

WATER PERMIT NO. 1704-1

Name of Applicant: **Mike & Debie Palmer**

Address: PO Box 2276, Rapid City SD 57709

Phone: **605 388-8815**

Amount of Water Claimed: **0.44 cfs (200 gpm)**

Total Acres: 17

Source of Water Supply: **surface water**

Water to be used for: **irrigation** County: **Meade**

Type of Waste Disposal System: **NA**

Location: ½ northwest of Black Hawk

PRIORITY Date Received: 12-28-99

Fee: **\$150**

Corrected Application Received:

Period of Annual Use: April 1 – November 30

Remarks: **irrigation of turf**

Diversion Point: **SE ¼ SE ¼**

Sec 5-T2N-R7E

Land to be Irrigated: **SE ¼ SE ¼**

Sec 5-T2N-R7E

Depth of Well: **NA**

Well Driller:

Remarks:

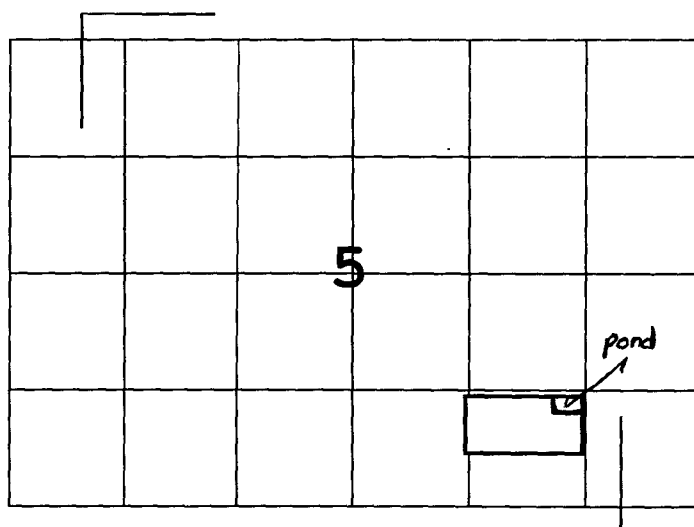
Type of Map: aerial

Prepared by: **Marge Duprel, Meade Co FSA**

Reviewed and the Number Assigned on: **12-28-99**

By: Karen Schlaak

Notice of Hearing - date to intervene: _____





Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1704-1</u>	(office use only) Hydrologic Unit <u>10/20/11</u>
	Basin <u>Upper Cheyenne</u>	
	Newspaper <u>Meade Co. Times-Tribune, Sturgis, SD</u>	

Application For Permit To Appropriate Water For Irrigation

Type of Application: X New Vested Right Amendment/Correction to Permit No.
(Use predates Mar 2, 1955)

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

- Name of Applicant Mike & Debbie Palmer Phone (605) 388-8815
(check one) Owner Tenant/lessee
- Mailing Address P.O. Box 2276 Rapid city State S.D. 57709
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.44 *CFS or 200 **GPM ***AF Total Acreage 17
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Pond and stream flowing thru property
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
SE1/4, of the SE1/4, Section 5, T.2N., R7E., BHM
Well on adjoining property, NE1/4 SE1/4 Sec. 5-T2N-R7E County Meade
- County or counties where water will be used Meade
- Annual period during which water is to be used April till November 30
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
SE1/4 of the SE1/4, section 5, T.2N.,	17		

- Give a description of the project. (Attach sheet if more space is needed)
Will use water from this point irrigate turf

STATE OF SOUTH DAKOTA) SS
County of Meade

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

I, Michael Palmer, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Michael Palmer

Subscribed and sworn to before me this 20th day of December 19 99

MY COMMISSION
EXPIRES Feb 6 2005

Kathryn E. Lewis
Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 1704-1

Date of first receipt of application December 28, 1999.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1704-1 to Mike & Debie Palmer, PO Box 2276, Rapid City SD 57709 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. 1704-1 appropriates 0.44 cubic feet of water per second (200 gallons per minute) from a pond located in the SE ¼ SE ¼ Section 5 to irrigate 17 acres located in the SE ¼ SE ¼ Section 5; all in T2N-R7E. This pond is supplied by incidental surface run-off and the flow from a neighboring well (Minnekahta Formation), located in the NE ¼ SE ¼ Section 5, T2N-R7E on adjoining property.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – November 30.
3. The date from which applicant may claim right is December 28, 1999.
4. The date of approval of Permit No. 1704-1 is March 6, 2000.
5. One-fifth of the construction is to be completed on or before September 6, 2002.
6. All construction is to be completed on or before March 6, 2005.
7. Water is to be put to beneficial use on or before March 6, 2009.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

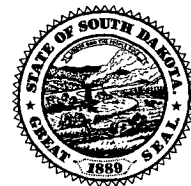
1. Pursuant to SDCL 46-5-6 which allows a greater diversion rate and volume if the method of irrigation, time constraints, or type of soils so requires, Permit Nos. 1703-1 and 1704-1, combined, authorize a maximum diversion rate for irrigation of 0.44 cfs and an annual volume of 34 acre feet of water for irrigation of 17 acres.
2. The well authorized for irrigation use under this Permit shall be valved and the flow controlled to prevent overflow from the pond.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

