

WATER PERMIT NO. 6337-3

Name of Applicant: Brian Gatzke

Address: 1521 Calumet Rd, Brookings SD

Phone: 605 692-2119

Amount of Water Claimed: 4.56 cfs

Total Acres: 320

Source of Water Supply: groundwater

Water to be used for: irrigation

County: Spink

Type of Waste Disposal System:

Location: 1 ½ miles east of Hitchcock

PRIORITY Date Received: 6-21-2002

Application/License Fee: \$375

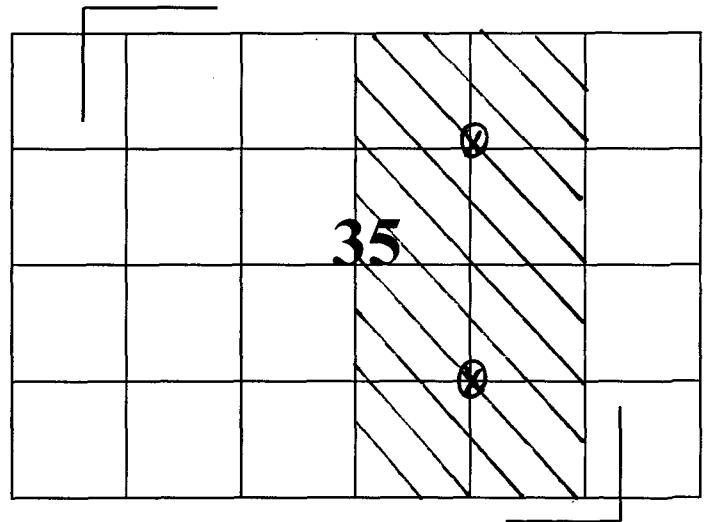
Corrected Application Received: 6-25-2002

Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: center of NE ¼ and SE ¼ Sec 35-T114N-R63W

Land to be Irrigated: E ½ Sec 35-T114N-R63W



Depth of Well: approximately 50 feet

Well Driller: :

Remarks:

Type of Map: aerial

Prepared by: Eric Gronlund

Reviewed and the Number Assigned on: 6-27-2002

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

**REISSUED
SOUTH DAKOTA
WATER PERMIT NO. 6337-3 FOR IRRIGATION**

Water Permit No. 6337-3, for Brian Gatzke, 1521 Calumet Road, Brookings SD 57006, was issued by the Chief Engineer on behalf of the Water Management Board 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. 6337-3 appropriates 4.56 cubic feet of water per second from two wells (Tulare:Western Spink Aquifer) approximately 50 feet deep located in the centers of the NE ¼ and the SE ¼ Section 35 to irrigate 320 acres located in the E ½ Section 35; all in T114N-R63W.

On January 22, 2007, the Chief Engineer on behalf of the Water Management Board approved Water Permit No. 6764-3. Water Permit No. 6337-3 is being reissued to reflect the changes authorized by Water Permit No. 6764-3.

Water Permit No. 6764-3 authorizes severing 0.4 cfs and 28 acres located in the corners of the NE ¼ and SE ¼ Section 35-T114N-R63W not developed using standard 136 acre center pivots and simultaneously transferring these amounts to other land.

Reissued Water Permit No. 6337-3 appropriates 4.16 cfs from two wells (Tulare:Hitchcock Aquifer) approximately 50 feet deep located in the centers of the NE ¼ and SE ¼ Section 35 to irrigate 292 acres located in the E ½ Section 35; all in T114N-R63W.

2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The date from which applicant may claim right is June 21, 2002.
4. One-fifth of the construction is to be completed on or before June 4, 2005.
5. All construction is to be completed on or before December 4, 2007.
6. Water is to be put to beneficial use on or before December 4, 2011.
7. 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. The wells authorized by Permit No. 6337-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

MAY 10 2007
date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 10 2007

6336-3
6337-3
6764-3

Lee Gatzke
18479 389th Ave
Tulare SD 57476

Dear Mr. Gatzke:

Enclosed is Water Permit No. 6764-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit. Also, enclosed are reissued Water Permit Nos. 6336-3 and 6337-3. These permits are being reissued to reflect the changes authorized by Water Permit No. 6764-3.

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

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

Sincerely,

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

c: Brian Gatzke

enclosures

SOUTH DAKOTA
WATER PERMIT NO. 6337-3 FOR IRRIGATION

Date of first receipt of application June 21, 2002.

Date of return to applicant for corrections, amendments or changes June 21, 2002.

Date of receipt of corrected application June 25, 2002.

The Water Management Board approved Water Permit No. 6337-3 on December 4, 2002 for Brian Gatzke, 1521 Calumet Road, Brookings SD 57006 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. 6337-3 appropriates 4.56 cubic feet of water per second from two wells (Tulare:Western Spink Aquifer) approximately 50 feet deep located in the centers of the NE ¼ and the SE ¼ Section 35 to irrigate 320 acres located in the E ½ Section 35; all in T114N-R63W.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period April 1 – October 31.
3. The date from which applicant may claim right is June 21, 2002.
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6. Water is to be put to beneficial use on or before December 4, 2011.
7. 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. The wells authorized by Permit No. 6337-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

MAR 19 2003

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6337-3</u> (office use only)
	Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>
	Newspaper <u>Redfield Press</u> , <u>Redfield</u>

RECEIVED
JUN 21 2002
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____

(Use predates Mar 2, 1955)

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

- Name of Applicant Brian Gatzke Phone 605-692-2119
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 1521 Calanet Rd, Brookings State SD 57006
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 4.56 *CFS or 2050 **GPM ***AF Total Acreage 320
(*Cubic Feet per Second) (**Gallons per Minute) (***Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Ground water
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Approximate Center of NE1/4 Sec 35, T114N, R63W and Approximate Center of SE1/4 Sec 35, T114N, R63W Spink County _____
- County or counties where water will be used Spink
- Annual period during which water is to be used April 1 to October 31
- 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
NE1/4 NE1/4 Sec 35 T114N, R63W	40	NE1/4 SE1/4 Sec 35 T114N R63W	40
SE1/4 NE1/4 Sec 35 T114N, R63W	40	SE1/4 SE1/4 Sec 35 T114N R63W	40
SW1/4 NE1/4 Sec 35 T114N, R63W	40	SW1/4 SE1/4 Sec 35 T114N R63W	40
NW1/4 NE1/4 Sec 35 T114N, R63W	40	NW1/4 SE1/4 Sec 35 T114N R63W	40

8. Give a description of the project. (Attach sheet if more space is needed) Put up Center Pivots to irrigate Half section.

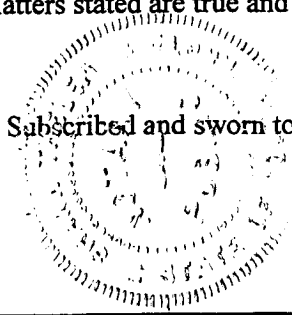
STATE OF SOUTH DAKOTA) SS
County of Beadle

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, Brian 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 Brian Gatzke

Subscribed and sworn to before me this 19 day of June 20 02



Shirley
Notary Public signature

Commission Expires Dec. 4, 2008

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24 in Depth 50 Ft
- b) Casing Type Plastic Diameter 16 in Thickness _____
- c) Screen Type PVC Diameter 16 in Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 15 Ft
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others unknown

