
Cover	

MM Lee

HHA

Black Hills Power & Light

EQUIPMENT

2 hp Reda, Submersible pump
ONE ELECTRIC POWERS WELL Sounder

EAST BOUND RST AREA

ONE MILE SOUTH OF TILFORD

TOTAL WELL DEPTH 80 FT

PUMP 14' FROM BOTTOM

5 gal bucket were used for discharge measurement

Time	GPM	Top of water level Pumping level	Water column STATIC	Discharged (gals)
2-24-71				
2:35	0	0 (Flowing well)	+0 (The pump pressure valve open)	
2:40	50	6	74	250
2:45	50	6	74	250
2:50	50	6	74	250
2:55	50	7	73	250
3:00	50	6	74	250
3:05	50	5	75	250
3:10	50	5	75	250
3:15	50	5	75	250
3:20	50	4	76	250
3:25	50	4	76	250
3:30	50	3	77	250
3:35	50	3	77	250
3:40	50	3	77	250
3:45	50	3	77	250
3:50	50	3	77	250
3:55	50	4	76	250
4:00	50	4	76	250
4:05	50	4	76	250
4:10	50	3	77	250
4:15	50	3	77	250
4:20	50	3	77	250
4:40	50	3	77	1000
5:00	50	3	77	1000
5:20	50	3	77	1000
5:40	50	3	77	1000
6:00	50	3	77	1000
6:20	50	3	77	1000
7:20	50	2	78	3000
8:20	50	2	78	3000
9:30	50	2	78	3000
10:30	50	2	78	3000
11:30	50	3	77	3000
12:30	50	3	77	3000
1:30	50	3	77	3000
2:30	50	3	77	3000
3:30	50	3	77	3000
4:30	50	4	76	3000
5:30	50	4	76	3000
6:30	50	4	76	3000
7:30	50	4	76	3000
8:30	50	4	76	3000

LITHIUM BATTERY

Time	2.25-10 cont	GPM	Water Level	Water Column Static	Gallons Discharged
9:30		50	4	76	
10:30		50	4	76	3000
11:30		50	4	76	3000
12:30		50	4	76	3000
1:30		50	4	76	3000
2:30		50	4	76	3000
3:30		50	4	76	3000

Recovery Rate

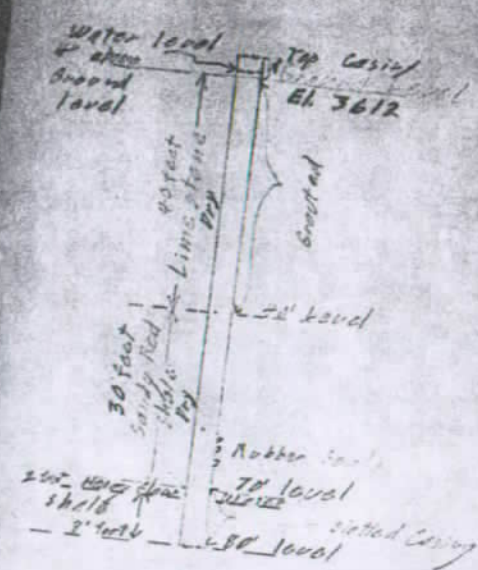
From 4 To 0 - 6 seconds.

Log of Well

West Wall

Scale 1" = 20'

Left Rest. Wall
East Wall



Estimated flow with pump 350 gal. per min.

Top of casing
Ground level
El. 3592

5 feet
2' level
Water level 2/10/67

Top of limestone
92' Grout

Rubber Soals
Proposed bottom of pump casing
126' level
Bottom of casing

Bottom of limestone
148'

Red sandy shale
Water bearing

* Bottom of casing
From 126' to 150'
left open so that
water will not
be leaked out.

Estimated flow
5 gal. per min.

