

WATER PERMIT NO. 7357-3

Name of Applicant: **Ken Plucker, Jr.**

Address: **45594 275th St, Parker SD 57053**

Phone: **605 297-4168**

Amount of Water Claimed: **2.22 cfs**

Total Acres: **72 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: **5-9-12**

Application/License Fee: **\$ 950.00**

Corrected Application Received:

Period of Annual Use: **May 1 – October 31**

Remarks:

Diversion Point: **SW ¼ NW ¼ Sec 15-T99N-R53W**

Land to be Irrigated: **NW ¼ Sec 15-T99N-R53W**

Depth of Well: **114 feet deep**

Well Driller: **Kaiser Well Drilling**

Remarks:

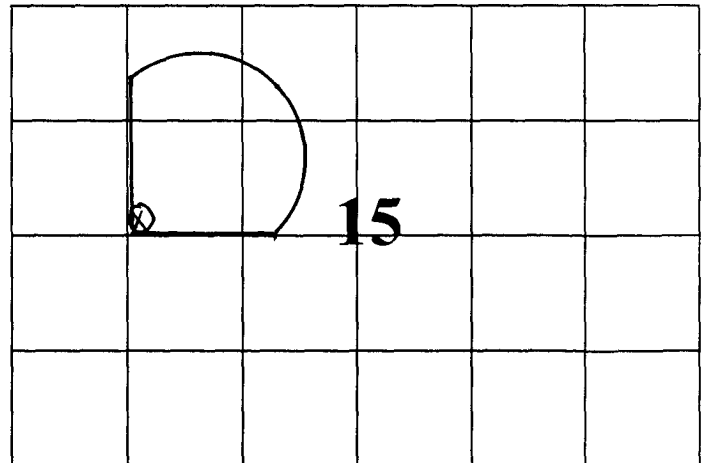
Type of Map: **aerial**

Prepared by: **Merris Miller, NRCS**

Reviewed and the Number Assigned on: **5-9-12**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



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

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>7357-3</u> (office use only) Hydrologic Unit <u>10170102</u> Basin <u>Vermillion River</u> Newspaper <u>New Era P.O. Box 579 Parker</u> <u>605-297-4419</u> <u>57053</u>
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MAY 09 2012

WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

 Type of Application: ☒ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 7314-3
 (Use predates Mar 2, 1955)

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

I want to go deeper for a better water source. This would change water permit # 7314-3 to that was approved earlier.

 1. Name of Applicant Ken Plucker Jr. Phone 605-297-4168
 (check one) Owner ☐ Tenant Lessee
 Mailing Address 45394 225th St Parker SD 57053
 (Address) (City) (State) (Zip Code)

 2. Amount of water claimed 2.22 *CFS or 1000 **GPM ***AF Total Acreage 72
 (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam dugout or annual use if applicable)

 3. Source of water supply 1 well in the SW 1/4, NW 1/4 Section 15-99N-53W

 4. Location of point of diversion (example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W) County Turner
1 well in the SW 1/4 NW 1/4 Section 15-99N-53W

 5. County or counties where water will be used Turner

 6. Annual period during which water is to be used May - Oct 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
NW 1/4, NW 1/4 Section 15-99-53W	24		
NE 1/4, NW 1/4 Section 15-99-53W	6		
SW 1/4 NW 1/4 Section 15-99N-53W	30		
SE 1/4, NW 1/4 Section 15-99W-53N	12		

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

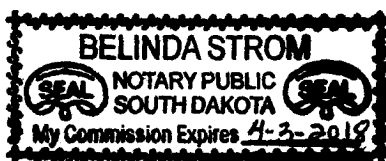
Irr. 1 well by Kaiser Well drilling - a windshield wiper Rienter
 covering roughly 72 acres of corn or Beans
 requesting diversion rate greater than statutory limit

STATE OF SOUTH DAKOTA)

SS

County of Turner)

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

 I, Ken Plucker Jr., 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 Ken Plucker Jr.Subscribed and sworn to before me this 8th day of May 20 12
Belinda Strom
 Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 7357-3**

