

**WATER PERMIT NO. 8500-3**

Name of Applicant: Joseph Plucker

Address: 45678 275<sup>th</sup> St, Parker SD 57053

Phone: 605 750-0478

Amount of Water Claimed: no add'l

Total Acres: 105 acres

Source of Water Supply: groundwater (one existing well)

Water to be used for: irrigation

County: Turner

Type of Waste Disposal System:

Location: 2 miles east of Parker

PRIORITY

Date Received: 3-18-21

Application/License Fee: \$ 750

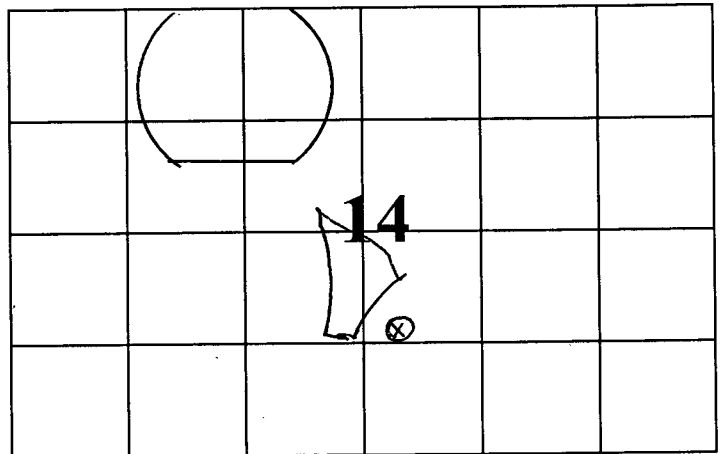
Corrected Application Received:

Period of Annual Use: April 1 -October 31

Remarks: Will utilize well authorized by Water Permit No. 7598-3. A portion of the acreage is authorized for irrigation by Water Right No. 6491-3 from a different water source.

Diversion Point: NW 1/4 SE 1/4 Sec 14-T99N-R53W

Land to be Irrigated: NW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4 Sec 14-T99N-R53W



Depth of Well: 53

Well Driller: Kaiser Well Drilling

Remarks:

Type of Map: aerial

Prepared by: Eric Gronlund

Reviewed and the Number Assigned on: 3-18-21

By: Karen Schlaak

Notice of Hearing - date to intervene: \_\_\_\_\_

**SOUTH DAKOTA**  
**WATER PERMIT NO. 8500-3**

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Date of first receipt of application March 18, 2021.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8500-3 to Joseph Plucker, 45678 275<sup>th</sup> 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. 8500-3 authorizes irrigation of an additional 105 acres located in the NW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4 Section 14 from one well authorized by Water Permit No. 7598-3 completed into the Parker Centerville Aquifer (53 feet deep) located in the NW 1/4 SE 1/4 Section 14; all in T99N-R53W. This permit and Water Permit No. 7598-3 authorizes a total diversion rate of 1.78 cubic feet of water per second. This site is located approximately 2 miles east of Parker SD.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is March 18, 2021.
4. The date of approval of Permit No. 8500-3 is June 1, 2021.
5. One-fifth of the construction is to be completed on or before December 1, 2023.
6. All construction is to be completed on or before June 1, 2026.
7. Water is to be put to beneficial use on or before June 1, 2030.
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 Water Permit No. 8500-3 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

**WATER MANAGEMENT BOARD**

By: Eric Gronlund  
Eric Gronlund, Chief Engineer  
Water Rights Program  
Department of Agriculture and Natural Resources

JUN 17 2021

date



PAID

MAR 18 2021

Ck# 1938

RECEIVED

MAR 18 2021

|                                                                                                             |                                         |                                 |
|-------------------------------------------------------------------------------------------------------------|-----------------------------------------|---------------------------------|
| Mail to:<br><br>DENR - Water Rights<br>523 E Capitol Ave<br>Pierre, SD 57501-3182<br><br>ph. (605) 773-3352 | No. <u>8500-3</u> (office use only)     | Hydrologic Unit <u>10170102</u> |
|                                                                                                             | Basin <u>Vermillion R</u>               |                                 |
|                                                                                                             | Newspaper <u>The New Era, Parker SD</u> |                                 |
|                                                                                                             | <u>Argus Leader</u>                     |                                 |

## Application For Permit To Appropriate Water For Irrigation

WATER RIGHTS  
PROGRAM

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.)

Utilize well authorized by Water Permit No. 7598-3 completed into the Parker Centerville aquifer to irrigate 92 acres authorized by Water Right No. 6491-3 and 13 new acres

1. Name to Appear on Irrigation Permit Joseph Plucker

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

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

Phone N/A Mobile 605 750-0478 Email reddogranh57053@yahoo.com

2. Amount of water claimed No addl \*CFS or      \*\*GPM      \*\*\*AF Total Acreage 105  
(\*Cubic Feet per Second) (\*\*Gallons per Minute) (\*\*\*)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply existing well authorized by Water Permit No. 7598-3

4. Location of point of diversion NW 14 SE 1/4 Section 14-T99N-R53W  
(example - 3 wells in SW 1/4 NE 1/4 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 April 1 - October 31

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

| Land Description                   | Acres | Land Description                   | Acres |
|------------------------------------|-------|------------------------------------|-------|
| NW 1/4 NW 1/4 Section 14-T99N-R53W | 38    | NE 1/4 SW 1/4 Section 14-T99N-R53W | 6     |
| NE 1/4 NW 1/4 Section 14-T99N-R53W | 31    | NW 1/4 SE 1/4 Section 14-T99N-R53W | 6     |
| SW 1/4 NW 1/4 Section 14-T99N-R53W | 13    |                                    |       |
| SE 1/4 NW 1/4 Section 14-T99N-R53W | 11    |                                    |       |

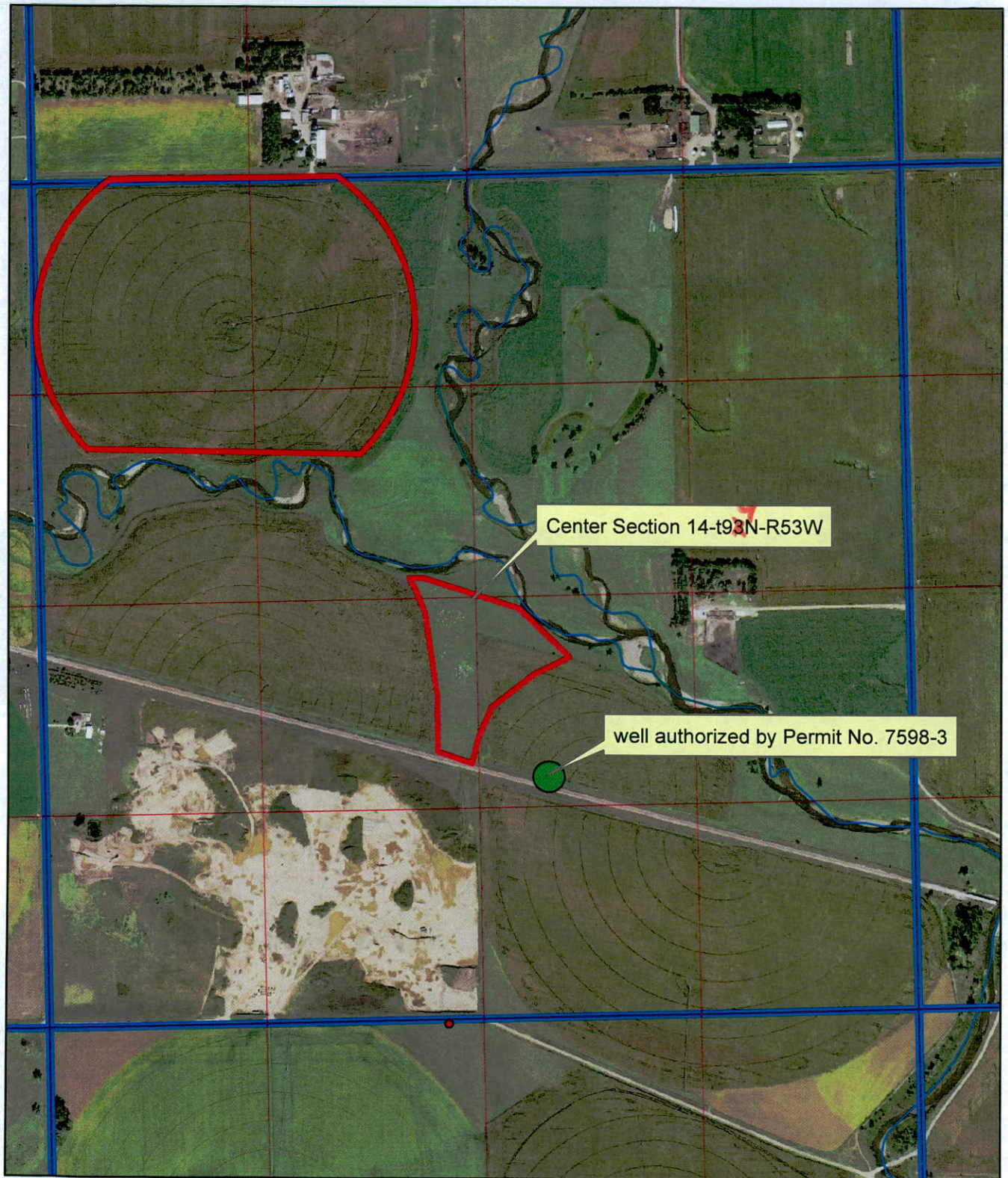
8. Give a description of the project. (Attach sheet if more space is needed)