180'

11
11
11

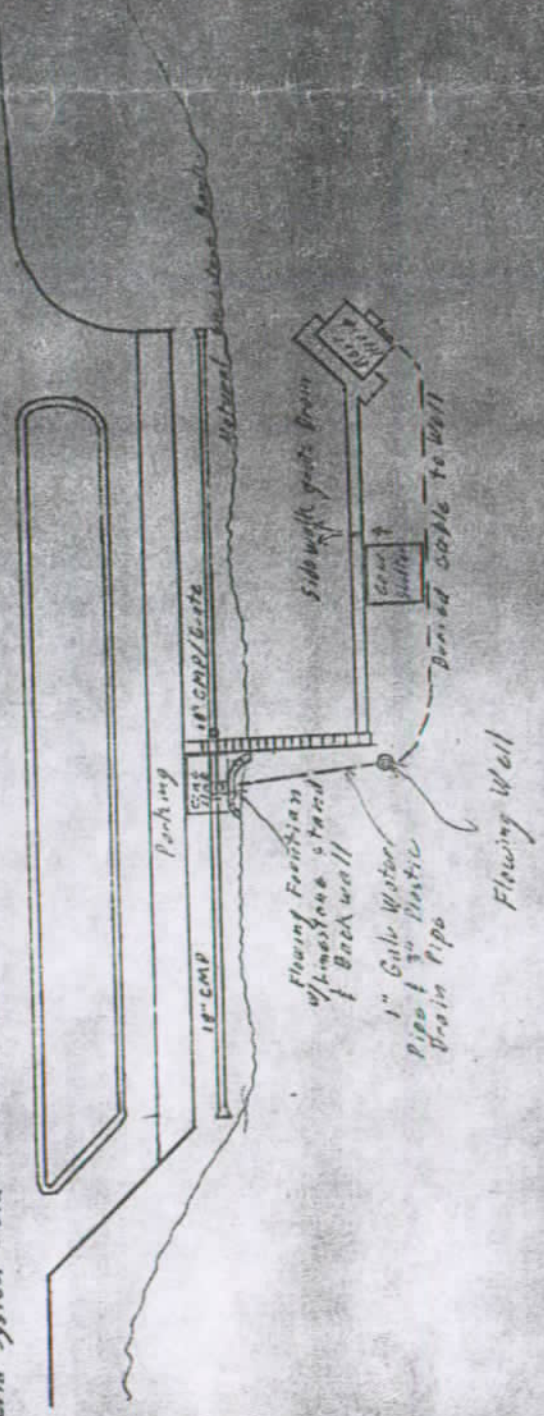
11 11 11

Front 100'

157-80-100
Side 8' x 1'

6+00 6+50 7+00 7+50 8+00 8+50 9+00 9+50 10+00 10+50 11+00

Grid System = STA 15+00 Rest Area Service Road



157-80-100
EBL Rest Area

Location of Foundation 18' CMP



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

June 16, 1992

Ron Jarvis
DOT Rest Area 504-505A
P.O. Box 1970
Rapid City SD 57709

Dear Mr. Jarvis:

I am contacting you regarding the possibility that you may need a permit to appropriate water for use in your facility. We have reviewed our records after receiving information from the Office of Drinking Water and can not locate a water permit for your facility.

Pursuant to South Dakota Codified Laws 46-1-15 and 46-5-10, a water permit is required to use water from any water source, except for private domestic use. Examples of commercial use that require permits for private water supplies are: truckstops, motels, restaurants, tourist attractions, bars, clubs, commercial campgrounds and any other business operation. Examples of noncommercial use that require permits for private water supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute or use water outside of the school building. A vested water right can be claimed for water uses beginning on or prior to February 28, 1955, for ground water or March 2, 1955, for surface water.

An existing business without a water permit has no legal right to the use of water. Water users without a water permit are not protected if their water use is interfered with by someone who has a water right. If you believe you already have a water permit or if you have a permit issued under another name, please contact us.

Enclosed are water permit application forms and an instruction sheet. Please complete and return the application with the required fee to the "Water Rights Division, 523 E. Capitol, Pierre, SD 57501" by July 16, 1992. If you have questions or need assistance contact Don Frye, Natural Resources Analyst (605-773-3352).

