

Virgil
10/70/02

Water Right No. 4552-3

1. Considered Nov. 19 1980
2. Name of Applicant VIRGIL PLUCKER
3. Post Office Address HURLEY, S.D.
4. Amount of Water Claimed .52
5. Source of Water Supply 136' WELL (EXISTING ON ^{WIR} 2714-3)
6. Water to be used for IRR
7. Acres to be irrigated 37 maximum
acre feet
8. Water to be diverted and used in TURNER County
about 2E, 6 miles NORTH of HURLEY
9. PROOF OF PUBLICATION Received (FBI) 10-27-80

Not Received _____

APPLICATION

Approved 11-19-80

Subject to WIT-IR

Not Approved _____

Action deferred _____

Priority

Date

Received 8-26-80 Application Complete yes ☒ no ☐ FEE 150⁰⁰

8-26-80

Remarks add. add'l acreage on ^{WIR} 2714-3

Date information and/or
fee or corrected Application received _____

Period of Annual use APRIL - OCTOBER

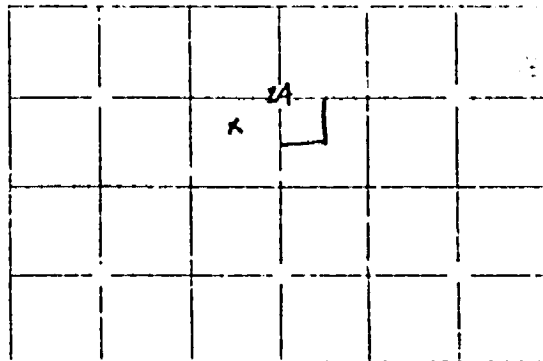
WATER
QUALITY

Received yes 9/18/80 no ☐ APPROVED CONDITIONAL (Circle one)

W-1 Description same as application yes ☒ no ☐ Remarks _____

Disapproved _____

Returned _____



Diversion Point _____

NE⁴ SW⁴ SEC. 24 -
T99N - R53W

Lands to be irrigated _____

NE⁴ SE⁴ - SEC. 24 -
T99N - R53W

WELL
LOG

Remarks LOG ON FORM 2A

Driller ? _____ Licensed yes ☒ no ☐

Depth 136' DEEP (EXISTING UNDER W/L 2714-3)

MAP

Map No. 3771-3 Map located in Water Right X Map file _____
Type of Map AERIAL Prepared by ASC S

+++++

REVILVED

This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on Nov. 19, 1980.
Betty Westlund
(Signed)

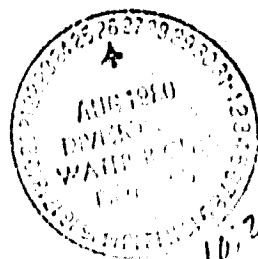
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PROTESTS

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

REMARKS
F.F. & C
OF LAW,
FINAL
DECISIONS
ETC.

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

No. **4552-3**Map No. **3771-3** Water Division No. **3** **VERMILION RIVER** DistrictAbove for Office Use **10170102**

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

Check one of the following:

New ☐ Vested Right ☐ Future Use ☐Change In Diversion ☐ Additional Diversion ☐Change In Acreage ☐ Additional Acreage ☒

Add to Permit #2714-3

What I want to do is add on the new addition of 37 ac. as I have an irrig. permit for adjoining land. (See sketch on 2a) It is the same well so all I want is to be able to irrigate this 37 ac.

1. Name of Applicant Virgil Plucker Ph. 617-5851 Phone No. this 37 ac.
 Post Office Address Murray State S. D. 57036
 (Street, RR, or Box) (Town) n/a (Zip Code)

If a corporation show date and place of incorporation

2. Method of accomplishing work (contract, employment of others, or by direct labor) work completed.3. Name of diversion work Virgil Plucker Irrigation Project #1 **.52 MAX. ALLOWABLE**4. Amount of water claimed (cubic feet per second) 2.2 (plan to run 2 center pivots off same well)5. Source of water supply well (establ.)6. Location of point of diversion 650' S and 660' W of center of Sec. 24-22-53 (taken from information on original application.)County Turner7. Annual period or periods during which water is to be used April-October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 37

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.
Add: SE 1/4 SE 24-22-53	37

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 1 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water if necessary-12. Principal Features of the Proposed Water Supply System. Harley Leader, Harley SD

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

Elec. Pump (established)

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

Buried Pipeline

C. Works proposed to apply water to beneficial use.

Center Pivot Sprinkler SystemEstimated Total Cost \$ 30,000.00

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 Turner) ss.

I, Virgil Plucker 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 Virgil PluckerSubscribed and sworn to before me this 23 day of Aug, 1980

M. J. SOMMERVOLD
 Notary Public (or other qualified officer)
 My Commission Expires

Notary Public, STATE OF SOUTH DAKOTA

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 4552-3

VIRGIL PLUCKER

HURLEY

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57036

(State)

With the following qualifications.

