

WATER PERMIT NO. 5897-3

Name of Applicant: Allen Gatzke

Address: HC 75, Box 147, Hitchcock SD 57348

Phone: 266-2711

Amount of Water Claimed: 0.90 cfs (add'l)

Total Acres: 268 (no add'l)

Source of Water Supply: groundwater

Water to be used for: irrigation County: Spink

Type of Waste Disposal System: NA

Location: 3 miles northwest of Hitchcock

PRIORITY Date Received: 1-10-96

Fee: \$150.00

Corrected Application Received: NA

Period of Annual Use: March 1 - November 1

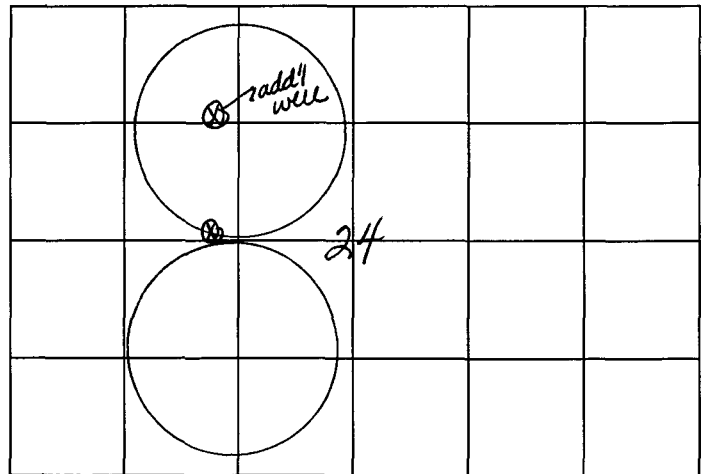
Remarks: Additional well and appropriation of water on Vested Right No. 98-3

Diversion Point: NW 1/4 NW 1/4 Sec 24-

T114N-R63W

Land to be Irrigated: NW 1/4, SW 1/4 Sec 24-

T114N-R63W



Depth of Well: 66 feet

Well Driller: Grosch Irrigation

Remarks:

Type of Map: aerial

Prepared by: Tim Schaal

Reviewed and the Number Assigned on: 1-10-96

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>5897-3</u> Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>
	Newspaper <u>Redfield Press, Box 440, Redfield, SD 57469-0440</u> <u>(605) 472-0822 (Wed)</u>



Application For Permit To Appropriate Water For Irrigation

Type of Application: New Vested Right X Amendment/Correction to Permit No. 98-3
(check one) (Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. acreage change, change diversion point(s), add diversion point(s), etc.) Additional
well and appropriation of water for Vested Right Claim No. 98-3

1. Name of Applicant Allen Gatzke ☒ Owner ☐ Tenant/Lessee Phone 266-2711
(check one)
- Mailing Address HC 75, Box 147 Hitchcock State SD 57348
(Street, RR, or Box) (Zip Code)
2. Amount of water claimed 0.90 add'l CFS or **GPM ***AF Total Acreage 268 (no add'l)
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout if applicable)
3. Source of water supply ground water
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Well #2 - 1320 ft. South and
1300 ft. East of the NW corner (NW 1/4 NW 1/4) Sec. 24-T114N-R63W
County Spink
5. County or counties where water will be used Spink
6. Annual period during which water is to be used March 1 to November 1
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
NW1/4 NW1/4 Sec. 24-T114N-R63W	33.5	NW1/4 SW1/4 Sec. 24-T114N-R63W	33.5
NE1/4 NW1/4 " " "	33.5	NE1/4 SW1/4 " " "	33.5
SW1/4 NW1/4 " " "	33.5	SW1/4 SW1/4 " " "	33.5
SE1/4 NW1/4 " " "	33.5	SE1/4 SW1/4 " " "	33.5

8. Give a description of the project. (Attach sheet if more space is needed)
Additional well and appropriation of water for Vested Right Claim No. 98-3

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

STATE OF SOUTH DAKOTA)

County of Spink)

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

Signed

Allen Gatzke

Subscribed and sworn to before me this

8th

day of

January

19

96

Kathleen Seinin
Notary Public

08-11-2003

**SOUTH DAKOTA
WATER PERMIT NO. 5897-3**

Date of first receipt of application January 10, 1996.