Date of first receipt of application May 9, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7357-3 to Ken Plucker, Jr., 45594 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. 7357-3 appropriates 2.22 cubic feet of water per second (cfs) from one well to be completed into the Pleistocene Series: Unknown Aquifer (114 feet deep) located in SW 1/4 NW 1/4 Section 15 for irrigation of 72 acres located in the NW 1/4 Section 15; 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: May 1 – October 31.
3. The date from which applicant may claim right is May 9, 2012.
4. The date of approval of Permit No. 7357-3 is July 9, 2012.
5. One-fifth of the construction is to be completed on or before January 9, 2015.
6. All construction is to be completed on or before July 9, 2017.
7. Water is to be put to beneficial use on or before July 9, 2021.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

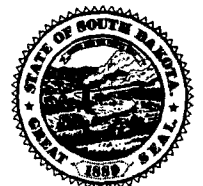
1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 7357-3 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Permit No. 7357-3 authorizes a maximum diversion rate of 2.22 cfs for the irrigation of 72 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. 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 10 2012
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 16" Depth 114'
- b) Casing Type Sch 40 Diameter 16" Thickness 1/2"
- c) Screen Type Stainless Diameter 16" Thickness 1/4"
- d) Gravel Pack 3/8 X 1/4 Length of Gravel Pack 26'
- e) Depth to Top of Water Bearing Material 88'
- f) Depth to Water (ground surface to water level) 15'
- g) Distance to nearest existing domestic well:
- On applicant's property 0 On property owned by others 1500' est

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

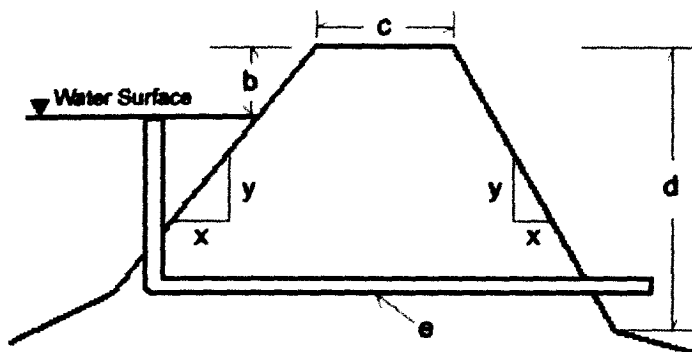
3. Dugout Information

- 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 (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

Irrigation Location Map

Field Office: Parker FO

Certified By: Merris Miller

Legal Desc: 15-99-53

SW corner of NW 1/4 Sec. 15-99-53

M. Miller, DC NRCS

5/8/12

Agency: USDA-NRCS

Certified Date: 5/8/12

Tract: 0000

X marks the New well



Legend

- Certified Wetland Determination Boundary
- Wetlands
- Wetlands
- Ditch
- NI
- NI/Ditch
- Tile

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0 320 640 1,280 1,920 2,560 3,200 3,840 Feet

- W Wetland
 - FW Farmed Wetland Drained or modified & cropped prior to 12-23-1985, but still meets wetland criteria
 - PC Prior Converted
 - NW Non Wetland
 - NI Not Inventoried Potential Waters of the US
- See NRCS CPA-O26E for definitions and additional info.

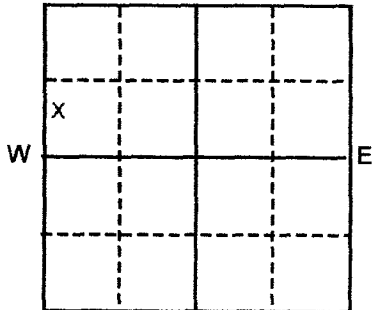


SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SW ¼ NW ¼ Sec 15 Twp 99N Rg 53WCounty Turner

North

Please mark well
location with an "X"

Well Completion Date

May 7, 2012

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:

Direct Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
40.0 LB/FT	3.00 IN	0.0 FT	104.0 FT	6.00 IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Wyoben	7	54.0 Lb/gal	0.0 Ft	88.0 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure _____

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 3.00 Inches Length 10.0 FeetMaterial PlaticSlot Size 035 Set From 104.0 Feet to 114.0 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? HTH tablets
☐ No, Why Not? _____
Lab to which water
quality sample sent for analysis _____Well Owner: Kenneth Plucker

