

WATER PERMIT NO. 6991-3

Name of Applicant: Straw Hat Land & Cattle LLP

Address: 13111 N Creekview Rd, Rapid City SD 57702

Phone: 605 390-7928

Amount of Water Claimed: 0.33 Total Acres: 105

Source of Water Supply: groundwater (1 existing well)

Water to be used for: irrigation County: Jerauld

Type of Waste Disposal System:

Location: 15 miles west of Wessington Springs

PRIORITY

Date Received: 3-3-08

Application/License Fee: \$275

Corrected Application Received:

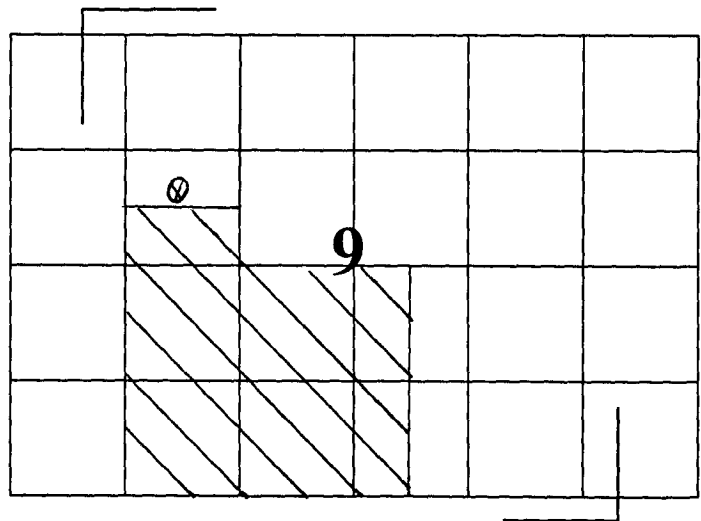
Period of Annual Use: April 1 – November 1

Remarks:

Diversion Point: SW ¼ NW ¼ Sec 9-T107N-R67W

Land to be Irrigated: SW ¼ NW ¼, SW ¼, W ½

SE ¼ Sec 9-T107N-R67W



Depth of Well: 60 feet deep

Well Driller: : Riverside Irrigation Drilling

Remarks:

Type of Map: aerial

Prepared by: Eric Gronlune

Reviewed and the Number Assigned on: 3-4-08

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>6991-3</u> (office use only) Hydrologic Unit <u>10/40105</u>
	Basin <u>Missouri River</u>
	Newspaper <u>True Dakotan P.O. Box T Wray Springs</u>
	<u>605-539-1281</u> <u>57382</u>

RECEIVED
MAR - 3 2008
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 STRAW HAT LANDS CATTLE LLP Phone 605 390 7928
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 13111 N. CREEKVIEW RD. RAPID CITY State SD 57702
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.33*CFS or 150 **GPM ***AF Total Acreage 105
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply WELL (PREVIOUSLY DRILLED IRRIGATION WELL)
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) ONE WELL IN SW 1/4
of NW 1/4 of SEC 9, T107 N, R67 W
County JERARD
- County or counties where water will be used JERARD
- Annual period during which water is to be used 1 APR TO 1 NOV
- 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 NW 1/4 SEC 9 T107N R67W	15	SE 1/4 SW 1/4 SEC 9 T107 N R67W	15
NW 1/4 SW 1/4	10	NW 1/4 SE 1/4	20
SW 1/4 SW 1/4	10	SW 1/4 SE 1/4	20
NE 1/4 SW 1/4	15		

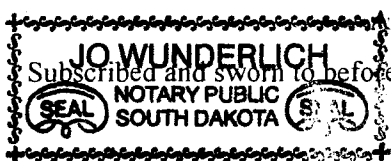
8. Give a description of the project. (Attach sheet if more space is needed) WATER TO BE PUMPED
FROM ABANDONED OLD IRRIGATION WELL & TO BE USED ON NEWLY PLANTED
TREE BELTS & SMALL GRAIN FIELDS & GRASS FIELDS.

STATE OF SOUTH DAKOTA) SS

County of YUJES)

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, William H. Wittig, 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.