Intend to use the well authorized by Water Permit No. 7598-3 to irrigate the quarter section pivot authorized by Water Right no. 6491-3 located in the NW 1/4 Section 14-T99N-R53W and 13 acres of new acres in portions of the SE NW, SW NE, NE SW and NW SE Section 14 (see map). The application does not seek to increase the 1.78 cfs diversion rate authority of Permit No. 7598-3. The present Vermillion East Fork aquifer well authorized by Water Right No. 6491-3 does not provide sufficient water and a separate application is being filed to transfer a portion of acres authorized by No. 6491-3 to irrigate a small area east of the pivot.

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

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

Water Permit Application to use well authorized by Water Permit No. 7598-3 to irrigate additional acres



Intent is to irrigate using the well completed into the Parker Centerville aquifer that is authorized by Water Permit No. 7598-3 for irrigation of 92 acres currently authorized under Water Right No. 6491-3 from the Vermillion East Fork aquifer. The plan is also to irrigate an additional 13 acres located between the two windshield wiper pivot authorized by Permit Nos. 5927-3 and 7598-3

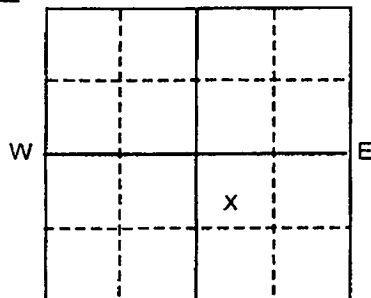
## SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW ¼ SE ¼ Sec 14 Twp 99N Rg 53W

County TURNER

North

Please mark well  
location with an "X"

Well Completion Date

4-8-2013

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?  
5,000.0 ft. from (identify source)

## PROPOSED USE:

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

## METHOD OF DRILLING:

DRD

## CASING DATA:

If other describe

☐ Steel ☒ Plastic ☐ Other

| PIPEWEIGHT | DIAMETER | FROM   | TO      | HOLE DIAMETER |
|------------|----------|--------|---------|---------------|
| 40.0 LB/FT | 16.00 IN | 0.0 FT | 38.0 FT | 24.00 IN      |
| LB/FT      | IN       | FT     | FT      | IN            |
| LB/FT      | IN       | FT     | FT      | IN            |

## GROUTING DATA:

| Grout Type | No. of Sacks | Grout Weight | From   | To      |
|------------|--------------|--------------|--------|---------|
| GWDF       | 23           | 54.0 Lb/gal  | 0.0 Ft | 38.0 Ft |
|            |              | Lb/gal       | Ft     | Ft      |

Describe grouting procedure  
TPPM

## SCREEN:

☐ Perforated pipe ☒ Manufactured  
 Diameter 16.00 Inches Length 15.0 Feet  
 Material STAINLESS STEEL  
 Slot Size .080 Set From 38.0 Feet to 53.0 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?

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

Well Owner: JOE PLUCKER

Business Name:

Address: 45678 275TH ST

City, State, Zip: PARKER SD 57053

## WELL LOG:

| FORMATION         | DEPTH |    |
|-------------------|-------|----|
|                   | FROM  | TO |
| TOP SOIL          | 0     | 1  |
| YELLOW SANDY CLAY | 1     | 8  |
| COAL              | 8     | 11 |
| YELLOW FINE SAND  | 11    | 18 |
| YELLOW CLAY       | 18    | 25 |
| MED-COURSE GREY   | 25    | 46 |
| COURSE-ROCKY      | 46    | 53 |
|                   |       |    |
|                   |       |    |

STATIC WATER LEVEL 26.1 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

33.0 Ft. After 6.0 Hrs. pumped 1,500.0 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS  
RAILROAD

RECEIVED

JAN 31 2014

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:

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 18, 2021

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

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

|                                                                                                                        |          |
|------------------------------------------------------------------------------------------------------------------------|----------|
| Fee for Application for Permit No. <u>8500-3</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. _____                    | \$       |
| Fee for Filing Transfer Form _____                                                                                     | \$       |
| Fee for _____                                                                                                          | \$       |
| Fee for Issuing New Well Driller's License No. _____                                                                   | \$       |
| Fee for Renewal of Well Driller's License No. _____                                                                    | \$       |
| Fee for Issuing Well Pump Installer's License No. _____                                                                | \$       |
| Fee for Renewal of Well Pump Installer's License No. _____                                                             | \$       |
| (Any Other Work Provided by Law) TOTAL                                                                                 | \$750.00 |

By Eric Gronlund  
Chief Engineer  
EM

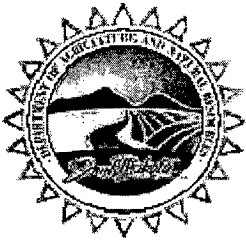
## Schlaak, Karen

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**From:** Schlaak, Karen  
**Sent:** Monday, May 10, 2021 4:06 PM  
**To:** reddogranch57053@yahoo.com  
**Subject:** Application No. 8500-3  
**Attachments:** 1158.pdf

Attached is a copy of the report, chief engineer recommendation and information regarding the public notice for your water permit application. As stated in the letter, please contact the paper(s) as soon as possible to authorize publication and arrange for payment. This information is being mailed to you today.

*Karen Schlaak*  
DANR - Water Rights Program  
(605) 773-3352  
Website: <https://danr.sd.gov>





**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 8500-3, 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. 8500-3, Joseph Plucker, 45678 275th St, Parker SD 57053.

The Chief Engineer is recommending APPROVAL of Application No. 8500-3 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 Water Permit No. 8500-3 will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Eric Gronlund, Chief Engineer  
May 10, 2021

Report to the Chief Engineer  
On Water Permit Application No. 8500-3

Joseph Plucker

May 10, 2021

Water Permit Application No. 8500-3 proposes to irrigate 105 acres located in the NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , and NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 14 from an existing well (53 feet deep) completed into the Parker-Centerville aquifer that is authorized under Water Permit No. 7598-3 and is located in the NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 14; all in T99N-R53W.