Business Name: _____

Address: 45594 275th StCity, State, Zip: Parker SD 57053-5659

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
TOP SOIL	0	1
YELLOW SAND MIXED	1	23
YELLOW CLAY	23	25
YELLOW GRAVEL	25	32
GREY GRAVEL	35	44
BLUE CLAY	44	88
YELLOW GRAVEL	88	114
BLUE CLAY	114	120

STATIC WATER LEVEL 15.0 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: AIR LIFT 100++
☐ Bailed

☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

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WATER RIGHTS
PROGRAMThis 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: 5-8-12

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

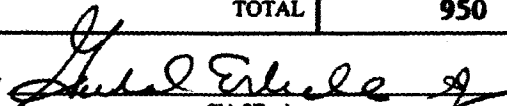
Date 5/9, 2012

RECEIVED OF Kenneth L Plucker 45594 275th St Parker SD 57053

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

Fee for Application for Permit No. <u>7357-3</u> to Appropriate Water, to construct and to put water to beneficial use	750	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>7357-3</u>	200	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	950 00

No. **05435**

By 
Chief Engineer

South Dakota Corn Growers Association

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WATER RIGHTS
PROGRAM

owner of the ground is

Pine Bluff Sand & Gravel

P.O. Box 7008

Pine Bluff, AR 71611

The map is signed at the top
by Merrill Miller NRCS their # is
605-297-4482

We looked at the deep test well
when it became apparent that we
would need 2 wells for sure to meet
the irr needs. It looks as though
the deep test is a good one.

Any questions or concerns please
call 605-929-6326 Cell
605-297-4168 Home

Ken Plucker Jr.

3109 South Crossing Place, Suite 1 • Sioux Falls, South Dakota 57108
Telephone: 605-334-0100 • Fax: 605-334-0505

www.sdcorn.org



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7357-3, Ken Plucker Jr**

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. 7357-3, Ken Plucker, Jr, 45594 275th Street, Parker SD 57053.

The Chief Engineer is recommending APPROVAL of Application No. 7357-3 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. 7357-3 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. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Permit No. 7357-3 authorizes a maximum diversion rate of 2.22 cfs for the irrigation of 72 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
4. 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
June 13, 2012

NOTE: If Water Permit Application No. 7357-3 is approved, DENR will proceed with cancellation of Water Permit No. 7314-3 which is not being developed for irrigation of these same acres because sufficient water was not found in the Vermillion:West Fork Aquifer at this site.

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO.7357-3
KEN PLUCKER, JR.
June 13, 2012

Water Permit Application No. 7357-3 proposes to appropriate up to 144 acre-feet annually at a maximum diversion rate of 2.22 cubic feet of water per second (cfs) from one well to be completed in to the Pleistocene Series: Unknown aquifer. The well is expected to be approximately 114 feet deep and is to be located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, T99N-R53W. This permit application proposes to irrigate 72 acres located in the NW $\frac{1}{4}$ of Section 33, T99N-R53W in Turner County.

AQUIFER: Pleistocene Series: Unknown (PS: U)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Pleistocene Unknown is a generic name for an aquifer of glacial origin but not of sufficient size or cannot be included into a mapped aquifer unit (Hedges, 1982). This aquifer is composed of buried outwash and glacially deposited gravel under artesian conditions according to the test hole log that was submitted with the application (Water Rights, 2012b). The test hole log also indicates sand and gravel (Parker Centerville aquifer) from one to 44 feet, blue clay from 44 to 88 feet, and gravel from 88 feet to 114 (PS: U) feet below ground surface. SDDENR Geological Survey lithological logs (SDGS, 2012) and Water Rights well completion reports (Water Rights, 2012c) offer little to delineate the extent of this outwash. However, the logs do provide sufficient evidence that this outwash is not a part of the nearby Upper Vermillion Missouri aquifer. The thickness of the aquifer in the area of this application is 26 feet and the top of the aquifer is 88 feet below ground surface, according to the test hole log (Water Rights, 2012b). A concern would be that the aquifer may be small in areal extent and with a relatively thin saturated thickness; the desired yield of the proposed well may not be sustainable. The static water level in the test hole is 15 feet below ground surface which is very similar to the Parker Centerville aquifer, indicating a possible hydraulic connection between the Parker Centerville and the Pleistocene Unknown aquifer. If the aquifers are hydraulically connected, the Parker Centerville aquifer is likely the source of recharge to the Pleistocene Unknown aquifer.

