

WATER PERMIT NO. 6491-3

Name of Applicant: Joseph Plucker

Address: 45678 275th St, Parker SD 57053

Phone: 605 297-4175

Amount of Water Claimed: 1.11 cfs

Total Acres: 94 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Turner

Type of Waste Disposal System:

Location: 2 miles east of Parker

PRIORITY

Date Received: 3-31-04

Application/License Fee: \$275

Corrected Application Received: 4-5-04

Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: NE ¼ NW ¼ Sec 14-T99N-R53W

Land to be Irrigated: NW ¼ Sec 14-T99N-R53W

Depth of Well: 40 feet deep

Well Driller:

Remarks:

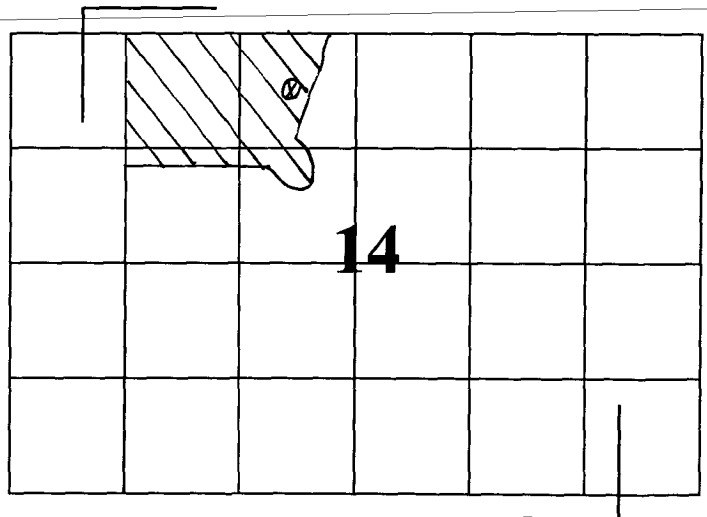
Type of Map: aerial

Prepared by: Linda L Kasten, PT

Reviewed and the Number Assigned on: 4-5-04

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



FORM 2: Application for irrigation in South Dakota
(type or print)

RECEIVED
MAR 31 2004
WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>6491-3</u>	Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>	
	Newspaper <u>The New Era, Parker 57053-0579</u>	

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

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

- Name of Applicant Joseph Plucker Phone 605-297-4175
(check one) ☐ Owner ☒ Tenant/lessee
Mailing Address 45678 275th St Parker State SD 57053
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.11 *CFS or 500 **GPM ***AF Total Acreage 94
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Ground water
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Turner
1 well - SW 1/4 of NW 1/4 section 14 T99N-R53W
NE 1/4
- County or counties where water will be used Turner
- Annual period during which water is to be used April - Oct³¹ growing season
- List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW 1/4 of NW 1/4 section 14 T99N-R53W <u>65</u>		<u>NW 1/4 of NW 1/4 section 14 T99N-R53W</u>	<u>38</u>
SW 1/4 of NW 1/4 section 14 T99N-R53W <u>30</u>		<u>SW 1/4 of NW 1/4 section 14 T99N-R53W</u>	<u>12</u>
		<u>NE 1/4 of NW 1/4 section 14 T99N-R53W</u>	<u>20</u>
		<u>SE 1/4 of NW 1/4 section 14 T99N-R53W</u>	<u>16</u>

- Give a description of the project. (Attach sheet if more space is needed)

Put up a pivot to the south and windshaded wipe the
crop land. Possible putting a corner system on the end of the unit.
OR Place pivot in middle of field with corner system on the end.

STATE OF SOUTH DAKOTA) SS
County of Murphy

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

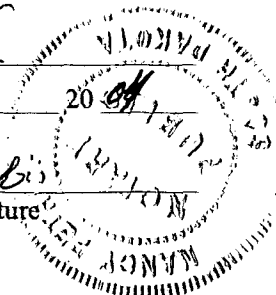
I, Joseph Plucker, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Joseph Plucker

Subscribed and sworn to before me this 29 day of March

My Commission Expires: 9-1-2006

Notary Public signature Dorothy Perich



A.

**SOUTH DAKOTA
WATER PERMIT NO. 6491-3**

Date of first receipt of application March 31, 2004.

Date of return to applicant for corrections, amendments or changes April 1, 2004.

Date of receipt of corrected application April 5, 2004.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6491-3 to Joseph Plucker, 45678 275th St, 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. 6491-3 appropriates 1.11 cubic feet of water per second (cfs) from one well (Vermillion:East Fork Aquifer) 40 feet deep located in the NE ¼ NW ¼ Section 14 to irrigate 94 acres located in the NW ¼ Section 14; all in T99N-R53W.
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 March 31, 2004.
4. The date of approval of Permit No. 6491-3 is July 5, 2004.
5. One-fifth of the construction is to be completed on or before January 5, 2007.
6. All construction is to be completed on or before July 5, 2009.
7. Water is to be put to beneficial use on or before July 5, 2013.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

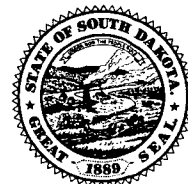
1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6491-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 16 2004

date



Supplemental Information

(Complete applicable portions only)

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 3" 20" Depth 40'
- b) Casing Type Stainless Steel Diameter 12" Thickness 3/8"
- c) Screen Type Stainless Steel Diameter 12" Thickness 3/16"
- d) Gravel Pack 4 ft Length of Gravel Pack 15'
- e) Depth to Top of Water Bearing Material 21'
- f) Depth to Water (ground surface to water level) 18'
- g) Distance to nearest existing domestic well: at 1200' South east - on map
or 1200' to the north - same owner
 On applicants property _____ On property owned by others Kenneth Plucker Sr
(Father of applicant)

2. Wastewater Disposal System Information

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

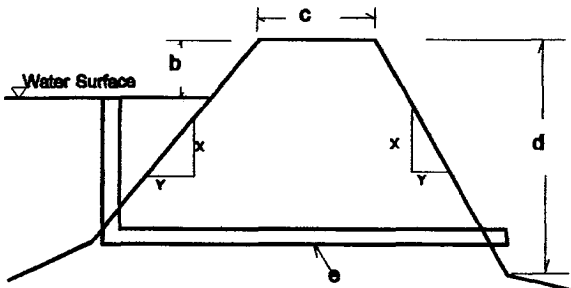
3. Dugout Information

- a) Surface Dimensions _____ Depth _____
- 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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 31, 20 04

RECEIVED OF Joseph Plucker, 45678 275th St., Parkder Parker, SD 57053

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

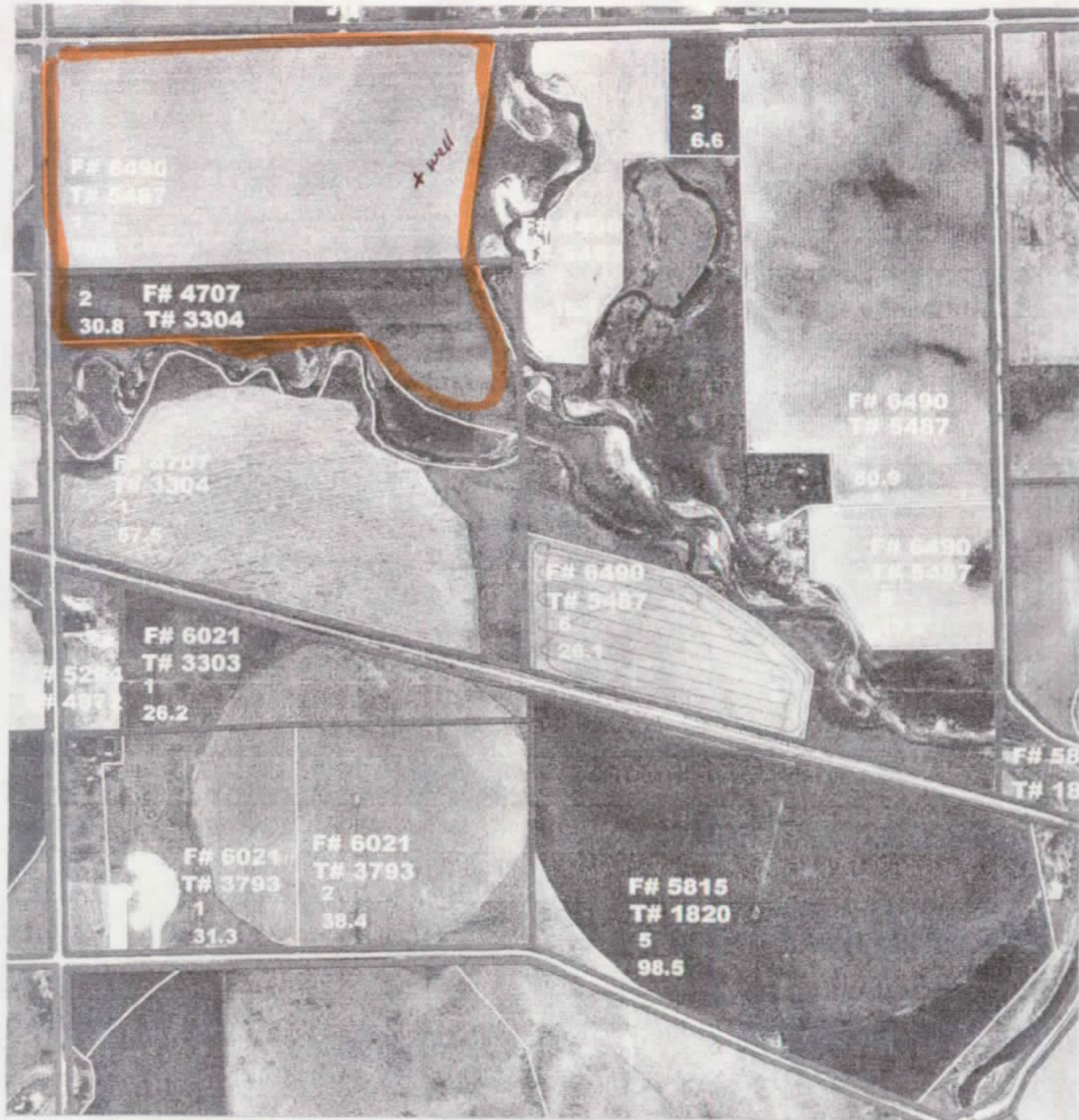
Fee for Application for Permit No. <u>6491-3</u> to Appropriate Water, to construct and to put water to beneficial use	225	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6491-3</u>	50	00
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	275.00

