

SOUTH DAKOTA
WATER PERMIT NO. 6408A-3
(DIVISION OF NO. 6408-3 INTO NOS. 6408A-3 AND 6408B-3)

Date of first receipt of application April 14, 2003.

The Chief Engineer, on behalf of the Water Management Board, issued Water Permit No. 6408-3 to Gordon Bleeker 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. 6408-3 appropriated 3.56 cubic feet of water per second (cfs) from 4 wells (Big Sioux:North Aquifer) 37-45 feet deep to irrigate 280 acres located in the NE $\frac{1}{4}$ Section 21 and NW $\frac{1}{2}$ Section 22, T115N, R52W. Two of the wells are to be located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and center of Section 21 and two wells are to be located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, T115N, R52W.

On March 9, 2009, ownership changes were filed with Water Permit No. 6408-3. Water Permit No. 6408-3 is being divided and reissued to reflect separate ownership as follows:

- **Water Permit No. 6408A-3, Barry Little, 45696 SD Hwy 22, Castlewood SD 57223** authorizing diversion of 1.53 cfs from two wells located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22, T115N, R52W to irrigate 120 acres in the NW $\frac{1}{4}$ Section 22, T115N, R52W.
 - **Water Permit No. 6408B-3, Gordon Little, 45676 176th St, Watertown SD 57201** authorizing diversion of 2.03 cfs from two wells located in the center of Section 21 and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, T115N, R52W to irrigate 160 acres in the NE $\frac{1}{4}$ Section 21, T115N, R52W.
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: May 1 – October 31.
 3. The date from which applicant may claim right is April 14, 2003.
 4. The date of approval of Permit No. 6408A-3 (based on No. 6408-3) is August 11, 2003.
 5. One-fifth of the construction is to be completed on or before February 11, 2006.
 6. All construction is to be completed on or before August 11, 2008.
 7. Water is to be put to beneficial use on or before August 11, 2012.
 8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

continued

QUALIFICATIONS

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

The wells authorized shall be constructed by a licensed well driller and construction of the wells and installation of the pumps shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

