

1. Considered: 2-15, 1984 Water Right No. 1861-2
2. Name of Applicant Raymond Palmer
3. Post Office Address 310 Sturgis Street, Rapid City 57701
4. Amount of Water Claimed .04 maximum acre feet
5. Source of Water Supply 351' well
6. Water to be used for SHD acres to be irrigated
7. County Pennington about 2 miles NW of RAPID CITY
8. PROOF OF PUBLICATION: Received 1-13-84 Not Received
- APPLICATION: Approved Subject to
- Not Approved Action Deferred

PRIORITY 11/2/83 Dated Received 4/9/82 Application complete-yes no x FEE 150.00

Remarks received application in 1982 returned for corrections the
corrected application was received November 2, 1983

Corrected Application received 11/2/83 Period of Annual Use 1/1 to 12/31

WATER
QUALITY

Received yes no APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application-yes no Remarks
not applicable

Disapproved Returned

Diversion Point
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14-2N-6E

Land to be irrigated
n/a

WELL LOG

Driller Alexander Drilling Co. Licensed - yes no

Depth 351' deep

Remarks Refund \$100. Priority will be 11-2-83 because
of delay in returning corrected application. Fee
changed by 1983 Legislature. Required fee is \$50
for O.I. cfs on loc. J H

MAP Map No. 1861-2 Map located in Water Right xx Map file _____
 Type of Map Drawn Prepared by Renner & Sperlich Engr.C

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:
11/15/83

Betty Westlund
 (Signed)

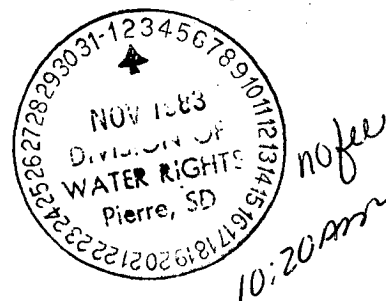
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PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 OF LAW, Date _____
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 ETC. Remarks _____

Form 2 - Application for Permit to Appropriate Water-Original (Includes Approval and Permit)

No. 1861-2
Map No. 1861-2 Water Division No. 2 UPPER CHEYENNE District
Above for Office Use 10/20/11



APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New X Vested Right _____ Future Use _____
Change in Diversion _____ Additional Diversion _____
Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Raymond Palmer Phone No. 605-348-2706
Post Office Address 310 Sturgis Street Rapid City State South Dakota 57701
(Street, P. R. or Box) (Town) (Zip Code)
If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) contract & direct labor

3. Name of diversion work _____

4. Amount of water claimed (cubic feet per second) 15 to 20 GPM (.04 cfs)

5. Source of water supply Well

6. Location of point of diversion Block 2, Lot 6, Palmer Subdivision Addition
located in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14, T2N, R6E, BHM

County Pennington

7. Annual period or periods during which water is to be used all year

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Suburban Housing

9. For irrigation use, Total number of acres to be irrigated _____

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Rapid City Journal
Rapid City, SD

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Well

B. Works proposed to transport water to place of use.

4" water line

C. Works proposed to apply water to beneficial use.

10 lots

Estimated Total Cost \$20,000.00

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

STATE OF SOUTH DAKOTA)
County of Pennington) ss.

I, RAYMOND PALMER the applicant, certify that I have read the foregoing application and 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 Raymond Palmer
Subscribed and sworn to before me this 25TH day of October, 1983
Douglas J. Smith
Notary Public (other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1861-2

Raymond Palmer
(Applicant)

310 Sturgis St. Rapid City
(Post Office Address)

South Dakota
(State)

With the following qualifications.

Date of first receipt of application April 9, 1982

Date of return to applicant for correction, amendments or changes required April 15, 1982

Date of receipt of corrected application Nov. 2, 1983

Approved February 15, 1984, Recorded in Book — Page —

WATER RIGHT PERMIT NO. 1861-2

The Water Management Board hereby grants and issues this Water Right Permit No. 1861-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is November 2, 1983
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before August 15, 1986
3. The whole of said work is to be completed on or before February 15, 1989
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is February 15, 1993
5. The water appropriated shall be used for the purpose of suburban housing

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 injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed .04 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 ~~if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied~~

~~for irrigation~~ on or before February 15, 1993; said water to be used during the following described annual period: continuous

Witness my hand this 15th day of March, 1984

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8800

PIERRE, April 9, 1982

Raymond Palmer, 310 Sturgis St, Rapid City SD 57701

RECEIVED OF

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	150	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

ks

Do not use this space.

