

Considered: _____

WATER PERMIT NO. 1893-2

MAP No. 1893-2

Name of Applicant WINDMILL TRUCK STOP

Post Office Address RR 4, Box 760 Rapid City 57702

Amount of Water Claimed 0.15 Total Acres _____

Source of Water Supply 300' well Minnekahta Limestone

Water to be used for COM County PE

About _____ miles NW of Rapid City.

PROOF OF PUBLICATION: Received 10-30-84 Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY 8/6/84 Date Received 8/6/84 Fee 150.00 Remarks _____

Corrected Application Received 9/24/84 Period of Annual Use 1/1/ to 12/31

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

WI-1 Description same as Application YES NO REMARKS not applicable

Diversion Point _____

Lot 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21-T2N-R7E

Land to be Irrigated _____

Well Log: Driller Downen Drilling Co. Licensed YES x NO _____

Depth of Well 300' REMARKS Minnekahta Limestone

Type of Map drawn & aerial PREPARED BY Banner Assoc Inc Reviewed and the Number _____

assigned on 9/24/84 By Betty Westlund

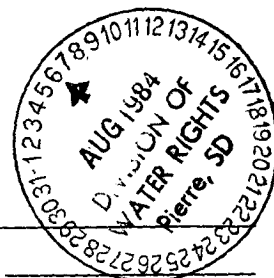
BETTY WESTLUND NRAIII

No. <u>1893-2</u>	Hydrologic Unit <u>16120110</u>
Map No. <u>1893-2</u>	Basin <u>UC</u>
Newspaper <u>JOURNAL</u>	<u>BX 450 RC 57709</u>

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 ☐

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange 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 Windmill Truck STOP Phone No. 348-7070Post Office Address RR4 Box 760 Rapid City State SD Zip Code 57702
(Street, RR or Box)2. ^{Sw.} Amount of water claimed (c.f.s) 0.15 cfs3. Source of water supply Well4. Location of point of diversion See attached map Lot 1, SE⁴ SE⁴, SEC. 21-2N-R7E
259.1' N & 104' E of SE CORNER SEC 21-T2N-R7ECounty Pennington5. Counties where water will be used Pennington6. Annual period during which water is to be used 12 mo.

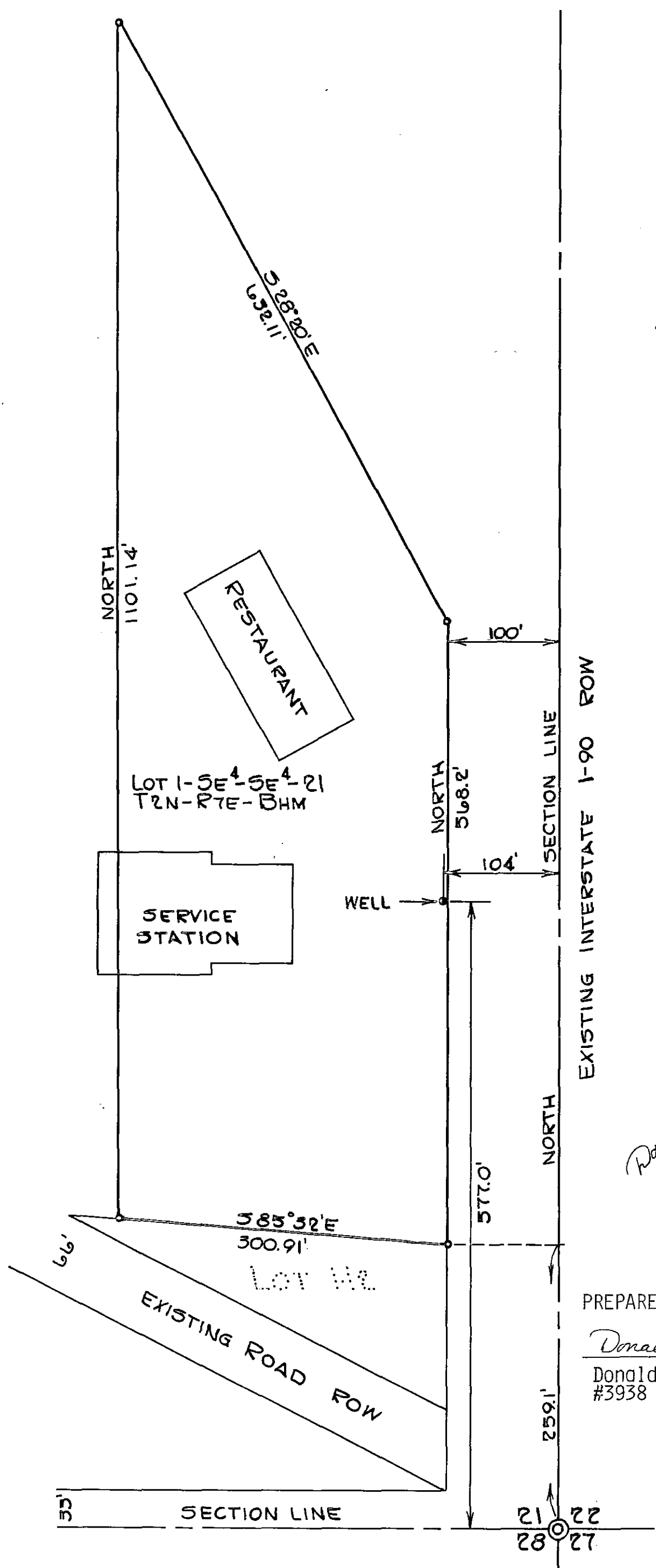
7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