Jo Wunderlich
My Commission Expires
July 27, 2013

Applicant's signature William H. Wittig

Subscribed and sworn to before me this 3 day of Mar 20 08

Jo Wunderlich

Notary Public signature

SOUTH DAKOTA
WATER PERMIT NO. 6991-3

Date of first receipt of application March 3, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6991-3 to Straw Hat Land & Cattle LLP, 13111 N Creekview Rd, Rapid City SD 57702 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. 6991-3 appropriates 0.33 cubic feet per second from one existing well completed into the Crow Creek Aquifer (approximately 60 feet deep) located in the SW 1/4 NW 1/4 Section 9 to irrigate 105 acres located in portions of the SW 1/4 NW 1/4, SW 1/4, W 1/2 SE 1/4 Section 9; all in T107N-R67W.
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 – November 1.
3. The date from which applicant may claim right is March 3, 2008.
4. The date of approval of Permit No. 6991-3 is May 26, 2008.
5. One-fifth of the construction is to be completed on or before November 26, 2010.
6. All construction is to be completed on or before May 26, 2013.
7. Water is to be put to beneficial use on or before May 26, 2017.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

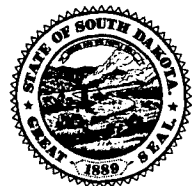
QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. 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

JUN 27 2008
date



Supplemental Information

(type or print in ink)

1. Well Information - ~~Proposed Construction~~ EXISTING

- a) Drill Hole Diameter 30" Depth 60'
- b) Casing Type STAINLESS STEEL Diameter 16" Thickness 10 GA
- c) Screen Type STAINLESS STEEL Diameter 16" Thickness 25,000TH
- d) Gravel Pack PEA ROCK Length of Gravel Pack 20'
- e) Depth to Top of Water Bearing Material 31'
- f) Depth to Water (ground surface to water level) 23'
- g) Distance to nearest existing domestic well:

On applicants property 1/4 mi

On property owned by others 1 3/4 mi

2. Wastewater Disposal System Information N/A

- 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 N/A

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

4. Water Storage Dams N/A

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 _____

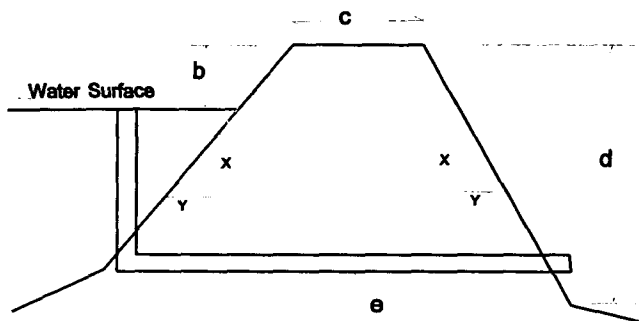
Upstream _____

Downstream _____

- h) Surface Area of Impoundment _____

- i) Storage _____ Acre Feet

- j) Drainage Area Above Dam _____ Acres



Water Permit Application filed by Straw Hat Land & Cattle LLP



2,000 1,000 0 2,000 Feet

Application is to use an existing well which presumably was originally authorized under cancelled Water Permit No. 3531-3 to irrigate tree belts and food plots within the area outlined on the map. No more than 105 acres will be irrigated.



Eric Gronlund
Eric Gronlund
Water Rights Program, DENR
Date - March 3, 2008

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/3, 20 08

RECEIVED OF Straw Hat Ranch W Wittrig 13111 N Creek View Rd Rapid City SD 57702

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

Fee for Application for Permit No. <u>16991-3</u> to Appropriate Water, to construct and to put water to beneficial use	225	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>16991-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	275 00

No.

03561

By

Richard E. White
Chief Engineer

IRRIGATION DRILLING CO.

HURON, SOUTH DAKOTA

PH. 377-42B7

DRILLING REPORT

Location of Well: _____ 1/4 _____ 1/4 _____ Section _____ Township _____ Range _____

Well to be drilled for: chert Robinson
(Name) (Address)

(State)

Date well drilling started _____ finished _____

Purpose of well _____ (domestic, irrigation, industrial, other) _____

Depth _____ ft. Core Diameter _____ inches

Slot Size _____ Screen Size _____

Screen Depth: From _____ ft. to _____ ft.

