

WATER PERMIT NO. 5946-3

Name of Applicant: Virgil D./G. Arlene Plucker

Address: Box 92, Chancellor SD 57015

Phone: 605 647-5854

Amount of Water Claimed: 1.25 cfs

Total Acres: 88 acres

Source of Water Supply: groundwater & dugout

Water to be used for: irrigation

County: Turner

Type of Waste Disposal System: NA

Location: 3 miles southeast of Parker

PRIORITY

Date Received: 6-20-96

Fee: \$50.00

Corrected Application Received:

Period of Annual Use: June 1 - August 31

Remarks: will use the dugout water and eventually drill a well for irrigation

Diversion Point: NW 1/4 NE 1/4 Sec 26-T99N-
R53W

Land to be Irrigated: NE 1/4 Sec 26-T99N-R53W

Depth of Well: ⁴30 feet

Well Driller:

Remarks:

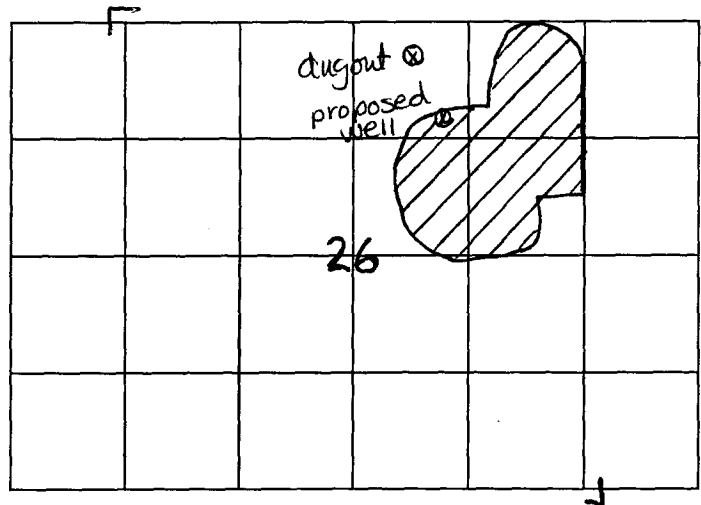
Type of Map: aerial

Prepared by: Barry McLaury

Reviewed and the Number Assigned on: 6-24-96

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



SOUTH DAKOTA
WATER PERMIT NO. 5946-3

Date of first receipt of application June 20, 1996.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5946-3 to Virgil D. and G. Arlene Plucker, Box 92, Chancellor SD 57015 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. 5946-3 appropriates 1.25 cubic feet of water per second from a dugout or a well approximately 40 feet deep (Parker Centerville Aquifer) located in the NW 1/4 NE 1/4 Section 26 to irrigate 88 acres located in the NE 1/4 Section 26; all in T99N-R53W. The dugout is maintained from groundwater but may receive some incidental surface runoff. The applicant intends to drill a well, 40 feet deep, located in the NW 1/4 NE 1/4 Section 26-T99N-R53W to act as a main water source.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is June 20, 1996.
4. The date of approval of Permit No. 5946-3 is August 12, 1996.
5. One-fifth of the construction is to be completed on or before February 12, 1999.
6. All construction is to be completed on or before August 12, 2001.
7. Water is to be put to beneficial use on or before August 12, 2005.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. 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. The well authorized by Permit No. 5946-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: John Hatch
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 1 1996
date



FORM 2: Application for irrigation in South Dakota

(type or print)

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 5946-3 Hydrologic Unit 10/70/02
Basin Vermillion River
Newspaper The New Era, Parker, SD
(office use only)



Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(check one) (Use predates Mar 2, 1955)

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

- Name of Applicant Virgil D. Plucker/G. Arlene Plucker Phone 605-647-5854
(check one) ☐ Owner ☒ Tenant/lessee
Mailing Address Box 92 Chancellor, State SD 57015
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 1.25 *CFS or **GPM ***AF Total Acreage 88
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet -- storage capacity of dam/dugout if applicable)
- Source of water supply Groundwater + surface water (dugout)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 1 well + 1 dugout located in the NW1/4 NE1/4 of Section 26; T99N-R53W.
County Turner
- County or counties where water will be used Turner
- Annual period during which water is to be used April 1 thru October 31
- List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW ¹ NE ⁴ Section 26 T99N R53W	10		
NE ⁴ NE ⁴	32		
SW ⁴ NE ⁴	20		
SE ⁴ NE ⁴	26		

- Give a description of the project. (Attach sheet if more space is needed)
will irrigate the above described lands with 2 center pivots from the dugout diversion. At a later time, a well will be drilled and used as the main water source. Water transported to center pivots through 6" Aluminum pipe.

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

STATE OF SOUTH DAKOTA)

County of Turner)^{SS}

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

Signed Virgil D. Plucker

Subscribed and sworn to before me this 19 day of June 19 96

Loren J. Melby

Notary Public

Commission Expires 2-18-2000

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter 16 Depth 40
- b) Casing Type PVC Diameter 8 Thickness _____
- c) Screen Type PVC Diameter 8 Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 20 feet
- f) Depth to Water (ground surface to water level) 10
- g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ c) Year Constructed _____
- d) Connected to the City of _____ Sanitary System.

