

Considered: _____

WATER PERMIT NO. 5389-3

HAP No. same 297-4990

Name of Applicant Kenneth L. Plucker

Post Office Address RR 1, Box 79A, Parker SD 57053

Amount of Water Claimed no add'l Total Acres 58

Source of Water Supply ground water 1 well

Water to be used for irrigation County Turner

About 3 miles E of Parker.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Apr 30, 1987 Fee 150⁰⁰ Remarks appl is to correct location of irrigated acreage

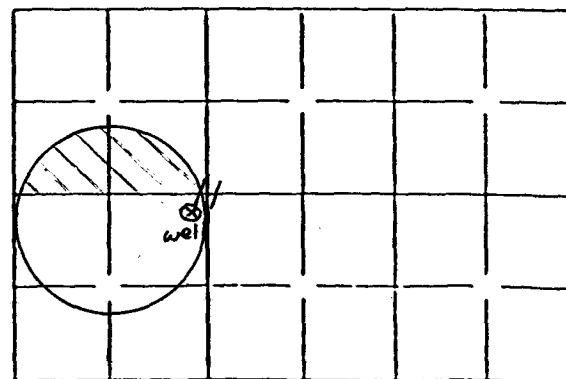
Corrected Application Received _____ Period of Annual Use May 1 - Nov 30

WATER QUALITY APPROVAL RECEIVED 1/24/90 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point well: NE 1/4 SW 1/4 section 11 - T99N-R53W

Land to be Irrigated S 1/2 NW 1/4 section 11 - T99N-R53W



Well Log: Driller not available Licensed YES _____ NO _____

Depth of Well 50 feet REMARKS _____

Type of Map aerial photo PREPARED BY David Brown Reviewed and the Number assigned on Mar 12, 1990 By R. J. Small

No. 5389-3 Hydrologic Unit 10170102
 Map No. same Basin Vermillion River
 Newspaper New Era, Box 577, Parker 57053 (thru)

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following;

New ☒ Vested Right ☐ Future Use ☐

☐ Application to amend Permit No. _____ with old priority date retained

☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐

☒ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)

☒ Add Acreage ☐ Increase diversion rate ☒ Other correct acreage See Permit No. 2734-3

☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____

1. Name of Applicant Kenneth L Plucker Phone No. 297-4990

Post Office Address RR # 1 Box 79A, Parker State S.D.AK 57053
(Street, RR or Box) City Zip Code

2. Amount of water claimed (c.f.s) --0.8-- no add'l Total acres irrigated 58

3. Source of Water supply 150' south and 200' west of the center of Section 11, T99N, R53W

4. Location of point of diversion groundwater - 1 well: NE 1/4 SW 1/4 11-99N-R53W

County Turner

5. Counties where water will be used Turner

6. Annual period during which water is to be used May 1 - November 31

7. 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.
SW 1/4 NW 1/4 11, T99N, R53W	30
SE 1/4 NW 1/4 11, T99N, R53W	28

Land Description	No. Acres Irr.

Attach sheet if more space is needed

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

Land described above is currently being irrigated. Above irrigated land is not permitted. Permit No. 2734-3 does not cover above irrigated land. This application is to specify the correct location of the irrigated acreage (58 acres).

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

STATE OF SOUTH DAKOTA)
 County of Turner)^{ss}

I, Kenneth L Plucker the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Kenneth L Plucker

Subscribed and sworn to before me this 29th day of Apr. 1987

DONALD P. VAN DE ROSTYNE, Notary Public

My Commission Expires April 13, 1989

Notary Public (or other qualified officer)

**SOUTH DAKOTA
WATER PERMIT No. 5389-3 FOR IRRIGATION**

Date of first receipt of application April 30, 1987.

Date Soil/Water Compatibility Permit received January 24, 1990.

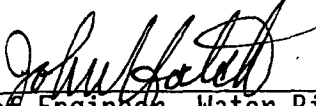
The Water Management Board approved Water Permit Application No. 5389-3 on May 24, 1990 for Kenneth L. Plucker, RR. 1, Box 79A, Parker, SD 57053 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5389-3 specifies the correct location of 58 irrigated acres. Water Permit No. 2734-3 appropriated 2.0 cubic feet of water per second from one well, 50 feet deep, located in the NE1/4 SW1/4 to irrigate 160 acres in the SW1/4; all in Section 11 T99N-R53W. An inspection of Permit No. 2734-3 found that 58 acres of the 160 acres were not located in the area described on Permit No. 2734-3. The correct location of 58 acres is the SE1/2 NW1/4 Section 11 T99N-R53W. No increase in diversion rate or acreage irrigated is authorized by this application.
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: May 1 - November 31.
3. The date from which applicant may claim right is March 26, 1976. (priority date established by Permit No. 2734-3)
4. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

