

WATER PERMIT NO. 6193-3

Name of Applicant: Lee Gatzke

Address: 18479 389th Ave, Tulare SD 57476

Phone: 605 266-2790

Amount of Water Claimed: 1.78 cfs

Total Acres: 90 acres

Source of Water Supply: groundwater

Water to be used for: irrigation

County: Spink

Type of Waste Disposal System: NA

Location: 3 miles east of Tulare

PRIORITY

Date Received: 3-28-2000

Fee: \$225

Corrected Application Received:

Period of Annual Use: May 1 – October 31

Remarks: Some of acreage is also covered under Water Right No. 2485-3

Diversion Point: approximate center of

NW ¼ Sec 29-T115N-R63W

Land to be Irrigated: NW 1/4

Sec 29-T115N-R63W

Depth of Well: 73 feet deep

Well Driller: Pullman Drilling

Remarks:

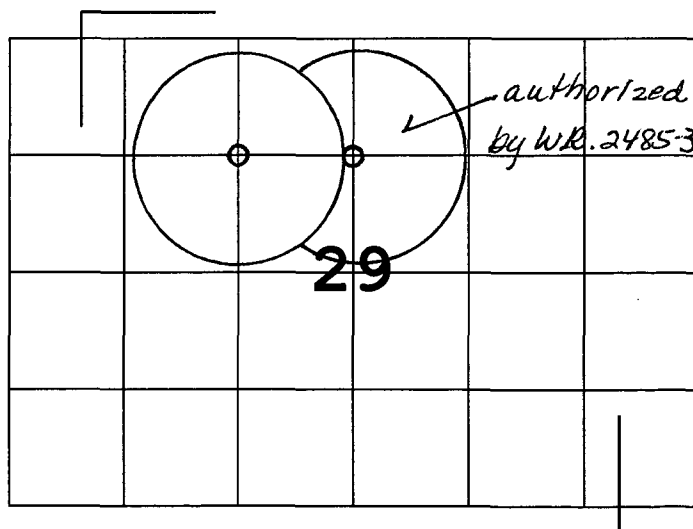
Type of Map: topo

Prepared by: Eric Gronlund

Reviewed and the Number Assigned on: 3-30-2000

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 6193-3**

Date of first receipt of application March 28, 2000.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6193-3 to Lee Gatzke, 18479 389th Ave, Tulare SD 57476-7700 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. 6193-3 appropriates 1.78 cubic feet of water per second from one well (Tulare:Hitchcock Aquifer) 73 feet deep located in the center of the NW ¼ Section 29 to irrigate 90 acres located in the NW ¼ Section 29; all in T115N-R63W. Portions of the E ½ NW ¼ Section 29 are covered under Water Right No. 2485-3. When developed the pivot in the NW ¼ Section 29 will make a full rotation and the pivot authorized under Water Right No. 2485-3 will make a partial rotation.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period:May 1 – October 31.
3. The date from which applicant may claim right is March 28, 2000.
4. The date of approval of Permit No. 6193-3 is June 5, 2000.
5. One-fifth of the construction is to be completed on or before December 5, 2002.
6. All construction is to be completed on or before June 5, 2005.
7. Water is to be put to beneficial use on or before June 5, 2009.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6193-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Pursuant to SDCL 46-5-6 which allow a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6193-3 authorizes a maximum diversion rate of 1.78 cfs for the irrigation of 90 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 20 2000

date





Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. <u>6193-3</u>	Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>	
	Newspaper <u>Redfield Press, Redfield, SD</u>	

Application For Permit To Appropriate Water For Irrigation

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

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

1. Name of Applicant Lee Gatzke Phone 266 2790
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 18479 389th Ave Tulare SD State 57476-7700
(Street, RR, or Box and City) (Zip Code)
2. Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 90 add 1
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use 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)
approximate center of NW 1/4 Section 29 T115N R63W
County Spink
5. County or counties where water will be used Spink
6. Annual period during which water is to be used May 1 - October 31
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
all in Sect 29-T115N-R63W (Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
NW NW	34		
NE NW	11		
SW NW	34		
SE NW	11		

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

new pivot will be placed in NW 1/4 Section 29. Some of acreage to be irrigated (E 1/2 NW 1/4) is covered under WR No. 2485-3. When developed pivot in NW 1/4 will make full rotation and pivot authorized under WR No. 2485-3 will make partial circle. Request is for greater than 165/70 acres to allow both pivots to operate at 800 gpm.