DIRECT VOUCHER

AGENCY VOUCHER No.	DATE
2335	11/1/84

PAYEE

Raymond Palmer

• 310 Sturgis St.
• Rapid City, SD 57701

DEPT.

• Water & Natural Resources
• Water Rights Division
• Foss Building
• Pierre, SD

STAPLE
HERE

AGENCY

ADDRESS

Agency	Fund	Sub Fund	Prog. Act.	Obj. Sub. Obj.	Agency Coding	Amount	Contract No.
200201	270	01	0100	0301		100.00	1
							2
							3
							4
							5
							6
							7
							8
							9
							10
TOTAL						22 100.00	

Asst. Cont. # 112097
pl 1-13-84
Workent # 15403

NOTE: Vendors invoice must be attached.

Invoice No.(s)	Date Delivered	QUAN.	DESCRIPTION OF SERVICE OR COMMODITY	UNIT PRICE	AMOUNT	MEMO
1.	12-28-83		Refund of \$100.00 of Water Rights Application Fee as Fee Law was changed by 1983 Legislature requiring \$50.00 for 0.1 cfs or less water used. Fee submitted \$150.00 less \$100.00 refund equals \$50.00 required fee paid		100 00	
TOTAL					\$ 100 00	

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federally assisted programs.

John H. Helt
Claimant Signature

12-28-83
Date

I hereby certify that this claim has been examined by me, and to the best of my knowledge and belief is in all things true and correct and the same is hereby approved.

John H. Helt
DIVISION APPROVAL

12-28-83
DATE

APPROVAL SIGNATURE

DATE

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: _____ 1/4 _____ 1/4 _____ Section _____ Township _____ Range _____

Well owner _____
(Name) (Address)

Date well drilling completed 7-19-88 Purpose of well (domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer _____ ft.
0 - 14	DRILL HOLE	Depth to static water level _____ ft.
14 - 19	23.8-36.2-4	Name of producing aquifer (if known) _____
19 - 59	53.5-61.2-4	Total depth of drill hole _____ ft.
59 - 105	53.5-61.2-4	Depth to bottom of casing _____ ft.
105 - 125	53.5-61.2-4	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.
125 - 146	33. Hb. Pink	
146 - 147	10.4. shale	
147 - 166	53. Hb. Pink	
166 - 176	53.5. m. Hb. y. - 4	
176 - 247	33. Hb. 2-4K +	Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
247 - 280	33. Hb. Buff	
280 - 310	33. Hb. Buff. 15-20 yds. m.	
310 - 351	53. m. Buff	
		If a flowing well, flow of completed well _____ G.P.M.