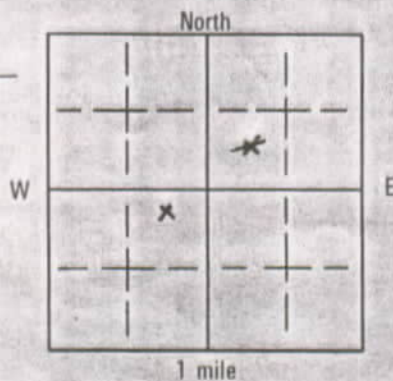
By: 
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JUL 10 1990

(date)

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location $\frac{1}{4}$ $\frac{1}{4}$ Sec 11 Twp 99N Rg 53WCounty
LUYERPlease mark well
location with
an "X"Well Completion Date 8-1-91

PROPOSED USE:

- ☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling: FALSE CASING

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe 15" x 19/16" wall PVC

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 15' FEETWhat is grouting material? CEMENTIf cement, number of sacks? 13 bags sand mixDescribe grouting procedure PREMIX IN

What was grout weight? _____ LB/GAL

SCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 15" IN Length 10'6" FEETMaterial PVCSlot Size 100" Set From 32'6" Feet To 43 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain chlorinated packBacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

Name KEN L. PLUCKERAddress R1B79A PARKER, S.D.Well Log: Depth 57053

Formation	From	To
SANDY TOPSOIL	0	2
RUSTY GRAVEL w Boulders	2	18
GRAY COARSE GRAVEL	18	43
GRANITE	43'	

STATIC WATER LEVEL 18' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

26 ft. After 1 Hrs. pumped 1400 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

EXCELLENT WELL
VERY COARSE GRAVELThis well was drilled under license # 111

And this report is true and accurate.

Drilling firm LACEY WELL DRILLING

Signature of License Representative:

James J. Lacey

Signature of Well Owner:

X Kenneth PluckerDate 10-28-1991

NOT TO SCALE

99-53

13.9

57.3

24.2

79-L

2.0

39.8

38.1

5.0

30 ACRES

28 ACRES

14.9

110.7

IRRIGATED LAND WHICH
NEEDS NEW PERMIT

1220' PVC WELL

LAND PERMITTED
UNDER PERMIT
#2734-3

PREPARED BY
DAVID BROWN
David Brown
NATURAL
RESOURCES
ENGINEER

12.3

3.1

4.0

14.2

99-53

3.6

Appl. No. 5389-3

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4437

WR#

OWNERS NAME: Kenneth Plucker OWNERS ADDRESS: RR 1, Box 79A
Parker, SD 57053

COUNTY LAND LOCATED IN: Turner PHONE: 297-4990

LEGAL DESCRIPTION: ☒ Well ☐ Surface
1. LOCATION 150'S and 200'W of the center of Sec. 11, T99N-R53W
Depth 50'

Legal Description	Acres	Legal Description	Acres
<u>SW 1/4 NW 1/4 11-T99N-R53W</u>	<u>30</u>		
<u>SE 1/4 NW 1/4 11-T99N-R53W</u>	<u>28</u>		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ (Specify) _____
3. CROPS TO BE IRRIGATED: _____

WATER QUALITY:

4. WATER SAMPLE NUMBER: 76-376 7. ADJUSTED (SAR): _____
5. SALINITY (EC X 10⁶): 1092 8. PERCENT SODIUM: 12.46
6. SODIUM (SAR): 0.75

Requirements:

The maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 inches of the soil profile) at the beginning of the growing season apply. They become applicable upon the issuing of a soil-water compatibility permit by the division or the commission.



John Quick
Director, Division of Conservation

Date

1/23/90

☒ APPROVED ☒ REQUIREMENTS
☐ DISAPPROVED
☐ WAIVER

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410862

Pierre, April 30, 19 87

RECEIVED OF Kenneth L. Plucker, RR 1, Box 79A, Parker, SD 57053

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

Fee for Application for Permit No. <u>5389-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	150 00

By John Hatch
Chief Engineer

JOHN HATCH

MS

**SOUTH Dakota Department of
Water & Natural Resources**

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

April 13, 1987

Kenneth L. Plucker
RT 1
Parker, SD 57053

Dear Mr. Plucker:

On March 12, 1987, Leroy Mernaugh and I made an inspection of your center pivot irrigation system. As you recall, we discussed that you are currently irrigating land that is not permitted under Water Permit #2734-3 (see map attached to new permit application). By law, you need a new permit to continue irrigating the following land:

30 acres in the SW1/4 NW1/4 of section 11, T99N, R53W
28 acres in the SE1/4 NW1/4 of section 11, T99N, R53W

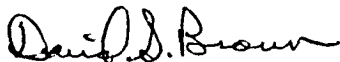
Enclosed are instructions and an application form for a new water permit. Please complete the water permit application and send to our office (Division of Water Rights). Also enclosed are instructions and an application form for a new soil/water compatibility permit. Please complete the soil/water compatibility application and send to Division of Conservation, Jim Stukel, Anderson Building, Pierre, SD 57501.

The fee for applying for your new water permit is \$150.00 which is to be submitted with your new water permit application.

When you have obtained a new water permit, the new permit will be incorporated with your existing Water Permit #2734-3. At that time, a Water License will be issued for the incorporated permits.