Very truly yours,

Ron Duvall, Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
enclosure



Department of Transportation

Rapid City Region Office

2300 Eglin
PO Box 1970
Rapid City, SD 57709-1970 605/394-2244
FAX: 605/394-1904



August 19, 1992

Karen Schlaak
Department of Environment & Natural Resources
Water Rights Division
523 E. Capitol
Pierre, SD 57501

RE: Water Right Permit for I90 Rest Areas near Tilford, SD

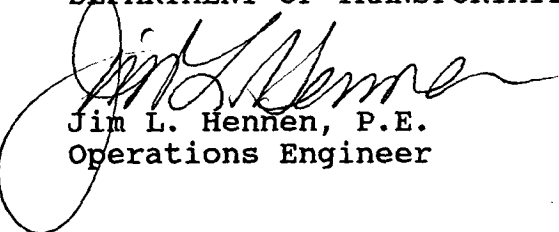
Dear Ms. Schlaak:

As per our phone conversation of this date, I have gathered the available information on the subject wells that have been in use at the I90 rest areas near Tilford since 1968.

I am enclosing two sets of data for each of the two facilities; one is eastbound (EBL) and the other is for the westbound (WBL).

Sincerely,

DEPARTMENT OF TRANSPORTATION



Jim L. Hennen, P.E.
Operations Engineer

cc: file

South Dakota

GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

August 24, 1992

Jim L. Hennen, Operations Engineer
Department of Transportation
PO Box 1970
Rapid City SD 57709-1970

Dear Mr. Hennen:

In regard to two water permit applications received on August 20, 1992, for the Tilford Rest Area facilities, the following information needs to be submitted in order to process the applications.

1. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties.
2. On the application, Item No. 2, please state in gallons per minute, the amount of water claimed. You should be aware that a permit would not be required if less than 18 gallons permit minute is used from each well.
3. The applications must be signed and notarized.

Upon receipt of the above, further processing of your application will continue. If you have any questions, please contact this office.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosures



Department of Transportation

Rapid City Region Office

2300 Eglin
PO Box 1970
Rapid City, SD 57709-1970 605/394-2244
FAX: 605/394-1904



August 26, 1992

Karen Schlaak
Department of Environment & Natural Resources
Water Rights Division
523 E. Capitol
Pierre, SD 57501

RE: Water Right Permit for I90 Rest Areas near Tilford, SD

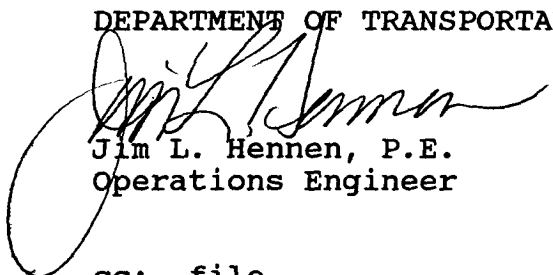
Dear Ms. Schlaak:

Since my letter of August 19th I have discovered that the subject rest areas have been served by only one well since they were upgraded in 1973. The WBL well was capped and taken out of service since it tested out at only 10 gpm and the free flowing well at the EBL facility could easily supply the required 35 gpm needed for both areas. Please discard the applications submitted with my above referenced letter.

Transmitted herewith are two copies of an application for permit to appropriate water from the well in the NE1/4 of the NW1/4 of Section 29, T4N, R6E in Meade County.

Sincerely,

DEPARTMENT OF TRANSPORTATION



Jim L. Hennen, P.E.
Operations Engineer

cc: file

REPORT ON APPLICATION NO. 1559-1
for SD Dept. of Transportation (Tilford Rest Area)
September 29, 1992

Application No. 1559-1 proposes to appropriate 0.10 cfs (45 gpm) from one well approximately 80 feet deep located in the NE 1/4 NW 1/4 of section 29, T4N R6E BHM in Meade County. The water is for use at the eastbound and westbound rest areas on I-90 near Tilford, SD.