USED FOR OPERATION OF RESTAURANT & FILLING STATION.

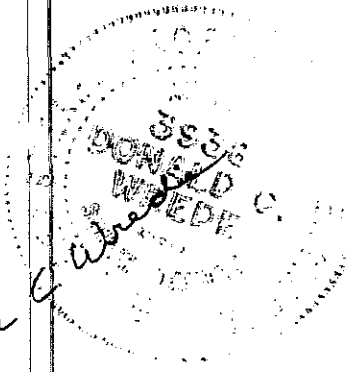
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA)
County of Pennington)^{ss}I, KENNETH HARRIS 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 Kenneth HarrisSubscribed and sworn to before me this 3 day of August 1984Sandra L. Bickford
Notary Public (or other qualified officer)

WELL LOCATION MAP FOR
LOT 1 OF THE SE 1/4 OF THE SE 1/4 OF SECTION 21, T2N-R7E-BHM



A/M 189322



PREPARED BY BANNER ASSOC.
Donald C. Wrede
Donald C. Wrede, P.E.
#3938 SD

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1893-2
Windmill Truck Stop RT. 4 Box 760 Rapid City
(Applicant) (Post Office Address)
S. D. 57702 With the following qualifications.
(State) (Zip Code)

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.

Date of first receipt of application August 6, 1984.
 Date of return to applicant for correction, amendments or changes required _____, 19____.
 Date of receipt of corrected application _____, 19____. Approved December 5, 1984.

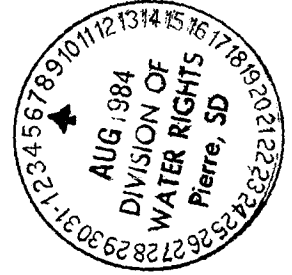
The Water Management Board hereby approves this Water Permit No. 1893-2 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is August 6, 1984.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before _____, 19____.
3. The whole of said work is ~~to be~~ completed ~~on or before~~ _____, 19____.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is _____, 19____.
5. The water appropriated shall be used for the purpose of Commercial Use
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 herein granted shall not exceed 0.15 cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served and to which water is actually and beneficially applied for Commercial Use on or before _____, 19____; said water to be used during the following described annual period: Jan. 1 To Dec. 31

WATER MANAGEMENT BOARD
 By: John Hatch Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
January 4th 1984

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 6 1/2 Depth 300'
- b) Casing Type Steel Diameter 5" Thickness .025
- c) Screen Type — Diameter — Thickness —
- d) Gravel Pack Thickness — Length of Gravel Pack —
- e) Depth to Top of Water Bearing Material 255'
- f) Depth of Water (ground surface to water level) 90'
- g) Distance to nearest existing domestic well:
- On applicants property — On property owned by others 1/8 miles