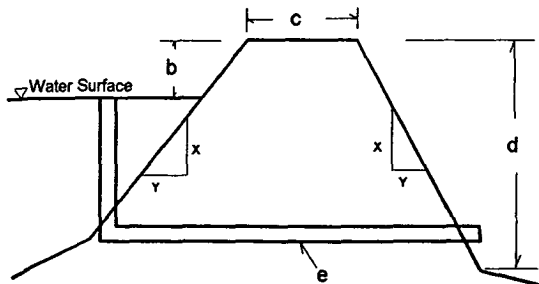
3. Dugout Information

- a) Surface Dimensions 50 X 50 Depth 6
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

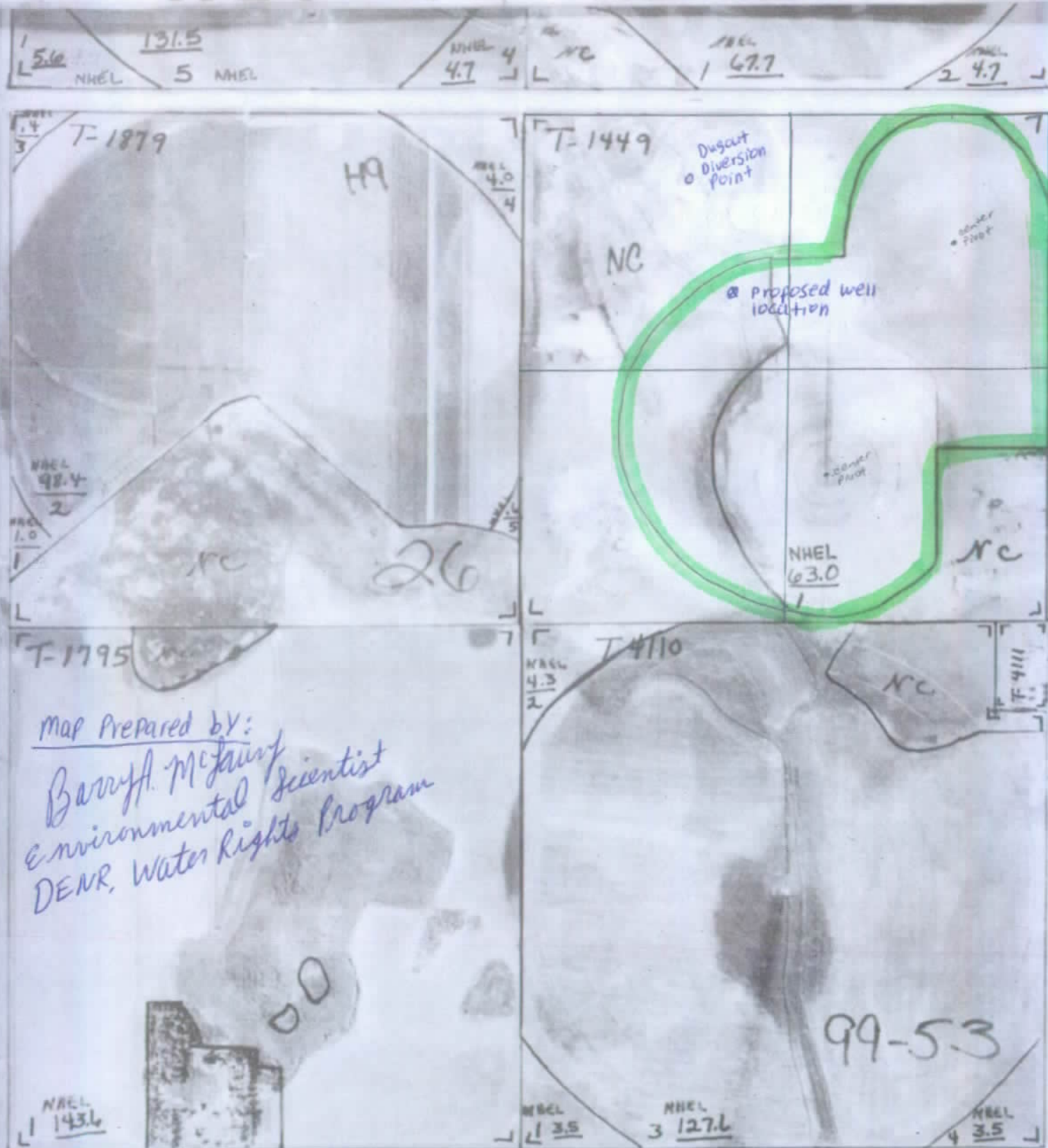
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

NOT TO SCALE



5946-3

RECEIPT

414990

Division of Water Rights

South Dakota Department of Environment and Natural Resources

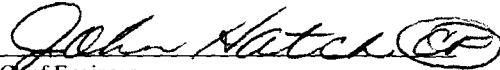
Pierre, _____ June 20, 19 96

RECEIVED OF Virgil or Arlene Plucker, Box 92, Chancellor, SD 57015

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

Fee for Application for Permit No. <u>5946-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	225	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 _____		

(Any Other Work Provided by Law)	Total	225 00

By John Hatch 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

July 17, 1996

Virgil D. and G. Arlene Plucker
Box 92
Chancellor, SD 57015

Dear Mr. and Ms. Plucker:

Water Permit Application No. 5946-3 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 (Ph # (605) 297-4419). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

REPORT ON WATER PERMIT APPLICATION NO. 5946-3
for Virgil D. and Arlene Plucker
June 28, 1996

Application No. 5946-3 proposes to appropriate 1.26 cfs (565 gpm) from a dugout located in the NW 1/4 NE 1/4 of section 26 to irrigate 88 acres located in the NE 1/4 of section 26; all in T99N R53W in Turner County. The dugout is maintained from ground water but may receive incidental surface runoff. The applicant intends to drill a well, approximately 40 feet deep, located in the NW 1/4 NE 1/4 of section 26, T99N R53W for the main water source.