No.

001236

By

David E. Eide
Chief Engineer
gm



United States Department of Agriculture
Farm Service Agency

14-99-53

January 27, 2004

Turner County



1997 Digital Orthophotography - Not To Scale

Linda L. Kasten PT

6491-3

SOUTH DAKOTA WATER WELL COMPLETION REPORT

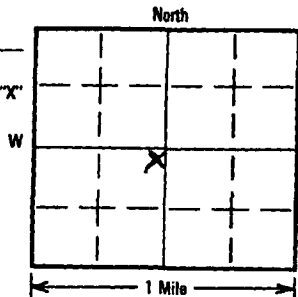
07-92

Location NE 1/4 SW 1/4 Sec 14 Twp 99 Rg 53

County

Turner

Please mark well location with an "X"



Well Completion Date _____

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 5 ft. from abandoned well (identify source).

PROPOSED USE:

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

 METHOD OF DRILLING: 4" auger
Test hole

CASING DATA:

- ☐ Steel ☐ Plastic ☐ Other

If other describe none

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

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
_____	_____	_____ lb./gal	_____ ft.	_____ ft.
_____	_____	_____ lb./gal	_____ ft.	_____ ft.

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

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? _____

DISINFECTION:

Was well disinfected upon completion? _____ YES, How: _____

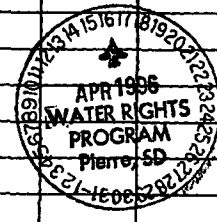
_____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: Joseph PluckerBusiness Name: ~~4562~~Address: 45678 275th StParker SD 57053

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Topsoil	0	3'
gravel	3'	15'
water bearing sand	15'	40'
blue clay	40'	43'



STATIC WATER LEVEL _____ 15 _____ Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: pumped old well
☐ Bailed
☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped 200 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate 200 GPM

REMARKS

old well 34' deep
 pumps dry if we exceed
 200 gpm
 specs unknown on Old well

This well was drilled under license # 478

And this report is true and accurate.

Drilling firm Reiners Well Drilling

Signature of License Representative:

Don Reiners

Signature of Well Owner or Equitable Property Holder:

Joseph PluckerDate: 4/15/96

Water Rights Program - File Documentation

NAME: Joe Plucker

ADDRESS: Parker

DATE: 4-1-04 **COUNTY:** TU **TELEPHONE:** 605 297-4175

RE: pending applications

COMMENTS:

Joe Plucker called regarding his two applications which we received 3-31-04. I told Mr. Plucker that his two maps needed to be signed by a qualified person. He said he would just submit two new maps.

Mr. Plucker also indicated that the well location for the application to irrigate 94 acres in the NW $\frac{1}{4}$ Section 14 should be the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14-T88N-R53W. I told him I would change his application accordingly.

Karen Schlaak

Karen Schlaak
Environmental Scientist

REPORT ON WATER PERMIT APPLICATION NO. 6491-3
For Joseph Plucker
April 21, 2004

Application No. 6491-3 proposes to appropriate 1.11 cfs (500 gpm) from one well approximately 40 feet deep located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 14 to irrigate 94 acres located in the NW $\frac{1}{4}$ of section 14; all in T99N R53W in Turner County.

AQUIFER – VERMILLION EAST FORK (VEF)

The Vermillion East Fork is a predominantly surficial outwash (sand and gravel) that is under water table conditions in this area. The aquifer underlies about 6 square miles (3,840 acres) and contains an estimated 22,000 acre-feet of water in storage in Turner County (Lindgren, 1990). The aquifer extends into McCook County to the north blends into the Vermillion West Fork aquifer to the west and also blends into the much larger Parker Centerville aquifer to the south. The aquifer is also hydraulically connected to the East Fork of the Vermillion River. Ground water movement is from north to south and locally toward the river (Lindgren, 1990). This aquifer is relatively small and relatively thin and is probably very dependent upon flows in the river especially during extended drought conditions.

There is no test well log filed with this application. A nearby well log located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 14 indicates gravel and sand from a depth of 3 feet to a total depth of 40 feet below land surface. This is a new irrigation well and had a static water level of 15 feet and was capable of producing about 450 gpm.

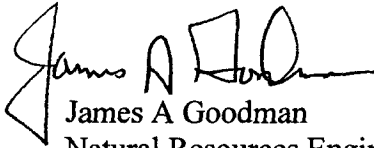
The Water Rights Program monitors three observation wells within a two mile radius of this application. TU-77O (located about two miles north and completed into the Vermillion East Fork aquifer), TU-80C (located about one mile west and completed into the Vermillion West Fork aquifer) and TU-77A (located about one mile south and completed into the Parker Centerville aquifer) are all completed into the surficial aquifers in this immediate area. The water level record for these wells show remarkable similarities. Water levels are affected by climatic conditions, that is, rising during wet years and gradually declining during dry years. The effects of area pumping are not obvious from the observation well hydrographs. Hydrographs for these three observation wells are included with this report (Water Rights, 2004).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water right is No. 5927-3 and the proposed well is located about one-quarter mile to the south of water right No. 5927-3. These wells should be far enough apart to minimize any potential impacts. Both wells are controlled by the applicant and the West Fork of the Vermillion River is between the diversion points. Interference is not a concern. The applicant should test drill the area of this application to determine the best site for a production well and should attempt to stay 1,320 feet from the river and existing irrigation wells.

CONCLUSIONS

1. Water is available from the Vermillion East Fork aquifer.
2. The aquifer is under water table conditions in this area. Interference is not a concern. This well will be located one-quarter mile from the existing irrigation well and this distance should be sufficient to minimize any potential impacts.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. Both this application and the existing water right are held by the applicant.



