

WATER PERMIT NO. 8337-3

Name of Applicant: Strawhat Land & Cattle LLP

Address: 22746 365th Ave, Wessington Springs SD 57382

Phone: 404 307 0643

Amount of Water Claimed: 0.13 cfs

Total Acres: 30 acres

Source of Water Supply: groundwater (one well)

Water to be used for: irrigation

County: Jerauld

Type of Waste Disposal System:

Location: 13 miles west of Wessington Springs

PRIORITY Date Received: 2-26-18

Application/License Fee: \$ 700

Corrected Application Received: 3-15-18

Period of Annual Use: March 1 – November 30

Remarks: well water to irrigate tree belts and supply 3 dugouts

Diversion Point: NE 1/4 SW 1/4 Sec 2; dugouts –
NE 1/4 SW 1/4 Sec 2, NW 1/4 NW 1/4, NW 1/4
SW 1/4 Sec 11; all in T107N-R67W

Land to be Irrigated: N 1/2 SW 1/4, SW 1/4 SW
1/4 Sec 2 and W 1/2 NW 1/4 Sec 11; all in T107N-
R67W

Depth of Well: 72

Well Driller: Pullman Well Drilling

Remarks:

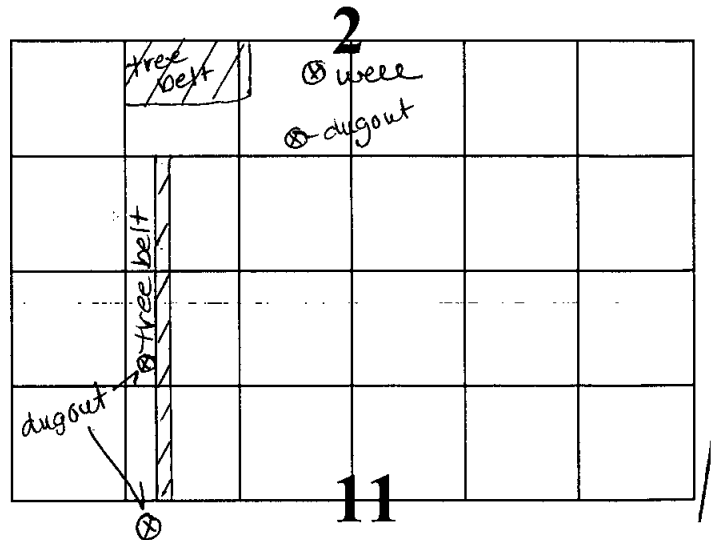
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 3-15-18

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 8337-3**

Date of first receipt of application February 26, 2018.

Date of return to applicant for corrections, amendments or changes February 27, 2018.

Date of receipt of corrected application March 15, 2018.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 8337-3 to Straw Hat Land & Cattle LLP, c/o S A Grove, PO Box 1807, Covington GA 30015 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. 8337-3 authorizes 0.13 cubic feet of water per second from one well to be completed into the Crow Creek Aquifer (72 feet deep) located in the NE 1/4 SW 1/4 Section 2 for irrigation of 30 acres located in the N 1/2 SW 1/4, SW 1/4 SW 1/4 Section 2 and the W 1/2 NW 1/4 Section 11; all in T107N-R67W. Well water will also be used to maintain three dugouts (total storage capacity approximately 2.0 acre-feet of water) located in the NE 1/4 SW 1/4 Section 2, NW 1/4 NW 1/4 and NW 1/4 SW 1/4 Section 11; all in T107N-R67W. This site is located 13 miles west of Wessington Springs SD.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: March 1 – November 30.
3. The date from which applicant may claim right is February 26, 2018.
4. The date of approval of Permit No. 8337-3 is June 1, 2018.
5. One-fifth of the construction is to be completed on or before December 1, 2020.
6. All construction is to be completed on or before June 1, 2023.
7. Water is to be put to beneficial use on or before June 1, 2027.
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: *Jeanne Goodman*

Jeanne Goodman, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

JUN 13 2018

date



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FEB 26 2018
WATER RIGHTS
PROGRAM

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>8337-3</u> (office use only) Hydrologic Unit <u>10140105</u>
	Basin <u>Missouri River</u>
	Newspaper <u>True Dakotan, West Springs</u> <u>Plainsman, Hutton</u>

Application For Permit To Appropriate Water For Irrigation

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

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

1. Name to Appear on Irrigation Permit STRAWHAT LAUD & CATTLE, LLP
Note: The "Name to Appear on Irrigation Permit" must be the name in which the property to be irrigated is held in.
- Mailing Address 22746 365TH AV. WESINGTON SPRG SD 57382
(Address) (City) (State) (Zip Code)
- Phone 605.307.0643 Mobile _____ Email STEVE@GROVELOID@aol.com
2. Amount of water claimed 0.13 *CFS or 60 **GPM ***AF Total Acreage 30 ACRES
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply WELL
4. Location of point of diversion NE 1/4 SW 1/4 SEC 2 TWP 107 R667
dugouts - NE 1/4 SW 1/4 SEC 2; (example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)
NW 1/4 NW 1/4 SEC 11; NW 1/4 SW 1/4 SEC 11 - all T107N-R67W County JERAULD
5. County or counties where water will be used JERAULD
6. Annual period during which water is to be used MARCH - NOVEMBER
7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>T-1850 - TREE BELT</u>	<u>10 AC</u>	<u>N 1/2 SW 1/4 SEC 2 - T107N - R67W</u>	
<u>T-1848 - TREE BELT</u>	<u>20 AC</u>	<u>SW 1/4 SW 1/4 SEC 2 - T107N - R67W</u>	
		<u>W 1/2 NW 1/4 SEC 11 - T107N - R67W</u>	

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

WELL TO SUPPLY 60 GPM TO REEL IRRIGATION SYSTEM
TO IRRIGATE TREE BELTS AND THREE DUGOUTS

I, SC GROVE, the applicant, certify under
Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

Supplemental Information

(type or print)

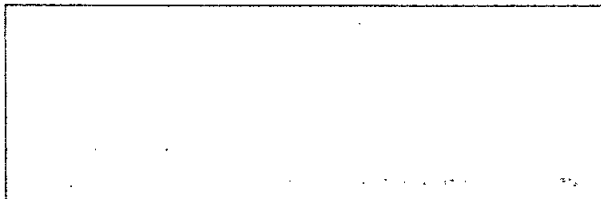
1. Well Information (check one or both as applicable) ☒ Drilling new well(s) ☐ Using existing well(s)a) If new wells, how many 1 Have test holes been drilled ☒ Yes ☐ No Drilled by PULLMAN WELL DRILLING
(if yes, please provide copies of logs)b) If existing wells, how many Provide copy of log(s), if available. Drilled by

For either Existing or Proposed Wells:

c) Well Depth (required) 72 Depth to Top of Water Bearing Material Depth to Water from Surface d) Distance to nearest domestic well on applicant's property NO OTHER Property owned by others 345 FT
WELLS**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 96 x 120
120 x 300
60 x 90 Depth 3-4 FT
3-4'
3-4'b) Depth to water (ground surface to water level) 3-4'**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