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

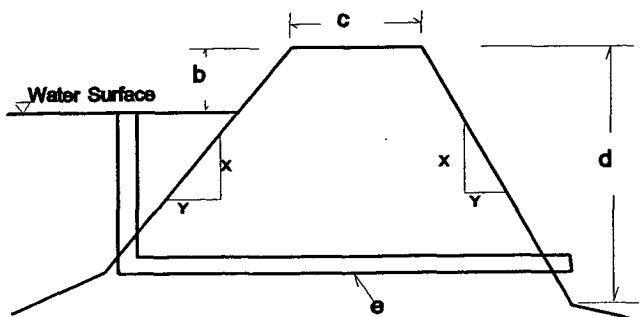
3. Dugout Information

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

4. Water Storage Dams

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

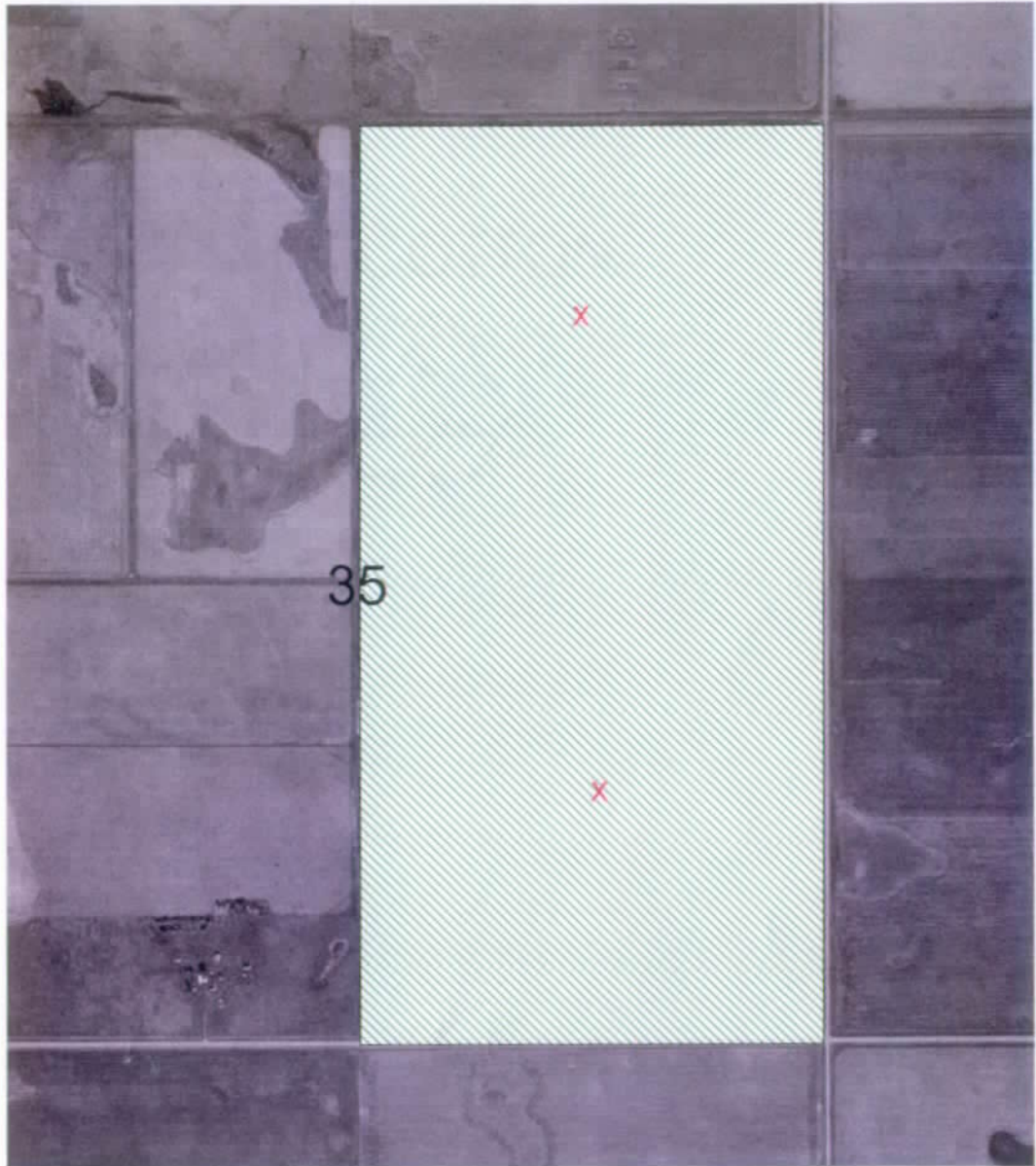
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



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

Brian

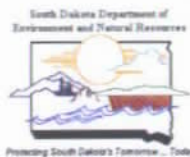
Lee Gatzke Water Right Permit Application



Planned Irrigation of the E 1/2 Section 35, T114N, R63W



Eric Gronlund
Eric Gronlund
Water Rights Program



6337-3

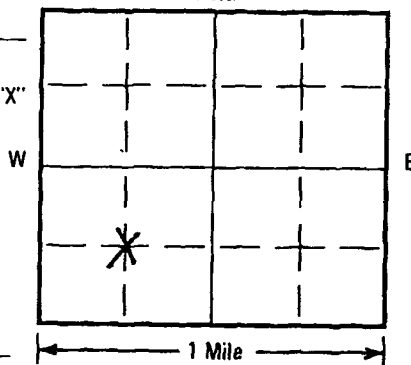
SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

6239-3

Location 1/4 SW 25 Twp 114 Rg 63
County Spink

Please mark well location with an "X"



Well Completion Date

10-31-00

Well Owner: Bixler Farms Inc.

Business Name:

Address: 39474 184th St

Hitchcock SD 57348

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
top soil	0	5
yellow clay	5	15
sand coarse - coal	15	65
blue clay	65	80

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:

rotary

CASING DATA: ☐ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
____ LB/FT	____ IN	____ FT	____ FT	____ IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN
____ LB/FT	____ IN	____ FT	____ FT	____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
_____	_____	_____ lb./gal	_____ ft	_____ ft
_____	_____	_____ lb./gal	_____ ft	_____ ft

Describe grouting procedure _____

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

____ YES, How: _____

____ NO, Why Not? _____

Laboratory sent to for water quality analysis

STATIC WATER LEVEL _____ Fe

If flowing: closed in pressure _____ P

GPM flow _____ through _____ inch pi

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GP

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: _____

☐ Bailed _____

☐ Other _____

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GP

_____ ft. After _____ Hrs. pumped _____ GP

If pump installed, pump rate _____ GP

REMARKS

This well was drilled under license # 94

And this report is true and accurate.

Drilling firm Huron Drilling Inc.

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____



PULLMAN DRILLING, INC. - DRILLER'S LOG

(605) 883-4532
1-800-451-4884

Joe Gatzke
JOB NAME

Hitchcock
LOCATION

11-11-02
DATE

11
RIG NO

Paul Hobbs
FOREMAN

DEPTH	TIME	REMARKS
# 5		
20		0-20 Yellow clay
40		20-40 Fine to med. Yellow sand
60		40-45 Med. yellow sand 45-60 Med. gray sand
80		60-70 Fine to med. gray sand 70-80 med. to coarse sand
100		80-90 Coarse gray sand 90-100 Fine sand w/ clay breaks Stay at 90'

3" well		
T.D. 100'		
20' .025 3" slotted		
80' 3" blank		
SE 4 35-11463		
# 6		

20		0-17 Yellow clay 17-20 Yellow sand
40		20-30 Yellow sand 30-40 med. gray sand w/ coal
60		40-60 Fine to med. gray sand w/ coal
80		60-70 Med. gray sand w/ coal 70-80 Med. to coarse sand
91		80-90 Coarse sand w/ pearrock 90-91 Blue clay

3" well		
T.D. 91'		
20' .025 3" slotted		
71' 3" blank		
NE 4 35-114-63		

East of Hitchcock

THIS IS THE EAST WALLS LOGS FROM
APPL NO. 6337-3 FOR BRIAN GETZKE

$E \frac{1}{2}$ SEC 35-T115N, R63W

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

417195

Pierre, June 21, 20 02

RECEIVED OF Lee or Ulla 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>6337-3</u> to Appropriate Water, to construct and to put water to beneficial use _____	325	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>6337-3</u> _____	25	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	350 00

By Darland Erbe
Chief Engineer *gm*

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

417205

Pierre, June 25, 20 02

RECEIVED OF 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. _____ 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. 6337-3

25 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

25 00

By

Chief Engineer

Darland Ebele

gm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 21, 2002

Lee Gatzke
18479 389th Ave
Tulare SD 57476-7700

Dear Mr. Gatzke:

Thank you for submitting the two *Applications for a Permit to Appropriate Water* for irrigation. Below is a breakdown of the additional application/license filing fees required.

160 acres – SW ¼ Sec 32-T115N-R63W	\$300 total fee
	- 250 check
	<u>\$ 50</u>

320 acres – E ½ Sec 35-TT114N-R63W	\$375 total fee
	- 350 check
	<u>\$ 25</u>

An additional \$75 is required. One check can be submitted for the total amount. Upon receipt of the additional fees, further processing of your applications will continue.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

REPORT ON WATER PERMIT NOS. 6330-3, 6331-3, 6332-3, 6336-3, 6337-3, 6338-3, 6339-3, 6340-3, 6343-3, 6344-3, 6345-3, 6346-3, 6348-3, 6353-3 FOR WATER FROM THE TULARE HITCHCOCK AQUIFER AND WATER PERMIT NOS. 6333-3, 6334-3, 6347-3, 6351-3, 6352-3 FOR WATER FROM THE TULARE WESTERN SPINK AQUIFER

September 10, 2002

These applications are all for irrigation and propose to appropriate a total of 62.87 cfs for irrigation of 4,604.4 acres located in Beadle and Spink County. Specifically, these applications request 45.85 cfs for irrigation of 3,397 acres from the Tulare Hitchcock aquifer and 17.02 cfs for irrigation of 1,207.4 acres from the Tulare Western Spink aquifer.

