

Considered: _____

WATER PERMIT NO. 5123-3

MAP No. Same

Name of Applicant Allen Gatzke

Post Office Address Route 1, Box 147, Hitchcock SD 57348

Amount of Water Claimed 1.78 Total Acres 150

Source of Water Supply ground water 1 well

Water to be used for irrigation County Spink

About 3 miles NE of Hitchcock.

PROOF OF PUBLICATION: Received ☒ Not Received ☐

APPLICATION: Approved 5/6/87 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received Jan 19, 1987 Fee \$250.00 Remarks _____

1/19/87

Corrected Application Received _____ Period of Annual Use Mar 1 - Nov 30

WATER QUALITY APPROVAL RECEIVED March 18, 1987 APPROVED/CONDITIONAL (Circle one)

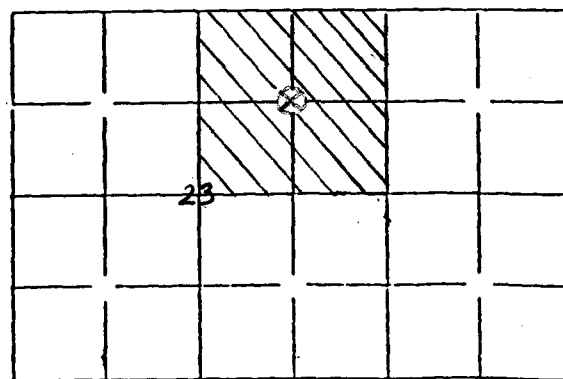
WI-1 Description same as Application YES ☐ NO ☐ REMARKS _____

Diversion Point well: center of NE 1/4 section 23-

T114N-R63W

Land to be Irrigated (150 ac) NE 1/4 section 23-

T114N-R63W



Well Log: Driller Pullman Licensed YES ☒ NO ☐

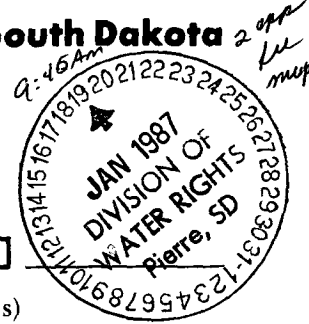
Depth of Well 65 feet REMARKS _____

Type of Map aerial photo PREPARED BY Mark Rosenberg Reviewed and the Number assigned on March 11, 1987 By Ron Duvall

No. 5123-3 Hydrologic Unit 10160006
Map No. same Basin James River
Newspaper Redfield Press, Box 440 (Wed)

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following;



- New ☒ Vested Right ☐ Future Use ☐
☐ Application to amend Permit No. _____ with old priority date retained
☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐
☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____
☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____

1. Name of Applicant Allen Gatzke Phone No. 266-2711
 Post Office Address Hitchcock South DAK State 57348
(Street, RR or Box) 446 AG Zip Code
 2. Amount of water claimed (c.f.s) 1.78 cfs 800 Bpm Total acres irrigated 130
 3. Source of Water supply Well Ground Water
 4. Location of point of diversion N-E 1/4 - 23 - 114 - 63 near center of quarter
 _____ County SPINK

5. Counties where water will be used SPINK
 6. Annual period during which water is to be used MAY - NOV 30
 7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>SW 1/4 N-E 1/4 23-114-63</u>	<u>39.5</u>		
<u>SE 1/4 N-E 1/4 23-114-63</u>	<u>39.5</u>		
<u>NW 1/4 N-E 1/4 23-114-63</u>	<u>39.5</u>		
<u>NE 1/4 N-E 1/4 23-114-63</u>	<u>39.5</u>		

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

See Drillers Log ATT.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)
 STATE OF SOUTH DAKOTA
 County of SPINK ss

I, Allen Gatzke the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed

Allen Gatzke

Subscribed and sworn to before me this 14 day of Jan 1987

[Signature]

Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5123-3

Allen Gatzke (Applicant) Route 1, Box 147, Hitchcock (Post Office Address)

SD (State) 57348 (Zip Code) 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. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. The well constructed pursuant to this permit shall comply with Water Management Board Rules Chapter 74:02:04.

Date of first receipt of application January 19, 1987.

Date of return to applicant for correction, amendments or changes required January 28, 1987.

Date of receipt of corrected application March 18, 1987. Approved May 6, 1987.

The Water Management Board hereby approves this Water Permit No. 5123-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

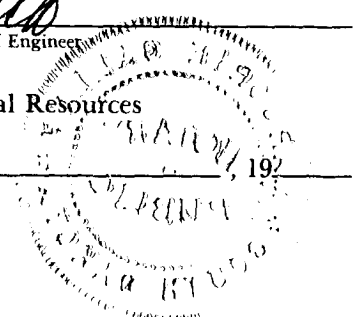
1. The date from which applicant may claim right is January 19, 1987.
2. One-fifth of the work is to be completed on or before October 6, 1989.
3. The whole of said work is to be completed on or before May 6, 1992.
4. The time limit for proof of beneficial use of water is May 6, 1996.
5. The water appropriated shall be used for the purpose of irrigation.
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.78 cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served. For irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth ($1/70$) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before May 6, 1996; said water to be used during the following described annual period: Mar 1 - Nov 30.