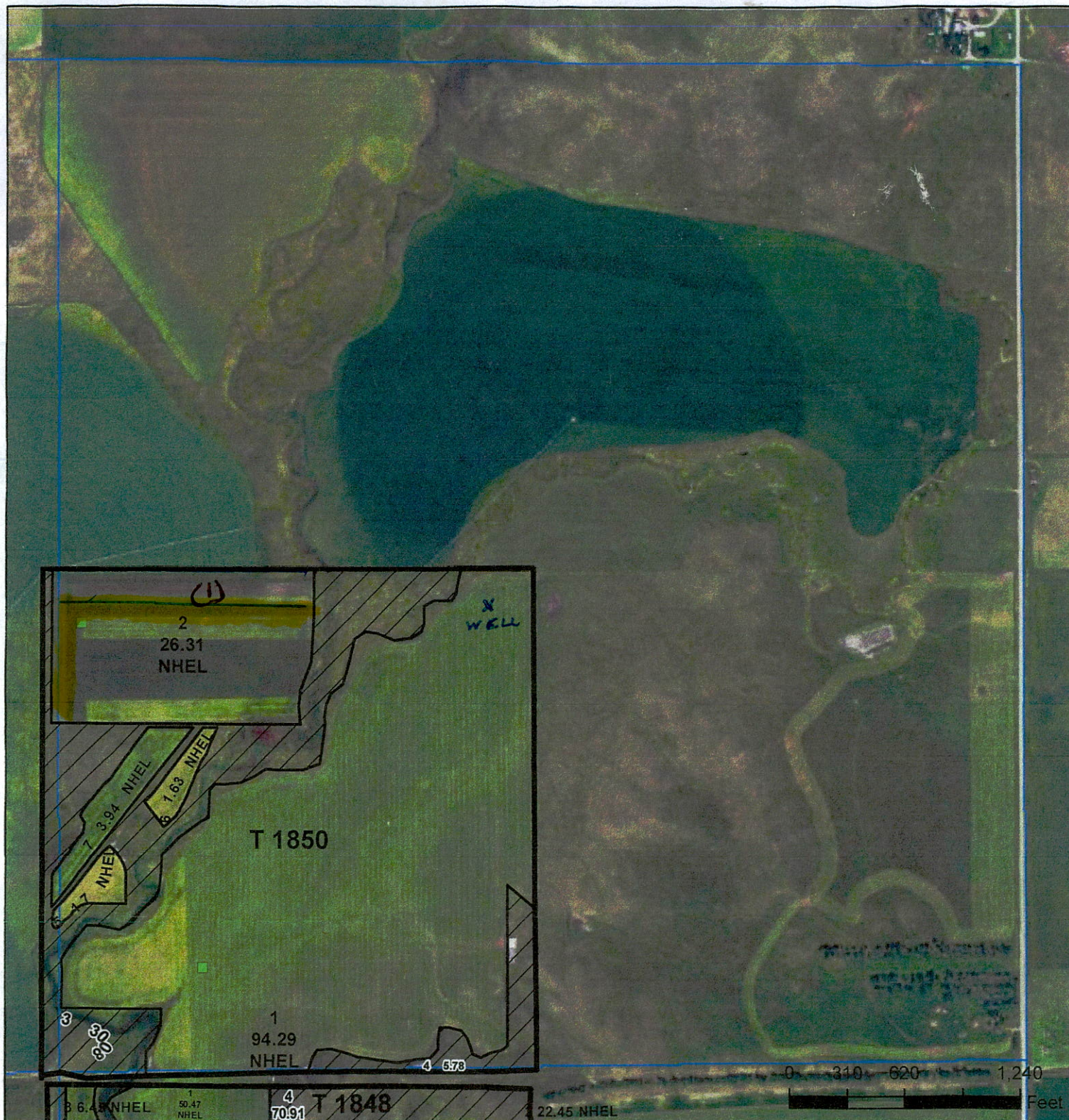
g) X & Y Slope (e.g. 3 to 1 is a typical slope)

Upstream Downstream h) Surface Area of Impoundment i) Storage Acre Feetj) Drainage Area Above Dam Acres



United States
Department of
Agriculture

Jerauld County, South Dakota



Common Land Unit
Cropland
Rangeland

Tract Boundary
PLSS

Wetland Determination Identifiers
Restricted Use
Limited Restrictions
Exempt from Conservation
Compliance Provisions

(1) TREE BELT 10 ACRES



2016 Program Year

Map Created March 21, 2016

Farm 2655

2 -107N -67W

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).