AQUIFER - OPECHE SHALE (OPCH)

The Opeche consists of interbedded claystone, siltstone and sandstone ranging in thickness from 70 feet to 120 feet and is generally not considered an aquifer. In fact the Opeche is usually considered as a confining layer to the Minnelusa Formation. The formation does contain gypsum which will dissolve in water leaving solution openings in the formation which under the right conditions can produce water. More than likely, the water source is the Minnelusa Formation even though the well is completed into the Opeche. The well log filed with the application indicates that from the surface to 40 feet was limestone (Minnekahta) and from 40 to 80 feet below land surface was red shale (Opeche). The driller indicates that a large flow of water was encountered at 71 feet below land surface. The well was estimated to produce 350 gpm.

There is no estimate available for the amount of water in storage for the Opeche. Apparently the Opeche is confined at this location and under artesian conditions. The Minnelusa Formation underlies 2.17 million acres and contains an estimated 81.5 million acre feet of recoverable water in storage in Meade County (Allen, 1984). If the Minnelusa Formation is the source of water to this well, there is no problem with water availability.

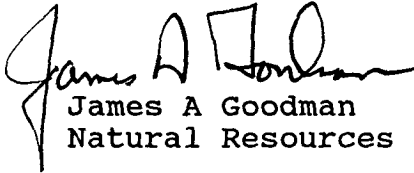
The Division of Water Rights does not monitor any observation wells completed into the Opeche Formation. There is an observation well MD-84B completed into the Minnelusa Formation and located about 1 mile north of this application. Water levels for this well do respond to climatic conditions, that is, rising during wet years due to recharge and gradually declining during dry years. A hydrograph for this well is included with this report. In general the water levels have declined about 40 feet since 1984. The water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1992).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other water permits/rights within 2 miles of this site which obtain water from either the Opeche or Minnelusa Formations. Interference is not a concern. This is an existing well and has been used for these purposes since 1968 with no problems.

CONCLUSIONS

1. Water is available from the Opeche Formation.
2. Interference is not expected to be a concern.
3. The well appears to be completed in accordance with SD Well Construction Standards.
4. This is a flowing well. The well must be controlled in order to prevent the waste of water.