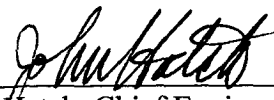
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 5897-3 to Allen Gatzke, HC 75, Box 147, Hitchcock SD 57348 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 5897-3 appropriates 0.90 cubic feet of water per second (cfs) and authorizes one additional well to irrigate land authorized by Vested Water Right Claim No. 98-3. Water Right No. 98-3 appropriates 2.66 cfs from one well located in the SW 1/4 NW 1/4 Section 24 to irrigate 301 acres located in the W 1/2 Section 24; all in T114N-R63W. An inspection of Vested Water Right Claim No. 98-3 found 2 wells constructed and supplying 3.56 cfs to irrigate 268 acres. The additional well 66 feet deep (Tulare Hitchcock Aquifer) is located in the NW 1/4 NW 1/4 Section 24-T114N-R63W. This permit increases the water appropriation from the two wells from 2.66 cfs to 3.56 cfs.
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: March 1 - November 1.
3. The date from which applicant may claim right is January 10, 1996.
4. The date of approval of Permit No. 5897-3 is March 4, 1996.
5. 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 wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 2 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 18, 1995

Allen Gatzke
HC 75, Box 147
Hitchcock, SD 57348

Dear Mr. Gatzke:

Enclosed is a partially completed application form to add the additional well and appropriation of water to Vested Right Claim No. 98-3 for irrigation of the W 1/2 of Section 24-T114N-R63W. You need to sign the form, have it notarized and return it to us along with the \$150.00 filing fee. If you wanted to, you could also send in the \$100.00 licensing fee to license this amendment and Water Permit No. 5163-3, located in the SE 1/4 of Section 10-T114N-R63W. There is no fee associated with the validation of Vested Right Claim No. 1600-3 for the NE 1/4 of Section 26-T114N-R63W, everything there looked OK.

If you have any questions, please feel free to contact us.

Sincerely,

Timothy G. Schaal, P.E.
Natural Resources Engineer III
Water Rights Program
(605) 773-3352

enclosure

RECEIPT

414739

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, January 5, 19 96

RECEIVED OF Bobbie Gatzke, LC 75 Box 147, Hitchcock, SD 57348

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

Fee for Application for Permit No. <u>5-17-3</u> 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. _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hetch / [Signature]
Chief Engineer

RECEIPT

414737

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ January 5, 19 96

RECEIVED OF Bobbie Gatzke, HC 75 Box 147, Hitchcock, SD 57348

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

Fee for Application for Permit No. <u>5897-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	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 _____		

(Any Other Work Provided by Law)	Total	150 00

By John Hatch
Chief Engineer

Apr 18

(I) WELL CONSTRUCTION

Location of well: NW 1/4 1 1/4 1 Section 27 Township 20 N Range 10 E

Well owner Harold Messersmith (Name) 1000 (Address)

Date well drilling completed 8-5-77 Purpose of well irrigation
(domestic, irrigation, municipal, industrial, other)

WELL LOG

[illegible]

Attach sheet if more space is needed

Depth to top of water producing aquifer 12 ft.

Depth to static water level 17 ft.

Name of producing aquifer (if known) _____

Total depth of drill hole 66 ft.

Depth to bottom of casing 66 ft.

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

Concrete 16" X 48" X 2 $\frac{1}{2}$ " wall 640#

0-26 Plain 26-65 Screen 65-66 Plug

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

Concrete 16" X 48" X 2 $\frac{1}{2}$ " wall 640#

1/8" outside taper to 3/8" inside by 3"

120 open spaces per 48"
If a flowing well, flow of completed well _____ G.P.M.

Grzech Drilling
Name of Drilling Contractor

(2) PUMP INSTALLATION

PUMP INSTALLATION
Company name and size of pump Garco Livigation 3" HP 73
1090 G.P.M.

Company name and size of pump _____
Type of pump Western Land Reclamation Capacity of installed pump 1050 G.P.M.
8-15-77

Type of pump 10 gallon per hour Capacity _____
Depth of pump placement 55 ft., Date of pump installation 8-15-77

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____ tube material _____

12/19/77

Gusch Irrigation
Name of Pump Installation Contractor

REPORT ON WATER PERMIT APPLICATION NO. 5897-3
for Allen Gatzke
January 24, 1996

Application No. 5897-3 proposes to appropriate 0.90 cfs (405 gpm) and authorize one additional well to irrigate land authorized by Vested Right Claim No. 98-3. Vested Right Claim No. 98-3 appropriates 2.66 cfs from one well located in the SW 1/4 NW 1/4 of section 24 to irrigate 301 acres located in the W 1/2 of section 24; all in T114N R63W in Spink County. An inspection of Vested Right Claim No. 98-3 found 2 wells constructed and supplying 3.56 cfs used to irrigate 268 acres. The additional well approximately 66 feet deep is located in the NW 1/4 NW 1/4 of section 24, T114N R63W. This application increases the water appropriation from the two wells from 2.66 cfs to 3.56 cfs.

AQUIFER - TULARE HITCHCOCK (T-H)

The Tulare Hitchcock is a surficial glacial outwash (sand and gravel) which is under unconfined or water table conditions in Spink County. The aquifer underlies 96,000 acres and contains an estimated 360,000 acre feet of recoverable water in storage (Hedges, 1982). The aquifer is hydraulically connected to the Tulare Western Spink aquifer to the west and does extend to the south into Beadle County. Ground water movement is from west to east and south across the area and toward the James River.

