

WATER PERMIT NO. 7594-3

Name of Applicant: **Joseph Plucker**

Address: **45678 275th St, Parker SD 57053** Phone: **605 750-0478**

Amount of Water Claimed: **0.67 cfs** Total Acres: **50 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: **12-27-12** Application/License Fee: **\$ 700**

Corrected Application Received: Period of Annual Use: **May 1 – October 31**

Remarks:

Diversion Point: **SW 1/4 SE 1/4 Sec 11-T99N-**
R53W

Land to be Irrigated: **SW 14/ NE 1/4, W 1/2 SE 1/4**
Sec 11-T99N-R53W

Depth of Well: **36**

Well Driller: **Kaiser Well Drilling**

Remarks:

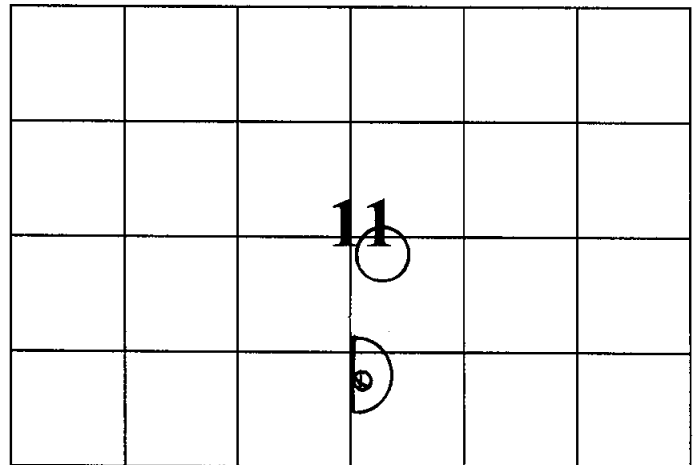
Type of Map: **aerial**

Prepared by:

Reviewed and the Number Assigned on: **1-2-13**

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>7594-3</u> (office use only)	Hydrologic Unit <u>10170102</u>
	Basin <u>Vermillion River</u>	<u>605-297-4419</u>
	Newspaper <u>New Era Box 579 Parker 57053</u>	<u>605-331-2200</u>
	<u>Argus Leader</u> <u>Box 5034 Sioux Falls 57117</u>	

RECEIVED
DEC 27 2012
WATER RIGHTS
PROGRAM

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.)

1. Name to Appear on Irrigation Permit Joseph Plucker
(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent _____
(name and complete address if different than above name)

Mailing Address 45678 27th St Parker SD 57053
(Address) (City) (State) (Zip Code)

Home Phone N/A Cell 605-750-0478 Email plucker@plucker.com

2. Amount of water claimed 0.67*CFS or 300 **GPM ***AF Total Acreage 50
(*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 New Well

4. Location of point of diversion SW 1/4 SE 1/4 section 11 - T099N - R53W
(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

County Turner

5. County or counties where water will be used Turner

6. Annual period during which water is to be used May 1 - 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
Sec 11-T099N-R53W SW 1/4 of NE 1/4	10		
Sec 11-T099N-R53W NW 1/4 of SE 1/4	20		
Sec 11-T099N-R53W SW 1/4 of SE 1/4	20		

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

likely put a towable pivot or traveling gun. I would use it to irrigate pasture land. - I also have an attached sheet.

I, Joseph Plucker, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

**SOUTH DAKOTA
WATER PERMIT NO. 7594-3**

Date of first receipt of application December 27, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7594-3 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. 7594-3 appropriates 0.67 cubic feet of water per second from one well to be completed into the Vermillion:East Fork Aquifer (36 feet deep) located in the SW 1/4 SE 1/4 Section 11 for irrigation of 50 acres located in the SW 1/4 NE 1/4, W 1/2 SE 1/4 Section 11; 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 December 27, 2012.
4. The date of approval of Permit No. 7594-3 is March 18, 2013.
5. One-fifth of the construction is to be completed on or before September 18, 2015.
6. All construction is to be completed on or before March 18, 2018.
7. Water is to be put to beneficial use on or before March 18, 2022.
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. 7594-3 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: 

Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 08 2013

_____ date



Supplemental Information

(type or print)

1. Well Information

(check one or both as applicable) ☐ Drilling new well(s) ☐ Using existing well(s)

a) If new wells, how many 1 Have test holes been drilled ☒ Yes ☐ No Drilled by Kansen Well Drilling
(if yes, please provide copies of logs)

b) If existing wells, how many Provide copy of log(s), if available. Drilled by

c) Well Depth 36 Depth to Top of Water Bearing Material 22 Depth to Water from Surface 22

d) Distance to nearest existing domestic well:

On applicant's property 2000

On property owned by others None

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)