AQUIFER – TULARE WESTERN SPINK (T-WS), TULARE HITCHCOCK (T-H)

The Tulare Western Spink is a mostly buried outwash (sand and gravel) which is under predominantly confined or artesian conditions. The Tulare Hitchcock is a predominantly surficial outwash (sand and gravel) which is under water table conditions. The Tulare Western Spink is hydraulically connected to the Tulare Hitchcock and ground water movement is from southwest to northeast and towards the James River (Hamilton, 1996). For practical purposes the two management units are the same aquifer system. The Hamilton report refers to the Tulare aquifer in general terms whereas the terms Tulare Hitchcock and Tulare Western Spink are management units of the Tulare aquifer as defined in an earlier report (Hedges, 1982). The boundary line between the two management units roughly follows a line from the town of Hitchcock to the town of Tulare. Everything east of that imaginary line is Tulare Hitchcock and everything west of the line is Tulare Western Spink. The Water Rights Program has continued to use the management units as described in the Hedges report for water use and water allocation purposes. However, because of the similarities between the aquifer management units and because of continuing irrigation development from both management units, the management units need to be combined to fully utilize the development potential of the aquifer. This report will consider the Tulare Western Spink and the Tulare Hitchcock management units as the same aquifer.

The Tulare Hitchcock underlies 96,000 acres and contains an estimated 360,000 acre-feet of recoverable water in Spink County and underlies 53,800 acres and contains an estimated 333,000 acre-feet of recoverable water in storage in Beadle County (Hedges, 1982). This totals to 149,800 acres and 693,000 acre-feet of recoverable water in storage for the entire aquifer. Recharge to the aquifer has been estimated to approximate 0.83 inches per year (Kuiper, 1984). This equates to an average recharge of 6,640 acre-feet per year for Spink County and 3,720 acre-feet per year for Beadle County. The total annual recharge for the Tulare Hitchcock is approximately 10,360 acre-feet.

The Tulare Western Spink aquifer underlies 57,000 acres and contains an estimated 162,000 acre-feet of recoverable water in storage in Beadle County, underlies 72,300 acres and contains an estimated 270,930 acre-feet of recoverable water in storage in

Spink County and underlies 9,600 acres and contains an estimated 86,400 acre-feet of recoverable water in storage in Hand County (Hedges, 1982). This totals to 138,900 acres and 519,330 acre-feet of recoverable water in storage for the entire Tulare Western Spink. Recharge to the aquifer has been estimated to approximate 0.83 inches per year (Kuiper, 1984). This equates to an average recharge of 3,940 acre-feet per year for Beadle County, 5,000 acre-feet per year for Spink County and 664 acre-feet per year for Hand County. The total annual recharge for the Tulare Western Spink management unit is approximately 9,600 acre-feet.

The combined aquifer statistics for the Tulare Western Spink and Tulare Hitchcock management units would include, 288,700 acres underlain by aquifer, 1.212 million acre-feet of recoverable water in storage, and 19,960 acre-feet of annual recharge to the entire aquifer system.

Water use from the Tulare Hitchcock aquifer in Beadle County has exceeded the estimated average annual recharge (3,720 acre-feet) to the aquifer five times in the last 23 years. Water use from the Tulare Hitchcock aquifer in Spink County has never exceeded the estimated average annual recharge (6,640 acre-feet) to the aquifer and has peaked at 4,813.5 acre-feet as reported in 2001. However, there are twelve recently approved water permits located in Spink and Beadle County that have either not reported irrigation or have not fully developed yet. If these permits develop completely and use water at a rate comparable to the existing users, then the water use from the Tulare Hitchcock would increase by about 1,600 acre-feet. This calculated volume added to the reported use of 4,813.5 acre-feet in 2001 would approach the average annual recharge estimate for Spink County. In all likelihood, pumping the Tulare Hitchcock management unit in Spink County would probably exceed average annual recharge during a drought.

The combined water use for Spink and Beadle Counties for the Tulare Hitchcock has never exceeded the combined estimated recharge (10,360 acre-feet) but a peak volume of 9,874 acre-feet was pumped in 1989. Adding in the estimated pumping volumes of 1,600 acre-feet (the newer permits) would mean that pumping from the Tulare Hitchcock would have exceeded the annual recharge estimate three times since 1979. Combining pumping volumes from the two counties in this manner indicates that the aquifer is probably fully appropriated based upon actual plus estimated potential water use.

Water use for the Tulare Western Spink peaked at just over 5,100 acre-feet in 1989. With a total recharge to the aquifer of about 9,600 acre-feet annually, there is water available for appropriation from this aquifer. There are no newer water permits from the Tulare Western Spink to account for. The only other major user of water from this aquifer is the small rural water system, Water Right No. 4774-3 that uses 70 to 80 acre-feet of water per year (personal communication with Scott Gross, operator of the rural water system on September 9, 2002). Also, this system will apparently begin using water from Mid Dakota RWS when that water is available in the next year or two and abandon the Tulare Western Spink as a water source.

Combining the two management units and considering them as a unit indicates a total recharge of 19,960 acre-feet annually. Also, a maximum water use of 14,981 acre-feet occurred in 1989. These estimates leave about 5,000 acre-feet available for appropriation from the entire combined aquifer minus 1,600 acre-feet to account for development of permits issued but not yet utilized. This would leave approximately 3,400 acre-feet of water use to be developed from the combined aquifer.

The Water Rights Program monitors 24 observation wells completed into the Tulare Hitchcock in Spink and Beadle Counties and 26 observation wells completed into the Tulare Western Spink in Beadle, Spink and Hand counties. Water levels for these wells indicate fluctuation due to climatic conditions, that recharge does occur and that the effects of pumping are generally not significant. Hydrographs for observation wells (SP-53A, SP-53B, BD-77A and BD-66A) are included with this report. These records are representative of the general water level trends for both management units. The historical water level record is excellent and accurately reflects the conditions of the aquifer in this area for the last 50 years.

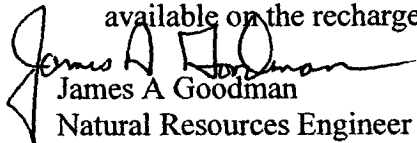
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are 77 existing water permits/rights that obtain water from the Tulare Hitchcock in Spink and Beadle Counties. These permits/rights appropriate 156.07 cfs and potentially irrigate 12,990 acres in Spink and Beadle Counties. There are 50 water permits/rights that obtain water from the Tulare Western Spink aquifer in Hand, Beadle and Spink Counties. These permits/rights appropriate 91.604 cfs and potentially irrigate 7,691.9 acres in these three counties. Interference has never been a problem for either aquifer. The Tulare Hitchcock is under water table conditions and drawdown created by pumping does not extend very far from individual production well. This is shown by the hydrographs for SP-53A, SP-77A and BD-66A. The Tulare Western Spink is a confined aquifer and fluctuation due to pumping does occur. The drawdown has not been significant and has not created adverse impacts. This is shown by the hydrograph for SP-53B and by water level records for the other observation wells in the area (Water Rights, 2002).

SDCL 46-6-3.1 states that “no application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source. An application may be approved, however, for withdrawals of groundwater from any groundwater formation older than or stratigraphically lower than the Greenhorn formation in excess of the average estimated annual recharge for use by water distribution systems.” Clearly the intent of this statute is to limit development of aquifers to a volume of water which approximates average annual recharge. The only exception to the statute would be for water distribution systems that obtain water from formations older than or stratigraphically lower than the Greenhorn Formation. All the applications in this report fail both of tests of the exception to the statute.

CONCLUSIONS

1. Water is available from the combined Tulare Western Spink and Tulare Hitchcock management units.
2. Based upon water use plus estimates for undeveloped permits there is approximately 3,400 acre-feet of water available for appropriation from the combined Tulare Hitchcock and Tulare Western Spink management units. Conservatively this volume would allow about 2,500 acres of additional irrigation.
3. The wells authorized by these applications, if approved, must be constructed in accordance with SD Well Construction Standards.
4. Interference is not expected to be a concern. The observation well data clearly shows that drawdown created by existing withdrawals does not seriously impact water levels over most of the aquifer especially the Tulare Hitchcock management unit.
5. Application Nos. 6330-3, 6331-3, 6332-3, 6333-3, 6334-3, 6336-3, 6337-3, 6338-3, 6339-3, 6340-3 and 6343-3 all obtain water from the Tulare Hitchcock or Tulare Western Spink management units and can be approved. These permits total about 2,554 acres of additional irrigation. The estimated water use for these permit applications should be about 3,400 acre-feet.
6. The Tulare Hitchcock and Tulare Western Spink management units of the Tulare aquifer should be declared fully appropriated and no additional permits from the aquifer will be considered until abandonment and/or forfeiture of existing rights non-development of a recently approved water permit, or additional information becomes available on the recharge rate to the aquifer.