STATE OF SOUTH DAKOTA) SS

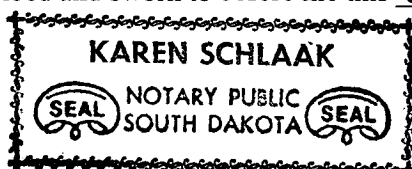
County of Hughes

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)

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

Applicant's signature [Signature]

Subscribed and sworn to before me this 28th day of March 19 2000



Karen Schlaack
Notary Public signature
KAREN SCHLAACK, Notary Public
My Commission Expires
April 1, 2001

(type or print in ink)



a) Drill Hole Diameter 26" Depth 73 ft.

b) Casing Type PVC Diameter 16 in Thickness .500

c) Screen Type Slotted Diameter 16 in Thickness .500

d) Gravel Pack Sea rock Length of Gravel Pack 30 ft.

e) Depth to Top of Water Bearing Material 30 ft.

f) Depth to Water (ground surface to water level) 10 ft.

g) Distance to nearest existing domestic well:

On applicants property 1 1/2 mile On property owned by others 1 mile

a) Type of System (i.e. septic tank, drain field) _____

b) System Capacity (gallons) _____ Year Constructed _____

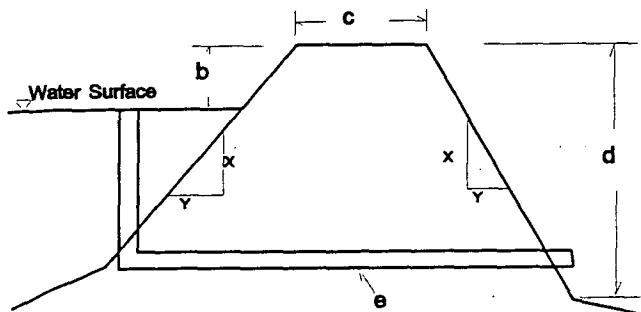
c) Connected to the City of _____ Sanitary System _____

a) Surface Dimensions _____ Depth _____

b) Depth to water (ground surface to water level) _____

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

PULLMAN DRILLING — DRILLERS LOG

Phone: 1-800-451-4884

See Gatzke JOB NAME	talare S.P. LOCATION	3/22/08 DATE	11 RIG NO.	Jerami FOREMAN
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Jt No.	DEPTH	TIME	REMARKS
1	20		0-15 yellow clay 15-20 fine sand yellow
2	40		20-30 yellow fine sand
3	60		30-40 fine gray sand.
4	80		40-55 fine sand some coarse
5			55-60 fine sand coal
6			60-78 little coarser sand.
7			78-80 Blue clay.
8			
9			
10			See Gatzke R.R. Box 9 A
11			talare S.D. 57476
12			
13			NW 1/4 Section 29
14			
15			
16			
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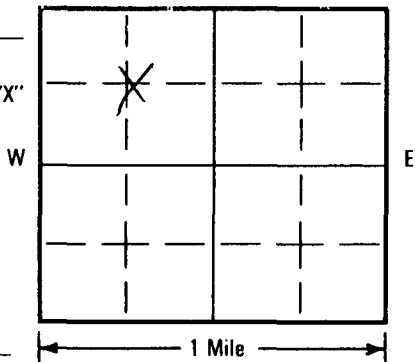


SOUTH DAKOTA WATER WELL COMPLETION REPORT

6193-3
07-92

Location NW 1/4 NW 1/4 Sec 29 Twp 115 Rg 63
County Spink

Please mark well location with an "X"



Well Completion Date

11/8-02

LOCATION:

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

PROPOSED USE:

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

METHOD OF DRILLING:

Reverse

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
_____ LB/FT	<u>1 1/2</u> IN	<u>0</u> FT	<u>52</u> FT	<u>25</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Concrete</u>	<u>20</u>	_____ lb./gal	<u>0</u> ft	<u>20</u> ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☒ Manufactured

Diameter 1 1/2 IN Length 15 FEET

Material stainless

Slot Size #60 Set From 52 Feet to 67 Feet

Other information _____

Gravel Packed

WAS A PACKER OR SEAL USED? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: Boiled

_____ NO, Why Not? _____

Laboratory sent to for water quality analysis _____

Well Owner: See Hatzke
Business Name: _____
Address: 18479 389 av.
Hatzke & Tulare SP.

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>yellow clay</u>	<u>0</u>	<u>15</u>
<u>yellow sand</u>	<u>15</u>	<u>19</u>
<u>Fine gray sand</u>	<u>19</u>	<u>30</u>
<u>med sand w/coal</u>	<u>30</u>	<u>39</u>
<u>med sand</u>	<u>39</u>	<u>50</u>
<u>med sand</u>	<u>50</u>	<u>67</u>

STATIC WATER LEVEL

17

Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

- ☒ Pumped Describe: _____
☐ Bailed _____
☐ Other _____

Pumping Level Below Land Surface

59 ft. After 6 Hrs. pumped 450 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 440

And this report is true and accurate.