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 —

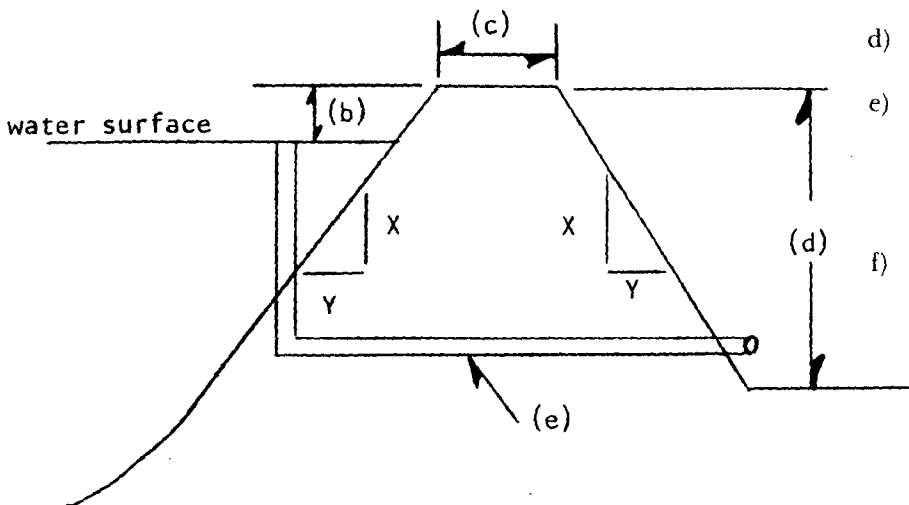
f) X & Y Slope
Upstream —

Downstream —

Surface Area of Impoundment —

Storage — acre feet

Drainage area above dam —



Kenneth Davis
Signature of Applicant



Department of Water & Natural Resources

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

June 21, 1984

The Windmill
RR11, Box 630
Rapid City South Dakota 57701

Dear Mr. Harris:

The Division of Environmental Quality of this Department is conducting a survey of non-community public water supply systems. As a part of the survey, we have reviewed our records and we can not find any water rights on file for The Windmill.

A water permit is required pursuant to SDCL 46-1-15 to use water from a private source for commercial use. Any use of water, except for private domestic use, requires a water permit. Examples of commercial use are: truckstops, motels, restaurants, tourist attractions, commercial campgrounds and any other business operation. Examples of non-commercial use that require permits for private supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute.

If you have a water permit that has been issued under another name or if you believe a permit has been issued under another name, please contact us. We are enclosing the necessary permit application forms and instructions, if you need a permit. Please complete and submit with a (see instructions) filing fee.

An existing business without a water right has no right to the use of water. Except for private domestic use, any water user without a water right is not entitled to receive protection in the event of well interference by a new or future user who has a water right. The new user with a water right will have the senior priority over an existing user without a water right. In South Dakota, the first in time (senior priority) is the first in right, except for individual domestic use. Individual household, farm or ranch use does not require a permit and has preference over all other users of water.

If you have any questions or need assistance with completion of the forms, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Kevin C. Larson".

Kevin C. Larson
Water Resources Engineer
Office of Water Rights
Phone: (605) 773-3352

Enclosures

d62006ks.wr

Equal Opportunity Employer

RECEIPT

Division of Water Rights

No 4 9731

South Dakota Department of Water and Natural Resources

Pierre, August 6, 1984

RECEIVED OF Windmill Truck Stop RR#4, Box 760, Rapid City, SD 57702

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

Fee for Application for Permit No. 1893-2 to Appropriate Water, to construct works and to put water to beneficial use	150	00
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for		
(Any Other Work Provided by Law)		
Total	150	00

By John Hatch
Chief Engineer

JOHN HATCH MS

1893-2

STATEMENT

Dowhen Drilling Company

Rt. 4, Box 1190
Rapid City, South Dakota 57702
Phone 787-4525

Windmill Truck Stop

Terms: 1% per month after 30 days!

Date 6/28/84

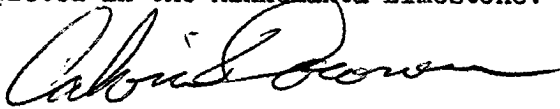
300' of 6½" Drilling

255' of 5" Steel casing

Water Level 90' from top

Test 45 GPM

Well completed in the Minnekahta Limestone.