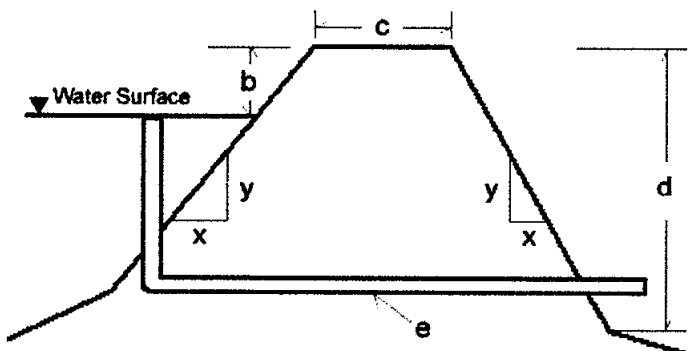
Upstream

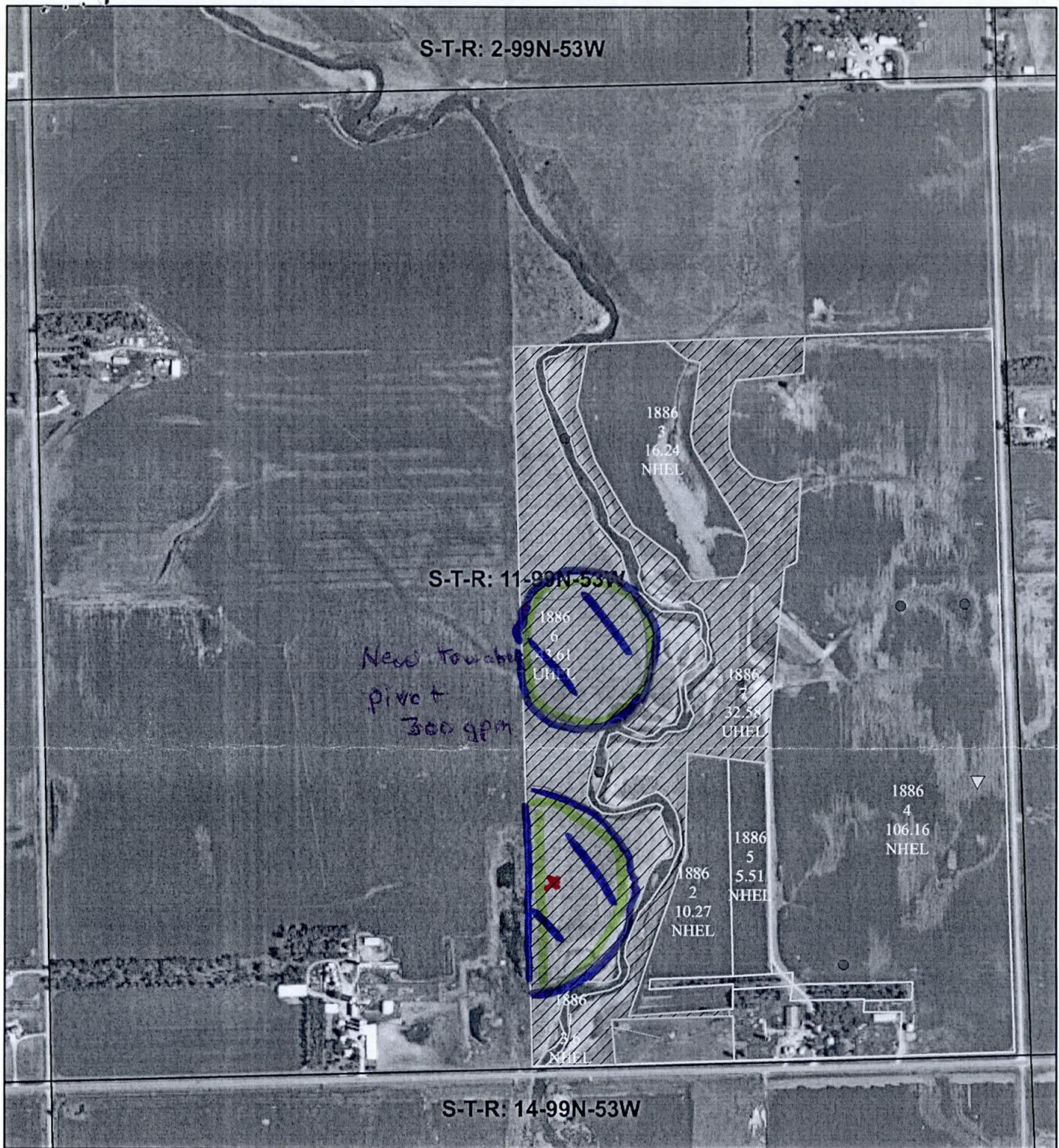
Downstream

h) Surface Area of Impoundment

i) Storage Acre Feet

j) Drainage Area Above Dam Acres





United States Department of Agriculture
Farm Service Agency

PLSS: 11_99N_53W
Farm: 8504

Turner County, SD

1:8,835

January 12, 2012



Wetland Determination Identifiers

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

□ Common Land Units

▨ Non Cropland

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original dermination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

Page E

2008 Ortho-Photography - Not to Scale

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 1/2, 20 13

RECEIVED OF Joseph L Plucker 45678 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>7594-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	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>7594-3</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	700 00

No. 05829

By

[Signature]
Chief Engineer



**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. 7594-3, 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. 7594-3, Joseph Plucker, 45678 275th Street, Parker SD 57053.

The Chief Engineer is recommending APPROVAL of Application No. 7594-3 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. 7594-3 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
February 19, 2013

REPORT TO THE CHIEF ENGINEER

WATER PERMIT APPLICATION NOS. 7594-3, 7596-3, & 7597-3

Joseph Plucker

February 8, 2013

Water Permit Application No. 7594-3 proposes to appropriate 100 acre-feet per year (ac-ft/yr) at a maximum diversion rate of 0.67 cubic feet of water per second (cfs) from one well to be completed into the Vermillion East Fork aquifer. The well is expected to be approximately 36 feet deep and is to be located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11 to irrigate 50 acres located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 11, all in T99N-R53W in Turner County.

Water Permit Application No. 7596-3 proposes to appropriate up to an additional 40 acre-feet per year (ac-ft/yr) at a maximum additional diversion rate of 0.44 cubic feet of water per second (cfs) from one existing well authorized by Water Right No. 6491-3 to irrigate an additional 20 acres located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, all in T99N-R53W in Turner County. Water Right No. 6491-3 authorizes a maximum diversion rate of 1.11 cfs from two wells completed into the Vermillion East Fork aquifer located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14 for the irrigation of 92 acres located in the NW $\frac{1}{4}$ of Section 14, all in T99N-R53W. Only the well located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14 authorized by Water Right No. 6491-3 will be utilized by this application. If approved, this application plus Water Right No. 6491-3 will result in two wells diverting at a total maximum diversion rate of 1.55 cfs to irrigate a total of 92 acres, resulting in a diversion rate in excess of the statutory limit. If approved, this application plus Water Permit Application No. 7597-3 and Water Right No. 6491-3 will result in three wells diverting at a total maximum diversion rate of 1.99 cfs to irrigate a total of 92 acres, resulting in a diversion rate in excess of the statutory limit.

Water Permit Application No. 7597-3 proposes to increase the maximum diversion rate authorized by Water Right No. 6491-3 by 0.44 cubic feet of water per second (cfs) and add an additional well to be completed into the Vermillion East Fork aquifer. The well is expected to be approximately 36 feet deep and is to be located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T99N-R53W in Turner County. Water Right No. 6491-3 authorizes a maximum diversion rate of 1.11 cfs from two wells completed into the Vermillion East Fork aquifer located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14 for the irrigation of 92 acres located in the NW $\frac{1}{4}$ of Section 14, all in T99N-R53W. If approved, this application plus Water Right No. 6491-3 will result in three wells diverting at a total maximum diversion rate of 1.55 cfs to irrigate a total of 92 acres, resulting in a diversion rate in excess of the statutory limit. No additional volume of water is requested by this application. If approved, this application plus Water Permit Application No. 7596-3 and Water Right No. 6491-3 will result in three wells diverting at a total maximum diversion rate of 1.99 cfs to irrigate a total of 92 acres, resulting in a diversion rate in excess of the statutory limit.