EXISTING WATER RIGHTS:

There are no existing water permits/rights within eight miles of this application in the Pleistocene Unknown aquifer. Interference is not expected to be a problem at that distance. There may be domestic wells that use this aquifer as a water source but no records are available showing this to be a fact.

SDCL 46-5-6

Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of one cubic foot of water per second for every seventy acres, or "the equivalent thereof". The statute does provide that the Water Management Board may allow a greater diversion if the method of irrigation so requires. Water Permit Application No. 7357-3 proposes to divert at a rate of 2.22 cfs to irrigate 72 acres, or the equivalent to 2.16 cfs per 70 acres. This diversion rate is required to operate the center pivot properly and is therefore reasonable for the proposed use.

CONCLUSIONS:

1. This application proposes to appropriate 144 acre-feet annually for the irrigation of 72 acres, but the amount of water that actually will be used is expected to be considerably less.
2. There is a reasonable probability that unappropriated water is available from the Pleistocene Series: Unknown aquifer to supply this proposed diversion.
3. There is a reasonable probability that the diversion requested by this application can be made without adversely affecting existing water rights.
4. The proposed diversion rate exceeds the limit set by SDCL 46-5-6. The elevated diversion rate is required for the center pivot to properly operate and is therefore reasonable for this application.
5. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.



Adam Mathiowetz
SD DENR-Water Rights Program

REFERENCES:

- Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, and R.A. Schoon. 1982. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- SDGS. 2012. South Dakota Geological Survey Lithologic Logs Database. <http://www.sddenr.net/lithdb/>. Accessed: 06/11/2012.
- Water Rights. 2012a. Observation Well Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012b. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012c. Well Completion Reports. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

CUSTOMER NUMBER:	078340	Argus Leader P.O. Box 677349, Dallas, TX 75267-7349
INVOICE NUMBER:	1384479	
RUN DATES	6/21, 6/28, 2012	AMOUNT DUE: \$107.24

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JUN 29 2012
WATER RIGHTS PROGRAM

Department of Environment and Natural Resources
Attn: Water Rights Program
523 E Capitol Ave., Joe Foss Building
Pierre, SD 57501

DETACH THIS STUB AND RETURN WITH PAYMENT

PAYMENT DUE UPON RECEIPT

App No 7357-3 Water Rights Program

AFFIDAVIT OF PUBLICATION-

Customer Number: 078340
Invoice Number: 1384479

Attn: Vicki Hanson

Argus Leader AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

Linda Schulte being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit: that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

Thursday, the 21 day of June 2012,
Thursday, the 28 day of June 2012,
_____, the _____ day of _____ 2012,
_____, the _____ day of _____ 2012,
_____, the _____ day of _____ 2012,
_____, the _____ day of _____ 2012,
_____, the _____ day of _____ 2012,

and that \$107.24 was charged for publishing the same

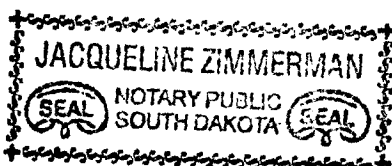
Linda Schulte

Subscribed and sworn to before me 6/28/2012

J. Zimmerman

Notary Public, South Dakota

My Commission expires December 22, 2015



**NOTICE OF APPLICATION
NO. 7357-3 to Appropriate
Water**

Notice is given that Ken Plucker, Jr., 45594 275th St. Parker SD 57053 has filed an application for a water permit to appropriate 2.22 cubic feet of water per second (cfs) from one well completed into the Pleistocene Series: Unknown Aquifer (114 feet deep) located in SW 1/4 NW 1/4 Section 15 for irrigation of 72 acres located in the NW 1/4 Section 15; all in T99N-R53W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7357-3 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 this 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 this application. No-

tice 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 9, 2012.

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.