MAR 30 2000

date



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416319

Pierre, December 28, 1999

RECEIVED OF Debie M. Palmer, P.O. Box 2276, Rapid City, SD 57709
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>1704-1</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1704-1</u> _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	200 00

By

Chief Engineer

John Hatch

Walter Dupre
FSA - Program Technician

T25

T19

T27

T65

Area of Pond
& Stream

13.8 NW
① N

NW
N

9.4

②

NW
N

6.8

③

NW
N

6.2

⑦

NW
N

10.4

⑥

NW
N

12.1

⑤

NW
N

18.0

④

66.8

66

①

Alk
(2-7)

T34

T21

1704-1

NW
N



THREE SUNS LANDSCAPING

MIKE PALMER
OWNER
PO BOX 2276
RAPID CITY SD,

57709

Telephone 605-341-2547
Fax 605-341-2547

SUPPLEMENTAL INFORMATION:

THE WATER STORAGE IN THE AREA INDICATED ON THE MAP IS NOT A DAM. IT IS A LOW AREA APPROX 65' X 45' WITH A DEPTH OF APPROX 8' THAT PONDS UP WATER FROM THE STREAM THAT FEEDS IT. THE WATER SOURCE THAT FEEDS THE STREAM IS FROM A CONTROLLED FREE FLOWING WELL ON ADJOINING PROPERTY.

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 1704-1, Mike Palmer

ADDRESS: COUNTY: Pennington

DATE: January 3, 2000 TELEPHONE: 388-8815

RE: information necessary to complete application

COMMENTS:

I contacted Mr. Palmer regarding information on the well located on neighboring property which is part of Application No. 1704-1. I told him we would need the following:

1. A legal description of the well location along with a map showing where the well is located.
2. The name of the property owner where the well is located.
3. Whatever information is available on the existing well such as depth, casing diameter, etc.
 - Mr. Palmer stated it is his understanding the well was constructed in the early 1950's. He will try to find out further information on this well.

Mr. Palmer stated it is his intention to develop water under Application No. 1704-1 first for watering of turf (if he can get a permit) and to also develop the new well that is being applied for under Application No. 1703-1, although that well might not be drilled for a few years.

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: Eric Henderson



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 11, 2000

Daniel Bjerke
City of Rapid City
300 6th Street
Rapid City SD 57701

Dear Mr. Bjerke:

I am enclosing the reports, recommendations and public notice for two water right permit applications filed by Mike and Debie Palmer for irrigation at sod farm north of Rapid City. The applications are for a proposed Minnelusa Formation well and an existing Minnekahta Formation well. Since the wells and lands are located in Meade County, the public notice will be published in the Mead Co. Times-Tribune.

I am making you aware of these pending applications because of their proximity to Rapid City and the past interest of Rapid City in keeping informed of water right permitting issues in the area.

If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Water Rights Program
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 11, 2000

Thomas Norman
RR 1
Black Hawk SD 57718

Dear Mr. Norman:

I am enclosing a copy of the report, recommendation and public notice for a water right permit application filed by Mike and Debie Palmer. Mr. Palmer indicated that this flowing well is located on Tom Norman's property and overflow from the well flows down the drainage to the property he wants to irrigate for a sod farm. I assume this is your well and Mr. Palmer has indicated to me that he talked to you about this application. I am sending you this information to ensure you are aware of Palmer's pending application.

Mr. Palmer also has another application pending for a proposed Minnelusa Formation well located on his own property to irrigate the sod farm.

I also want to make you aware that as the owner of a flowing well you are required to control the well by means of a valve and reduce the flow to the amount needed or to a minimum when not being used.

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

Sincerely,

Eric Gronlund
Water Rights Program
605 773-3352

enclosures

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1704-1, Mike and Debie Palmer

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 1704-1, Mike and Debie Palmer, PO Box 2276, Rapid City SD 57709.

The Chief Engineer is recommending APPROVAL of Application No. 1704-1 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate and volume if the method of irrigation, time constraints, or type of soils so requires, Permit Nos. 1703-1 and 1704-1, combined, authorize a maximum diversion rate for irrigation of 0.44 cfs and an annual volume of 34 acre feet of water for irrigation of 17 acres.
2. The well authorized for irrigation use under this Permit shall be valved and the flow controlled to prevent overflow from the pond.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



Garland Erbele, Chief Engineer
February 9, 2000

NOTE: The approval of this application does not grant the applicant access to the well or require the well owner to provide water for the applicant's use. The ability to access the well and control it to meet irrigation needs should be addressed through written agreement or easement between parties.

WATER PERMIT APPLICATION NO. 1704-1
MIKE AND DEBIE PALMER
FEBRUARY 8, 2000

Water Permit Application No. 1704-1 proposes to appropriate 0.44 cubic feet of water per second (cfs)(200 gallons per minute) from a pond located in the SE ¼ SE ¼ Section 5 to irrigate 17 acres located in the SE ¼ SE ¼ Section 5; all in T2N-R7E. This pond is supplied by incidental surface run-off and by the flow from a neighboring well, 450 feet deep, located in the NE ¼ SE ¼ Section 5, T2N-R7E.