AQUIFER - PARKER CENTERVILLE (PAC)

The Parker Centerville is a surficial glacial outwash (sand and gravel) which is predominantly under unconfined or water table conditions. The aquifer underlies 74 square miles and contains an estimated 322,000 acre feet of water in storage in Turner County (Lindgren, 1990). The aquifer is hydraulically connected to the Vermillion East and West Fork aquifers and to the Vermillion River. Also, there appears to be a direct hydraulic connection to the underlying Upper Vermillion Missouri aquifer in the area just to the south of this application.

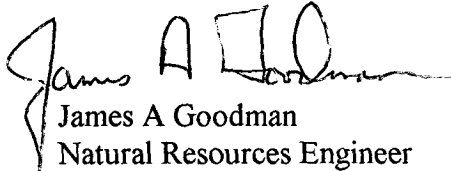
The Water Rights Program monitors three observation wells which are completed into the Parker Centerville aquifer which are located within a one mile radius of this application. These are observation wells TU-77A, TU-79D and TU-79D. Water levels for these wells show good response to climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1996). Hydrographs for these three observation wells are included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are six existing water permits/rights within one mile of this application which obtain water from the Parker Centerville aquifer. There are also other permits/rights in the immediate area which obtain water from the Upper Vermillion Missouri aquifer. Interference is not expected to be a concern. However, a dugout may not be a reliable source of water during a drought. In the past, in this area even some of the shallow wells completed into the Parker Centerville aquifer did not maintain an adequate water supply which resulted in many permit holders drilling new wells into the deeper more dependable Upper Vermillion Missouri aquifer.

CONCLUSIONS

1. Water is available from the Parker Centerville aquifer.
2. The aquifer is under water table conditions. Interference is not expected to be a concern. During a drought the dugout may not be a reliable source of water. However, the applicant indicates that a well approximately 40 feet deep will be drilled into the same aquifer as the dugout to supply water for this system.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.


James A Goodman
Natural Resources Engineer

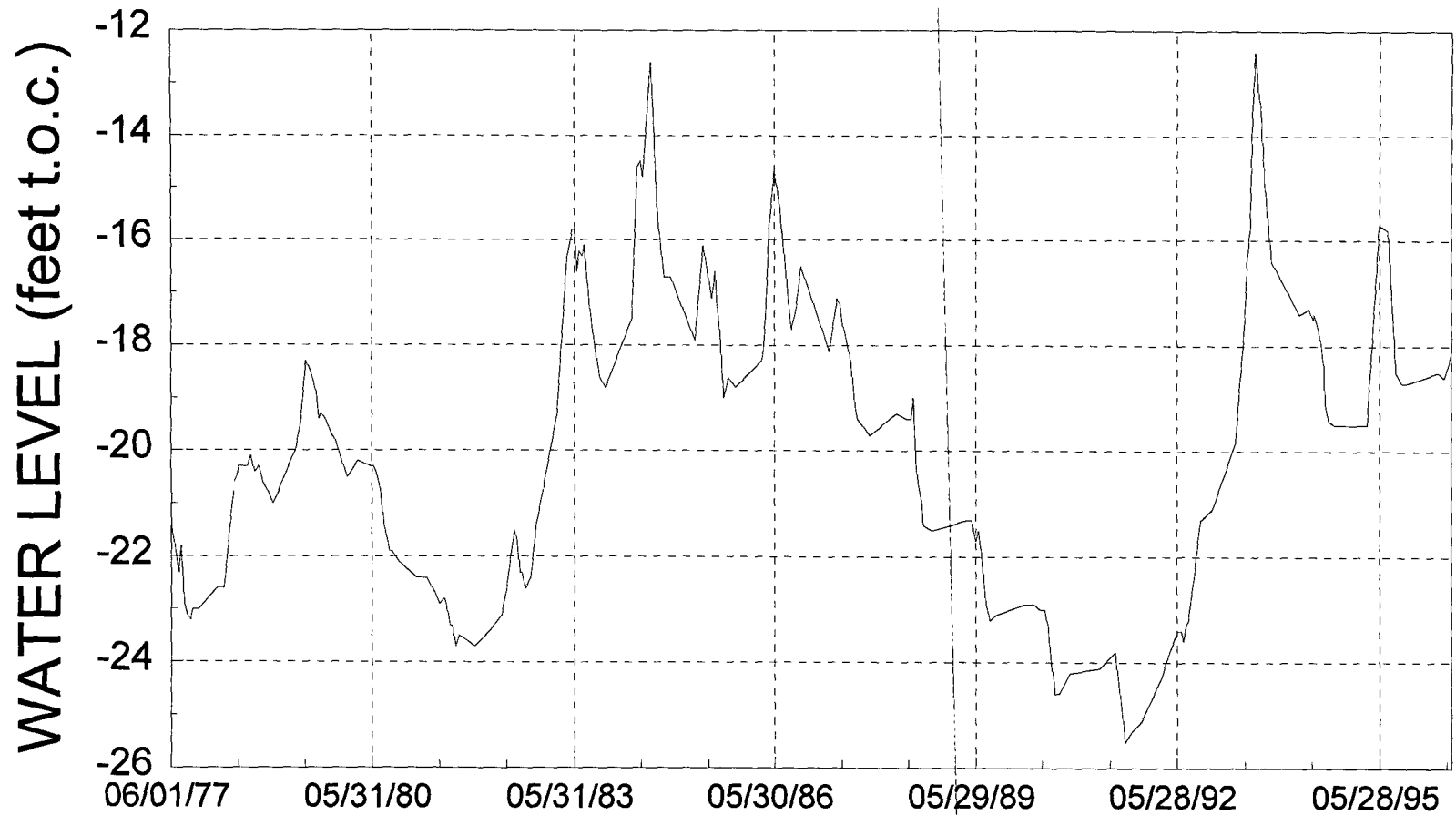
BIBLIOGRAPHY

Lindgen, R.J., D.S. Hansen, 1990, Water Resources of Hutchinson and Turner Counties, South Dakota, WRI 90-4093, USGS, Huron, SD, 57350.