Conversation or File Documentation

NAME OF PERSON OR FILE: Donald Wrede - Lanner & Assoc.ADDRESS: R.C. COUNTY PEDATE: 9/20/84 TELEPHONE _____RE: Windmill Truck Stop Appl.

COMMENTS:

After receiving corrected appl. called to confirm
amt of CFS being pumped as they will be
reimbursed \$100 if only pumping 0.10 CFS.
Mr. Wrede was not in and will call back.

9/24/84 Windmill Truck Stop called will go with
0.15 cfs so the fee received will be OK no refund
will be required.

File in Permit or other file as necessary. Use to document conversations and
what the other party was told; why action or decision was made.

NAME: L. Westlund

REPORT ON PERMIT APPLICATION NO. 1893-2

WINDMILL TRUCK STOP

October 3, 1984

This application proposes to divert 0.15 cfs for commercial use from one well 300 feet deep (Minnekahta Limestone). The point of diversion is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T2N, R7E BHM.

Aquifer - Minnekahta Limestone

Geology and Aquifer Characteristics

The Minnekahta limestone is a clean nearly pure limestone which can be described as lightbrown in the upper 1/3, medium to thick bedded middle 1/3, purple flaggy bedded lower 1/3, purple, dolomitic, laminated, medium bedded and about 40 feet thick (Cattermole, 1969). The Minnekahta is overlain by the Spearfish Formation and underlain by the Opeche Formation which are generally not considered as aquifers. The Minnekahta is under artesian conditions at this site.

The estimated porosity of 8% (Rahn, 1979) of the Minnekahta is mostly from fractures and bedding planes within the unit. The limestone by itself has very little porosity. In Pennington County, there is approximately 3.2 million acre feet of water available from the Minnekahta Limestone (Allen Etal, 1984).

The driller's construction log submitted by Downen Drilling indicates 255 feet of 5" steel was set, probably to the Minnekahta, and then the well was completed open hole to a depth of 300 feet. It is common practice in the Black Hills area to complete wells in this manner. The driller reported a static water level 90 feet below land surface and tested the well at 45 gpm.

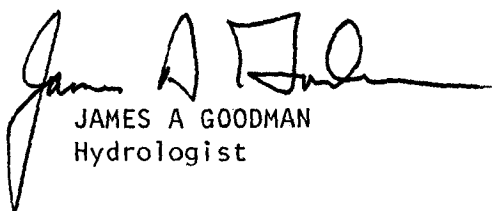
Review of Existing Water Permits

There are two existing water permits No. 1279-2 and 1656-2 issued to Pete Lein and Sons, Inc. which obtain water from the Minnelusa Formation. There are no permits which obtain water from the Minnekahta Limestone in this area.

As the Opeche Formation separates the Minnekahta from the Minnelusa, there may be no hydraulic connection between the formations. During the drilling of PE-84B (Observation Well Files, 1984) which is about 2 miles northwest of this application, water was encountered in the Minnekahta which flowed at the land surface. The well was completed in the Minnelusa and the static water level is about 55 feet below land surface, indicating about a 60 feet difference in head between the formation. At this location, at least, the Opeche Formation is a confining layer.

Conclusions

1. There is water available from the Minnekahta Limestone.
2. The Minnekahta is considered a relatively minor aquifer. Most permits in this area obtain water from the Minnelusa or Madison Formations.
3. There is probably no connection with the Minnelusa in this area.
4. The Minnekahta is under artesian conditions.
5. The Water Rights Division presently monitors 3 Minnelusa wells in this area and one Madison well; however, there are no existing monitoring wells in the Minnekahta.
6. Because of the geologic nature of the overlying Spearfish Formation, wells must be properly cased and grouted to prevent possible water quality problems associated with the Spearfish Formation.