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 No. 96-4056, USGS, Rapid City, SD, 57702.
- Hedges, L.S., 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SDGS, Vermillion, SD, 57069.
- Kuiper, L.K., 1984, Appraisal of the Water Resources of the Eastern Part of the Tulare Aquifer, Beadle, Hand, and Spink Counties, South Dakota, WRI 84-4078, USGS, Huron, SD, 57350.
- Water Rights, 2002, Unpublished Observation Well Records for Beadle, Spink and Hand Counties, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

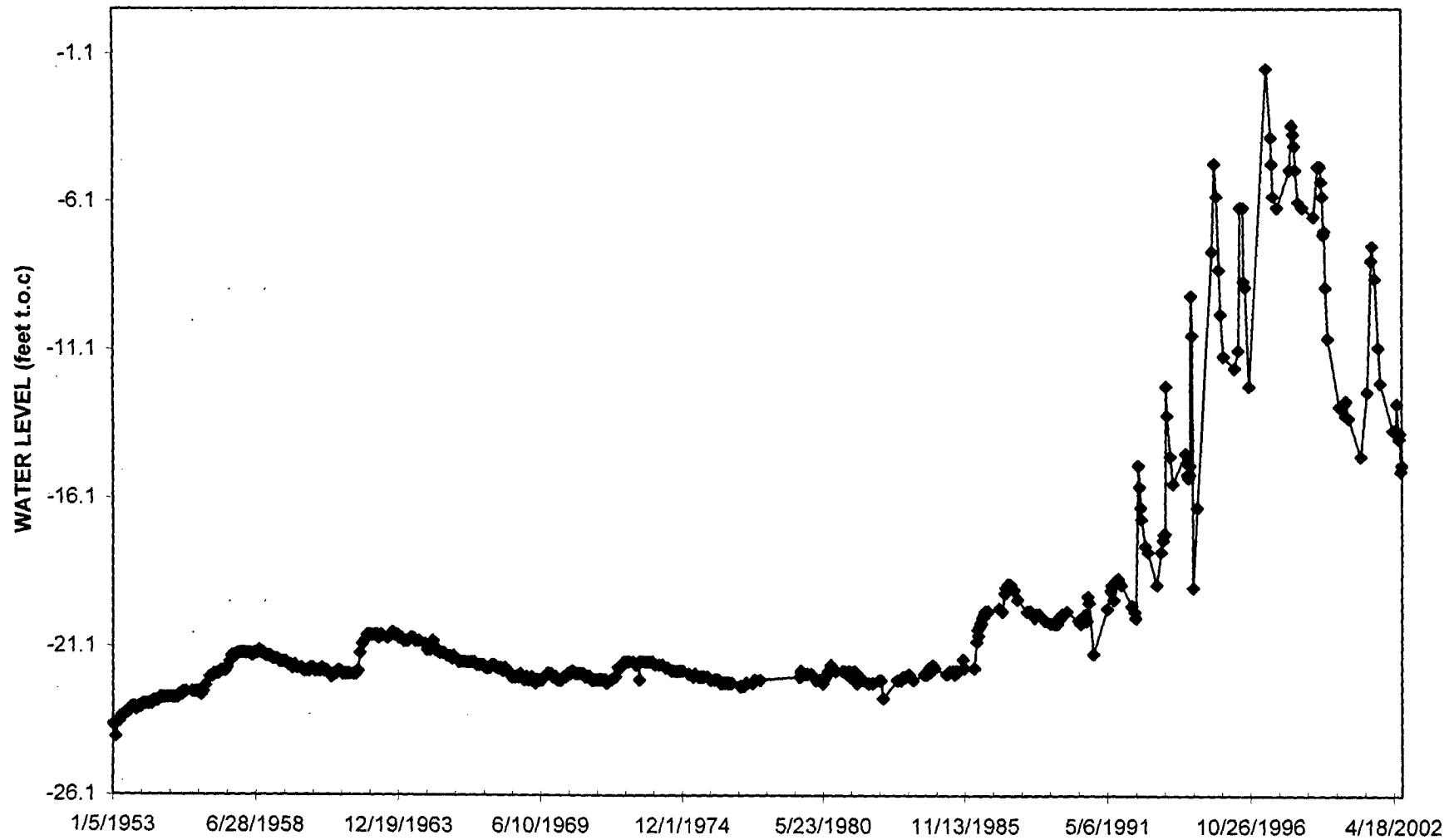
WATER USE (ACRE-FEET)
TULARE-WESTERN SPINK AQUIFER

	SPINK	BEADLE	HAND	TOTAL
2001	3,589 AF	336 AF	62 AF	3,986 AF
2000	3,693 AF	172 AF	218 AF	4,083 AF
1999	2,250 AF	78 AF	0 AF	2,328 AF
1998	1,284 AF	0 AF	0 AF	1,284AF
1997	475 AF	16 AF	0 AF	491 AF
1996	3,108 AF	310 AF	99 AF	3,517 AF
1995	1,672 AF	184 AF	0 AF	1,856 AF
1994	2,096 AF	96 AF	113 AF	2,305 AF
1993	644 AF	252 AF	0 AF	896 AF
1992	973 AF	122 AF	53 AF	1,148 AF
1991	3,819 AF	544 AF	147 AF	4,510 AF
1990	3,915 AF	502 AF	145 AF	4,562 AF
1989	4,456 AF	554 AF	97 AF	5,106 AF
1988	3,779 AF	633 AF	111 AF	4,523 AF
1987	2,399 AF	350 AF	41 AF	2,789 AF
1986	349 AF	82 AF	0 AF	431 AF
1985	2,689 AF	89 AF	191 AF	2,969 AF
1984	3,138 AF	241 AF	83 AF	3,462 AF
1983	2,447 AF	187 AF	90 AF	2,724 AF
1982	2,411 AF	65 AF	166 AF	2,641 AF
1981	3,790 AF	922 AF	32 AF	4,744 AF
1980	3,197 AF	130 AF	0 AF	3,327 AF
1979	2,432 AF	342 AF	0 AF	2,774 AF

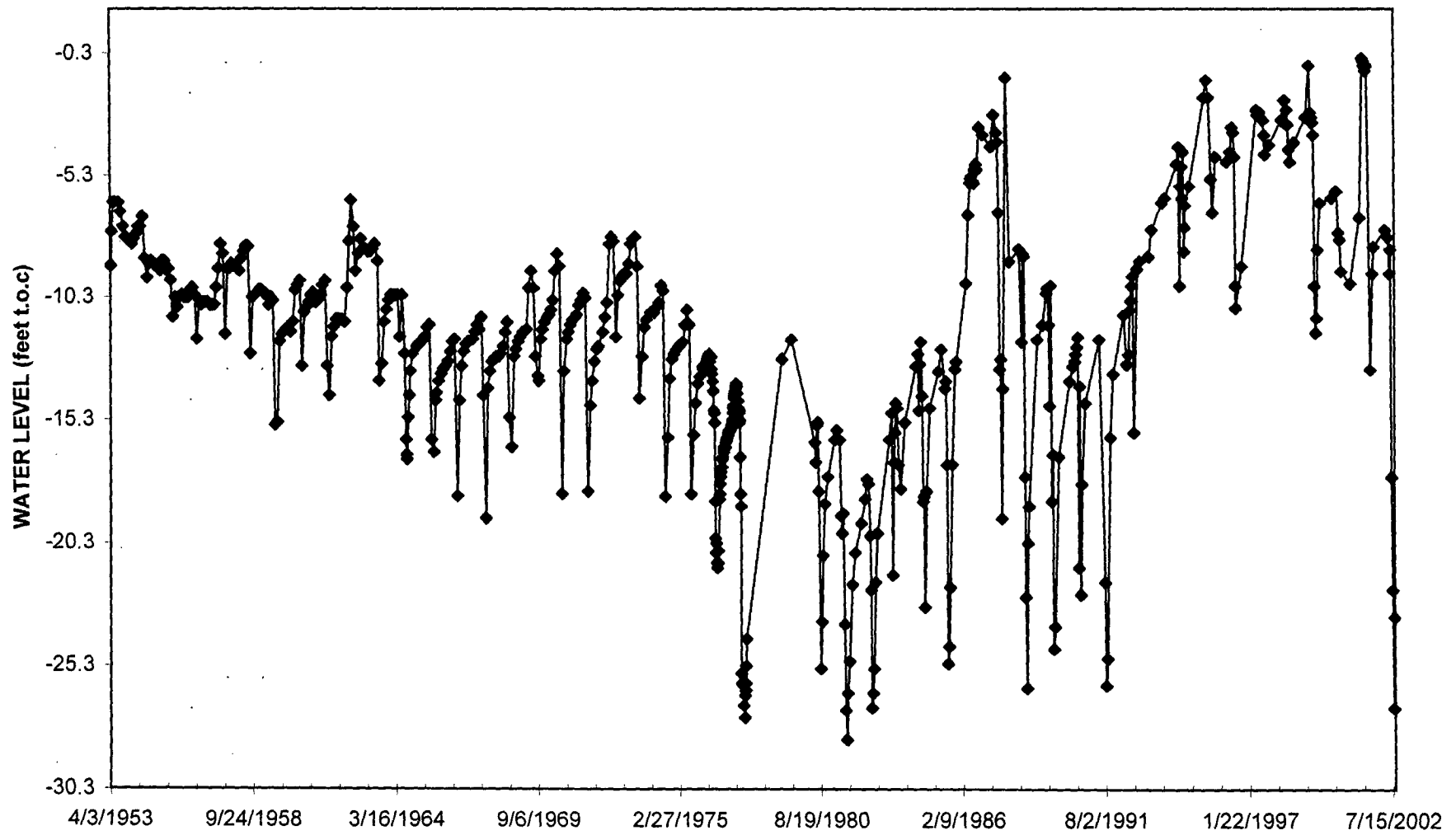
**WATER USE (ACRE-FEET)
TULARE-HITCHCOCK AQUIFER**