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

MAR 27 2003

date

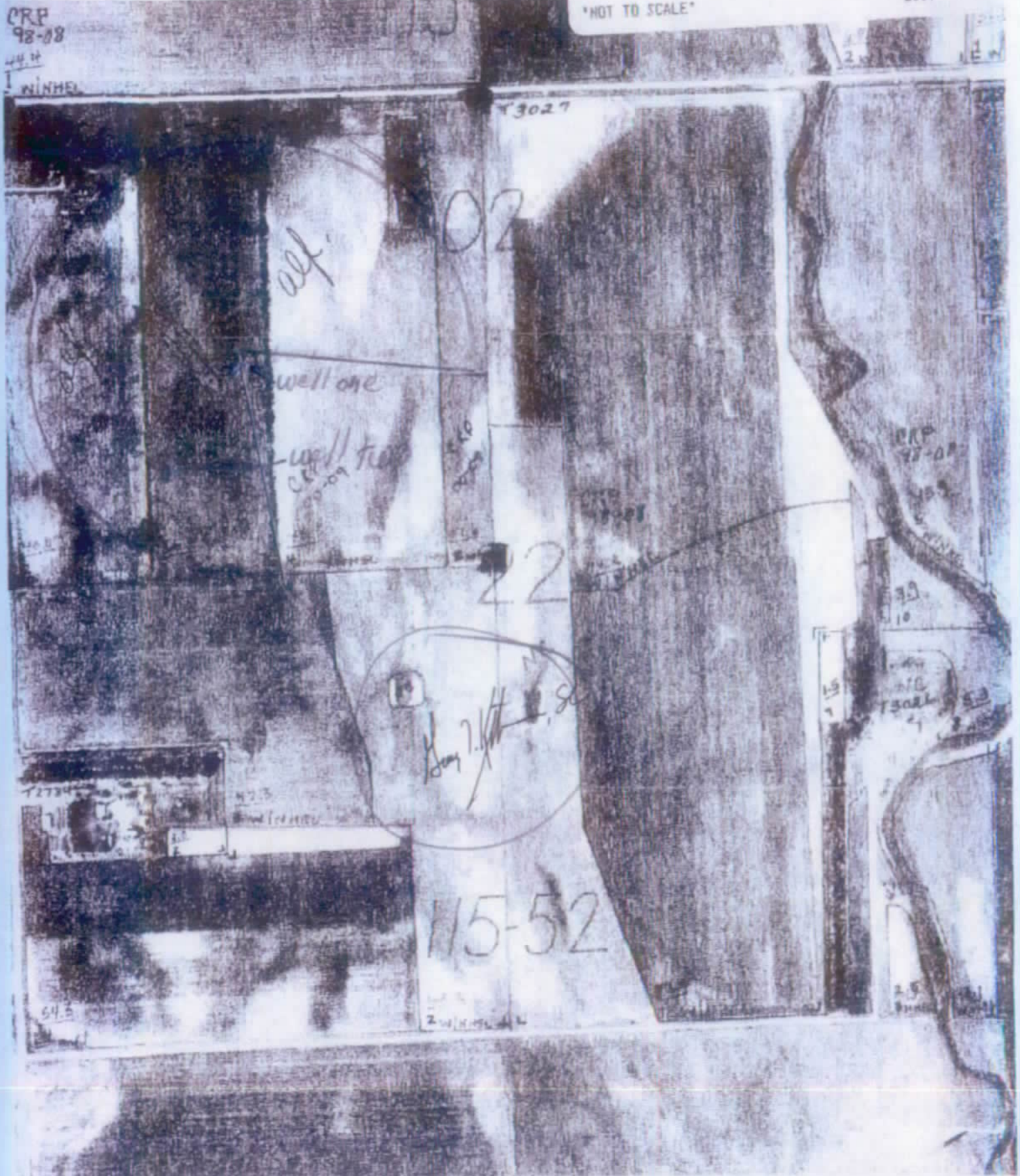


MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL

Tract 4 1253 Cropland 142.2
02 NW 22-115-52

2001

NOT TO SCALE



6408-3

RECEIVED

MAR - 9 2009

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 6408-3 (6408A-3)

Date: 3/3/09

I/We request that Water Permit No. 6408-3

formerly owned by: Gordon Bleeker

be transferred to: (name & address)

Barry Little
45696 SD HWY 22
Castlewood, SD 57223 Telephone No. 605-793-2474

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

NW 1/4 22 - 115 - 52

I/We understand that the validity of Water Permit No. 6408-3 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 Two Dollars and Fifty Cents (\$2.50) 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 Barry Little

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

Barry Little

(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 3/9, 20 09

RECEIVED OF Barry Little 45696 SD Hwy 22 Castlewood SD 57223

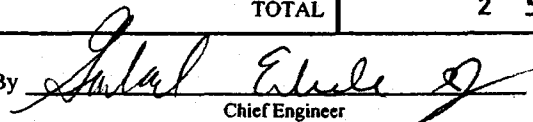
The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
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>6408-3 (6408A-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	2 50

No.

04008

By


Chief Engineer



March 19, 2009

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Barry Little
45696 SD Hwy 22
Castlewood SD 57223

Dear Mr. Little:

Thank you for submitting the *Application for a Permit to Appropriate Water* for additional acreage on Water Permit No. 6408A-3. We have tried to phone you regarding the application, but have been unable to reach you.

Water Permit No. 6408-3 was originally approved for 4 wells with 2 of those wells located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 22-T115N-R52W. This would be the portion of the permit you now own. Your pending application is requesting additional acreage in the N $\frac{1}{2}$ SW $\frac{1}{4}$ and the W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 22 from 1 well located in the approximate center of Section 22. Do you know the status of the second well? Was it ever drilled?

Upon clarification of the above, we will proceed with splitting Water Permit No. 6408-3 to reflect separate ownership, as well, as continue to process the new application for additional acreage.

Mr. Little, I understand this is somewhat confusing, so feel free to give Genny McMath or me a call at 605 773-3352 and we will try to answer any questions you may have.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schlaak".