Drilling firm Gullman Well Drilling

Signature of License Representative

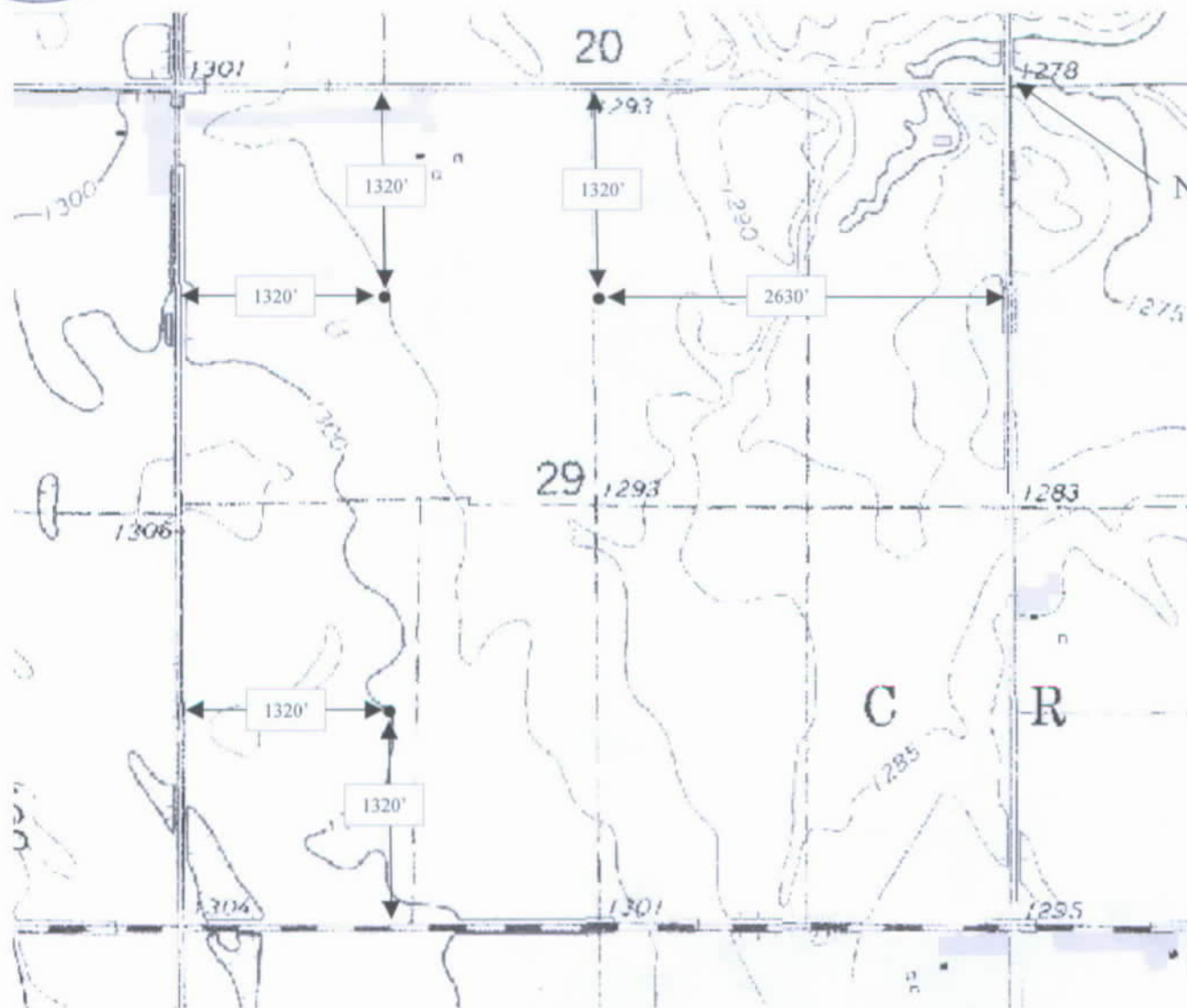
G.E. Kuehl

Signature of Well Owner or Equitable Property Holder: **RECEIVED**

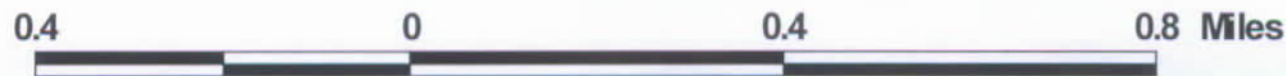
JAN 06 2003

Date: _____

WATER RIGHTS PROGRAM



NE corner of Sec.29, T115N-R63W



Eric Honland
3/28/00



6193-3



Lat = 44.744952
Lon = -98.437958
Acres = 135.5

Lat = 44.744938
Lon = -98.432.462
Acres = 90.4

Lat = 44.737972
Lon = -98.437872
Acres = 135.5

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NC 416446

Pierre, March 28, 2000

RECEIVED OF Mr. and Mrs. Lee Gatzke, 18479 - 389th Ave., Tulare, SD 57476-7700
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>6193-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	225	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>6193-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	275 00

By Harold Erbe (cf)
Chief Engineer

REPORT ON WATER PERMIT APPLICATION NOS. 2428A-3 AND 6193-3
for Lee Gatzke
April 24, 2000

Application No. 2428A-3 proposes a replacement well and change of acreage authorized by Water Right No. 2428-3. Water Right 2428-3 appropriates 1.78 cfs (800 gpm) from one well located in the center of the S 1/2 of Section 29 to irrigate 136 acres located in the W 1/2 SE 1/4 and the E 1/2 SW 1/4 of Section 29; all in T115N-R63W. This application proposes drilling a replacement well approximately 78 feet deep located in the center of the SW 1/4 of Section 29 and changes the location of the 136 irrigated acres to the SW 1/4 of Section 29; all in T115N-R63W in Spink County.