WATER MANAGEMENT BOARD

By: John Gatzke Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

JUL 9 1987



Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 28 in Depth 65 Ft
- b) Casing Type PVC Diameter 16 in Thickness SCH 40
- c) Screen Type PVC Diameter 16 in Thickness SCH 40 1065
- d) Gravel Pack Thickness 1/4" 3/16" Length of Gravel Pack 40 Ft Gravel Pack 20ft
- e) Depth to Top of Water Bearing Material 35 Ft Concrete
- f) Depth of Water (ground surface to water level) 30 Ft
- g) Distance to nearest existing domestic well:
On applicants property 1/4 mi On property owned by others 2 mi

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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) Outlet Dimensions:

Pipe diameter _____

Spillway width _____

f) X & Y Slope

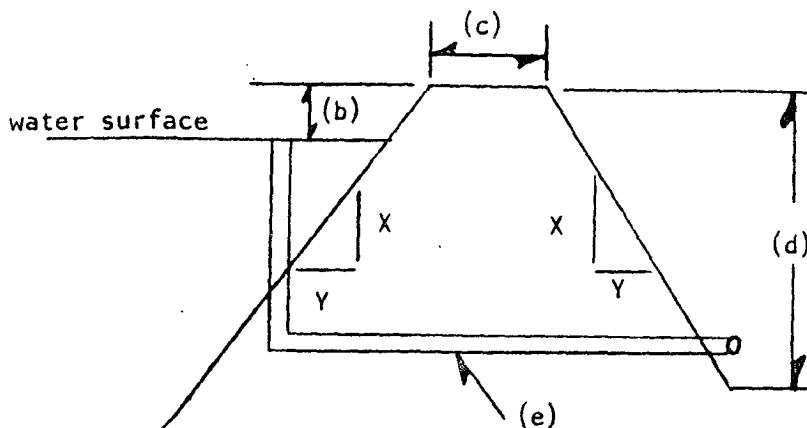
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Allen S. Sazho
Signature of Applicant

PULLMAN DRILLING — DRILLERS LOG

Spink. 5-T-114-10-R 63

Gatzke Job NAME	3 North 2 East Hitchcock LOCATION	1-3-80 DATE	2 RIG NO.	Terry FOREMAN
--------------------	---	----------------	--------------	------------------

JL No.	DEPTH	TIME	REMARKS
1	20		0-20 yellow clay
2	40		21-35 yellow Sand 35-40 Sand
3	60		40-60 med Sand 3 little clay breaks
4	80		60-80 med Sand water loss app 20
5	100		80-85 med Sand 85-100 Blue clay streaked
6			
7			
8			Total Depth 65'
9			Water Head 31
10			20' 5" Slotted .0025
11			Pumps 454 with air
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
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32			
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34			
35			
36			

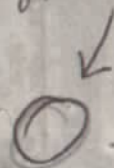
Date 1-21-57

NOT TO SCALE

94.0
T735
2

150.9
T1064
1

114-63
Location of Point
of Diversion



53.5
1

T301

NC

90.7
3

128.0
T1083
6

B-9
577-124

9.5
2

18.9
1

3.3
5

1.2 4

114-63

6.0
3

Mark Rosenberg
Spink County Ext Agent
Appl. No. 5123-3

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410723

Pierre, January 19, 1987

RECEIVED OF Allen Gatzke, Hitchcock, SD 57348, Route 1, Box 147

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

Fee for Application for Permit No. <u>5123-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	250	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	250 00

By John Hatch
Chief Engineer

JOHN HATCH





Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

WATER RIGHTS DIVISION
(605) 773-3352

January 28, 1987

Allen Gatzke
Route 1, Box 147
Hitchcock, South Dakota 57348

Dear Mr. Gatzke:

This letter is in response to your water permit application received on January 10, 1987. The following information is needed before the application can be processed:

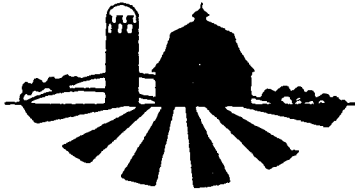
1. The application specifies a total acreage of 150 acres, but the total described in item No. 7 (enclosed application) is 158 acres. The acreage needs to be the same in each location. Please make the needed correction.
2. The amount of water claimed (Item No. 4) specifies 800 gpm (1.77 cfs) and 2.26 cfs (1,017 gpm). The maximum amount of water that can be claimed for 158 acres is 2.25 cfs. Therefore, the 800 gpm or the 2.26 cfs must be updated. The application cannot have two different water appropriations specified on the application. Please specify either 800 gpm or 2.25 cfs.
3. A Soil/Water Compatibility Permit is also needed before your water permit application can be considered. Enclosed is a partially completed soil/water application. If you have already submitted an application then please disregard the enclosed application. Contact the Division of Conservation if you have questions about the WI-1 form (773-3259).

Please make the needed corrections and complete the soil/water application if you have not already sent a WI-1 form to the Division of Conservation. The water permit application cannot be processed until all necessary information has been received. Contact us if you have questions.

Sincerely,

Ron Duvall
Natural Resources Engineer

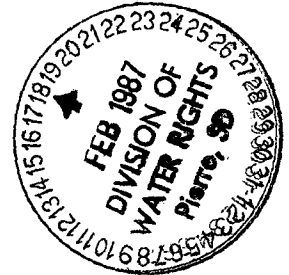
RD:ms
Enc.



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building • Pierre, South Dakota 57501
Phone 605/773-3258



February 17, 1987

Allen Gatzke

Hitchcock, SD 57347

Dear Mr. Gatzke:

In reviewing your soil and water compatibility application for the NE1/4 23-114-63 = 150 acres the irrigation staff is recommending Approval with Requirements of your application to the State Conservation Commission at their March 16, 1987, meeting. The Approved with Requirements recommendation is based on the soil types which are high in clay content making the leaching of salts difficult.