Karen Schlaak
Water Rights Program
karen.schlaak@state.sd.us

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 27 2009

6408A-3

Barry Little
45696 SD Hwy 22
Castlewood SD 57223

Dear Mr. Little:

Enclosed is your Water Permit No. 6408A-3. Based on the ownership changes filed March 9, 2009, Water Permit No. 6408-3 was divided and reissued to reflect separate ownership. Also enclosed is your Receipt No. 04058 in the amount of \$2.50 which you paid for filing the ownership change.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Permit No. 6408A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

The enclosed permit authorizes a total of 1.53 cubic feet of water per second to irrigate 120 acres. We have received your application requesting additional diversion rate and acres to the existing permit. The application is being processed and we will contact you as soon as the report and recommendation are completed and it becomes ready for advertising.

If you have any questions, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

A handwritten signature in black ink that reads "Garland Erbele".

Garland Erbele, Chief Engineer
Water Rights Program

enclosures



6408A-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 22, 2010

NOTICE

TO: BARRY LITTLE, 45696 SD HWY 22, CASTLEWOOD, SD 57223 5220

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5441-3, 6408A-3 & 7118-3. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 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) 5441-3, 6408A-3 & 7118-3 qualification:

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

The hearing will be held at **10:00 am, March 10, 2010** 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) 5441-3, 6408A-3 & 7118-3 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 on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted 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.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
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 22, 2010

5441-3
6408A-3
7118-3

Barry Little
45696 SD Hwy 22
Castlewood SD 57223

Dear Mr. Little:

I am writing to acknowledge receipt of your 2009 irrigation questionnaires. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 5441-3 and Water Permit Nos. 6408A-3 and 7118-3.

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,

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



6408A-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 24, 2014

NOTICE

TO: BARRY LITTLE, 45696 SD HWY 22, CASTLEWOOD, SD 57223 5220

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2013 Irrigation Questionnaire(s)

Our records indicate that the 2013 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5441-3, 6408A-3 & 7118-3. The request for the Questionnaire was dated October 18, 2013. The Water Management Board has directed that owners of water permits who have not submitted the 2013 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) 5441-3, 6408A-3 & 7118-3 qualification:

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

The hearing will be held at **9:00 am, March 6, 2014** 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) 5441-3, 6408A-3 & 7118-3 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 on/or before **March 3, 2014**, 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.

6408A-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 2014

5441-3
6408A-3
7118-3

Barry Little
45696 SD Hwy 22
Castlewood SD 57223 5220

Dear Mr. Little:

I am writing to acknowledge receipt of your 2013 irrigation questionnaires.

You may disregard the January 24, 2014, "Notice" concerning reporting requirements for Water Right No. 5441-3 and Water Permit Nos. 6408A-3 and 7118-3. 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



6408A-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 16, 2015

NOTICE

TO: BARRY LITTLE, 45696 SD HWY 22, CASTLEWOOD, SD 57223 5220
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2014 Irrigation Questionnaire(s)

Our records indicate your 2014 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5441-3, 6408A-3 & 7118-3. The request for the Questionnaire was dated October 17, 2014. The Water Management Board has directed that owners of water permits who have not submitted the 2014 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) 5441-3, 6408A-3 & 7118-3 qualification:

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

The hearing will be held at **10:00 am, March 4, 2015** 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) 5441-3, 6408A-3 & 7118-3 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 4, 2015** 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.

6408A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182

February 25, 2015

5441-3
6408A-3
7118-3

Barry Little
45696 SD Hwy 22
Castlewood SD 57223 5220

Dear Mr. Little:

I am writing to acknowledge receipt of your 2014 irrigation questionnaires.

You may disregard the January 16, 2015, "Notice" concerning reporting requirements for Water Permit or Right Nos. 5441-3, 6408A-3 & 7118-3. 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, appearing to read "Genny McMath".