The applicant holds Water Permit No. 7598-3 which authorizes a maximum instantaneous diversion rate of 1.78 cubic feet of water per second (cfs) from one well completed into the Parker-Centerville aquifer for the irrigation of 30 acres and 61 acres covered by Water Right No. 5927-3. If approved, Water Permit Application No. 8500-3 and Water Permit No. 7598-3 will collectively authorize a maximum instantaneous diversion rate of 1.78 cfs from one well completed into the Parker-Centerville aquifer for the irrigation of 196 acres. The site of interest is located in Turner County approximately two miles east of Parker, South Dakota.

**AQUIFER:** Parker-Centerville (PAC)

**HYDROGEOLOGY:**

The Parker-Centerville aquifer is an unconsolidated sand and gravel glacial outwash deposited into a wide, flat depression on the north end, then narrows into a valley train deposit that is confined by the narrow Vermillion River valley south of the city of Davis (Tipton, 1957). Figure 1 displays the Parker-Centerville aquifer in Clay, Lincoln and Turner Counties, and the aquifer is estimated to underly approximately 40,270 acres based off mapping completed by Holmes and Filipovic (2015). The Parker-Centerville aquifer is separated from the underlying Upper and Lower Vermillion Missouri aquifers by a layer of till ranging from 7 to 97 feet thick (Lindgren and Hansen, 1990); although there are locations where there is no layer of till and the Parker-Centerville aquifer is in direct hydraulic connection with the Upper Vermillion Missouri aquifer (Holmes and Filipovic, 2015). The Parker-Centerville aquifer is also hydraulically connected to the Vermillion River, the Vermillion East Fork aquifer, and the Vermillion West Fork aquifer (Lindgren and Hansen, 1990; Holmes and Filipovic, 2015). The Parker-Centerville aquifer is generally under unconfined conditions, and the direction of groundwater movement in the aquifer is from north to south towards the Vermillion River (Holmes and Filipovic, 2015). In Turner County, the depth to the top of the aquifer ranges from the ground surface in the Vermillion River valley to 50 feet below grade, and a static water level from 0 to 20 feet below grade (Lindgren and Hansen, 1990). The Parker-Centerville aquifer has an average thickness of 34 feet, and a documented maximum thickness of at least 74 feet (Lindgren and Hansen, 1990).

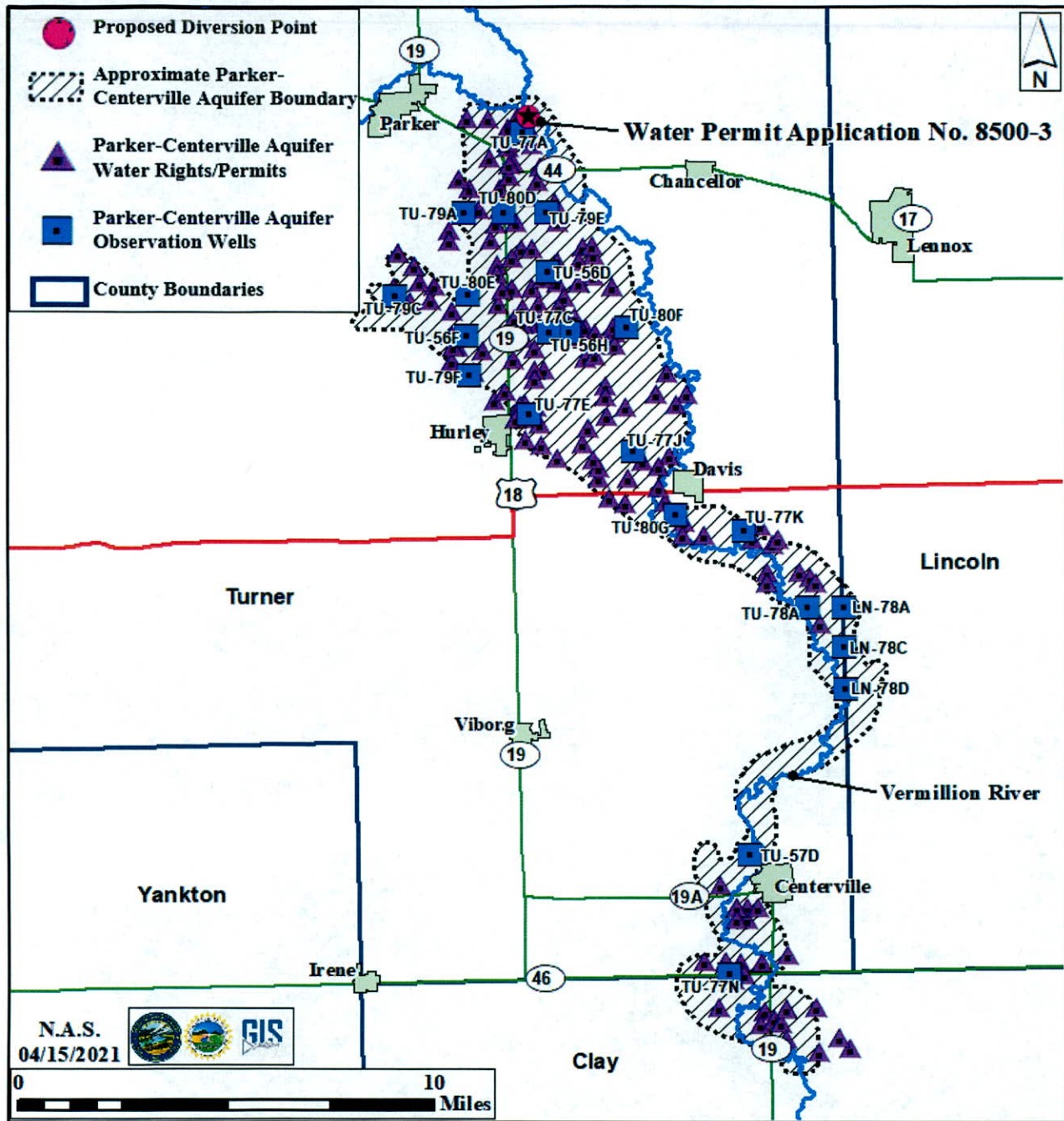
A water well completion report was submitted with Water Permit Application No. 8500-3 for an existing well (53 feet deep) completed into the Parker-Centerville aquifer in the NW ¼ SE ¼ of Section 14-T99N-R53W and authorized under Water Permit No. 7598-3. The well completion report lists “Top Soil” from 0 to 1 feet below the ground surface, “Yellow Sandy Clay” from 1 to 8 feet, “Coal” from 8 to 11 feet, “Yellow Fine Sand” from 11 to 18 feet, “Yellow Clay” from 18 to 25 feet, “Med-Coarse Grey” from 25 to 46 feet, and “Course-Rocky” from 46 to 53 feet. The well was screened in medium to coarse sand from 38 to 53 feet below the ground surface and had a static water level of 26.1 feet below the ground surface at the time of completion (April 8, 2013) (Water Rights, 2021d). Based on the submitted well completion report and lithologic logs on file for nearby observation wells, the Parker-Centerville aquifer is expected to be unconfined near the well the applicant proposes to use (SDGS, 2021; Water Rights, 2021b and 2021d).

#### **South Dakota Codified Law (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 diversion point 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 the potential for unlawful impairment of existing water rights within the Parker-Centerville aquifer.