If you have any questions, please give me a call.

Sincerely yours,



David S. Brown
Natural Resources Engineer
DWNR, Division of Water Rights
605 773-3352

enclosures

SOUTH Dakota Department of
Water & Natural Resources

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

June 10, 1987

Kenneth L Plucker
RR
Parker SD 57053

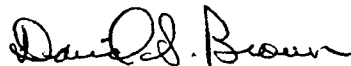
Dear Mr. Plucker

This letter is in regard to your new permit application for adding acreage to existing Water Permit #2734-3.

Per our telephone conversations on June 9, 1987, a new water sample needs to be submitted to the Water Quality Laboratory in Brookings. Enclosed is a SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM. Please fill out the WI-1 form using the instruction sheet. Obtaining a SOIL/WATER COMPATIBILITY PERMIT is a prerequisite to obtaining a new water permit.

If you have any questions feel free to give me a call.

Sincerely,



David Brown
Natural Resources Engineer
Water Rights Division, DWNR
605-773-3352

enclosure

SOUTH Dakota Department of
Water & Natural Resources

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

September 29, 1989

Kenneth Plucker
RR #1 Box 79A
Parker, SD 57053

Dear Mr. Plucker:

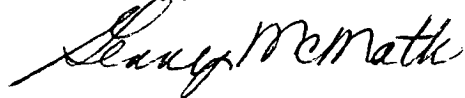
I am contacting you in regard to the water permit application you submitted April 30, 1987 (copy enclosed). The application was to add acreage to an existing water permit. The application has not yet been processed due to lack of Soil/Water Compatibility approval from the Dept. of Agriculture.

Enclosed is a partially completed soil/water compatibility application, water sample label and an instruction sheet. If you have any questions concerning the application, you may contact Jim Stukel, Dept of Agriculture, Division of Conservation, 445 E Capitol, Pierre, SD 57501, telephone - 773-3259.

It is imperative that you complete your water permit application by obtaining the needed soil/water compatibility permit. Irrigation of land without the proper permits is in violation of SD Water Laws.

If I can be of assistance to you, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
773-3352

enclosures

cc: Jim Stukel, Division of Conservation



Report of Water Permit Application No. 5389-3
Kenneth L. Plucker
March 15, 1990

Water Permit Application No. 5389-3 proposes to correct the location of 58 irrigated acres under Water Permit No. 2734-3. Water Permit No. 2734-3 appropriated 2.0 cubic feet of water per second from one well, 50 feet deep, located in the NE1/4 SW1/4 to irrigate 160 acres in the SW1/4; all in Section 11, T99N R53W. A Division inspection of Water Permit No. 2734-3 found that 58 acres of the 160 acres were not located in the area described on Water Permit No. 2734-3. The correct location of the 58 acres is the S1/2NW1/4 of Section 11, T99N R53W. No increase in diversion rate, number of wells, or acreage of Water Permit No. 2734-3 is authorized by this application.

General Information

A field inspection of Water Permit No. 2734-3 conducted by David Brown, Division Engineer on March 12, 1987, found that 58 acres of land were being irrigated whose legal description did not match the permitted lands. Water Permit Application No. 5389-3 is to correct the location of the irrigated lands. A March 26, 1976 priority date (corresponds with Water Permit No. 2734-3) is assigned to Water Permit Application No. 5389-3 pursuant to authorization under General Rules Chapter 74:02:01:14.01.

Existing Water Rights

There are three existing Water Permits in the immediate vicinity which divert water from the Vermillion East Fork Aquifer (VEF). Table No. 1 lists the existing Water Permits for the VEF management area in Turner County.

Table No. 1

Water Permit No.	Owner	Diversion rate (cfs)	Well Depth (ft)	Aquifer	Irrigated Land (acres)
2734-3	Kenneth Plucker	2.0	50	VEF	160
3643-3	Ervin Schimkat	1.78	38 & 35	VEF	120
3756-3	Elmer & Ardell Lankhorst	1.87	90 & 60	VEF	106

It should be noted that no additional water, above the limits specified on Water Permit No. 2734-4, will be withdrawn from the VEF aquifer upon approval of this permit.

Aquifer - Vermillion East Fork (VEF)

The Vermillion East Fork aquifer is a series of interconnected management units. The Vermillion River aquifer as a whole is managed as five separate management units, one of which is the VEF aquifer.

The existing well is completed into the VEF aquifer. According to well logs in the vicinity and observation well TU-770, the VEF Aquifer is surficial consisting of glacial outwash (clay, silt, sand, and gravel) (Flint, 1955) and found predominately under watertable conditions (Division Files, 1990). Bedrock in the area consists of the Sioux Quartzite.

Water Rights Division Observation Well TU-770 is located in the VEF aquifer about 2 miles northwest of the applicants existing well. The water levels in TU-770 fluctuate 6 feet based on seasonal and annual climatic variations (Division, 1990).