AQUIFER: Vermillion East Fork aquifer (VEF)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Vermillion East Fork is a surficial outwash consisting of sand and gravel and is unconfined in the area of the proposed and existing wells pertinent to these applications. In Turner County, the aquifer is estimated to underlie six square miles and contain 22,000 acre-feet (ac-ft) of water in storage. The Vermillion East Fork aquifer extends north into McCook, Lake, Miner, Kingsbury and Clark Counties and connects to the Vermillion West Fork aquifer to the west and the Parker Centerville aquifer to the south. The aquifer is also hydraulically connected to the West and East Fork of the Vermillion River and groundwater movement is probably towards the rivers (Lindgren & Hansen, 1990).

The proposed and existing wells are located near the southern edge of the Vermillion East Fork aquifer, where the aquifer blends into the Vermillion West Fork and the Parker Centerville aquifer (Lindgren and Hansen, 1990). One well completion report, for a test hole completed in NE¼ NW¼ of Section 14, T99N-R53W, was submitted with these applications. The test hole log documented aquifer materials from below top soil to a depth of 55 feet with some clay intermixed. This generally agrees with other aquifer information (Lindgren and Hansen, 1990; SDGS, 2013).

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water and existing rights from the aquifer that are pertinent to this application.

WATER AVAILABILITY:

These applications propose to appropriate a total of 140 ac-ft/yr from the Vermillion West Fork Aquifer. If this application is approved, the actual water use will likely be less than the appropriation. The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1, which requires "No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source."

Hydrologic Budget:

Recharge:

Recharge to the Vermillion East Fork aquifer occurs due to infiltration of precipitation in areas where the aquifer is at or near land surface. Recharge to the Vermillion East Fork aquifer in Turner County has not been quantified. However, Hedges and others (1985) estimated the recharge rate for various management units of the Vermillion East Fork aquifer, varying from 2.0 to 5.6 inches per year (in/yr). Hedges and others (1985) also estimated the recharge rates of the nearby and hydraulically similar Vermillion West Fork and Parker Centerville aquifers to be between 2.0 to 5.6 in/yr and 4.9 in/yr, respectively.

Discharge:

Discharge from the Vermillion West Fork aquifer in Turner County occurs due to evapotranspiration in areas where the aquifer is near land surface, outflow to the West and East Forks of the Vermillion River, and well withdrawals. Water rights/permits from the Vermillion West Fork aquifer are shown in Table 1 (Water Rights, 2013b).

In addition, there are many well completion reports on file with the SD DENR-Water Rights Program in Turner County for domestic wells that appear to be completed into the Vermillion West Fork aquifer (Water Rights, 2013c). The annual withdrawal due to domestic use is not significant to the hydrologic budget of the aquifer.

Table 1: Water rights/permits appropriating from the Vermillion East Fork aquifer in Turner County (Water Rights, 2013b)

Permit No.	Name	Priority Date	Status	Type	CFS	Acres
5389-3	Ken Plucker Jr	03/26/1976	LC	IRR	2	160
5914-3	Berens Farms	02/29/1996	LC	IRR	1.71	120
6075-3	Don Weeg	04/23/1998	LC	IRR	1.56	132
6434-3	Joel or Maria Berens	07/07/2003	LC	IRR	1.23	83
6491-3	Joseph Plucker	03/31/2004	LC	IRR	1.11	92
LC = Water Right, IRR = Irrigation						

The irrigation development of the Vermillion East Fork aquifer over the period of record, 1979 to 2011, has steadily increased. The annual withdrawal from the aquifer fluctuates, and has increased in recent years, as shown in Figure 1. Over the period of record, the average pumpage reported equals 245 ac-ft/yr (Water Rights, 1980-2011).

Water Balance:

The average annual withdrawal from the Vermillion East Fork aquifer is estimated to be less than 245 ac-ft/yr. To balance the hydrologic budget, recharge must equal withdrawal. And so, recharge to this aquifer must equal 1.2 in/yr, assuming average annual use plus full use of the proposed water permit applications. This required recharge rate is much less than any of the recharge estimates by Hedges and others (1985) of the various management units of the Vermillion East Fork aquifer or the similar Vermillion West Fork and Parker Centerville aquifers. Therefore, there is a reasonable probability that unappropriated water is available from the Vermillion East Fork aquifer for the proposed appropriation of 140 ac-ft/yr.

Observation Well Data:

Administrative Rule of South Dakota Section 74:02:05:07 requires that “the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer.”

The SD DENR-Water Rights Program monitors one observation well, TU-77O, in the Vermillion East Fork aquifer. This well is located between two and two and a half miles from the proposed and existing wells pertinent to these applications. The associated hydrograph is shown in Figure 2 (Water Rights, 2013a).