#### **WATER AVAILABILITY:**

Water Permit Application No. 8500-3 proposes to appropriate water from the Parker-Centerville aquifer. The probability of unappropriated water being available from the 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 that 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. An application may be approved, however, for withdrawals of groundwater from any groundwater formation older than or stratigraphically lower than the greenhorn formation in excess of the average estimated annual recharge for use by water distribution systems.” The Parker-Centerville aquifer is not older than or stratigraphically lower than the Greenhorn Formation, and the applicant’s proposed use is not for use in a water distribution system as defined by SDCL 46-1-6(17). Therefore, the average annual recharge and average annual withdrawal rates to and from the Parker-Centerville aquifer must be considered.



**Figure 1.** Map of the approximate Parker-Centerville aquifer delineated by Holmes and Filipovic (2015) with the location of the well the applicant proposes to use, and the current Parker-Centerville aquifer water rights/permits and observation wells (Water Rights, 2021b and 2021c)

**HYDROLOGIC BUDGET:****Recharge**

Recharge to the Parker-Centerville aquifer occurs primarily through direct infiltration of precipitation where the aquifer is near the ground surface, inflow from the West Fork and East Fork Vermillion aquifers, and seepage from the Vermillion River when the potentiometric surface of the river is higher than the potentiometric surface in the aquifer (Lindgren and Hansen, 1990). Hedges and others (1985) estimated a recharge rate of 4.9 inches per year to the Parker-Centerville aquifer. By multiplying the recharge rate by the areal extent of the aquifer, the average annual recharge rate to the Parker Centerville aquifer is approximately 16,444 acre-feet per year.

**Discharge**

Discharge from the Parker-Centerville aquifer occurs primarily through well withdrawals, outflow to the Vermillion River, evapotranspiration where the aquifer is at or near the ground surface, and leakage to the Upper Vermillion Missouri aquifer (Lindgren and Hansen, 1990; Holmes and Filipovic, 2015).

Currently, there are 148 water rights/permits authorized to appropriate water from the Parker-Centerville aquifer (Water Rights, 2021c). Table 1 summarizes the estimated annual use for the non-irrigation water rights/permits authorized to appropriate water from the Parker-Centerville aquifer (Water Rights, 2021c). The estimated annual use for each water right/permit was determined by their limiting diversion rate or annual volume. The amount of water that can be withdrawn was estimated by assuming the non-irrigation water rights/permits limited by an annual volume will withdraw the entire appropriated volume every year. It is estimated that the non-irrigation water rights/permits limited only by a diversion rate will pump at a maximum permitted diversion rate for 60 percent of the time. The municipal wells authorized under Water Right Nos. 517A-3 and 517B-3 are assumed to use zero acre-feet per year on Table 1, as the City of Hurley is connected to TM Rural Water System, and municipalities typically maintain a well for backup or emergency use and use a negligible amount of water (Drinking Water Program, 2021). Overall, the average annual withdrawal rate for the non-irrigation water rights/permits authorized to appropriate from the Parker-Centerville aquifer is approximately 1,018 acre-feet per year (Table 1).

**Table 1.** Summary of the non-irrigation water rights/permits authorized to appropriate from the Parker-Centerville aquifer with estimated annual use determined by their respective diversion rate or annual volume (Drinking Water Program, 2021; Water Rights, 2021c)

| Permit No.                                                                                   | Name                    | Status | Use | Diversion Rate (cfs) | Annual Volume (acre-feet/year) | Estimated Use (acre-feet/year) |
|----------------------------------------------------------------------------------------------|-------------------------|--------|-----|----------------------|--------------------------------|--------------------------------|
| 517A-3                                                                                       | City of Hurley          | LC     | MUN | 0.4                  |                                | 0*                             |
| 517B-3                                                                                       | City of Hurley          | LC     | MUN | 0.38                 |                                | 0*                             |
| 8358-3                                                                                       | Sonstegard Food Company | PE     | COM | 1.11                 | 222.2                          | 222.2                          |
| 8428-3                                                                                       | Knodel Contractors      | PE     | IND | 3.34                 | 795.46                         | 795.46                         |
|                                                                                              |                         |        |     |                      | <b>TOTAL:</b>                  | 1,018                          |
| *Identified as being connected to a rural water system                                       |                         |        |     |                      |                                |                                |
| LC: Licensed Water Right; PE: Water Permit; MUN: Municipal; COM: Commercial; IND: Industrial |                         |        |     |                      |                                |                                |

There are 144 water rights/permits authorized to appropriate water from the Parker-Centerville aquifer for irrigation use (Water Rights, 2021c). Generally, irrigation water rights/permits are required to report their annual water usage. The average annual withdrawal rate for the Parker-Centerville aquifer irrigation water rights/permits that have reported over the period of record (1979 to 2019) is approximately 9,921 acre-feet per year (Table 2) (Water Rights, 2021a). It is worth noting, Table 2 only lists 138 water rights/permits as reporting in 2019. Water Right No. 4645-3 had an owner change in 2008 and was divided into two permits and is still labeled as reporting on the irrigation questionnaires. Additionally, Water Permit Nos. 8441-3, 8471-3, 8472-3, 8466-3 and 8667-3 were approved in 2020 and have not reported their annual withdrawal rate yet (Water Rights, 2021c). These five irrigation water permits (Nos. 8441-3, 8471-3, 8472-3, 8466-3 and 8667-3) collectively authorize the irrigation of 492 acres (Water Rights, 2021c). Generally, irrigators in eastern South Dakota apply less than one foot of water per acre per year. However, to account for the fluctuation in wet and dry cycles from year to year, a one foot of water per acre per year application rate will be used to liberally estimate the annual withdrawal rate for these five irrigation water rights/permits. By assuming an application rate of one foot per authorized acre, applied over the 492 acres currently permitted to be irrigated, the estimated annual withdrawal rate for the five irrigation water rights is approximately 492 acre-feet per year. Collectively, the average annual withdrawal rate for the Parker-Centerville aquifer irrigation water rights/permits that have reported over the period of record (1979 to 2019) and the five water permits that were approved in 2020 is approximately 10,413 acre-feet per year.

**Table 2.** Reported historic irrigation use from Parker-Centerville aquifer (Water Rights, 2021a)

| <b>Year</b> | <b>Number of Permits Reporting</b> | <b>Reported Pumpage (acre-feet/year)</b> |
|-------------|------------------------------------|------------------------------------------|
| 1979        | 114                                | 7,481                                    |
| 1980        | 110                                | 7,675                                    |
| 1981        | 121                                | 9321                                     |
| 1982        | 111                                | 6,494                                    |
| 1983        | 110                                | 5,523                                    |
| 1984        | 111                                | 5,152                                    |
| 1985        | 112                                | 6,515                                    |
| 1986        | 113                                | 6,120                                    |
| 1987        | 111                                | 8,620                                    |
| 1988        | 108                                | 13,558                                   |
| 1989        | 110                                | 13,959                                   |
| 1990        | 110                                | 12,201                                   |
| 1991        | 110                                | 11,186                                   |
| 1992        | 111                                | 3,909                                    |
| 1993        | 110                                | 1,919                                    |
| 1994        | 111                                | 10,724                                   |
| 1995        | 108                                | 9,664                                    |
| 1996        | 107                                | 10,897                                   |
| 1997        | 110                                | 11,585                                   |
| 1998        | 108                                | 10,072                                   |
| 1999        | 112                                | 11,027                                   |
| 2000        | 113                                | 12,955                                   |
| 2001        | 113                                | 12,238                                   |
| 2002        | 114                                | 13,865                                   |
| 2003        | 116                                | 12,471                                   |
| 2004        | 117                                | 14,668                                   |
| 2005        | 119                                | 13,450                                   |
| 2006        | 117                                | 15,304                                   |
| 2007        | 120                                | 11,995                                   |
| 2008        | 123                                | 13,224                                   |
| 2009        | 125                                | 7,260                                    |
| 2010        | 123                                | 392                                      |
| 2011        | 123                                | 11,315                                   |
| 2012        | 123                                | 19,045                                   |
| 2013        | 134                                | 15,083                                   |
| 2014        | 136                                | 11,269                                   |
| 2015        | 137                                | 9,606                                    |
| 2016        | 139                                | 11,934                                   |
| 2017        | 139                                | 11,430                                   |
| 2018        | 138                                | 3,808                                    |
| 2019        | 138                                | 1,842                                    |
| <b>Min</b>  | <b>107</b>                         | <b>392</b>                               |
| <b>Max</b>  | <b>139</b>                         | <b>19,045</b>                            |
| <b>Avg</b>  | <b>118</b>                         | <b>9,921</b>                             |