AQUIFER: Minnekahta Limestone (MNKT)

Geology and Aquifer Characteristics:

The Minnekahta Limestone is a grayish-pink, laminated, limestone which is approximately 40 feet thick in this area. The Minnekahta underlies an estimated 2,149,120 acres of Meade County and contains and estimated 5,372,800 acre feet of recoverable water in storage in the County (Allen, 1984). The aquifer is areally extensive around the Black Hills and is hydraulically connected to surrounding counties. The Minnekahta is confined and under artesian conditions at this site. This application proposes to use a well that was purportedly constructed in the early 1950's. A well completion report is not available for this well but information provided with the application indicates the well is completed into the Minnekahta Limestone, is approximately 450 feet deep, and is reportedly a controlled flowing well. The top of the Minnekahta is probably more in the neighborhood of 560 feet deep in this area (Redden, 1994) so it is assumed the well is in fact completed into the Minnekahta Limestone and the estimated 450 feet depth is incorrect.

Water Availability:

The availability of unappropriated water from the Minnekahta Limestone in this area can be evaluated by considering SDCL 46-6-3.1. This statute requires that an application to appropriate groundwater can not be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of average estimated annual recharge.

Recharge to the Minnekahta Limestone in this area occurs through direct infiltration of precipitation falling on the outcrop (approximately one and one quarter miles from this well site). The average annual recharge has not been estimated for the Minnekahta Limestone in this area. The Water Rights Program monitors four Minnekahta Limestone observation wells in the Black Hills. The nearest Water Rights' Observation Well (MD-95A) is located approximately 12 miles northwest of this well. Data from these wells indicate the water level fluctuates in response to seasonal and annual climatic conditions, that is the water level rises in the spring and declines the rest of the year, and the water level is lower during drought years. Water level measurements suggest that withdrawals have not exceeded recharge over the period of record. Approval of this application will not cause withdrawals to exceed recharge.

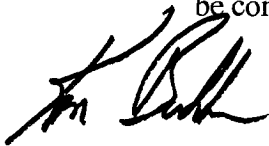
Effects on Existing Water Rights:

The Water Rights Program has record of several domestic wells in the vicinity of this permit (Water Rights, 2000). There are a total of 28 Water Rights/Permits appropriating water from the Minnekahta Limestone within the entire state. Total pumpage from the aquifer by appropriative users is estimated to be less than 3500 acre-feet annually. Seven permits/rights making appropriations from the Minnekahta are within approximately ten miles of this well. The nearest Minnekahta appropriations (Water Right

No. 2177-2, Superior Truck Wash; and Water Right No. 1893-2, Windmill Truck Stop) are located approximately 3.5 miles from this well. It is not likely that this appropriation will have an adverse impact on water rights in the area because of the distance between wells and the fact that this is an existing well that has presumably been in use since the 1950's.

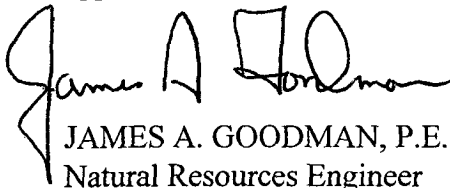
CONCLUSIONS:

1. The Minnekahta Limestone is a viable source of groundwater in this area.
2. Recharge to the Minnekahta Limestone, which is through direct infiltration of precipitation, has not been quantified.
3. There is a reasonable probability that unappropriated groundwater is available from the Minnekahta Limestone in this area.
4. There are numerous domestic wells and wells supplying appropriative rights in this area.
5. This proposed appropriation should have no adverse affect on existing water rights/permits due to the distance from existing wells.
6. This application proposes to appropriate more than the statutory limits of one cubic foot of water per second per 70 acres irrigated and 2 acre-feet of water per acre irrigated. This is not unreasonable for turf irrigation.
7. The flowing well that supplies water to the pond, the applicant proposes to irrigate from, is located on property not owned by the applicant. If approved, this water permit simply allows the applicant the use of water that the well owner chooses to make available. A water permit/right does not require the well owner provide water to the applicant.
8. The flow from the well must be controlled to prevent overflow from the pond, which would be considered a waste of water.



KEN BUHLER
Natural Resource Engineer

approved by:



JAMES A. GOODMAN, P.E.
Natural Resources Engineer

- Allen, J.C., D.Iles, A.Petres, 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Task 3 & 4: Groundwater Resources Inventory, US Army Corps of Engineers Contract DAWC 45-82-C-015, SD DENR-Division of Geological Survey, Vermillion SD
- Redden, J.A., 1994, Structural Contours and Phanerozoic Structures in the Rapid City, South Dakota, 1:100,000 Scale Quadrangle, Open-File Report 95-81, U.S. Geological Survey, Rapid City, SD
- Water Rights Program₁, 2000, "Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program₂, 2000, "Water Permit Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program₃, 2000, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

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

February 10, 2000

Mike & Debbie Palmer
P.O. Box 2276
Rapid City, SD 57709

Dear Mr. and Ms. Palmer:

Water Permit Application Nos. 1703-1 and 1704-1 for irrigation use have 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 Co. Times-Tribune printed at Sturgis, SD (Ph # (605) 347-2503). For your information, a copy of the notice, the recommendations of the Chief Engineer reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above 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 applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendations, 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 applications.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 10, 2000

Meade Co. Times-Tribune
Box 69
Sturgis, SD 57785-0069

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application Nos. 1703-1 and 1704-1 to Appropriate Water to be published twice. Please publish the first notice on February 16, 2000, 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 Mike & Debie Palmer, P.O. Box 2276, Rapid City, SD 57709 (Ph # (605) 388-8815).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

Nos. 1703-1 & 1704-1

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

Date _____

We are in receipt of your letter of February 10, 2000, enclosing Notice of Hearing to Appropriate Water by Application Nos. 1703-1 & 1704-1 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 February 16, 2000, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 1703-1 and 1704-1 to Appropriate Water

Notice is given that Mike and Debie Palmer, PO Box 2276, Rapid City SD 57709 have filed applications for a water permit to irrigate a sod farm.

Application No. 1703-1 proposes to appropriate 0.44 cubic feet of water per second (cfs) (200 gallons per minute) from one well (Minnelusa Formation) 820 feet deep located in the SE ¼ SE ¼ Section 5 to irrigate 17 acres located in the SE ¼ SE ¼ Section 5; all in T2N-R7E.

Application No. 1704-1 proposes to appropriate 0.44 cubic feet of water per second (cfs) (200 gallons per minute) from a pond located in the SE ¼ SE ¼ Section 5 to irrigate 17 acres located in the SE ¼ SE ¼ Section 5; all in T2N-R7E. This pond is supplied by incidental surface run-off and the flow from a neighboring well (Minnekahta Formation), located in the NE 1/4 SE 1/4 Section 5, T2N-R7E on adjoining property.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 1703-1 and 1704-1 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. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the applications or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 6, 2000.

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



AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF MEADE

Joan M. Lewis, being duly sworn, says: That the Meade County and, during all the times hereinafter mentioned, was a legal news SDCL 17-2-2, as amended, published at Sturgis, Meade County, Dickson Media, Inc.; that affiant is and, during all of said times, w accountant by the publisher of such newspaper and has personal facts stated in the affidavit; that the notice, order or advertisement, which is attached, was published in said newspaper for successive following dates:

<u>February 16</u>	200	<u>0</u>	
<u>February 23</u>	200	<u>0</u>	
	200		
	200		
	200		

that the full amount of the fee charged for publishing the same, \$ 45.10, insures solely to the benefit of the newspaper; that no agreement or understanding for the division o made with any person, and that no part of the fee has been agreed other person.

Joan M.
Bookkeeper

Subscribed and sworn to before me this

23rd day of February, 2000

Tanjee Stan Stansoury
Notary Public, South Dakota

Tanjee Stansoury
Notary Public

My commission expires January 4, 2006

Water application

NOTICE OF APPLICATION NOS. 1703-1 and 1704-1 to Appropriate Water

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nature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

Publ Feb. 16 and 23, 2000
Meade County Times-Tribune



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

MAR 30 2000

Mike & Debie Palmer
P.O. Box 2276
Rapid City, SD 57709

Dear Mr. and Ms. Palmer:

Enclosed are Water Permit Nos. 1703-1 and 1704-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10's, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return these completed forms after you have finished the systems and have put the water to beneficial use. An investigation can then be scheduled so the water licenses may be issued, thus completing the acquisition of a water right.

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

Sincerely,

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

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SW 1/4 SW 1/4 Sec 5 Twp 2N Rg 7ECounty MEADE

North

Please mark well location with an "X"

W

E

Well Completion Date

12/17/2003

1 Mile

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 150 ft. from septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

AIR ROTARY

CASING DATA:

☒ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>23</u> LB/FT	<u>7</u> IN	<u>11.5</u> FT	<u>220</u> FT	<u>8 3/4</u> IN
<u>17</u> LB/FT	<u>5.5</u> IN	<u>220</u> FT	<u>522</u> FT	<u>7 7/8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>PORTLAND 35</u>	<u>14</u>	<u>lb./gal</u>	<u>522</u> ft.	<u>0</u> ft.

Describe grouting procedure pressure grouted through casingSCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 4 1/2 IN Length 240 FEETMaterial PVCSlot Size 020 Set From 520 Feet to 760 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How:Chlorine

____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Mike Palmer

Business Name: _____

Address: _____

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
GREEN SANDY clay	0	60
SPEARFISH shale	60	512
MINNEKATA limestone	512	545
purple siltstone	545	565
Opeche shale	565	620
MINNELUSA	620	800

STATIC WATER LEVEL 20 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ PumpedDescribe: AIR Developed☐ Bailed☒ Other

Pumping Level Below Land Surface

200 ft. After 2 Hrs. pumped 200 GPM100 ft. After 2 Hrs. pumped 75 GPM

If pump installed, pump rate _____ GPM

REMARKS

fine loose SAND 780-790This well was drilled under license # 705

And this report is true and accurate.