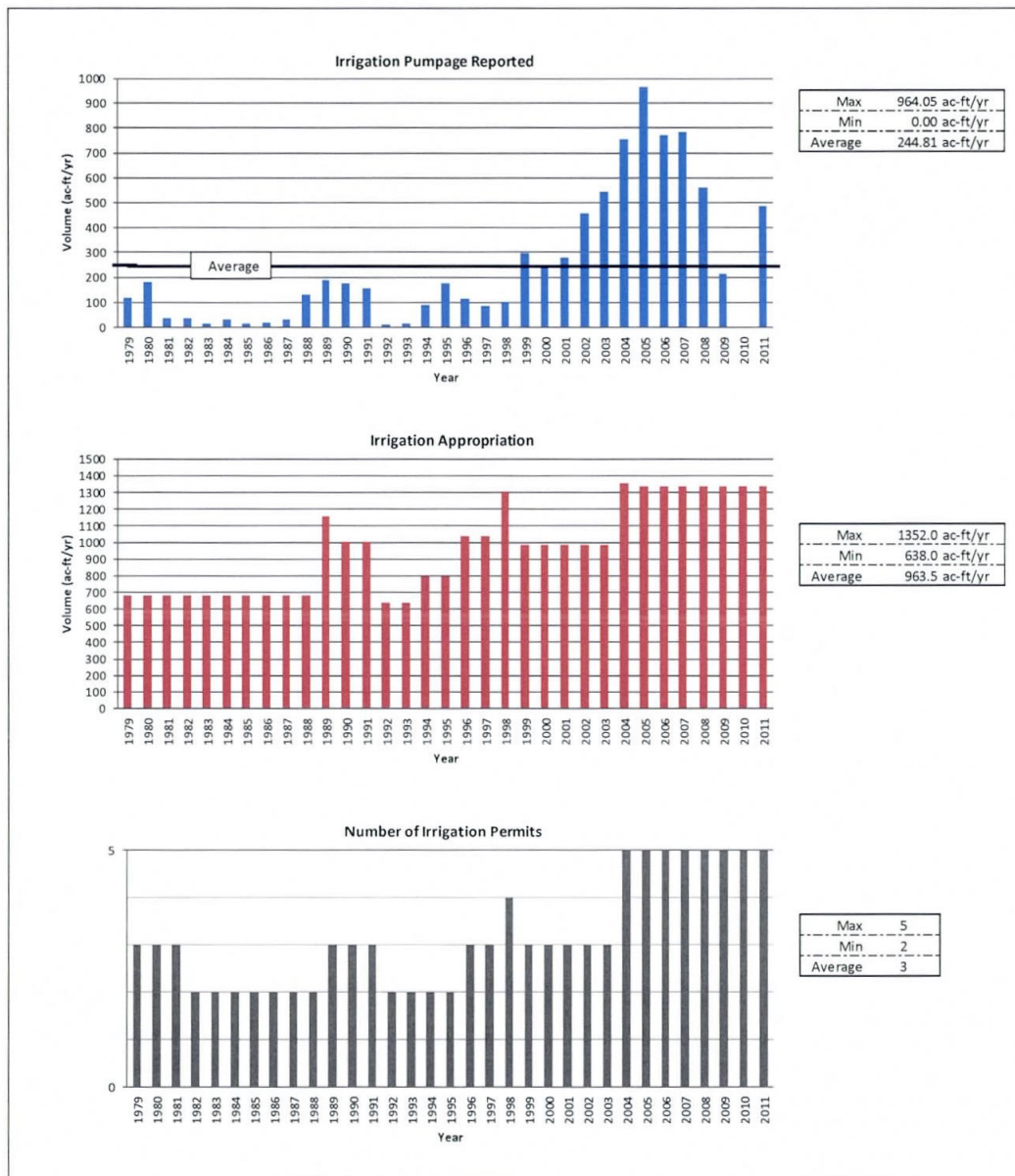


Figure 1: Historic irrigation water use from the Vermillion East Fork aquifer in Turner County (Water Rights, 1980-2012)

The observation well data documents cyclic conditions of water levels, recharging during wet years and declining during dry years. Because the Vermillion East Fork is a relatively thin surficial aquifer, the effects of climatic conditions and pumping are more obvious. In general, water levels in this aquifer have remained fairly steady over the period of record. This data documents that, at the current level of development, temporal well withdrawal is masked by climatic conditions. Therefore, recharge to and natural discharge from the Vermillion East Fork aquifer significantly exceeds pumping, indicating that unappropriated water is available from the aquifer to support the proposed appropriation of 140 ac-ft/yr.

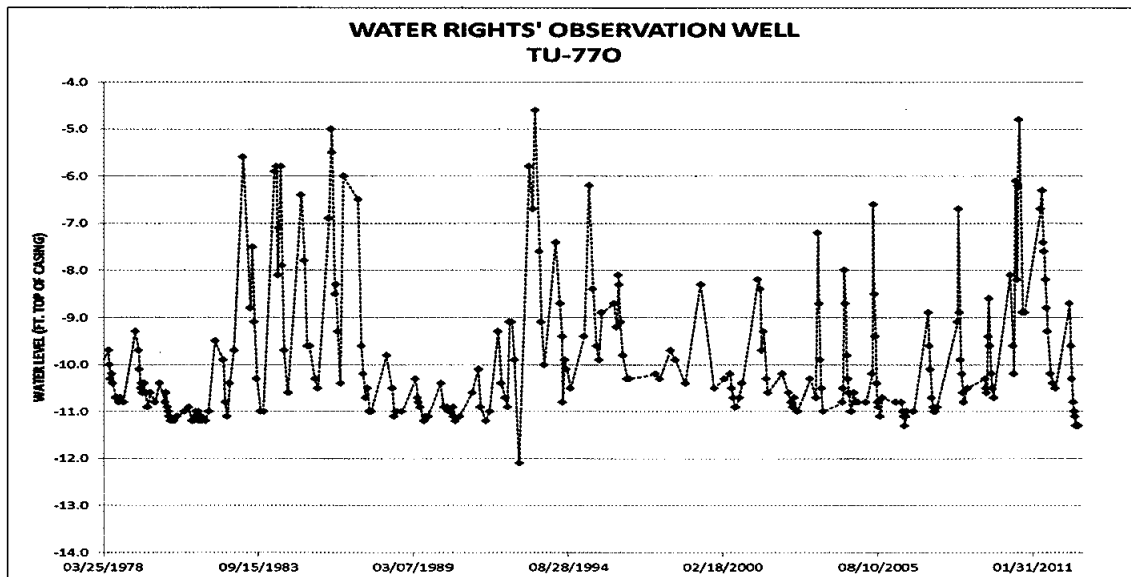


Figure 2: Hydrograph for observation well TU-770 (Water Rights, 2013a)

EXISTING WATER RIGHTS:

Water Permit Applications Nos. 7594-3 and 7597-3 propose additional wells with additional diversion rate. Water Permit Application No. 7596-3 propose additional diversion rate from an existing well. Within one mile of the proposed and existing wells pertinent to these applications, there are seven water rights and two water permits appropriating and one future use permit reserving water from the Vermillion East Fork aquifer or the hydraulically connected Vermillion East Fork, Parker Centerville, and Upper Vermillion Missouri aquifers (Water Rights, 2013b). There are also several well completion reports on record with the SD DENR-Water Rights Program for domestic wells within one mile of the proposed and existing wells (Water Rights, 2013c).

Future Use Permit No. 4798-3 has a future use area covering seven sections. The proposed and existing wells pertinent to these applications are located near the northeastern boundary of this future use area, and so, future wells located in this area could encounter the effects of the pumping due to the proposed diversions. However, the future use area extends west approximately three miles from the proposed and existing wells; wells located here would likely not document the effects of pumping due to the proposed diversions. In other words, due to the size of the future use area, this proposed diversion will not limit or restrict the development of the future use permit.