There are domestic wells completed into the Parker-Centerville aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2021d). Due to their relatively low diversion rates, withdrawals from domestic wells are not considered to be a significant portion of the hydrologic budget. Additionally, with the development of rural water systems in areas where the Parker-Centerville aquifer is the uppermost aquifer available; it is likely some domestic users may have transitioned to rural water. Therefore, the quantity of water withdrawn by domestic wells is estimated to be negligible to the hydrologic budget for the Parker-Centerville aquifer.

### **Hydrologic Budget Summary**

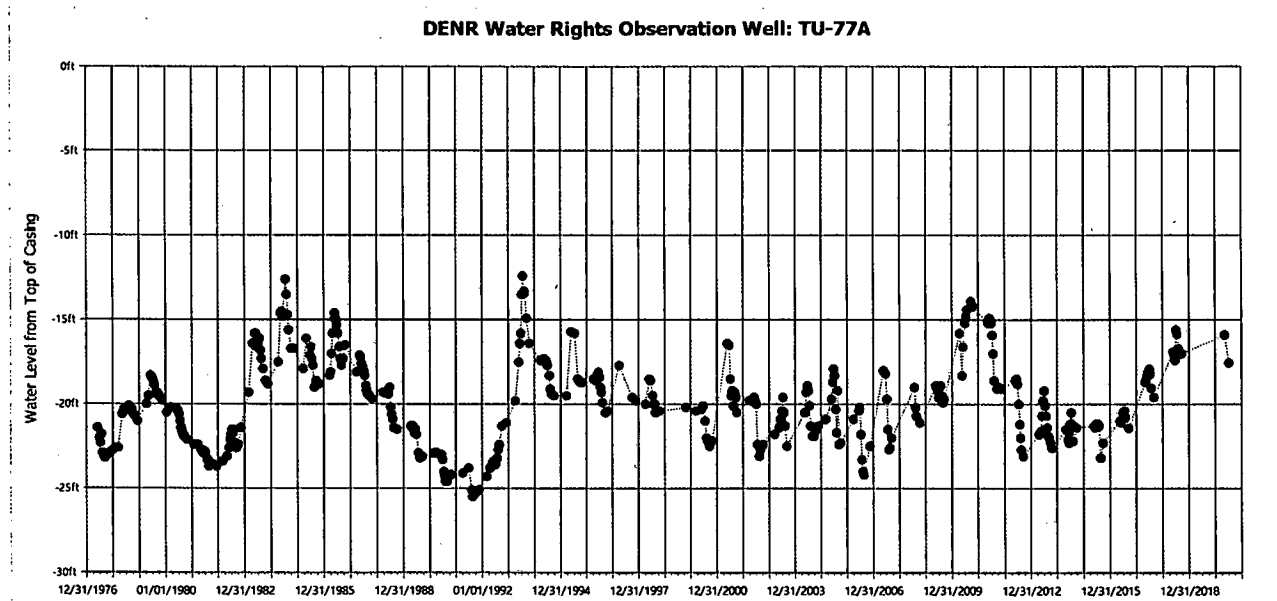
The average annual recharge rate to the Parker-Centerville aquifer is approximately 16,444 acre-feet per year. The average annual withdrawal rate from the Parker-Centerville aquifer totals approximately 11,536 acre-feet per year: non-irrigation: 1,018 acre-feet/year; irrigation: 10,413 acre-feet/year; Water Permit Application No. 8500-3 (if approved, assuming 12-inch application rate), 105 acre-feet/year. Drennon (2020) used a slightly different method to estimate average annual irrigation use. That methodology resulted in a slightly greater average annual irrigation use. However, that slight increase does not change the outcome of the hydrologic budget. Based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the Parker-Centerville aquifer for the proposed appropriation.

### **OBSERVATION WELL DATA:**

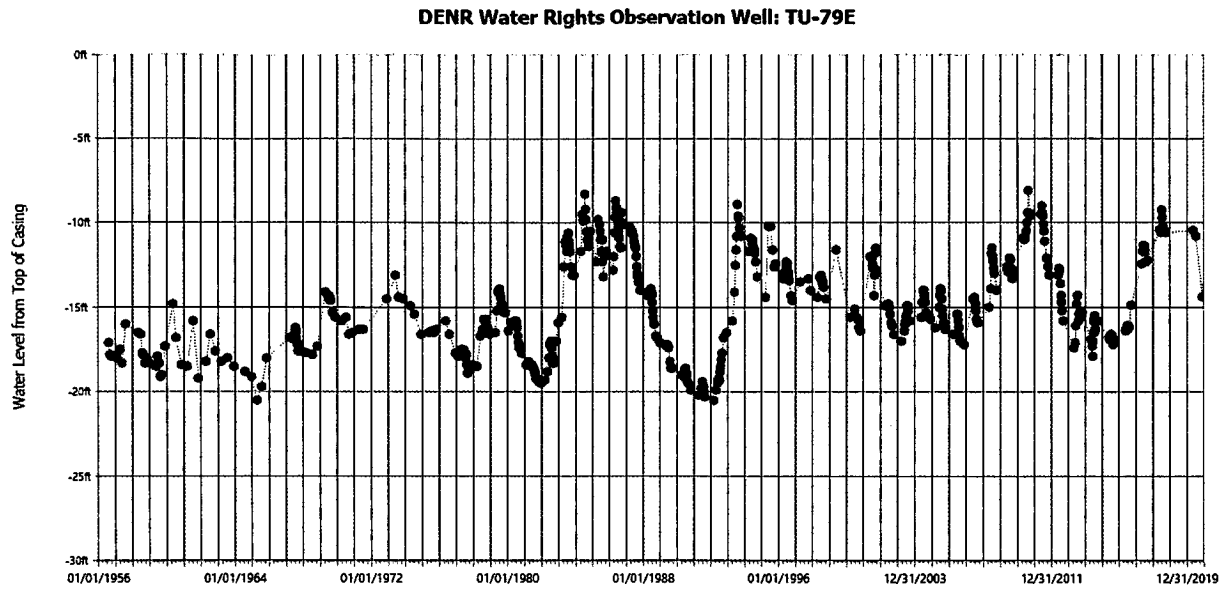
Administrative Rule of South Dakota (ARSD) 74:02:05:07 requires that the Water Management Board shall rely upon the record of observation well measurements in addition to other data to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer.

The DANR-Water Rights Program monitors 22 observation wells completed into the Parker-Centerville aquifer (Water Rights, 2020b). These observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The four closest observation wells to the well the applicant proposes to use are TU-77A (approximately 0.4 miles southwest), TU-79E (approximately 2.4 miles southeast), TU-80D (approximately 2.45 miles southwest), and TU-79A (approximately 2.85 miles southwest) (as shown in Figure 1). The hydrographs for these observation wells are displayed in Figures 2 to 5 (Water Rights, 2021b). The data points utilized to construct the hydrographs are measurements of the static water level in the observation wells from the top of the well casing.