James A Goodman
Natural Resources Engineer

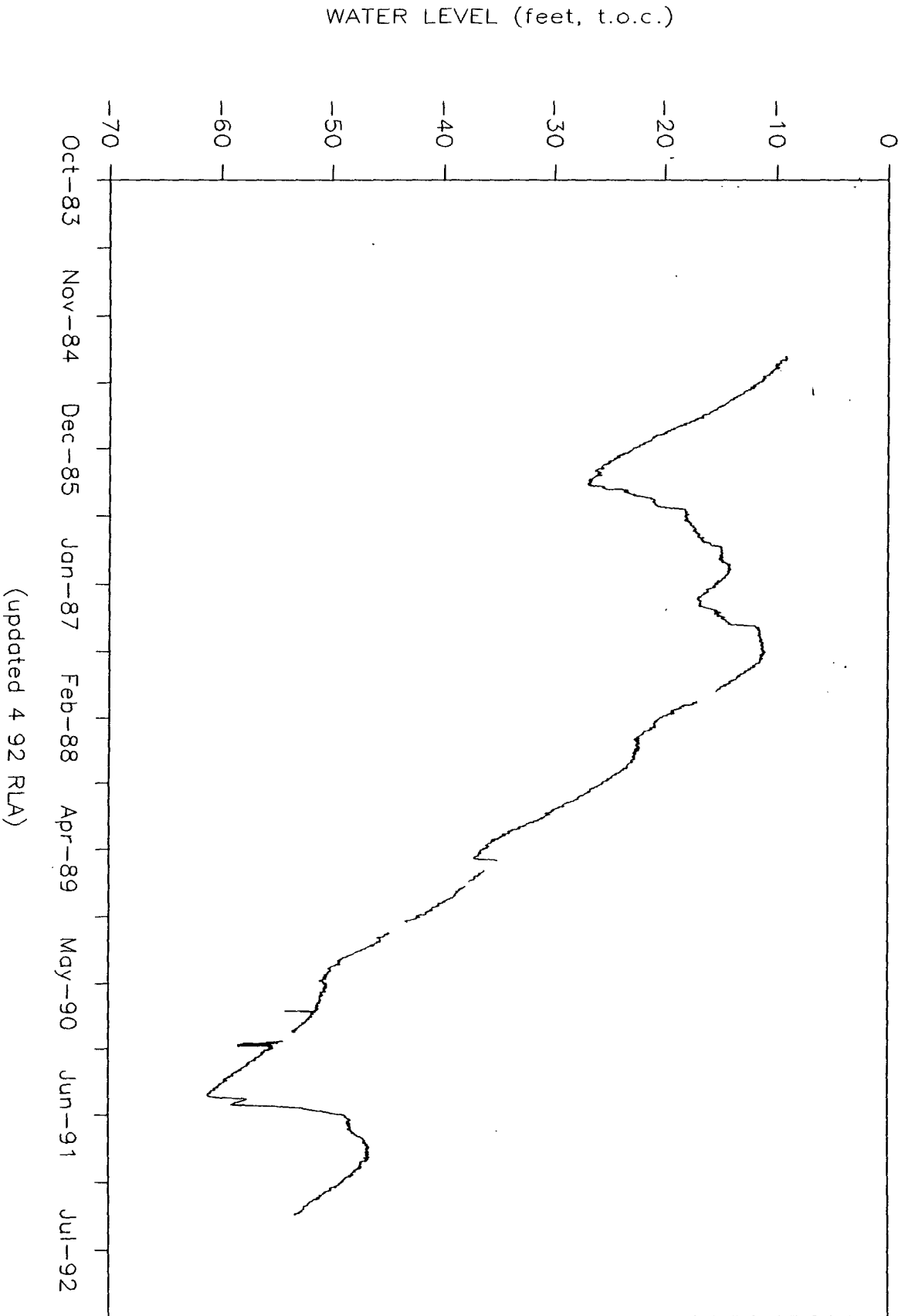
BIBLIOGRAPHY

Allen, J.C., D.L. Iles, A.K. Petres, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1992, Unpublished Observation Well Data for Meade County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

WATER RIGHTS OBSERVATION WELL

MD-84B



RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1559-1, SD Department of Transportation

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 1559-1, SD Department of Transportation (Tilford Rest Area), c/o Jim Hennen, PO Box 1970, Rapid City, SD 57709-1970.

The Chief Engineer is recommending APPROVAL of Application No. 1559-1 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) 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 approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.

See report on application for additional information.



JOHN HATCH, Chief Engineer
October 1, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

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

October 29, 1992

Jim Hennen
SD Department of Transportation
PO Box 1970
Rapid City, SD 57709-1970

Dear Mr. Hennen:

Water Permit Application No. 1559-1 for use at the rest area near Tilford has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Meade County Times-Tribune printed at Sturgis, SD (Ph # 347-2503). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

October 29, 1992

Meade County Times-Tribune
Box 69
Sturgis, SD 57785

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1559-1 to be published twice. Please publish the first notice on November 4, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is SD Department of Transportation (Tilford Rest Area), PO Box 1970, Rapid City, SD 57709-1970 (Ph # 394-2244).

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 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. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

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

Instruction to Newspaper - Publish first Notice on November 4, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1559-1 to Appropriate Water

Notice is given that the South Dakota Department of Transportation, PO Box 1970, Rapid City, SD 57709-1970 has filed an application for a water permit to appropriate 0.10 cubic feet of water per second from one well (Opeche Formation) 80 feet deep located in the NE 1/4 NW 1/4 Section 29-T4N-R6E. The water is for use at the eastbound and westbound rest areas on I-90 near Tilford, SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1559-1 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 23, 1992. 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, December 2, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The December 2, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 23, 1992.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by November 23, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 Meade) ss.
 County _____)



I, Faye D. Pate

certify that the attached printed Notice was taken
 from the _____

A newspaper which during the whole time of publication of
 said notice herein after stated, has been and is printed and
 published in the _____

