



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

September 29, 2016

denr.sd.gov

NOTICE

TO: Dr Barry Kerkaert  
Teton LLC  
PO Box 188  
Pipestone MN 56164

Brian S Caruso, Chief  
Water Resources Division  
US Fish and Wildlife Service  
PO Box 25486 DFC  
Denver CO 80225-0486

FROM: *for* Jeanne Goodman, Chief Engineer *Eric Gronlund*  
Water Rights Program

SUBJECT: Cancellation of Hearing on Water Permit Application No. 8227-3, Teton LLC

Water Permit Application No. 8227-3 proposes to appropriate an additional 23.63 acre feet of water annually to the current appropriation authorized by Water Permit No. 8066-3 in Grant County. The US Fish and Wildlife Service submitted a letter of concern in response to the public notice on the application. A notice dated August 22, 2016, scheduled a hearing before the Water Management Board to consider Application No. 8227-3.

Steve Hollenback with the US Fish and Wildlife Service sent the enclosed email requesting that their objection to Water Permit Application No. 8227-3 be withdrawn. This application is now uncontested. Therefore, the hearing on Application No. 8227-3 is cancelled and will not be held on October 13, 2016.

The Department of Environment and Natural Resources shall proceed to issue Water Permit No. 8227-3 as an uncontested permit consistent with the Chief Engineer's recommendation dated July 27, 2016.

If you have any questions regarding issuance of the water permit, please contact Eric Gronlund, Water Rights Program at (605) 773-3352 or [eric.gronlund@state.sd.us](mailto:eric.gronlund@state.sd.us).

enclosure

c: Ann Mines-Bailey, Assistant Attorney General  
Diana J. Ryan, Assistant U.S. Attorney, US Attorney's Office, PO Box 2638, Sioux Falls SD 57101-2638  
Steve Hollenback, Hydrologist, US Fish and Wildlife Service, 134 Union Blvd, Ste 250, Lakewood CO 80228  
Sean R. Simpson, Vice President & General Counsel, Pipestone Holdings, LLC, 1300 S. Hwy. 75, Pipestone, Minnesota, 56164

**Gronlund, Eric**

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**From:** Hollenback, Steven <steven\_hollenback@fws.gov>  
**Sent:** Wednesday, September 28, 2016 11:49 AM  
**To:** Gronlund, Eric  
**Cc:** Brian Caruso; Dana Jacobsen; Connie Mueller; Carrie Cordova  
**Subject:** In regards to water application 8227-3

Eric,

We, The Fish and Wildlife Service, would like to request that the objection we filed regarding the water case Application No. 8227-3, Teton LLC, be withdrawn.

If you have any comments or questions please feel free to respond to this email address.

Thank you,

Steve Hollenback

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Steve Hollenback, Hydrologist  
US Fish and Wildlife Service  
134 Union Blvd. Ste-250  
Lakewood, CO 80228  
(303) 2364492