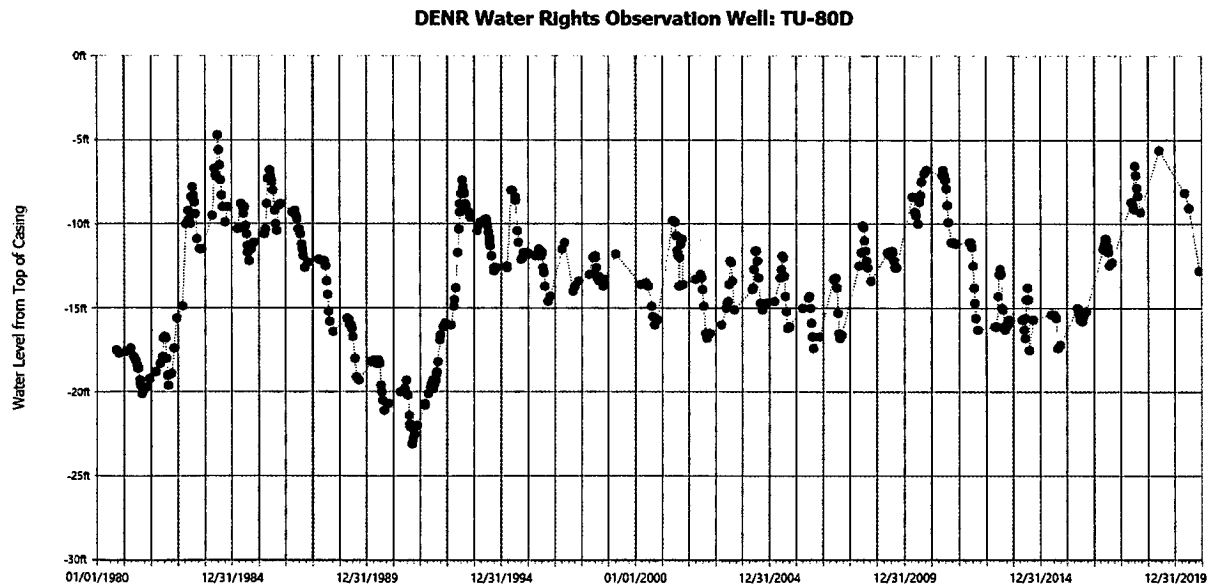
The hydrographs for the Parker-Centerville aquifer indicate that the aquifer responds well to climatic conditions because water levels are rising during wetter periods (early spring snowmelt and precipitation) and declining to a stable water level during drier periods. Additionally, the water levels in the observation wells display that the amount of recharge to and natural discharge from the aquifer greatly exceeds pumping with the aquifer returning to pre-pumping conditions between irrigation seasons. Aquifer recovery indicates that climatic conditions and therefore, the effects of recharge to and natural discharges from the aquifer govern the long-term fluctuations in water levels of the aquifer rather than the impacts of pumping from the Parker-Centerville aquifer. By recognizing that both recharge to and natural discharge from an aquifer can be captured for pumping, the observation well hydrographs demonstrate unappropriated water is available for the proposed appropriation.



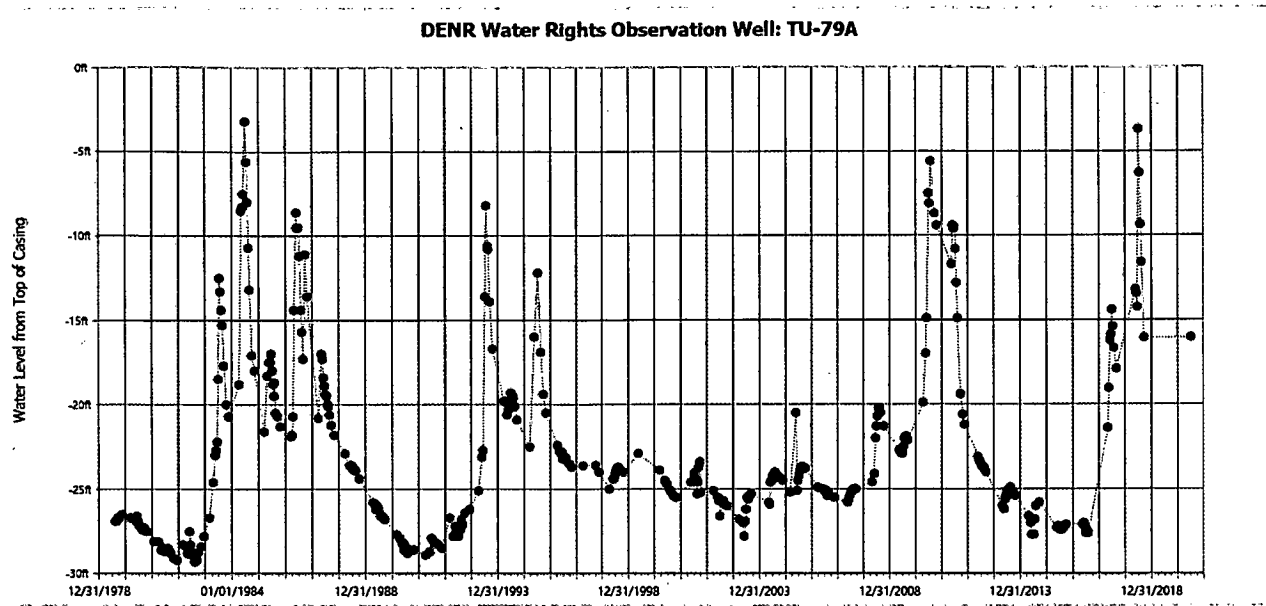
**Figure 2. Hydrograph for observation well TU-77A (Water Rights, 2021b)**