Application No. 6193-3 proposes to appropriate 1.78 cfs (800 gpm) from one well approximately 73 feet deep located in the center of the NW 1/4 of Section 29 to irrigate 90 acres located in the NW 1/4 of Section 29; all in T115N-R63W. Portions of the E 1/2 NW 1/4 of Section 29 are covered under Water Right No. 2485-3. When developed, the pivot in the NW 1/4 of Section 29 will make a full rotation and the pivot authorized under Water Right No. 2485-3 will make a partial rotation.

AQUIFER - TULARE HITCHCOCK (T-H)

The Tulare Hitchcock is a surficial outwash (sand and gravel) which is under water table conditions in this area. The aquifer underlies 96,000 acres and contains an estimated 360,000 acre feet of recoverable water in storage in Spink County (Hedges, 1982). The aquifer is hydraulically connected to the Tulare Western Spink aquifer to the west and extends into Beadle County to the south. Ground water movement is from west southwest to east northeast across the area of this application (Hamilton, 1996).

Test well information filed with the application indicates sand beginning at 15 feet and extending to a depth of 78 feet in the NW 1/4 of Section 29, T115N-R63W. The static water level was reported to be about 10 feet below land surface. No actual test pumping data is included with the application.

The Water Rights Program monitors observation wells, SP-80B, SP-78C and SP-82E which are all located within a three mile radius of this application. 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. Hydrographs for these observation wells are included with this report. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2000).

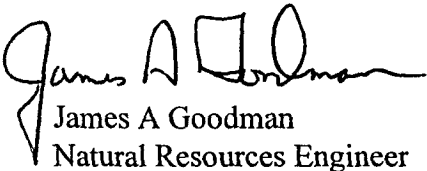
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are three existing water rights within a one mile radius of these applications. The wells for Water Right No. 2592-3 are located about one half mile southwest of the new well proposed for water permit No. 2428A-3. The new well for water permit No. 6193-3 is located about one half

mile north of No. 2428-3. The existing well for Water Right No. 2485-3 is located about one quarter mile east of the proposed well for No. 6193-3. Interference is not a concern. Drawdown created by pumping should be significant very far from the individual production wells. This is shown by the observation well hydrographs.

CONCLUSIONS

1. Water is available from the Tulare Hitchcock aquifer.
2. The aquifer is under unconfined or water table conditions. Drawdown created by pumping is not expected to be significant. The existing spacing between production wells is sufficient to minimize any potential adverse effects. Interference is not a concern.
3. The wells authorized by this applications, if approved, must be constructed in accordance with SD Well Construction Standards.
4. The well under existing water right No. 2428-3 apparently will be abandoned. This well must be plugged in accordance with SD Well Construction Standard 74:02:04:69.