The Water Rights Program monitors two observation wells, SP- 77I and SP-80D, located about 1 mile southeast and 1 1/2 miles northwest, respectively. Water levels for these wells show good correlation with climatic conditions, that is, rising water levels during wet years (recharge) and gradually declining water levels during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1996). Hydrographs for these wells are included with this report.

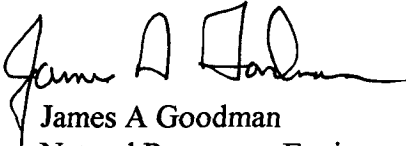
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are five existing Water Rights within a one mile radius of this application. These wells have been in existence for many years with no apparent problems. Interference is not a concern because the aquifer is under water table conditions and significant drawdown created by pumping does not extend very far from the production well.

CONCLUSIONS

1. Water is available from the Tulare Hitchcock aquifer.
2. The aquifer is unconfined and under water table conditions. Drawdown is not expected to be a concern. Interference should not be a problem.
3. This is an existing well probably drilled in 1977 and has been used since that time. The well as completed would comply with existing well construction standards.
4. This application was made as the result of an inspection. Even though this application is for 0.90 cfs this well will actually divert 1.78 cfs. The other well will also divert

1.78 cfs for a total of 3.56 cfs. Relicensing this water right will change the acres being irrigated from 301 acres to 268 acres.