The water table conditions of the aquifer in this area dictate that drawdown due to pumping would probably not be significant far from the proposed or existing wells pertinent to these applications. The Water Management Board has consistently recognized that to place water to maximum beneficial use a certain amount of drawdown may occur. However, reasonable domestic use must be assured before irrigation use is allowed. At the distances involved, a nearby adequate well defined by ARSD 74:02:20(7), which states that the pump intake must be set 20 feet below the top of the aquifer or, if the aquifer is less than 20 feet thick, as near to the bottom of the aquifer as is practical, is not expected to be adversely or unlawfully impaired.

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 provides that the Water Management Board may allow a greater diversion if the method of irrigation so requires.

These water permit applications propose to additional diversion rate and additional acres. If Water Permit Application No. 7596-3 or 7597-3 or both are approved, the division rate will be in excess of the statutory limit. The applications did not provide further justification.

CONCLUSIONS:

1. Water Permit Application No. 7594-3 proposes to appropriate 100 ac-ft/yr.
2. Water Permit Application No. 7596-3 proposes to appropriate up to an additional 40 acre-feet per year (ac-ft/yr) at a maximum additional diversion rate of 0.44 cubic feet of water per second (cfs) from one existing well authorized by Water Right No. 6491-3.
 - a. If approved, this application plus Water Permit Application No. 7597-3 and Water Right No. 6491-3 will result in three wells diverting at a total maximum diversion rate of 1.99 cfs to irrigate a total of 92 acres, resulting in a diversion rate in excess of the statutory limit.
3. Water Permit Application No. 7597-3 proposes to increase the maximum diversion rate authorized by Water Right No. 6491-3 by 0.44 cubic feet of water per second (cfs) and add an additional well to be completed into the Vermillion East Fork aquifer.
 - a. If approved, this application plus Water Right No. 6491-3 will result in three wells diverting at a total maximum diversion rate of 1.55 cfs to irrigate a total of 92 acres, resulting in a diversion rate in excess of the statutory limit. No additional volume of water is requested by this application.
 - b. If approved, this application plus Water Permit Application No. 7596-3 and Water Right No. 6491-3 will result in three wells diverting at a total maximum diversion rate of 1.99 cfs to irrigate a total of 92 acres, resulting in a diversion rate in excess of the statutory limit.
4. There is a reasonable probability that unappropriated water is available from the Vermillion East Fork aquifer to supply the proposed appropriations.
5. There is a reasonable probability that the proposed and existing wells pertinent to these applications will not adversely or unlawfully impair existing nearby wells.



Joseph R Stonesifer
SD DENR-Water Rights Program

Approved by


for Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

Hedges, L.S., Allen, J., and Holly, D.E. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa. Task 7: Ground Water Recharge. South Dakota DENR-Geological Survey, Vermillion, South Dakota.

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

SDGS. 2013. Lithologic Logs Database, SD DENR-Geological Survey, Vermillion, South Dakota.

Water Rights. 1980-2012. "Annual Irrigation Summary by Aquifer": SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Water Rights. 2013a. Observation Well Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Water Rights. 2013b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

Water Rights. 2013c. Water Well Completion Reports, SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

RECEIVED

MAR 27 2013

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:

#5576 Notice of Application Nos. 7594-3 thru 7598-3 to Appropriate Water

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

On Thursday, the 7th day of March, 2013

That \$49.65 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 21st

Day of March 2013

Paul R. Harms
Notary Public, Turner County, South Dakota

My Commission Expires: March 20, 2018

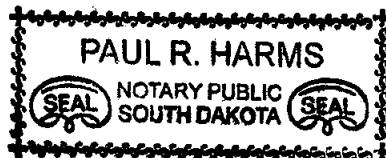
RECEIVED

MAR 27 2013

WATER RIGHTS
PROGRAM

see attached

Publication Fee \$
Notary Fees \$
Total \$49.65



NOTICE OF APPLICATION NOS.

7594-3 thru 7598-3

to Appropriate Water

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

Application No. 7594-3 proposes to appropriate 0.67 cubic feet of water per second (cfs) from one well to be completed into the Vermillion:East Fork Aquifer (36 feet deep) located in the SW 1/4 SE 1/4 Section 11 for irrigation of 50 acres located in the SW 1/4 NE 1/4, W 1/2 SE 1/4 Section 11; all in T99N-R53W.

Application No. 7595-3 proposes to appropriate 1.78 cfs from one well to be completed into the Vermillion:West Fork Aquifer (55 feet deep) located in the SW 1/4 NE 1/4 Section 4 for irrigation of 136 acres located in the NE 1/4 Section 4; all in T99N-R53W.

Application No. 7596-3 proposes to appropriate 0.44 cfs from one existing well (authorized by Water Right No. 6491-3) completed into the Vermillion:East Fork Aquifer (36 feet deep) located in the SE 1/4 NW 1/4 Section 14 for irrigation of 20 acres located in the SE 1/4 NW 1/4 Section 14; all in T99N-R53W. The applicant is requesting a diversion rate greater than the statutory limit.

Application No. 7597-3 proposes to appropriate 0.44 cfs diversion rate authority from an additional well to irrigate acres authorized by Water Right No. 6491-3. Water Right No. 6491-3 authorizes 1.11 cfs from two wells located in the NE 1/4 NW 1/4 and the SE 1/4 NW 1/4 Section 14 to irrigate 92 acres located in the NW 1/4 Section 14; all in T99N-R53W. This application proposes to divert up to 0.44 cfs from one additional well to be completed into the Vermillion:East Fork Aquifer (36 feet deep) located in the NE 1/4 NW 1/4 Section 14-T99N-R53W for irrigation of the acreage described above. This application, if approved, and Water Right No. 6491-3 will authorize a total diversion rate of 1.55 cfs from 2 wells for irrigation of 92 acres. The applicant is requesting a diversion rate greater than the statutory limit. The second well located in the SE 1/4 NW 1/4 Section 14 authorized by Water Right No. 6491-3 will be utilized by Application No. 7596-3 previously listed in this notice.