	SPINK	BEADLE	TOTAL
2001	4,814 AF	3,503 AF	8,316 AF
2000	4,081 AF	3,528 AF	7,610 AF
1999	3,229 AF	3,077 AF	6,306 AF
1998	1,536 AF	3,360 AF	4,896 AF
1997	1,169 AF	1,405 AF	2,574 AF
1996	4,350 AF	4,729 AF	9,079 AF
1995	2,956 AF	1,755 AF	4,711 AF
1994	2,266 AF	1,279 AF	3,545 AF
1993	1,122 AF	237 AF	1,359 AF
1992	1,939 AF	2,303 AF	4,242 AF
1991	4,307 AF	3,586 AF	7,894 AF
1990	3,020 AF	4,219 AF	7,239 AF
1989	3,736 AF	6,139 AF	9,875 AF
1988	3,596 AF	5,233 AF	8,829 AF
1987	3,333 AF	3,402 AF	6,735 AF
1986	1,622 AF	1,475 AF	3,097 AF
1985	2,356 AF	2,293 AF	4,649 AF
1984	2,193 AF	2,601 AF	4,794 AF
1983	1,442 AF	4,891 AF	6,333 AF
1982	1,624 AF	1,851 AF	3,475 AF
1981	2,872 AF	2,639 AF	5,511 AF
1980	1,607 AF	1,743 AF	3,349 AF
1979	1,192 AF	1,299 AF	2,491 AF

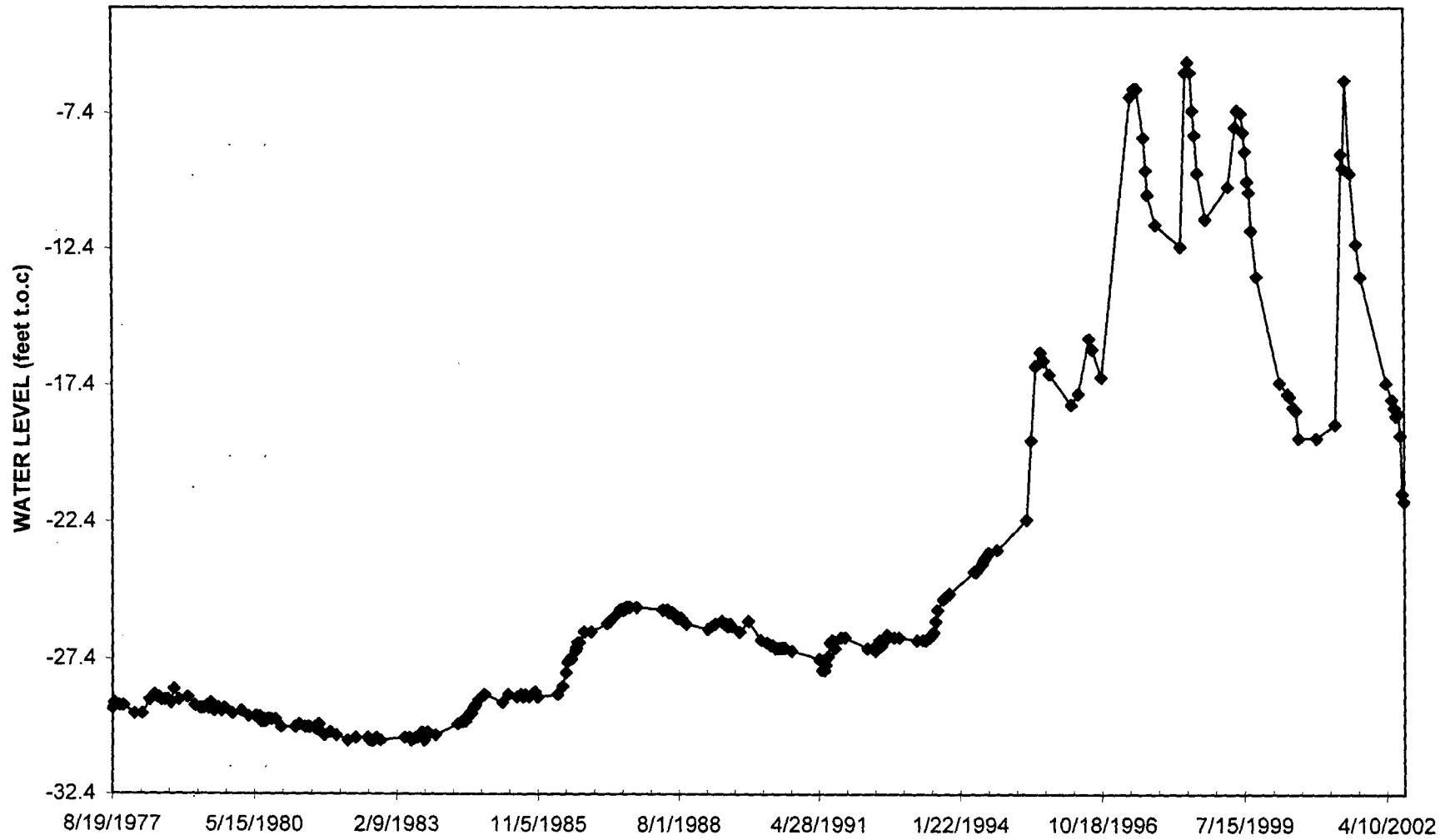
WATER RIGHTS' OBSERVATION WELL
SP-53A



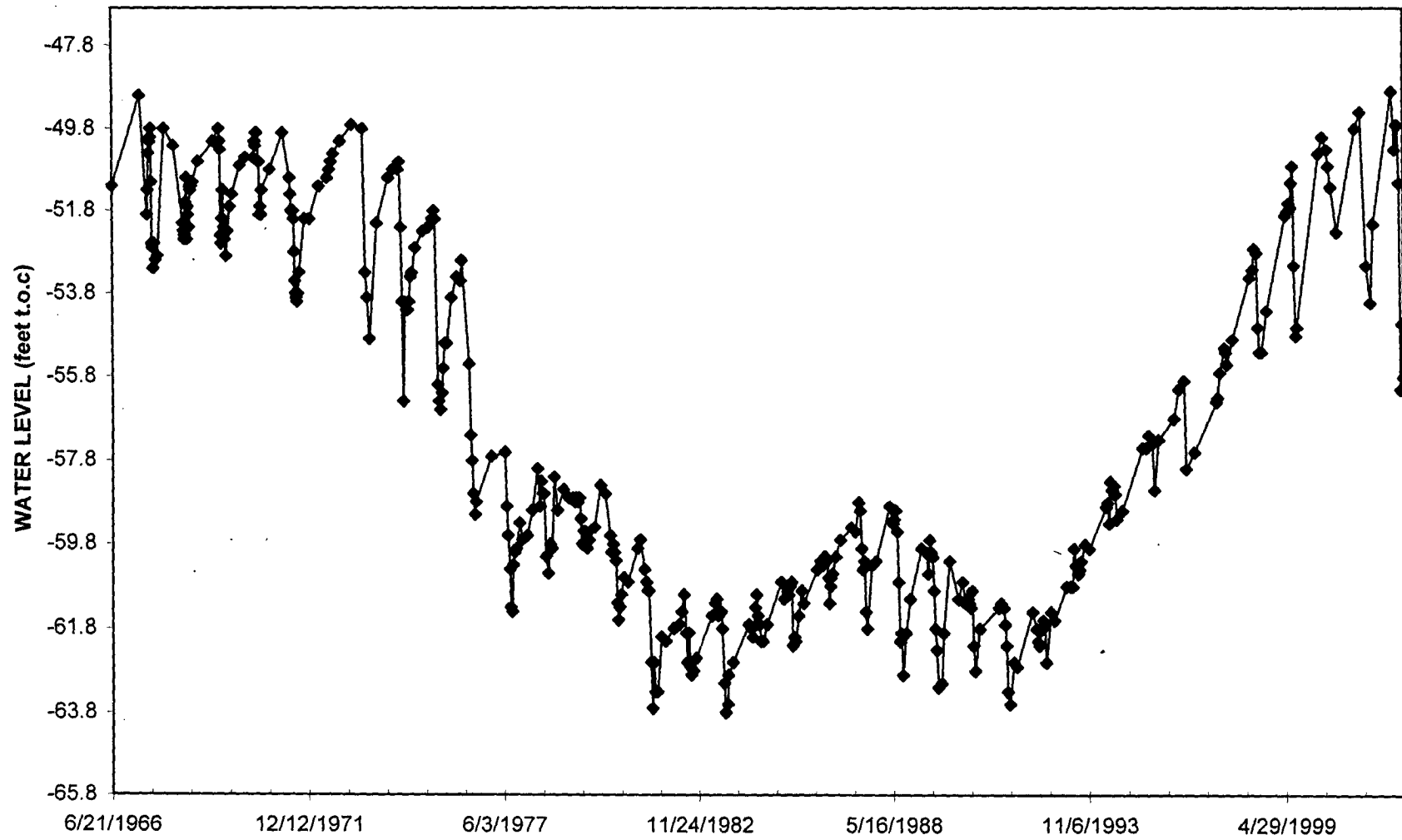
WATER RIGHTS' OBSERVATION WELL
SP-53B



WATER RIGHTS' OBSERVATION WELL
BD-77A



WATER RIGHTS' OBSERVATION WELL
BD-66A





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6337-3, Brian 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. 6337-3, Brian Gatzke, 1521 Calumet Road, Brookings SD 57006.