The Requirements and Management Recommendations are as follows:

REQUIREMENTS:

The areas mapped as Tetonka silt loam 103 and 104, are low areas and subject to ponding and wetness. These areas will have reduced yield because of drowning out and the salts present. The use of a deep ripper may address these areas or internal artificial drainage may be necessary. We recommend maintaining them in grass.

Due to the characteristics of Beadle silt loams limited ability to move water downward in the profile and leach salts. It may require the installation of artificial drainage to achieve the necessary leaching of salts i.e. tile drainage.

MANAGMENT RECOMMENDATIONS:

We recommend the use of conservation tillage to control runoff and prevent wind erosion.

The maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 inches of the soil profile) at the beginning of the growing season apply. They become applicable upon the issuing of a soil-water compatibility permit by the division or the commission.

Sincerely,

Jim Stukel
Land Management Supervisor

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Office Use Only

Division of Conservation

WR#

OWNERS NAME: Helen Gatch OWNERS ADDRESS: H. Johnson

COUNTY LAND LOCATED IN: Spink PHONE: 266-2711

TENANT'S NAME AND ADDRESS: _____

LEGAL DESCRIPTION: (Show Legal Descriptions to Nearest 10 Acres)

1. WELL LOCATION SW 1/4 - S.E. 1/4 - 23 - 114 - 63

Depth 15 Feet

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: _____

Diversion Location N-E 1/4 - 23 - 114 - 63



Legal Description	Acres	Legal Description	Acres
<u>SW 1/4 N-E 1/4 23-114-63</u>	<u>37.5</u>	<u>37.5</u>	<u>37.5</u>
<u>SE 1/4 N-E 1/4 23-114-63</u>	<u>37.5</u>	<u>37.5</u>	<u>37.5</u>
<u>NE 1/4 N-E 1/4 23-114-63</u>	<u>37.5</u>	<u>37.5</u>	<u>37.5</u>
<u>N-E 1/4 N-E 1/4 23-114-63</u>	<u>37.5</u>	<u>37.5</u>	<u>37.5</u>

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED _____

LEGAL DESCRIPTION: _____

IN WHAT NAME: _____

4. LOCATION OF AREA TO BE IRRIGATED NOTE: **SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)**

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: ☒ GUN: _____ (Specify) _____

6. CROPS TO BE IRRIGATED: Corn

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 1 87-0049 10. ADJUSTED (SAR): 2.99

8. SALINITY (EC X 10⁶): 1050 11. PERCENT SODIUM 16.60%

9. SODIUM (SAR): 1.08

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 100 a.m./p.m. on 1-15, 1987, at the following location: SW 1/4 N-E 1/4 23-114-63 by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature, of Water Sampler, W. K. Koenig