JAMES A GOODMAN
Hydrologist

Bibliography

- Allen, J.C., D. Illes, A. Petres, 1984, Draft Final Ground Water Resource Inventory, SDGS, Vermillion SD 57069
- Cattermole, M.J., 1969, Geologic map of Rapid City West Quadrangle, USGS Map GQ-828, Washington D.C.
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, prepared for U.S. Army Corps of Engineers, SDSM & T Project #2533, Rapid City SD.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

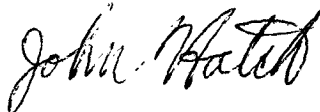
APPLICATION NO. 1893-2, Windmill Truck Stop

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. 1893-2, Windmill Truck Stop, RR 4, Box 760, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 1893-2 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 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.

See attached report for additional information.

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division
October 11, 1984

Instruction to Newspaper - Publish first publication of the following Notice on or before October 19, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1893-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Rights No. _____~~

Notice is hereby given that the Windmill Truck Stop whose mailing address is RR 4, Box 760, Rapid City, South Dakota has made an application for a permit

to appropriate 0.15 cubic feet per second of water from one well 300 feet deep in the Minnekahta Limestone Formation. The point of diversion is located in Lot 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21, T2N, R7E. The water is to be used for commercial purposes in the operation of a restaurant and truck stop.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1893-2 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, South Dakota on December 5 19 84 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on 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 November 23, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason 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, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(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 November 23, 1984.

Affidavit of Publication

STATE OF SOUTH DAKOTA

SS.

County of Pennington

I, Jerry J. Shoener

, being first duly sworn,

upon his oath says: That he is now and was at all times hereinafter mentioned, an employee of the RAPID CITY JOURNAL COMPANY, a corporation, of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said RAPID CITY JOURNAL, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said newspaper once each week for two successive weeks, the first publication thereof being on the nineteenth day of October, 1984, that the fees charged for the publication thereof are sixty-seven Dollars and seventy-two cents.

Jerry J. Shoener

Subscribed and sworn to before me this 26th day of

October, 1984.

Wm. W. Winkler
Notary Public.

Oct. 19, 84

L-480

NOTICE OF HEARING ON APPLICATION 1893-2 TO APPROPRIATE WATER

Notice is hereby given that the Windmill Truck Stop whose mailing address is RR 4, Box 760, Rapid City, South Dakota has made an application for a permit to appropriate 0.15 cubic feet per second of water from one well 300 feet deep in the Minnekahta Limestone Formation. The point of diversion is located in Lot 1, SE1/4 SE1/4, Section 21, T2N, R7E. The water is to be used for commercial purposes in the operation of a restaurant and truck stop.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1893-2 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, S.D., on December 5, 1984 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on 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 November 23, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason 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, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; 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, DWRN, Joe Foss Bldg., Pierre, S.D., (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 November 23, 1984.





Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

1893-2

January 4, 1985

Windmill Truck Stop
Route #4, Box 760
Rapid City, South Dakota 57702

Dear Sir:

Enclosed is your Water Permit No. 1893-2 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, 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,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

Permit No. 1893-2, Windmill Truck Stop
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

On, September 9, 1997, I made a thorough examination of the water use system constructed by the Windmill Truck Stop, c/o Larry Heil, Manager, 2783 Deadwood Avenue, Rapid City, SD holder of Permit No. 1893-2, bearing the priority of August 6, 1984 authorizing the diversion of 0.15 cu. ft. per second of the Minnekahta Limestone Formation for commercial purposes, in Pennington County.

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

A. Works used to divert the water:

Minnekahta well

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

a 5 Horsepower pump/motor set and approximately 140 feet

C. Works used to apply water to beneficial use:

distribution lines supply water to truck stop and restaurant

The system is in the following condition good. The point of diversion is located 577 feet North and 104 feet West of the SE Corner (SE1/4 SE1/4) of Section 21, T2N, R7E. The works are capable of diverting and conveying to the place of use 0.10 cu. ft. per second (47 gallons per minute) of water which is to be used for commercial purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.10 cfs (47 gpm).