Remarks: _____

NORTH

1. Title

REPORT OF FINAL PUMPING TEST
Write Additional Times and Readings on Back of Page

Date _____

Elapsed Time From Start of Pumping	Water Level	Discharge
---------------------------------------	-------------	-----------

0 hr.	0 min.	ft.	in.	(State)
-------	--------	-----	-----	---------

hr.	min.	ft.	in.	GPM
-----	------	-----	-----	-----

hr.	min.	ft.	in.	GPM
1	15	10	0	100
2	30	20	0	200
3	45	30	0	300
4	00	40	0	400
5	15	50	0	500
6	30	60	0	600
7	45	70	0	700
8	00	80	0	800
9	15	90	0	900
10	30	100	0	1000
11	45	110	0	1100
12	00	120	0	1200
13	15	130	0	1300
14	30	140	0	1400
15	45	150	0	1500
16	00	160	0	1600
17	15	170	0	1700
18	30	180	0	1800
19	45	190	0	1900
20	00	200	0	2000
21	15	210	0	2100
22	30	220	0	2200
23	45	230	0	2300
24	00	240	0	2400

hr.	min.	ft.	in.	GPM
-----	------	-----	-----	-----

				RECOVERY:
hr.	min.	ft.	in.	

[illegible]

Joe J. Waldner

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter 20 in, Depth 54 ft.
(2) Casing, Type stainless steel Diameter 16 in Thickness 12 Ga.
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type Stainless steel Diameter 16 in Length 20 ft.
pen size
(4) Gravel Pack, Thickness _____, Length of gravel pack 50 ft.

E. Dugout Information or Estimates

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials 39 ft. gravel

Depth to top of water bearing material 14 ft.

Depth to bottom of water bearing material 54 ft.

Thickness of water bearing material 40 ft.

Depth to water (ground surface to water level) 30 ft.

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property 240 rds. On property owned by others 100 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Charles Robinson

Signature of Applicant



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
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. 6991-3, Straw Hat Land & Cattle LLP**

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. 6991-3, Straw Hat Land & Cattle LLP, c/o William H. Wittrig, 13111 North Creekview Road, Rapid City SD 57702.

The Chief Engineer is recommending APPROVAL of Application No. 6991-3 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. 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
April 23, 2008

REPORT ON WATER PERMIT NO. 6991-3
For Straw Hat Land & Cattle LLC.
April 10, 2008

Application No. 6991-3 proposes to appropriate 0.33 cfs from an existing well approximate 60 feet deep located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 9 to irrigate 105 acres located in portions of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ of section 9, all in T107N R67W in Jerauld County.

AQUIFER – CROW CREEK (CC)

The Crow Creek aquifer is a predominantly surficial outwash (sand and gravel) in this area but can be encountered under confined conditions further south in Jerauld County. The aquifer underlies 70 square miles and contains an estimated 270,000 acre-feet of water in storage in Jerauld County (Hamilton, 1985). The aquifer extends into Hand County to the north and into Buffalo County to the west. Also the aquifer may be hydraulically connected to the Crow Lake aquifer to the east and south. Ground water movement is from northeast to southwest in the area of this application (Hamilton, 1985).

This is an existing well that had probably been authorized by Water Permit No. 3513-3 that will be used for this application. There is a test well log for this area but very little information available concerning the construction of this well. Water Right Permit No. 3513-3 indicates a 54 feet deep well with a depth to water of 30 feet. That permit has been cancelled for abandonment and forfeiture.

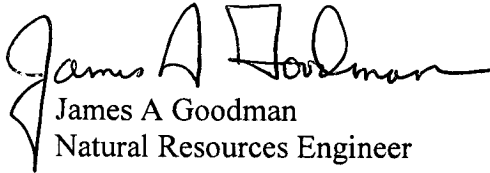
The Water Rights Program monitors an observation well JE-77E located about one-half mile north of the well for this application. Also another observation well JE-79I is located about one mile southwest of this application. Water levels for these wells show good response to climatic conditions that is rising water levels during wet periods and gradually declining water levels during dry periods. Hydrographs for these two observation wells are included with this report (Water Rights, 2008).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is an existing irrigation well located about one mile southwest of the well for this application (Water Right No. 3395-3, 1.56 cfs). Interference is not a concern. This application is for a relatively small rate of water. Drawdown created by pumping at this rate should not extend very far from the production well. The observation well hydrograph for the nearby JE-77E shows little affects of pumping by the existing irrigation well.

CONCLUSIONS

1. Water is available from the Crow Creek aquifer.
2. The aquifer is under water table conditions in this area.
3. Drawdown created by pumping at the requested rate of 150 gpm is not expected to be significant. The distance between existing wells will minimize any potential impacts caused by pumping. Interference is not a concern.
4. The applicant will not be able to adequately irrigate the amount of land (105 acres) with the rate of water requested. Apparently this will be selective irrigation of certain areas like shelter belts. The full allotment of irrigation water should not exceed 141 acre feet annually. This volume is based upon pumping at the permitted rate constantly for seven months.