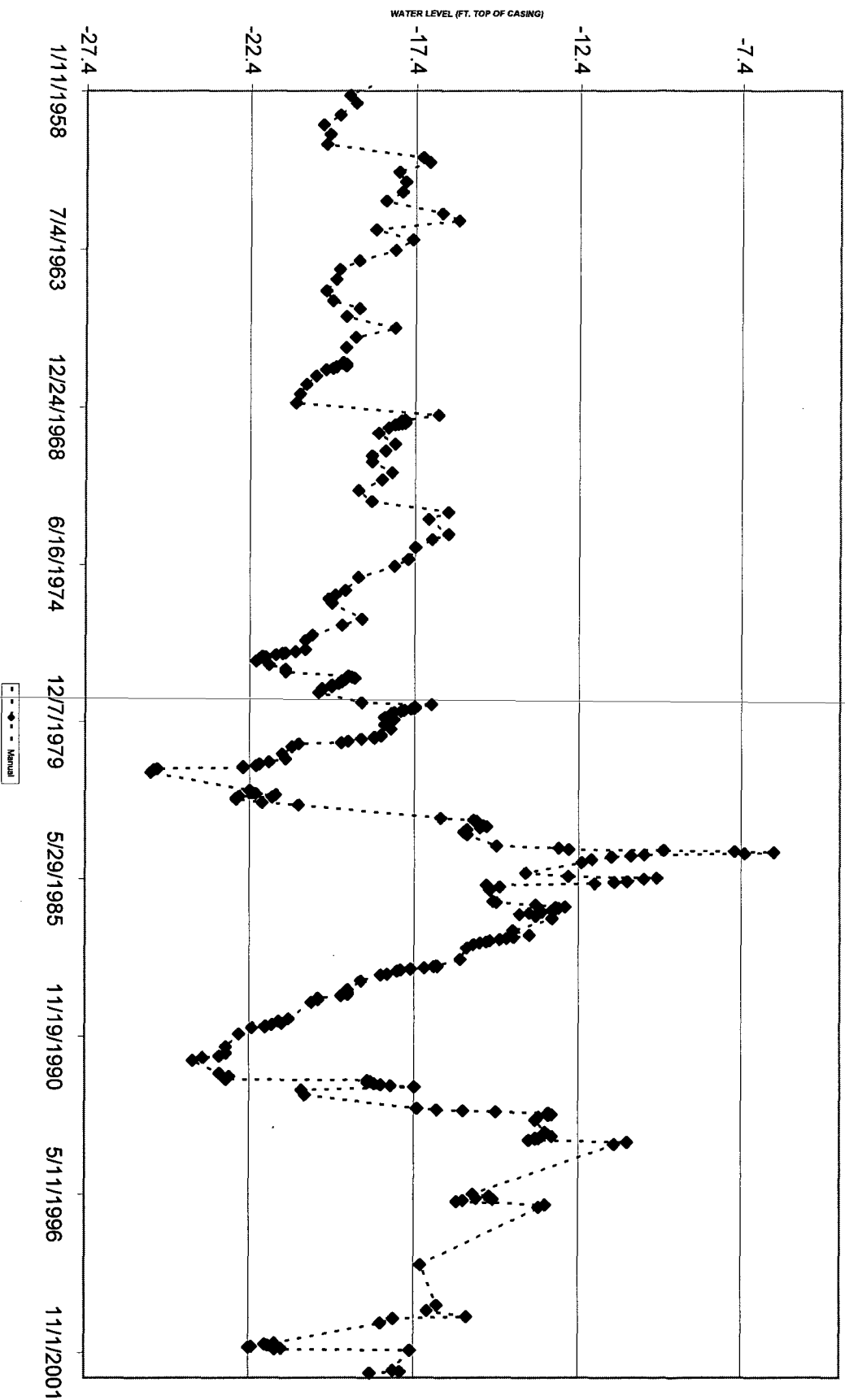
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

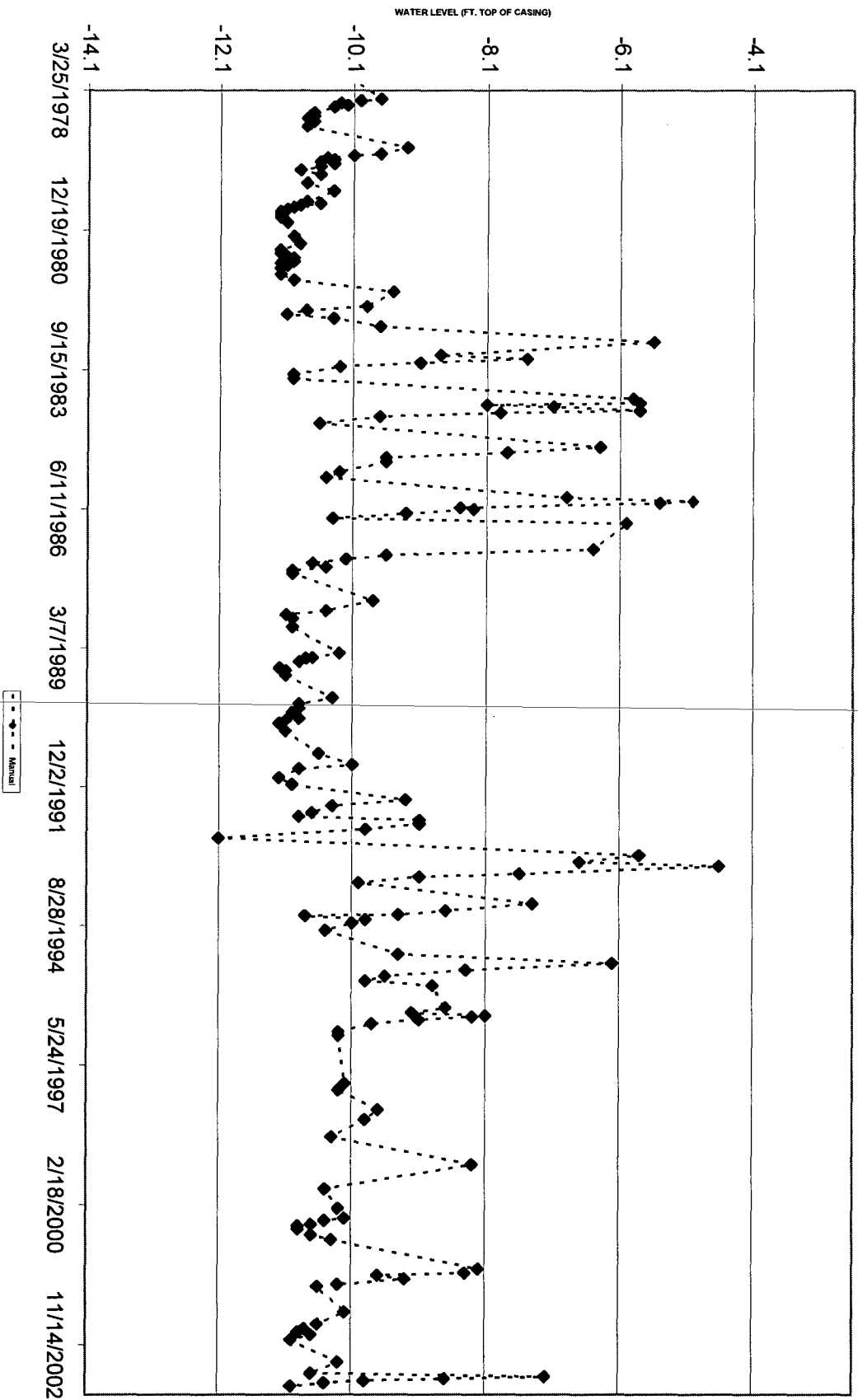
Lindgren, R.J., D.S. Hansen, 1990, Water Resources of Hutchinson and Turner Counties, South Dakota, Water-Resources Investigations Report 90-4093, USGS, Huron, SD, 57350.

Water Rights, 2004, Unpublished Observation Well Data for Turner County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