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See also Permit 2714-3

Date of first receipt of application August 26, 19 80
 Date of return to applicant for correction, amendments or changes required August 26, 19 80
 Date of receipt of corrected application September 18, 19 80
 Approved November 19, 19 80, Recorded in Book 21 Page 299

WATER RIGHT PERMIT NO. 4552-3

The Water Management Board hereby grants and issues this Water Right Permit No. 4552-3 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 August 26, 19 80
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before May 19, 19 81
3. The whole of said work is to be completed on or before November 19, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is November 19, 19 82
5. The water appropriated shall be used for the purpose of IRRIGATION

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 .52 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 November 19, 19 82, said water to be used during the following described annual period April - October

Witness my hand this

2nd

day of December, 19 80

THE WATER MANAGEMENT BOARD

By

John Hatch
 Chief Engineer, Water Rights
 JOHN HATCH

Certificate of Construction Issued

19

Water License Issued

19

TRNSP. OF 2714-3
INDICATES 136' WELL.

D Well Information (Using established well-log Permit # 2714-3)

- (1) Drill Hole, Diameter 18", Depth 140'
- (2) Casing, Type STEEL, Diameter 14", Thickness 1/4"
(wood, concrete, steel, etc.)
- (3) Screen, Type STEEL, Diameter 14", Length 15'
- (4) Gravel Pack, Thickness 2", Length of gravel pack 30'

E Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material 12' ± 112'

Depth to bottom of water bearing material 34' ± 137'

Depth to water (ground surface to water level) 22' ± 25'

0'-12' DRY GRAVEL
12-34 WATER BEARING
GRAVEL
34-112 BLUE CLAY
112-137 WATER BEARING
GRAVEL

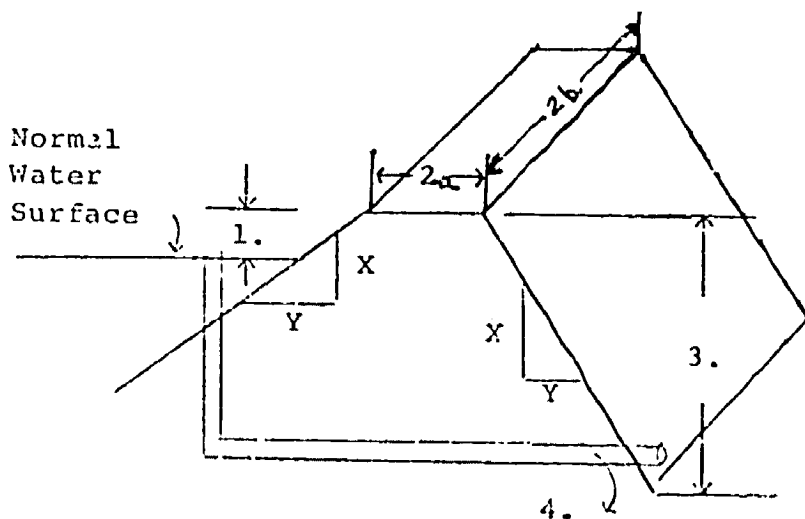
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property 160 rds.

On property owned by others 80 rds.

G Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



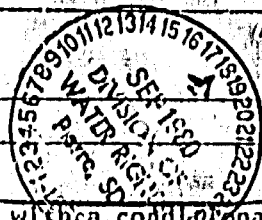
1. Freeboard _____
- 2a Crest width _____ b. Length _____
3. Height of Dam _____
4. Outlet dimensions:
Pipe diameter _____
Spillway width _____
- X & Y slope:
Upstream _____
Downstream _____
Surface area of impoundment _____
Drainage area above dam _____

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM
STATE CONSERVATION COMMISSION
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Virgil Plucker OWNERS ADDRESS: Turner Co. SD 57116

COUNTY LAND LOCATED IN: Turner PHONE: 617-5851

TENANT'S NAME AND ADDRESS: (If Other Than Owner) None



In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres) None: Will use established.

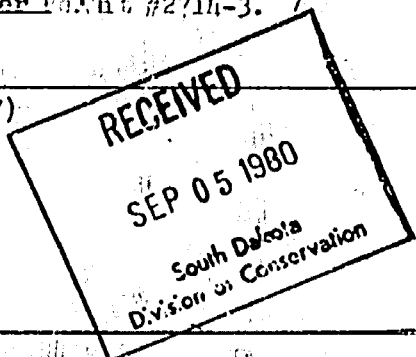
1. WELL LOCATION OR DIVERSION POINT: See Permit #2711-3, NE 1/4 Sec 21-99-53.
2. SURFACE WATER SOURCE: n/a
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
NW 1/4 Sec 21-99-53	37		
Add this 37 ac. to Permit #2711-3			

4. TYPE OF IRRIGATION: GRAVITY: TOWLINE: CENTER PIVOT: GUN: OTHER: (Specify)
5. CROPS TO BE IRRIGATED: Corn, Soybeans, Alfalfa
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED:
LEGAL DESCRIPTION: NE 1/4 and E 1/4 Sec 21-99-53-area included under Permit #2711-3.
IN WHAT NAME: Virgil Plucker

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 76-344 80-678
8. SALINITY (EC X 10⁶): 17.13 2357
9. SODIUM (SAR): 2.66 2.80
10. ADJUSTED (SAR): 6.84 7.90



I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at a.m./p.m., on , 19 , at the following location: by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

55 DAY OF August, 1980

Notary Public, State of South Dakota
(NOTARY PUBLIC)
My Commission Expires February 11, 1982

Notary Public, STATE OF SOUTH DAKOTA

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases, WATER PERMIT must be obtained from the Board of Water Management.