Applicable permit qualifications have been complied with: Yes

Exceptions to compliance are: none



Eric S. Gronlund

Natural Resources Engineer

DENR, Water Rights Program

12/23/97
Date

REPORT ON INSPECTION OF PERMIT NO. 1893-2, Windmill Truck Stop

DATE OF INSPECTION: September 9, 1997

Other permit(s) associated with the project: none

Contact Person & Address: Larry Heil, Manager, 2783 Deadwood Avenue, Rapid City, SD 57702

DIVERSION POINT LEGAL LOCATION: 577 feet North and 104 feet West of the SE Corner (SE1/4 SE1/4) of Section 21, T2N, R7E

WATER SUPPLY Source: Minnekahta Limestone

Well Information:

- | | |
|---|-------------------------------------|
| 1) Well Drilling Firm: <u>Downen Drilling</u> | 2) No. of Wells <u>One</u> |
| 3) Depth(s) <u>300</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|-----------------------------|---------------------------|
| 1) Diameter <u>5</u> inches | 2) Length <u>255</u> feet |
| 3) Type <u>steel</u> | |

Screen:

- | | |
|--------------------------------------|-------------------------|
| 1) Type <u>#</u> | 2) Length <u>#</u> feet |
| 3) Static water level <u>90</u> feet | |

Pump/Motor:

- | | |
|------------------------------------|---------------------------|
| 1) Make <u>Flint & Walling</u> | 2) Model <u>4F35A50</u> |
| 3) Horsepower rating <u>5</u> hp | 4) Capacity <u>45</u> GPM |

*** Information provided by Everett Belkum, Farmers Supply Co., 2401 S. Hwy 79, Rapid City, SD

SYSTEM TYPE: Not Applicable

CHEMIGATION EQUIPMENT: Not Applicable

PERMIT QUALIFICATIONS AND REGULATIONS:

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

- The truck stop is hooked to Rapid City's sanitary sewer.

- The pump is set at approximately 140 feet

Information on well pumps for Eric Gronlund, Water Rights Program



LAKE PARK MOTEL

Pump - Make FLINT & WALLING
Model 4F19B103C1
Size 20 gpm
Horsepower 1 HP
Capacity 21 GPM @ 40 PSI

WINDMILL TRUCK STOP

Pump - Make FLINT & WALLING
Model 4F75A50
Size 5 HP
Horsepower _____
Capacity 47 GPM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 16, 1998

1893-2

Windmill Truck Stop
%Larry Heil, Manager
2783 Deadwood Ave.
Rapid City, SD 57702

Dear Mr. Heil:

The investigation of your water use system was conducted on September 9, 1997, by Eric Gronlund, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1893-2. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 415609

Pierre, January 21, 19 98

RECEIVED OF Windmill Travel Plaza, 2783 Deadwood Ave., Rapid City, SD 57702
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