The VEF aquifer extent appears to be constrained to the East Fork of the Vermillion River flood plain (0.25 to 0.75 miles in width). The thickness of the aquifer varies from 0 to 51 feet with the largest thicknesses being found where tributary streams join with the East Fork of the Vermillion River (Division Files, 1990). Aquifer recharge appears to be moderate to fast (Hedges, 1983) and is probably greatly influenced by overbank flooding from the East Fork of the Vermilion River.

Average annual recharge to the VEF aquifer has not been estimated at this time. The VEF aquifer in Turner County as a surface area of approximately 3,400 acres with an estimated 5,100 acre feet of recoverable water (Hedges, 1982). The 1988 irrigation questionnaires indicate that 251.5 acre feet of water from the VEF in Turner County was used for irrigation purposes in 1988.

The boundary between the VEF and the Parker-Centerville (PAC) aquifers is within one mile down-gradient of this permit application. The transition from the VEF aquifer into the PAC aquifer is indistinguishable. Hedges in 1983 estimated 2.18 inches of average annual use out of the Parker-Centerville (PAC) Aquifer. The estimated average annual use (2.18 inches, 6,958 acre feet) exceeds the minimum estimated average annual recharge of 2.0 inches (6,383 acre feet), however, observation well records and known geohydrologic characteristics for this aquifer support the conclusion that a recharge rate of 4.9 inches (15,639 acre feet) per year calculated using observation well data more closely approximates actual recharge (Hedges, 1983).

The 1988 irrigation questionnaires indicate that 13,558 acre feet of water was pumped from the PAC aquifer for irrigation purposes

in 1988. Average annual recharge to the PAC aquifer was estimated at 15,639 acre feet with recoverable water out of the PAC estimated at 114,800 acre feet in 1983 (Hedges, 1983).

Observation well TU-80C is constructed into the PAC aquifer and has a sand and gravel thickness of 25 feet. Water levels have fluctuated 18 feet in observation well TU-80C. The large water level fluctuations may be due to being located within the cone of influence from the City of Parkers well field.

The nearest irrigation well issued for the VEF is located approximately 3.0 miles away while the nearest irrigation well constructed into the PAC aquifer is approximately 1.25 miles away. Because of the aquifers characteristics and adequate well spacing, no well interference is expected in the VEF or PAC aquifers due to irrigation withdrawals authorized by this permit.

General Rules Chapter 74:02:01:14.01

As discussed earlier in this report, this permit application is to correct the location of lands authorized under Water Permit No. 2734-3. General Rules Chapter 74:02:01:14.01 authorizes retention of the original priority under Water Permit No. 2734-3 for the following reasons:

- 1) The chief engineer was unable to complete an inspection before the date for application of the water to beneficial use pursuant to SDCL 46-5-30.
- 2) The project was completed within the construction period.
- 3) The correction is to change location of land under Water Permit No. 2734-3 without changing the water source, the amount of water, the total acreage, and the acreage change is adjacent to the original authorized acres.
- 4) The corrections do not extend the rights granted in the original permit (Water Permit No. 2734-3).
- 5) The corrections do not impair existing rights.

Conclusions

1. Permit Application No. 5364-3 is requesting no additional water from an existing 53 foot deep irrigation well to change the location of irrigated land under Water Permit No. 2734-3.
2. The well is drilled into the VEF Aquifer management unit. This surficial aquifer consists of glacial outwash and is located on the floodplain of the East Fork of the Vermillion River. Unappropriated water is available from this aquifer.

3. An irrigation well is located about 1.25 miles from the applicant's proposed well. The irrigation well has been used for irrigation purposes in the past with no adverse affects to adjacent irrigation wells or to domestic users. Because of the watertable conditions and aquifer characteristics, no well interference is expected as a result of withdrawals under this permit.

David S. Brown /ks

David S. Brown
Natural Resources Engineer

Approved by:

Gale N. Selken

Gale N. Selken, P.E.
Hydrologist

References

- Flint, R.F., 1955, Pleistocene Geology of Eastern South Dakota, Geological Survey Professional Paper 262, Map of Glaciated Region of South Dakota Showing Surficial Deposits, 1950.
- Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Prepared for U.S. Army Corps of Engineers Planning Division by DWNR Geological Survey, Vermillion, SD.
- Hedges, L.S., J. Allen, and D.E. Holly, 1983, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River South Dakota and Iowa. Task 7: Ground Water Recharge, Prepared for U.S. Army Corps of Engineers Planning Division by DWNR Geological Survey, Vermillion, SD.
- Water Rights Division, 1990, Drillers Logs, Observation Well Logs and Permit Files, DWNR, Joe Foss Bldg., Pierre, SD.

NOT TO SCALE

9-53

13.9

57.3

24.2

79-L

39.8

38.1

5.0

2.0

WATER PERMIT APPLICATION NO. 5389-3

3.0 ACRES

2.6 ACRES

11

14.9

110.7

1220' PVC

WELL

45.4

41.2

WATER PERMIT NO. 2734-3

15 ACRES

1.4 ACRES

17.3

4.0

3.1

1.1

14.2

99-53

3.6

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5389-3, Kenneth L. Plucker

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. 5389-3, Kenneth L. Plucker, RR 1, Box 79A, Parker SD.