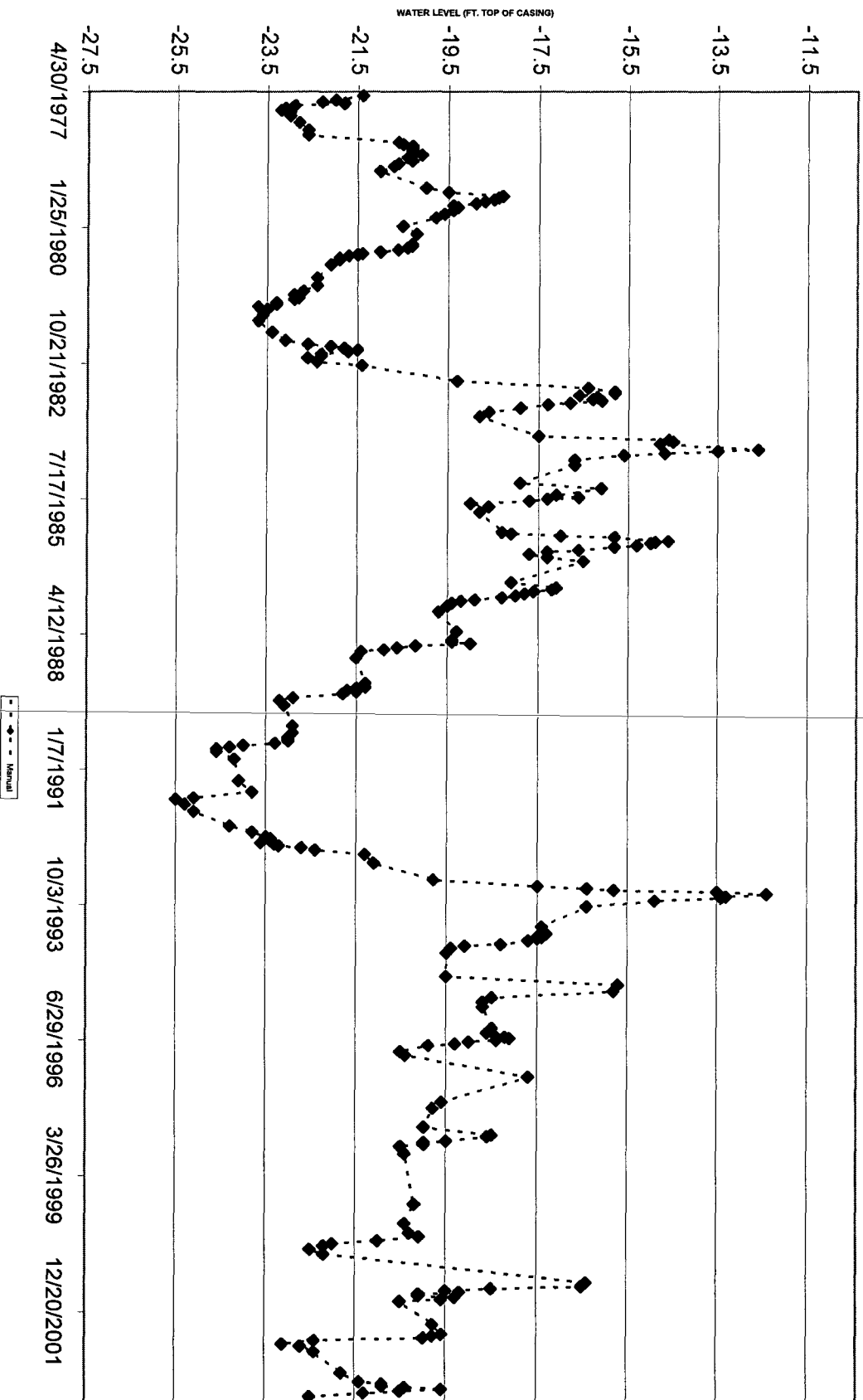
WATER RIGHTS' OBSERVATION WELL TU-80C



WATER RIGHTS' OBSERVATION WELL TU-770



WATER RIGHTS' OBSERVATION WELL
TU-77A





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6491-3, Joseph 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. 6491-3, Joseph Plucker, 45678 275th Street, Parker SD 57053.

The Chief Engineer is recommending APPROVAL of Application No. 6491-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. 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. 6491-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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.

Garland Erbele, Chief Engineer
April 27, 2004



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 28, 2004

The New Era
PO Box 579
Parker SD 57053-0579

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application Nos. 6491-3 & 6492-3 to Appropriate Water to be published twice. Please publish the first notice on May 6, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Joseph Plucker, 45678 275th St., Parker SD (Ph # 605-297-4175).

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

Nos. 6491-3 & 6492-3

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

Date _____

We are in receipt of your letter of April 28, 2004 enclosing Notice of Hearing to Appropriate Water by Application Nos. 6491-3 & 6492-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

www.state.sd.us/denr

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

April 28, 2004

Joseph Plucker
45678 275th St
Parker SD 57053

Dear Mr. Plucker:

Water Permit Application Nos. 6491-3 & 6492-3 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). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports 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. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

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

Instruction to Newspaper - Publish first Notice on May 6, 2004 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NOS. 6491-3 and 6492-3 to Appropriate Water

Notice is given that Joseph Plucker, 45678 275th St, Parker SD 57053 has filed the following applications for water permits.

Application No. 6491-3 proposes to appropriate 1.11 cubic feet of water per second (cfs) from one well (Vermillion: West Fork Aquifer) 40 feet deep located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14 to irrigate 94 acres located in the NW $\frac{1}{4}$ Section 14; all in T99N-R53W.

Application No. 6492-3 proposes to appropriate 1.89 cfs from two wells (Vermillion: West Fork Aquifer) 40 feet deep located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4 to irrigate 140 acres located in the SE $\frac{1}{4}$ Section 4; all in T99N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6491-3 and 6492-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. 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 May 24, 2004.

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

Affidavit of Publication

STATE OF SOUTH DAKOTA

} :ss

COUNTY OF TURNER

I, **Sarah Ebeling** of the City of Parker, County of Turner, State of South Dakota, State of South Dakota, being first duly sworn on oath, deposes and says:

The New Era is a weekly legal newspaper of general circulation, printed and published in the City of Parker, in said County of Turner, by The New Era, Lyon-Sioux Press, publishers, and has been such legal newspaper during the times hereinafter mentioned; that the said newspaper has been in existence as such legal newspaper for more than one year prior to the publication of the notice hereunto attached, and has during all of said publication of the notice hereunto attached, and has during all of said time had, and now has, more than 200 bona fide subscribers; that the

undersigned, the affiant, is the **Office Manager** of the said newspaper, in charge of the advertisement department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed:

#3435 notice of application

printed copy of hereto attached, was printed and published in the said

newspaper for two successive weeks, once each week and on the same day of the week, on the following dates, to-wit:

On Thursday, the 6th day of May, 2004;

On Thursday, the 13th day of May, 2004;

On Thursday, the _____ day of _____, 200_____;

On Thursday, the _____ day of _____, 200_____;

On Thursday, the _____ day of _____, 200_____;

That \$ 40.68 being the full amount of the fees for publication of the attached notice insures solely for the benefits of the publishers of the said newspaper; that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Sarah Ebeling
Subscribed and sworn to before me this 2nd

day of June, 2004.

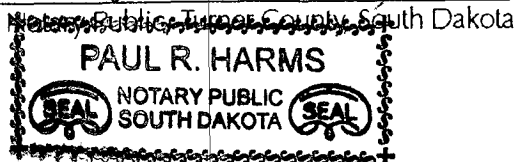
My Commission
Expires:

02/02

RECEIVED

JUN 04 2004

WATER RIGHTS
PROGRAM



Notice of Application Nos. 6491-3 and 6492-3 to Appropriate Water

NOTICE OF APPLICATION NOS. 6491-3 and 6492-3 to Appropriate Water
Notice is given that Joseph Plucker, 45678 275th St. Parker SD 57053 has filed the following applications for water permits.

Application No. 6491-3 proposes to appropriate 1.11 cubic feet of water per second (cfs) from one well (Vermillion: West Fork Aquifer) 40 feet deep located in the NE 1/4 NW 1/4 Section 14 to irrigate 94 acres located in the NW 1/4 Section 14; all in T99N-R53W.

Application No. 6492-3 proposes to appropriate 1.89 cfs from two wells (Vermillion: West Fork Aquifer) 40 feet deep located in the SW 1/4 SE 1/4 Section 4 to irrigate 140 acres located in the SE 1/4 Section 4; all in T99N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6491-3 and 6492-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the chief Engineer's recommendations. 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 May 24, 2004.

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

(#3435, 5/06/04, 5/13/04, The New Era)

Put
No
(1st
Rec



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 7, 2004

Joseph Plucker
45678 275th St
Parker SD 57053

Dear Mr. Plucker:

The original Notice of Application Nos. 6491-3 & 6492-3 was published with an error. The notice indicated the well for Application No. 6491-3 was located in the Vermillion :West Fork Aquifer. The correct aquifer is the Vermillion:East Fork. Therefore, the notice needs to be readvertised to correct the error. 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 is enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Water Rights Program. Please contact us if you have any questions.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

Instruction to Newspaper - Publish first Notice on June 17, 2004 with the second publication 7 days later.

NOTICE OF APPLICATION NO. 6491-3 to Appropriate Water

Notice is given that Joseph Plucker, 45678 275th St, Parker SD 57053 has filed an application for permit to appropriate 1.11 cubic feet of water per second from one well (Vermillion:East Fork Aquifer) 40 feet deep located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14 to irrigate 94 acres located in the NW $\frac{1}{4}$ Section 14; all in T99N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6491-3 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 July 5, 2004.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 7, 2004

The New Era
PO Box 579
Parker SD 57053-0579

ATTENTION: Legal Public Notice

Enclosed is the Notice on Application No. 6491-3 to Appropriate Water to be published twice. Please publish the first notice on June 17, 2004 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

This application was previously public noticed in your newspaper but due to an error on our part, it needs to be readvertised again. Please **BILL the Water Rights Program** for the cost of publication.

