

WATER PERMIT NO. 6340-3

Name of Applicant: Allen Gatzke

Address: 39351 187th St, Hithcock SD 57348

Phone: 605 266-2711

Amount of Water Claimed: 1.78

Total Acres: 160

Source of Water Supply: groundwater

Water to be used for: irrigation

County: Spink

Type of Waste Disposal System:

Location: 4 miles north of Hitchcock

PRIORITY

Date Received: 7-12-2002

Application/License Fee: \$300

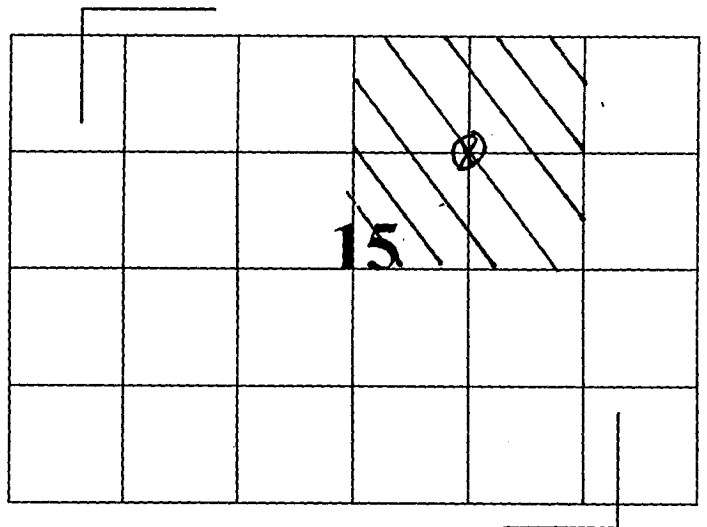
Corrected Application Received:

Period of Annual Use: April 1 – September 30

Remarks:

Diversion Point: center NE ¼ Sec 15-T114N-
R63W

Land to be Irrigated: NE ¼ Sec 15-T114N-R63W



Depth of Well: 60 feet deep

Well Driller: :

Remarks:

Type of Map: aerial

Prepared by: Shelly A Binger, FSA

Reviewed and the Number Assigned on: 7-12-2002

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 6340-3 FOR IRRIGATION

Date of first receipt of application July 12, 2002.

The Water Management Board approved Water Permit No. 6340-3 on December 4, 2002 for Allen Gatzke, 39351 187th St., Hitchcock SD 57348 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6340-3 appropriates 1.78 cubic feet per second from one well (Tulare: Hitchcock Aquifer) 60 feet deep located in the center of the NE ¼ Section 15 to irrigate 160 acres located in the NE ¼ Section 15; 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 – September 30.
3. The date from which applicant may claim right is July 12, 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

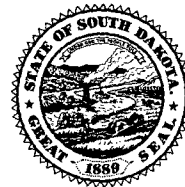
1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 6340-3 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 13 2003

date



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6340-3</u> (office use only)
	Hydrologic Unit <u>10160006</u>
	Basin <u>James River</u>
	Newspaper <u>Redfield Press</u> <u>Redfield</u>

RECEIVED
JUL 12 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 Allen Gatzke Phone 605-266-2711
(check one) ☐ Owner ☒ Tenant/lessee
Mailing Address 39351 187th St Hitchcock State SD 57348
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 1.78 *CFS or 800 **GPM ***AF Total Acreage 160
(*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)
1- well in NE 1/4 section 15-T114N-R63W
County Spink
- County or counties where water will be used Spink
- Annual period during which water is to be used April - Sept. 30
- 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
SW 1/4 of NE 15-114-63	40		
SE 1/4 of NE 15-114-63	40		
NW 1/4 of NE 15-114-63	40		
NE 1/4 of NE 15-114-63	40		

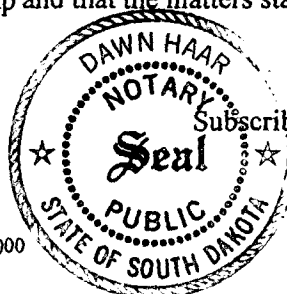
8. Give a description of the project. (Attach sheet if more space is needed)

STATE OF SOUTH DAKOTA) SS
County of Spink

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, Allen 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 Allen Gatzke
Subscribed and sworn to before me this 1st day of July 20 02



Dawn Haar
Dawn Haar Notary Public signature
Expires 4-26-2004

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 25 in Depth 60 ft.
- b) Casing Type PVC Diameter 16 in Thickness 5/8
- c) Screen Type _____ Diameter _____ Thickness 5/8
- d) Gravel Pack _____ Length of Gravel Pack 20 feet
- e) Depth to Top of Water Bearing Material 16 feet
- f) Depth to Water (ground surface to water level) 10 feet
- g) Distance to nearest existing domestic well:

On applicants property _____ On property owned by others _____

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 _____

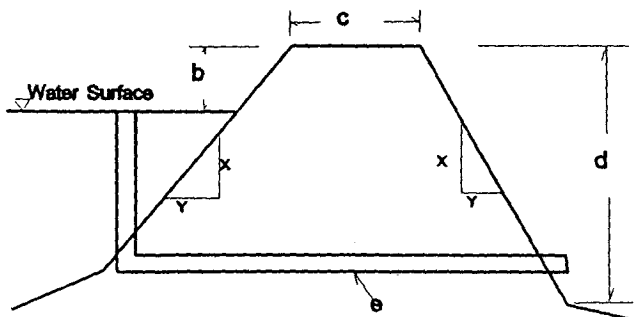
3. Dugout Information

- 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

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP

T2484

T1069

Shelly A Binger
PT - Spink Co
HA

X 7-11-02

1.152.8

15

1.153.6

T1072

T285

1.153.7

1.152.3

I-21

4420-45R

114-63

6340-3

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NR 417222

Pierre, July 12, 20 02

RECEIVED OF Gatzke Farms, 39334 187th St., Hitchcock SD 57348-7721

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

Fee for Application for Permit No. <u>6339-3</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>6339-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	375 00

By Darland Elvik
Chief Engineer gm

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.

