

Comes, Rachel

From: Miller, LouAnn
Sent: Wednesday, August 16, 2017 1:24 PM
To: Comes, Rachel
Subject: FW: Open Waters Compromise Petition Form
Attachments: CattailLandCattleCo_AerialImage.JPG; CattailLandCattleCo_ProofofOwnership.JPG

From: Petition Form [<mailto:webmaster@state.sd.us>]
Sent: Wednesday, August 16, 2017 12:10 PM
To: GFP Wild Info; jasonpitzl@ymail.com
Subject: Open Waters Compromise Petition Form

Open Waters Compromise Petition Form

The following information was submitted.

First Name: Cattail Land and Cattle Company LLC; Owners - Raymond Anderson; Scott Anderson; Brad Pitzl; Jason Pitzl

Last Name: Anderson & Pitzl

Address: 41394 122nd Street

City: Langford

State: SD

Zip Code: 57454 – 5817

Phone Number: Scott Anderson (m) +1.605.380.0234; Brad Pitzl (m) +1.612.817.3329; Jason Pitzl (m) +1.612.490.2918

Email Address: jasonpitzl@ymail.com

What type of recreational access are you requesting to restrict? Cattail Land and Cattle Co. LLC is requesting to restrict all types of recreational access including but not limited to: fishing, big game hunting, small game hunting, waterfowl hunting, trapping, boating (motorized boats and non-motorized boats), no motorized vehicles (ATV's, UTV's, trucks, snowmobiles on ice), wading, walking and trekking.

Please provide your reasons as to why you wish to restrict access: Privacy, Safety, Financial Interests,

Provide any other supportive information: Cattail Land and Cattle Company LLC owns the land and in turn water body being petitioned. As a result, Cattail Land and Cattle Co LLC has a: (i) privacy interest. For example: recreational users of private waters have negatively impacted owners big game and waterfowl

conservation and hunting activities by disrupting the wildlife activity; in turn snowmobilers have used frozen waters to illegally run down and kill coyotes and other game animals including entering private lands directly adjacent to the waters; (ii) safety interest. For example: potential injury or death of recreational users on the private waters could be caused by recreational users, debris or submerged objects ie. tree stumps, logs, fencing. Note: in circa 2008-09 recreational fishermen were using a motorized boat, in which boater hit a submerged tree stump causing passenger to be ejected from boat and drowning; (iii) financial interest. For example: Cattail Land and Cattle Co LLC incurs the cost and risk of ownership of our property affected by the higher water levels in the form of lost revenues (ie. livestock, agriculture or other), taxes, maintenance and liability insurance; while at the same time South Dakota State Game Fish and Parks charges an access fee to recreational users of our private property waters being petitioned. (iv) history of use interest. For example: the private property waters and adjacent lands petitioned were at one time used by indigenous people and the United States military at Fort Wadsworth/Sisseton. The property has also been used for grazing cattle, waterfall and big game hunters. Cattail Land and Cattle Co LLC owners are conservationists and preservationists in which the waters and shorelines are being preserved. (v) water quality interest. For example: each spring and fall Cattail Land and Cattle Co owners collect garbage and debris (e.g. plastic, plastic and glass bottles, minnow buckets, cans, gas/oil cans etc), from recreational users that have been accessing the private land/waters. Landowner is also interested in wildlife and fish management and research including water and habitat quality. (vi) water quantity interests. For example: Cattail Land and Cattle Co LLC owns approx. 700+ acres of the land/water being petitioned. Also please refer to Cattail Land and Cattle Co. letter (May, 25, 2017) to Respected Senator Frerichs and Representative McCleerey; Subject: Kettle and Cattail Lakes Public Access for Recreational Use.

How long do you wish to restrict access? Cattail Land and Cattle Co. LLC is requesting annual, year round restriction.

Insert a legal description of the location of the water: Water is part of Cattail Lake and Kettle Lake located in Marshall County, South Dakota. Water is part of the real estate owned by Cattail Land and Cattle Co. LLC in Marshall County, South Dakota, to wit: S1/2SW 1/4, Section 1, Township 125 North, Range 56 West of the 5th P.M.; S1/2NW1/4 East of County Road 5, S1/2NE1/4, W1/2SW1/4 East of County Road 5, E1/2SW1/4, SE1/4, Section 2, Township 125 North, Range 56 West of the 5th P.M.; W1/2, N1/2NE1/4, SW1/4NE1/4, SE1/4, Section 11, Township 125 North, Range 56 West of the 5th P.M.; and NW1/4NW1/4, NW1/4SW1/4, S1/2SW1/4, Section 12, Township 125 North Range 56 West of the 5th P.M.; all in Marshall County, South Dakota.