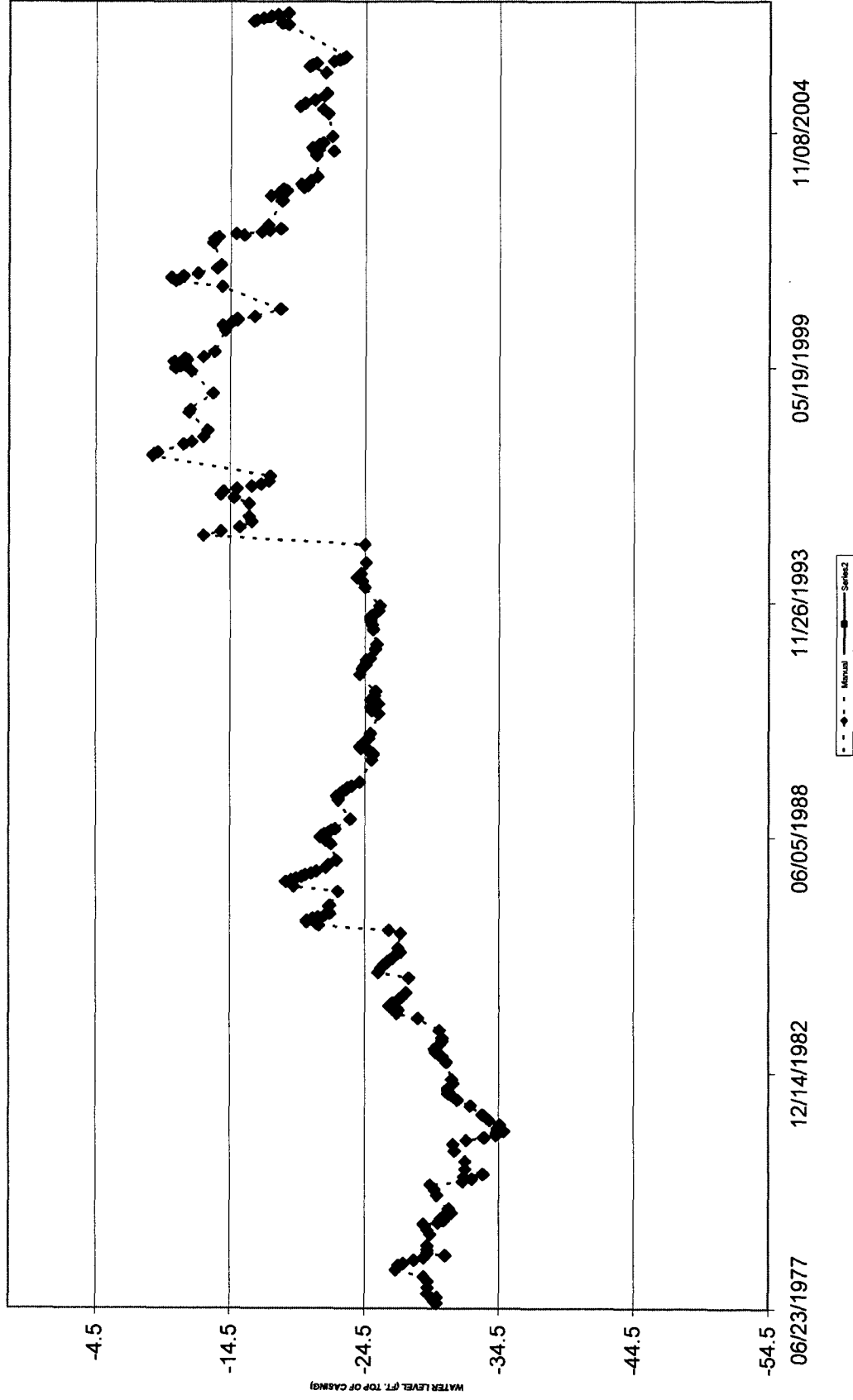
James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