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

15 DAY OF January, 1987

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE Helen Gatch

Director, Division of Conservation W. K. Koenig

Date 1-15-87

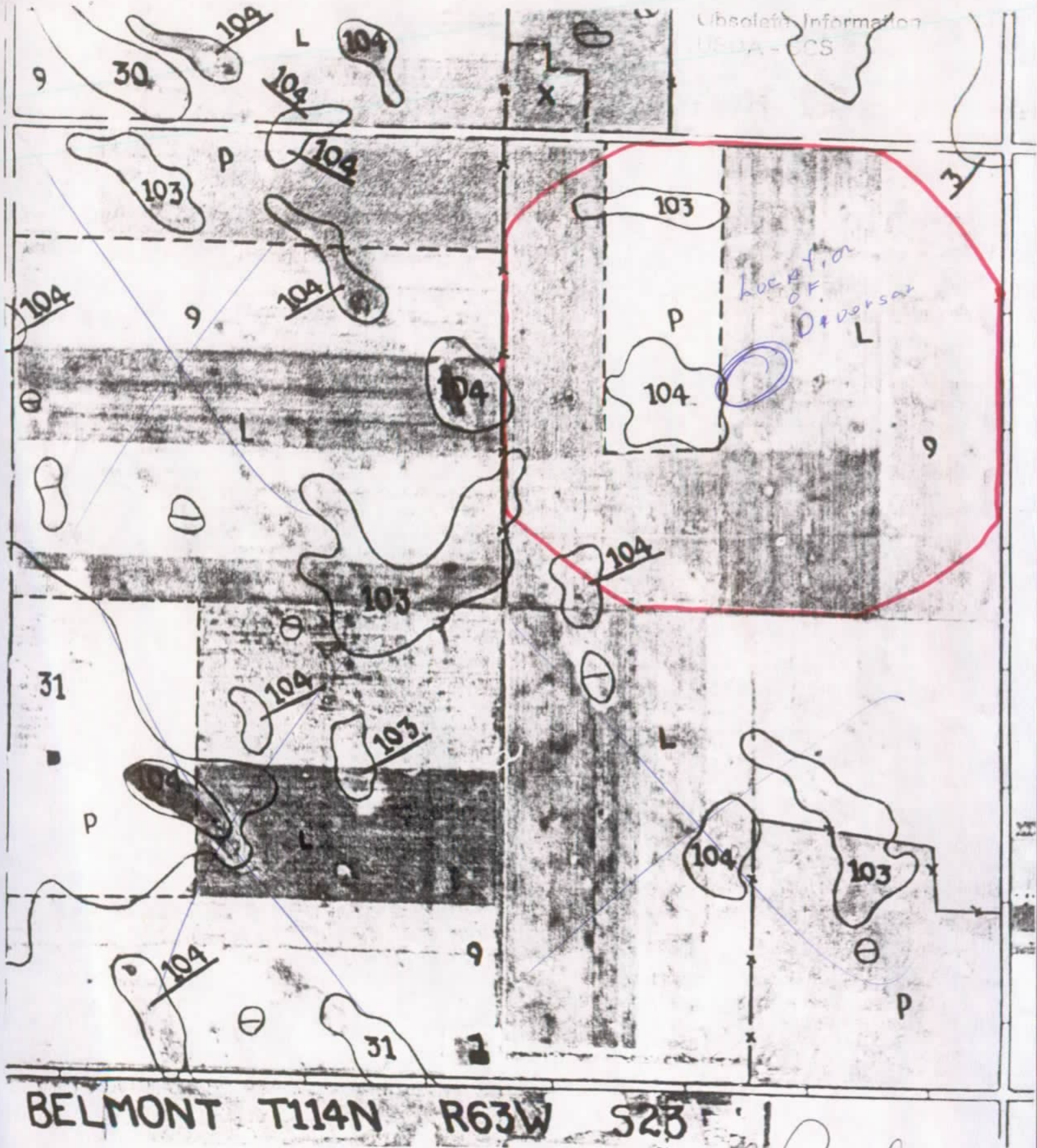
APPROVED

DISAPPROVED

WAIVER

REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.



BELMONT T114N R63W S23

Mark Rosenberg
Spink County Ext Agent
Appl. No. 5123-3



CONSERVATION COMMISSION MEETING

DATE: February 17, 1987

Page 1 - APPROVED
with Requirements

NAME: Allen Gatzke

Water Quality: 87-0049

ADDRESS:

SALINITY: 1050

ADDRESS: Hitchcock SD 57347

SAR: 1.08

SODIUM: 16.60

COUNTY: Spink

ADJ SAR: 2.99

LEGAL DESCRIPTION: NE1/4 23-114-63 = 150 acres

APPLICATION #: 4197

TYPE OF IRRIGATION: Center Pivot
Ground

WATER SOURCE:

REQUIREMENTS:

The areas mapped as Tetonka silt loam 103 and 104, are low areas and subject to ponding and wetness. These areas will have reduced yield because of drowning out and the salts present. The use of a deep ripper may address these areas or internal artificial drainage may be necessary. We recommend maintaining them in grass.

Due to the characteristics of Beadle silt loams limited ability to move water downward in the profile and leach salts. It may require the installation of artificial drainage to achieve the necessary leaching of salts i.e. tile drainage.

MANAGEMENT RECOMMENDATIONS:

We recommend the use of conservation tillage to control runoff and prevent wind erosion.

TYPE OF PERMIT GRANTED AND REASON:

The Approved with Requirements recommendation is based on the the soil types which are high in clay content making the leaching of salts difficult

REPORT ON APPLICATION NO. 5123-3
ALLEN GATZKE
March 13, 1987

This application proposed to appropriate 1.78 cfs from one well 65-85 feet deep to irrigate 160 acres. The well is to be located near the center of the NW 1/4 of Section 23, T114N, R63W and the land to be irrigated is the NE 1/4 of that Section.

Aquifer - Tulare-Hitchcock (T-H)

The Tulare-Hitchcock (T-H) is a Pliestocene age (sand and gravel) aquifer which is under water table conditions in this area. Well log and test hole data indicate the aquifer generally exceeds 40 feet in saturated thickness. The SDGS (Hedges, 1982) has estimated the aquifer underlies 96,600 acres and contains 360,000 acre-feet of recoverable water in Spink County (Hedges, 1982). The T-H is hydraulically connected with the Tulare-Western Spink to the west and the portion of the T-H in Beadle County to the south. The potentiometric surface (water level) slopes generally from west to east towards the James River at a gradient of about 2-3 feet per mile. Using estimated recharge rates of .83 in/yr (Kuiper, 1984) and 2.0 in/yr (Hedges, 1983), the recharge estimates for Spink County would vary from 6680 acre feet per year to 16,100 acre feet per year respectively. Water use estimates (Irrigation Report, 1985) indicate about 2400 acre feet of water was used in 1985. Historically water use has never exceeded 3000 acre feet per year.

The Water Rights Division monitors 7 observation wells (Water Rights Division, 1987) within a 3 mile radius of the application. Water levels in these wells (SP-77H, SP-77I, SP-79J, SP-79N, SP-80B, SP-80D, SP-80F) are presently at the highest level ever recorded due to the good recharge year of 1986.

Review of Existing Water Permits

There are four existing water permits (4 wells) within a one mile radius of the diversion point requested for this application. The following is a listing of the existing permits.

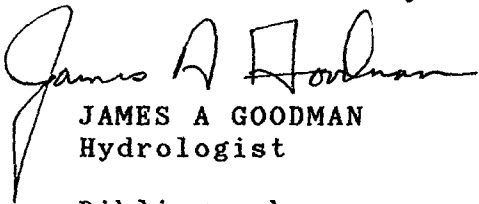
Permit No.	Name	Diversion Rate	Well Depth	Use
98-3	Allen Gatzke	2.66 cfs (VR)	65'	Irrigation
1571-3	Neal McBeth	2.11 cfs	70'	Irrigation
1600-3	Neal McBeth	2.28 cfs (VR)	63'	Irrigation
3860-3	John Blain St.Clair	2.0 cfs	71'	Irrigation

VR - Vested Right Claim meaning the development and appropriation was completed prior to 1955.