Drilling firm DAKOTA BICE Drilling

Signature of License Representative

Frank Conway

Signature of Well Owner or Equitable Property Holder:

Mike Palmer

RECEIVED

FEB 18 2004

Date: 2-13-04

WATER RIGHTS PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

June 9, 2004

Mike Palmer
PO Box 2276
Rapid City SD 57709

Dear Mr. Palmer:

Last November you faxed in a request for a replacement well for what I believe was the Minnekahta Formation well authorized for use by Water Permit No. 1704-1. This permit authorized diversion of water to irrigate a sod farm. The original Minnekahta well was located on neighboring property. Question arose regarding what formation you actually intended to construct the well. The matter was put on hold.

I believe you wanted to investigate whether an satisfactory Minnekahta well could be obtained and you were entertaining the idea of drilling deeper into the Minnelusa Formation. I found that there were two well completion reports submitted in February by Dakota Bice Drilling for this location (copies enclosed). One appears to be a low producing Minnekahta well while the other well is constructed into the Minnelusa Formation.

Currently, you hold Water Permit Nos. 1703-1 and 1704-1 for the irrigation of 17 acres. A copy of these water permits is enclosed.

Water Permit No. 1703-1 appropriates 200 gallons per minute (gpm) from a Minnelusa well located in the SE ¼ SW ¼ Section 5, T2N, R7E to irrigate 17 acres.

Water Permit No. 1704-1 appropriates 200 gpm from a pond that is supplemented with flow from a Minnekahta well on the neighbor's property for irrigation of the same 17 acres.

Your file has been sitting on my desk since last November and the last we left our discussion in January was that you were still working on the well. Are the wells completed and in operation? If so, did you intend the deeper Minnelusa well to be the one authorized by Water Permit No. 1703-1? Or is there another Minnelusa well being used for irrigation of the sod farm?

If the works are completed, we can schedule a on-site visit with a water rights staff person. The purpose of this visit is to see the system has been constructed as approved. Based on this review, a water license will be issued to reflect the irrigation system. If the system diverts more water or more acres are being irrigated, additional water permitting may be necessary.

Mike, after looking over this information, please give me a call. I want to make sure your water permits accurately reflect what is being done in the field.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eric Gronlund".

Eric Gronlund
Water Rights Program, DENR
(605) 773-3352

enclosures



1704-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 23, 2009

NOTICE

TO: MIKE & DEBIE PALMER, 7803 PALMER LN, RAPID CITY, SD 57702

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2008 Irrigation Questionnaire(s)

Our records indicate that the 2008 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1703-1& 1704-1. The request for the Questionnaire was dated October 24, 2008. The Water Management Board has directed that owners of water permits who have not submitted the 2008 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1703-1& 1704-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 11, 2009** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1703-1& 1704-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is (are) received in this office on/or before **March 6, 2009**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<http://www.state.sd.us/eforms/secure/eforms/E0455V7-IQ.pdf>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

1704-1

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 7200
Status: **Delivered**

Your item was delivered at 12:25 PM on January 24, 2009 in RAPID CITY, SD 57702. The item was signed for by M PALMER.

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)

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No FEAR Act EEO Data

FOIA

U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 7200

MIKE & DEBIE PALMER
7803 PALMER LN
RAPID CITY SD 57702

Waiver of Signature ☐ YES ☐ NOPostmark
Here**POSTAL CUSTOMER:**

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- ☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

(See Reverse)

PS Form 153, May 2002

1704-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 25, 2009

1703-1
1704-1

Mike & Debie Palmer
7803 Palmer Ln
Rapid City SD 57702

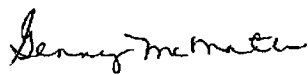
Dear Mr. & Mrs. Palmer:

I am writing to acknowledge receipt of your 2008 irrigation questionnaires. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Permit Nos. 1703-1 and 1704-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,


Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

Permit No. 1704-1
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, September 22, 2009, made a thorough examination of the water use system constructed by Mike and Debie Palmer of 7803 Palmer Ln., Rapid City, SD 57709 holder of Permit No. 1704-1, bearing the priority of December 28, 1999 authorizing the diversion of 0.44 cu. ft. per second of the waters of a Pond for Irrigation purposes, in Meade County.

A. Works used to divert the water:

Pump:

- 1) Make Berkley
- 2) Model 4EQC
- 3) Size 10 inch
- 4) Capacity 200 GPM

Motor:

- 1) Make International
- 2) Model No. C196AV69550

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

- 1) Type Sprinkler System

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

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

Approximately 1,130 feet north and 110 west of the SE corner of Section 5-T2N-R7E
(N 44.15794, W -103.29259) (SE ¼ SE ¼)

The works are capable of diverting and conveying to the place of use 0.44 cu. ft. per second of water which is to be used for Irrigation.

Water has been put to beneficial use to the maximum extent as follows:

Section 5-T2N-R7E

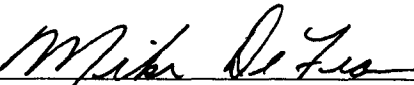
SE ¼ SE ¼ - 11 acres

comprising a total of **11** acres of land and the license should be issued for **0.44** cfs.