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

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

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 6491-3

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

Date _____

We are in receipt of your letter of June 7, 2004 enclosing Notice to Appropriate Water by Application No. 6491-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Affidavit of Publication

STATE OF SOUTH DAKOTA } :ss
COUNTY OF TURNER }

I, **Sarah Ebeling** of the City of Parker, County of Turner, State of South Dakota, State of South Dakota, being first duly sworn on oath, deposes and says:

The New Era is a weekly legal newspaper of general circulation, printed and published in the City of Parker, in said County of Turner, by The New Era, Lyon-Sioux Press, publishers, and has been such legal newspaper during the times hereinafter mentioned; that the said newspaper has been in existence as such legal newspaper for more than one year prior to the publication of the notice hereunto attached, and has during all of said publication of the notice hereunto attached, and has during all of said time had, and now has, more than 200 bona fide subscribers; that the

undersigned, the affiant, is the **Office Manager** of the said newspaper, in charge of the advertisement department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed:

3480 - notice of application (Plucker)

printed copy of hereto attached, was printed and published in the said

newspaper for two successive weeks, once each week and on the same day of the week, on the following dates, to-wit:

On Thursday, the 17th day of June, 2004;

On Thursday, the 24th day of June, 2004;

On Thursday, the _____ day of _____, 200____;

On Thursday, the _____ day of _____, 200____;

On Thursday, the _____ day of _____, 200____;

That \$ 36.16 being the full amount of the fees for publication of the attached notice insures solely for the benefits of the publishers of the said newspaper; that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Sarah Ebeling

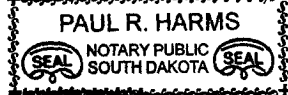
Subscribed and sworn to before me this 29th day of June, 2004.

My Commission Expires:

02/02
2006

Paul R. Harms

Notary Public, Turner County, South Dakota



Notice of Application No. 6491-3 to Appropriate Water

Notice is given that Joseph Plucker, 45678 275th St., Parker S.D. 57053 has filed an application for permit to appropriate 1.11' cubic feet of water per second from one well (Vermillion-East Fork Aquifer) 40 feet deep located in the NE 1/4 NW 1/4 Section 14 to irrigate 94 acres located in the NW 1/4 Section 14; all in T99N-R53W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6491-3 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, S.D. 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 July 5, 2004.

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. Steven M. Pirnier, Secretary, Department of Environment and Natural Resources.

(#3480, 6/17/04, 6/24/04, The New Era)

Publication Fees .. \$ _____

Notary Fees \$ _____

Total ... \$ 36.16
1st wk 20.08, 2nd wk 16.08
Received Payment,

RECEIVED

JUL - 8 2004

WATER RIGHTS
PROGRAM

NEW CENTURY PRESS, INC.

The Lyon County Reporter
Sioux County Index-Reporter

The West Lyon Herald
Lyon-Sioux Shopper
Farmer Publications

Northwest Iowa Peach
Southwest Minnesota Peach

The New Era
Sentinel-Tribune

06/30/04

DATE
ZZZ 1

WATER RIGHTS PR

If you have questions about your account, please call: 712-472-2525 or 800-621-0801

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

IMPORTANT: Return bottom section with payment for credit to your account.
 THANK YOU FOR ADVERTISING WITH US!

DATE	ISSUE NO.	CHARGES AND CREDITS	AMOUNT
05/26/04		BALANCE FORWARD	0.00
06/16/04	24	PARKER LEGAL #3480 APP FOR PLUCKE	20.08
06/23/04	25	PARKER LEGAL #3480 APP FOR PLUCKE	16.08
TOTAL DUE:			36.16
RECEIVED JUL - 8 2004 WATER RIGHTS PROGRAM			
05/27/04	04/29/04	03/31/04 Earlier	A PLEASE PAY LAST AMOUNT IN THIS COLUMN
06/30/04	05/25/04	04/28/04 03/30/04	
36.16	0.00	0.00 0.00	
TERMS: ALL ACCOUNTS ARE DUE 10TH OF MONTH SERVICE CHARGE OF 1.65% PER MONTH OR 19.8% PER YEAR ON PAST DUE ACCOUNTS.			

WATER RIGHTS PR

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

Total Due \$ 36.16

Amount Paid \$ _____

Please return this segment with your remittance to
 New Century Press
 P.O. Box 28, Rock Rapids, IA 51246

PAYMENT REQUEST FORM

PAYEE: New Century Press Inc
PO Box 28
Rock Rapids IA 51246

FROM: Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Legal Notice for Plucker

AMOUNT: \$36.16

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Barland Chiles

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

AUG 16 2004

Joseph Plucker
45678 275th St
Parker SD 57053

Dear Mr. Plucker:

Enclosed is Water Permit No. 6491-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

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

Sincerely,

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

enclosures

NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Date 8 - 22 - 04

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Joseph Plucker
(name)

45628 275th ST
(address)

Parker SD 57053
(city, state, zip)

605-297-4175
(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6491-3 states that the water use system is to be constructed by

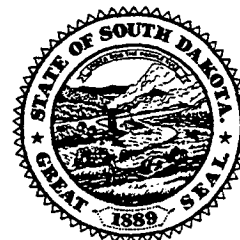
7-5-09
~~7-21-04~~ (date), and water is to be put to beneficial use by 7-5-2013
(date)

The water use system was completed on ~~7-21-04~~ 8-10-04
(date)

Applying the water to beneficial use was completed on 8-10-04
(date)

You may schedule an investigation so that the water license may be issued.

Joseph Plucker
(signature)



Permit No. 6491-3
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 Joseph Plucker of 45678 275th St, Parker SD 57053 holder of Permit No. 6491-3, bearing the priority of March 31, 2004 authorizing the diversion of 1.11 cu. ft. per second of the waters of ground water (Vermillion East Fork aquifer) for irrigation purposes, in Turner County.

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

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Pullman Drilling
- 2) No. of Wells 2
- 3) Depth(s) 40 feet
- 4) Well log is available Y (one well)

Casing:

- 1) Diameter 12 inches
- 2) Type Plastice

Screen:

- 1) Type Stainless steel
- 2) Length 10 feet
- 3) Static water level 13 feet

Motor/Pump:

- 1) Make Both submersible
- 2) Model unknown
- 3) Size both 12.5 hp

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

- 1) Type PVC
- 2) Size 8 inches

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley corner system
- 2) Number of towers 6
- 3) End gun Y
- 4) Capacity 500 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. 6491-3

The system is in good condition with the points of diversion located as follows: North well: 750 feet S and 2,240 feet E (Latitude 43.40003 Longitude -97.07411 -- NE $\frac{1}{4}$ NW $\frac{1}{4}$); South well: 1,330 feet S and 2,320 feet E (Latitude 43.39840 Longitude -97.07377 -- SE $\frac{1}{4}$ NW $\frac{1}{4}$); both from the NW corner of section 14-T99N-R53W.

The works are capable of diverting and conveying to the place of use 1.11 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 14-T99N-R53W**

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 31 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 38 acres

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 13 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres

comprising a total of 92 acres of land and the license should be issued for 1.11 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project: **An additional well was constructed – see the “additional diversion point” document dated 12/16/2005 for details.**



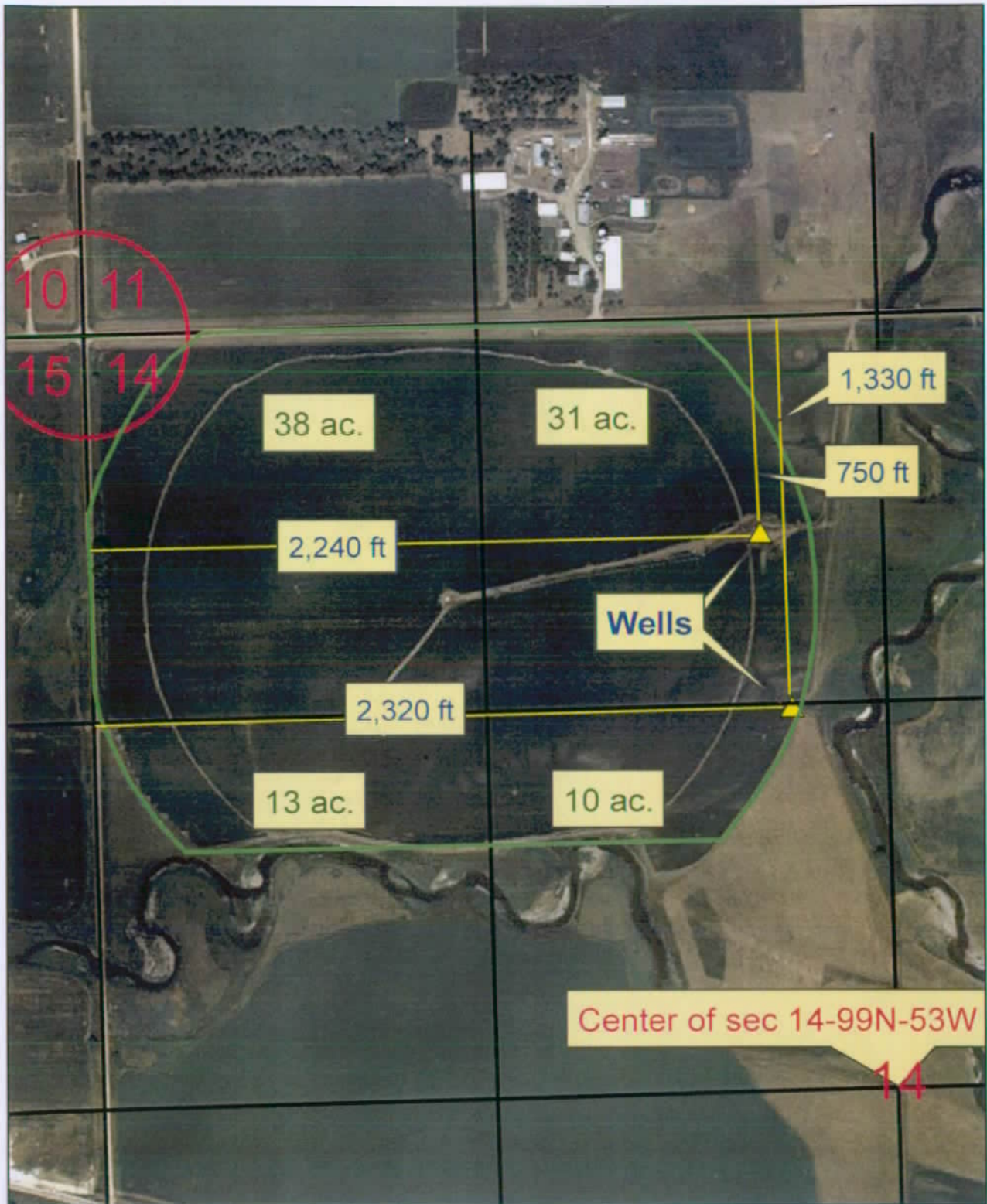
Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: December 16, 2005