Interference has not been a problem in this area. The aquifer is under water table conditions and significant drawdowns do not extend very far from the production wells. The observation wells do not appear to fluctuate due to pumping. There have never been any complaints concerning water availability in this area.

Conclusions

1. Water is available from the T-H aquifer.
2. Interference should not be a problem. The Standard well interference clause should be included on the permit.
3. The water levels in the various observation wells indicate recharge. The recharge estimates indicate water is available and does exceed the average use of water in this area.
4. A portion of the T-H Aquifer in Beadle County has been restricted by the Water Management Board. No further permit applications are being recommended by staff for approval in that area. This application will not affect that area in Beadle County.



JAMES A GOODMAN
Hydrologist

Bibliography

Hedges, L.S., S. L. Burch, D. L. Iles, R. A. Barari, R. A. Schoon, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, For US Army Corps of Engineers, DWNR, SDGS, Vermillion SD 57069.

Hedges, L.S., J.H. Allen, D.E. Holly, 1983, Task 7 Ground Water Recharge, for US Army Corps of Engineers, DWNR, SDGS, Vermillion SD 57069.

Irrigation Report, 1985, 1985 Irrigation Report by County, DWNR, Water Rights Division, Joe Foss Building, Pierre SD 57501.

Kuiper, L.K., 1984, Appraisal of the Water Resources of Eastern Park of Tulare Aquifer, Beadle, Hand, and Spink Counties, South Dakota, Water Resources Investigations Report 84-4078, USGS, Huron SD 57350.

Water Rights Division, 1987, Observation Well Files For SP-77H, SP-77I, SP-79J, SP-79N, SP-80B, SP-80D, DWNR, Water Rights, Joe Foss Building, Pierre SD 57501.

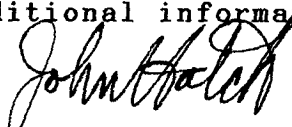
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5123-3

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5123-2, Allen Gatzke, Rt 1, Box 147, Hitchcock SD.

The Chief Engineer is recommending APPROVAL of Application No. 5123-2 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) 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. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
3. The well constructed pursuant to this permit shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
March 18, 1987

No. 5123-3

Instruction to Newspaper - Publish first publication of the following Notice on or before April 8, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5123-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Allen Gatzke whose mailing address is
Route 1, Box 147, Hitchcock, South Dakota has made an application for a permit

to appropriate 1.78 cubic feet of water per second from one well (Tulare-Hitchcock Aquifer) 65 feet deep to irrigate 150 acres. The well is to be located near the center of the NE $\frac{1}{4}$ and the acreage to be irrigated is in the NE $\frac{1}{4}$; all in Section 23-T114N-R63W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 5123-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD, May 6 1987 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by April 24, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15:02 thru 74:02:01:15:05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by April 24, 1987.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Spink) ss.

I, Roger Matz hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Redfield Press

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City of Redfield

County of Spink and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

April 8, 1987

April 15, 1987

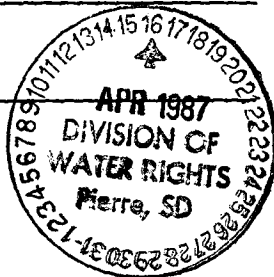
(Signature)

Publisher

(Title)

4-15-87

(Date Signed)



Cost of Printing: 40.17

rights, 3) is beneficial use of water and
4) is in the public interest.

This application will be considered by
the Water Management Board at room
216, Joe Foss Building, 523 E. Capitol,
Pierre, SD, May 6, 1987, at 10:00 a.m.

The recommendation of the Chief
Engineer is not final or binding upon
the Board and the Board is authorized
to 1) approve, 2) approve with
qualifications, 3) defer, or 4) deny this
application after it reaches a con-
clusion based upon facts presented at
the public hearing. Any interested per-
son who may be affected by a Board
decision and who intends to participate
in the hearing before the Board and
present evidence or cross-examine wit-
nesses according to SDCL 1-26, must
file a written petition with BOTH the
applicant and the Chief Engineer by
April 24, 1987. The petition may be in-
formal, but it must include a statement
describing the petitioners interest in
the application, the reasons for the
petitioner's opposition to or support of
the application, and the signature and
mailing address of the petitioner or his
legal counsel if legal counsel is ob-
tained. The applicant need not file a
petition.

This application is made pursuant to
the provisions of SDCL 46-1-1 thru 46-1-
9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-
2-11, 46-2-13, 46-2-17, 46-2A-1 thru 46-2A-
10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1
thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24,
46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-
3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-
14; and Board Rules ARSD 74:02:01:01
thru 74:02:01:15.

This hearing is an adversary
proceeding. The applicant or any per-
son, after filing a petition, 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.

Any person wishing a copy of the
Chief Engineer's recommendation, fur-
ther information on this application or
to assure access to the hearing by the
handicapped can contact the Water
Rights Division, DWNR, Joe Foss Bldg,
Pierre SD (605 773-3352) for assistance
prior to the hearing date. The time of
the hearing will be automatically ex-
tended for at least twenty days upon
written request of the applicant or any
person who has filed a petition to op-
pose or support the application. The
request for extension must be filed with
the Chief Engineer by April 24, 1987.