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

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

Water in the pond is supplied from a well described in Water Permit No. 1703-1, incidental run-off and from a neighboring well constructed into the Minnekata Formation located in the NE ¼ SE ¼ Section 5-T2N-R7E on adjoining property. There is no well completion report for this well, but information provided with the application indicates the well is completed into the Minnekata Formation is approximately 450 feet deep and is reportedly a controlled flowing well. In the application report by Water Rights staff, the top of the Minnekata is probably more in the neighborhood of 560 feet deep. So it is assumed the well is in fact the well is completed into the Minnekata and the estimated depth of 450 feet is incorrect.



Mike DeFea

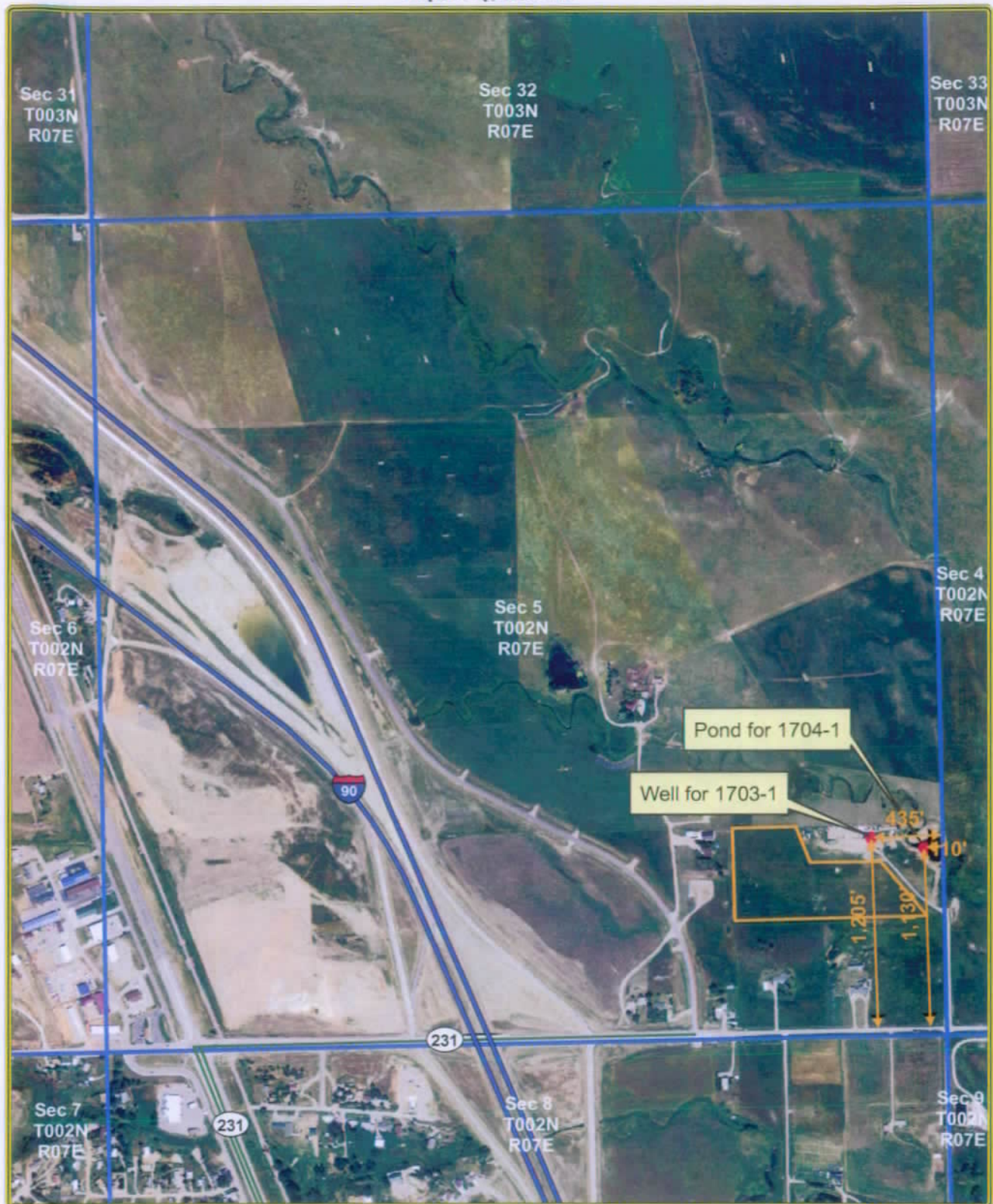
Natural Resources Engineer

DENR, Water Rights Program

Date report completed: **February 24, 2011**

Water Permit No. 1703-1 and 1704-1

Mike and Debbie Palmer
7803 Palmer Lane
Rapid City, SD 57709



Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
February 24, 2011

0 800 1,600 3,200 Feet



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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

AUG 19 2011

1703-1
1704-1

Mike & Debie Palmer
7803 Palmer Ln
Rapid City SD 57709

Dear Mr. & Mrs. Palmer:

Enclosed are Water License Nos. 1703-1 and 1704-1. They are the final water right documents completing your process of obtaining Water Rights. Included with the licenses is a map prepared by the staff engineer who conducted the field investigation.