Scale: 1 inch equals 503 feet

710

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 16, 2005

Water Right No. 6491-3

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

NAME: Joseph Plucker

ADDRESS: 45678 275th St., Parker SD 57053

DATE: December 16, 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 additional well developed under Permit No. 6491-3 is in the same aquifer (Vermillion East Fork) as the permitted well and the total diversion rate does not exceed the 1.11 cfs authorized by the permit.

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

The acreage developed for irrigation is 92 acres and the permitted acreage is 94 acres.

- **Review of Existing Diversions**

The nearest existing wells at approximately the same depth, other than owned by Mr. Plucker, are the wells authorized under Water Right No. 5389-3, Ken Plucker, Jr. and No. 2288-3, Allen or Kristi Merrill both approximately 3,800 feet from the additional well drilled by Joseph Plucker. There are no reported cases of interference between these wells in the permit files.

RECOMMENDED ACTION

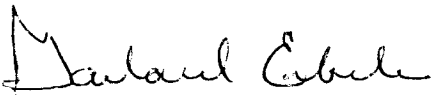
Based on the above criteria, it is recommended that the diversion points be licensed as developed.



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

DEC 21 2005

6491-3

Joseph Plucker
25678 275th St
Parker SD 57053

Dear Mr. Plucker:

Enclosed is your Water License No. 6491-3. This is the final water right document completing your process of obtaining a Water Right. Also enclosed is a map prepared by the engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well(s) authorized by Water Right No. 6491-3, 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.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6491-3

(1) Joseph Plucker, 45678 275th St, Parker SD 57053 made Application No. 6491-3, March 31, 2004 for a water permit to divert 1.11 cubic feet of water per second from ground water (one well – Vermillion East Fork Aquifer), Turner County, South Dakota for irrigation purposes. Permit No. 6491-3, with a priority date of March 31, 2004 was approved July 5, 2004 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 5, 2009 and for the application to beneficial use of said water on or before July 5, 2013.

On August 26, 2004, the permit holder submitted a “*Notice of Completion of Works and Application of Water to Beneficial Use*”. The “*Notice*” indicated the water use system was completed and water placed to beneficial use on August 10, 2004.

An inspection of the water use system found an additional well had been developed. Pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14.01, the Chief Engineer makes a finding that the additional diversion point does not increase the potential for adverse effects to existing diversions.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.11 cubic feet of water per second for beneficial use. The location of the diversion points are:

- **North well** – 750 feet S and 2,240 feet E of the NW corner Section 14, T99N, R53W (NE $\frac{1}{4}$ NW $\frac{1}{4}$);
- **South well** – 1,330 feet S and 2,320 feet E of the NW corner of Section 14, T99N, R53W (SE $\frac{1}{4}$ NW $\frac{1}{4}$).

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

Section 14, T99N, R53W:	NE $\frac{1}{4}$ NW $\frac{1}{4}$	31 acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	13 acres
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	38 acres
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	10 acres
Total		92 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Joseph Plucker, 45678 275th St, Parker SD 57053 the holder and/or owner of Water Right No. 6491-3 is issued a license to appropriate water, the right to use 1.11 cubic feet of water per second from ground water (two wells – Vermillion East Fork aquifer) with a priority date of March 31, 2004 from the locations 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.

Water License No. 6491-3

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6491-3 and subject to the following qualifications:

- 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.
- The wells authorized by Permit No. 6491-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump 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

DEC 21 2005

date



SOUTH DAKOTA WATER WELL COMPLETION REPORT

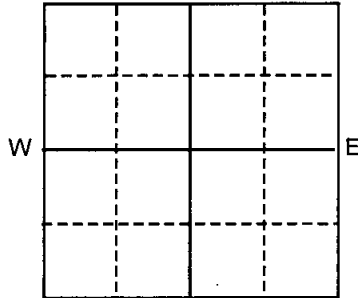
11-02

Location nw 1/4 se 1/4 Sec 11 Twp 99N Rg 53W

County _____

North

Please mark well location with an "X"



Well Completion Date _____

← 1 Mile →

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

PROPOSED USE:

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

METHOD OF DRILLING:

auger

CASING DATA:

☐ Steel ☐ Plastic ☐ Other

If other describe _____

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

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
		Lb/gal	Ft	Ft
		Lb/gal	Ft	Ft

Describe grouting procedure
flush tremie to 60' grouted with 3 bags

SCREEN:

☐ Perforated pipe ☐ Manufactured
Diameter _____ Inches Length _____ Feet
Material _____
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 _____

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How? _____
☐ No, Why Not? _____
Lab to which water quality sample sent for analysis _____

Well Owner: Joe Plucker.

Business Name: _____

Address: 45678 275th St

City, State, Zip: Parker SD 57053

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Top Soil	0	1
yellow dirty sand mixed	1	15
yellow clay mixed gravel	15	36
Rocks	36	38
grey-med sand	38	74

STATIC WATER LEVEL

FEET
If flowing: closed in pressure _____ PSI
GPM flow _____ through _____ Inch pipe
Controlled by ☐ Valve ☐ Reducers ☐ Other _____
Reduced flow rate _____ GPM
Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe: _____
☐ Bailed
☐ Other
Pumping Level Below Land Surface
_____ Ft. After _____ Hrs. pumped _____ GPM
_____ Ft. After _____ Hrs. pumped _____ GPM
If pump installed, pump rate: _____ GPM

REMARKS

ran out of augers don't know at this time where the clay or granite is

This well was drilled under license # 689 and this report is true and accurate.

Drilling firm: Kaiser Well Drilling Inc

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

6491-3

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MAY 29 2014

WATER RIGHTS
PROGRAM

5/22/14

South Dakota Water Rights,

I visited with Eric Gronlund about my water permits from last year. He advised me to write a letter describing my project.

Permit #7594-3 was approved for 300 gpm (.67cfs). The actual well, B, that was drilled last year hit granite at about 29 ft. It doesn't produce enough water.

Permit # 7597-3 & 6491-3 authorized 700 gpm (1.55cfs). The new well, C, also hit granite at about 29 ft. It doesn't produce enough water.

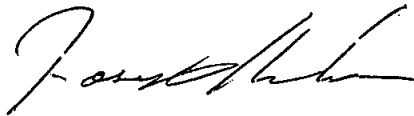
I would like to fill in wells B & C and replace them with one well marked with the letter A. I want that well to produce the combine approved diversion rate of 67cfs and 1.55cfs. I would pipe the water to the south field. John Kaiser drilled a test hole. We were able to find a crack or void in the granite, allowing us to have plenty of water. He said we are in the same aquifer (Vermillion East Fork Aquifer).

Permit # 7596-3 allows 200 gpm (.44cfs). Combining wells D & E produces 200 gpm for that irrigation.

I've enclosed a map showing the proposed new well, the poor wells and the wells I'm using. If you have any questions, please contact me at 605-750-0478.

Thank you.

Joseph Plucker



Encl.