(April 8, 15)

No. 78

NOTICE OF HEARING

On Application No. 5123-3
to Appropriate Water

Notice is hereby given that Allen Gatzke whose mailing address is Route 1, Box 147, Hitchcock, South Dakota has made an application for a permit to appropriate 1.78 cubic feet of water per second from one well (Tulare-Hitchcock Aquifer) 65 feet deep to irrigate 150 acres. The well is to be located near the center of the NE 1/4 and the acreage to be irrigated is in the NE 1/4; all in Section 23-T114N-R63W.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5123-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

JUL 9 1987

Allen Gatzke
Route 1, Box 147
Hitchcock, South Dakota 57348

Dear Mr. Gatzke:

Enclosed herewith is your Water Permit No. 5123-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 5123-3.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

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



Date 7-13-87

TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181

FROM: Allen Gatzke Hitchcock South DAK
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 5123-3.

Water Permit No. 5123-3 states that the diversion system is to be constructed by _____, and that the water it put to beneficial use by Irrigation.

The diversion system was completed on 7-10-1987.
Applying the water to beneficial use was completed on 7-13-1987

You may schedule an inspection so that the Water License may be issued.

Allen Gatzke
signature

Permit No. 5123-3James River Water District
10160006**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Allen Gatzke
RR 1 Box 147 of Hitchcock, SD 57348 holder of
 Permit No. 5123-3, bearing the priority of January 19 19 87 authorizing
 the diversion of 1.78 cu. ft. per second of the waters of groundwater (1 well)
 for irrigation purposes, in Spink County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water: 80' well - 16" Plastic Casing, 20' Plastic Screen
Western Land Roller Pump - Ser. # 8705254, 3 stage
U.S. Electrical Motor - 40 H.P.

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

25' of 10" Aluminum Pipe

C. Works used to apply water to beneficial use:

T & L Center Pivot
10 Towers
operated at 40-45 Psi
Good

The system is in the following condition Good

The point of diversion is located NE 1/4 Section 23, T114N, R63W
1340' N & 1320' E of center of Sec. 23.

The works are capable of diverting and conveying to the place of use 1.78
 cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: Section 23, T114N, R63WNW 1/4 NE 1/4 - 34 acresNE 1/4 NE 1/4 - 34 "SW 1/4 NE 1/4 - 34 "SE 1/4 NE 1/4 - 34 "comprising a total of 136 acres of land and the license should be issued for 1.78 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date 4-22-88

James L. Wendt
 (signature)

4-22-88
Gatzke

LICENSE FOR PERMIT NUMBER 5123-3

1. Legal location of wells: NE 1/4 23-114-63
Center - 25' N of Pivot Center

dams & structures: _____

2. Well Information: Well Drilling Firm Pullman

No. of wells 1 Depth 80'

Casing a) diameter 16" Screen a) type Plastic
b) length 60' b) length 20'
c) type Plastic Static Water Level 20'

Pump a) make Western Land Roller Motor a) make U.S. Electrical
b) ~~model~~ ser. # 8705254 b) model no. Couldn't Read
c) size — c) horsepower rating 40
d) capacity — GPM d) motor efficiency rating —
e) turbine pump no. of stages 3

3. Distribution lines:

a) size of lines 10"
b) type Alum.
c) length 25'

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

h) Distribution lines or canals:

1) size _____
2) type _____
3) length _____

5. System Type: a) sideroll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

- 1) make T & L
- 2) number of towers 10
- 3) distance between towers
- 4) overall length
- 5) End gun (D/N)
- 6) high or low pressure M.L.
- 7) make & size of nozzles
- 8) PSI reading while system is running 40 - 45
- 9) GPM 800

g) Gun

- 1) make
- 2) serial number
- 3) nozzle size
- 4) capacity (GPM)
- 5) PSI
- 6) hose size
- 7) hose length

d) Gate Pipe

- 1) length
- 2) diameter
- 3) spacing of gates

e) Siphons

- 1) number
- 2) size

f) Portable boom

- 1) make
- 2) serial number
- 3) nozzle size
- 4) capacity (GPM)
- 5) PSI

h) Hydromatic

- 1) make
- 2) model
- 3) serial number
- 4) length
- 5) nozzle size
- 6) spacing
- 7) PSI
- 8) capacity (GPM)