James A Goodman
Natural Resources Engineer

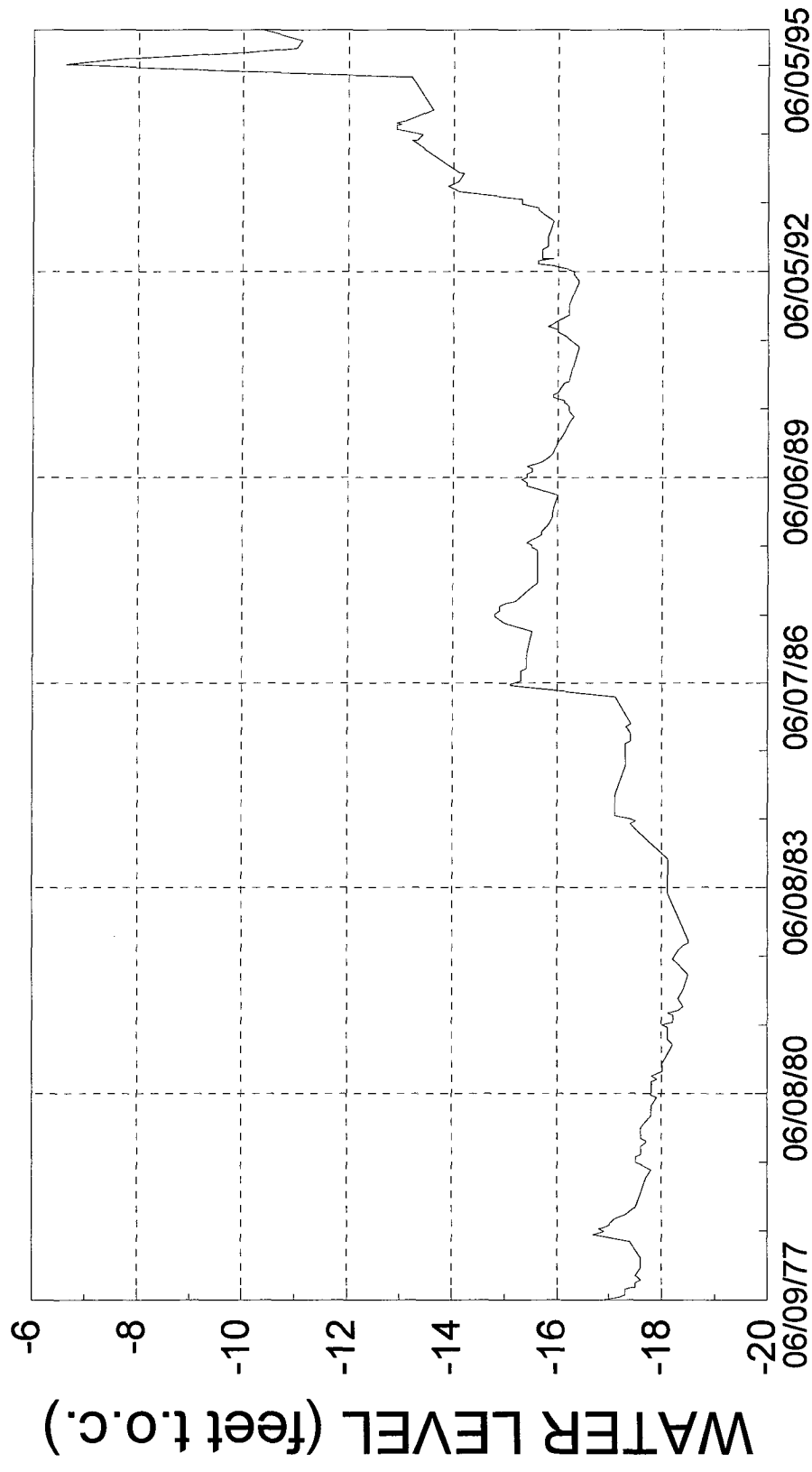
BIBLIOGRAPHY

Hedges, L.S., etal, 1982, Evaluation of Ground Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1996, Unpublished Observation Well Data for Spink County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

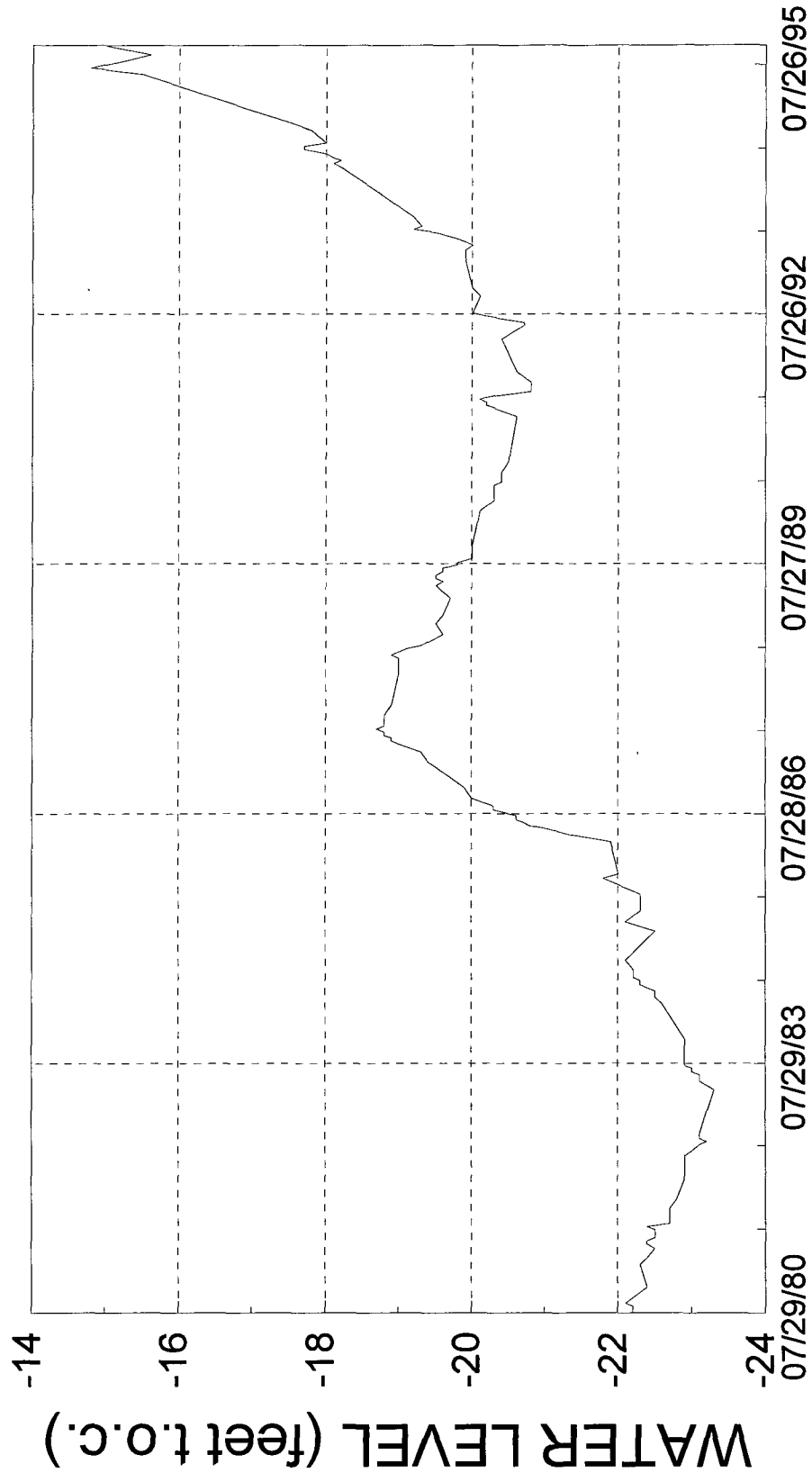
WATER RIGHTS OBSERVATION WELL

SP-771



WATER RIGHTS OBSERVATION WELL

SP-80D



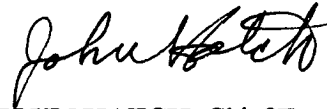
**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5897-3, Allen Gatzke**

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. 5897-3, Allen Gatzke, HC 75, Box 147, Hitchcock, SD 57348.