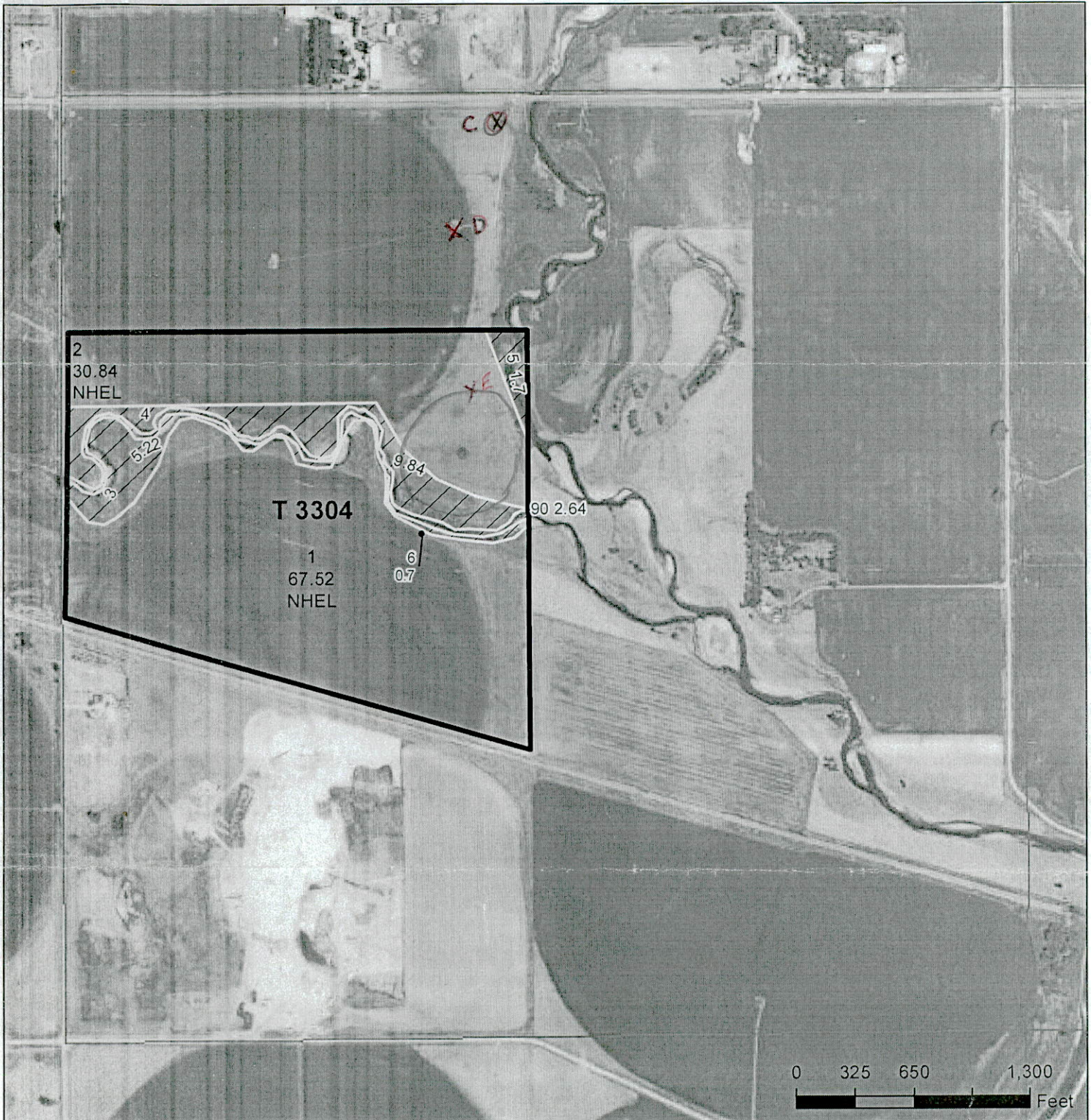


United States
Department of
Agriculture

Turner County, South Dakota

Permit#
7597-3 & 6491.3

well put in last yr - hit granite at about
29 ft - Not enough water



Common Land Unit
Cropland / Non-cropland
Conservation Reserve Program

Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Boundary Section Line



2012 Ortho-Photography - not to scale

2014 Program Year

Map Created May 05, 2014

RECEIVED

MAY 29 2014

WATER RIGHTS
PROGRAM

Farm 7844

995314

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).



United States
Department of
Agriculture

Turner County, South Dakota



Common Land Unit
Cropland / / Non-cropland

Conservation Reserve Program

Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Boundary Section Line

RECEIVED

MAY 29 2014

WATER RIGHTS
PROGRAM

2012 Ortho-Photography - not to scale



Permit # 7594-3

proposed new

well to replace other two
well developed test yr
not enough water
hit granite at 29 ft.

2014 Program Year

Map Created May 05, 2014

Farm 8504

995311

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

File No. 6491-3, 7594-3, and 7597-3

Approval of Change Diversion Point

NAME: Joseph Plucker

ADDRESS: 45678 275th St., Parker, SD 57053

DATE: July 1, 2014

COUNTY: Turner

TELEPHONE: (605) 750-0478

BACKGROUND:

Water Right No. 6491-3 appropriates water at a maximum diversion rate of 1.11 cubic feet per second (cfs) from two wells completed into the Vermillion East Fork aquifer at depths of approximately 40 feet in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T99N-R53W. The water is used to irrigate 92 acres in the NE $\frac{1}{4}$ of the same section. Water Permit No. 7596-3 appropriates 0.44 cfs from the existing well in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14 (the same well authorized by Water Right No. 6491-3) in order to irrigate 20 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T99N-R53W. Similarly, Water Permit No. 7597-3 appropriates an additional 0.44 cfs and adds a new well, used in conjunction with the other two, in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T99N-R53W to irrigate the 92 acres authorized by Water Right No. 6491-3. Water Permit No. 7597-3 only increases the rate at which water can be pumped and the number of wells, not the number of acres irrigated.

Water Permit No. 7594-3 appropriates water a maximum diversion rate of 0.67 cfs from one well completed into the Vermillion East Fork aquifer at a depth of approximately 36 feet in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T99N-R53W for the irrigation of 50 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the W $\frac{1}{2}$ SE $\frac{1}{4}$ of the same section.

Joseph Plucker submitted a request to change the diversion points of Water Right No. 6491-3 and Water Permit Nos. 7594-3 and 7597-3 to a single well located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T99N-R53W. The wells associated with Water Permit No. 7594-3 (located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11) and Water Permit No. 7597-3 (located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14) will be plugged upon completion of this new well. The original wells under Water Right No. 6491-3 (located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14) will continue to be used for the irrigation of 20 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14 under Water Permit No. 7596-3, with a combined diversion rate of 0.44 cfs. The basis behind this request is that the currently existing wells do not provide the full amount of water which has been appropriated under Water Right No. 6491-3 and Water Permit Nos. 7594-3, 7596-3, and 7597-3. Mr. Plucker believes that the location of the new well (the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11) is superior and will provide the combined diversion rates of Water Right No. 6491-3 (1.11 cfs) as well as Water Permit Nos. 7594-3 (0.67 cfs) and 7597-3 (0.44 cfs), totaling 2.22 cfs.

AUTHORITY:

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

- **Developed water source is the same as licensed source and no additional water is appropriated.**

The water source authorized by Water Permit/Right Nos. 6491-3, 7594-3, and 7597-3 is the Vermillion East Fork aquifer. The new diversion location will be drawing water from the Vermillion East Fork aquifer.

No additional appropriation of water is authorized. Water Permit/Right Nos. 6491-3, 7594-3, and 7597-3 appropriate a combined 2.22 cfs and no additional diversion rate authority is being requested.

Review of Existing Diversions

The well completion report and water rights databases were reviewed for the nearest domestic wells and water rights/permits on file. The nearest water right not owned by Joseph Plucker (5389-3) to the new well site is located approximately 1,000 feet to the northwest and is owned by Ken Plucker. This change moves the location of the new well about 50 feet closer to one of the neighboring wells. Given the unconfined conditions and coarse gravel in both this well and the adjacent well, it is not expected that the proposed diversion rate in this application will deplete the 25 feet of saturated thickness in the adjacent well. The nearest domestic well is located approximately 3,500 feet to the west of the proposed well site. Given the distance and the low expected drawdown for the nearest irrigation well, interference with the closest domestic well is not expected to be a concern.

Observation Well Data

The Water Rights Program monitors a series of observation wells completed into the Vermillion East Fork aquifer. The closest observation well (TU-77A) is located approximately 1.3 miles to the south of the new well site in Section 11. This well has been in place since 1977 and shows static water level fluctuations of 12 to 25 feet below the top of the casing. Historic water levels in TU-77A show that aquifer levels are climatically controlled with some visible effects of pumping.