**Figure 3.** Hydrograph for observation well TU-79E (Water Rights, 2021b)



**Figure 4.** Hydrograph for observation well TU-80D (Water Rights, 2021b)

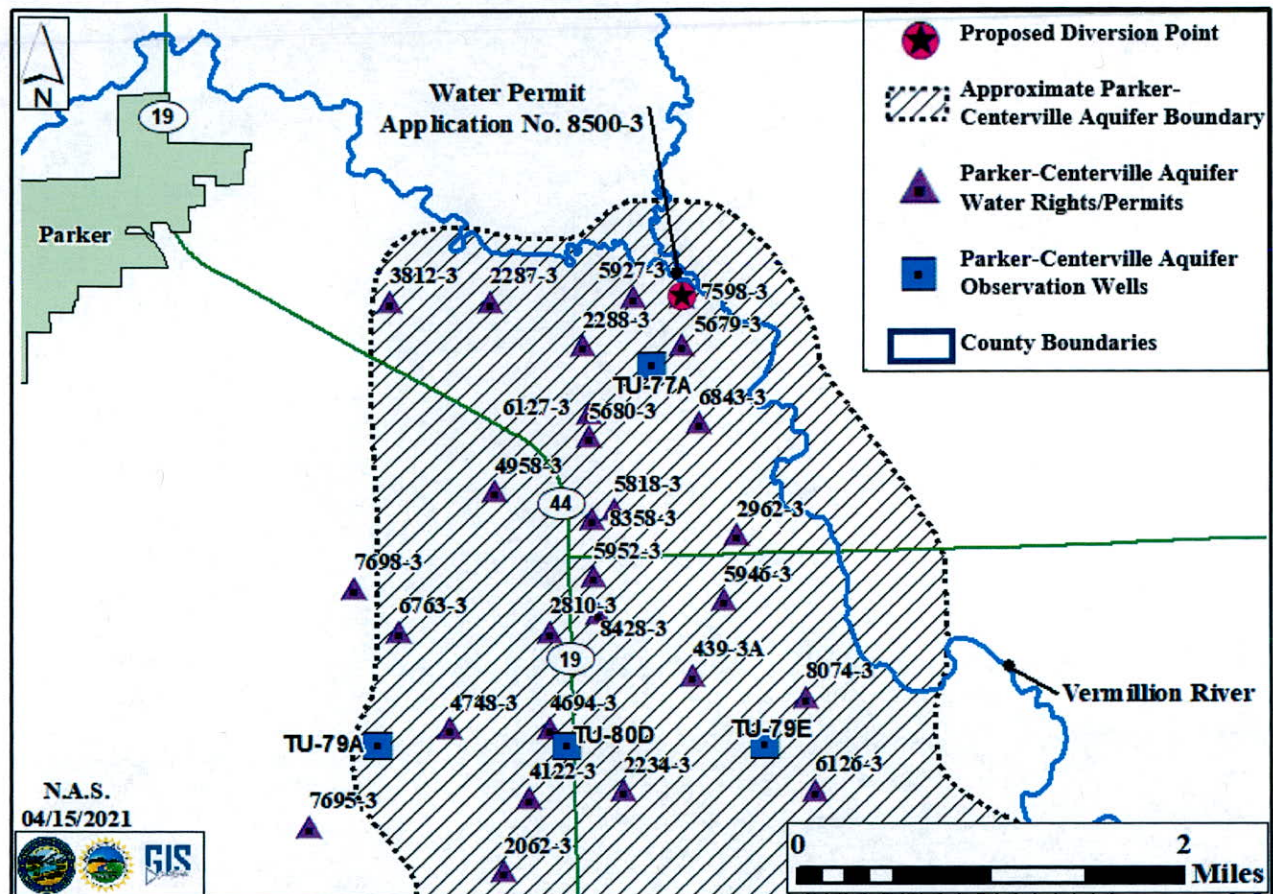


**Figure 5. Hydrograph for observation well TU-79A (Water Rights, 2021b)**

#### **POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:**

Currently, there are 148 water rights/permits authorized to appropriate water from the Parker-Centerville aquifer (Water Rights, 2021c). The closest water right/permit (not held by the applicant) to the well the applicant proposes to use is Water Right No. 5679-3 which is held by Ballacostain LLP. The diversion point for Water Right No. 5679-3 is located approximately 0.25 miles south of the well the applicant proposes to use for this application (Table 3) (Figure 6) (Water Rights, 2021c).

There are domestic wells on file with the DANR-Water Rights Program that are completed into the Parker-Centerville aquifer, with the closest domestic well on file (not held by the applicant) approximately 0.7 miles southwest of the well the applicant proposes to use (Water Rights, 2021d). There are potentially other domestic wells completed into the Parker-Centerville aquifer near the well the applicant proposes to use that are not on file with the DANR-Water Rights Program.



**Figure 6.** Location of the well the applicant proposes to use for Water Permit Application No. 8500-3 with the Parker-Centerville aquifer water rights/permits and observation wells within approximately three miles (Water Rights, 2021b and 2021c)

**Table 3.** Water rights/permits authorized to withdraw water from the Parker-Centerville aquifer within approximately three miles of the well the applicant proposes to use, as shown in Figure 6 (Water Rights, 2021c)

| Permit No.                                                                   | Name                                 | Status | Use | Diversion Rate (cfs) |
|------------------------------------------------------------------------------|--------------------------------------|--------|-----|----------------------|
| 439-3A                                                                       | Weeg Family Farms LLLP               | LC     | IRR | 1.78                 |
| 2062-3                                                                       | Curt Adrian                          | LC     | IRR | 1.66                 |
| 2234-3                                                                       | Glyndon Knutson                      | LC     | IRR | 1.89                 |
| 2287-3                                                                       | Robert L Merrill                     | LC     | IRR | 1.88                 |
| 2288-3                                                                       | Allen or Kristi Merrill              | LC     | IRR | 1                    |
| 2810-3                                                                       | James J Davis                        | LC     | IRR | 1.88                 |
| 2962-3                                                                       | Linda J Bartels                      | LC     | IRR | 1.77                 |
| 3812-3                                                                       | Marlene Rance                        | LC     | IRR | 1.83                 |
| 4122-3                                                                       | Weeg Family Farms LLLP               | LC     | IRR | 1.66                 |
| 4694-3                                                                       | Weeg Family Farms LLLP               | LC     | IRR | 1.88                 |
| 4748-3                                                                       | Kent & Vicki Plucker                 | LC     | IRR | 1.44                 |
| 4958-3                                                                       | Weeg Family Farms LLLP               | LC     | IRR | 1.44                 |
| 5679-3                                                                       | Ballacostain LLP                     | LC     | IRR | 1.52                 |
| 5680-3                                                                       | Ballacostain LLP                     | LC     | IRR | 1.11                 |
| 5818-3                                                                       | Allen Abbas                          | LC     | IRR | 1.11                 |
| 5927-3                                                                       | Joseph Plucker                       | LC     | IRR | 0.87                 |
| 5946-3                                                                       | Ralph & Lucille Marquardt            | LC     | IRR | 0.88                 |
| 5952-3                                                                       | Kelly Knodel                         | LC     | IRR | 1.33                 |
| 6126-3                                                                       | Ballacostain LLP                     | LC     | IRR | 1.67                 |
| 6127-3                                                                       | Ballacostain LLP                     | PE     | IRR | 0.86                 |
| 6763-3                                                                       | Plucker Family Limited Partnership I | PE     | IRR | 1.78                 |
| 6843-3                                                                       | Ballacostain LLP                     | LC     | IRR | 1.56                 |
| 7598-3                                                                       | Joseph Plucker                       | PE     | IRR | 1.78                 |
| 7695-3                                                                       | Three J Farm Partnership             | PE     | IRR | 1.78                 |
| 7698-3                                                                       | Allen Merrill                        | PE     | IRR | 1.11                 |
| 8074-3                                                                       | Sam Oltmans                          | PE     | IRR | 1.78                 |
| 8358-3                                                                       | Sonstegard Food Company              | PE     | IRR | 1.11                 |
| 8428-3                                                                       | Knodel Contractors LLC               | PE     | IND | 3.34                 |
| LC: Licensed Water Right; PE: Water Permit; IRR: Irrigation; IND: Industrial |                                      |        |     |                      |

In Turner County, the Parker-Centerville aquifer is generally under unconfined conditions with some variation in depth to the top of the aquifer and saturated aquifer thickness (Lindgren and Hansen, 1990; SDGS, 2021; Water Rights, 2021b, 2021c and 2021d). The Parker-Centerville aquifer is expected to be unconfined near the well location the applicant proposes to use based on the submitted well completion report for the well authorized under Water Permit No. 7598-3, and the lithologic logs on file for nearby observation wells (SDGS, 2021; Water Rights, 2021b and 2021d). Drawdown created by pumping a well generally does not extend far from the pumped well in an unconfined aquifer; however, the exact drawdown behavior of a well cannot be known without an aquifer performance test.

Near the well the applicant proposes to use, the Parker-Centerville aquifer is expected have a saturated aquifer thickness ranging from approximately 20 to 30 feet and a static water level ranging from approximately 15 to 30 feet below the ground surface (SDGS, 2021; Water Rights, 2021d). This would allow for enough thickness for a pump to be placed 20 feet below the top of

the aquifer, which is required for the well to be considered adequate under ARSD 74:02:04:20(6). Any drawdown as a result of the proposed diversion is not expected to unlawfully impair nearby adequate wells. In Turner County, there are no complaints on file with the DANR-Water Rights Program regarding well interference for adequate wells completed into the Parker-Centerville aquifer (Water Rights, 2021e).