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. 1703-1, 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 each of the Water Licenses, 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. 1704-1**

(1) Mike & Debie Palmer, 7803 Palmer Ln, Rapid City SD 57709 made Application No. 1704-1, December 28, 2009 for a water permit to divert 0.44 cubic feet of water per second from a pond, Meade County, South Dakota for irrigation purposes. Permit No. 1704-1, with a priority date of December 28, 2009 was approved March 6, 2000 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before March 6, 2005 and for the application to beneficial use of said water on or before March 6, 2009.

(2) It is certified that the permit holder 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 0.44 cubic feet of water per second for beneficial use.

The location of the diversion point (pond) is approximately 1,130 feet north and 110 feet west of the SE corner of Section 5, T2N, R7E (SE ¼ SE ¼). The pond is supplied from a well authorized under Water Right No. 1703-1, incidental runoff and also receives water from a neighboring Minnekata Formation well located in the NE ¼ SE ¼ Section 5, T2N, R7E.

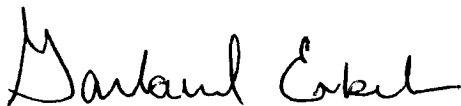
(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 5, T2N, R7E - SE ¼ SE ¼ 11 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Mike & Debie Palmer, 7803 Palmer Ln, Rapid City SD 57709 the holders and/or owners of Water Right No. 1704-1 are issued a license to appropriate water, the right to use 0.44 cubic feet of water per second from a pond with a priority date of December 29, 1999 from the location specified in (2) of this license for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1704-1 and subject to the following qualifications:

- Pursuant to SDCL 46-5-6 which allows for a greater diversion rate and volume if the method of irrigation, time constraints or type of soils so requires, Permit Nos. 1703-1 and 1704-1, combined authorize a maximum diversion rate for irrigation of 0.44 cfs (*from the pond*) and an annual volume of 22 acre feet of water for irrigation of 11 acres (*the acre feet and acres irrigated are based on the developed acreage found during investigation.*)
- The well authorized for irrigation use under this Permit shall be valved and the flow reduced to prevent overflow from the pond.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

AUG 19 2011

date





1704-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 24, 2013

NOTICE

TO: MIKE & DEBIE PALMER, 7803 PALMER LN, RAPID CITY, SD 57702

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2012 Irrigation Questionnaire(s)

Our records indicate that the 2012 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1703-1& 1704-1. The request for the Questionnaire was dated October 12, 2012. The Water Management Board has directed that owners of water permits who have not submitted the 2012 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1703-1& 1704-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **8:30 am, March 7, 2013** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1703-1& 1704-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is (are) received in this office on/or before **March 4, 2013**, you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 2013

1703-1
1704-1

Mike & Debie Palmer
7803 Palmer Ln
Rapid City SD 57702

Dear Mr. & Mrs. Palmer:

I am writing to acknowledge receipt of your 2012 irrigation questionnaires.

You may disregard the January 18, 2013, "Notice" concerning reporting requirements for Water Right Nos. 1703-1 and 1704-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



1704-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 16, 2015

NOTICE

TO: MIKE & DEBIE PALMER, 7803 PALMER LN, RAPID CITY, SD 57702
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1703-1 & 1704-1. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1703-1 & 1704-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1703-1 & 1704-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

1704-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 4, 2015

1703-1

1704-1

Mike & Debie Palmer
7803 Palmer Ln
Rapid City SD 57702

Dear Mr. & Mrs. Palmer:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right Nos. 1703-1 and 1704-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



1704-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 23, 2020

NOTICE

TO: MIKE & DEBIE PALMER, 7803 PALMER LN, RAPID CITY, SD 57702

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1703-1 & 1704-1. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1703-1 & 1704-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1703-1 & 1704-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: ATOVVL**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



1704-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 13, 2020

Nos. 1703-1 and 1704-1

Mike & Debbie Palmer
7803 Palmer Ln
Rapid City SD 57702

Dear Palmers:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Permit Nos. 1703-1 and 1704-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

1704-1



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2021

NOTICE

TO: MIKE & DEBIE PALMER, 7803 PALMER LN, RAPID CITY, SD 57702

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2020 Irrigation Questionnaire(s)

Our records indicate your 2020 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1703-1 & 1704-1. The request for the Questionnaire was dated October 23, 2020. The Water Management Board has directed that owners of water permits who have not submitted the 2020 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1703-1 & 1704-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 3, 2021 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1703-1 & 1704-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is (are) received in this office before the **March 3, 2021** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/ig> using this password: QJXLOC**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



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denr.sd.gov

February 16, 2021

NOTICE

TO: Mike & Debie Palmer, 7803 Palmer Ln, Rapid City SD 57702

FROM: Ron Duvall, Natural Resources Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program 

SUBJECT: Unclaimed Certified Mail Concerning Violation of Water Right Nos. 1703-1 & 1704-1

The attached notice was sent certified mail, return-receipt requested. The post office has returned the certified mail to our office marked "**unclaimed**". The envelope indicated the post office notified you January 25th and January 30th to pick up and sign for the certified mail before returning it to us February 9th.