Water Rights, 1996, Unpublished Observation Well Data for Turner County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

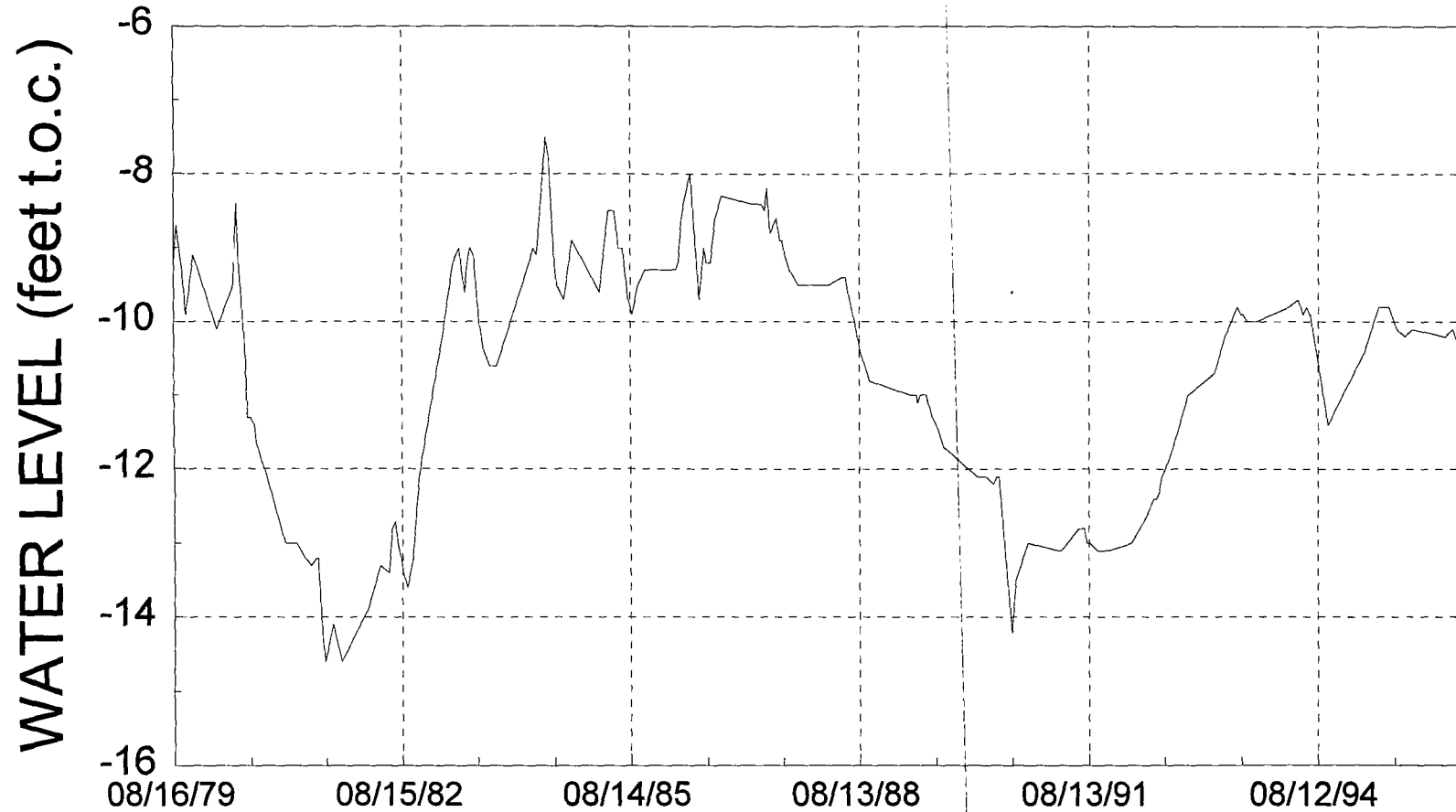
WATER RIGHTS OBSERVATION WELL

TU-77A



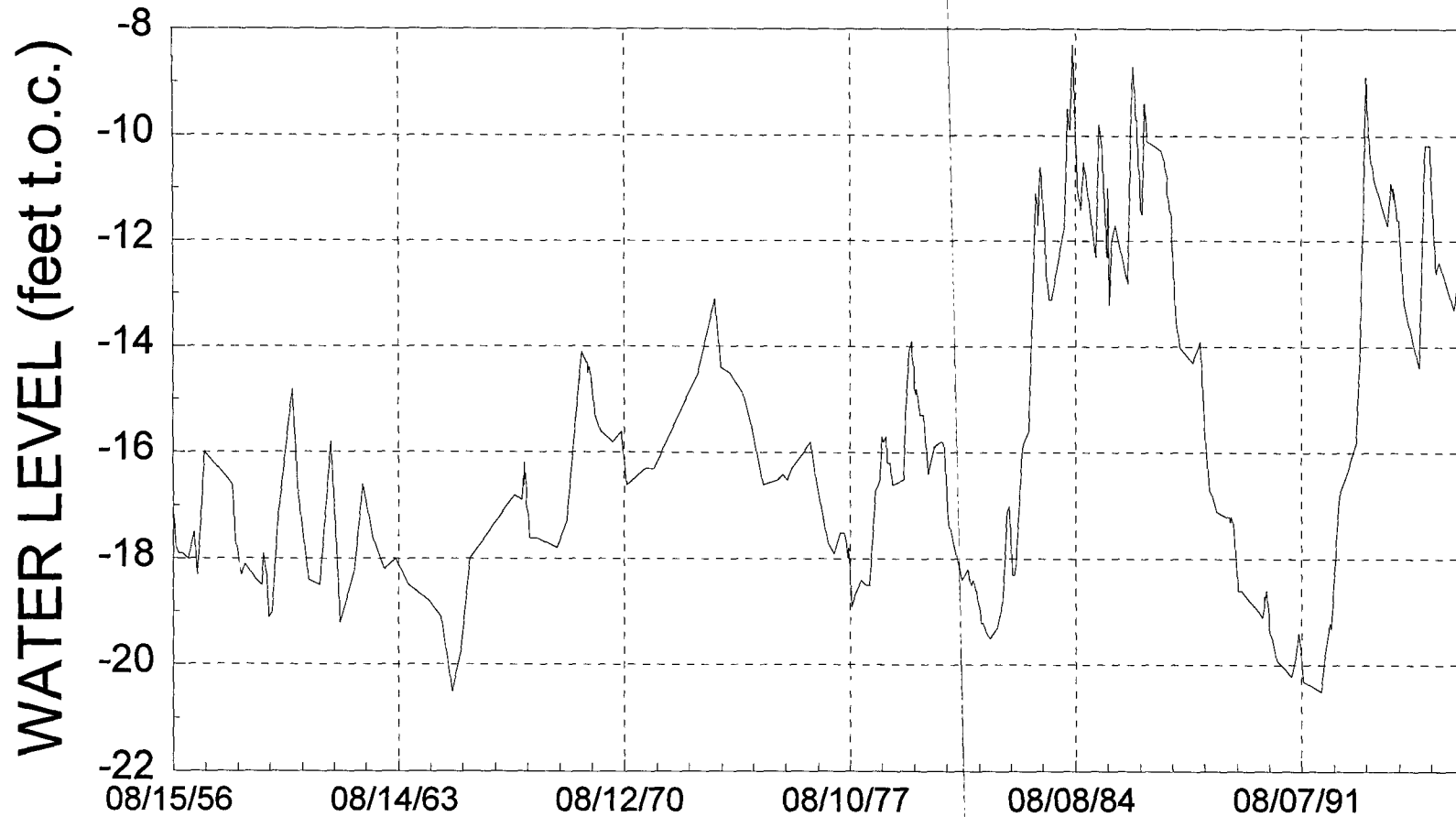
WATER RIGHTS OBSERVATION WELL

TU-79D



WATER RIGHTS OBSERVATION WELL

TU-79E



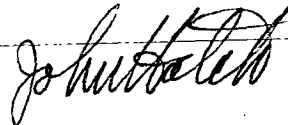
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5946-3, Virgil D. and Arlene Plucker**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 5946-3, Virgil D. and Arlene Plucker, Box 92, Chancellor, SD 57015.

The Chief Engineer is recommending APPROVAL of Application No. 5946-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well approved under this Permit is are located near domestic wells which may obtain water from the same aquifer. The well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells.
2. The well authorized by Permit No. 5946-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.



JOHN HATCH, Chief Engineer
July 16, 1996

NOTE: The dugout is hydraulically connected to the Parker Centerville Aquifer and may be an unreliable source of water especially during drought conditions. Construction of the well must be completed within five years of approval of this water permit. An application to amend this water permit is required for the permit holder to construct a well into the aquifer after the five year construction period has expired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 17, 1996

The New Era
Box 577
Parker, SD 57053-0577

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 5946-3 to be published twice. Please publish the first notice on July 25, 1996, 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 Virgil D. and G. Arlene Plucker, Box 92, Chancellor, SD 57015 (Ph # (605) 647-5854).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. 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. No action may be taken on the permit application 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 Program
Joe Foss Building
Pierre SD 57501-3181

No. 5946-3

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. 5946-3 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 July 25, 1996, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5946-3 to Appropriate Water

Notice is given that Virgil D./G. Arlene Plucker, Box 92, Chancellor, SD 57015 have filed an application for a water permit to appropriate 1.25 cubic feet of water per second from a dugout or a well approximately 40 feet deep (Parker Centerville Aquifer) located in the NW 1/4 NE 1/4 Section 26 to irrigate 88 acres located in the NE 1/4 Section 26; all in T99N-R53W. The dugout is maintained from ground water but may receive some incidental surface runoff. The applicant intends to drill a well 40 feet deep, located in the NW 1/4 NE 1/4 Section 26, T99N-R53W to act as the main water source.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5946-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 12, 1996.