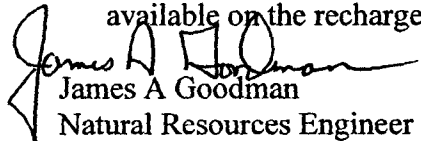
REVIEW OF EXISTING WATER PERMITS/RIGHTS

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.

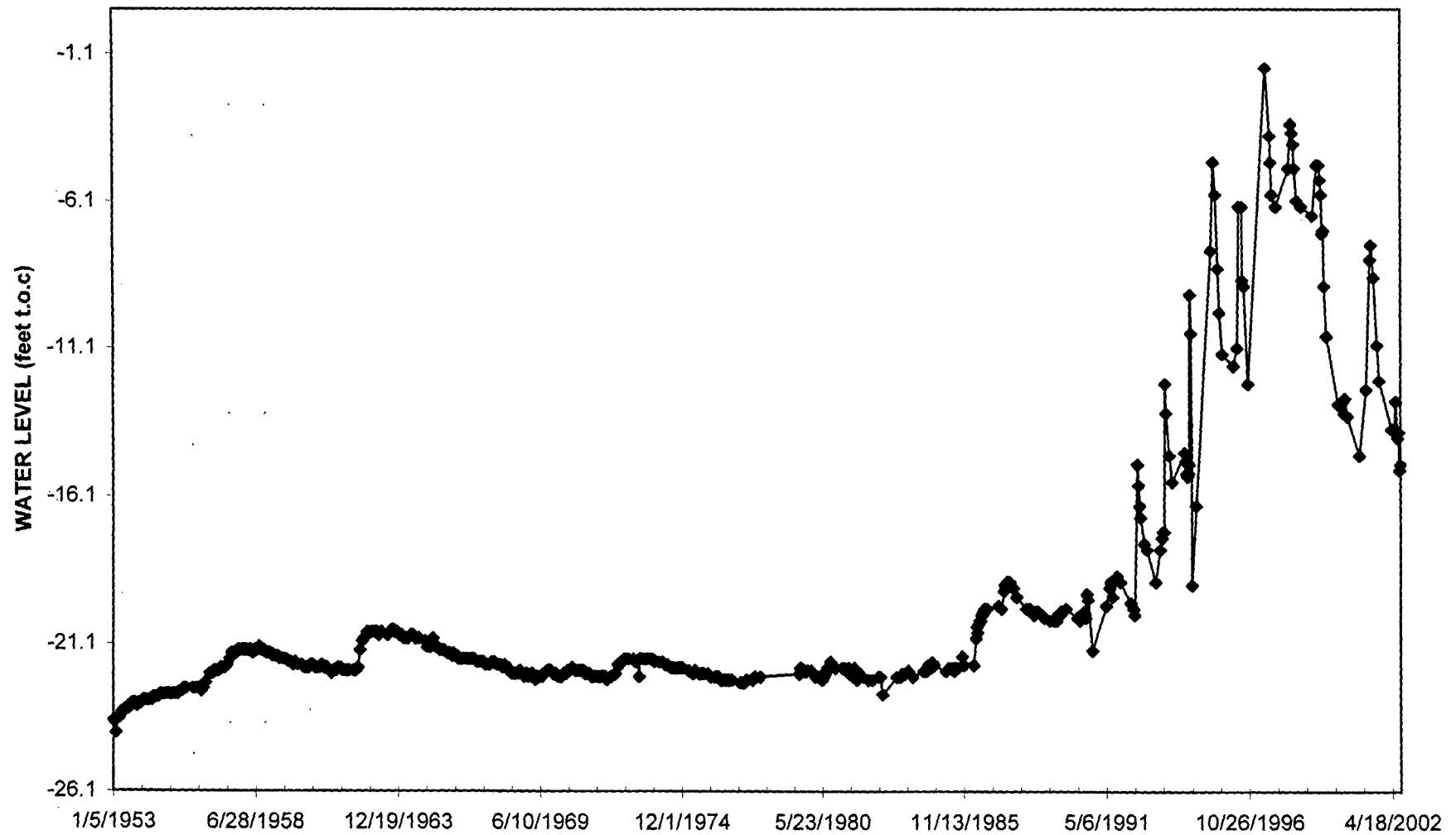
WATER USE (ACRE-FEET)
TULARE-WESTERN SPINK AQUIFER

	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

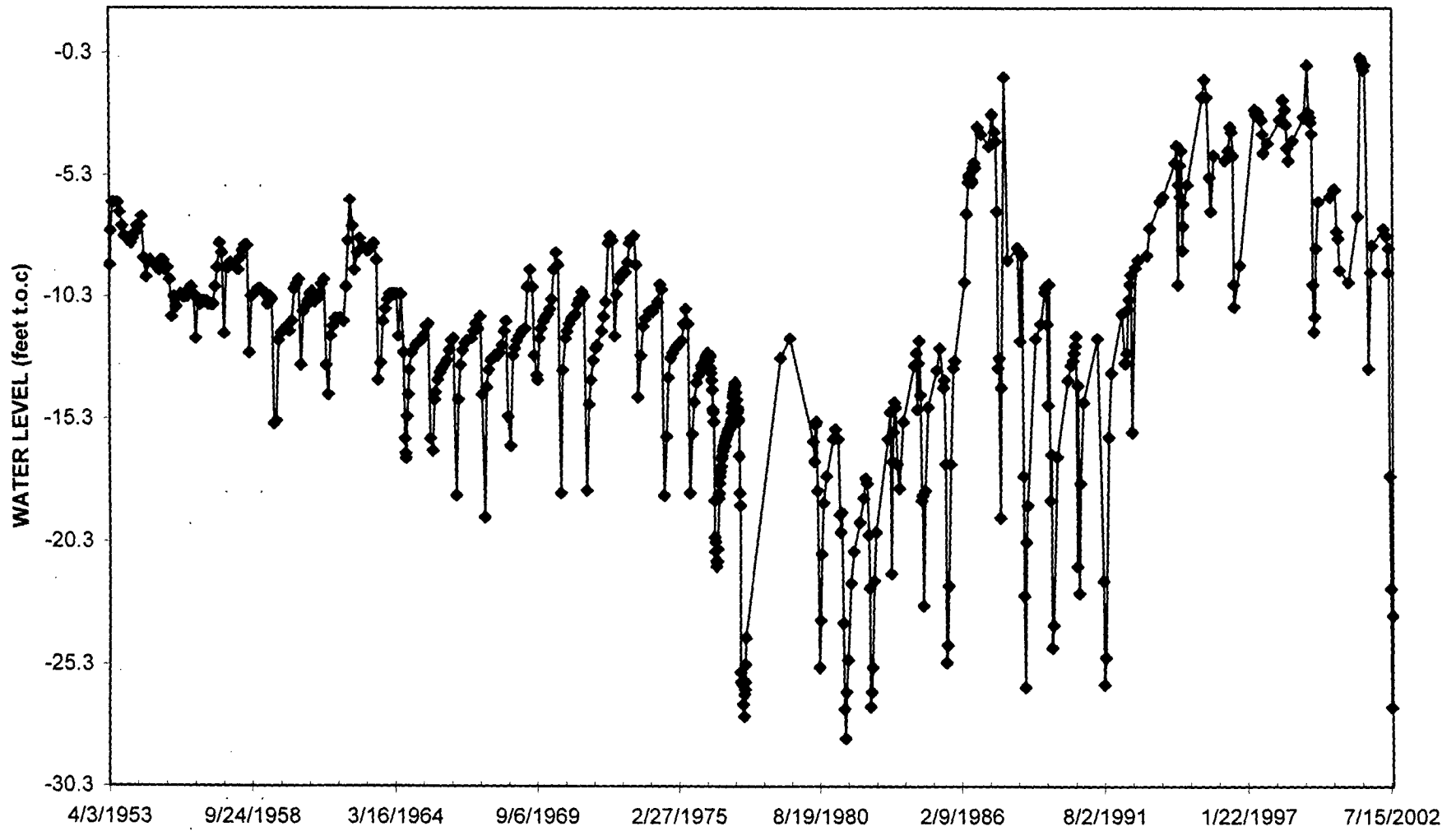
WATER USE (ACRE-FEET)
TULARE-HITCHCOCK AQUIFER