If you have any questions, please contact Genny McMath, (605) 773-3352.

CERTIFICATION

I hereby certify that on February 16, 2021, I have personally deposited with the United States mail at Pierre, South Dakota, a first-class postage prepaid envelope containing a "NOTICE OF UNCLAIMED CERTIFIED MAIL" dated February 16, 2021 involving 2020 Irrigation Questionnaires following water rights/permits:

Water Right No. 4472-3

Darrell Biddle, 37461 287th St., Geddes, SD 57342

Water Right No. 2350-3

Bill Boyer, River Valley Farms, PO Box 486, Alcester, SD 57001-0486

Water Right No. 5777-3

Gerald A. Person, 11288 SD Hwy 27, Britton SD 57430

Water Right No. 6666-3

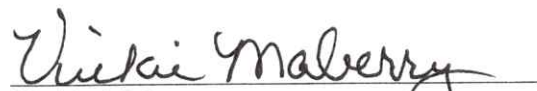
Brian Vilhauer, President, Dakota Trails Golf Course Inc., PO Box 165, Corsica SD 57328

Water Right No. 6316-3

Howard Athletic Club Inc., 508 E. Farmer Ave., Howard SD 57349-9017

Water Right No. 1703-1 & 1704-1

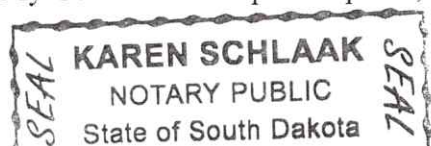
Mike & Debie Palmer, 7803 Palmer Ln., Rapid City SD 57702


Vickie Maberry
Senior Secretary-Water Rights

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 16th day of February, 20 21.


Karen Schlaak Notary Public
My Commission expires April 1, 2025



1704-1



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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 26, 2021

1703-1

1704-1

Mike & Debie Palmer
7803 Palmer Ln
Rapid City SD 57702

Dear Mr. & Mrs. Palmer:

I am writing to acknowledge receipt of your 2020 irrigation questionnaires.

You may disregard the January 22, 2021, "Notice" concerning reporting requirements for Water Right Nos. 1703-1 & 1704-1. The information was received in our office prior to the Water Management Board meeting and your names have been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath". The signature is cursive and fluid.

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2023

NOTICE

TO: MIKE & DEBIE PALMER, 7803 PALMER LN, RAPID CITY, SD 57702

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1703-1 & 1704-1. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1703-1 & 1704-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1703-1 & 1704-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: DYFFTP**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 28, 2023

1703-1
1704-1

Mike & Debie Palmer
7803 Palmer Ln
Rapid City SD 57702

Dear Mr. & Ms. Palmer:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 1703-1 and 1704-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: MIKE & DEBIE PALMER, 7803 PALMER LN, RAPID CITY, SD 57702

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1703-1 & 1704-1. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1703-1 & 1704-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1703-1 & 1704-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: BGKEAF**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 4, 2025

1703-1

1704-3

Mike & Debie Palmer
7803 Palmer Ln
Rapid City SD 57702

Dear Mr. & Ms. Palmer:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 1703-1 & 1704-1. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us



1703-1
1704-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2026

NOTICE

TO: MIKE & DEBIE PALMER, 7803 PALMER LN, RAPID CITY, SD 57702

FROM: Ron Duvall, Engineer III
for Adam Mathiowetz, PE, Acting Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2025 Irrigation Questionnaire(s)

Our records indicate your 2025 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1703-1 & 1704-1. The request for the Questionnaire was dated October 8, 2025. The Water Management Board has directed owners of water permits who have not submitted the 2025 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1703-1 & 1704-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held on **Wednesday, March 4, 2026 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1703-1 & 1704-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is (are) received in this office before the **March 4, 2026** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Shannon Konst at (605) 773-3352 or email at shannon.konst@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: JSUDLG**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 30th, 2026

1703-1

1704-1

Mike & Debie Palmer
7803 Palmer Ln
Rapid City, Sd 57702

Dear Mr. & Ms. Palmer,

I am writing to acknowledge receipt of your 2025 irrigation questionnaire(s).

You may disregard the January 20, 2026, "Notice" concerning irrigation reporting requirements for your water permit/right(s). The information was received in our office prior to the Water Management Board meeting, and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Shannon Konst

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 26th, 2026

1704-1
1703-1

Mike & Debi Palmer
7803 Palmer Ln
Rapid City, SD 57702

Dear Mike & Debi,

I am writing to acknowledge receipt of your 2025 irrigation questionnaires.

You may disregard the January 20, 2026, "Notice" concerning reporting requirements for Water Right Nos. 1704-1, 1703-1. The information was received in our office prior to the Water Management Board meeting, and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Shannon Konst
Water Rights Program
605 773-8204
Shannon.konst@state.sd.us