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. 1893-2

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

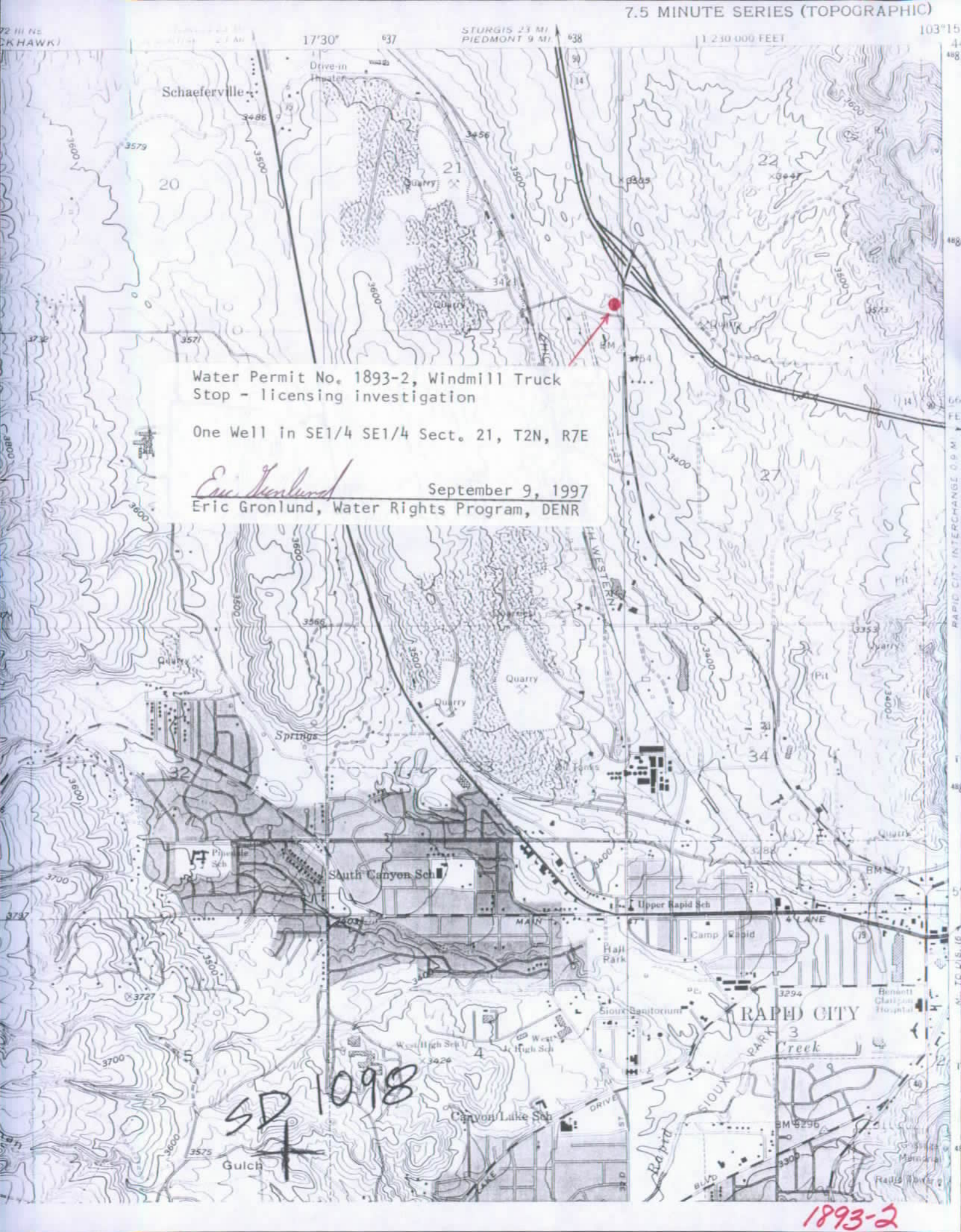
Total

50 00

50 00

By _____
Chief Engineer

John Hatch



Schaeferville

20

21

22

27

34

Water Permit No. 1893-2, Windmill Truck
Stop - licensing investigation

One Well in SE1/4 SE1/4 Sect. 21, T2N, R7E

Eric Gronlund

September 9, 1997

Eric Gronlund, Water Rights Program, DENR

SD 1098

RAPID CITY

Creek

1893-2

STATE OF SOUTH DAKOTA

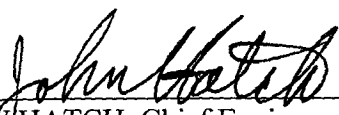
WATER LICENSE NO. 1893-2

(1) Windmill Truck Stop, c/o Larry Heil, Manager, 2783 Deadwood Ave, Rapid City SD 57702 made Application No. 1893-2, August 6, 1984 for a water permit to divert 0.15 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for commercial use purposes. Permit No. 1893-2, with a priority date of August 6, 1984 was approved December 5, 1984 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(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 0.10 cubic feet of water per second for beneficial use. The location of the diversion point is 577 feet north and 104 feet west of the southeast corner (SE 1/4 SE 1/4) Section 21-T2N-R7E.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use at a truck stop and restaurant.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Windmill Truck Stop, c/o Larry Heil, Manager, 2783 Deadwood Ave, Rapid City SD 57702 the holder and/or owner of Water Permit No. 1893-2 is issued a license to appropriate water, the right to use 0.10 cubic feet of water per second from groundwater (one well) with a priority date of August 6, 1984 from the location specified in (2) of this license for commercial use purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 1893-2 and subject to South Dakota State Law.


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

FEB 27 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 27 1998

1893-2

Windmill Truck Stop
%Larry Heil, Manager
2783 Deadwood Ave.
Rapid City, SD 57702

Dear Mr. Heil:

Enclosed is Water License No. 1893-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415609 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

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. 1893-2, 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,

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

ks
enclosures



A/M 1893-2

Well

←