Legend

Practices (polygons) Practice name

□ Access Control



Herbaceous Weed Control



Mulching

Practice name

Windbreak/Shelterbelt Establishment

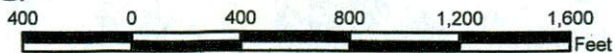


CRP_2017

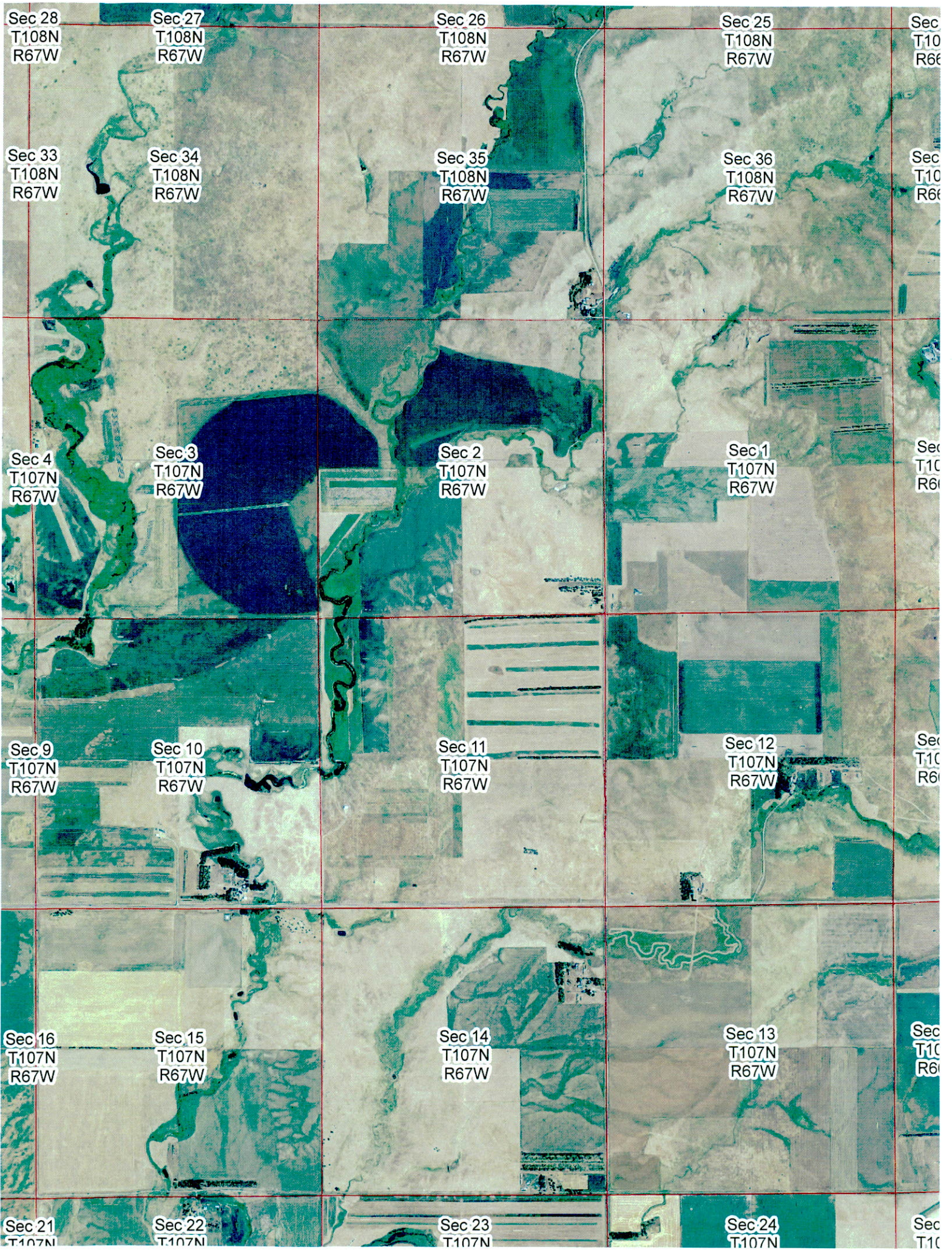
□ DUGOUTS



* TREE CONTRACT



Prepared with assistance from USDA-Natural Resources Conservation Service



Sec 28
T108N
R67W

Sec 27
T108N
R67W

Sec 26
T108N
R67W

Sec 25
T108N
R67W

Sec
T10
R66

Sec 33
T108N
R67W

Sec 34
T108N
R67W

Sec 35
T108N
R67W

Sec 36
T108N
R67W

Sec
T10
R66

Sec 4
T107N
R67W

Sec 3
T107N
R67W

Sec 2
T107N
R67W

Sec 1
T107N
R67W

Sec
T10
R66

Sec 9
T107N
R67W

Sec 10
T107N
R67W

Sec 11
T107N
R67W

Sec 12
T107N
R67W

Sec
T10
R66

Sec 16
T107N
R67W

Sec 15
T107N
R67W

Sec 14
T107N
R67W

Sec 13
T107N
R67W

Sec
T10
R66

Sec 21
T107N

Sec 22
T107N

Sec 23
T107N

Sec 24
T107N

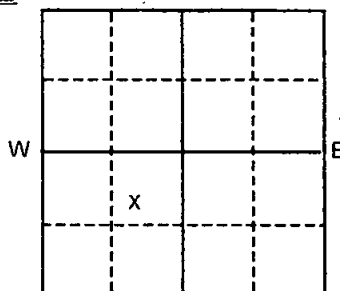
Sec
T10

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NE 1/4 SW 1/4 Sec 2 Twp 107 Rg 67County Jerauld ☒

North

Please mark well
location with an "X"

Well Completion Date

7/14/2017

1 Mile

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:

Forward Rotary

CASING DATA:

If other describe

☐ Steel ☒ Plastic ☐ Other

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	8 IN	0 FT	72 FT	13.5 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
DF Grout	6	Lb/gal	0 Ft	38 Ft
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☐ Perforated pipe ☒ ManufacturedDiameter 8 Inches Length 30 FeetMaterial SCH 40Slot Size 0.057 Set From 42 Feet to 72 Feet

Other information

WAS A PACKER OR SEAL USED? ☒ Yes ☐ NoIf so, what material? PeaRock

Describe packer(s) and location

38-72'

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Granulated ChlorineLab to which water
quality sample sent for analysisWell Owner: Steve GroveBusiness Name: Gunbarrel RanchAddress: 22746 365th AveCity, State, Zip: Wessington Springs ☒ SD ☒ 57382

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Sandy Yellow Clay	0	6
Yellow Gravel	6	8
Yellow Clay & Gravel	8	20
Yellow Gravel/Clay & Rocks	20	40
Yellow Gravel & Big Rocks	40	50
Blue Clay w/ Rocks	50	57
Yellow Gravel w/ Rocks	57	67
Blue Clay w/ S/S	57	72

STATIC WATER LEVEL 22 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: w/ Air☐ Bailed☐ Other

Pumping Level Below Land Surface

72 Ft. After _____ Hrs. pumped 120 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:

Signature of Well Owner or Equitable Property Holder:

Date:

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 26, 2018

RECEIVED OF Stephen Creve 3924 Greenbrier Dr Dallas, TX 75255

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

Fee for Application for Permit No. <u>8337-3</u> to Appropriate Water, to construct and to put water to beneficial use	500	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>8337-3</u>	200	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	700 00

No. **08607**

By

Jeanne Goodman
Chief Engineer
LYN

2015

ANNUAL REPORT

DOMESTIC LLP

SDCL 48-7A-1003

Please Type or Print Clearly in Ink

FILING FEE: \$50.00 Make check payable to SECRETARY OF STATE

FILE DATE 9/21/2015

RECEIPT NO 336978

Telephone #

Enter Filing Year

Secretary of State Office

500 E Capitol Ave

Pierre, SD 57501

(605)773-4845

1. L.L.P. ID and Name:

DR000752

STRAW HAT LAND AND CATTLE, LLP

2. The jurisdiction under whose law it is formed SOUTH DAKOTA

3. The address of the principal or chief executive office.

22746 365TH AVENUE	WESSINGTON SPRINGS	TN	57382-5512
Actual Street Address or Rural Route Box Number	City	State	ZIP+4
1016 W. POPLAR AVE. #106-254	COLLIERVILLE	TN	38017
Mailing Address, if Different from Street Address	City	State	ZIP+4
Email Address (Optional)			

4. The name of the South Dakota Registered Agent

Agent Name: DON ULMER

22746 365TH AVE	WESSINGTON SPRINGS	SD	57382-3108
Actual Street Address or Rural Route Box Number in This State	City	State	ZIP+4
			-
Mailing Address in This State, if Different from Street Address	City	State	ZIP+4
Email Address (Optional)			

5. The names and business addresses of its partners.

☒	STEPHEN ANDREW GROVE	3924 GREENBRIER DRIVE	DALLAS	TX	75225
	Partner	Actual Street Address	City	State	ZIP+4
☒	GUNBARREL RANCH	1016 W. POPLAR AVE. #106-254	COLLIERVILLE	TN	38017
	Partner	Actual Street Address	City	State	ZIP+4

No person may execute this report knowing it is false in any material aspect. Any violation is subject to a civil penalty.

Dated 09/21/2015

Signature Accepted Electronically

(Signature of an Authorized Person)

LANDERS P POUNDS

(Printed Name)

Email

(Optional)

*By signing this form you agree to have both the fee and the form processed electronically.
A fee of up to \$40 will be assessed for returned payments.

9/21/2015 11:02:39 AM



RECEIVED

FEB 26 2018

WATER RIGHTS
PROGRAM

ERIC GRONLUND -

THANKS FOR HELP WITH APPLICATION.
I CAN BE REACH AT 404.307.0643
OR STEVEGROVE01@AOL.COM.

STEVE GROVE



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
RECEIVED
MAR 15 2018
WATER RIGHTS
PROGRAM
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 27, 2018

Strawhat Land & Cattle LLP
c/o Steve Grove
22746 365th Ave
Wessington Springs SD 57382

Dear Mr. Grove:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation in Jerauld County. In order to complete the application, the following is required.