Attach sheet if more space is needed

Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump _____ HP. _____

Type of pump _____ Capacity of installed pump _____ G.P.M. _____

Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

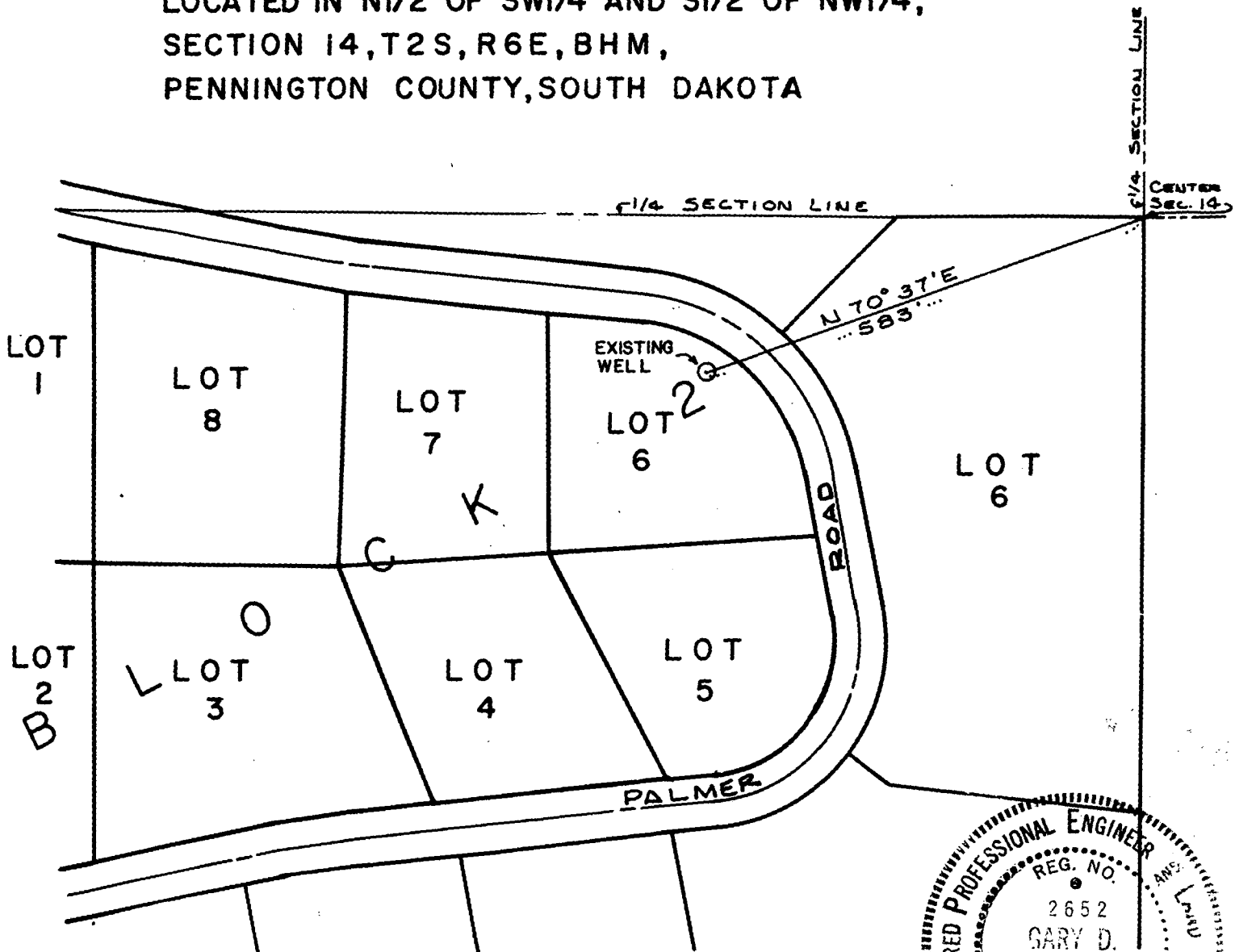
Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

Name of Pump Installation Contractor

WELL LOCATION MAP

PALMER SUBDIVISION ADDITION WATER SYSTEM

LOCATED IN N1/2 OF SW1/4 AND S1/2 OF NW1/4,
SECTION 14, T2S, R6E, BHM,
PENNINGTON COUNTY, SOUTH DAKOTA

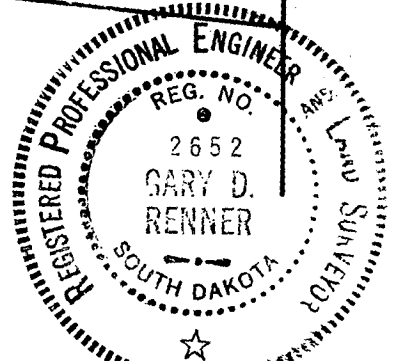


SURVEYOR'S CERTIFICATE State of South Dakota County of Pennington

I, Gary D. Renner, Registered Land Surveyor No. 2652 of the state of South Dakota, do hereby certify that being so authorized, I prepared the map of the land shown and described hereon, and that to the best of my knowledge and belief, the map correctly shows the proposed location of the Palmer Subdivision Addition well.

By: Gary D. Renner
Gary D. Renner

Date: Oct 25, 1983



Renner & Sperlich Engineering Company

P.O. Box 9165 • Rapid City, South Dakota 57701

605/342-1191 Appl # Map # 1861-2

REPORT ON APPLICATION NO. 1861-2

RAYMOND PALMER

December 19, 1983

This application proposes to divert 0.04 cfs from a 352 feet deep Minnelusa well and is presently being used for suburban housing. A good drillers and construction log was submitted with the application.