James A Goodman
Natural Resources Engineer

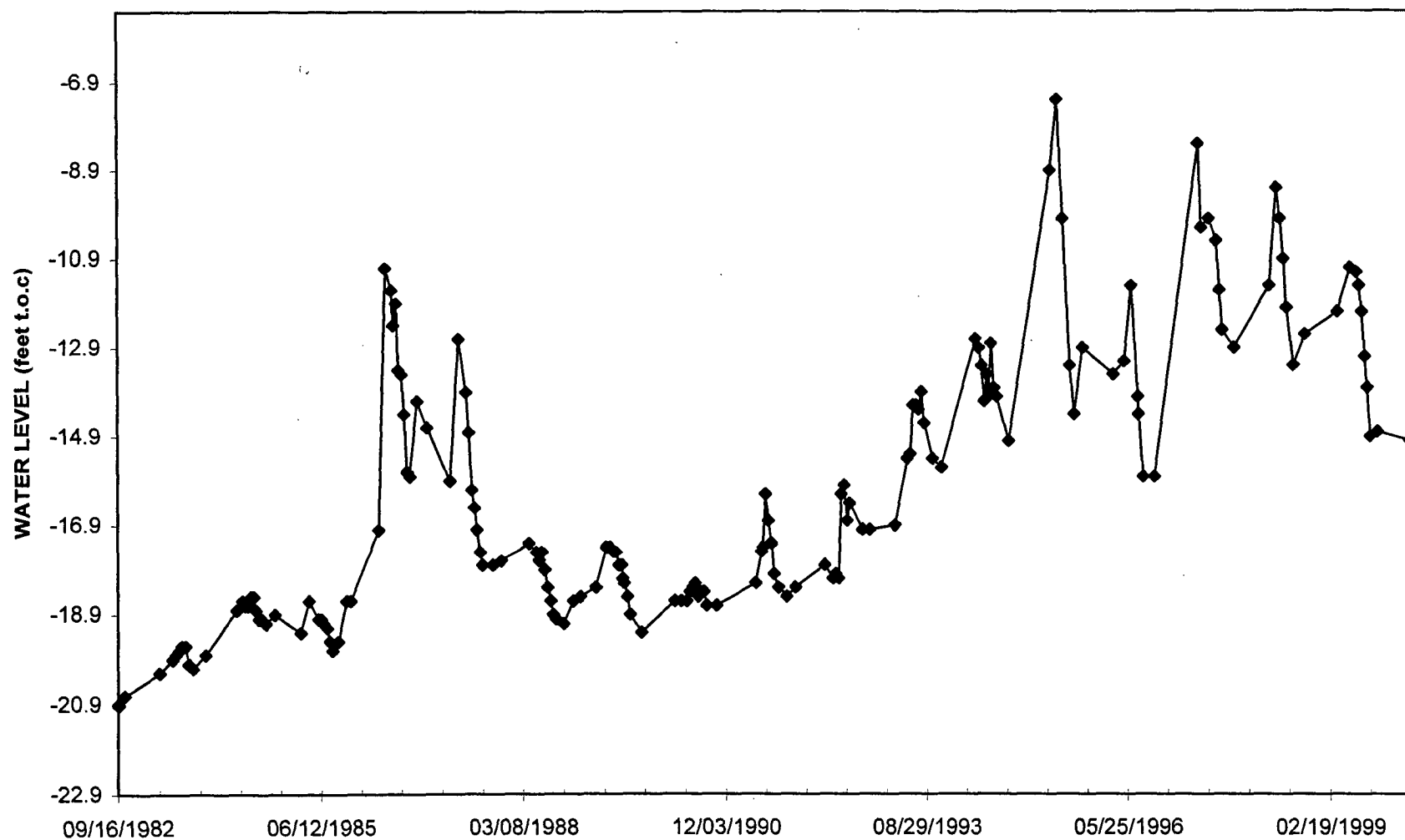
BIBLIOGRAPHY

Hamilton, L.J., L.W. Howells, 1996, Water Resources of Spink County, South Dakota, Water-Resources Investigations Report 96-4056, USGS, Rapid City, SD, 57702.

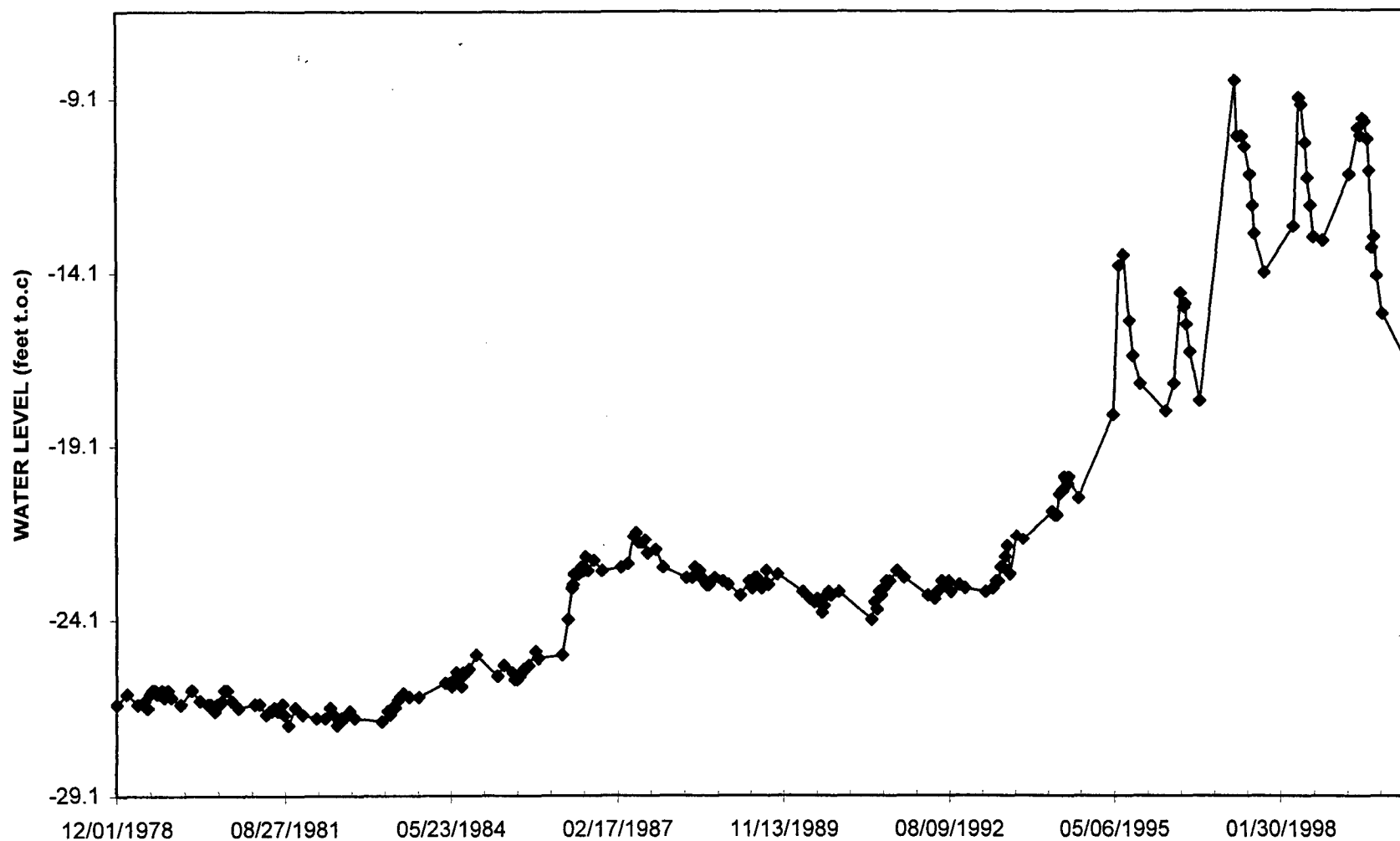
Hedges, L.S., etal, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 2000, Unpublished Observation Well Data for Spink County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