YES

NO

Check Items

☒

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

☒

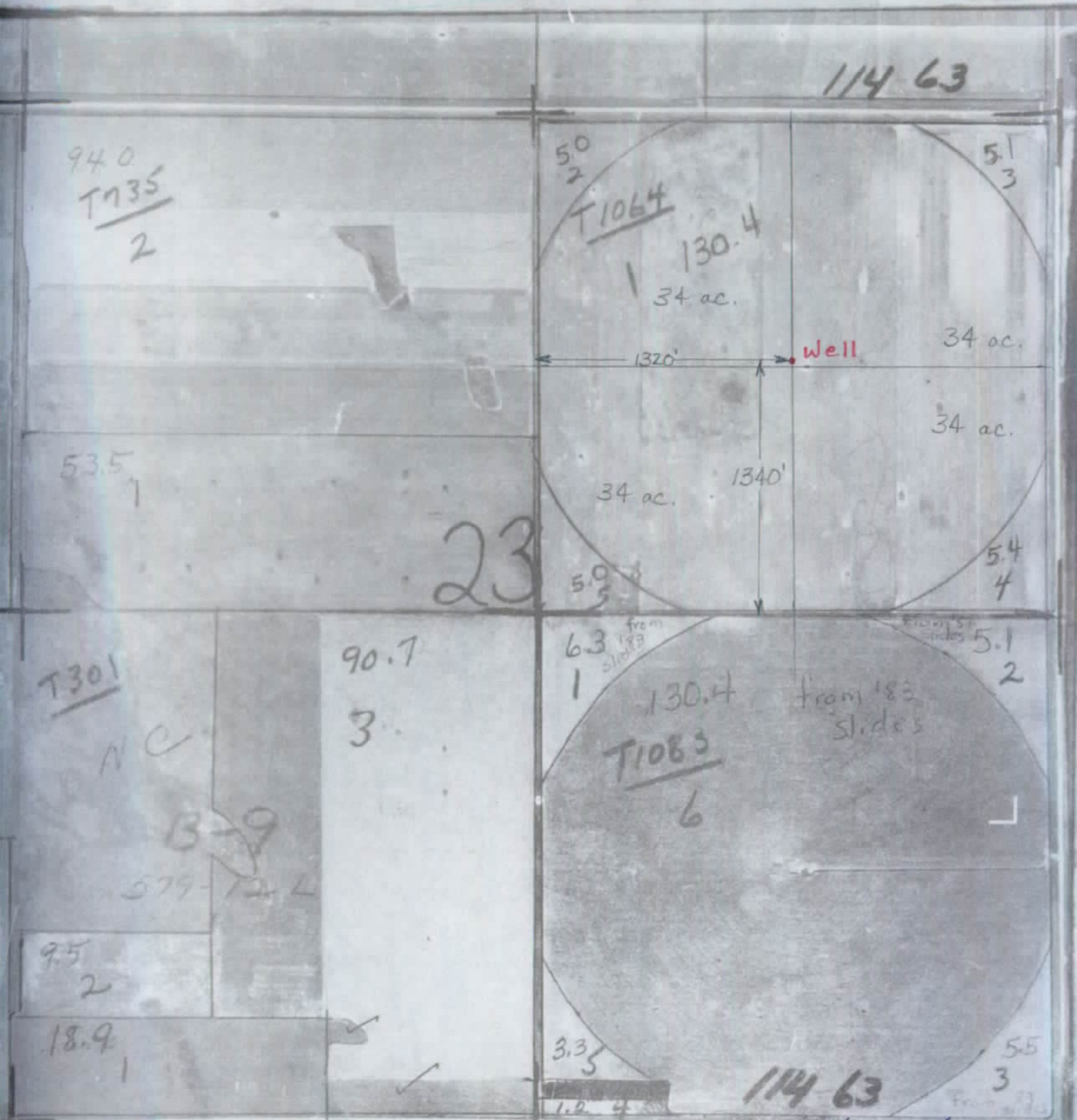
2. Special Qualifications to permit being abided by.

☒

3. All Structures, wells and lands on map.

REMARKS:

NOT TO SCALE



James L. Wendt
N.R. Engineer
7-21-88

Water License
No. 5123-3



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

WATER RIGHTS DIVISION
(605) 773-3352

5123-3
5149-3
5162-3

August 26, 1988

Allen Gatzke
Rural Route 1, Box 147
Hitchcock, South Dakota 57348

Dear Mr. Gatzke:

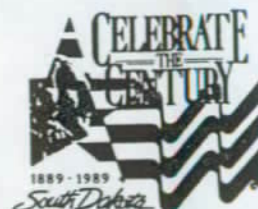
The inspection of your water use systems and inspection of the extent of the application of water to beneficial use, as developed under your Water Right Nos. 5123-3, 5149-3 and 5162-3 has been completed. Your final water right documents, the Water Licenses, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License for each permit, making a total for the above three permits of \$150.00. Upon receipt of the \$50.00 fee for each permit from you, your Water Licenses will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411390

Pierre, September 2, 1988, 19

RECEIVED OF Allen Gatzke, RR 1, Box 147, Hitchcock, SD 57348

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5123-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

Chief Engineer

John Hatch
JOHN HATCH ms



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

DEC 22 1988

5123-3
5149-3
5162-3

Allen Gatzke
RR #1 Box 147
Hitchcock, SD 57348

Dear Mr. Gatzke:

Enclosed are Water License Nos. 5123-3, 5149-3 and 5162-3. They are the final water right documents completing your process of obtaining Water Rights.

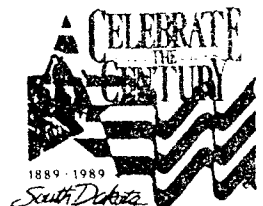
For your information SDCL 46-6-27 requires that if the owner of existing wells, such as the wells authorized by Water Right Nos. 5123-3, 5149-3 and 5162-3, constructs a replacement well(s) and does not plan to use the old well(s), the old well(s) is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

enclosures



State of South Dakota
Water License No. 5123-3

(1) Allen Gatzke
of RR 1, Box 147, Hitchcock, South Dakota 57348
made Application No. 5123-3, January 19, 1987 for a water permit to appropriate
1.78 cubic feet per second of water from irrigation,
Spink County, South Dakota for irrigation purposes.
Permit No. 5123-3, with a priority date of January 19, 1987
was approved May 6, 1987 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before May 6, 1992 and for the application to beneficial use of said
water on or before May 6, 1996.

and

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 1.78 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1304 feet North and 1320 feet East of the
Center of Section 23, T114N, R63W.