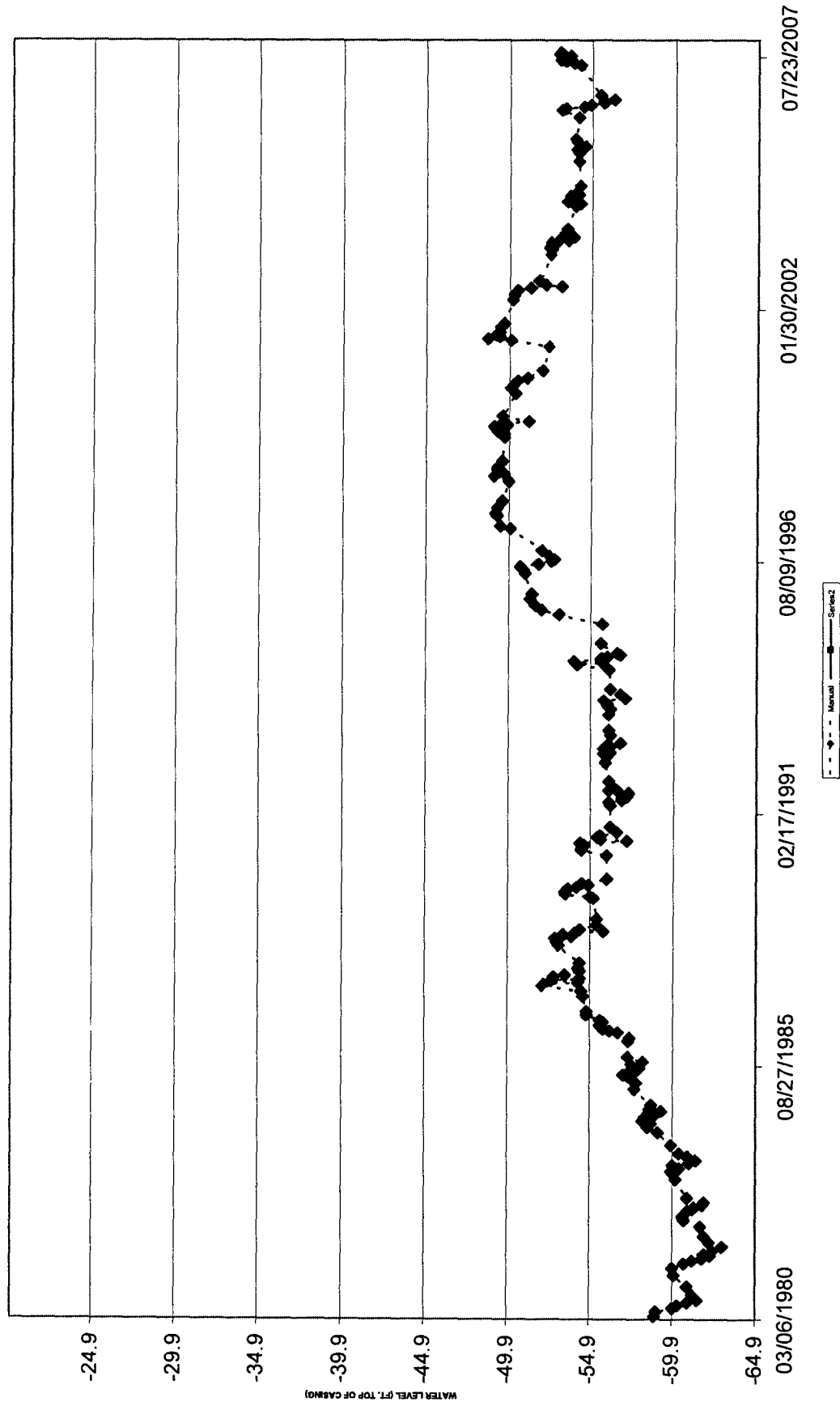
Hamilton, L.J., 1985, Water Resources of Aurora and Jerauld Counties, South Dakota, Water-Resources Investigations Report 84-4030, USGS, Huron, SD, 57250.

Water Rights, 2008, Unpublished Observation Well Data for Jerauld County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

**WATER RIGHTS' OBSERVATION WELL
JE-77E**



**WATER RIGHTS' OBSERVATION WELL
JE-79I**



Schlaak, Karen

From: Schlaak, Karen
Sent: Thursday, May 08, 2008 10:45 AM
To: 'truedakotan@sbt.net'
Subject: Notice for Application No. 6991-3

Karen/Penny

Attached is the notice for Application No. 6991-3, Straw Hat Land & Cattle LLP which we talked about earlier today.

After reviewing the original notice sent you, I realized the error was in the text we originally sent to you. Therefore, please print this notice on May 13th only. Send us another affidavit with the May 13th clipping.