Published twice at the total approximate cost of \$107.24.
1384479 June 21 & 28, 2012

June 29, 2012

PAYMENT REQUEST FORM

PAYEE: Argus Leader
PO Box 677349
Dallas TX 75267

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

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Public Notice for 7357-3 (Plucker)
Customer # 078340 Inv. # 1384479

AMOUNT: \$107.24

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Gail Jacobson 6/29/12

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.

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WATER RIGHTS
PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF TURNER

I, Robin Schneider of the City of Parker, County of Turner, 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, New Century 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:

5410 Notice on Application No. 7357-3 to
Appropriate Water 7357-3

_____ printed copy of hereto attached, is printed and published in the said newspaper for two successive weeks, one each week and on the same day of the week, on the following dates, to wit:

On Thursday, the 21 st	day of	June	, 2012
On Thursday, the 28 th	day of	June	, 2012
On Thursday, the	day of		, 2012
On Thursday, the	day of		, 2012
On Thursday, the	day of		, 2012

See attached

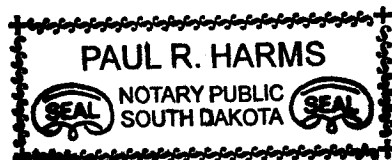
That \$38.68 being the full amount of the fees for publication of the attached notices insures solely for the benefits of the publishers of the said newspaper, that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Robin Schneider
Subscribed and sworn to before me this 20th

Day of July 2012
Paul R. Harms
Notary Public, Turner County, South Dakota

My Commission Expires: March 20, 2018

Publication Fee \$
Notary Fees \$
Total \$38.68



**NOTICE OF APPLICATION NO.
7357-3 to Appropriate Water**

Notice is given that Ken Plucker, Jr., 45594 275th St, Parker SD 57053 has filed an application for a water permit to appropriate 2.22 cubic feet of water per second (cfs) from one well completed into the Pleistocene Series:Unknown Aquifer (114 feet deep) located in SW 1/4 NW 1/4 Section 15 for irrigation of 72 acres located in the NW 1/4 Section 15; all in T99N-R53W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7357-3 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 this 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 this 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 9, 2012.

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.

Published twice at the total ap-

proximate cost of \$38.68.

(#5410, 06/21/12, 06/28/12, The New Era)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

June 13, 2012

Argus Leader
PO Box 5034
Sioux Falls SD 57117

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7357-3 to Appropriate Water to be published twice. Please publish the first notice on June 21, 2012 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.

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 second publication, please send bill and affidavit to the Water Rights Program.

Sincerely,

Eric Gronlund /KS

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 7357-3

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

Date _____

We are in receipt of your letter of June 13, 2012 enclosing Notice to Appropriate Water by Application No. 7357-3 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
denr.sd.gov

June 13, 2012

The New Era
PO Box 579
Parker SD 57053

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7357-3 to Appropriate Water to be published twice. Please publish the first notice on June 21, 2012 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 Ken Plucker Jr., 45594 275th St., Parker SD 57053 (Ph # 605-297-4168).

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 /KS
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 7357-3

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

Date _____

We are in receipt of your letter of June 13, 2012 enclosing Notice to Appropriate Water by Application No. 7357-3 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
denr.sd.gov

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

June 13, 2012

Ken Plucker Jr
45594 275th St
Parker SD 57053

Dear Mr. Plucker:

Water Permit Application No. 7357-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice 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 recommendation of the Chief Engineer and 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 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 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.

Instruction to Newspaper - Publish first Notice on June 21, 2012 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 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7357-3 to Appropriate Water

Notice is given that Ken Plucker, Jr., 45594 275th St, Parker SD 57053 has filed an application for a water permit to appropriate 2.22 cubic feet of water per second (cfs) from one well completed into the Pleistocene Series: Unknown Aquifer (114 feet deep) located in SW ¼ NW ¼ Section 15 for irrigation of 72 acres located in the NW ¼ Section 15; all in T99N-R53W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7357-3 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 this 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 this 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 9, 2012.

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.

Published twice at the total approximate cost of _____.