The Chief Engineer is recommending APPROVAL of Application No. 5897-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been 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 wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized flourish at the end.

JOHN HATCH, Chief Engineer
February 6, 1996



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

February 7, 1996

Allen Gatzke
HC 75, Box 147
Hitchcock, SD 57348

Dear Mr. Gatzke:

Water Permit Application No. 5897-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Redfield Press printed at Redfield, SD (Ph # (605) 472-0822). For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1996

Redfield Press
Box 440
Redfield, SD 57469-0440

ATTENTION: Legal Department

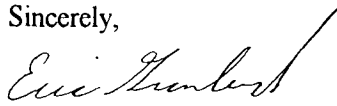
Enclosed is a Notice of Hearing on Application No. 5897-3 to be published twice. Please publish the first notice on February 14, 1996, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Allen Gatzke, HC 75, Box 147, Hitchcock, SD 57348 (Ph # (605) 266-2711).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on February 14, 1996, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 5897-3 to Appropriate Water
and Amend Vested Water Right Claim No. 98-3

Notice is given that Allen Gatzke, HC 75, Box 147, Hitchcock, SD 57348 has filed an application for a water permit to appropriate 0.90 cubic feet of water per second (cfs) and authorize one additional well to irrigate land authorized by Vested Water Right Claim No. 98-3. Water Right No. 98-3 appropriates 2.66 cfs from one well located in the SW 1/4 NW 1/4 Section 24 to irrigate 301 acres located in the W 1/2 Section 24; all in T114N-R63W. An inspection of Vested Water Right Claim No. 98-3 found 2 wells constructed and supplying 3.56 cfs to irrigate 268 acres. The additional well 66 feet deep (Tulare Hitchcock Aquifer) is located in the NW 1/4 NW 1/4 Section 24-T114N-R63W. This application increases the water appropriation from the two wells from 2.66 cfs to 3.56 cfs.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5897-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 4, 1996.

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

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Spink) SS

I, Margaret Mundtch

certify that the attached printed Notice was
 taken from the Redfield Press

printed and published in Redfield

County of Spink and State of

South Dakota. The notice was published in
 the newspaper on the following two dates:

February 14, 1996

February 21, 1996

Cost of Printing: \$ 30.94

Margaret Mundtch
 (Signature)

Bookkeeper
 (Title)

February 21, 1996
 (Date Signed)



Application filed for water permit

No. 95

NOTICE OF APPLICATION NO. 5897-3 TO APPROPRIATE WATER AND AMEND VESTED WATER RIGHT CLAIM NO. 98-3

Notice is given that Allen Gatzke, HC 75 Box 147, Hitchcock, SD 57348 has filed an application for a water permit to appropriate 0.90 cubic feet of water per second (cfs) and authorize one additional well to irrigate land authorized by Vested Water Right Claim No. 98-3. Water Right No. 98-3 appropriates 2.66 cfs from one well located in the SW 1/4 NW 1/4 Section 24 to irrigate 301 acres located in the W 1/2 Section 24; all in T114N-R63W. An inspection of Vested Water Right Claim No. 98-3 found 2 wells constructed and supplying 3.56 cfs to irrigate 268 acres. The additional well 66 feet deep (Tulare Hitchcock Aquifer) is located in the NW 1/4 NW 1/4 Section 24-T114N-R63W. This application increases the water appropriation from the two wells from 2.66 cfs to 3.56 cfs.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 5897-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 4, 1996.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.
 Nettie H. Myers
 Secretary
 Department of Environment and Natural Resources
 (February 14, 21)

STATE OF SOUTH DAKOTA

PARTIAL VESTED WATER LICENSE NO. 5897-3

(1) Allen Gatzke, HC 75, Box 147, Hitchcock SD 57348 made Application No. 5897-3, January 10, 1996 for a water permit to divert 0.90 cubic feet of water per second from groundwater (one well), Spink County, South Dakota for irrigation purposes. Permit No. 5897-3, with a priority date of January 10, 1996 was approved March 6, 1996 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Permit No. 5897-3 authorizes an additional well and increases the water appropriation that was developed but not permitted under Vested Right No. 98-3. A priority date of February 17, 1953 (established by Vested Right No. 98-3) is retained for 2.66 cfs. Vested Right No. 98-3 was validated by the Water Management Board on March 6, 1996. A priority date of January 10, 1996 (established by Permit No. 5897-3) is retained for 0.90 cfs. The applicable portions of Vested Right No. 98-3 have been incorporated into this Water License No. 5897-3.