Aquifer - Minnelusa Formation

Geology and Aquifer Characteristics

The Minnelusa consists of three units in the Black Hills; an upper red to white sandstone up to 200 feet thick; a middle dolomite, sandstone, and shale with much anhydrite in subsurface, 200 to 300 feet thick; and lower sandstones and dolomites with a basal red shale, 0 to 300 feet thick (Rahn and Gries, 1973). In this area the Minnelusa should be about 500 feet in thickness (Rahn, 1979). Average effective porosity of the Minnelusa is reported to be 5% and generally a specific capacity of about 1 gpm/foot of drawdown (Rahn, 1979). Generally, the Minnelusa is an excellent aquifer both in terms of quality and quantity especially near the Black Hills. Although there is inadequate data to access sustained pumping from the Minnelusa, the volume requested by this application is small and no interference problems are expected.

The Water Rights Division presently monitors two observation wells in this area (PE-64A and PE-64B). These wells are approximately 5 miles away from this application. They show that the water levels in the Minnelusa have not changed appreciably since 1964.

In the area of this application, the Minnelusa is under water table conditions and is near or in the recharge area. Expected drawdowns caused by a withdrawal of 20 gpm would be minimal even near the production well.

Review of Existing Water Rights

There are no other existing water rights within 2 miles of this application from the Minnelusa, but there are numerous permits for suburban housing (small diversion rates) further north 3-6 miles in Meade County. At this time, there are no reported complaints or water availability problems in this area. The Water Rights Division will be constructing observation wells in this area as development increases.

Conclusions

1. Water is available for this application. The well was drilled in 1978 and apparently is being used.
2. No interference is expected. The diversion rate is only 0.04 cfs and any drawdowns would only be a few feet.
3. Area Minnelusa water levels indicate the potentiometric surface has not been affected by development. This is based upon only two observation wells, but there is 20 years of records available.


JAMES A. GOODMAN
Hydrologist

Bibliography

Rahn, P.H. and J.P. Gries, 1974, Large Springs in the Black Hills, South Dakota and Wyoming, SDGS Report of Investigations No. 107, Vermillion SD.

Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, U.S. Army Corps, SDSM & T Project #2533, Rapid City SD.

Water Rights, 1983, Observation Well Files, PE-64A and PE-64B, Joe Foss Building, Pierre SD 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER
PERMIT APPLICATION NO. 1861-2, Raymond Palmer

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. 1861-2, Raymond Palmer, 310 Sturgis Street, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 1861-2 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.

The attached report is a part of this recommendation.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized flourish at the end.

JOHN HATCH, Chief Engineer
December 28, 1983

WP ~~QWR~~ No. 1861-2

Instruction to Newspaper - Publish first publication of the following Notice on or before January 4, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1861-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Rights No. _____~~

Notice is hereby given that Raymond Palmer whose mailing address is 310 Sturgis St., Rapid City, South Dakota has made an application for a permit

to appropriate 0.04 cubic feet per second of water from groundwater, one 351' deep well into the Minnelusa formation, the point of diversion to be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Twp 2N, Range 6E. Said water to be used for the purpose of providing water for a suburban housing development.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends _____ of Application No. 1861-2 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 Civil Defense Room, basement Capitol Building, Pierre, South Dakota, February 15, 1984 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 February 3, 1984. The petition may be informal, but it must include a statement describing the petitioners 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, DWRN, 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 February 3, 1984.

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County _____)

I, Mary K. Garness hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Rapid City Journal

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

City of Rapid City

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

January 4, 1984

January 11, 1984

Mary K. Garness
(Signature)

Bookkeeper
(Title)

January 11, 1984
(Date Signed)

Cost of Printing: Ran 8 4/16 inch legal
advertising in the Rapid City Journal
@ \$3.76 per inch = \$62.04