8/10/12

PAYMENT REQUEST FORM

PAYEE: Ken Plucker Jr
45594 275th St
Parker SD 57053

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

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Refund on Water Permit 7357-3

AMOUNT: \$200.00

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Gail Jacobson 8/10/12

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**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

AUG 10 2012

Ken Plucker, Jr.
45594 275th St
Parker SD 57053

Dear Mr. Plucker:

Enclosed is Water Permit No. 7357-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

This application was submitted with a \$950.00 fee. Since Water Permit No. 7314-3 will be scheduled for cancellation, the license fee of \$200.00 submitted for Water Permit No. 7314-3 will be applied to this permit. Therefore, \$200.00 will be refunded to you. The refund check should be received within the next couple of weeks.

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

SEP - 3 2012

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 8-27-12TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Ken Plucker Jr.
(name)45594 275th
(address)Parker, SD 57053
(city, state, zip)605-292-7168
(phone)

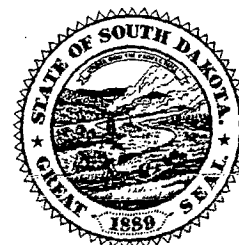
I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 7357-3 states that the water use system is to be constructed by 7-1-12, and water is to be put to beneficial use by 7-10-12.
(date) (date)

The water use system was completed on 7-5-12.
(date)

Applying the water to beneficial use was completed on 9-20-12.
(date)

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

Ken Plucker Jr.
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

September 4, 2012

7313-3
7357-3

Ken Plucker Jr
45594 275th St
Parker SD 57053

Dear Mr. Plucker:

I am writing to acknowledge receipt of the "Notice of Completion of Works" forms that you sent in to let us know that you are completed with the irrigation systems authorized in the N ½ Section 15, T99N, R53W.

The systems are now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permits.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

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



7357-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2015

NOTICE

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

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

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5389-3, 7313-3 & 7357-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5389-3, 7313-3 & 7357-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5389-3, 7313-3 & 7357-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 4, 2015** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 22, 2015

5389-3
7313-3
7357-3

Kenneth Plucker Jr
45594 275th St
Parker SD 57053

Dear Mr. Plucker:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Right No. 5389-3 and Water Permit Nos. 7313-3 and 7357-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

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

7357-3



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

January 20, 2023

NOTICE

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

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

SUBJECT: Reporting Requirement for 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5389-3, 7313-3 & 7357-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 5389-3, 7313-3 & 7357-3 qualification:

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

The hearing will be held at **Wednesday, March 8, 2023 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 5389-3, 7313-3 & 7357-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 8, 2023** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: LYTNIID**

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.

7357-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 24, 2023

5389-3
7313-3
7357-3

Ken Plucker Jr
45594 275th St
Parker SD 57053

Dear Mr. Plucker:

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

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Permit or Right Nos. 5389-3, 7313-3 & 7357-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7357-3

I have this day, November 12, 2024, made a thorough examination of the water use system constructed by Ken Plucker, Jr, 45594 275th St, Parker, SD 57053 of Permit No. 7357-3, bearing the priority of May 9, 2012 authorizing the diversion of 2.22 cu. ft. per second of the waters of the Pleistocene Series: Unknown Aquifer for irrigation purposes, in Turner County.

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Kaiser
- 2) No. of Wells 1
- 3) Depth(s) 114 feet
- 4) Well log is available Y If no, explain in comments

Comments: ONLY TEST HOLE LOG AVAILABLE

Casing:

- 1) Diameter 16 inches
- 2) Length 94 ??? feet
- 3) Type PVC

Screen:

- 1) Type Stainless steel
- 2) Length 20 ??? feet
- 3) Static water level 15 feet

Pump:

- 1) Make Submersible
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 800 GPM

Motor:

- 1) Make Unknown
- 2) Model No. Unknown
- 3) Horsepower rating Unknown hp

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

- 1) Type Above ground Aluminum 2) Size 8 inches 3) Length 40 feet

Comments: xx

C. Works used to apply water to beneficial use:**Center pivot:**

- 1) Make Reinke
2) Overall length 1800 feet
3) Number of towers 11
4) End gun Y
5) Capacity 800 GPM

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y

If no, describe:

- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in good condition with the point(s) of diversion located as follows WELL LOCATION
From the NW corner Sec 15, T99N, R53W, 2085 ft S & 30 ft E, Lat 43.39609 Long -97.10227 (SW 1/4 NW 1/4)

2. 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:

legal description/acreage
All land in Sec 15 T99N R53W
NW 1/4 NW 1/4 - 30 acres
NE 1/4 NW 1/4 - 4 acres
SE 1/4 NW 1/4 - 12 acres
SW 1/4 NW 1/4 - 26 acres

legal description/acreage

comprising a total of 72 acres of land and the license should be issued for 1.78 cfs

3. All structures, wells and lands on map Y

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

FSA maps and the ArcGIS program were used to construct the attached well location and irrigated area map which was used to estimate irrigated acreage.

The flow rate reported on the 2023 Irrigation Questionnaire was used to establish the system flow capacity.

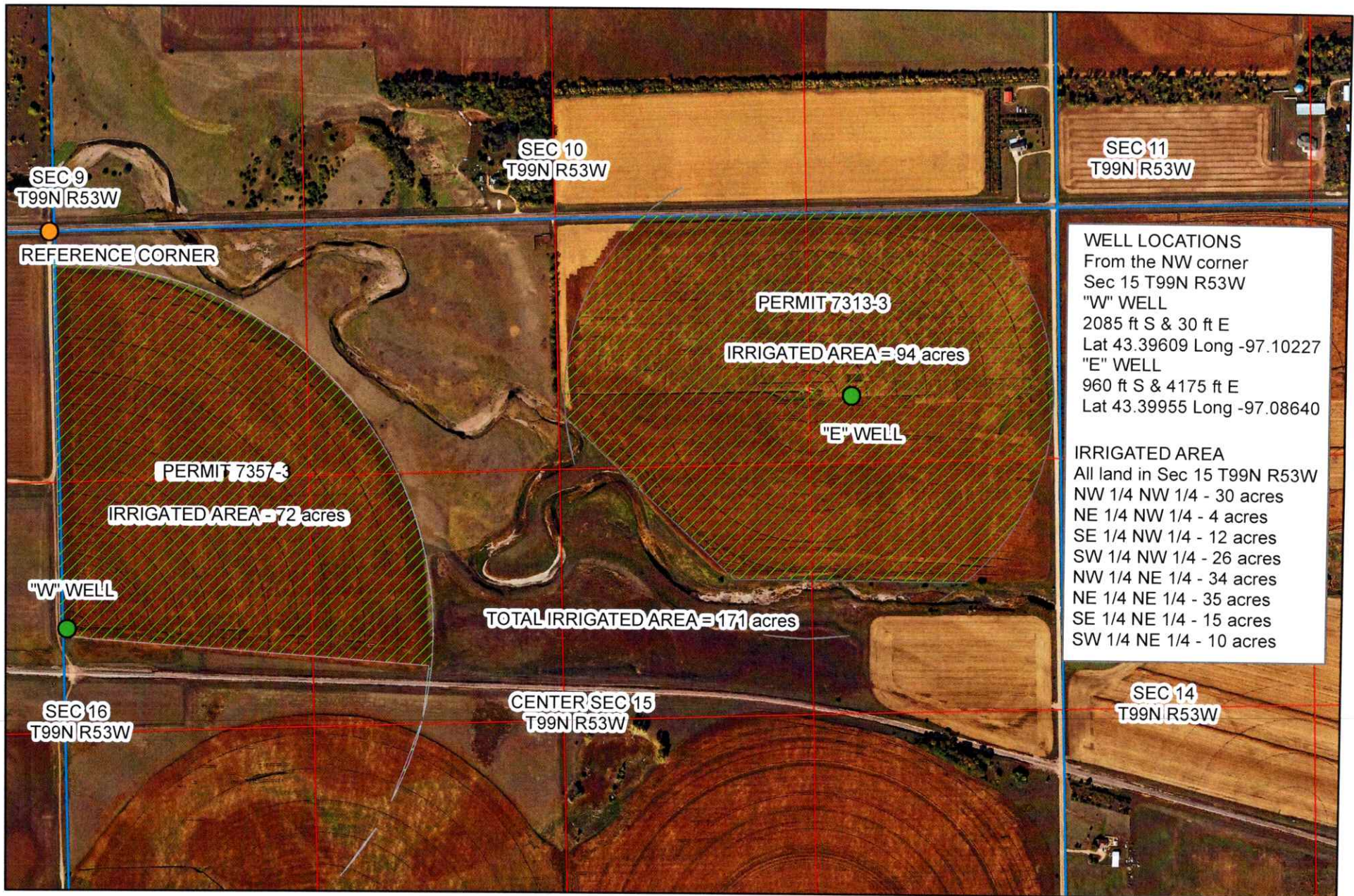
The address in the permit application is current but a contact phone number is NOT available.