Application No. 7598-3 proposes to appropriate 1.78 cfs diversion rate authority from an additional well to irrigate 30 additional acres and acreage authorized by Water Right No. 5927-3. Water Right No. 5927-3 authorizes 0.87 cfs from one well located in the NE 1/4 SW 1/4 Section 14 to irrigate 61 acres located in the S 1/2 NW 1/4 and the N 1/2 SW 1/4 Section 14; all in T99N-R53W. This application proposes to divert an additional 0.67 cfs from one additional well to be completed into the Parker Centerville Aquifer (53

feet deep) located in the NW 1/4 SE 1/4 Section 14 to irrigate 30 acres located in the NW 1/4 SE 1/4 Section 14; all in T99N-R53W. This application, if approved and Water Right No. 5927-3 will authorize a total diversion rate of 2.65 cfs from 2 wells for irrigation of 91 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7594-3, 7595-3, 7596-3, 7597-3

and 7598-3 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 these 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 these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

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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.

Published once at the total approximate cost of \$49.65.

(#5576, 03/07/13, The New Era)

RECEIVED

MAR 27 2013

WATER RIGHTS
PROGRAM

CUSTOMER NUMBER:	078400	Argus Leader	
AD ORDER NUMBER:	1408869		
	3/7, 2013	P.O. Box 677349, Dallas, TX 75267-7349	\$118.925pd

Joseph Plucker
45678 275th St
Parker, SD 57053

RECEIVED
MAR 11 2013
WATER RIGHTS
PROGRAM

DETACH THIS STUB AND RETURN WITH PAYMENT

AFFIDAVIT OF PUBLICATION-

Customer Number: 078400
Invoice Number: 1408869

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

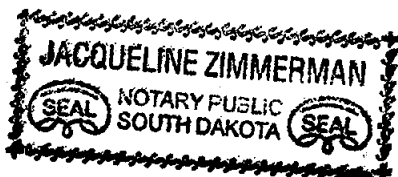
Thursday the 7 day of March 2013,
the day of 2013,
the day of 2013,
the day of 2013,
the day of 2013,
the day of 2013,
the day of 2013,

and that \$118.925pd was charged for publishing the same

Linda Schulte
Subscribed and sworn to before me 3/7/2013

J. Zimmerman
Notary Public, South Dakota

My Commission expires December 22, 2015



PAYM cant is requesting a diversion rate greater than the statutory limit.

Application No. 7597-3 proposes to appropriate 0.44 cfs diversion rate authority from an additional well to irrigate acres authorized by Water Right No. 6491-3. Water Right No. 6491-3 authorizes 1.11 cfs from two wells located in the NE 1/4 NW 1/4 Section 14 to irrigate 92 acres located in the NW 1/4 Section 14; all in T99N-R53W. This application proposes to divert up to 0.44 cfs from one additional well to be completed into the Vermillion:East Fork Aquifer (36 feet deep) located in the NE 1/4 NW 1/4 Section 14- T99N-R53W for irrigation of the 773-3352" and the applicant's acreage described above. This application, if approved, and Water Right No. 6491-3 will authorize a total diversion rate of 1.55 cfs from 2 wells for irrigation of 92 acres. The applicant is requesting a diversion rate greater than the statutory limit. The second well located in the SE 1/4 NW 1/4 Section 14 authorized by Water Right No. 6491-3 will be utilized by Application No. 7596-3 previously listed in this notice.

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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.

Application No. 7598-3 proposes to appropriate 1.78 cfs from one well to be completed into the Parker Centerville Aquifer (53 feet deep) located in the NW 1/4 SE 1/4 Section 14 to irrigate 30 acres located in the NW 1/4 SE 1/4 Section 14; all in T99N-R53W. This application proposes to divert an additional 0.67 cfs from one additional well to be completed into the Vermillion:East Fork Aquifer (36 feet deep) located in the SW 1/4 SE 1/4 Section 11 for irrigation of 50 acres located in the SW 1/4 NE 1/4, W 1/2 SE 1/4 Section 11; all in T99N-R53W. Application No. 7595-3 proposes to appropriate 1.78 cfs from one well to be completed into the Vermillion:West Fork Aquifer (55 feet deep) located in the SW 1/4 NE 1/4 Section 4 for irrigation of 136 acres located in the NE 1/4 Section 4; all in T99N-R53W.

NOTICE OF APPLICATION NOS. 7594-3 thru 7598-3 to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7594-3, 7595-3, 7596-3, 7597-3 and 7598-3 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 these applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations.

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Published once at the total approximate cost of \$118.92.

1408869 Mar. 7, 2013



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 26, 2013

New Era
PO Box 579
Parker SD 57053

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 7594-3 thru 7598-3 to Appropriate Water. Please publish the notice once on March 7, 2013. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Joseph Plucker, 45678 275th St, Parker SD 57053 (Ph # 605-750-0478).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 26, 2013

Argus Leader
PO Box 5034
Sioux Falls SD 57117

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



**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 DATE, CONTACT
THE NEWSPAPER(S) RIGHT AWAY.

February 26, 2013

Joseph Plucker
45678 275th St
Parker SD 57053

Dear Mr. Plucker:

Water Permit Application Nos. 7594-3 thru 7598-3 for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the New Era printed at Parker SD (Ph # 605-297-4419) and the Argus Leader printed at Sioux Falls SD (Ph # 605-331-2200). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications 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(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper(s) 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 applications.

Instruction to Newspaper - Publish the Notice on March 7, 2013. The applicant is responsible for payment. 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.

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7594-3, 7595-3, 7596-3, 7597-3 and 7598-3 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 these 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 these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

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

Published once at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

MAY 08 2013

Joseph Plucker
45678 275th St
Parker SD 57053

Dear Mr. Plucker:

Enclosed are Water Permit Nos. 7594-3, 7595-3, 7596-3, 7597-3, 7598-3 and 7694-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10's, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return the completed forms after you have finished the systems and have put the water to beneficial use. An investigation can then be scheduled so the water licenses 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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

7594-3

SD EForm - 1621LD V1

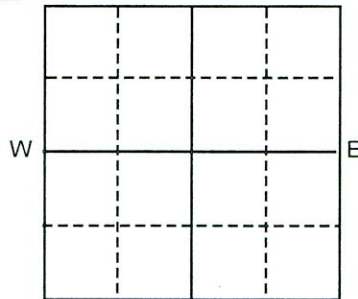
SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location nw $\frac{1}{4}$ se $\frac{1}{4}$ Sec 11 Twp 99N Rg 53W

County _____

North

Please mark well
location with an "X"

Well Completion Date _____

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 StCity, 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: _____

7594-3

RECEIVED

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.