The Chief Engineer is recommending APPROVAL of Application No. 5389-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
March 19, 1990



Department of Water & Natural Resources

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

March 30, 1990

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

Kenneth L. Plucker
RR #1 Box 79A
Parker, SD 57053

Dear Mr. Plucker:

Water Permit Application No. 5389-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the New Era printed at Parker SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also 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 Intent to Appropriate Water 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. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

A handwritten signature in cursive script, reading "Eric Gronlund".

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

March 30, 1990

The New Era
Box 577
Parker, SD 57053

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 5389-3 to be published twice. Please publish the first notice on or before April 5, 1990 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 Kenneth L. Plucker, RR #1 Box 79A, Parker, SD 57053.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on or before April 5, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5389-3 to Correct the
Location of Irrigated Acreage

Notice is given that Kenneth L. Plucker, RR #1 Box 79A, Parker, SD 57053 has filed an application for a water permit to specify the correct location of 58 irrigated acres. Water Permit No. 2734-3 appropriated 2.0 cubic feet of water per second from one well, 50 feet deep, located in the NE1/4 SW1/4 to irrigate 160 acres in the SW1/4; all in Section 11-T99N-R53W. An inspection of Permit No. 2734-3 found that 58 acres of the 160 acres were not located in the area described on Permit No. 2734-3. The correct location of the 58 acres is the S1/2 NW1/4 Section 11-T99N-R53W. No increase in diversion rate or acreage irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5389-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water and 3) it is in the public interest. This application will be considered by the Water Management Board in the Pelican Room, Ramkota Inn, Hwy 212, Watertown, SD on May 23, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by May 11, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by May 11, 1990.

This application is made pursuant to 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
 County _____)



I, Judith E. Friese
 certify that the attached printed Notice was taken
 from the The New Era

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

April 5, 1990
April 12, 1990

Judith E. Friese
 (Signature)

Secretary
 (Title)

April 12, 1990
 (Date Signed)

Cost of Printing: \$35⁰⁰

NOTICE OF HEARING on Application No. 5389-3 to Correct the Location of Irrigated Acreage

NOTICE IS GIVEN that Kenneth L. Plucker, RR #1 Box 79A, Parker, SD 57053 has filed an application for a water permit to specify the correct location of 58 irrigated acres. Water Permit No. 2734-3 appropriated 2.0 cubic feet of water per second from one well, 50 feet deep, located in the NE 1/4 SW 1/4 to irrigate 160 acres in the SW 1/4; all in Section 11-T99N-R53W. An inspection of Permit No. 2734-3 found that 58 acres of the 160 acres were not located in the area described on Permit No. 2734-3. The correct location of the 58 acres is the S 1/2 NW 1/4 Section 11-T99N-R53W. No increase in diversion rate or acreage irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5389-3 because (1) existing rights will not be unlawfully impaired, (2) it is a beneficial use of water and (3) it is in the public interest. This application will be considered by the Water Management Board in the Pelican Room, Ramkota Inn, Hwy 212, Watertown, SD on May 23, 1990 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to (1) approve, (2) approve with qualifications, (3) defer or (4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by May 11, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by May 11, 1990.

This application is made pursuant to 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

(Publish April 5 & 12, 1990)



Department of Water & Natural Resources

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

JUL 10 1990

Kenneth L. Plucker
RR 1, Box 79A
Parker SD 57053

Dear Mr. Plucker:

Enclosed is Water Permit No. 5389-3 as approved by the Water Management Board authorizing your water diversion system and the application of water beneficial use, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412327

Pierre, July 31, 19 90

RECEIVED OF Kenneth Plucker RR #1 Box 79A, Barker, SD 57053

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>Water Permit No. 5389-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Charles Kneer
Chief Engineer

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Kenneth L. PluckerRt. 1, Box 79A, Parker, SD 57053 8X holder ofPermit No. 5389-3 & 2734-3, bearing the priority of March 26 19 76 authorizingthe diversion of 2.0 cu. ft. per second of the waters of Ground Waterfor irrigation purposes, in Turner County.

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

A. Works used to divert the water:

Well, approx. 50 ft deep, 14 inch steel casing, 20 feet stainless steel screen
National pump, 8 inch, pump no. 376-284, 900 GPM capacity
Newman 75 HP electric motor, 75 HP, frame no. 365TP/DD31E2PB

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

1220 feet of 8 inch buried PVC

C. Works used to apply water to beneficial use:

10 tower Valley Center Pivot with corner system

The system is in the following condition goodThe point of diversion is located at a point 110 feet south and 130 feet west of the center
of Section 11, T99N R53WThe works are capable of diverting and conveying to the place of use 2.0
cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: all in Section 11, T99N R53W40 acres in the NW1/4SW1/4 30 acres in the SW1/4 NW1/440 acres in the NE1/4 SW1/4 28 acres in the SE1/4 NW1/410 acres in the SE1/4 SW1/412 acres in the SW1/4 SW1/4comprising a total of 160 acres of land and the license should be issued for 2.0 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date September 14, 1990
Incorporate Water Right Nos. 2734-3 and 5389-3.