Jan. 4, 1984 L263
DWRN 808-7/83
WP No. 1861-2

NOTICE OF HEARING ON
APPLICATION NO. 1861-2
TO APPROPRIATE WATER

Notice is hereby given that Raymond Palmer whose mailing address is 310 Sturgis St., Rapid City, South Dakota has made an application for a permit to appropriate 0.04 cubic feet per second of water from groundwater, one 851' deep well into the Minneka formation, the point of diversion to be located in the NE 1/4 SW 1/4 of Section 14, Twp 2N, Range 6E. Said water to be used for the purpose of providing water for a suburban housing development.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1861-2 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 Civil Defense Room, Basement Capitol Building, Pierre, South Dakota, February 15, 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 February 3, 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, 46-2-1, 46-2-2, 46-2-3, 46-2-4, 46-2-5, 46-2-6, 46-2-7, 46-2-8, 46-2-9, 46-2-10, 46-2-11, 46-2-12, 46-2-13, 46-2-14, 46-2-15, 46-2-16, 46-2-17, 46-2-18, 46-2-19, 46-2-20, 46-2-21, 46-2-22, 46-2-23, 46-2-24, 46-2-25, 46-2-26, 46-2-27, 46-2-28, 46-2-29, 46-2-30, 46-2-31, 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-13, 46-2A-14, 46-2A-15, 46-2A-16, 46-2A-17, 46-2A-18, 46-2A-19, 46-2A-20, 46-2A-21, 46-2A-22, 46-2A-23, 46-2A-24, 46-2A-25, 46-2A-26, 46-2A-27, 46-2A-28, 46-2A-29, 46-2A-30, 46-2A-31, 46-2A-32, 46-2A-33, 46-2A-34, 46-2A-35, 46-2A-36, 46-2A-37, 46-2A-38, 46-2A-39, 46-2A-40, 46-2A-41, 46-2A-42, 46-2A-43, 46-2A-44, 46-2A-45, 46-2A-46, 46-2A-47, 46-2A-48, 46-2A-49, 46-2A-50, 46-2A-51, 46-2A-52, 46-2A-53, 46-2A-54, 46-2A-55, 46-2A-56, 46-2A-57, 46-2A-58, 46-2A-59, 46-2A-60, 46-2A-61, 46-2A-62, 46-2A-63, 46-2A-64, 46-2A-65, 46-2A-66, 46-2A-67, 46-2A-68, 46-2A-69, 46-2A-70, 46-2A-71, 46-2A-72, 46-2A-73, 46-2A-74, 46-2A-75, 46-2A-76, 46-2A-77, 46-2A-78, 46-2A-79, 46-2A-80, 46-2A-81, 46-2A-82, 46-2A-83, 46-2A-84, 46-2A-85, 46-2A-86, 46-2A-87, 46-2A-88, 46-2A-89, 46-2A-90, 46-2A-91, 46-2A-92, 46-2A-93, 46-2A-94, 46-2A-95, 46-2A-96, 46-2A-97, 46-2A-98, 46-2A-99, 46-2A-100.

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, SD (605 773 3032) 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 February 3, 1984.



Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

1861-2

March 16, 1984

Raymond Palmer
310 Sturgis Street
Rapid City, South Dakota 57701

Dear Mr. Palmer:

Enclosed herewith is your Water Permit No. 1861-2 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 1861-2.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

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

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

WNR-809-5/83

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit No. 1861-2

ADDRESS: COUNTY: Pennington

DATE: May 11, 1999 TELEPHONE:

RE: Call to Walter Maschmeyer (303) 444-7115

COMMENTS:

I returned Mr. Maschmeyer's call to Genny McMath regarding his purchase of some property within the Palmer Subdivision Water Association. Mr. Maschmeyer has a non-executed Bill of Sale that would afford him 5 individual water shares in the Association. He wanted to know if he needed to transfer a portion of the water right to his name. I said the water permit will stay entirely in the name of the Association and that the Association's bylaws should define what those shares provide him. He thought he needed to get a copy of the Association's bylaws but understood that the water permit would not be split on account of his purchase of these shares.

NOTE: The water permit is in the name of Raymond Palmer. The water permit may need to be transferred to the Association. This can be checked into at the time of licensing.

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: 

BILL OF SALE

FOR ONE DOLLAR (\$ 1.00) AND OTHER GOOD AND VALUABLE
CONSIDERATION,

Raymond E. Palmer and Beverly R. Palmer (Sellers)

CONVEYS TO Walter R. Maschmeyer and Elvira P. Maschmeyer (Buyers)
the following personal property located in/on the real property known as:

Tract 2 (formerly the unplatted portion of Northwest Quarter
Southwest Quarter NW 1/4 SW 1/4 Palmer Subdivision located
in Northwest Quarter of Southwest Quarter NW 1/4 of SW 1/4
Section (14) Township Two North (T2N) Range 16 East (R6E),
Black Hills Meridian, Pennington County, South Dakota

Transfer of 5 individual "Certificate of Membership
D Palmer Subdivision Water Association" Water Shares.