	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

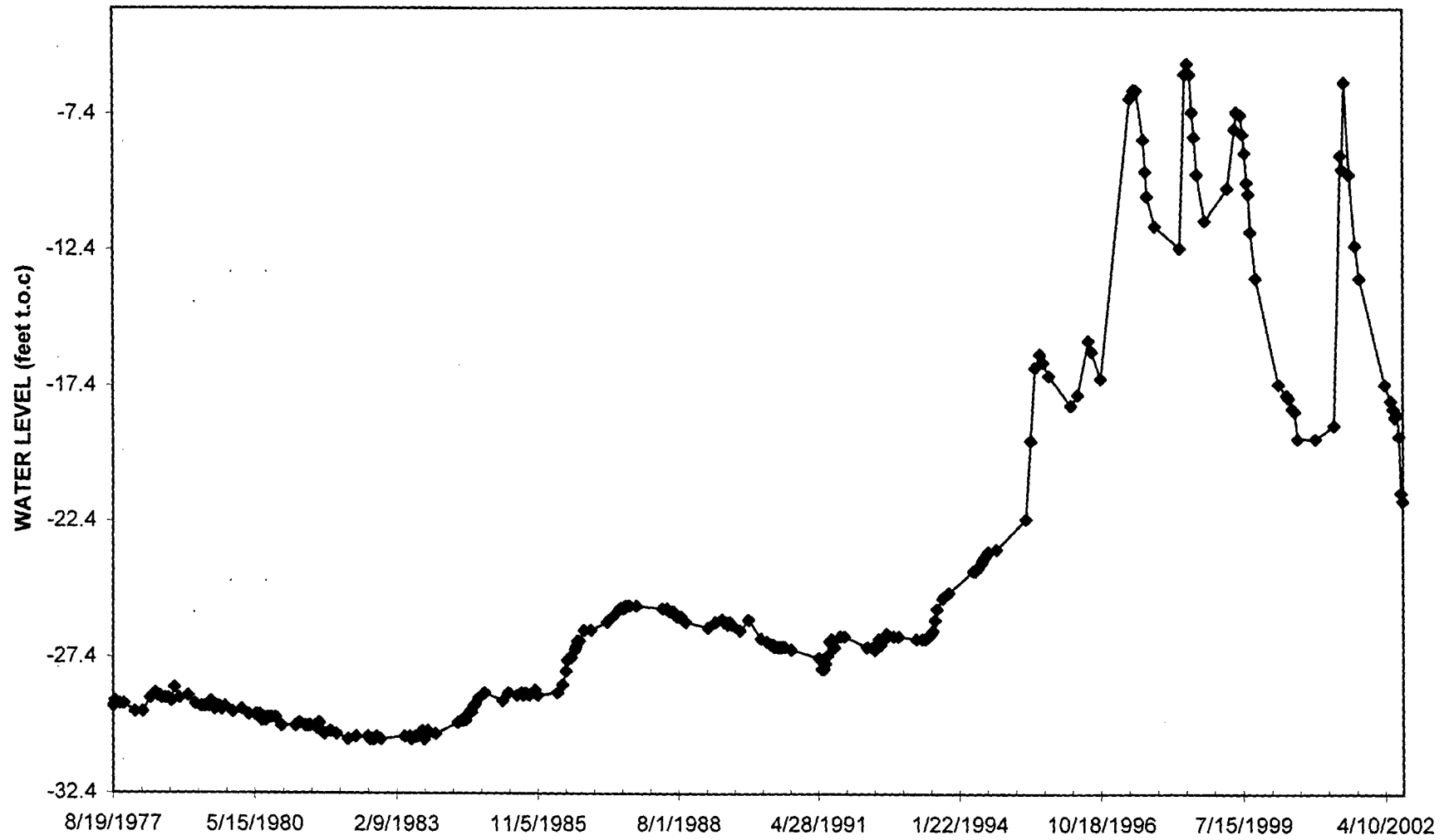
WATER RIGHTS' OBSERVATION WELL
SP-53A



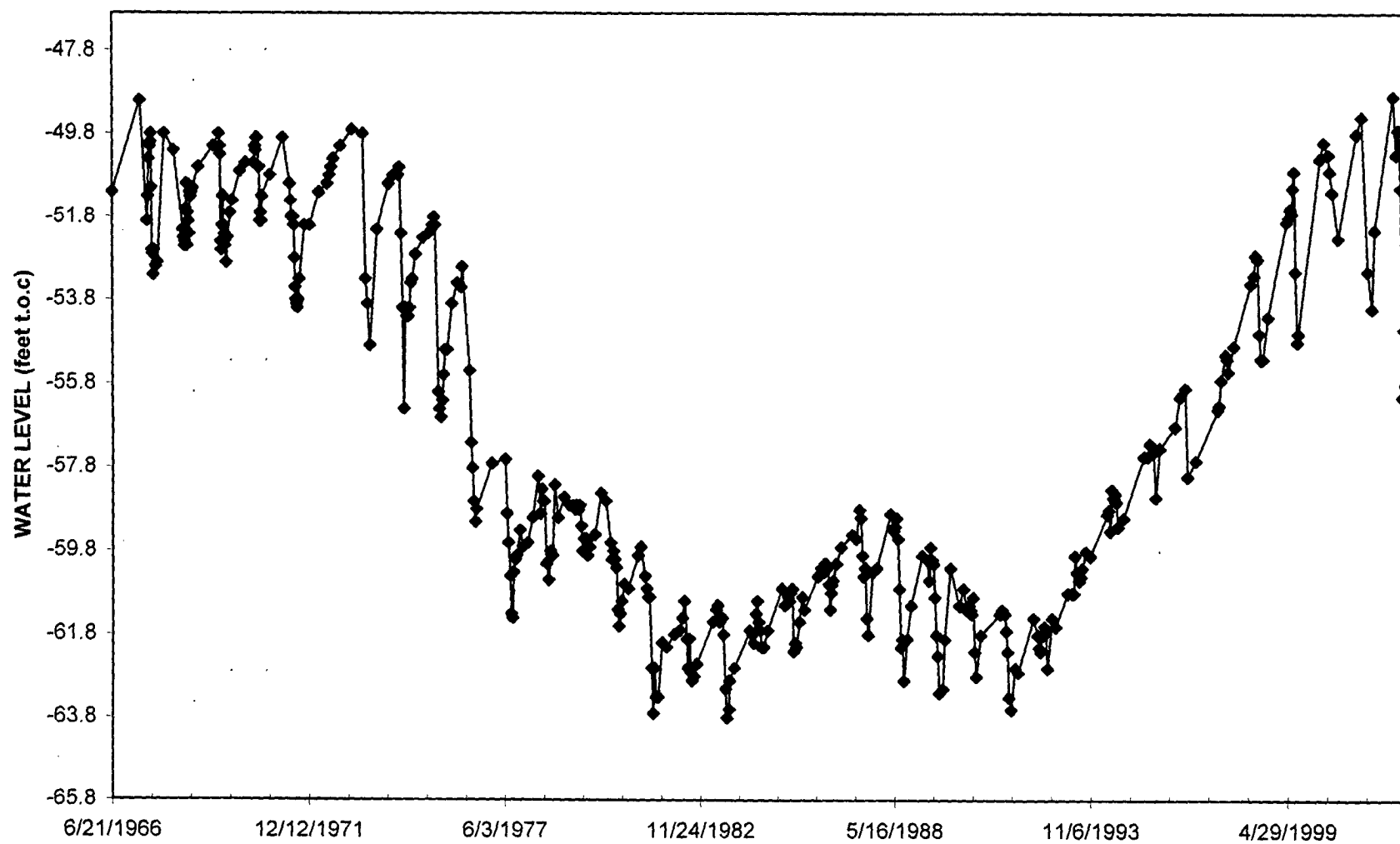
**WATER RIGHTS' OBSERVATION WELL
SP-53B**



**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. 6340-3, Allen Gatzke**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6340-3, Allen Gatzke, 39351 187th Street, Hitchcock SD 57348.

The Chief Engineer is recommending APPROVAL of Application No. 6340-3 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. 6339-3 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.