David A. Brown
(signature)

* original inspection for 2734-3 was March 12, 1987.

LICENSE FOR PERMIT NUMBER 5389-3 (incorporation of 2734-3) Kenneth Plucker

1. Legal location of wells: 110 feet south and 130 feet west of the center of Section 11, T99

dams & structures: _____

2. Well Information: Well Drilling Firm Shingle Finnely (well log not available)

- out of business

Completion Report Yes No X No. of Wells 1 Depth 50' (estimated)

Casing a) diameter 14 inch Screen a) type stainless steel

b) length 30 feet (50 feet TD) b) length 20 feet

c) type steel Static Water Level unknown

Pump a) make National Motor a) make Newman

b) model 16 x 8 b) model No. 365TP/DD31E2PB

c) size Serial No. 376-284 c) horsepower rating 75

d) capacity 900 gpm

e) turbine pump - no. of stages

f) operating PSI

3. Distribution lines or canals

a) size 8 inch

b) type PVC

c) length 1220 feet

4. Dam Information:

a) height to crest

m) Outlet tubes:

b) height to primary spillway

1) diameter

c) height to secondary spillway

2) type

d) crest width

3) valved (Y/N)

e) crest length

4) valve type

f) spillway length

5) location on structure

g) spillway width

h) approx. storage

n) Category of Dam

i) approx. storage to crest

j) date constructed

k) inspection sheet completed (Y/N)

l) Name of Contractor

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make Valley
- 2) number of towers 10 w/corner
- 3) distance between towers system
- 4) overall length _____
- 5) end gun (Y/N) Yes
- 6) high or low pressure high
- 7) make & size of nozzles _____
- 8) capacity (GPM) 900

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project 2734-3

Yes	No	Check Items
<u>X</u>	___	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>	___	2. Special qualifications to permit being abided by?
<u>X</u>	___	3. All structures, wells and lands on map?
<u>X</u>	___	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
<u>X</u>	___	5. Is chemigation used?
___	___	6. If yes, does equipment comply with chemigation rules? not inspected, field inspection of project completed prior to adoption of chemigation rules. Water Permits Nos. 2734-3 and 5389-3 are incorporated with Water License No. 5389-3.

REMARKS:

NOT TO SCALE

99-53

13.9

57.3

24.2

79-L

2.0

39.8

38.1

5.0

30 acres

28 acres

130'

14.9

110.7

Map prepared by
David Brown
Natural Resources
Engineer II
DWR, Water
Rights Division
9/14/90

WELL

1220' PVC

45.4

41.4

40 acres

40 acres

12 acres

10 acres

3.1

4.0

14.2

99-53

17.3

3.6

Scale 1" = 657.3'

Water Right
No. 5389-3

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5389-3**

(1) Kenneth L. Plucker of RR #1 Box 79A, Parker SD 57053 made Application No. 5389-3, April 30, 1987 for a water permit to appropriate no add'l cubic feet of water per second from groundwater (one existing well), Turner County, South Dakota for irrigation purposes. Permit No. 5389-3 with a priority date of March 26, 1976 (established by Permit No. 2734-3) was approved May 24, 1990 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

A March 12, 1987 inspection of Water Permit No. 2734-3 found that 58 acres of the 160 acres irrigated were not located in the area described on Permit No. 2734-3. Water Permit No. 5389-3 specifies the correct location of the 58 acres. No. 5389-3 did not authorize an increase in diversion rate or acreage irrigated.

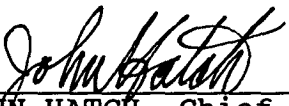
The applicable portions of Water Permit No. 2734-3 are incorporated into this Water License No. 5389-3.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.0 cubic feet of water per second for beneficial use. The location of the diversion point is: at a point 110 feet south and 130 feet west of the center of Section 11, T99N, R53W.

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

T99N, R53W Section 11	NW1/4 SW1/4	40	acres
	NE1/4 SW1/4	40	"
	SE1/4 SW1/4	10	"
	SW1/4 SW1/4	12	"
	SW1/4 NW1/4	30	"
	SE1/4 NW1/4	28	"
	Total	160	acres

(4) Pursuant to Section 46-5-30.1 Kenneth L. Plucker of RR #1 Box 79A, Parker SD 57053 the holder(s) and/or owner(s) of Incorporated No. 5389-3 is issued a license to appropriate water, the right to use 2.0 cubic feet of water per second from groundwater (one well) with a priority date of March 26, 1976 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated No. 5389-3 and subject to South Dakota State Law.


NOV 7 1990
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources



Department of Water & Natural Resources

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

5389-3

NOV 7 1990

Kenneth L. Plucker
RR #1 Box 79A
Parker SD 57053

Dear Mr. Plucker:

Enclosed is Water License No. 5389-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412327 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. 5389-3, 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,

A handwritten signature in cursive script, appearing to read "John Hatch".