The Chief Engineer is recommending APPROVAL of Application No. 6337-3 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 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. The wells authorized by Permit No. 6337-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
October 30, 2002

NOTE: The Water Rights Program received twenty two applications to appropriate water from the Tulare:Hitchcock and Tulare:Western Spink Aquifer. The Chief Engineer's recommendation is to approve eleven of these applications based upon priority. The Chief Engineer is recommending denial of eleven applications because the aquifer is fully appropriated. Please review the staff report carefully.

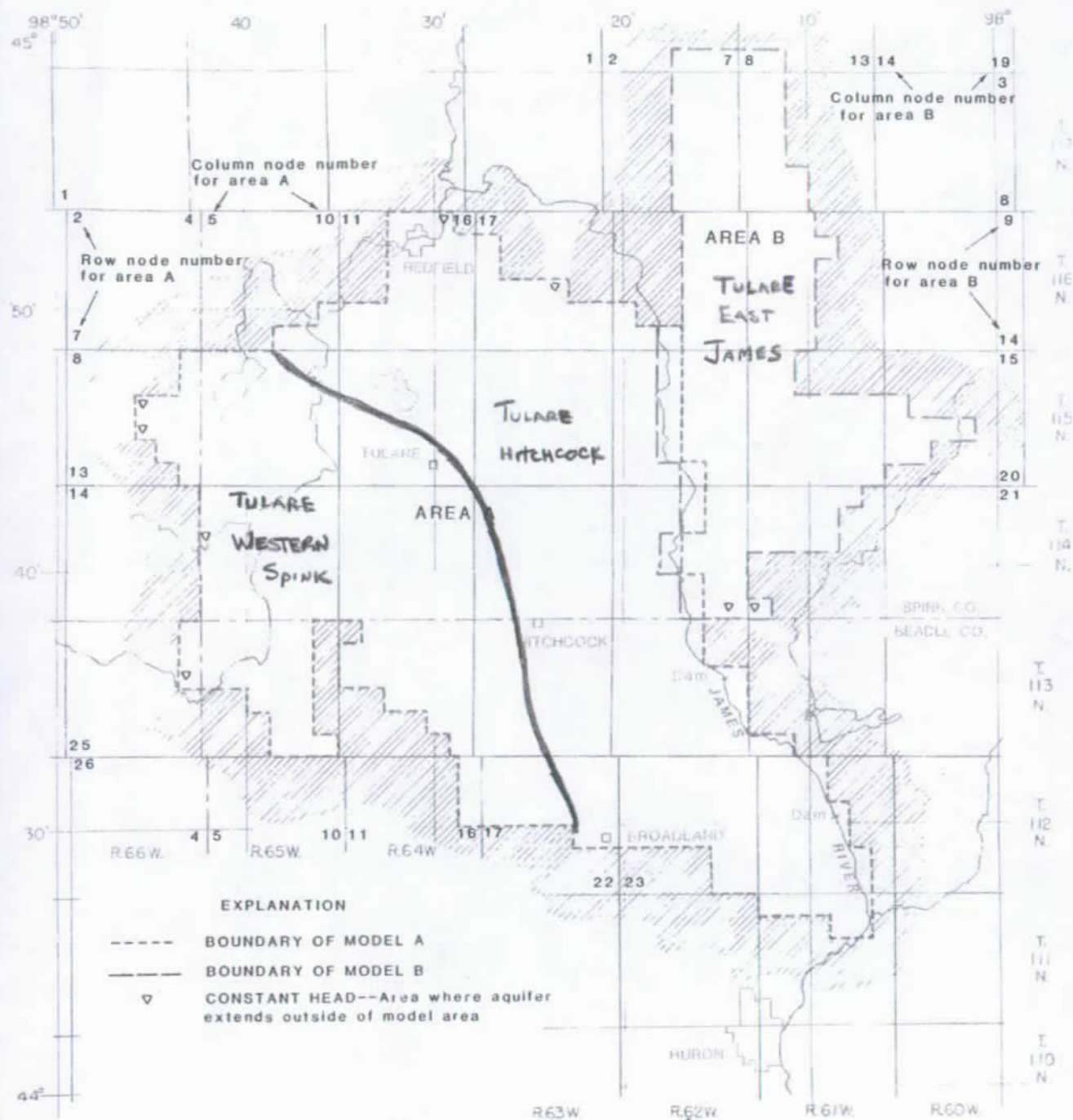
If the Board accepts the recommendation at their December 4th hearing, the aquifer will be considered fully appropriated. In that event, the Water Rights Program will recommend denial of new appropriations from this aquifer unless water becomes available by 1) abandonment and/or forfeiture of existing water rights, 2) non-development of a recently approved water permit, or 3) additional information becomes available on the recharge rate to the aquifer.

Applicants that obtain a water permit need to be aware that the works must be completed within 5 years of obtaining the permit and water put to beneficial use within an additional four years. Also, in accordance with state law, if one-fifth of work is not completed within 2½ years of obtaining the permit, the Board may accept and approve a new application for the use of all or any of the water included in the original permit and the right to use water under the original permit shall be forfeited.

Pending Water Right Permit Applications from the Tulare:Western Spink and Tulare: Hitchcock Aquifer

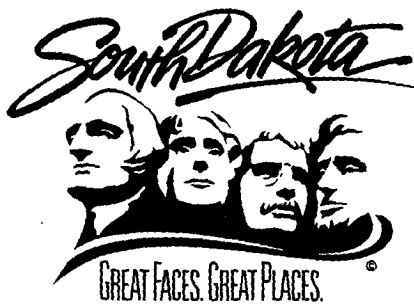
Appl. No.	Applicant	Div. Rate (cfs)	Acres	Source	Approx. Legal Location	Date Filed	Recommendation
6330-3	Floyd Peterson	2.22	157	T:H	SW ¼ Sec 5, T115N, R62W	6/21/02	Approval
6331-3	Oscar, Inc.	2.23	157	T:H	SE ¼ Sect 5, T115N, R62W	6/21/02	Approval
6332-3	Oscar, Inc.	2.18	153	T:H	SE ¼ Sec. 26, T114N, R63W	6/21/02	Approval
6333-3	Peterson Farms	4.57	320	T:WS	NW ¼ & SE ¼ Sec 21, T113N, R63W	6/21/02	Approval
6334-3	Peterson Farms	3.82	267.4	T:WS	N ½ Sec 34, T115N, R64W	6/21/02	Approval
6336-3	Lee Gatzke	2.28	160	T:H	SW ¼ Sec 32, T115N, R63W	6/21/02	Approval
6337-3	Brian Gatzke	4.56	320	T:H	E ½ Sec 35, T114N, R63W	6/21/02	Approval
6338-3	Allen Gatzke	3.56	320	T:H	NE ¼ & SW ¼ Sec 10, T114, R63W	7/12/02	Approval
6339-3	Allen Gatzke	3.56	320	T:H	W ½ Sec 14, T114N, R63W	7/12/02	Approval
6340-3	Allen Gatzke	1.78	160	T:H	NE ¼ Sec 15, T114N, R63W	7/12/02	Approval
6343-3	Peterson Farms	4.57	320	T:H	SW ¼ Sec 2 & NW ¼ Sec. 11, T113N, R63W	7/26/02	Approval
6344-3	Oscar, Inc.	2.28	160	T:H	NE ¼ Sec 32, T115N, R63W	7/26/02	Denial
6345-3	Oscar, Inc.	3.42	240	T:H	SW ¼ & S ½ N ¼ Sec. 24, T115N, R64W	7/26/02	Denial
6346-3	Oscar, Inc.	4.57	320	T:H	S ½ Sec 25, T115N, R64W	7/26/02	Denial
6347-3	Oscar, Inc.	9.14	640	T:WS	S ½ Sec 19 & N ½ Sec 30, T114N, R63W	7/26/02	Denial
6348-3	Allen Gatzke	1.78	130	T:H	NW ¼ Sec 19, T114N, R62W	7/29/02	Denial
6351-3	Randy R Puffer	1.78	140	T:WS	NW ¼ & N ½ SW ¼ Sec 34, T113N, R63W	8/7/02	Denial
6352-3	Lee Gatzke	2.28	160	T:WS	NW ¼ Sec 18, T114N, R63W	8/8/02	Denial
6353-3	Lee Gatzke	2.28	160	T:H	NE ¼ Sec 6, T114N, R63W	8/8/02	Denial
6359-3	Darin, Brett & Chad Binger	2.0	160	T:WS	SW ¼ Sec 6, T114N, R64W	9/19/02	Denial
6360-3	Darin, Brett & Chad Binger	2.0	160	T:WS	NW ¼ Sec 5, T114N, R64W	9/19/02	Denial
6361-3	Darin, Brett & Chad Binger	2.0	160	T:WS	NE ¼ N ½ SE ¼ Sec 6, T114N, R64W	9/19/02	Denial
TOTAL		68.86	5,084.6	Recommended for Approval		35.33 cfs for 2,654.4 acres	

T:H - Tulare:Hitchcock Aquifer
 T:WS - Tulare:Western Spink Aquifer



(Kuiper, 1984)

Figure 2.--Location of aquifer model areas.