- Enclosed are the aerial photo maps submitted with the application. On the maps, please mark the locations of the three dugouts.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosures

KAREN - SEE ATTACHED FOR DUGOUT LOCATIONS
THANKS, STEVE GROVE
404.302.0643

McMath, Genny

From: stevegrove01@aol.com
Sent: Monday, June 11, 2018 12:38 PM
To: McMath, Genny
Subject: Re: [EXT] water permits

Thanks for note. Please use the PO Box 1807, Covington, Ga 30015 (Family office) as I will be traveling in and out of ranch this summer. What is the next step and timing?

-----Original Message-----

From: McMath, Genny <Genny.McMath@state.sd.us>
To: stevegrove01 <stevogrove01@aol.com>
Sent: Mon, Jun 11, 2018 9:38 am
Subject: water permits

Good morning Mr. Grove,

Recently, a permit was approved for you for Straw Hat Land & Cattle LLP. The address on the permit is 22746 365th Ave, Wessington Springs, SD.

The purpose for my email is we have multiple addresses for you and I sort of remember talking to you before about this very thing. You had a "main address" and a "farm address"

Which address do you prefer correspondence to go to? We actually have about 3 for you.....

- 3924 Greenbrier Drive, Dallas TX
- PO Box 1807, Covington, GA
- 22746 365th Ave, Wessington Springs SD

Please let me know and I can change things accordingly,

Genny McMath
DENR - Water Rights Program
605.773.5455 (desk)
605.773.3352 (main phone)
605.773.4068 (fax)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 8337-3, 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. 8337-3, Straw Hat Land & Cattle LLP, 22746 365th Avenue, Wessington Springs SD 57382.

The Chief Engineer is recommending APPROVAL of Application No. 8337-3 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.

Jeanne Goodman, Chief Engineer
May 16, 2018

REPORT TO THE CHIEF ENGINEER

Water Permit Application No. 8337-3

Straw Hat Land & Cattle, LLP

May 7, 2018

Water Permit Application No. 8337-3 proposes to appropriate 0.13 cubic feet per second (cfs) of water from a well (72 feet deep) located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 2-T107N-R67W for irrigation of 30 acres of tree belts and to supply water to maintain three dugouts. The tree belts will be located in the N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 2, and the W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 11; the dugouts will be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 2, NW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 11; all in T107N-R67W. The well for this application is completed into the Crow Creek aquifer and is located approximately 13 miles west of Wessington Springs in Jerauld County.

AQUIFER: Crow Creek (CC)

HYDROGEOLOGY

The Crow Creek aquifer is composed of permeable and well sorted glacial outwash deposits ranging from medium to very coarse sand and gravel (Hamilton, 1985). The Crow Creek aquifer has been identified in Jerauld County by Hedges et al. (1982) and Hamilton (1985). Mapping of the first occurrence of aquifer materials in Jerauld County by Jensen (2005) better supports the aquifer boundaries as identified by Hamilton (1985). In Jerauld County, Hamilton (1985) estimated that the Crow Creek aquifer underlies approximately 44,800 acres with 270,000 acre-feet of water in storage. Hedges et al. (1982) identified the Crow Creek aquifer as encompassing 41,500 acres in Jerauld and Hand Counties, with 153,700 acre-feet of water in storage. The Crow Creek aquifer extends into Buffalo and Brule Counties; however the extent of the aquifer in these counties has not been determined due to limited data. Generally, the Crow Creek aquifer is present in the valley that Crow Creek resides within (Hamilton, 1985), however its presence is not limited to the creek valley.

The water well completion report submitted with the application shows that the well is completed into a layer comprised of yellow gravel and rocks. The screened interval of the well does intersect a seven foot thick blue clay layer, however this layer of clay is unlikely to extend very far and the yellow gravel layers above and below this layer are considered to be the same aquifer. A well located approximately 345 feet to the west-northwest did not encounter this clay layer at a similar elevation. The aquifer in this area is unconfined.

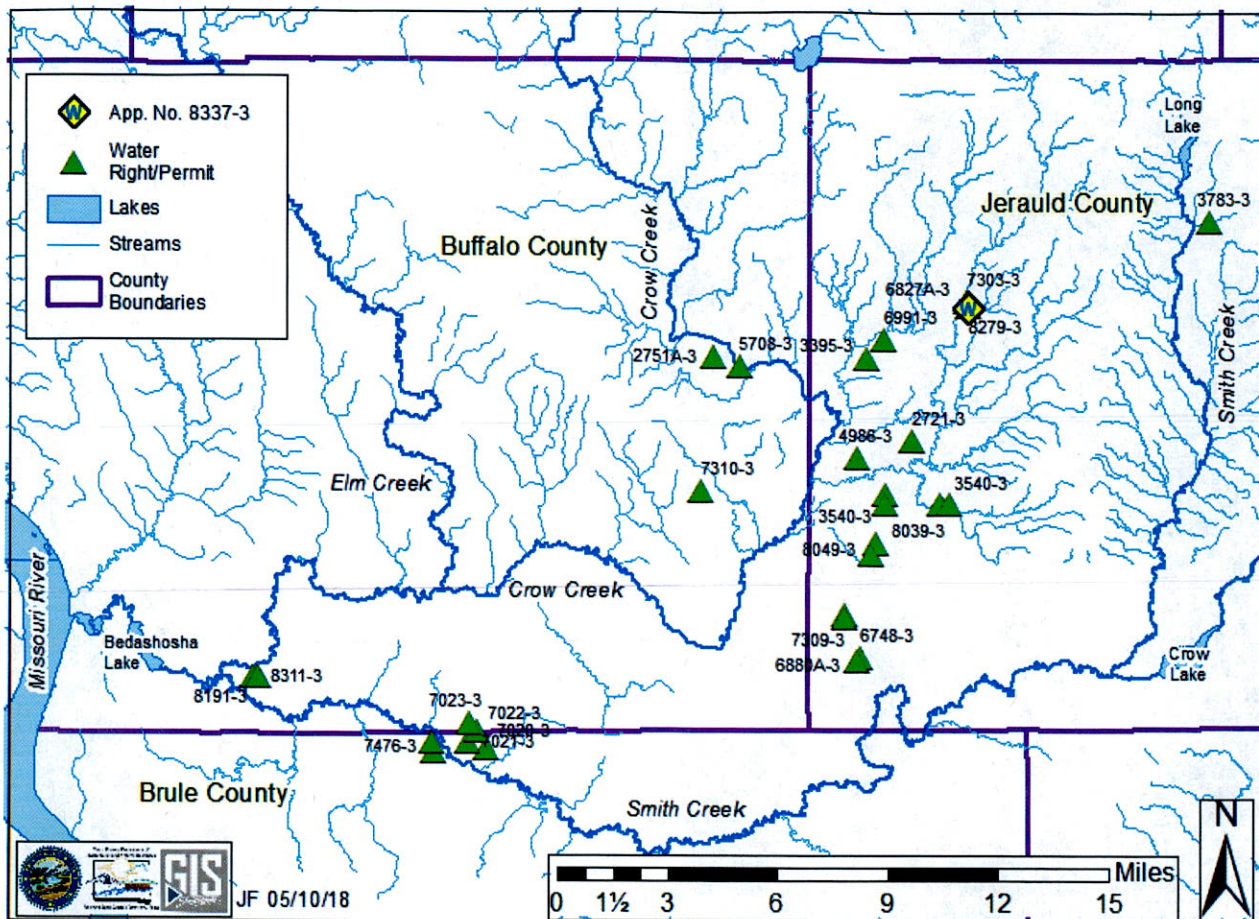


Figure 1. Map showing the location of the proposed diversion and the distribution of Water Rights/Permits identified as using the Crow Creek aquifer (Water Rights, 2018a).