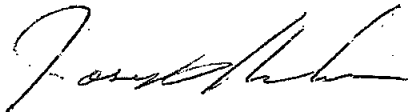
I would like to fill in wells B & C and replace them with one well marked with the letter A. I want that well to produce the combine approved diversion rate of 67cfs and 1.55cfs. I would pipe the water to the south field. John Kaiser drilled a test hole. We were able to find a crack or void in the granite, 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.



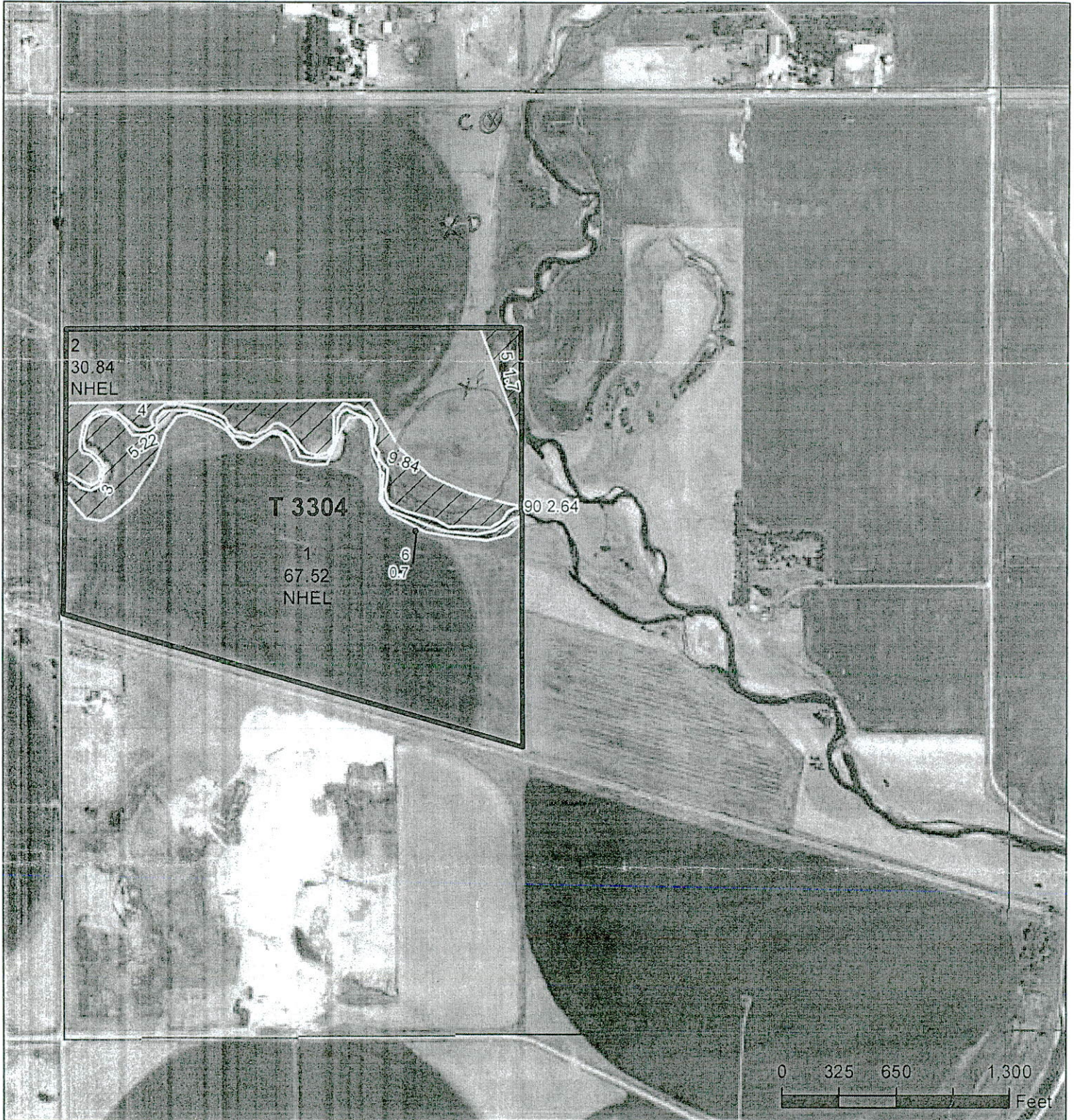
United States
Department of
Agriculture

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

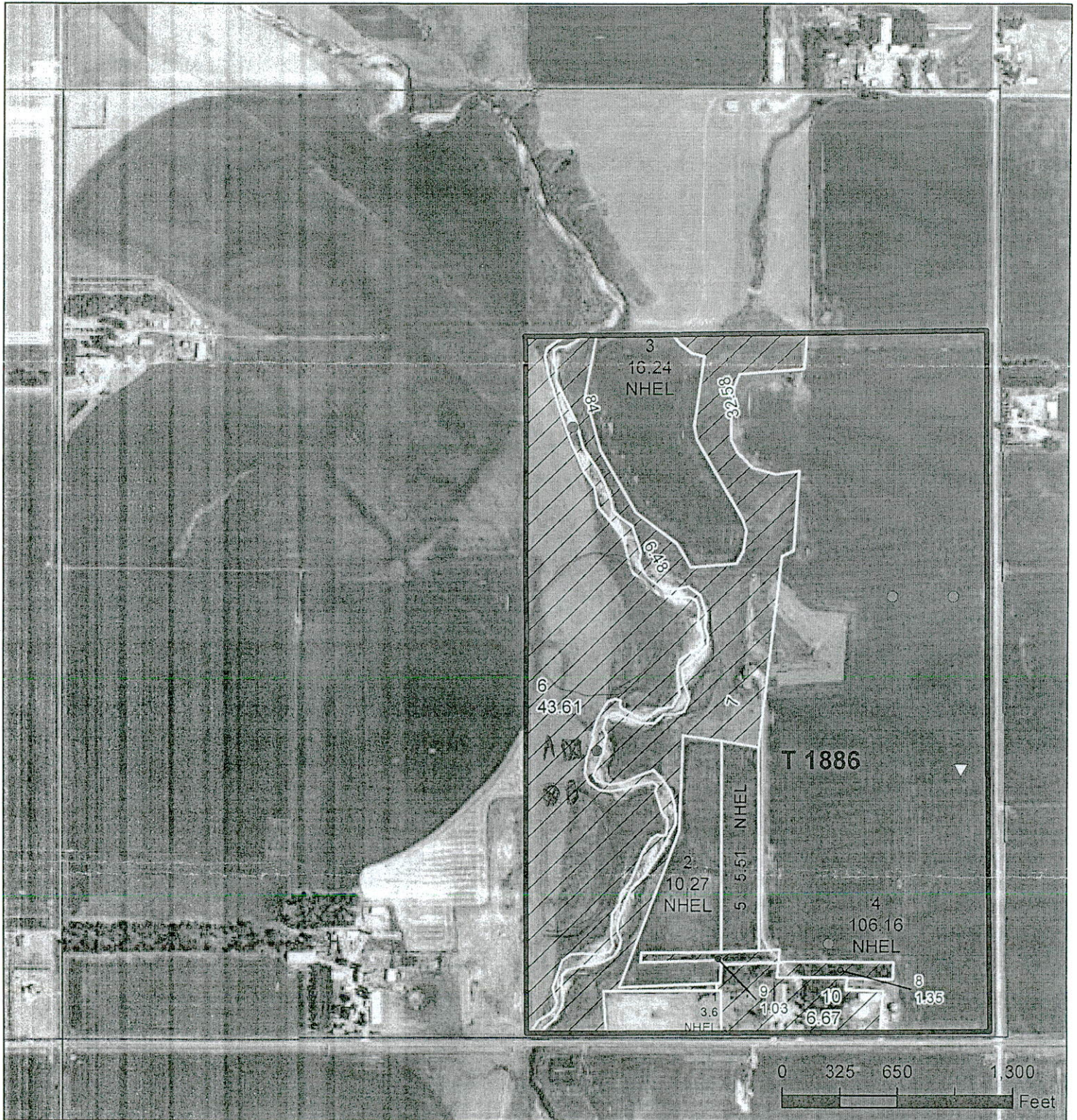
995314

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 gr
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 $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14 and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ 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 $\frac{1}{4}$ SE $\frac{1}{4}$ 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

Joseph Plucker
45678 275th St.
Parker, SD 57053

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

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 cursive script, appearing to read "Jeanne Goodman". The signature is written in dark ink and is positioned above the printed name.

Jeanne Goodman
Chief Engineer
Water Rights Program



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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 7594-3

I have this day, November 12, 2024, made a thorough examination of the water use system constructed by Joseph Plucker, 45678 275th St, Parker, SD 57053 of Permit No. 7594-3, bearing the priority of December 27, 2012 authorizing the diversion of 0.67 cu. ft. per second of the waters of the VermillionEast Fork Aquifer for irrigation purposes, in Turner County.

A. Works used to divert the water:

Well Information: NO WELL INFORMATION IN DANR DATA BASE

- 1) Well Drilling Firm: Unknown
- 2) No. of Wells 1
- 3) Depth(s) 74 feet
- 4) Well log is available Y/N If no, explain in comments

Comments: There is a test hole log

Casing:

- 1) Diameter Unknown inches
- 2) Length Unknown feet
- 3) Type Unknown

Screen:

- 1) Type Unknown
- 2) Length Unknown feet
- 3) Static water level Unknown feet

Pump:

- 1) Make Submersible
- 2) Model Unknown
- 3) Size Unknown
- 4) Capacity 200 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 Buried PVC 2) Size 6 inches 3) Length 1200 feet

Comments:

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

- 1) Make Unknown
2) Overall length 350 feet
3) Number of towers 2
4) End gun Y
5) Capacity 200 GPM

Chemigation Equipment:

- 1) Does chemigate N

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by N

If no, describe: **Exceeding allowable discharge using the 1 cfs/70 acre criterion**

- 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**
2. **From the SE corner Sec 11 T99N R53W, 1750 ft N & 2500 ft W, Lat 43.40682 Long -97.07195 (NW ¼ SE ¼).**