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

enclosures

NOTE: The applicable portions of Water Permit No. 2734-3 have been incorporated into Water License No. 5389-3.

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Joel Berens -- water permit application

ADDRESS: COUNTY: Turner

DATE: 3/12/96 TELEPHONE: 297-5543

RE: Acreage to be irrigated - 59/4-3

COMMENTS:

Mr. Berens returned my phone call concerning his water permit application to irrigate the NW $\frac{1}{4}$ Section 11, T99N, R53W. I stated that the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 11 is currently authorized for irrigation by Water Right No. 5389-3, held by Kenneth Plucker.

Mr. Berens explained that the land in the NW $\frac{1}{4}$ Section is currently owned by his grandmother. She has leased the land to Mr. Plucker for a number of years. However, that lease has expired and Mr. Berens is purchasing the property from his grandmother. Mr. Berens stated that Mr. Plucker owns the property in the SW $\frac{1}{4}$ Section 11 and to his knowledge still intends to operate that pivot in a half circle in the SW $\frac{1}{4}$. Mr. Berens stated that his application should be considered a new application.

Water Right No. 5389-3 may need to be investigated to reduce the water right to the reduced acreage.

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 Hansen



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 18, 2003

No. 5389-3

Ken Plucker Jr.
45594 275th
Parker SD 57053

Dear Mr. Plucker:

Thank you for returning the 2003 SD Water Use Questionnaire. The form indicates a change of ownership has occurred. Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 5389-3. The water right is currently listed in the name of Kenneth L Plucker. I have also enclosed a copy of the water right and map for your records.

The transfer form should be checked over for accuracy and signed by the new owner. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 5389-3

Date: 1-28-04

I/We request that Water Right/Permit No. 5389-3

formerly owned by: Kenneth L Plucker

be transferred to: (name & address) Ken Plucker, Jr., 45594 275th, Parker SD 57053

Telephone No. 605 297-4168

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

160 acres – SW ¼, S ½ NW ¼ Section 11-T99N-R53W

I/We understand that the validity of Water Right/Permit No. 5389-3 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 Two Dollars and Fifty Cents (\$2.50) 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 Ken Plucker Jr., the new owner, certify that the above information is true and correct.

Ken L. Plucker Jr.
(Signed by new owner)

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.

RECEIVED
FEB - 2 2004
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date FEBRUARY 2, 2004

RECEIVED OF Ken Plucker Jr, 45594 275th, Parker SD 57053

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	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>5389-3</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. _____	2.50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No. 001163

By Darlan D. Albeke
Chief Engineer gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 2, 2004

5389-3

Ken Plucker, Jr
45594 275th St
Parker SD 57053

Dear Mr. Plucker:

Thank you for following up on the ownership change for Water Right No. 5389-3. The transfer has been completed and the water right is now listed in your name.

Enclosed is your Receipt No. 001163 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