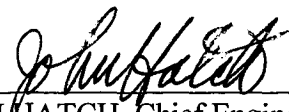
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 3.56 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 2,640 feet south and 1,250 feet east from the northwest corner of Section 24 (SW 1/4 NW 1/4) and Well #2 - 1,320 feet south and 1,300 feet east of the northwest corner of Section 24 (NW 1/4 NW 1/4); all in T114N-R63W.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land: **All in Section 24-T114N-R63W**

NW 1/4 NW 1/4	33.5 acres	NW 1/4 SW 1/4	33.5 acres
NE 1/4 NW 1/4	33.5 acres	NE 1/4 SW 1/4	33.5 acres
SW 1/4 NW 1/4	33.5 acres	SW 1/4 SW 1/4	33.5 acres
SE 1/4 NW 1/4	33.5 acres	SE 1/4 SW 1/4	33.5 acres

Total 268 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Allen Gatzke, HC 75, Box 147, Hitchcock SD 57348 the holder and/or owner of Incorporated Water Permit No. 5897-3 is issued a license to appropriate water, the right to use 3.56 cubic feet of water per second from groundwater (two wells) with priority dates of February 17, 1953 (2.66 cfs) and January 10, 1996 (0.90 cfs) 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 Incorporated Water Permit No. 5897-3 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 2 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 2 1996

Allen and Bobbie Gatzke
HC 75, Box 147
Hitchcock SD 57348

Dear Mr. and Mrs. Gatzke:

Enclosed are the following water licenses and validations which pertain to your various irrigation projects. Receipts for the inspection and issuance of the licenses are also enclosed.

- Vested Water Right No. 98-3 authorizes 2.66 cubic feet of water per second (cfs) to irrigate 268 acres.
- Water Permit No. 5897-3 authorizes an additional 0.90 cfs to irrigate the lands covered under Vested Water Right No. 98-3.
- Water License No. 5897-3 incorporates the applicable portions of Vested Right No. 98-3.
- Vested Water Right No. 1600-3 and Vested Water Right License No. 1600-3 authorizes 1.78 cfs to irrigate 132 acres.
- Water License No. 5163-3 authorizes 1.78 cfs to irrigate 132 acres.

As long as you use the water beneficially, as stated in the above listed water licenses, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
605 773-3352

enclosures

Permit No. 98-3 & 5897-3
James River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, November 6, 1995, made a thorough examination of the water use system constructed by Allen Gatzke of HC 75 Box 147, Hitchcock, SD 57348 holder of Permit No. 98-3 & 5897-3, bearing the priority of February 17, 1958 & January 10, 1996 authorizing the diversion of 3.56 cu. ft. per second of the waters of groundwater 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:

- Well #1--Western Land Roller turban pump, Model E71263, Capacity 800 gpm with
 GE 75 Hp electric motor, Model 5K6258XHIA
 Well #2 -- Western Land Roller turban pump, Model B7745, Capacity 800 gpm with
 GE 75 Hp electric motor, Model 5K6258XHIA

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

- Well #1--1320 feet, 8 inch PVC pipe
 Well #2--20 feet, 8 inch aluminum pipe

C. Works used to apply water to beneficial use:

- SW 1/4--Reinke Alumigator 10 tower Center Pivot
 NW 1/4--Lindsey Zimmatic 7 tower Center Pivot

The system is in the following condition Good. The point of diversion is located Well #1--2640 ft. South & 1250 ft. East of the NW corner of Sec. 24-T114N-R63W (SW 1/4 NW 1/4) and Well #2--1320 ft. South & 1300 ft. East of the NW corner of Sec. 24-T114N-R63W (NW 1/4 NW 1/4). The works are capable of diverting and conveying to the place of use 3.56 (1600 gpm) 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:

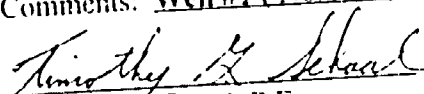
NW 1/4 NW 1/4 Sec.24-T114N-R63W--33.5 Acres	NW 1/4 SW 1/4 Sec.24-T114N-R63W--33.5 Acres
NE 1/4 NW 1/4 " " --33.5 Acres	NE 1/4 SW 1/4 " " --33.5 Acres
SW 1/4 NW 1/4 " " --33.5 Acres	SW 1/4 SW 1/4 " " --33.5 Acres
SE 1/4 NW 1/4 " " --33.5 Acres	SE 1/4 SW 1/4 " " --33.5 Acres

comprising a total of 268 acres of land and the license should be issued for 3.56 cfs.