The Water Right Program will pay for the May 13th publication. If you have questions, please contact me.

Karen Schlaak
Water Rights Program
773-3352

05/08/2008

06/04/2008

PAYMENT REQUEST FORM

PAYEE: True Dakotan
PO Box T
Wessington Springs SD 57382

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

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Re advertisement of 6991-3 (Straw Hat Land & Cattle Co)

AMOUNT: \$24.95

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION:

Barbara Chubb 6/4/08

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federal assisted programs.

RECEIVED

JUN - 4 2008

WATER RIGHTS
PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA, COUNTY OF JERAULD, SS.

Karen Wenzel

being first duly sworn, deposes and says: that he/she is a resident of the County of Jerauld and State of South Dakota; and the True Dakotan is a weekly newspaper of general circulation, published in Wessington Springs, in said county by J. Craig and Dennis P. Wenzel; and is now and has been such newspaper continuously, during all the times hereafter mentioned; that the affiant is, and was during all the times hereafter mentioned, the business manager of said newspaper, in charge of the advertising department thereof; and has personal knowledge of all facts stated in this affidavit:

And that the notice and advertisement headed

Notice (DENR)

a printed copy of which is hereunto attached and made a part hereof, was printed and published in said newspaper in 1 successive issues. That the first publication of said notice in said newspaper aforesaid was on Tuesday, the 13 day of May 2008; and that the succeeding publications were:

On Tuesday, the _____ day of _____, 20____

On Tuesday, the _____ day of _____, 20____

On Tuesday, the _____ day of _____, 20____

That the fee charged for the printing and publishing of said notice and advertisement in said newspaper aforesaid, was 24 dollars and 25 cents, and for this affidavit; and that said fee for printing and publishing said notice and advertisement in said newspaper has been full paid; that the full amount of fees charged for the publishing of the said attached and annexed notice and advertisement inures to the benefit of the publisher of the said True Dakotan; and no agreement or understanding for the division thereof has been made with any person whomsoever; that the said newspaper is a legal newspaper as provided by law.

Signed: Karen Wenzel

Subscribed and sworn to before me, this 2 day of June 2008.

Penny Wenzel Notary Public in and for
Jerauld County, South Dakota

AFFIDAVIT EX REL PUBLICATIONS FEES STATE OF SOUTH DAKOTA, COUNTY OF JERAULD, SS.

being first duly sworn on his oath, says that he is one of the authorized attorneys of the _____
In the action mentioned and described in the annexed notice; that the affiant directed the publication of the annexed notice; that no agreement or understanding for any division of the fees therefore has been made with any person whomsoever; and that no part therefore has been refunded or rebated by the party publishing said notice.

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public, Jerauld County, South Dakota

NOTICE OF APPLICATION NO. 6991-3 to Appropriate Water

Notice is given that Straw Hat Land & Cattle LLP, c/o William H Wittrig, 13111 N Creekview Rd, Rapid City SD 57702 has filed an application for a water permit to appropriate 0.33 cubic feet per second from one existing well completed into the Crow Creek Aquifer (approximately 60 feet deep) located in the SW 1/4 NW 1/4 Section 9 to irrigate 105 acres located in portions of the SW 1/4 NW 1/4, SW 1/4, W 1/2 SE 1/4 Section 9; all in T107N-R67W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6991-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 26, 2008.

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

c-32



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 23, 2008

True Dakotan
PO Box T
Wessington Springs SD 57382

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 6991-3 to Appropriate Water to be published twice. Please publish the first notice on April 29, 2008 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Straw Hat Land & Cattle LLP, William Wittrig, 13111 N Creekview Rd, Rapid City SD 57702 (Ph # 605-390-7928).

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 6991-3

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

Date _____

We are in receipt of your letter of April 23, 2008 enclosing Notice to Appropriate Water by Application No. 6991-3 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
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.

April 23, 2008

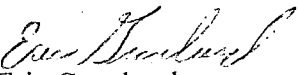
Straw Hat Land & Cattle LLP
William Wittrig
13111 N Creekview Rd
Rapid City SD 57702

Dear Mr. Wittrig

Water Permit Application No. 6991-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the True Dakotan printed at Wessington Springs SD (Ph # 605-539-1281). 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 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 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. 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.