**DEPARTMENT of ENVIRONMENT
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JOE FOSS BUILDING
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www.state.sd.us/denr

October 31, 2002

Garrett Dykstra
Dakota Air Spray
PO Box 208
Turton SD 57477

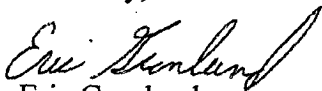
Dear Mr. Dykstra:

Please find enclosed a copy of the report, recommendations, notice of hearings for the applications filed by the Gatzke's. Also enclosed is a summary table of the twenty-two applications we processed from the Tulare:Hitchcock and Tulare:Western Spink aquifers.

The notices to schedule a December 4th hearing before the Water Management Board have been sent to the Redfield Press. Since we are on a tight timeframe to get these applications scheduled for the December 4th meeting, the applicants will need to contact the newspaper immediately to authorize publication of the notices. The newspaper has been instructed not to publish unless the applicant or a representative of the applicant calls and authorizes publication.

If you have any questions, please contact me.

Sincerely,


Eric Gronlund
Water Rights Program
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
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**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

October 30, 2002

Brian Gatzke
1521 Calumet Rd
Brookings SD 57006

Dear Mr. Gatzke:

Water Permit Application No. 6337-3 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). You will need to contact the newspaper and authorize publication of this notice. 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. Upon receiving authorization, 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 also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,


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
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 30, 2002

Redfield Press
PO Box 440
Redfield SD 57469-0440

ATTENTION: Legal Public Notice

Enclosed are eleven Notice of Hearings on numerous water right permit applications to appropriate water to be published twice. Please publish the first notice on November 6, 2002 with the second publication 7 days later. Publication should only take place for those notices in which the applicant or a representative of the applicant contacts you to authorize publication and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT's are:

Notices	Applicant	Address	Phone
6330-3	Floyd Peterson	18892 390 th Avenue, Hitchcock SD 57348	605 266-2747
6331-3 & 6332-2	Oscar, Inc.	c/o Floyd Peterson, 18892 390 th Ave. Hitchcock SD 57348	605 266-2747
6334-3	Peterson Farms, Lenny Peterson	19111 Maple Avenue, Hitchcock SD 57348	605 266-2793
6336-3	Lee Gatzke	18479 389 th Avenue, Tulare SD 57476	605 266-2790
6337-3	Brian Gatzke	1521 Calumet Rd., Brookings SD	605 692-2119
6338-3, 6339-3 & 6340-3	Allen Gatzke	39351 187 th Street, Hitchcock SD 57348	605 226-2711
6341-3	Jeffery Gatzke	39334 187 th Avenue, Hitchcock SD 57348	605 266-2574
6344-3, 6345-3, 6346-3 6347-3	Oscar, Inc.	c/o Floyd Peterson, 18892 390 th Ave. Hitchcock SD 57348	605 266-2747
6348-3,	Allen Gatzke	39351 187 th Street, Hitchcock SD 57348	605 226-2711
6352-3 & 6353-3	Lee Gatzke	18479 389 th Avenue, Tulare SD 57476	605 266-2790
6359-3, 6360-3 & 6361-3	Darin, Brett, Chad Binger ✓	18410 382 Avenue, Tulare SD 57476	605 596-4295

Please send the Water Rights Program the first publication immediately for notices that are published. The publications are checked for accuracy so any corrections can be made in the second publication. You may send to Water Rights Program at 523 E. Capitol Avenue, Pierre SD 57501 or fax 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 for each published notice. 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,

A handwritten signature in cursive script, appearing to read "Eric Gronlund".

Eric Gronlund

Natural Resources Engineer

605 773-3352

enclosures

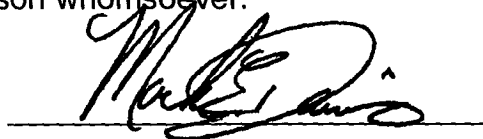
Affidavit of Publication

STATE OF SOUTH DAKOTA,
County of Spink: ss.

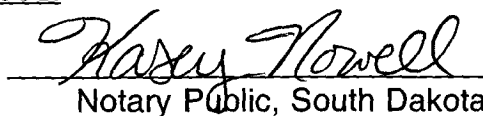
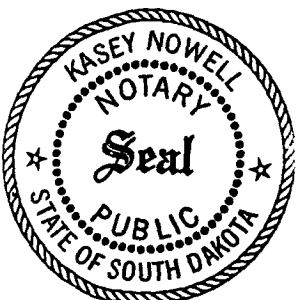
I, Mark E. Davis, of said County & State, being first duly sworn on oath, say that THE REDFIELD PRESS is a legal weekly newspaper as defined in Sec. 65.0508 South Dakota Code 1939, as amended by Chapter 298 of the Session of Laws of 1939, printed and published in the English language in the City of Redfield, in said County and State, by THE REDFIELD PRESS, and has been such newspaper during the time hereinafter mentioned, and that I Mark E. Davis, 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:

#270 Notice of Hearing

A printed copy of which is hereto attached, was printed and published in said newspaper in 2 successive issues, to wit: The first publication being made on November 6, 2002 and the last publication being made on November 13, 2002 that the full amount of the fee charged for publishing the same to-wit: the sum of Thirty-eight and 16/100 Dollars, 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.



Subscribed and sworn to before me this 13th day
of November, 2002.


Notary Public, South Dakota

My term expires 08/16/08

Notice of Hearing

No. 270

NOTICE OF HEARING

Notice of Hearing on Application
No. 6337-3 to Appropriate Water

Notice is given that Brian Gatzke, 1521 Calumet Rd, Brookings SD 57006 has filed an application for a water permit to appropriate 4.56 cubic feet of water per second from two wells (Tulare: Western Spink Aquifer) approximately 50 feet deep located in the centers of the NE 1/4 and the SE 1/4 Section 35 to irrigate 320 acres located in the E 1/2 Section 35; all in T114N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6337-3 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.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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 November 25, 2002. 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.

The Water Management Board will consider this application at 1:30 P.M. December 4, 2002 in the Matthew Training Center, Foss Building, 523 E Capitol. The Chief Engineer's recommendation is not final or binding on the Board. The Board is authorized to: 1) approve, 2) approve with conditions, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The December 2002 hearing date will be automatic.

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delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 25, 2002.

Any hearing may be an adversarial proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by November 25, 2002, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

November 6, 13)

Instruction to Newspaper - Publish first Notice on November 6, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 6337-3 to Appropriate Water

Notice is given that Brian Gatzke, 1521 Calumet Rd, Brookings SD 57006 has filed an application for a water permit to appropriate 4.56 cubic feet of water per second from two wells (Tulare: Western Spink Aquifer) approximately 50 feet deep located in the centers of the NE ¼ and the SE ¼ Section 35 to irrigate 320 acres located in the E ½ Section 35; all in T114N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6337-3 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.

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The Water Management Board will consider this application at 1:30 P.M. December 4, 2002 in the Matthew Training Center, Foss Building, 523 E Captiol. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The December 4, 2002 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 25, 2002.

Any hearing may be an adversarial proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact Eric Gronlund by November 25, 2002, at the above Water Rights Program address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



MAR 19 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Brian Gatzke
1521 Calumet Road
Brookings SD 57006

Dear Mr. Gatzke:

Enclosed is Water Permit No. 6337-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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

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

Sincerely,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 23, 2003

6337-3

Lee Gatzke
18479 389th Ave
Tulare SD 57476-7700

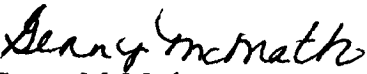
Dear Mr. Gatzke:

I have received the questionnaire you submitted for 6337-3, Brian Gatzke. As you requested, I will include your name as renter and future questionnaires for this permit will be directed to your attention.

Enclosed is the questionnaire. In order for us to calculate the amount of water used, you will need to be more specific with the number of days that the system was operated in each month. Please complete the form and return it to us by December 1st.

Thank you in advance for your help.