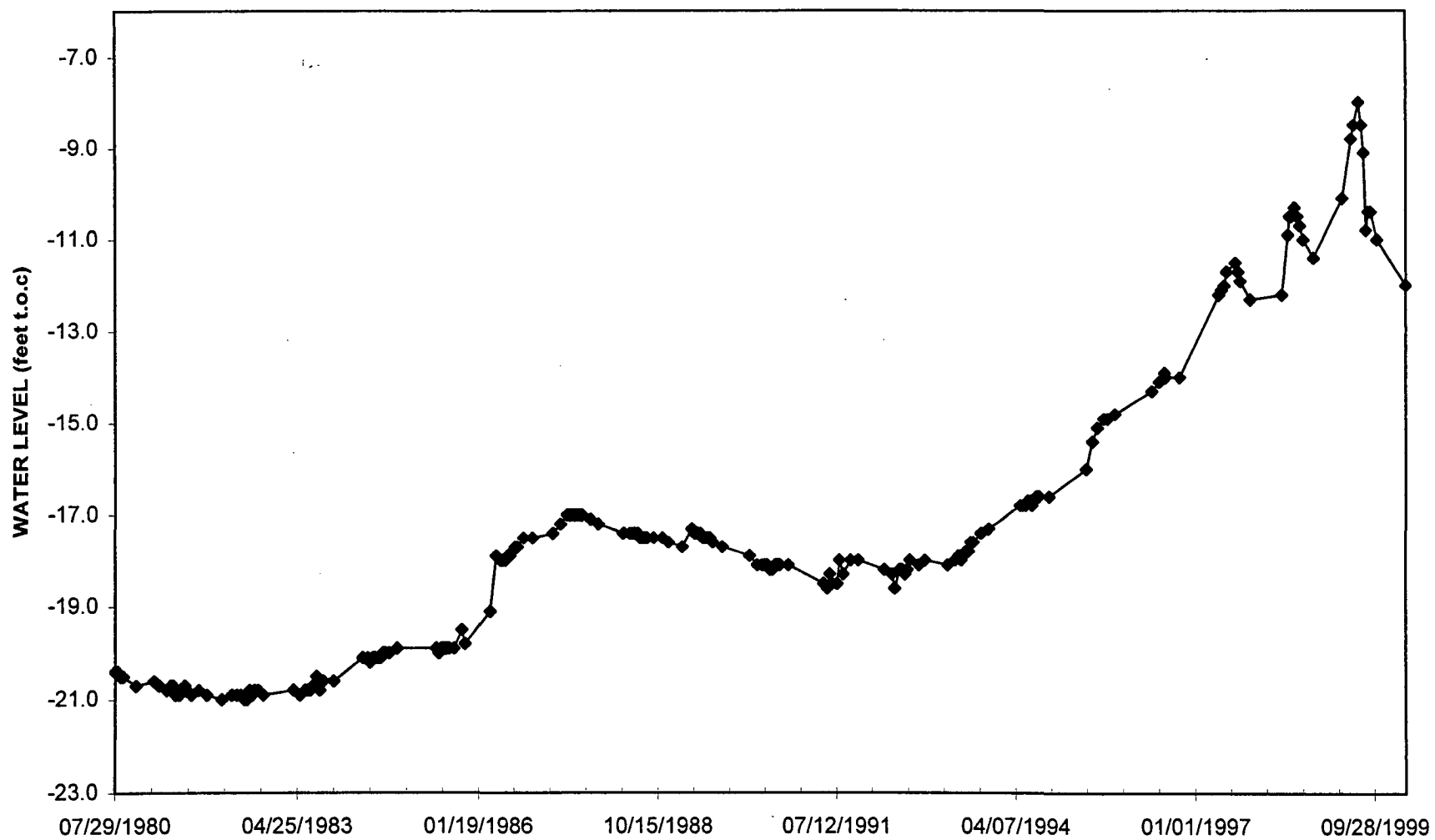
WATER RIGHTS' OBSERVATION WELL
SP-82E



WATER RIGHTS' OBSERVATION WELL
SP-78C



**WATER RIGHTS' OBSERVATION WELL
SP-80B**



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6193-3, Lee 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. 6193-3, Lee Gatzke, 18479 389th Avenue, Tulare, SD 57476.