The above described personal property is being sold in "AS IS" condition without
warranty of any kind. The purchaser has inspected the personal property and is
relying entirely on his/her own examination as to the condition of the property.

Seller warrants that the personal property is free of any encumbrances.

This BILL OF SALE is null and void in the event the purchase agreement dated:

January 25, 1999 is not consummated.

X

Seller

Date

X

Seller

Date

I (We) agree to purchase the described personal property in "AS IS" condition.

Buyer

Date

Buyer

Date

CERTIFICATE OF MEMBERSHIP
PALMER SUBDIVISION WATER ASSOCIATION

This is to certify that _____ has
been duly admitted as a member of this corporation in good and regular standing, and is
entitled to all the rights and privileges pertaining to such membership.

The Palmer Subdivision Water Association is a non-profit corporation.

This certificate shall be surrendered to the Secretary of this corporation whenever
ownership of the property:

Tract Two (2) (Formerly the Unplatted Portion of Northwest Quarter
Southwest Quarter (NW1/4 SW1/4) Palmer Subdivision located in Northwest
Quarter of Southwest Quarter (NW1/4 of SW 1/4) Section Fourteen (14),
Township Two North (T2N), Range Six East (R6E), Black Hills Meridian,
Pennington County, South Dakota,

Terminates and a certificate will be issued to the new owner of such lot or parcel.

IN WITNESS WHEREOF, this corporation has caused this certificate to be executed
by its President and Secretary this _____ day of _____, 1999, and its
corporate seal to be affixed hereto.

PALMER SUBDIVISION WATER ASSOCIATION

BY: _____
President

(Corporate Seal)

BY: _____
Secretary

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 1861-2

I have this day, October 29, 2015 made a thorough examination of the water use system constructed by Palmer Rd Water Association of Permit No. 1861-2, bearing the priority of 11/2/1983 authorizing the diversion of .04 cu. ft. per second of the waters from a single well for suburban housing development purposes, in Pennington County.

Inspection contact & relationship to permit holder, if applicable: **John Outland, 22551 Delor Ct., Rapid City, SD 57702**
President, Palmer Rd Water Assn.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Alexander Drilling (1978)
- 2) No. of Wells 1
- 3) Depth(s) 352 feet
- 4) Well log Yes

Comments: 15-20 gpm yield from air pump completion of drilling

Casing:

- 1) Diameter 5"
- 2) Length 352 feet
- 3) Type PVC

Screen:

- 1) Type Perforated PVC casing
- 2) Length 270 – 335 ft. level (65 ft.)
- 3) Static water level est. 270 feet

Pump:

- 1) Make AY McDonald
- 2) Model AY 21150K
- 3) Size 4"
- 4) Capacity 9 GPM (this pump is rated at 10 gpm but is discharging approx. 9 gpm at estimated drawdown)
- 5) Press @ Well Head est. 80 PSI

Motor: HP rating 1 1/2 hp

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

- 1) Type PVC
- 2) Size 4 inches
- 3) Length -- feet

Comments: **Pump delivers water to concrete storage tank of approx. 10,000 gallons which is located 160 ft. in elevation above the well.**

C. Works used to apply water to beneficial use:

Water distribution system to approx. 25 homes

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by : Yes
- 2) Exceptions to compliance are: none

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows:
Lat/Lon – N 44.132482 W 103.364669 which is located approximately 2,432 feet north and 2,107 feet east of the SW corner of Section 14, T2N, R6E.
2. The works are capable of diverting and conveying to the place of use .02 cu. ft. per second (9 gpm) of water which is to be used for suburban housing development and the license should be issued for .02 cfs.
3. All structures, wells and lands on map Yes

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

The well and water system are now controlled by the Palmer Rd. Water Association. Transfer of Ownership form will be filed by the association.