The movement of groundwater within the Crow Creek aquifer is generally from the east-northeast to the west-southwest towards the Missouri River. In Jerauld County, Hamilton (1985) shows the Crow Creek aquifer as being separated from the Crow Lake aquifer by an area of low transmissivity. No other aquifers have been identified as being hydraulically connected to the Crow Creek aquifer. Assuming the Elm Creek aquifer in Hyde and Hand counties (Hedges et al., 1982) roughly follows Elm Creek through Buffalo County, the Elm Creek aquifer could possibly contribute recharge to the Crow Creek aquifer. In addition, there are several water rights/permits that have been issued as being in the Crow Creek aquifer but are located along Smith Creek. It is currently unclear if the outwash deposits along both creeks are hydraulically connected or if they just experience similar hydrologic conditions.

South Dakota Codified Law 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water and existing rights within the Crow Creek aquifer.

WATER AVAILABILITY

The probability of unappropriated water available from an aquifer can be evaluated by considering SDCL 46-6-3.1, which requires “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.” If the source of the water is older than or stratigraphically lower than the Greenhorn Formation and a water distribution system has applied for a permit, the Board need not take into consideration the balance of aquifer recharge and withdrawal. Here, the water source is not older or lower than the Greenhorn Formation and a water distribution system is not involved. Therefore, the balance of withdrawal and recharge must be considered.

Hydrologic Budget

Recharge

Recharge to the Crow Creek aquifer occurs primarily through direct infiltration of precipitation through the very permeable overlying deposits of sandy alluvium, outwash, and till (Hamilton, 1985).—In Jerauld County, Hamilton (1985) estimated the average recharge to the Crow Creek aquifer to be 9,100 acre-feet per year (2.4 inches per year). Using observation well data, Hedges et al. (1985) estimated the average annual recharge to the Crow Creek aquifer to be 3.8 inches per year (14,190 acre-feet using the same area as Hamilton). By using observation well data, the data represents both withdrawals from and recharge to the aquifer, as they occur simultaneously. When the recharge is greater than discharge, this method produces a lower than actual recharge rate. The same holds true when discharge is greater than recharge, the calculated discharge rate is lower than the actual discharge rate. The estimated average annual recharge to the Crow Creek aquifer in Jerauld County is likely between 9,100 and 14,190 ac-ft/yr.

Discharge

Discharge from the Crow Creek aquifer occurs through well withdrawals, evapotranspiration from areas where the aquifer is near the land surface, and flow from springs and seeps into Crow Creek (Hamilton, 1985). Currently there are 24 Water Rights/Permits appropriating water from the Crow Creek aquifer (Water Rights, 2018a). Table 1 shows a summary of Water Rights/Permits with their appropriation and estimated annual expected use. The amount of water that can be expected to be withdrawn from non-irrigation users can be estimated by assuming water rights/permits limited by an annual volume will pump the entire volume appropriated annually, water rights/permits limited only by diversion rate will pump at the maximum permitted diversion rate 60 percent of the time, and future use permits will be fully developed.

Table 1: Water rights/permits authorized to withdraw water from the Crow Creek aquifer including estimated annual volume pumped (Water Rights, 2018a)

PERMIT NO.	NAME	COUNTY	STATUS	USE	CFS	ACRES	ESTIMATED ANNUAL PUMPAGE (AC-FT)
2721-3	SPRING VALLEY HTRN BRTH	JE	LC	IRR	1.55	132	N/A
2751A-3	REX ZASTROW	BF	LC	IRR	1.66	132	N/A
3395-3	STRAW HAT LAND & CATTLE LLP	JE	LC	IRR	1.56	109	N/A
3540-3	SPRING VALLEY HTRN BRTH	JE	LC	IRR	1.66	268	N/A
3783-3	PAT HOARTY	JE	LC	IRR	1.55	122	N/A
4986-3	SPRING VALLEY HTRN BRTH	JE	LC	IRR	3.55	266	N/A
5708-3	REX ZASTROW	BF	LC	IRR	2.44	205	N/A
6748-3	BRIAN & ED HAVLIK	JE	LC	COM/DOM	0.12	N/A	52.1
6827A-3	MYRON VAN BUSKIRK	JE	PE	IRR	3.21	225	N/A
6880A-3	PHEASANT CREST LODGE INC	JE	PE	IRR	4	280	N/A
6991-3	STRAW HAT LAND & CATTLE LLP	JE	PE	IRR	0.33	105	N/A
7020-3	RODNEY L LARSEN	BL	LC	IRR	1.67	134	N/A
7021-3	RODNEY L LARSEN	BL	LC	IRR	1.67	134	N/A
7022-3	RODNEY L LARSEN	BF	LC	IRR	1.67	134	N/A
7023-3	RODNEY L LARSEN	BF	LC	IRR	1.67	134	N/A
7303-3	MYRON VAN BUSKIRK	JE	PE	IRR	1	75	N/A
7309-3	TODD GROHS	JE	LC	IRR	3.9	716	N/A
7310-3	KLEIN LAND & CATTLE	BF	LC	IRR	1.67	130	N/A
7476-3	THOMPSON HEREFORD RANCH	BL	LC	IRR	4.33	400	N/A
8039-3	GROHS FARMS PARTNERSHIP	JE	PE	IRR	4	320	N/A
8049-3	SPRING VALLEY COLONY	JE	PE	IRR	4.47	313	N/A
8191-3	JOHN DALY	BF	LC	IRR	7.58	615	N/A
8279-3	MYRON VAN BUSKIRK	JE	PE	IRR	0	40	N/A
8311-3	JOHN DALY	BF	PE	IRR	0	130	N/A
SUMMARY							
24	No. of Water Rights/Permits		Non-Irrigation Estimated Annual Pumpage				52.1
			Acres Permitted for Irrigation				5,119
BF = Buffalo, BR = Brule, JE = Jerauld							
LC = Water Right, PE = Water Permit							
COM = Commercial, DOM = Domestic, IRR = Irrigation							

Due to different parts of the state having varying hydrologic conditions and soil types, the estimated annual use from irrigation water rights/permits is determined by looking at the historical reported usage of the aquifer. Table 2 shows a summary of the reported irrigation questionnaire data from 1979 to 2017, the most recent reported data. The average historic irrigation pumpage from the Crow Creek aquifer for 1979 through 2017 is 1,813 ac-ft/year.

This application is for the irrigation of tree belts with a reel type irrigation system and maintaining three dugouts. As these uses are dissimilar to crop irrigation, and with the limited pump rate, the estimated average usage is calculated by assuming that the pump will pump for 60% of the time. Pumping at 0.13 cfs (60 gpm), 60% of the time, results in an estimated average annual use of 58.1 acre-feet per year.