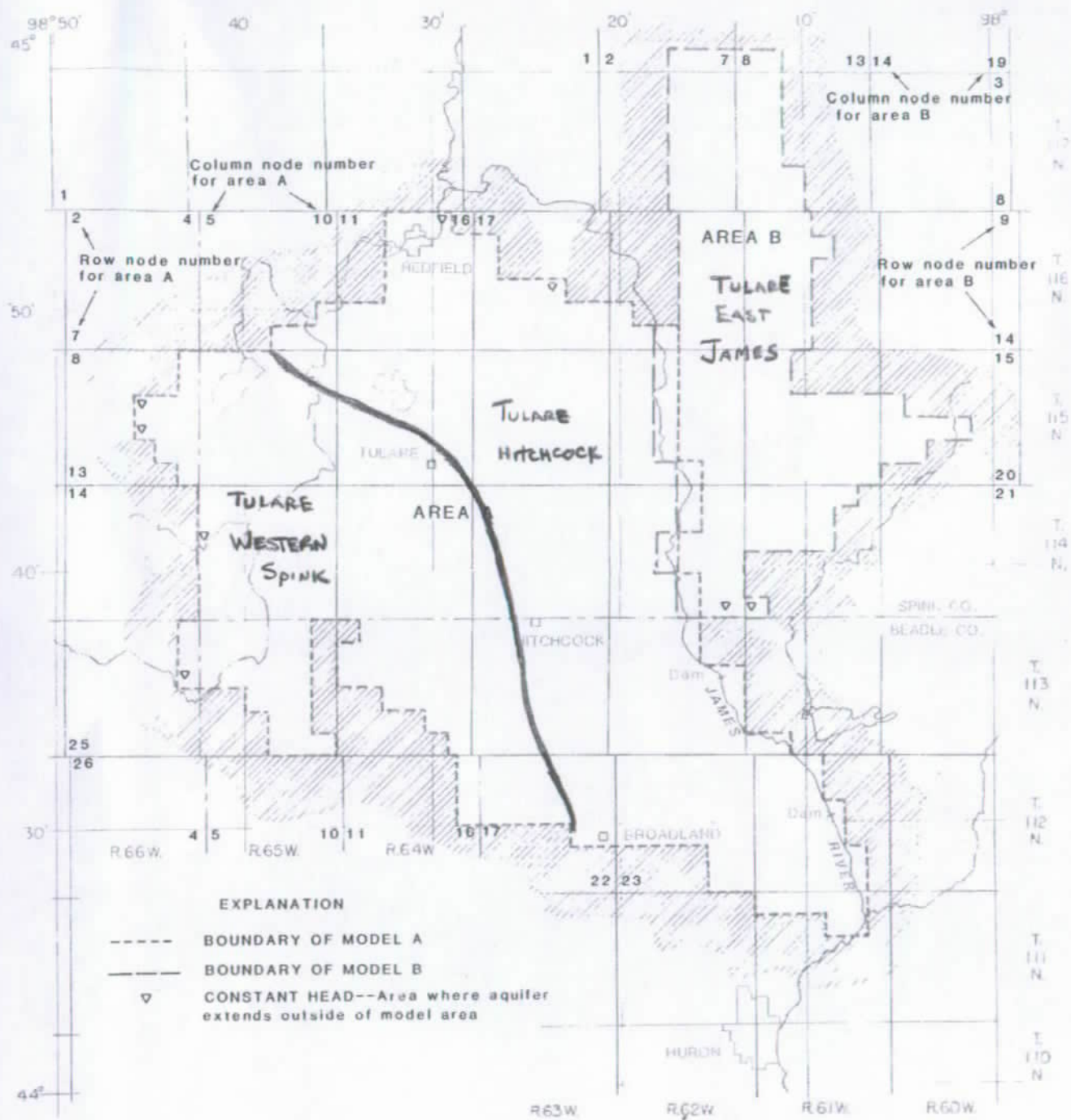


Figure 2.--Location of aquifer model areas.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 31, 2002

Garrett Dykstra
Dakota Air Spray
PO Box 208
Turton SD 57477

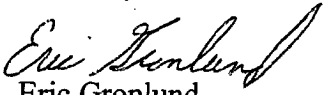
Dear Mr. Dykstra:

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

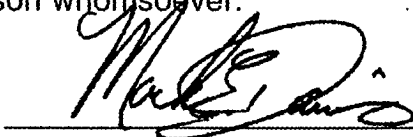
Affidavit of Publication

STATE OF SOUTH DAKOTA,
County of Spink: ss.

I, Mark E. Davis, of said County & State, 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 amended by Chapter 298 of the Session 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 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:

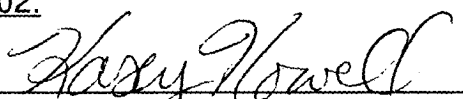
#271 Notice of Hearing

A printed copy of which is hereto attached, printed and published in said newspaper successive issues, to wit: The first publication being made on November 6, 2002 and the second publication being made on November 13, 2002; that the full amount of the fee charged for publishing the same to-wit: the sum of Forty and 60/100 Dollars, insures to the benefit of the publisher of THE REDFIELD PRESS, that no agreement or understanding for the diversion 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. 271

NOTICE OF HEARING

Notice of Hearing on Application Nos. 6338-3, 6339-3 and 6340-3 to Appropriate Water

Notice is given that Allen Gatzke, 39351 187 St., Hitchcock SD 57348 has filed the following applications for a water permit.

Application No. 6338-3 appropriates 3.56 cubic feet of water per second (cfs) from two wells (Tulare: Hitchcock Aquifer) 60 feet deep located in the centers of the NE 1/4 and SW 1/4 Section 10 to irrigate 320 acres located in the NE 1/4, SW 1/4 Section 10; all in T114N-R63W.

Application No. 6339-3 appropriates 3.56 cfs from two wells (Tulare: Hitchcock Aquifer) 60 feet deep located in the centers of the NW 1/4 and SW 1/4 Section 14 to irrigate 320 acres located in the W 1/2 Section 14; all in T114N-R63W.

Application No. 6340-3 appropriates 1.78 cfs from one well (Tulare: Hitchcock Aquifer) 60 feet deep located in the center of the NE 1/4 Section 15 to irrigate 160 acres located in the NE 1/4 Section 15; all in T114N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 6338-3, 6339-3 & 6340-3 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:

Any person interested in opposing or supporting these applications 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 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 November 25, 2002. 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.

The Water Management Board will consider these applications at 1:30

M. December 4, 2002 in the Matthew A. Foss Building, 523 E Capitol, Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) deny with qualifications, 3) defer, or 4) deny these applications based on facts presented at the public hearing. The December 4, 2002 hearing 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 applications. The request for an automatic delay must be filed by November 2002.

Any hearing will be an adversary proceeding. Any person filing a petition for 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 provided by law. Contact Eric Lund by November 25, 2002, at above Water Rights Program address to request copies of information pertaining to these applications, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

These applications are 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. Pimer, Secretary, Department of Environment and Natural Resources.

(November 6, 13)

RECEIVED

NOV 14 2002

WATER RIGHTS
PROGRAM

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 Nos. 6338-3, 6339-3 and 6340-3 to Appropriate Water

Notice is given that Allen Gatzke, 39351 187th St., Hitchcock SD 57348 has filed the following applications for a water permit.

Application No. 6338-3 appropriates 3.56 cubic feet of water per second (cfs) from two wells (Tulare: Hitchcock Aquifer) 60 feet deep located in the centers of the NE $\frac{1}{4}$ and SW $\frac{1}{4}$ Section 10 to irrigate 320 acres located in the NE $\frac{1}{4}$, SW $\frac{1}{4}$ Section 10; all in T114N-R63W.

Application No. 6339-3 appropriates 3.56 cfs from two wells (Tulare: Hitchcock Aquifer) 60 feet deep located in the centers of the NW $\frac{1}{4}$ and SW $\frac{1}{4}$ Section 14 to irrigate 320 acres located in the W $\frac{1}{2}$ Section 14; all in T114N-R63W.

Application No. 6340-3 appropriates 1.78 cfs from one well (Tulare: Hitchcock Aquifer) 60 feet deep located in the center of the NE $\frac{1}{4}$ Section 15 to irrigate 160 acres located in the NE $\frac{1}{4}$ Section 15; all in T114N-R63W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends DENIAL of Application Nos. 6338-3, 6339-3 & 6340-3 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:

Any person interested in opposing or supporting these applications 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 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 November 25, 2002. 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.