When considering the saturated aquifer thickness of the aquifer near the well location the applicant proposes to use, and the lack of well interference complaints for adequate wells completed into the Parker-Centerville aquifer in Turner County, any drawdown created from the proposed diversion is not expected to cause an unlawful impairment on existing water right/permit holders or domestic users with adequate wells. Additionally, the Parker-Centerville aquifer well the applicant proposes to use is an existing well that has been in place and is presumed to have been in use for some time without any reported well interference complaints on file with the DANR-Water Rights Program (Water Rights, 2021d and 2021e). Therefore, there is a reasonable probability that any interference from the proposed water use by Water Permit Application No. 8500-3 will not impose unlawful impairments on existing users with adequate wells.

#### **CONCLUSIONS:**

1. Water Permit Application No. 8500-3 proposes to irrigate an additional 105 acres located in the NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , and NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 14 from an existing well (53 feet deep) completed into the Parker-Centerville aquifer that as authorized under Water Permit No. 7598-3.
2. The applicant holds Water Permit No. 7598-3 which authorizes a maximum instantaneous diversion rate of 1.78 cfs from one well completed into the Parker-Centerville aquifer for the irrigation of 30 acres and 61 acres as authorized by Water Right No. 5927-3.
3. If approved, Water Permit Application No. 8500-3 and Water Permit No. 7598-3 will collectively authorize a maximum instantaneous diversion rate of 1.78 cfs from one well completed into the Parker-Centerville aquifer for the irrigation of 196 acres. The site of interest is located in Turner County approximately two miles east of Parker, South Dakota.
4. Based on the hydrologic budget and observation well data, there is a reasonable probability that unappropriated water is available from the Parker-Centerville aquifer to supply the proposed appropriation.
5. There is a reasonable probability that the proposed diversion by Water Permit Application No. 8500-3 will not unlawfully impair adequate wells for existing water right/permit holders and domestic users.



Nakaila Steen  
Natural Resources Engineer I  
SD DANR - Water Rights Program

Reviewed by:



Adam Mathiowetz, PE  
Natural Resources Engineer III  
SD DANR - Water Rights Program

### References

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Water Rights, 2021b. Observation Well Data, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2021c. Water Right/Permit Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2021d. Well Completion Reports, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2021e. County Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

# Argus Leader

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WATER RIGHTS  
PROGRAM

Account No.: 6057500478

Ad No.: 0004730855

PO #: NOS. 8500-3

Lines : 105

Ad Total: \$37.23

**This is not an invoice**

# of Affidavits 1

PLUCKER  
45678 275TH ST  
PARKER, SD 57053

Account No.: 6057500478

Ad No.: 0004730855

## Argus Leader AFFIDAVIT OF PUBLICATION

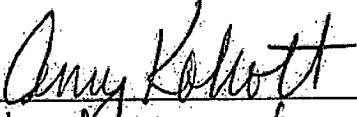
STATE OF SOUTH DAKOTA

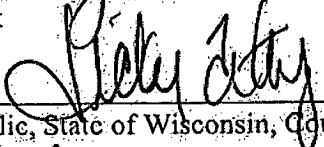
COUNTY OF MINNEHAHA

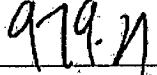
I being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher 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, May 20, 2021

Sworn to and subscribed before me this 20 day of May, 2021.

  
\_\_\_\_\_  
Legal Clerk

  
\_\_\_\_\_  
Notary Public, State of Wisconsin, County of Brown

  
\_\_\_\_\_  
My Commission expires

VICKY FELTY  
Notary Public  
State of Wisconsin

NOTICE OF APPLICA-  
TION NOS. 8500-3

Notice is given that Joseph Plucker, 45678 275th St, Parker SD 57053 has filed an application to irrigate an additional 105 acres located in the NW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4 Section 14 from one well authorized by Water Permit No. 7598-3 completed into the Parker Centerville Aquifer (53 feet deep) located in the NW 1/4 SE 1/4 Section 14; all in T99N-R53W. This application, if approved, and Water Permit No. 7598-3 will authorize a total diversion rate of 1.78 cubic feet of water per second. This site is located approximately 2 miles east of Parker SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8500-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

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 June 1, 2021.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to

the recommendation with no hearing held before the Water Management Board. 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.

Published once at the total approximate cost of \$37.23.  
4730855 May 20, 2021

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JUN 01 2021

WATER RIGHTS  
PROGRAM

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County of Turner ) SSI, Julie Norvellcertify that the attached printed Notice was taken  
from the New Eraprinted and published in ParkerCounty of Turner and

state of South Dakota. The notice was published

in the newspaper on the following date:

5/20/2021Cost of Printing \$33.93Julie Norvell  
(Signature)Office manager  
(Title)May 28, 2021  
(Date Signed)Notice of Application Nos.  
8500-3

Notice is given that Joseph Plucker, 45678 275th St, Parker SD 57053 has filed an application to irrigate an additional 105 acres located in the NW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4 Section 14 from one well authorized by Water Permit No. 7598-3 completed into the Parker Center-ville Aquifer (53 feet deep) located in the NW 1/4 SE 1/4 Section 14; all in T99N-R53W. This application, if approved, and Water Permit No. 7598-3 will authorize a total diversion rate of 1.78 cubic feet of water per second. This site is located approximately 2 miles east of Parker.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8500-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

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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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Published once at the total approximate cost of \$33.93  
(N0520-1)

## Schlaak, Karen

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**From:** Schlaak, Karen  
**Sent:** Monday, May 10, 2021 1:42 PM  
**To:** 'legals@argusleader.com'  
**Subject:** 8500-3, Joseph Plucker  
**Attachments:** 8500-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on May 20, 2021.

Joseph Plucker, 45678 275<sup>th</sup> St, Parker SD 57053 ( 605 750-0478) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

*Karen Schlaak*

DANR - Water Rights Program  
(605) 773-3352  
Website: <https://danr.sd.gov>



## Schlaak, Karen

---

**From:** Schlaak, Karen  
**Sent:** Monday, May 10, 2021 1:41 PM  
**To:** New Era  
**Subject:** 8500-3, Joseph Plucker  
**Attachments:** 8500-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on May 20, 2021.

Joseph Plucker, 45678 275<sup>th</sup> St, Parker SD 57053 (605 750-0478) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak

DANR - Water Rights Program

(605) 773-3352

Website: <https://danr.sd.gov>





**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

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

May 11, 2021

Joseph Plucker  
45678 275<sup>th</sup> St  
Parker SD 57053

Dear Mr. Plucker:

Water Permit Application No. 8500-3 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 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 newspapers 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 newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization from you, the publishers have been instructed to publish your notice. The newspapers have also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Water Rights Program  
(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.

NOTICE OF APPLICATION NOS. 8500-3

Notice is given that Joseph Plucker, 45678 275<sup>th</sup> St, Parker SD 57053 has filed an application to irrigate an additional 105 acres located in the NW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4 Section 14 from one well authorized by Water Permit No. 7598-3 completed into the Parker Centerville Aquifer (53 feet deep) located in the NW 1/4 SE 1/4 Section 14; all in T99N-R53W. This application, if approved, and Water Permit No. 7598-3 will authorize a total diversion rate of 1.78 cubic feet of water per second. This site is located approximately 2 miles east of Parker SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8500-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

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 June 1, 2021.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

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**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

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

**JUN 17 2021**

Joseph Plucker  
45678 275<sup>th</sup> St  
Parker SD 57053

Dear Mr. Plucker:

Enclosed is Water Permit No. 8500-3 authorizing construction of the water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

Eric Gronlund, Chief Engineer  
Water Rights Program  
(605) 773-3352

enclosures



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](mailto: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 275<sup>th</sup> 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