and

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

Section 23, T114N, R63W

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 34 Acres

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 34 Acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 34 Acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 34 Acres

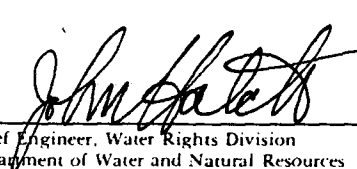
TOTAL 136 ACRES

(4) Pursuant to §46-5-30.1 Allen Gatzke

of RR 1 Box 147, Hitchcock, South Dakota 57348

the holder(s) and/or owner(s) of Water Permit No. 5123-3 is issued a license to appropriate water, the right to use 1.78 cubic feet per second of water from groundwater (one well) with a priority date of January 19, 1987 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 5123-3 and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

DEC 22 1988



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 3, 1994

2418-3
5123-3
5149-3

Craig Summers
Farm Credit Services
PO Box 1987
Aberdeen, SD 57401

Dear Craig:

Enclosed, as you requested, are copies of Water Right Nos. 2418-3, 5123-3 and 5149-3. Water Right No. 2418-3 is listed in the name of Edward Brenner and Water Right Nos. 5123-3 and 5149-3 are listed in the name of Allen Gatzke.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Division
(605) 773-3352

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 28, 2024

1571-3, 1600-3, 3603-3
5123-3, 5149-3, 5162-3
5163-3, 5897-3, 6338-3
6338A-3, 6340-3, 6592-3,
7292A-3, 7292B-3

Jeffrey Gatzke
39334 187th St
Hitchcock SD 57348

Dear Mr. Gatzke:

This letter is intended to follow up on a recent telephone conversation between yourself and Eric Gronlund, Chief Engineer of the Water Rights Program, where you requested to have all water rights/permits currently held by Allen or Bobbie Gatzke, transferred to Gatzke Acres, with the exception of Water Right No. 6339A-3.

Please find enclosed, Notice of Transfer of Ownership forms for Water Right Nos. 1571-3, 3603-3, 5123-3, 5149-3, 5162-3, 5163-3, 5897-3, 6338-3, 6338A-3, 6340-3, 6592-3, 7292A-3, 7292B-3, and Vested Water Right No. 1600-3.

There is a fee of \$50.00 for each transfer, totaling \$700.00 for the transfer of all 14 licenses.

Please review each transfer form, verify that the contact information is listed correctly, complete the highlighted portions, and return the forms with the appropriate fees in the prepaid envelope.

Checks should be made payable to "SD Water Rights". You may also submit payment over the phone by calling out Fiscal Office at (605) 773-5559.

If you have any questions or concerns while reviewing the "Notice of Transfer of Ownership" forms, please contact me via telephone or email.

Sincerely,

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

enclosures

5123-3

RECEIVED

SEP 03 2024

OFFICE OF
WATER

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 5123-3

Date: Aug 30, 2024

I/We request that Water Right/Permit No. 5123-3 formerly owned by:
Allen Gatzke - Hitchcock SD be transferred to:

New Owner Name: Gatzke Acres (c/o Jeffrey Gatzke)
Address: 39334 187th St mobile: (605) 354-9006
City, State, Zip Hitchcock SD 57348 email: jeffrey@gatzkefarms.net

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

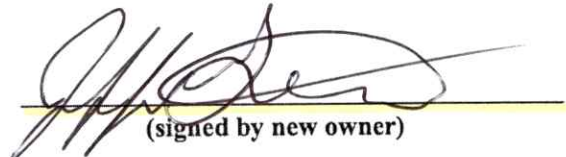
Section 23, T114N, R63W
NE 1/4 NE 1/4 - 34 ac
NW 1/4 NE 1/4 - 34 ac
SW 1/4 NE 1/4 - 34 ac
SE 1/4 NE 1/4 - 34 ac
TOTAL: 136 ac

☒ I understand that the validity of Water Right/Permit No. 5123-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Jeffrey Gatzke, the new owner, certify that the above information is true and correct.


(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five-year construction period has expired. Once a water permit is developed, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three-year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

2021-08

PAID

SEP 03 2024

Ck# 18166

Rec't#

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date September 4th 2024

RECEIVED OF Gatzke Acres LTD C/O Jeffery Gatzke 39334 187th St Hitchcock SD 57348

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>5162-3 3603-3 5149-3 5163-3 7292A-3 7292B-3 1571-3 1600-3 5897-3 6338-3 6340-3 6592-3 6338A-3 5123-3</u>	<u>\$700.00</u>
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	<u>\$700.00</u>

By

Eric Gronlund
Chief Engineer

SK



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

September 4, 2024

5171-3, 1600-3, 3603-3
5123-3, 5149-3, 5162-3
5163-3, 5897-3, 6338-3
6338A-3, 6340-3, 6592-3
7292A-3 & 7292B-3

Gatzke Acres
c/o Jeffery Gatzke
39334 187th St
Hitchcock SD 57348

Dear Mr. Gatzke:

I have received your "Notice of Transfer of Ownership" forms and the required fees for Water Right Nos. 5171-3, 1600-3, 3603-3, 5123-3, 5149-3, 5162-3, 5163-3, 5897-3, 6338-3, 6338A-3, 6340-3, 6592-3, 7292A-3 & 7292B-3. Enclosed is a receipt of payment for your records.

The above-listed water rights, previously owned by Allen & Bobbie Gatzke are now listed under Gatzke Acres. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the water rights, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the rights will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

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

enclosure