3. The works are capable of diverting and conveying to the place of use 0.44 cu. ft. per second of water which is to be used for hay irrigation. Water has been put to beneficial use to the maximum extent as follows:

legal description/acreage

All land in Sec 11 T99N R53W

NW 1/4 SE 1/4 - 13 acres

SW 1/4 SE 1/4 - 8 acres

legal description/acreage

comprising a total of 21 acres of land and the license should be issued for 0.3 cfs

4. 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.

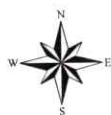
The address and phone number in the permit application are current.

I talked to Mr. Joseph Plucker during the field visit regarding Permit details.

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



0 385 770 1,540 2,310 3,080 Feet



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUN 02 2025

Joseph Plucker
45678 275th St
Parker, SD 57053

No. 7594-3

Dear Mr. Plucker:

Enclosed is Water License No. 7594-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license 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 License, 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

Note: The inspection found your system for Water Right No. 7594-3 to be capable of diverting 0.44 cfs (approx. 197 gpm). Pursuant to SDCL 46-5-6 diversion of water under this license is limited to 0.3 cfs (approx. 135 gpm).

enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 7594-3

(1) Joseph Plucker, 45678 275th St, Parker, SD 57053, made Application No. 7594-3, December 27, 2012, for a water permit to divert 0.67 cubic feet of water per second from groundwater, one well (Vermillion East Fork Aquifer), Turner County, South Dakota for irrigation purposes. Permit No. 7594-3, with a priority date of December 27, 2012, was approved March 18, 2013, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 18, 2018, and for the application to beneficial use of water on or before March 18, 2022.

In May 2014 Joseph Plucker submitted a request for a change in diversion point location. The request was approved in July 2019.

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

- 1,750 feet N and 2,500 feet W from the SE corner of Section 11, T99N, R53W (NW ¼ SE ¼)
(Latitude 43.40682 and Longitude -97.07195)

(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 11, T99N, R53W
NW ¼ SE ¼ - 13 acres
SW ¼ SE ¼ - 8 acres
Total – 21 acres

(5) Pursuant to South Dakota Water Law 46-5-30.1 Joseph Plucker, the holder and/or owner of Water Right No. 7594-3 is issued a license to appropriate water, the right to use 0.3 cubic feet of water per second from groundwater, one well (Vermillion: East Fork Aquifer), with a priority date of December 27, 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. 7594-3 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. 7594-3 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.



Mark Mayer, PE
Director of Office of Water



date