The Water Management Board will consider these applications at 1:30 P.M. December 4, 2002 in the Matthew Training Center, Foss Building, 523 E Capitol, Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny these applications 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 applications. The request for an automatic delay must be filed by November 25, 2002.

Any hearing will be an adversary 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 these applications, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

These applications are 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

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

October 30, 2002

Allen Gatzke
39351 187th Street
Hitchcock SD 57348

Dear Mr. Gatzke :

The water permit applications you filed for irrigation use have been examined and found to comply with the South Dakota Water Laws and applicable rules. The Chief Engineer's recommendation is for APPROVAL of Application Nos. 6338-3, 6339-3, 6340-3 and DENIAL of the Application No. 6348-3. Enclosed for your information are, separate notices for the approval of Application Nos. 6338-3, 6339-3, 6340-3 and the denial of Application No. 6348-3, the recommendations of the Chief Engineer and a staff report. Please review the notices prior to authorizing publication and notify this office, if you have any corrections or questions.

In the case of Application Nos. 6338-3, 6339-3 and 6340-3, a notice of hearing has been sent to the publisher of the Redfield Press printed at Redfield (ph# 472-0822). Be sure to contact the newspaper immediately to authorize publication of your notice of hearing and to arrange for payment so these applications are scheduled for the December 4th Board meeting. 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.

If you wish to proceed to hearing with Application No. 6348-3 and schedule a December 4, 2002 hearing before the Water Management Board, you must also authorize publication of the notice on this application by contacting the Redfield Press (ph# 472-0822) to publish. A copy of this notice was also sent to the newspaper with instructions to publish only if you authorize publication. Since we are on a tight scheduling timeframe for the upcoming meeting, you must contact the newspaper immediately if you want to proceed with a December 4th hearing.

If the notices are published on November 6 and 13, 2002, a hearing will then be scheduled at 1:30 PM, December 4, 2002 in the Matthew Training Center, Joe Foss Building, 523 E. Capitol Avenue in Pierre SD.

State law provides that if the Chief Engineer recommends denial of an application, the applicant has 20 days from the date the recommendation was mailed to state whether they intend to oppose the recommendation. Failure to submit a statement of intent to oppose the recommendation to deny constitutes withdrawal of the application. If you authorize the newspaper to publish the notice this will constitute your formal intent to oppose the recommendation and schedule a Board hearing on December 4, 2002. You may also choose to delay consideration of the application until the March Board meeting. If you want to delay the hearing, do not authorize publication of the notice on Application No. 6348-3 at this time. Contact me by November 20th to state your intent to proceed with the application but wait until the March 5 - 6, 2003 meeting. Failure to: 1) authorize publication of the notice scheduling a December 4th hearing, 2) contact me by November 20th to delay consideration until the March meeting, or 3) submit a written statement of intent to oppose the recommendation to deny Application No. 6348-3 by November 20, 2002, will constitute withdrawal of the application.

Mr. Gatzke, I realize this may be somewhat confusing, please contact Karen Schlaak or myself if you have any questions on the recommendation or the process of scheduling these applications for the December meeting.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
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,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 13 2003

Allen Gatzke
39351 187th St.
Hitchcock SD 57348

Dear Mr. Gatzke:

Enclosed are Water Permit No. 6338-3, 6339-3, and 6340-3 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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

6340-3

Location NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 15 Twp 114 Rg 62County Spink North

Please mark well location with an "X"

Well Completion Date

10/13/2005

Distance to 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 LB/FT	DIAMETER IN	FROM FT	TO FT	HOLE DIAMETER IN
	16.00	0.0	47.0	24.00

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight Lb/gal	From Ft	To Ft
Cement	50		0.0	20.0
Vol Clay	3		20.0	42.0

Describe grouting procedure
Line

SCREEN:

☐ Perforated pipe ☒ Manufactured
Diameter 16.00 Inches Length 20.0 FeetMaterial PVCSlot Size .057 Set From 47.0 Feet to 67.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No
If so, what material? Pearrock

Describe packer(s) and location

@47

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Pellets
☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Allen Gatzske

Business Name:

Address: 39335 187 StCity, State, Zip: Hitchcock SD 57348

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay	0	10
Yellow Sand	10	35
Med Gray Sand	35	40
Coarse Sand	40	67

STATIC WATER LEVEL

_____ FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe: _____☐ Bailed☐ Other

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ 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: Pullman Well Drilling Inc

Signature of License Representative:

Kon Palmer

Signature of Well Owner or Equitable Property Holder:

Date: 12-31-05

RECEIVED

JAN - 5 2006

WATER RIGHTS PROGRAM

1-5-06



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 01 2008

6338-3
6338A-3
6339A-3
6339B-3
6340-3

Allen Gatzke
39352 187th St
Hitchcock SD 57348

Dear Mr. Gatzke:

Enclosed is Water Permit No. 6338A-3 which amends several water permits by severing a portion of the permits and simultaneously transferring to other land. To reflect Water Management Board action taken on July 12, 2006, to transfer diversion rate authority and acres, Water Permit Nos. 6338-3, 6340-3, 6339A-3 and 6339B-3 are also being reissued.

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 for Water Permit No. 6338A-3 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

**REISSUED
SOUTH DAKOTA
WATER PERMIT NO. 6340-3 FOR IRRIGATION**

The Water Management Board approved Water Permit No. 6340-3 on December 4, 2002 for Allen Gatzke, 39351 187th St., Hitchcock SD 57348 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 6340-3 appropriates 1.78 cubic feet per second from one well (Tulare: Hitchcock Aquifer) 60 feet deep located in the center of the NE ¼ Section 15 to irrigate 160 acres located in the NE ¼ Section 15; all in T114N-R63W.

To reflect Water Management Board action taken on July 12, 2006, to transfer diversion rate authority and acres, Water Permit No. 6340-3 is being reissued as follows:

Reissued Water Permit No. 6340-3 appropriates 1.668 cubic feet per second from one well (Tulare:Hitchcock Aquifer) 60 feet deep located in the center of the NE ¼ Section 15 to irrigate 132 acres located in the NE ¼ Section 15; 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 – September 30.
3. The date from which applicant may claim right is July 12, 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 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. 6340-3 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

AUG 01 2006
date



Permit No. 6340-3
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 **Allen Gatzke** of **39351 187th Street, Hitchcock SD 57348** holder of Permit No. **6340-3**, bearing the priority of **July 12, 2002** authorizing the diversion of **1.668 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:

A well is in place with a submersible pump that Jeff Gatzke indicates is capable of producing 1.67 cfs (750 gpm). This matched what was stated on the specification list inside the pivot control box.