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



6408A-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 15, 2016

NOTICE

TO: BARRY LITTLE, 45696 SD HWY 22, CASTLEWOOD, SD 57223 5220

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

SUBJECT: Reporting Requirement for 2015 Irrigation Questionnaire(s)

Our records indicate your 2015 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5441-3, 6408A-3 & 7118-3. The request for the Questionnaire was dated October 23, 2015. The Water Management Board has directed that owners of water permits who have not submitted the 2015 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) 5441-3, 6408A-3 & 7118-3 qualification:

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

The hearing will be held at **Thursday, March 3, 2016 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) 5441-3, 6408A-3 & 7118-3 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 3, 2016** 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

denr.sd.gov

February 9, 2016

5441-3
6408A-3
7118-3

Barry Little
45696 SD Hwy 22
Castlewood SD 57223-5220

Dear Mr. Little:

I am writing to acknowledge receipt of your 2015 irrigation questionnaires.

You may disregard the January 15, 2016, "Notice" concerning reporting requirements for Water Permit Nos. 6408A-3, 7118-3 and Water Right No. 5441-3. 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,

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



6408A-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 20, 2017

NOTICE

TO: BARRY LITTLE, 45696 SD HWY 22, CASTLEWOOD, SD 57223 5220
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2016 Irrigation Questionnaire(s)

Our records indicate your 2016 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5441-3, 6408A-3 & 7118-3. The request for the Questionnaire was dated October 21, 2016. The Water Management Board has directed that owners of water permits who have not submitted the 2016 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) 5441-3, 6408A-3 & 7118-3 qualification:

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

The hearing will be held at **Wednesday, March 1, 2017 at 11:00 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(s) 5441-3, 6408A-3 & 7118-3 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 1, 2017** 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.



6408A-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 27, 2017

Barry Little
45696 SD Hwy 22
Castlewood SD 57223 5220

RE: Water Permit/Right Nos. 5441-3, 6408A-3 & 7118-3

Dear Mr. Little:

I am writing to acknowledge receipt of your 2016 irrigation questionnaires.

You may disregard the January 20, 2017, "Notice" concerning reporting requirements for Water Right No. 5441-3 and Water Permit Nos. 6408A-3 and 7118-3. 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,

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



6408A-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: BARRY LITTLE, 45696 SD HWY 22, CASTLEWOOD, SD 57223 5220
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5441-3, 6408A-3 & 7118-3. 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(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) 5441-3, 6408A-3 & 7118-3 qualification:

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

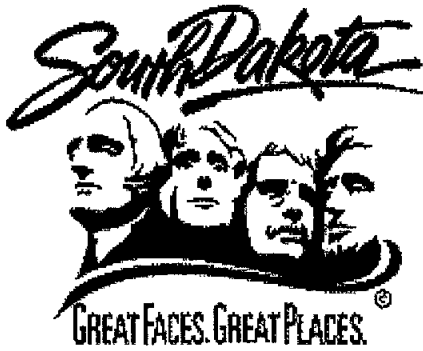
The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant 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(s) 5441-3, 6408A-3 & 7118-3 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 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.



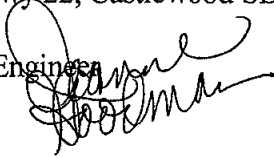
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 8, 2018

NOTICE OF ENTRY OF ORDER
FOR ONE YEAR SUSPENSION OF WATER RIGHT AND WATER PERMITS

TO: Barry Little, 45696 SD Hwy 22, Castlewood SD 57223-5220

FROM: Jeanne Goodman, Chief Engineer
Water Rights Program 

SUBJECT: One Year Suspension of Water Right No. 5441-3 and Water Permit Nos. 6408A-3 & 7118-3

On March 7, 2018, the Water Management Board ordered:

Effective April 7, 2018, Water Right No. 5441-3 and Water Permit Nos. 6408A-3 & 7118-3 be suspended for the 2018 irrigation season for failure to submit the 2017 irrigation questionnaires.

If the 2017 irrigation questionnaires are received prior to April 7, 2018, the suspensions will not take effect.

Suspension of a water permit or right means water may not be pumped during the 2018 irrigation season. Consistent with the Board's order, you are not permitted to irrigate in 2018 unless the 2017 irrigation questionnaires are submitted by April 7th.