CONCLUSION:

- The new diversion point does not propose to appropriate additional water.
- The new diversion point will be pumping water out of the same source, the Vermillion East Fork aquifer.
- Unlawful impairment of existing water rights/permits and domestic wells is not expected to occur.
- Upon completion of the new well, the existing wells located in the NE ¼ NW ¼ of Section 14 and the NW ¼ SE ¼ of Section 11, all in T99N-R53W shall be plugged in accordance with South Dakota well construction standards.

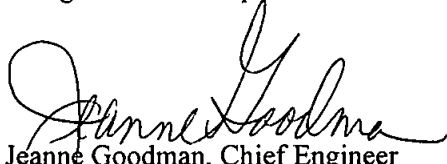
RECOMMENDED ACTION:

Based on the above criteria, it is recommended that the request for a change of diversion point to the NW ¼ SE ¼ of Section 11, T99N-R53W be approved.



Bracken Capen
Natural Resources Engineer

The Chief Engineer makes a finding pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14:01 that: The change of diversion point does not increase the potential for adverse effects to existing diversions.



Jeanne Goodman, Chief Engineer
Water Rights Program



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov



July 1, 2014

6491-3, 7594-3, and 7597-3

Joseph Plucker
45678 275th St.
Parker, SD 57053

Dear Mr. Plucker:

Water Right No. 6491-3 appropriates water at a maximum diversion rate of 1.11 cubic feet per second (cfs) from two wells completed into the Vermillion East Fork aquifer at depths of approximately 40 feet in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T99N-R53W. The water is used to irrigate 92 acres in the NE $\frac{1}{4}$ of the same section. Water Permit No. 7596-3 appropriates an additional 0.44 cfs from these same wells in order to irrigate an additional 20 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T99N-R53W. Similarly, Water Permit No. 7597-3 increases this rate by an additional 0.44 cfs from a new well, used in conjunction with the other two, in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T99N-R53W to irrigate the 92 acres authorized by Water Right No. 6491-3. Water Permit No. 7597-3 only increases the rate at which water can be pumped and the number of wells, not the number of acres irrigated.

Water Permit No. 7594-3 appropriates water a maximum diversion rate of 0.67 cfs from one well completed into the Vermillion East Fork aquifer at a depth of approximately 36 feet in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T99N-R53W for the irrigation of 50 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the W $\frac{1}{2}$ SE $\frac{1}{4}$ of the same section.

You submitted a request by mail to change the diversion points of Water Right No. 6491-3 and Water Permit Nos. 7594-3 and 7597-3 to a single well located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T99N-R53W while retaining the original wells constructed under Water Right No. 6491-3 for use under Water Permit No. 7596-3. The wells associated with Water Permit No. 7594-3 (located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11) and Water Permit No. 7597-3 (located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14) will be plugged upon completion of this new well. The original wells under Water Right No. 6491-3 (located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14) will continue to be used for the irrigation of 20 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14 under Water Permit No. 7596-3, with a combined diversion rate of 0.44 cfs. The basis behind this request is that the currently existing wells do not provide the full amount of water which has been appropriated under Water Right No. 6491-3 and Water Permit Nos. 7594-3, 7596-3, and 7597-3. You indicated that the location of the new well (the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11) is superior and will be able to provide the combined diversion rates of Water Right No. 6491-3 (1.11 cfs) as well as Water Permit Nos. 7594-3 (0.67 cfs) and 7597-3 (0.44 cfs), totaling 2.22 cfs.

Upon completion of the new well, the existing wells located in the NE ¼ NW ¼ of Section 14 and the NW ¼ SE ¼ of Section 11, all in T99N-R53W shall be plugged in accordance with South Dakota well construction standards.

If you have any questions, please contact Bracken Capen at (605) 773-3352.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeanne Goodman". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jeanne Goodman
Chief Engineer
Water Rights Program

6491-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Application in NW 1/4 Section 14-T99N-R53W, Joseph Plucker

ADDRESS: 45678 275th Street, Parker SD COUNTY: Turner

DATE: March 31, 2021 TELEPHONE: 750-0478

RE: Conversation with Mr. Plucker

I contacted Mr. Plucker regarding the application he filed to amend Water Right No. 6491-3 by moving 13 acres to the east of the present location on the license. Since the acres are within the same legally described area as what is listed on the water license an amendment to Water Right No. 6491-2 is not required. Mr. Plucker requested that the application be withdrawn. I informed him the application filing fee will be refunded.

Mr. Plucker understood that he is limited to irrigation of a total of 92 acres as authorized by Water Right No. 6491-3.

NAME: Eric Hunkeler

FORM 2: Application for irrigation in South Dakota

(type or print)

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	(office use only) No. _____ Hydrologic Unit _____
	Basin _____
	Newspaper _____

RECEIVED

MAR 18 2021

WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☐ Amendment/Correction to Permit No. 6491-3
(Use predates Mar 2, 1955)

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

Transfer 13 acres authorized by Water Right No. 6491-3 to the east of existing authorized acres and maintain 79 acres originally authorized acres for standby purposes in event of failure of PAC well to these acres.

1. Name to Appear on Irrigation Permit Joseph Plucker

Note: The "Name to Appear on Irrigation Permit" must be the name in which the property to be irrigated is held in.

Mailing Address 45678 275th Street Parker SD 57053
(Address) (City) (State) (Zip Code)

Phone N/A Mobile 605 750-0478 Email reddogranch57053@yahoo.com

2. Amount of water claimed No addl *CFS or ***GPM ***AF Total Acreage No addl
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Three existing well authorized by Water Right No. 6491-3 and Permit No. 7597-3

4. Location of point of diversion E 1/2 NW 1/4 Section 14-T99N-R53W
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County Turner5. County or counties where water will be used Turner6. Annual period during which water is to be used April 1 - October 31

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NE 1/4 NW 1/4 Section 14-T99N-R53W	10		
SE 1/4 NW 1/4 Section 14-T99N-R53W	3		

8. Give a description of the project. (Attach sheet if more space is needed)

Currently Water Right No. 6491-3 authorizes irrigation of 92 acres in the NW 1/4 Section 14 -T99N-R53W. A separate application is pending to irrigate those acres from the well completed into the Parker Centerville aquifer. This application proposes to transfer 13 acres under No. 6491-3 from three wells completed into the Vermillion East Fork aquifer authorized by Nos. 6491-3, 7596-3 and 7597-3. The acres under Permit No. 7596-3 will also continue to be irrigated from these wells. The remaining 79 acres under No. 6491-3 will be maintained in event of inability to use PAC well to supply the pivot. NOTE: proposed change of well location in 2014 did not occur.

I, Joseph Plucker, the applicant, certify under
Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 18, 2021

RECEIVED OF Joseph/Kay Plucker Living Trust 45678 275th Street Parker SD 57053

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

Fee for Application for Permit No. <u>6491A-3</u> to Appropriate Water, to construct and to put water to beneficial use	\$100.00
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$
Fee to retain Future Use Permit No. _____ after period of seven years.	\$
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$
Fee for Filing Transfer Form _____	\$
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	\$100.00

By Eric Gronlund
Chief Engineer
EM

March 31, 2021

PAYMENT REQUEST FORM

PAYEE: Joseph & Kay Plucker
45678 275th Street
Parker SD 57053

FROM: DENR Water Rights Program
523 E. Capitol Ave
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Refund-Application Withdrawn

AMOUNT: \$100.00

FUNDING SOURCE:

GENERAL: X

FEDERAL:

OTHER:

COMMENTS:

AUTHORIZATION: *Eric Munkland 3/31/2021*

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



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

January 19, 2024

NOTICE

TO: JOSEPH PLUCKER, 45678 275TH ST, PARKER, SD 57053

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5927-3, 6491-3, 6492-3, 7594-3, 7595-3, 7596-3, 7597-3, 7598-3, 7694-3 & 8500-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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) 5927-3, 6491-3, 6492-3, 7594-3, 7595-3, 7596-3, 7597-3, 7598-3, 7694-3 & 8500-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2024 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) 5927-3, 6491-3, 6492-3, 7594-3, 7595-3, 7596-3, 7597-3, 7598-3, 7694-3 & 8500-3 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 6, 2024** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: USRCMZ**

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 23, 2024

5927-3, 6491-3, 6492-3, 7594-3, 7595-3
7596-3, 7597-3, 7598-3, 7694-3 & 8500-3

Joseph Plucker
45678 275th St
Parker SD 57053

Dear Mr. Plucker:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 5927-3, 6491-3, 6492-3, 7594-3, 7595-3, 7596-3, 7597-3, 7598-3, 7694-3 & 8500-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

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