Applicable permit qualifications have been complied with: Yes ☒

Date Report Completed: April 3, 1995

Comments: Well #1 (No. 98-3), Well #2 (No. 5897-3)


 Timothy G. Schaal, P.E.
 Natural Resources Engineer
 DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 98-3

Other permit(s) associated with the project: 5897-3

DATE OF INSPECTION: November 6, 1995

NAME & ADDRESS OF INSPECTION CONTACT/ Allen Gatzke
RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: owner

NAME & ADDRESS OF PERMIT HOLDER: Allen Gatzke, HC 75, Box 147, Hitchcock, SD 57348

DIVERSION POINT LEGAL LOCATION: Well #1--2640 ft. South & 1250 ft. East of the NW 1/4 of
Sec. 24-T114N-R63W (SW 1/4 NW 1/4) and Well #2--1320 ft. South & 1300 ft. East of the NW 1/4 of
Sec. 24-T114N-R63W (NW 1/4 NW 1/4)

WELL INFORMATION:

- 1) Well Drilling Firm: Grosch
- 2) No. of Wells 2
- 3) Depth(s) Well #1--65 feet Well #2-- 66 feet
- 4) Well log is available for Well #2
- 5) Comment: Info for Well #1 taken from file

Casing:

- 1) Diameter Well #1-- 16 inch Well #2-- 16 inch
- 2) Length Well #1-- 65 feet Well #2 66--feet
- 3) Type concrete

Screen:

- 1) Type slotted
- 2) Length ?? feet
- 3) Static water level XXXX feet

Pump:

- 1) Make Well #1-- Western Land Roller Well #2--Western Land Roller
- 2) Model E 71263 B 7745
- 3) Size 12 inch 12 inch
- 4) Capacity 800 gpm 800 gpm

Motor:

- 1) Make Well #1-- GE electric Well #2--GE electric
2) Model No. 5K6258XHIA 5K6258XHIA
3) Horsepower rating 75 Hp 75 Hp

DISTRIBUTION LINES OR CANALS

Well #1

- 1) Type PVC 2) Size 8 inches 3) Length 1320 feet

Well #2

- 1) Type Aluminum 2) Size 8 inches 3) Length 20 feet

SYSTEM TYPE:

Center pivot: NW 1/4 SW 1/4

- 1) Make Lindsey Zimmatic Reinke Alumigator
2) Overall length 1320 ft. 1320 ft.
3) Number of towers 7 10
4) Distance between towers XXX feet
5) End gun Yes Yes
6) High or low pressure high 75 psi high 75 psi
7) Capacity 800 gpm 800 gpm

CHEMIGATION EQUIPMENT:

- 1) Does chemigate Yes
2) Main line check valve Yes
3) Inspection port/air relief Yes
4) Low pressure drain Yes
5) Discharge is 20' from source Nc, said he would install hose
6) Interlock type electric
7) Injection pump type pos. displacement
8) Injection check valve Yes
9) Injection line check valve or positive displacement pump Yes

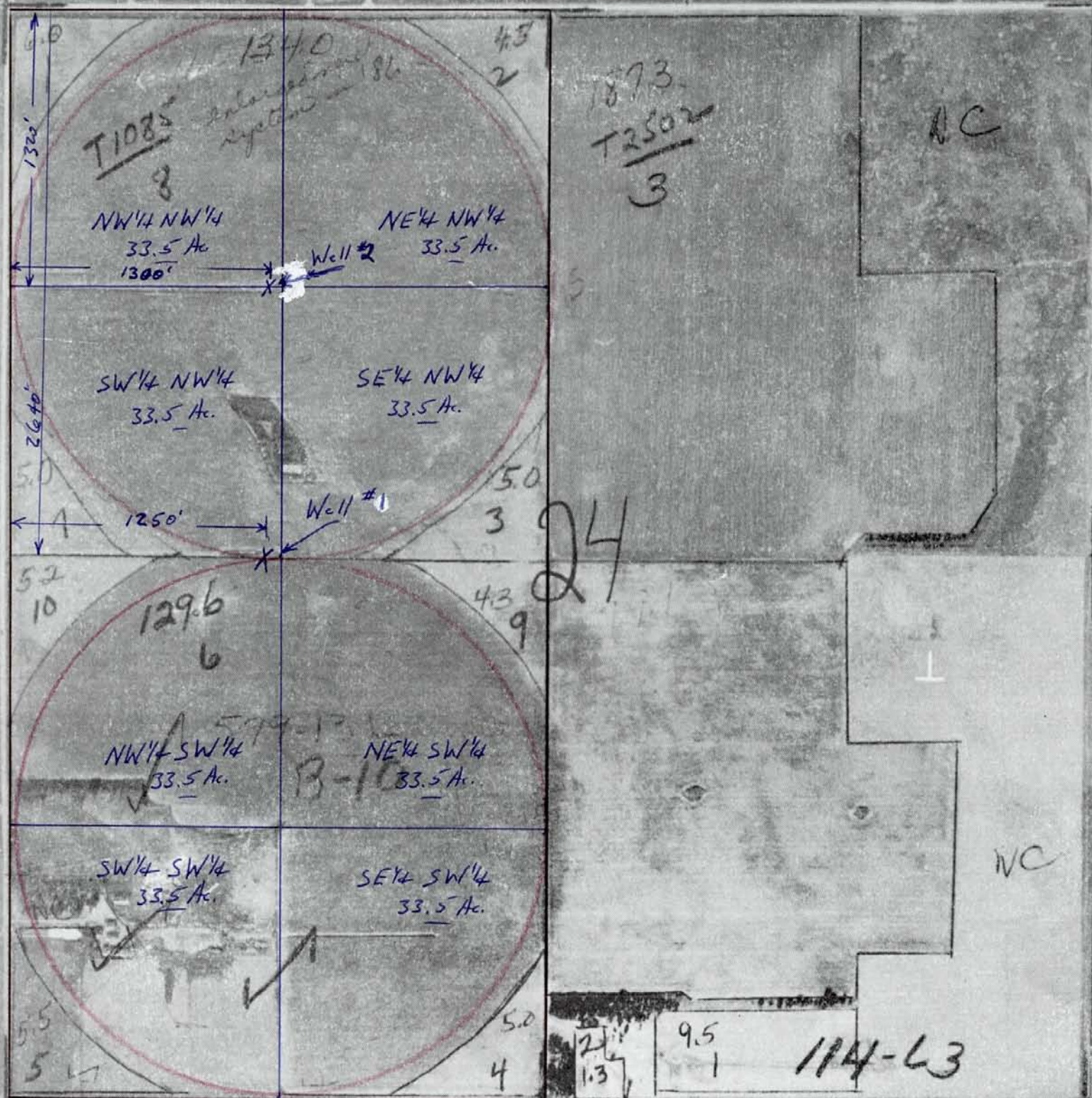
10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules Yes