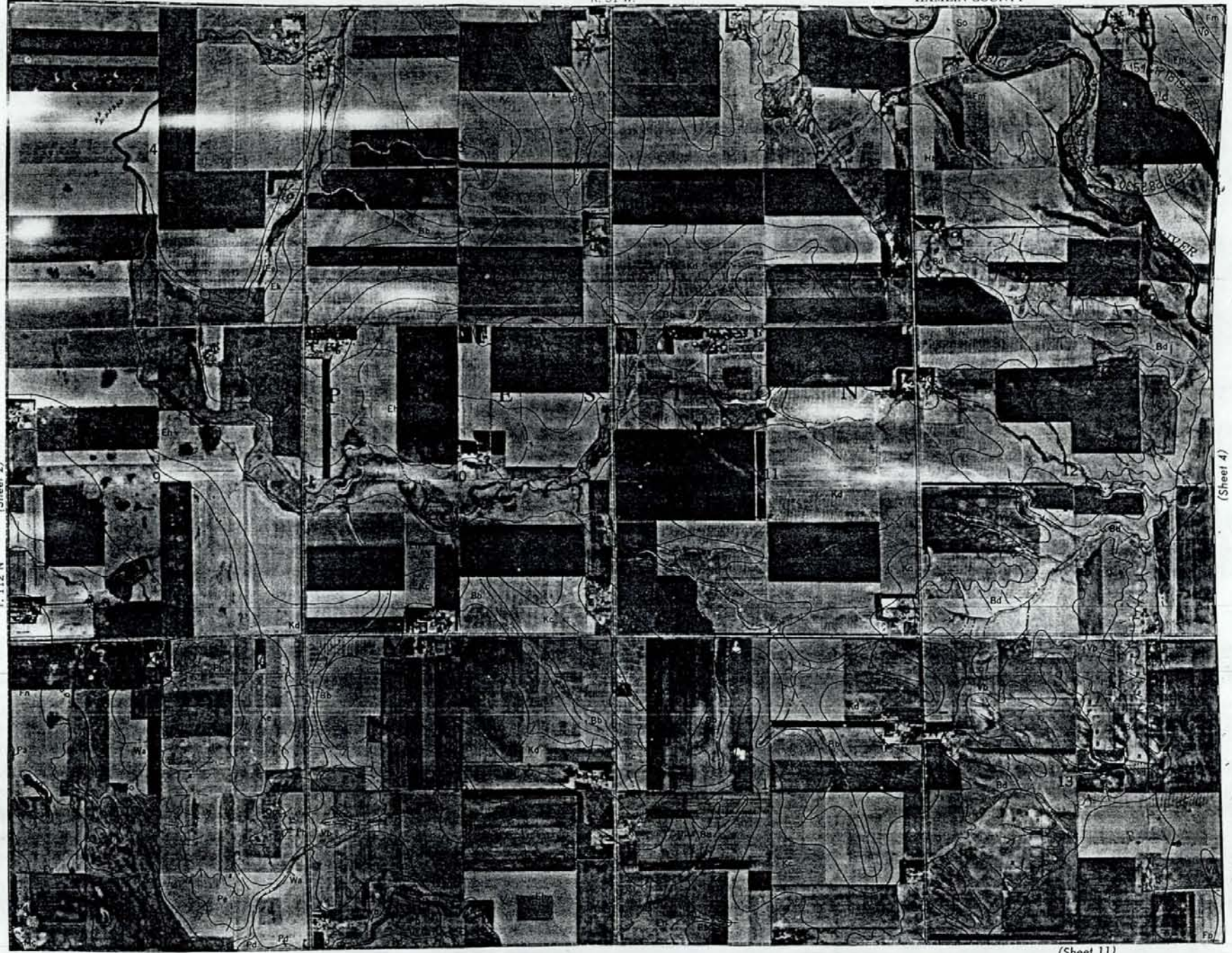
enclosure

C
Linneman

2381-2

(Sheet 2)
T. 112 N

(Sheet 4)



(Sheet 11)

0 1/2 1 Mile Scale 1:20 000 0 5000 Feet

5389-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

NOTICE

TO: KEN PLUCKER, JR, 45594 275TH ST, PARKER, SD 57053

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

SUBJECT: Reporting Requirement for 2007 Irrigation Questionnaire(s)

Our records indicate that the 2007 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5389-3. The request for the Questionnaire was dated October 19, 2007. The Water Management Board has directed that owners of water permits who have not submitted the 2007 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) 5389-3 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, 2008** 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) 5389-3 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 3, 2008**, 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:

<https://www.state.sd.us/eforms/secure/eforms/E0455V6-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.

5389-3

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

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 3455
Status: **Delivered**

Your item was delivered at 1:41 PM on January 25, 2008 in PARKER, SD 57053. The item was signed for by K PLUCKER.

Track & Confirm

Enter Label/Receipt Number.

[Additional Details >](#)[Return to USPS.com Home >](#)

Notification Options

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

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No FEAR Act EEO Data

FOIA

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2008

5389-3

Ken Plucker, Jr
45594 275th St
Parker SD 57053

Dear Mr. Plucker:

I am writing to acknowledge receipt of your 2007 irrigation questionnaire. You may disregard the January 18, 2008, "Notice" concerning reporting requirements for Water Right No. 5389-3.

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



5389-3
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: KEN PLUCKER, JR, 45594 275TH ST, PARKER, SD 57053

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) 5389-3. 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) 5389-3 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) 5389-3 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:

<https://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.

5389-3

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Track & Confirm

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Status: **Delivered**

Your item was delivered at 12:21 PM on January 24, 2009 in PARKER, SD 57053. The item was signed for by K PLUCKER.

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FOIA

KEN PLUCKER, JR 45594 275TH ST PARKER SD 57053	
Waiver of Signature ☐ YES ☐ NO	
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**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 19, 2009

5389-3

Ken Plucker Jr
45594 275th St
Parker SD 57053

Dear Mr. Plucker:

I am writing to acknowledge receipt of your 2008 irrigation questionnaire. You may disregard the January 23, 2009, "Notice" concerning reporting requirements for Water Right No. 5389-3.

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 black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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



5389-3
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: KEN PLUCKER JR, 45594 275TH ST, PARKER, SD 57053

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) 5389-3, 7313-3 & 7357-3. 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) 5389-3, 7313-3 & 7357-3 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) 5389-3, 7313-3 & 7357-3 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.

5389-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

January 22, 2015

5389-3
7313-3
7357-3

Kenneth Plucker Jr
45594 275th St
Parker SD 57053

Dear Mr. Plucker:

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 No. 5389-3 and Water Permit Nos. 7313-3 and 7357-3. 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

5389-3



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: KEN PLUCKER JR, 45594 275TH ST, PARKER, SD 57053

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) 5389-3, 7313-3 & 7357-3. 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) 5389-3, 7313-3 & 7357-3 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) 5389-3, 7313-3 & 7357-3 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: LYTNID**

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.

5389-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 24, 2023

5389-3
7313-3
7357-3

Ken Plucker Jr
45594 275th St
Parker SD 57053

Dear Mr. Plucker:

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

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Permit or Right Nos. 5389-3, 7313-3 & 7357-3. 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