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

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Turner) SS



I, Mary Lee

certify that the attached printed Notice was

taken from the New Era

printed and published in Turner Pioneer

County of Turner Co. and State of

South Dakota. The notice was published in
the newspaper on the following two dates:

July 25, 1996

Aug. 1, 1996

Cost of Printing: 37.30

Mary Lee
(Signature)

Office Manager
(Title)

August 1, 1996
(Date Signed)

Notice of Application No. 5946-3 to Appropriate Water

Notice is given that Virgil D./G. Arlene Plucker, Box 92, Chancellor, SD 57015 have filed an application for a water permit to appropriate 1.25 cubic feet of water per second for a dugout or a well approximately 40 feet deep (Parker Centerville Aquifer) located in the NW 1/4 NE 1/4 Section 26 to irrigate 88 acres located in the NE 1/4 Section 26; all in T99N-R53W. The dugout is maintained from ground water but may receive some incidental surface runoff. The applicant intends to drill a well 40 feet deep, located in the NW 1/4 NE 1/4 Section 26, T99N-R53W to act as the main water source.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5946-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building 523 E. Capitol, Pierre, SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 12, 1996.

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 the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

Nettie H. Myers, Secretary,
Department of Environment and
Natural Resources

#1328, July 25, and August 1, 1996.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 1 1996

Virgil D. and G. Arlene Plucker
Box 92
Chancellor, SD 57015

Dear Mr. and Ms. Plucker:

Enclosed is Water Permit No. 5946-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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 the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.



5946-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 2000

NOTICE

TO: VIRGIL PLUCKER, 87 DEWEY AVE, CHANCELLOR, SD 57015
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1999 Irrigation Questionnaire(s)

Our records indicate that the 1999 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2714A-3 & 5946-3. The request for the Questionnaire was dated October 7, 1999. The Water Management Board has directed that owners of water permits who have not submitted the 1999 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) 2714A-3 & 5946-3 qualification:

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

The hearing will be held at 1:30 pm, March 1, 2000 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, 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) 2714A-3 & 5946-3 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 February 28, 2000, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 24, 2000

2714A-3
5946-3

Virgil Plucker
87 Dewey Ave
Chancellor, SD 57015

Dear Mr. Plucker:

I am writing to acknowledge receipt of your 1999 irrigation questionnaires. You may disregard the January 14, 2000, "Notice" concerning reporting requirements for Water Permit Nos. 2714A-3 and 5946-3.

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



**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 22, 2005

59-16-3

Virgil D & Arlene G Plucker
Box 92
Chancellor SD 57015

Dear Mr. & Mrs. Plucker:

On October 12, 2005 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5946-3, was completed by Ron Duvall, a staff engineer with our program. Your 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. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

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
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 30, 2005

RECEIVED OF Virgil Plucker, 87 Dewey Ave., Chancellor SD 57015

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	50	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>5946-3</u>		
Fee for Filing Transfer Form _____		
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	50.00

No.

002126

By

Darlene E. Ebele

Chief Engineer

gm

Permit No. 5946-3
Vermillion River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **October 12, 2005**, made a thorough examination of the water use system constructed by **Virgil D and Arlene G Plucker** of **Box 92, Chancellor SD 57015** holder of Permit No. **5946-3**, bearing the priority of **June 20, 1996** authorizing the diversion of **1.25** cu. ft. per second of the waters of **ground water (Parker Centerville aquifer)** for **irrigation** purposes, in **Turner** County.

Inspection contact & relationship to permit holder, if applicable: **Virgil Plucker**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **unknown**
- 2) No. of Wells **1**
- 3) Depth(s) **40** feet
- 4) Well log is available **N**

Pump:

- 1) Make **Western Land Roller**

Motor:

- 1) Make **US Electrical**
- 2) Frame **324TP**
- 3) Horsepower rating **40** hp

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

- 1) Type **PVC & Aluminum**
- 2) Size **6** inches
- 3) Length **≈1,550** feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make **Zimmatic**
- 2) Number of towers **7**
- 3) End gun **Y**
- 4) Capacity **800** GPM

Chemigation Equipment:

- 1) Does chemigate **N**

D. Compliance with Permit Requirements:

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

Report of Examination of Works

Permit No. 5946-3

The system is in good condition with the point of diversion located as follows: Well: 2,575 feet S and 1,075 feet W from the NE corner section 26-T99N-R53W (Latitude 43.36599 Longitude -97.06651, SE $\frac{1}{4}$ NE $\frac{1}{4}$). The works are capable of diverting and conveying to the place of use 1.78 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows: **all in section 26-T99N-R53W**

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 1 acre

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 24 acres

comprising a total of 62 acres of land and the license should be issued for 0.88 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project: **The dugout authorized by No. 5946-3 is not used for irrigation. In addition, the well location needs to be corrected as per attached documentation dated December 20, 2005.**



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: December 20, 2005

Scale: 1 inch equals 477 feet

675

Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:

Ron Duvall
Ron Duvall, Natural Resources Engineer
Water Rights Program

Diversion point(s) located using GeoExplorer II GPS

Date: Dec 20, 2005

Water Right No. 5946-3

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Virgil D and Arlene G Plucker

ADDRESS: Box 92, Chancellor SD 57015

DATE: December 20, 2005 **COUNTY:** Turner

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

The well developed under Permit No. 5946-3 is in the same aquifer (Parker Centerville aquifer) as the permitted well and the licensed diversion rate will not exceed the 1.25 cfs authorized by the permit.

- **If irrigation, no new land is irrigated**

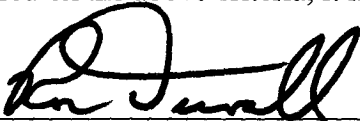
The acreage developed for irrigation is 62 acres and the permitted acreage is 88 acres.