Steven Quissell
Water Rights Inspector
DENR, Water Rights Program

Date report completed: 10/29/2015



Palmer Rd Water Association Well

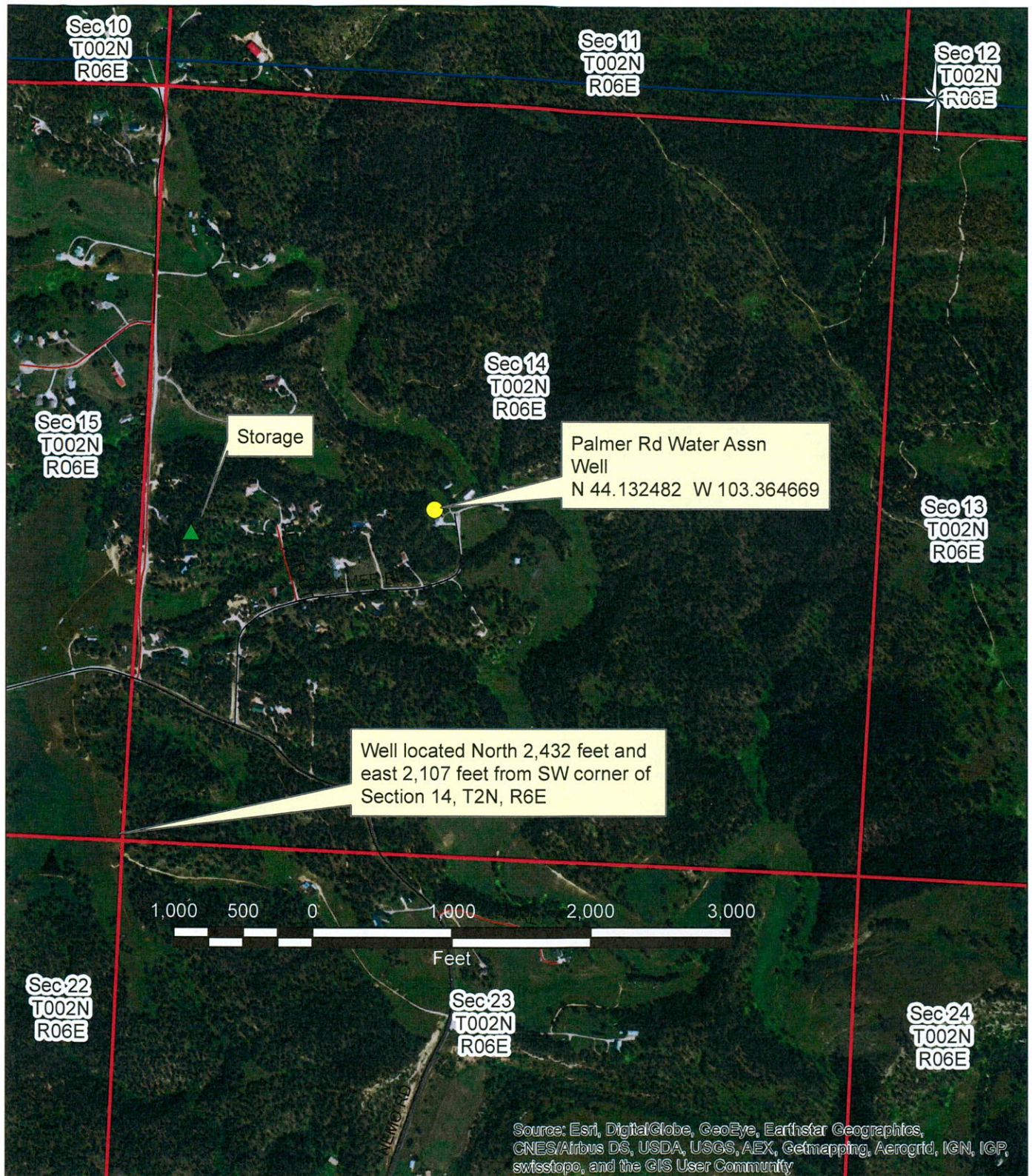


Palmer Rd well pit cover



Palmer Rd. storage reservoir

Water Right #1861-2
Palmer Rd Water Assn.
10/29/2015



Steven Quissell

Steven Quissell
Water Rights Inspector
DNR Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

December 9, 2015

1861-2

John Outland, President
Palmer Rd Water Association
22551 Delor Ct
Rapid City SD 57702

Dear Mr. Outland:

On October 29, 2015 the investigation of the water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 1861-2, was completed by Steven Quissell, a staff engineer with our program. The final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. A licensed water right will be similar to a property right that cannot be lost as long as the water use continues and you abide by the permit requirements.