Sincerely,


Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure

Permit No. 6337-3
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, **September 10, 2007**, made a thorough examination of the water use system constructed by **Brian Gatzke** of **20836 475th Avenue, Aurora SD 57006** holder of Permit No. **6337-3**, bearing the priority of **June 21, 2002** authorizing the diversion of **4.56 cu. ft. per second** from the **Tulare:Hitchcock Aquifer** 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:

Two wells are in place with a submersible pump capable of each producing 1.78 cfs (800 gpm).

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

Well head for each center pivot is located approximately 150 – 200 feet from the respective pivot center. Water from the well is conveyed to the pivot point in a 8 inch pipeline.

C. Works used to apply water to beneficial use:

Two 7 tower Lindsey-Zimatic center pivot

The system is in the following condition **excellent**. The wells are located in **Section 35, T114N, R63W referenced from the NE corner as follows:**

1) 1,425 South and 1,450 West Lat/Lon - N44.643400 W-098.367383

2) 4,060 feet South and 1,425 West Lat/Lon - N44.636183 W-098.367283

The works are capable of diverting **3.56 cfs total from two wells** which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

All in Section 35, T114N, R63W

NW ¼ NE ¼	34 acres	NW ¼ SE ¼	34 acres
NE ¼ NE ¼	34 acres	NE ¼ SE ¼	34 acres
SW ¼ NE ¼	34 acres	SW ¼ SE ¼	34 acres
SE ¼ NE ¼	34 acres	SE ¼ SE ¼	34 acres

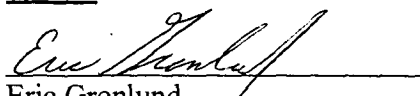
This breakdown of acres is a best estimate based on 1) information provided by the applicant, 2) viewing the orthoquadrangle using ArcMap, and 3) calculating the area based on the pivot radius.

comprising a total of **272** acres of land and the license should be issued for **3.56 cfs**.

Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: **see note in comment section 5, 2007**

Date Report Completed: **October**



Eric Gronlund

Natural Resources Engineer

DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 6337-3

DATE OF INVESTIGATION:	September 10, 2007
NAME & ADDRESS OF PERMIT HOLDER	Brian Gatzke 20836 475th Avenue Aurora SD 57006
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Lee Gatzke (father)
DIVERSION POINT LEGAL LOCATION	Approximate centers of NE ¼ and SE ¼ Section 35, T114N, R63W

Other permit(s) associated with the project: 28 acres and the diversion rate authority of 0.40 cfs
were severed from Permit No. 6337-3 and transferred to Water Permit 6764-3. Water Permit
No. 6337-3 was reissued accordingly.

WELL INFORMATION:

- 1) Well Drilling Firm: **Pullman Drilling**
- 2) No. of Wells Two
- 3) Depth(s) approx. 50 feet
- 4) Well log is available No
- 5) Comment: Pullman Drilling will be contacted for well completion reports

Casing:

- 1) Diameter _____ inches
- 2) Length ____ feet
- 3) Type Plastic

Screen:

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

Pump:

- 1) Make Submersible
- 2) Model _____
- 3) Size
- 4) Capacity 800 GPM (each well - assumed based on center pivot rating)

Motor:

- 1) Make
- 2) Model No.
- 3) Horsepower rating unknown hp

SYSTEM TYPE:**Center pivot:**

- 1) Make Lindsey - Zimmatic (both pivots are identical)
- 2) Serial Nos. 064135 & 064117
- 3) Overall length 1,290 feet
- 4) Number of towers 7 tower
- 5) Distance between towers _____ feetEnd gun Yes (length with gun 1,385.7 feet)
- 6) High or low pressure 40 psi
- 7) Capacity 800 GPM

CHEMIGATION EQUIPMENT: Yes –the pivots are set up for chemigation. There is the factory insert that combines the check valve, interlock, low pressure drain and vacuum relieve valve. Needs to install hose on low pressure drain so convey any drainage at least 20 feet from well.

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Yes
- 2) All structures, wells and lands on map Yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Yes

COMMENTS:

- Irrigation questionnaires indicate irrigation began in 2003
- Discussed with Mr. Gatzke the need to have hose from the low pressure drain at least 20 feet from each well.
- Without the well completion reports on file and no information on the submersible pumps installed, I relied on the spec sheet inside the pivot control box to arrive at the diversion rate of 800 gpm per pivot. I will follow-up with the driller to get the well completion report and amend the inspection report accordingly if I can obtain the completion reports.

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

Date

9/10/07

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Brian Gatzke

(name)

1521 Calumet Rd

(address)

Brookings SD

(city, state, zip)

(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 6337-3 states that the water use system is to be constructed by

(date)

, and water is to be put to beneficial use by

(date)

The water use system was completed on 2003

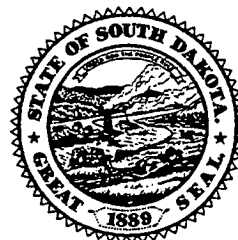
(date)

Applying the water to beneficial use was completed on 2003

(date)

You may schedule an investigation so that the water license may be issued.

[Signature]
(signature)



Picture of well and pivot in SE ¼ of Section 35 authorized by Water Permit No. 6337-3



Picture of well and pivot in NE ¼ of Section 35 authorized by Water Permit No. 6337-3



Water Permit No. 6337-3, Brian Gatzke



1,500 750 0 1,500 Feet

Wells located in the Section 35, T114N, R63W referenced from the NE corner as follows:

- 1) 1,425 South and 1,450 West Lat/Lon - N44.643400 W-098.367383
- 2) 4,060 feet South and 1,425 West Lat/Lon - N44.636183 W-098.367283



Eric Gronlund

Eric Gronlund
Water Rights Program

Date of Investigation - 9/10/2007



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

JAN 24 2008

6337-3

Brian Gatzke
20836 475th Ave
Aurora SD 57006

Dear Mr. Gatzke:

Enclosed is your Water License No. 6337-3. This is the final water right document completing your process of obtaining a Water Right. Also included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6337-3, 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

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6337-3

(1) Brian Gatzke, 20836 475th Ave., Aurora SD 57006 made Application No. 6337-3, June 21, 2002 for a water permit to divert 4.56 cubic feet of water per second (cfs) from ground water (two wells – Tulare:Hitchcock Aquifer), Spink County, South Dakota for irrigation purposes. Permit No. 6337-3, with a priority date of June 21, 2002 was approved December 4, 2002 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 4, 2007 and for the application to beneficial use of said water on or before December 4, 2011.

On January 22, 2007, Water Permit No. 6764-3 was approved which authorized severing 0.40 cfs and 28 acres located in the corners of the NE ¼ and SE ¼ Section 35, T114N, R63W not developed using the standard 136 acre center pivots and simultaneously transferred those amounts to other land. Water Permit No. 6337-3 was reissued for the remaining 4.16 cfs and irrigation of 292 acres located in the E ½ Section 35, T114N, R63W.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 3.56 cubic feet of water per second for beneficial use. The location of the diversion points are:

- 1,425 feet S and 1,450 feet W of the NE corner of Section 35, T114N, R63W (approximate center of NE ¼);
- 4,060 feet S and 1,425 feet W of the NE corner of Section 35, T114N, R63W (approximate center of SE ¼).

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

Section 35, T114N, R63W – Total of 272 acres			
NW ¼ NE ¼	34 acres	NW ¼ SE ¼	34 acres
NE ¼ NE ¼	34 acres	NE ¼ SE ¼	34 acres
SW ¼ NE ¼	34 acres	SW ¼ SE ¼	34 acres
SE ¼ NE ¼	34 acres	SE ¼ SE ¼	34 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Brian Gatzke, 20836 475th Ave., Aurora SD 57006 the holder and/or owner of Water Right No. 6337-3 is issued a license to appropriate water, the right to use 3.56 cubic feet of water per second from two wells (Tulare:Hitchcock Aquifer) with a priority date of June 21, 2002 from the locations specified in (2) of this license for irrigation purposes.

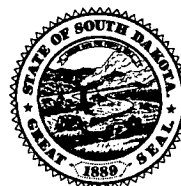
This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6337-3 and subject to the following qualifications:

- 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.
- The wells authorized by Permit No. 6337-3 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Garland Erbe

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

JAN 24 2008
date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

October 23, 2025

2428A-3, 6336-3, 6764-3
7290-3, 7291-3, 6337-3

Lee Gatzke
2815 S Westlake Dr, Apt 439
Sioux Falls SD 57106

Dear Mr. Gatzke:

Enclosed is a "Notice" dated October 8, 2025, concerning the 2025 Irrigation Questionnaire.

The notice was originally mailed to you at 18479 389th Ave, Tulare SD 57476. The post office notified our office that your address has changed, and your records have been updated accordingly.

This is a time sensitive matter. Please complete and return the enclosed questionnaire or submit your report online at <https://danr.sd.gov/iq/> using this password **FSSUNL**.

If this change of address is in-correct, please contact our office immediately to update your contact information.

Sincerely,

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

enclosures

353 N/E 18CUE24C2218/18/25
RETURN TO SENDER
GATZKE
2815 S WESTLAKE DR APT 439
SIOUX FALLS SD 57106-8537
RETURN TO SENDER