A handwritten signature in black ink, appearing to read "Darrell DeBoer", written over a horizontal line.

Darrell DeBoer
Water Rights Inspector
DENR, Water Rights Program

Date report completed: November 18, 2024

No. 7313-3 & 7357-3



WELL LOCATIONS
 From the NW corner
 Sec 15 T99N R53W
 "W" WELL
 2085 ft S & 30 ft E
 Lat 43.39609 Long -97.10227
 "E" WELL
 960 ft S & 4175 ft E
 Lat 43.39955 Long -97.08640

IRRIGATED AREA
 All land in Sec 15 T99N R53W
 NW 1/4 NW 1/4 - 30 acres
 NE 1/4 NW 1/4 - 4 acres
 SE 1/4 NW 1/4 - 12 acres
 SW 1/4 NW 1/4 - 26 acres
 NW 1/4 NE 1/4 - 34 acres
 NE 1/4 NE 1/4 - 35 acres
 SE 1/4 NE 1/4 - 15 acres
 SW 1/4 NE 1/4 - 10 acres



0 550 1,100 2,200 3,300 4,400 Feet

Darrell DeBoer
 Water Right Inspector
 DANR-Water Rights Program



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

MAY 02 2025

Kenneth Plucker Jr
45628 275th St
Parker, SD 57053

Nos. 7313-3 & 7357-3

Dear Mr. Plucker:

Enclosed is Water License Nos. 7313-3 and 7357-3. These are the final water right documents completing your process of obtaining the Water Rights. Included with the licenses is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, 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.

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

Sincerely,

Mark Mayer, PE
Director of Office of Water
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7357-3**

(1) Kenneth Plucker Jr, 45628 275th St, Parker, SD 57053, made Application No. 7357-3, May 9, 2012, for a water permit to divert 2.22 cubic feet of water per second from groundwater, one well (Pleistocene Series: Unknown Aquifer), Turner County, South Dakota for irrigation purposes. Permit No. 7357-3, with a priority date of May 9, 2012, was approved July 9, 2012, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 9, 2017, and for the application to beneficial use of water on or before July 9, 2021.

(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 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 2,085 feet S and 30 feet E from the NW corner of Section 15, T99N, R53W (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
(Latitude 43.39609 and Longitude -97.10227)

(3) The amount of appropriation may not exceed 2 acre-feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: May 1 – October 31.

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

Section 15, T99N, R53W
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 4 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 30 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 26 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 12 acres
Total – 72 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Kenneth Plucker Jr, the holder and/or owner of Water Right No. 7357-3 is issued a license to appropriate water, the right to use 1.78 cubic feet of water per second from groundwater, one well (Pleistocene Series: Unknown Aquifer), with a priority date of May 9, 2012, from the location specified in (2) of this license for irrigation purposes.

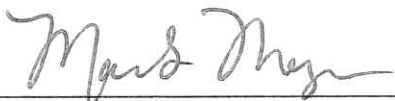
This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7357-3 and subject to the following qualifications:

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. 7357-3 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.

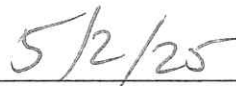
continued

3. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Water Permit No. 7357-3 authorizes a maximum diversion rate of 2.22 cfs for the irrigation 72 acres with an annual volume not to exceed 2 acre-feet of water per acre per year. *(The diversion rate was reduced from 2.22 cfs to 1.78 cfs, based on the system as constructed.)*

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



Mark Mayer, PE
Director of Office of Water



date