- **Review of Existing Diversions**

The nearest existing well at approximately the same depth is the well authorized under Water Right No. 439-3A, Donald Weeg approximately 1,360 feet from the well drilled by Mr. and Mrs. Plucker. There are no reported cases of interference between these wells in the permit files.

RECOMMENDED ACTION

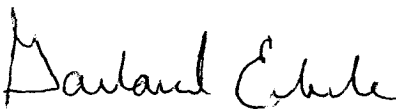
Based on the above criteria, it is recommended that the diversion points be licensed as developed.



Ron Duvall, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 26 2006

5946-3

Virgil D and Arlene G Plucker
87 Dewey Ave
Chancellor SD 57015

Dear Mr. & Ms. Plucker:

Enclosed is Water License No. 5946-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 002126 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5946-3

(1) Virgil D and Arlene G Plucker, 87 Dewey Ave, Chancellor SD 57015 made Application No. 5946-3, June 20, 1996 for a water permit to divert 1.25 cubic feet of water per second from groundwater (one well) or a dugout, Turner County, South Dakota for irrigation purposes. Permit No. 5946-3, with a priority date of June 20, 1996 was approved August 12, 1996 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before August 12, 2001 and for the application to beneficial use of water on or before August 12, 2005.

An investigation conducted for licensing purposes found the well under Water Permit No. 5946-3 was not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point does not increase the potential for interference with existing water rights.

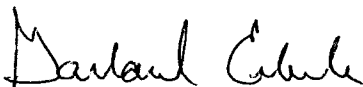
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holders and/or owners of Water Right No. 5946-3 is issued a license, bearing a priority date of June 20, 1996 to appropriate 0.88 cubic feet of water per second from groundwater (one well) to irrigate 62 acres.

The diversion point is located: well: 2,575 feet south and 1,075 feet west from the northeast corner Section 26-T99N-R53W (SE ¼ NE ¼). The acres authorized for irrigation are as follows:

Section 26-T99N-R53W	NE ¼ NE ¼	35 acres
	NW ¼ NE ¼	1 acre
	SW ¼ NE ¼	2 acres
	SE ¼ NE ¼	24 acres
Total 62 acres		

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 5946-3 including the following now applicable qualifications:

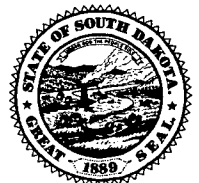
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 5946-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.



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

JAN 26 2006

date





5946-3
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: VIRGIL PLUCKER, 87 DEWEY AVE, CHANCELLOR, SD 57015
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) 2714A-3 & 5946-3. 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) 2714A-3 & 5946-3 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) 2714A-3 & 5946-3 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2015

2714A-3
5946-3

Virgil Plucker
87 Dewey Ave
Chancellor SD 57015

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 Nos. 2714A-3 & 5946-3. 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

McMath, Genny

From: Gronlund, Eric
Sent: Friday, December 04, 2015 10:39 AM
To: McMath, Genny
Subject: Nos 2714A-3 and 5946-3, Virgil Plucker

Virgil Plucker passed away this last year. I received a call from his son Prentice Plucker. First, he said that they'll submit the IQ's soon.

No. 2714A-3 is solely in the name of Virgil Plucker
No. 5946-3 is in the name of Virgil and Arlene Plucker.

Arlene Plucker is the mom and the owner of the property. Prentice Plucker said his brother farms the ground. Arlene Plucker is currently in assisted living.

I said a transfer of ownership should be filed for No. 2714A-3 to get in the name of Arlene Plucker and sent partially completed transfer form. I said the transfer could be in care of the brother's name.

I did not think a transfer was necessary for No. 5946-3 but the current address is not correct and will include the brother as the contact person (once we get the transfer on No. 2714A-3 and get the proper name and address).



5946-3
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 26, 2018

NOTICE

TO: G ARLENE PLUCKER, PRENTICE PLUCKER, 45907 276TH ST, CHANCELLOR, SD 57015
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 2714A-3 & 5946-3. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 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) 2714A-3 & 5946-3 qualification:

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

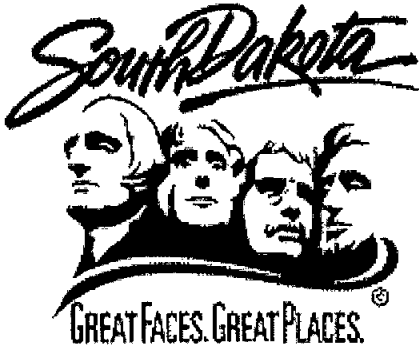
The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 2714A-3 & 5946-3 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 7, 2018** 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.



5946-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 6, 2018

2714A-3
5946-3

Prentice Plucker
45907 276th St
Chancellor SD 57015

Dear Mr. Plucker:

I am writing to acknowledge receipt of your 2017 irrigation questionnaires.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right Nos. 2714A-3 and 5946-3. 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

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

PAID

JAN 02 2019

Ck# 3555

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

RECEIVED

JAN 02 2019

WATER RIGHTS
PROGRAMWater Right/Permit No. 5946-3Date: 12-26-18I/We request that Water Right/Permit No. 5946-3 formerly owned by:Virgil D. & G. Arlene Plucker

be transferred to:

New Owner Name:

Prewice & Vincent Plucker

Address:

45907 276th St

City, State, Zip

Chancellor SD 57015 Telephone No. 605-750-0203

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

Sec 26-T099N-R53W, NE 1/4 NE 1/4 - 35 acres
Sec 26-T099N-R53W, NW 1/4 NE 1/4 - 1 acre
Sec 26-T099N-R53W, SW 1/4 NE 1/4 - 2 acres
Sec 26-T099N-R53W, SE 1/4 NE 1/4 - 24 acres

☒ I understand that the validity of Water Right/Permit No. 5946-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Prewice & Vincent Plucker, the new owner, certify that the above information is true and correct.