NOTICE OF APPLICATION NO. 6991-3 to Appropriate Water

Notice is given that Straw Hat Land & Cattle LLP, c/o William H Wittrig, 13111 N Creekview Rd, Rapid City SD 57702 has filed an application for a water permit to appropriate 0.33 cubic feet per second from one existing well completed into the Crow Creek Aquifer (approximately 60 feet deep) located in the SW 1/4 NW 1/4 Section 9 to irrigate 105 acres located in portions of the SW 1/4 NW 1/4, SW 1/4, W 1/2 SE 1/4 Section 9; all in T107N-R67W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6991-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 26, 2008.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 27 2000

Straw Hat Land & Cattle LLP
13111 N Creekview Rd
Rapid City SD 57702

Dear Mr. Wittrig:

Enclosed is Water Permit No. 6991-3 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

6991-3

November 30, 2009

Ms. Genny McMath
Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

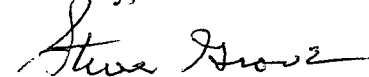
RECEIVED
DEC - 2 2009
WATER RIGHTS
PROGRAM

Dear Ms. McMath;

Thank you for your assistance via phone this morning. I have enclosed forms for permits 6991-3 and 3395-3. I acquired ownership to Strawhat Land & Cattle Company LLP and note the ownership and mailing address change on the forms. We did not irrigate under permit 6991-3 in 2009 as we were finishing the irrigation system and had adequate moisture. The operator did irrigate under permit 3395-3 in 2009 as noted on report. As I did not have access to the prior filings, I did not fill in the acreage or GPM but they are unchanged from the prior year. I would appreciate your offer to complete that portion and advise me of acres and GPM for future filings. May I request a copy of the permit 3395-3 for my records.

I appreciate your assistance with the 2009 filings.

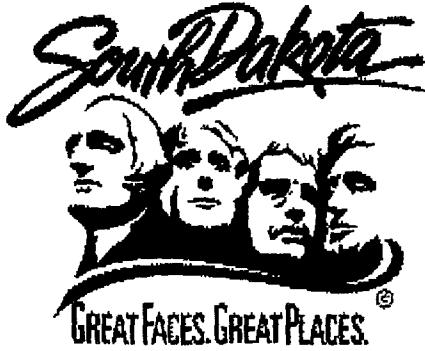
Sincerely,



S.A. Grove

Strawhat Land & Cattle Company LLP
22746 365th Av
Wessington Springs, SD 57382

Mail address: Strawhat Land & Cattle Co LLP
P.O. Box 1807
Covington, Ga. 30015



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 8, 2009

3395-3
6991-3

Steve Grove
Strawhat Land & Cattle LLP
PO Box 1807
Covington GA 30015

Dear Mr. Grove:

Thank you for sending in the 2009 irrigation questionnaires for Water Right No. 3395-3 and Water Permit No. 6991-3.

Enclosed as we discussed are "Notice of Transfer of Ownership" forms for changing ownership from Bill Wittrig to you. Upon completion, please sign and return them to our office with a required filing fee of \$50.00 each (total of \$100.00). The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of Water Right No. 3395-3 and Permit No. 6991-3 for your records. They will give you an idea of what is authorized for irrigation under each one.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures

6991-3

November 30, 2009

Ms. Genny McMath
Department of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182

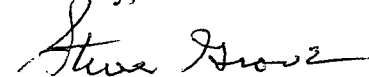
RECEIVED
DEC - 2 2009
WATER RIGHTS
PROGRAM

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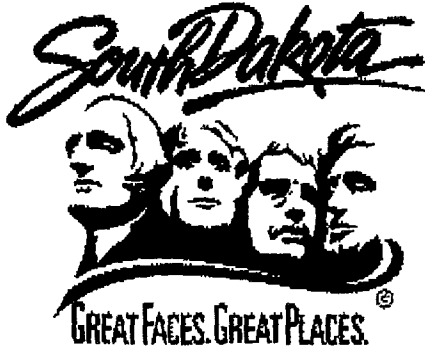
Sincerely,



S.A. Grove

Strawhat Land & Cattle Company LLP
22746 365th Av
Wessington Springs, SD 57382

Mail address: Strawhat Land & Cattle Co LLP
P.O. Box 1807
Covington, Ga. 30015



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 8, 2009

3395-3
6991-3

Steve Grove
Strawhat Land & Cattle LLP
PO Box 1807
Covington GA 30015

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Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures

RECEIVED

FEB - 1 2010

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 6991-3

Date: 1.25.2010

I/We request that Water Permit No. 6991-3

formerly owned by: Straw Hat Land & Cattle LLP, Bill Wittrig, 13111 N Creekview Rd, Rapid City SD 57702

be transferred to: (name & address) Straw Hat Land & Cattle LLP
PO Box 1807
Covington GA 30015 Telephone No. 770.787.0737

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

105 acres – SW ¼ NW ¼, SW ¼, W ½ SE ¼ Section 9, T107N, R67W

I/We understand that the validity of Water Permit No. 6991-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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 required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We SA Grove, the new owner, certify that the above information is true and correct.