_____ City _____ of _____ Sturgis _____

County of Meade and State of South Dakota;
 that the said notice was published in said newspaper on the
 following two dates:

November 4, 1992

November 11, 1992

Faye D. Pate
 (Signature)

Accountant
 (Title)

November 11, 1992
 (Date Signed)

Cost of Printing: 62.15

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Pursuant to SDCL 46-24-2, the Chief Engineer ~~has~~ is AP-PROVAL of Application No. 1559-1

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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue a permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

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Publ. Nov. 4 & 11, 1992

Moapa County Times-Tribune



MAR 16 1993

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

Jim Hennen
South Dakota Department of Transportation
PO Box 1970
Rapid City, SD 57709-1970

Dear Mr. Hennen:

Enclosed is Water Permit No. 1559-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the 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
605 773-3352

enclosures

Permit No. 1559-1
Upper Cheyenne 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, ^{Rapid City SD} September 21, 2009, made a thorough examination of the water use system constructed by SD DOT of PO Box 1970 holder of Permit No. 1559-1, bearing the priority of August 20, 1992 authorizing the diversion of 0.10 cu. ft. per second of the waters of the Opeche Formation for Use at Both the East and West Lane Rest Areas on I 90 Near Tilford, SD in Meade County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Unknown
- 2) No. of Wells 1
- 3) Depth(s) 80 feet
- 4) Well log is available N
- 5) Comment: Information for the well is from Form 2A which was submitted with the application

Casing:

- 1) Diameter 4 inches
- 2) Length Unknown feet
- 3) Type Steel

Screen:

- 1) Type Slotted Brass
- 2) Length Unknown feet
- 3) Static water level Free Flowing

Pump:

- 1) Make Unknown
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 31 GPM

B. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y

Report of Examination of Works

Permit No. 1559-1

2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **NA**

3) Exceptions to compliance are: **None**

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

Approximately 545 feet south and 1940 feet east of the NW corner of Section 29-T4N-R6E

(N 44.28410, W -103.42576) (NE ¼ NW ¼)

The works are capable of diverting and conveying to the place of use **0.07** cu. ft. per second of water which is to be used for **Rest areas near Tilford, SD.** Water has been put to beneficial use to the maximum extent as follows:

Water from the well supplies water to both the east and west bound rest areas near Tilford, SD.

The license should be issued for **0.07** cfs.

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

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

Pump information is not available; however, the system is metered and the pump was run at maximum capacity which showed the maximum rate of flow to be 31 gpm.



Mike DeFea

Natural Resources Project Engineer
DENR, Water Rights Program

Date report completed: **December 4, 2009**

Water Permit No. 1559-1

SD Dept. of Transportation

PO Box 1970

Rapid City, SD 57709



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
December 4, 2009

0 420 840 1,680 2,520 3,360 Feet



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow... Today



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 27 2010

1559-1

South Dakota Department of Transportation
PO Box 1970
Rapid City SD 57709

Dear Sir:

Enclosed is Water License No. 1559-1. 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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1559-1

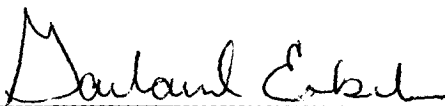
(1) South Dakota Department of Transportation, PO Box 1970, Rapid City SD 57709 made Application No. 1559-1, August 20, 1992 for a water permit to divert 0.10 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for supplying water to the east and west bound rest areas on 1-90 near Tilford. Permit No. 1559-1, with a priority date of August 20, 1992 was approved December 2, 1992 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use completed.

(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 Water Right No. 1559-1 is issued a license, bearing a priority date of August 20, 1992 to appropriate 0.07 cubic feet of water per second from groundwater (one well) for supplying water to the east and west bound rest areas on 1-90 near Tilford.

The diversion point is located: approximately 545 feet south and 1,940 feet east of the northwest corner of Section 29-T4N-R6E (NE ¼ NW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1559-1 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 approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used (directly or for storage purposes). The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the Permit cancelled, the well must be plugged in accordance with Water Management Board Rules, Chapter 74:02:04.



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

APR 27 2010

date