There are a number of domestic wells on file that withdraw water from the Crow Creek aquifer (Water Rights, 2018b), however the magnitude of their withdrawals is small, and since the introduction of rural water systems, many of these wells may no longer be in use. The annual

quantity of water withdrawn for domestic uses is considered to not be significant to the overall hydrologic budget of the aquifer.

Table 2: Reported Irrigation Questionnaire data from 1979 to 2017 (Water Rights, 2018d)

Year	No. of Permits	Appropriation (ac-ft/yr)	Pumpage (ac-ft)
1979	26	13,643	1,654.62
1980	26	13,643	2,621.52
1981	28	14,523	2,737.96
1982	20	10,145.35	1,586.03
1983	21	10,043.35	2,413.23
1984	24	10,887.35	2,178
1985	24	10,887.35	2,451
1986	23	10,567.35	1,454
1987	23	10,567.35	2,169
1988	23	10,567.35	3,954.3
1989	23	10,567.35	2,858.7
1990	23	10,567.35	1,699
1991	21	9,764.35	2,049
1992	19	9,265.35	827
1993	18	8,670.35	842
1994	18	9,053.7	1,162.99
1995	18	9,053.7	858.65
1996	17	7,881	1,031
1997	16	7,581	246
1998	16	7,581	262.07
1999	16	7,581	793.47
2000	16	7,581	1,331.95
2001	16	7,581	571.49
2002	16	7,581	2,011.26
2003	16	7,581	1,543.45
2004	16	7,581	948.23
2005	15	7,386	1,195.92
2006	16	8,384	1,756.1
2007	16	8,384	1,275.02
2008	21	9,964	1,874.96
2009	22	11,004	853.55
2010	22	11,004	551.42
2011	22	11,004	1,127.04
2012	27	11,884	4,004.14
2013	28	11,884	3,115.76
2014	27	11,647	2,162.27
2015	23	11,005	3,363.64
2016	21	10,661	2,773.61
2017	22	10,741	4,412.91
Min	15	7,386	246
Max	28	14,523	4,412.91
Avg	21	9,894.81	1,813.39

Hydrologic Budget

The estimated withdrawals from the Crow Creek aquifer are 52.1 ac-ft/yr by non-irrigation users and 1,813 ac-ft/yr by irrigation. Including an estimated 58.1 ac-ft/yr from this application, if approved, the estimated average annual withdrawal from the Crow Creek aquifer would be

1,923.2 ac-ft/yr. The estimated annual recharge to the Crow Creek aquifer in Jerauld County is between 9,100 and 14,190 ac-ft/yr. Due to the withdrawals being several times smaller than the recharge, there is a reasonable probability there is unappropriated water available from the Crow Creek aquifer for the proposed appropriation.

Observation Well Data

In determining the availability of unappropriated water for a permit application Administrative Rule 74:02:05:07 requires the Water Management Board to rely on the record of observation well measurements, in addition to other data, to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated annual recharge.

The Water Rights Program currently monitors nine observation wells completed in the Crow Creek aquifer (Water Rights, 2018c). There is one additional observation well, BF-77B, in which monitoring was ceased in 1999 because it was destroyed by road construction. In addition to the Crow Creek aquifer observation wells, there are five observation wells in the area that are identified as being completed into an Unknown unit of the Pleistocene Series (PS:U) aquifer. These PS:U observation wells are located near water rights/permits that are identified as being in the Crow Creek aquifer.

The nearest observation wells are JE-77E and JE-78H, both located 2.5 miles away, respectively to the west-southwest and the south-southwest. The locations of these observation wells are shown in Figure 2, and the hydrographs for these ten observation wells are shown in Figure 3.

These observation well hydrographs are representative of the Crow Creek aquifer. Observation wells BF-77A and JE-78J are under confined conditions, and the eight others shown on the hydrograph are under water table conditions. The hydrographs show that the aquifer responds well to hydrologic conditions, recharging during wetter periods and declining during drier periods. The hydrographs also show that the aquifer responds to seasonal pumping near irrigation and other high capacity wells. The observation well measurements show that the effects from pumping are temporal, and that the aquifer generally returns to pre-pumping conditions. The seasonal drawdown is especially apparent in observation well BF-77A because it is under confined conditions and located one eighth of a mile from the nearest irrigation well. Overall, the water levels observed at these observation wells have remained steady with a very slight rise since the early 1980's. The observation well data indicates that there is a reasonable probability that there is unappropriated water available from the Crow Creek aquifer.

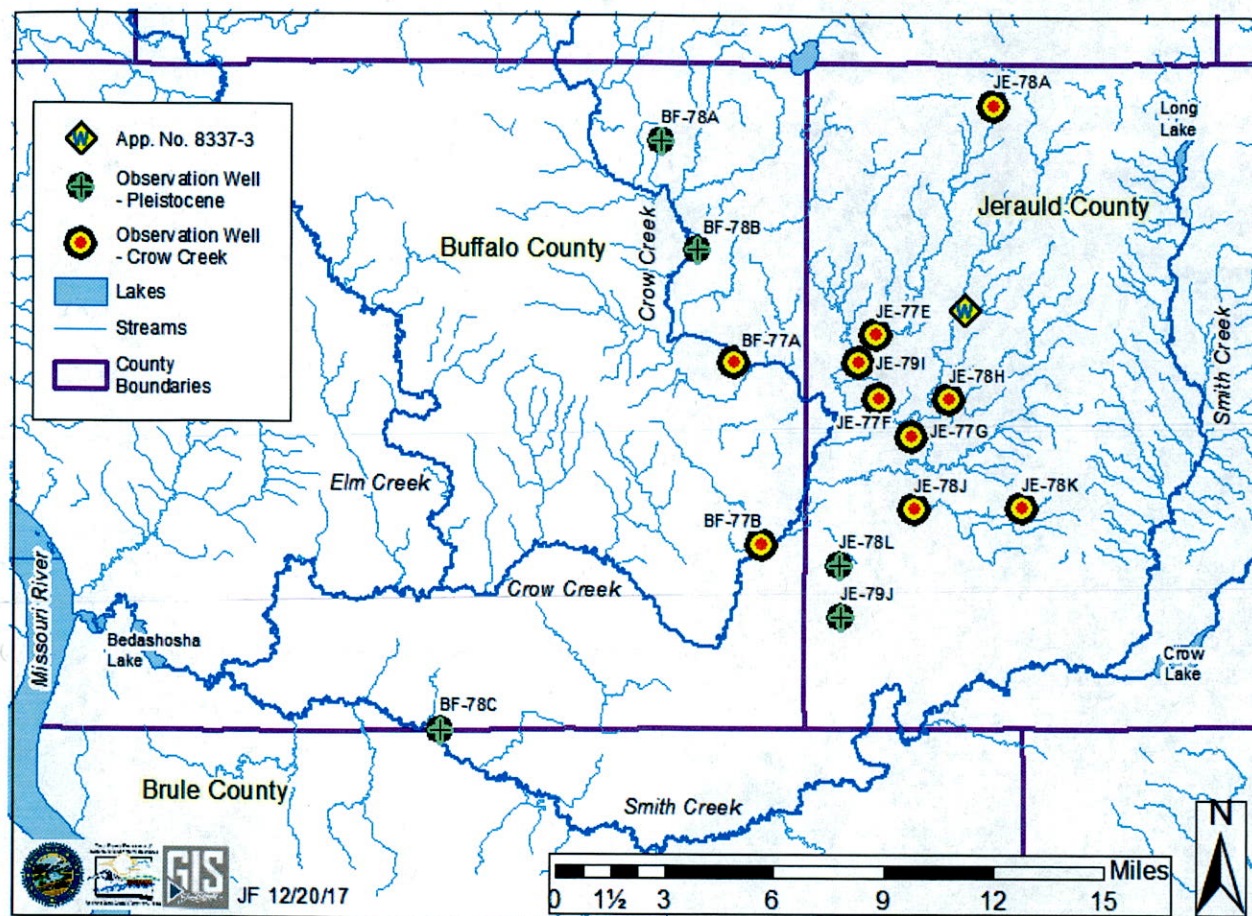


Figure 2. Map showing the location of observation wells in the Crow Creek aquifer and nearby observation wells completed into unidentified Pleistocene units (Water Rights, 2018c)