Virgil Plucker
APPLICANT'S SIGNATURE

Robert L. Harner
Director, Division of Conservation

APPROVED
DISAPPROVED
CONDITIONALLY APPROVED

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Virgil Plucker

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

RECOMMENDED MANAGEMENT:

Water should not be applied more than 3 times during the irrigation season.

Each uninterrupted application (one rotation of center plot) should be of at least 2 to 4 inches of water.

Surface drainage suggested on any area that tends to pond water.

Occasional use of deep tillage should be used on the heavier soil areas and coordinated with heavy fall application of irrigation water.

Utilize natural precipitation for leach of salts from the upper root zone.

Your water quality is marginal for the heavier soil areas.

No. 4552-3

Publish first publication, on or before October 23, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 7, 1980

Notice is hereby given that Virgil Plucker whose post office

address is Hurley, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .52 cubic feet of water per second of time from groundwater

(1 existing well) through the Plucker Irrig. Project #1, the point(s) of diversion of which is(are) to be located in the NEL SW 1/4

of Section 24, Twp. 89N, Range 53W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NEL SW 1/4, Section 24, T89N, R53W (to add additional acreage on Water Right No. 2714-3)

This Application No. 4552-3 will be considered by the Water Management Board at Dakota State College,
Karl Mundt Library Meeting Room, Madison SD upon the 19th day of November, 1980

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Virgil Plucker
Hurley,
South Dakota 57036

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER

No. 4552-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Turner) ss.

I, James E. Whipf hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Hurley Leader

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 Hurley

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

Thursday, October 16, 1980
Thursday, October 23, 1980

James E. Whipf
(Signature)
publisher
(Title)
10-23-80
(Date Signed)

James E. Whipf
Notary Public



NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

No. 4552-3
Pierre, S. D. 57501

October 7, 1980
Notice is hereby given that
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plication in accordance with
the provisions of SDCL 46-1-1
thru 46-1-9, 46-1-14; 46-2-1
thru 46-2-11, 46-2-13; 46-5-1 thru 46-
5-8; 46-5-10 thru 46-5-22, 46-5-
41; 46-6-2, 46-6-3.1, 46-6-3, 46-
6-3.1, 46-6-10, 46-6-14 and
board rules ARSD 52:01:01:01
thru 52:01:01:13, for a permit
to appropriate for beneficial
use .52 cu. ft. of water per
second of time from ground-
water (1. existing well)
through the Plucker Irri.
Project #1, the point of diver-
sion of which is to be located in
the NE 1/4 SW 1/4 of Section 24,
Twp. 99N, Range 53W. Said
water to be used for the pur-
pose of providing irrigation on
portions of the following
described land: NW 1/4 SE 1/4,
Section 24, T99N, R53W (to
add additional acreage on
Water Right No. 2714-3).

This Application No. 4552-3
will be considered by the Water
Management Board at Dakota
State College, Karl Mundt
Library Meeting Room,
Madison, South Dakota upon
the 19th day of November,
1980, at 10:00 a.m. The Board
is authorized to make a deter-
mination on this application at
the hearing. All interested per-
sons may appear and be heard.
Any person who may be affec-
ted by a Board decision who
desires to present evidence or
cross-examine witnesses ac-
cording to SDCL 1-26 may
notify the Board in writing
prior to the hearing or orally at
the hearing.

This hearing is an adversary
proceeding. Any person 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 at the hearing.
Decision of the Board may be
appealed to the Courts as
provided by law.

Any handicapped person
wishing to attend this hearing
can contact the Water Rights
Division, DWNR, Joe Foss
Building, Pierre, South
Dakota, prior to the hearing
date for assistance to assure
access to the hearing.

WATER MANAGEMENT
BOARD.

-Betty Westlund,
Water Rights Specialist

RECEIPT

WATER RIGHTS COMMISSION

No 4 7669

State of South Dakota

PIERRE, August 29, 1980

RECEIVED OF Virgil Plucker, Hurley SD 57036
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. <u>1552-7</u> (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 (kw)



Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501
March 22, 1983

Water Rights Division
605 773-3352

4552-3
Virgil Plucker
Hurley SD 57036

Dear Sir:

Water Permit No. 4552-3 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks
enclosure



4552-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

MAR 14 1994

2714A-3

Virgil Plucker
P.O. Box 92
Chancellor, SD 57015-0092

Dear Mr. Plucker:

Enclosed is Water License No. 2714A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412627 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2714A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Water Permit Nos. 2714-3 and 4552-3 are incorporated into this Water License No. 2714A-3.