(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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 2 19, 2019

RECEIVED OF Prentice Plucker Darla Plucker 45907 276th St Chancellor SD 57105

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	50	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 <u>5946-3</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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **08889**

By

Janne Goodman
Chief Engineer
JCM

5946-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 3, 2019

2714A-3
5946-3

Prentice & Vincent Plucker
45907 276th St
Chancellor SD 57015

Dear Sirs:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership on Water Right Nos. 2714A-3 and 5946-3.

The ownership changes have been completed. Water Right Nos. 2714A-3 and 5946-3 formerly listed in Virgil D and/or G Arlene Plucker are now listed in your names.

Enclosed for your records are Receipt Nos. 08889 and 08890 in the amounts of \$50 each. If you have any questions, please contact me.

Sincerely,

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

enclosures

5946-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 28, 2019

2714A-3
5946-3

Prentice & Vincent Plucker
8620 W Bryggen Ct
Sioux Falls SD 57107-8510

Dear Sirs:

Enclosed is a "Notice" dated October 18, 2019 concerning the 2019 irrigation questionnaires.

The notice was originally mailed to 45907 276th St, Chancellor SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

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

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 15, 2020

5946-3

Ralph & Lucille Marquardt
PO Box 1040
Yankton SD 57078-1040

Dear Mr. & Mrs. Marquardt:

We have received the 2019 irrigation questionnaire for Water Right No. 5946-3. The form contained a notation that land ownership has changed from Prentice & Vincent Plucker to your names.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review and complete as needed. Upon completion, please return the form to our office with a required filing fee of \$50. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water right for you to keep for your records. If I can answer any questions for you, please let me know.

Sincerely,

A handwritten signature in black ink, reading "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures

PAID

FEB 18 2020

Ck# 6249

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

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

FEB 18 2020

WATER RIGHTS
PROGRAM

No. 5946-3

Date: 1/20/2020

I/We request that Water Right No. 5946-3

formerly owned by: Prentice & Vincent Plucker

be transferred to: (name & address)

Ralph and Lucille Marguandt PO Box 10410
Yankton, SD 57078 Telephone No. 605-665-4665

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

62 acres - NE 1/4 Section 26, T99N, R53W

I/We understand that the validity of Water Right No. 5946-3 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 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 Ralph and Lucille Marguandt, the new owner, certify that the above information is true and correct.

Ralph Marguandt

Lucille Marguandt

(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.

5946-3

RECEIPT**WATER RIGHTS PROGRAM**

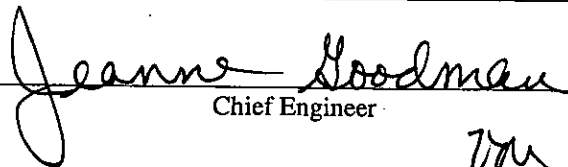
South Dakota Department of Environment and Natural Resources

Date February 18, 2020RECEIVED OF Ralph/Lucille Marquardt PO Box 1040 Yankton SD 57078

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

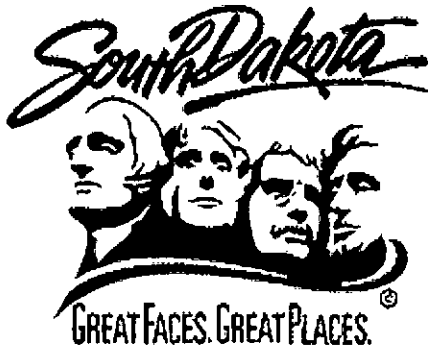
Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$
Fee to retain Future Use Permit No. _____ after period of seven years.	\$
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$
Fee for Filing Transfer Form <u>5946-3</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law)	
TOTAL	\$50.00

By



 Chief Engineer





5946-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 19, 2020

5946-3

Dave Husby
Marquardt Companies
PO Box 1040
Yankton SD 57078-1040

Dear Mr. Husby:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 5946-3.

The ownership change has been completed. Water Right No. 5946-3, formerly held by Prentice & Vincent Plucker is now listed under **"Ralph and Lucille Marquardt"**.

The receipt for the filing fee is enclosed. If I can answer any questions for you, please let me know.

Sincerely,

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

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

December 15th, 2025

5946-3

Par Corp LLC
C/O Darby Parsons
3902 N National Ave
Sioux Falls, SD 57104

Dear Mr. Parsons:

Each year, the State of South Dakota sends out Water Management Irrigation Questionnaires to collect information based on annual water use from our state's waters.

We understand that Water Right No. 5946-3 has been sold to you. For your convenience I have enclosed a partially completed "Transfer of Ownership" form for you to complete and return in the pre-paid envelope.

Please return the form with a check for \$50.00 made payable to "SD Water Rights Program" to cover the transfer fee. If you would prefer to pay by card, you may call our Fiscal Office at 605.773.5559. This form will still need to be returned even if you are submitting payment over the phone.

Should you decide you wish to discontinue the irrigation on this piece of land, we would ask that you let us know.

If you have any questions or concerns, please give me a call. My direct number is 605.773.8204.

Sincerely,

Shannon Konst
Water Rights Program
605 773-3352
Shannon.konst@state.sd.us

enclosures