Water Permit No. 1861-2 is currently listed under the name of Raymond Palmer. It appears that the permit should be transferred to the association. Enclosed is a *Notice of Transfer of Ownership* form which needs to be completed, signed by the owner, and returned with a \$50.00 filing fee. The check or money order for the fees (\$100.00 total) should be made payable to the "Water Rights Program".

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak
Water Rights Program
karen.schlaak@state.sd.us

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

September 13, 2017

1861-2

John Outland, President
Palmer Rd Water Association
22551 Delor Ct
Rapid City SD 57702

Dear Mr. Outland:

I am writing to you in regard to the permit and pending licensing of No. 1861-2, listed in the name of Raymond Palmer. The water permit authorizes diversion of water for suburban housing development for the Palmer Road Water Association.

In October, 2015 Steve Quissell, a staff engineer with our program conducted an investigation of the water use system for licensing purposes. His report indicated the permit should be transferred from Raymond Palmer to the Palmer Road Water Association prior to licensing. A transfer of ownership form was sent to you back in December, 2015 along with a request for the transfer and licensing fees totaling \$100. To date, we have not received anything back from you.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00.

State law also requires that we charge a \$50 fee for the investigation and issuance of the water license. A licensed water right will be similar to a property right that cannot be lost as long as water use continues and you abide by permit requirements.

The permit will be transferred and the license finalized upon receipt the transfer form and a total fee of \$100. The check or money order for the fee can be made payable to the Water Rights Program.

A postage paid envelope is enclosed for your convenience. If you have any questions, please contact me.

Sincerely,

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

enclosures

RECEIVED
DEC 08 2017
WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 1861-2

Date: 10/16/17

I/We request that Water Permit No. 1861-2

formerly owned by: Raymond Palmer

be transferred to: (name & address) Palmer Subdivision Water Assoc.
22551 Palmer Rd, Rapid City SD 57702

Telephone No. 605 - 394 - 2109

Title to the following described land(s)/property has been transferred as described above:

well located in the NE 1/4 SW 1/4 Section 14, T2N, R6E

I/We understand that the validity of Water Permit No. 1861-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Palmer Subdivision Water Assoc., the new owner, certify that the above information is true and correct.


Jon Outland (Signed by new owner)
(President)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 8, 20 17

RECEIVED OF Palmer Subdivision Water Association 22551 Palmer Rd. Rapid City, 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	100	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1861-2</u>		
Fee for Filing Transfer Form <u>1861-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	100 00

No. **08385**

By

Jeanne Goodman
Chief Engineer

VR



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

MAR 19 2018

1861-2

Palmer Subdivision Water Association
c/o Jon Outland, President
22551 Palmer Rd
Rapid City SD 57702

Dear Mr. Outland:

Enclosed is Water License No. 1861-2. This is the final water right document completing the process of obtaining a Water Right. Enclosed is the receipt for \$100.00 which you paid for the investigation and issuance of the Water License as well as the Transfer of Ownership fee. Included with the license is a map prepared by Steve Quissell, the staff engineer who conducted the investigation.

For your information SDCL 46-6-27 requires that if in the future the owner drills a replacement well and has no plan to use the old existing 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 a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1861-2

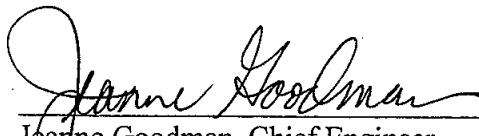
(1) Raymond Palmer, Rapid City SD made Application No. 1861-2, April 9, 1982 for a water permit to divert 0.04 cubic feet of water per second from one well (Minnelusa Aquifer), Pennington County, South Dakota for suburban housing purposes. Permit No. 1861-2, with a priority date of November 2, 1983 was approved February 15, 1984 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before February 15, 1989 and for the application to beneficial use of water on or before February 15, 1993.

On December 8, 2017, Water Permit No. 1861-2 was transferred to Palmer Subdivision Water Association, 22551 Palmer Rd, Rapid City SD 57702.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 1861-2 is issued a license, bearing a priority date of November 2, 1983 to appropriate 0.02 cubic feet of water per second from one well (Minnelusa Aquifer) for suburban housing purposes.

The diversion point is located: approximately 2,432 feet north and 2,107 feet east of the SW corner of Section 14-T2N-R6E (NE 1/4 SW 1/4).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1861-1.



Jeanne Goodman, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

MAR 19 2018

date