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

Well head is in close proximity to 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:

A new 7 tower Lindsey-Zimmatic center pivot

The system is in the following condition **excellent**. The point of diversion (well) is located specifically at **Lat/Lon - N44.687050 W-098.387100 which is the approximate center of NE1/4 Section 15, T114N, R63W (1,320 feet south and 1,320 feet west of the NE corner) of Section 15.** The works are capable of diverting **3.336 cfs from two wells** which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

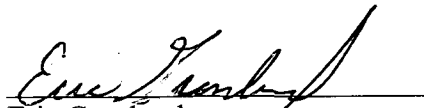
All in Section 15, T114N, R63W

NW ¼ NE ¼	33 acres
NE ¼ NE ¼	33 acres
SW ¼ NE ¼	33 acres
SE ¼ NE ¼	33 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 **132** acres of land and the license should be issued for **1.67 cfs** from the well
 Applicable permit qualifications have been complied with: **Yes**

Exceptions to compliance are: **see note in comment section** Date Report Completed: **September 27, 2007**



Eric Gronlund

Natural Resources Engineer
 DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 6340-3

DATE OF INVESTIGATION:	September 10, 2007
NAME & ADDRESS OF PERMIT HOLDER	Allen Gatzke 39351 187th Street Hitchcock SD 57348
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Jeff Gatzke (son)
DIVERSION POINT LEGAL LOCATION	Centers of NE ¼ Section 15, T114N, R63W

Other permit(s) associated with the project: Some acreage out of originally issued Water Permit No. 6340-3 were transferred to No. 6338A-3

WELL INFORMATION:

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

Casing:

- 1) Diameter 16 inches
- 2) Length 47 feet
- 3) Type Plastic

Screen:

- 1) Type PVC
- 2) Length 20 feet
- 3) Static water level 22 feet

Pump:

- 1) Make Submersible
- 2) Model _____
- 3) Size
- 4) Capacity 750 GPM

Motor:

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

SYSTEM TYPE:

Center pivot:

- 1) Make Lindsey - Zimmatic
- 2) Serial No. 163749
- 3) Overall length approx. 1,300 feet
- 4) Number of towers 7 tower
- 5) Distance between towers _____ feet
- 6) End gun Yes (length with gun 1,377 feet)

- 7) High or low pressure 40 psi
- 8) Capacity 750 GPM

CHEMIGATION EQUIPMENT: Yes –the pivot is set up for chemigation. However, it has not been used yet. 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 2006
- Discussed with Mr. Gatzke the need to have hose from the low pressure drain at least 20 feet from each well.

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

Date Sept. 10 2007

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

FROM:

Allen Gatzke
(name)39351 187th
(address)Hitchcock SD 57348
(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.

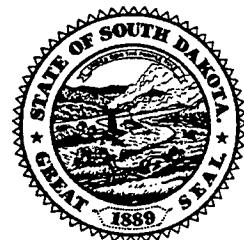
Water Permit No. 6340-3 states that the water use system is to be constructed by
2005, and water is to be put to beneficial use by 2005.
(date) (date)

The water use system was completed on 2005.
(date)

Applying the water to beneficial use was completed on 2005.
(date)

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

[Signature]
(signature)