11) Comments : XXXX

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by yes
- 3) All structures, wells and lands on map yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period yes

NOT TO SCALE



Timothy L. Schaal
Natural Resources Eng. III
December 13, 1995

90-5 5897-3



5897-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 2006

Allen Gatzke
39351 187th Street
Hitchcock SD 57348

Dear Mr. Gatzke:

When we met on Wednesday you mentioned that Water Right No. 98-3 was replaced by Water Right No. 5897-3 and you thought the senior priority date was lost. I looked into this and wanted to report back to you what I found.

Water Right No. 98-3 authorized 2.66 cubic feet of water per second (approximately 1,200 gpm) to irrigate the W ½ of Section 24, T114N, R63W. The land was originally irrigated by towlines with a priority date of February 17, 1953. In 1995, an inspection of 98-3 was conducted by a Water Rights staff person for the purpose of validating your vested right. This inspection found two center pivots now in use being supplied by two wells capable of diverting 3.56 cfs (1,600 gpm which equates to 800 gpm for each pivot). So at some point an additional well was drilled and an increase in the diversion rate authorized by No. 98-3 occurred. Subsequently in 1996, you applied for an additional well and to increase in the diversion rate authority by 0.90 cfs (approximately 400 gpm) to reflect the irrigation that was occurring in the field. This permit was approved but the diversion rate authority of 0.90 cfs received a priority date of January 10, 1996.

As is normal procedure, Water Right No. 98-3 and Water Permit No. 5897-3 were incorporated into one water license. **However, the 1953 priority date for the 2.66 cfs and 268 acres was not lost.** Please review of the attached Water License No. 5897-3 which shows that 2.66 cfs retained the 1953 priority date and 0.90 cfs received a 1996 priority date. What this may mean down the road if shut-off orders were to occur remains unclear but most certainly the 1953 priority retains its senior status for the originally developed irrigation system.

I wanted to get back to you with this information. If you have any questions, please feel free to contact me.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

enclosure



**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

15897.3

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. 5897-3

Date: Aug 30, 2024

I/We request that Water Right/Permit No. 5897-3 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 24, T114N, R63W

NE 1/4 NW 1/4 - 33.5 ac	NE 1/4 SW 1/4 - 33.5 ac
NW 1/4 NW 1/4 - 33.5 ac	NW 1/4 SW 1/4 - 33.5 ac
SW 1/4 NW 1/4 - 33.5 ac	SW 1/4 SW 1/4 - 33.5 ac
SE 1/4 NW 1/4 - 33.5 ac	SE 1/4 SW 1/4 - 33.5 ac

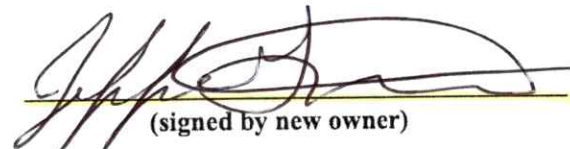
TOTAL: 268 ac

☒ I understand that the validity of Water Right/Permit No. 5897-3 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# 1816

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 Jonleund
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