The Chief Engineer is recommending APPROVAL of Application No. 6193-3-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6193-3 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.
4. Pursuant to SDCL 46-5-6 which allow a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 6193-3 authorizes a maximum diversion rate of 1.78 cfs for the irrigation of 90 acres with an annual volume not to exceed 2 acre-feet of water per acre per year.

See report on application for additional information.



Garland Erbele, Chief Engineer

May 4, 2000

NOTE: When developed the pivot served by the well authorized under this application will make full rotation and the well authorized by Water Right No. 2485-3 will make partial rotation. Once the system developed a licensing investigation will be conducted. Water Right No. 2485-3 and Water Permit No. 6193-3 will be incorporated together into one water license.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

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

May 5, 2000

Lee Gatzke
18479 389th Ave.
Tulare, SD 57476

Dear Mr. Gatzke:

Water Permit Application Nos. 2428A-3 and 6193-3 for irrigation use have 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 recommendations of the Chief Engineer and a report on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper 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 applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

c: Garrett Dykstra, Dakota Airy Spray, P.O. Box 648, Huron, SD 57350

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

May 5, 2000

Redfield Press
Box 440
Redfield, SD 57469-0440

ATTENTION: Legal Public Notice

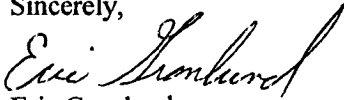
Enclosed is a Notice of Hearing on Application Nos. 2428A-3 and 6193-3 to Appropriate Water to be published twice. Please publish the first notice on May 17, 2000, with the second publication 7 days later.

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 Lee Gatzke, 18479 389th Ave., Tulare, SD 57476 (Ph # (605) 266-2790).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

Nos. 2428A-3 & 6193-3

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

Date _____

We are in receipt of your letter of May 5, 2000, enclosing Notice of Hearing to Appropriate Water by Application Nos. 2428A-3 & 6193-3 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 May 17, 2000, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6193-3 and 2428A-3 to Appropriate Water
to Amend Water Right No. 2428-3

Notice is given that Lee Gatzke, 18479 389th Ave, Tulare has filed the following applications for a water permit. Application No. 2428A-3 proposes a replacement well and change of acreage authorized by Water Right No. 2428-3. Water Right No. 2428-3 appropriates 1.78 cubic feet of water per second (cfs) from a well located in the center of the S $\frac{1}{2}$ Section 29 to irrigate 136 acres located in the W $\frac{1}{2}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 29; all in T115N-R63W. This application proposes drilling a replacement well (Tulare:Hitchcock Aquifer) 78 feet deep located in the center of the SW $\frac{1}{4}$ Section 29 and to change the location of the 136 acres irrigated to the SW $\frac{1}{4}$ Section 29; all in T115N-R63W.

Application No. 6193-3 proposes to appropriate 1.78 cfs from one well (Tulare:Hitchcock Aquifer) 73 feet deep located in the center of the NW $\frac{1}{4}$ Section 29 to irrigate 90 acres located in the NW $\frac{1}{4}$ Section 29; all in T115N-R63W. Portions of the E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 29 are covered under Water Right No. 2485-3. When developed the pivot in the NW $\frac{1}{4}$ Section 29 will make a full rotation and the pivot authorized under Water Right No. 2485-3 will make a partial rotation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 2428A-3 and 6193-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 5, 2000.

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



Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Spink

SS

I, Billy L. Hanson, of said County and State, being first duly sworn on oath, say that THE REDFIELD PRESS is a legal weekly newspaper as defined in Sec. 65.0508 South Dakota Code 1939, as amended by Chapter 298 of the Session of Laws of 1939, printed and published in the English language in the City of Redfield, in said County and State, by THE REDFIELD PRESS, and has been such newspaper during the time hereinafter mentioned, and that I Billy L. Hanson, the undersigned, am Publisher of said newspaper in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit, and that the legal or official notice entitled:

#41 Water application - Lee Gatzke

a printed copy of which is hereto attached, was printed and published in said newspaper in _____ successive issues, to wit:

The first publication being made on May 17 2000
2nd May 24 2000 5th 20
3rd 20 6th 20
4th 20 7th 20

that the full amount of the fee charged for publishing the same to-wit: the sum of \$ 46.98, insures to the benefit of the publisher of THE REDFIELD PRESS, that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Billy L. Hanson

Subscribed and sworn to before me this 25th day of May, 2000.