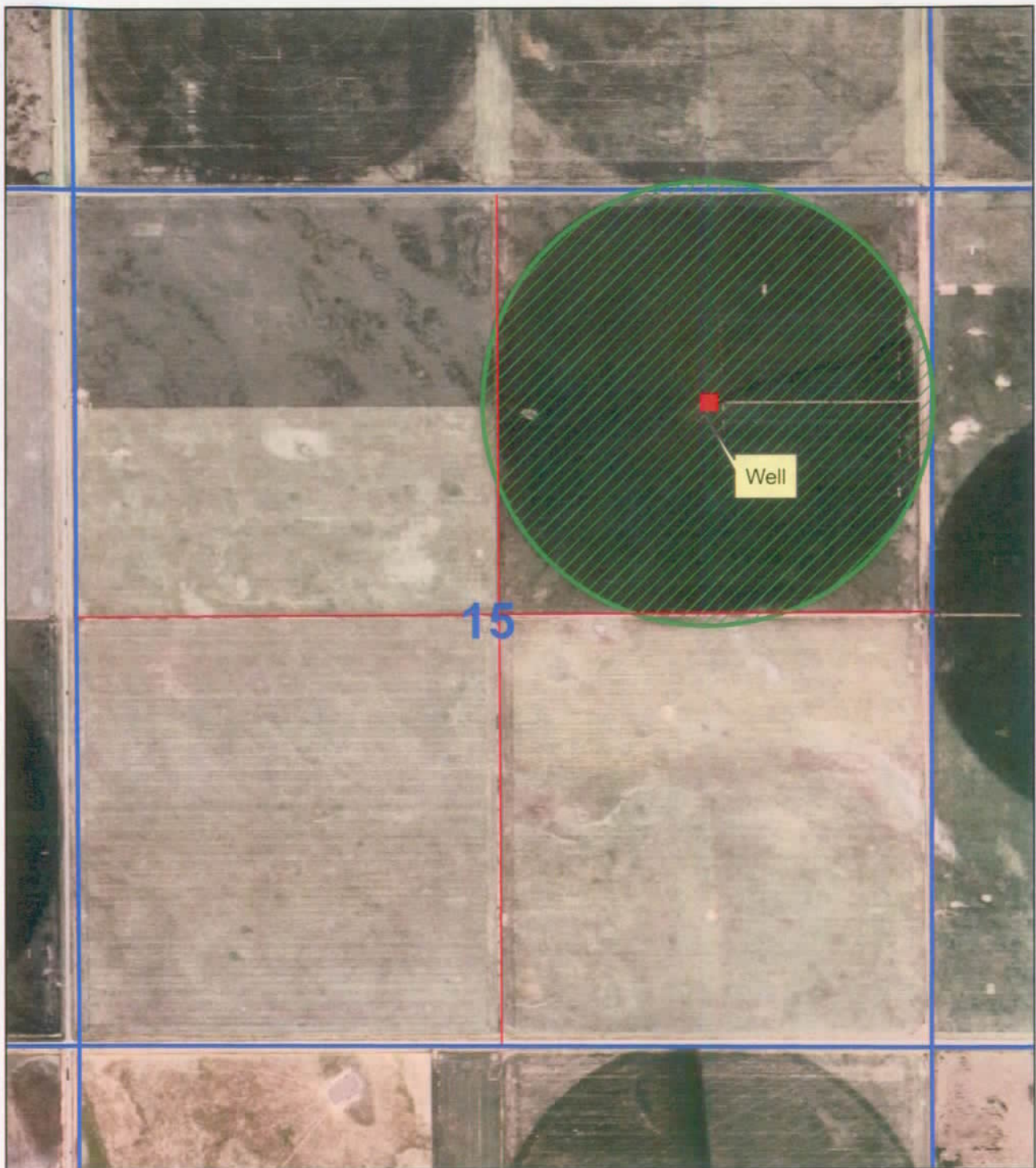


Picture of well and pivot for Water Permit No. 6340-3



Picture of Well and Pivot taken September 10, 2007

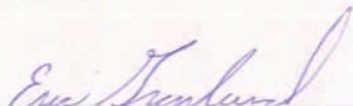
Water Permit No. 6340-3, Allen Gatzke



2,000 1,000 0 2,000 Feet

Wells located in the approximate center of NE 1/4 Section 15, T114N, R63W
approximately 1,320 feet south and 1,320 feet west of NE corner --
Lat/Lon - N44.687050 W-098.387100




Eric Gronlund
Water Rights Program
Date of Investigation - 9/10/2007



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 28 2008

6338-3
6338A-3
6339A-3
6339B-3
6340-3

Allen Gatzke
39351 187th St
Hitchcock SD 57348

Dear Mr. Gatzke:

Enclosed are your Water License Nos. 6338-3, 6338A-3, 6339A-3, 6339B-3 and 6340-3. These are the final water right documents completing your process of obtaining Water Rights. Included with your licenses are maps prepared by the staff engineer who conducted the investigations.

For your information SDCL 46-6-27 requires that if the owner of an existing well(s), such as the wells authorized by the above water rights, 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.

Many of your irrigation systems are set up to use chemigation. 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 Licenses, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 6340-3**

(1) Allen Gatzke, 39351 187th St., Hitchcock SD 57348 made Application No. 6340-3, July 12, 2002 for a water permit to divert 1.78 cubic feet of water per second (cfs) from ground water (one well – Tulare:Hitchcock Aquifer), Spink County, South Dakota for irrigation purposes. Permit No. 6340-3, with a priority date of July 12, 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 July 12, 2006, the Water Management Board took action to transfer the diversion rate authority of 0.112 cfs and 28 acres located from the corners of the NE ¼ Section 15, T114N, R63W and simultaneously transfer the amounts to Water Permit No. 6338A-3. Water Permit No. 6340-3 was then reissued for the remaining diversion rate and acres.

(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 1.67 cubic feet of water per second for beneficial use. The location of the diversion point is 1,320 feet S and 1,320 feet W of the NE corner of Section 15, T114N, R63W (approximate center of the NE 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 15, T114N, R63W	NW ¼ NE ¼	33 acres
	NE ¼ NE ¼	33 acres
	SW ¼ NE ¼	33 acres
	SE ¼ NE ¼	33 acres
	Total	132 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Allen Gatzke, 39351 187th St., Hitchcock SD 57348 the holder and/or owner of Water Right No. 6340-3 is issued a license to appropriate water, the right to use 1.67 cubic feet of water per second from ground water (one well – Tulare:Hitchcock Aquifer) with a priority date of July 12, 2002 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 6340-3 and subject to the following qualifications:

- 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.