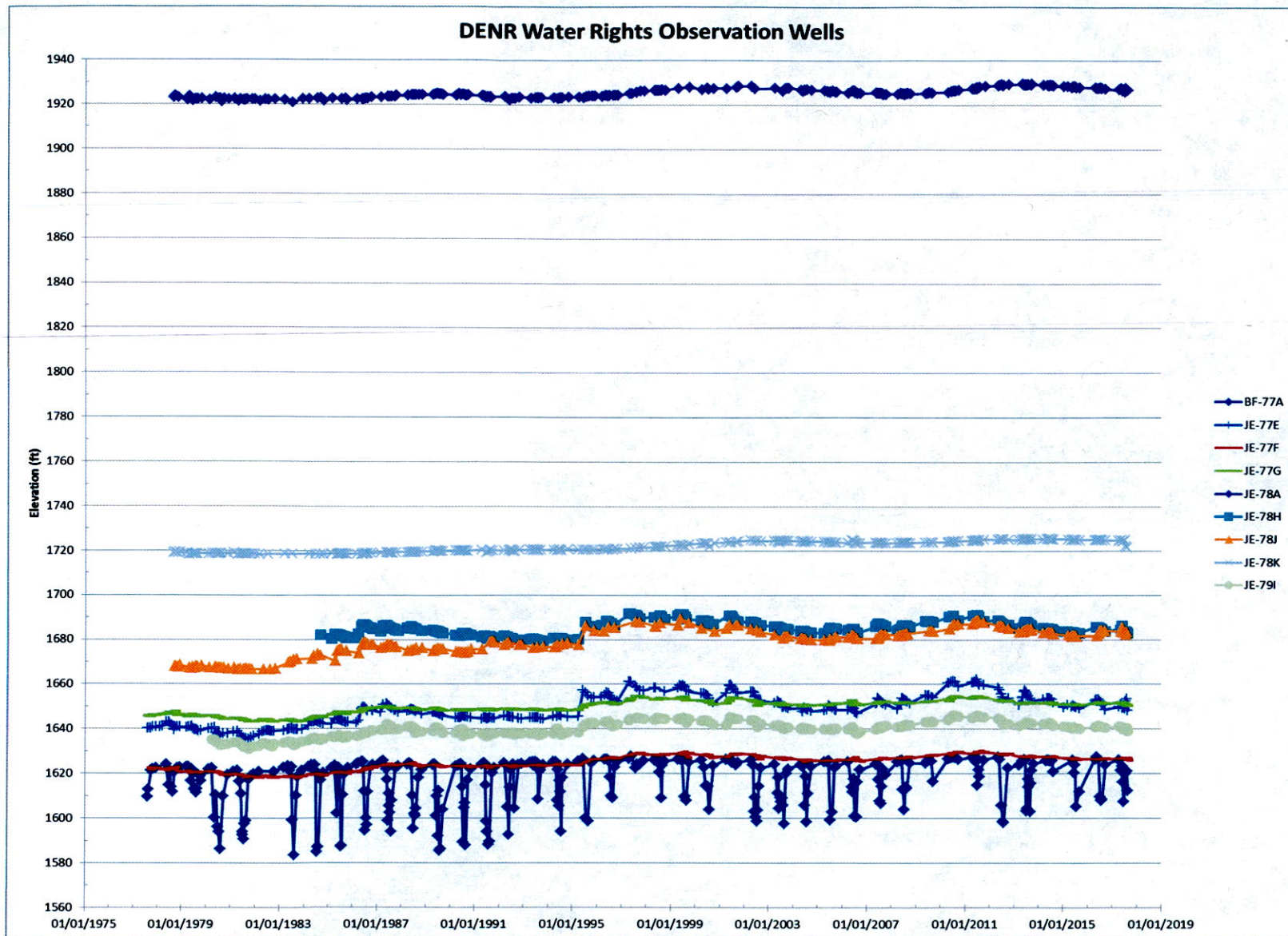


Figure 3: Hydrographs for Observation Wells BF-77A, JE-77E, JE-77F, JE-77G, JE-78A, JE-78H, JE-78J, JE-78K, and JE-79I (Water Rights, 2018c)

EXISTING WATER RIGHTS

There are 24 water rights/permits appropriating water from the Crow Creek aquifer (Water Rights, 2018a). The location of the diversion points for water rights/permits authorized to withdraw water from the Crow Creek aquifer are shown in Figure 1. The nearest water rights/permits to this application are located approximately 345 feet to the northwest. These are held by Myron Van Buskirk and are for the irrigation of 340 acres at a total maximum diversion rate of 4.21 cfs. Although the well is permitted for 4.21 cfs, irrigation questionnaires indicate that the well is pumped at a rate of 1,100 gpm (2.45 cfs). There are several domestic wells located within two miles of the applicant's irrigation wells.

Drawdown from well withdrawals within the Crow Creek aquifer is generally not significant at distances far from the pumping well. The drawdown from the Van Buskirk well at the applicant's location is expected to be less than 4 feet after 4 months of continuous pumping at 1,100 gpm with an aquifer transmissivity of 29,530 ft²/day and storativity of 0.075. The effect of the applicant's well on the Van Buskirk well is expected to be less than 0.25 feet after 9 months of continuous pumping at 60 gpm with the same aquifer properties. Given the relatively small scale of drawdown, this application, if approved, is unlikely to adversely impact existing water rights.

Examination of the hydrographs of observation wells completed into the Crow Creek aquifer show no signs of being significantly impacted by drawdown caused by pumping, despite usually being located near irrigation wells. There has not been a history of well interference issues in the Crow Creek aquifer. This application, if approved, is not expected to adversely impact nearby adequate wells.

An adequate well has been defined in Administrative Rule of South Dakota (ARSD) 74:02:04:20(6) as:

“a well constructed or rehabilitated to allow various withdrawal methods to be used, to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer or formation material when the well is constructed, or to allow the pump to be placed as near to the bottom of the aquifer as is practical if the aquifer thickness is less than 20 feet”

CONCLUSIONS

1. Water Permit Application No. 8337-3 proposes to irrigate 30 acres of tree belts and maintain three dugouts from a well (72 feet deep) recently completed into the Crow Creek aquifer at a maximum diversion rate of 0.13 cubic feet per second.
2. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Crow Creek aquifer.