SA Grove

(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 and the water used, the permit becomes a right. A water right may be lost for three 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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/1, 2010

RECEIVED OF Straw Hat Land & Cattle LLP 13111 N Creekview Rd Rapid City SD 57702

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	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>6991-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No.

By

Salvador Enriquez
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 4, 2010

3395-3
6991-3

Steve Grove
Straw Hat Land & Cattle LLP
PO Box 1807
Covington GA 30015

Dear Mr. Grove:

The transfer of ownership for Water Right No. 3395-3 and Water Permit No. 6991-3 has been completed. Nos. 3395-3 and 6991-3 formerly held by W H Wittrig dba Straw Hat Land & Cattle LLP are now listed in your name (dba Straw Hat Land & Cattle LLP).

Enclosed for your records are Receipt Nos. 04441 and 04442 in the amounts of \$50.00 each.

If you wish to have the annual irrigation questionnaires sent to the address in Wessington Springs, SD, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures



6991-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2018

NOTICE

TO: STEVE GROVE, STRAW HAT LAND & CATTLE LLP, PO BOX 1807, COVINGTON GA 30015

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Water Permit No. 6991-3. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No. 6991-3 qualifications:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No. 6991-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire is received in this office before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 5, 2018

6991-3

Steve Grove
Straw Hat Land & Cattle LLP
PO Box 1807
Covington GA 30015

Dear Mr. Grove:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Permit No. 6991-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Genny McMath". The signature is fluid and cursive, with the first name "Genny" and last name "McMath" clearly distinguishable.

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

c: Straw Hat Land & Cattle LLP, 3924 Greenbrier Dr., Dallas TX 75225



6991-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 23, 2020

NOTICE

TO: STRAW HAT LAND & CATTLE LLP, STEVE GROVE, PO BOX 1807, COVINGTON, GA 30015

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2019 Irrigation Questionnaire(s)

Our records indicate your 2019 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6991-3 & 8337-3. The request for the Questionnaire was dated October 18, 2019. The Water Management Board has directed that owners of water permits who have not submitted the 2019 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6991-3 & 8337-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, February 26, 2020 at 8:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6991-3 & 8337-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **February 26, 2020** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq> using this password: GVWKCK

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

6991-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 30, 2020

6991-3
8337-3

Steve Grove
Straw Hat Land & Cattle LLP
PO Box 1807
Covington GA 30015

Dear Mr. Grove:

I am writing to acknowledge receipt of your 2019 irrigation questionnaires. Both were received online and came through perfectly.

You may disregard the January 23, 2020, "Notice" concerning reporting requirements for Water Permit Nos. 6991-3 and 8337-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: STRAW HAT LAND & CATTLE LLP, STEVE GROVE, PO BOX 1807, COVINGTON, GA 30015

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 6991-3 & 8337-3. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 6991-3 & 8337-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 6991-3 & 8337-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: UPPTOH**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

January 21, 2025

6991-3 & 8337-3

Straw Hat Land & Cattle LLP
c/o Steve Grove
PO Box 1807
Covington GA 30015

Dear Mr. Grove:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 6991-3 & 8337-3. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

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

6991-3 + 8337-3

Amanda Dewell
Dept of Agriculture and
Natural Resources
Joe Foss Building
523 East Capitol Ave
Pierre, SD 57501-3182

Dear Ms. Dewell:

Enclosed are the questionnaire forms for Permits 6991-3 and 8337-3 held by Straw Hat Land v& Cattle, Wessington Springs, SD. My apologies for the late submittal. Current cancer treatments have left me some difficulty in being at ranch and following up on submittal. If there are any questions on the submittals I may be reached on 404-307-0643 or Stevegrove01@aol.com. I appreciate your consideration and assistance in completing the forms.

Sincerely,



S.A> Grove

RECEIVED

JAN 17 2025

OFFICE OF
WATER