Deborah M Reinbold
Notary Public, Spink County, South Dakota

(SEAL)

Notice of Application No. 6193-3 and 2428A-3 to Appropriate Water to Amend Water Right No. 2428-3

No. 41

Notice is given that Lee Gatzke, 18479 389th Ave, Tulare has filed the following applications for a water permit. Application No. 2428A-3 proposes a replacement well and change of acreage authorized by Water Right No. 2428-3. Water Right No. 2428-3 appropriates 1.78 cubic feet of water per second (cfs) from a well located in the center of the S 1/2 Section 29 to irrigate 136 acres located in the W 1/2 SE 1/4 and E 1/2 SW 1/4 Section 29; all in T115N-R63W. This application proposes drilling a replacement well (Tulare-Hitchcock Aquifer) 78 feet deep located in the center of the SW 1/4 Section 29 and to change the location of the 136 acres irrigated to the SW 1/4 Section 29; all in T115N-R63W.

Application No. 6193-3 proposes to appropriate 1.78 cfs from one well (Tulare-Hitchcock Aquifer) 73 feet deep located in the center of the NW 1/4 Section 29 to irrigate 90 acres located in the NW 1/4 Section 29; all in T115N-R63W. Portions of the E 1/2 NW 1/4 Section 29 are covered under Water Right No. 2485-3. When developed the pivot in the NW 1/4 Section 29 will make a full rotation and the pivot authorized under Water Right No. 2485-3 will make a partial rotation.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 2428A-3 and 6193-3 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 applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider the applications. Notice of the hearing will be given to the applicant and any person filing a petition.

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The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's attorney.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 20 2000

Lee Gatzke
18479 389th Ave.
Tulare, SD 57476-7700

Dear Mr. Gatzke:

Enclosed are Water Permit Nos. 2428A-3 and 6193-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

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

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Permit No. 6193-3 (Incorporated into 6764-3)
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, 6/6/2006, made a thorough examination of the water use system constructed by Lee Gatzke of 18479 389th Ave holder of Permit No. 6193-3, bearing the priority of March 28, 2000 authorizing the diversion of 1.78 cu. ft. per second of the waters of the Tulare: Hitchcock Aquifer for irrigation purposes, in Spink County.

Inspection contact & relationship **Lee Gatzke**
to permit holder, if applicable:

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Pullman Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **67** feet
- 4) Well log is available **Y**
- 5) Comment:

Casing:

- 1) Diameter **16** inches
- 2) Length **52** feet
- 3) Type **Plastic PVC**

Screen:

- 1) Type **Stainless Steel**
- 2) Length **15** feet
- 3) Static water level **17** feet

Pump:

- 1) Make: **WLR**
- 2) Model: **10CH**
- 3) Size: **3 Stage**
- 4) Capacity **600** GPM

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

- 1) Make: Growsmart
- 2) Overall length 910 feet
- 3) Number of towers: 7
- 4) Distance between towers 130 feet
- 5) End gun: Y
- 6) High or low pressure: Low

D. Compliance with Permit Requirements:

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

The system is in good condition with the point(s) of diversion located as follows: 1300 ft East and 1300 ft South of the NW ¼ corner of SEC. 29-T115N-R63W (N 44.74509 W -98.43798). The works are capable of diverting and conveying to the place of use 1.34 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 29, T115N-R63W**NW¼ NW¼ - 34 acres****SW¼ NW¼ - 34 acres****SE¼ NW¼ - 34 acres****NE¼ NW¼ - 34 acres**

comprising a total of 136 acres of land and the license should be issued for 1.34 cfs.

All structures, wells and lands on map Y

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

New pivot will be place in NW¼ Section 29 with some of the acreage to be irrigated (E½ NW¼) is covered under Water Right No. 2485-3.

Aaron A. Tieman

Aaron Tieman
Natural Resources Project Engineer
DENR, Water Rights Program

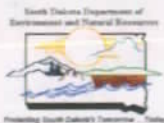
Date report completed: 9/24/2007

Lee Gatzke
18479 389th Ave
Tulare, SD - Spink County
Water Permit No. 6193-3



Aaron A. Tieman

Aaron Tieman
Natural Resources Engineer
DENR Water Rights Program
09/24/2007



0 0.125 0.25 0.5 0.75 1 Miles



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 16 2008

2485-3

6193-3

6764-3

Lee Gatzke
18479 389th Ave
Tulare SD 57476

Dear Mr. Gatzke:

Enclosed is your Water License No. 6764-3. This is the final water right document completing your process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 6764-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

The staff engineer who conducted the field investigation noted that the factory insert with your equipment combined the check valve, interlock, low pressure drain and vacuum relief valve. In order to comply with Water Management Board Rules for installation of chemigation equipment, you will need to install a hose on the low pressure drain to convey any drainage at least 20 feet from the water source. Enclosed are excerpts of Board Rules dealing with chemigation.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: The applicable portions of Water Right No. 2485-3 and Water Permit No. 6193-3 were incorporated into Water License No. 6764-3