- The well authorized by Permit No. 6336-3 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) from the producing formation to the surface pursuant to Section 74:02:04:28 (**log on file with Water Rights Program**).
- This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

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

JAN 28 2003
date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 28, 2024

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

Jeffrey Gatzke
39334 187th St
Hitchcock SD 57348

Dear Mr. Gatzke:

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

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

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

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

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

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

Sincerely,

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

enclosures

6340-3

RECEIVED

SEP 03 2024

OFFICE OF
WATER

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 6340-3

Date: Aug 30, 2024

I/We request that Water Right/Permit No. 6340-3 formerly owned by:

Allen Gatzke - Hitchcock SD

be transferred to:

New Owner Name: Gatzke Acres (c/o Jeffrey Gatzke)

Address: 39334 187th St mobile: (605) 354-9006

City, State, Zip Hitchcock SD 57348 email: jeffrey@gatzkefarms.net

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

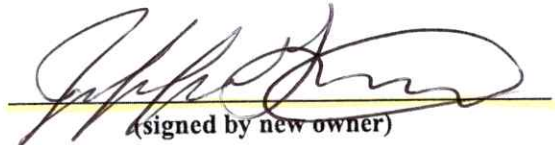
Section 15, T114N, R63W
NE 1/4 NE 1/4 - 33 ac
NW 1/4 NE 1/4 - 33 ac
SW 1/4 NE 1/4 - 33 ac
SE 1/4 NE 1/4 - 33 ac
TOTAL: 132 ac

☒ I understand that the validity of Water Right/Permit No. 6340-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below).

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

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

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


(signed by new owner)

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

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

2021-08

PAID

SEP 03 2024

Ck# 1866

Rec't# _____

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date September 4th 2024

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

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>5162-3 3603-3 5149-3 5163-3 7292A-3 7292B-3 1571-3 1600-3</u> <u>5897-3 6338-3 6340-3 6592-3 6338A-3 5123-3</u>	<u>\$700.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$700.00</u>

By Eric Jonellund
Chief Engineer

SK



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

September 4, 2024

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

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

Dear Mr. Gatzke:

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

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

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

If you have any questions, please contact me.

Sincerely,

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

enclosure