3. Based on the low proposed diversion rate and the close proximity to an existing irrigation well, there is a reasonable probability that the diversion rate proposed by this application will not adversely impact adequate wells for existing water rights and domestic use.



John Farmer
SD DENR – Water Rights Program

REFERENCES

- Hamilton, L.J. 1985. Water Resources of Aurora and Jerauld Counties, South Dakota. Water-Resources Investigations Report 84-4030. U.S. Geological Survey.
- Hedges, L.S., Allen, J. and Holly, D.E. 1985. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota, and Iowa. Task 7: Ground-Water Recharge. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- Hedges, L.S., Burch, S. L., Iles, D. L., Barari, R. A., and Schoon, R. A. 1982. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota, and Iowa. Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- Jensen, A.R. 2005. First Occurrence of Aquifer Materials in Jerauld County, South Dakota, scale 1:100,000. Aquifer Materials Map 21. SDGS. Vermillion, SD.
- Water Rights. 2018a. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018b. Well Completion Report Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018c, "Observation Well Database", SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.
- Water Rights. 2018d. Irrigation Questionnaire Database. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, South Dakota.

RECEIVED

PRINTER'S AFFIDAVIT

JUN 07 2018

STATE OF SOUTH DAKOTA,
COUNTY OF BEADLE: ss

WATER RIGHTS
PROGRAM

I, MCKENDZIE CASTILLO, being duly sworn on oath say that the PLAINSMAN is a daily paper published at Huron, Beadle County, South Dakota, and that said newspaper has a bona fide circulation of at least 250 copies daily; that said newspaper has been published within said county for fifty-two consecutive weeks immediately prior to this date, that said newspaper is printed in whole or in part, in an office maintained at said place of publication; that I am Legal Advertising Coordinator of said newspaper and know the facts herein state. The annexed notice headed:

**SD ENVIRONMENTAL & NATURAL-
#3633 STRAW HAT WATER**

was published for one day, in said newspaper, and not in any supplement of the said newspaper, the publication was of the 23RD Day MAY 2018. That the full amount of the fee charged for publishing THIRTY-NINE & 77/100 dollars insures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whom so ever.

Mckenzie Castillo

Subscribed and sworn to me before this 4TH Day of JUNE 2018.

[Signature]

Notary Public, South Dakota

My term expires 03/11/2022
Legal #3633

2000 - Legals

F.P. 05-23-18

**NOTICE OF
APPLICATION
NO. 8337-3 to**

Appropriate Water

Notice is given that Straw Hat Land & Cattle LLP, c/o S A Grove, 22746 365th Ave, Wessington Springs SD 57382 has filed an application for a water permit to appropriate 0.13 cubic feet of water per second from one well to be completed into the Crow Creek Aquifer (72 feet deep) located in the NE 1/4 SW 1/4 Section 2 for irrigation of 30 acres located in the N 1/2 SW 1/4, SW 1/4 SW 1/4 Section 2 and the W 1/2 NW 1/4 Section 11; all in T107N-R67W. Well water will also be used to maintain three dugouts (total storage capacity approximately 2.0 acre-feet of water) located in the NE 1/4 SW 1/4 Section 2, NW 1/4 NW 1/4 and NW 1/4 SW 1/4 Section 11; all in T107N-R67W. This site is located 13 miles west of Wessington Springs SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8337-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 June 1, 2018.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Steven M. Pirner,
Secretary, Department of
Environment and Natural
Resources.

No. 3633 (adv.)
Published once at the
total approximate cost of
\$39.77.

RECEIVED

JUN - 4 2018

WATER RIGHTS
PROGRAM

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County of Jerauld) SSI, Kristi Hinecertify that the attached printed Notice was
takenfrom the True Dakotan

printed and published in

County of Jerauld andstate of South Dakota. The notice was
published

in the newspaper on the following date:

May 23, 2018Cost of Printing \$33.14Kristi Hine

(Signature)

Publisher, Editor

(Title)

5/31/18

(Date Signed)

NOTICE OF APPLICATION NO. 8337-3 TO
APPROPRIATE WATER

Notice is given that Straw Hat Land & Cattle LLP, c/o SA Grove, 22746 365th Ave, Wessington Springs SD 57382 has filed an application for a water permit to appropriate 0.13 cubic feet of water per second from one well to be completed into the Crow Creek Aquifer (72 feet deep) located in the NE 1/4 SW 1/4 Section 2 for irrigation of 30 acres located in the N 1/2 SW 1/4, SW 1/4 SW 1/4 Section 2 and the W 1/2 NW 1/4 Section 11; all in T107N-R67W. Well water will also be used to maintain three dugouts (total storage capacity approximately 2.0 acre-feet of water) located in the NE 1/4 SW 1/4 Section 2, NW 1/4 NW 1/4 and NW 1/4 SW 1/4 Section 11; all in T107N-R67W. This site is located 13 miles west of Wessington Springs SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8337-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of \$33.14.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

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

May 16, 2018

Straw Hat Land & Cattle LLP
c/o S A Grove
22746 365th Ave
Wessington Springs SD 57382

Dear Mr. Grove:

Water Permit Application No. 8337-3 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 True Dakotan printed at Wessington Springs SD (Ph # 605-539-1281) and the Plainsman printed at Huron SD (Ph # 605-353-7414). You will need to contact the newspapers 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 newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. 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. 8337-3 to Appropriate Water

Notice is given that Straw Hat Land & Cattle LLP, c/o S A Grove, 22746 365th Ave, Wessington Springs SD 57382 has filed an application for a water permit to appropriate 0.13 cubic feet of water per second from one well to be completed into the Crow Creek Aquifer (72 feet deep) located in the NE 1/4 SW 1/4 Section 2 for irrigation of 30 acres located in the N 1/2 SW 1/4, SW 1/4 SW 1/4 Section 2 and the W 1/2 NW 1/4 Section 11; all in T107N-R67W. Well water will also be used to maintain three dugouts (total storage capacity approximately 2.0 acre-feet of water) located in the NE 1/4 SW 1/4 Section 2, NW 1/4 NW 1/4 and NW 1/4 SW 1/4 Section 11; all in T107N-R67W. This site is located 13 miles west of Wessington Springs SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 8337-3 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 June 1, 2018.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of _____.

Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, May 16, 2018 9:30 AM
To: rcrandall@plainsman.com
Subject: 8337-3, Straw Hat Land & Cattle LLP
Attachments: 8337-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on May 22, 2018.

Straw Hat Land & Cattle LLP, c/o S A Grove, 22746 365th Ave, Wessington Springs SD 57382 (404 307-0643) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352



Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, May 16, 2018 9:29 AM
To: news@truedakotan.com
Subject: 8337-3, Straw Hat Land & Cattle LLP
Attachments: 8337-3public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on May 22, 2018.

Straw Hat Land & Cattle LLP, c/o S A Grove, 22746 365th Ave, Wessington Springs SD 57382 (404 307-0643) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

JUN 13 2018

Straw Hat Land & Cattle LLP
c/o S A Grove
PO Box 1807
Covington IA 30015

Dear Mr. Grove:

Enclosed is Water Permit No. 8337-3 authorizing construction of the 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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



8337-3
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.

8337-3



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