After April 7th, you may petition the Water Management Board to rescind the suspensions. You will need to submit the 2017 irrigation questionnaires and a letter to our office requesting time on the agenda for the next Water Management Board meeting scheduled for May 2-3, 2018, in Pierre, SD. The letter should include your reasons for not completing the 2017 irrigation questionnaires. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Water Rights Staff will conduct compliance checks of suspended water rights this summer to determine if irrigation is taking place.

Please contact Genny McMath (605) 773-3352, if you have any questions.

CERTIFICATION

6408A-3

I hereby certify that on March 8, 2018, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated March 8, 2018 regarding Water Management Board action taken March 7, 2018 for Irrigation Questionnaire violations addressed as stated below:

Amendments:

Water Right No. 410-2: John Anthony DeRungs, 11684 Indian Canyon Rd, Edgemont SD 57735
Water Right No. 4309B-3: Ronald J Gorder, PO Box 185, Estelline SD 57234-0185
Water Right No. 394-1: Larry B Reinhold, Lonetree Ranch, 14666 Lonetree, Sturgis SD 57785
Water Right No. 2350-3: Bill Boyer, River Valley Farms, PO Box 486, Alcester SD 57001

One Year Suspensions:

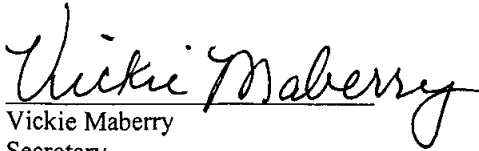
Water Right No. 4472-3, Darrell Biddle, 37461 287th St, Geddes SD 57342
Water Right No. 635-2: Tom Lauing, Dakota Hills Inc., 14129 Ringneck Rd, Oral SD 57766
Water Permit No. 8019-3: Mark Hohn 40455 266th St, Ethan SD 57334
Water Right No. 1213B-1: Charles & Cathy Kimbril, 19027 137th Ave, Vale SD 57788
Water Right No. 1233-1: Ed & Kathy Kling, 12345 Vallery Rd, Nisland SD 57762-9717
Water Permit Nos. 6961-3, 6962-3, 6963-3 & 7233-3, Norman Kramer, 31105 436th Ave., Yankton SD 57078
Water Permit Nos. 7265-3 & 7265A-3: Leigh Leesman, Leesman Ranch, 30729 206th St, Pierre SD 57501
Water Right No. 5441-3, Water Permit Nos. 6408A-3 & 7118-3: Barry Little, 45696 SD Hwy 22, Castlewood SD 57223-5220
Water Right No. 5735-3: Mark McCloud, 33670 183rd St, Highmore SD 57345
Water Permit No. 1923-1: Jim Montieth, PO Box 1238, Spearfish SD 57783 8502
Water Right No. 962B-1: Steve Olinger, 12241 Vallery Rd, Nisland SD 57762-7600
Water Right No. 2074-2: Tamara Rogers, Prairie Gardens Inc., 13979 Cobb Rd, Hermosa SD 57744-5415
Water Right Nos. 1612-3 & 1997-3: Brandon Vostad, Prairie Winds Golf Club, 555 S Lake Dr, Watertown SD 57201
Water Right No. 2106-2: Stuart Rice, 2300 Skyline Ranch Rd., Rapid City SD 57701
Water Right No. 2696-3A: Danny Schmidt, 18684 421st Ave., Willow Lake SD 57278
Helen M Schmidt, 19053 427th Ave., Willow Lake SD 57278
Water Right No. 4292-3: Stanley S Schulz, 41300 SD Hwy 20, Conde SD 57434
Water Right No. 1554A-1/Water Permit No. 1935-1: Donald J Stange, 2807 Gamble Ct, Mitchell SD 57301-6411
Water Permit Nos. 8164-3, 8165-3 & 8166-3: Todd Swenson, 38770 235th St., Wessington Springs SD 57382
Water Right No. 2954-3: Lane Tekrony, 47840 180th St, Clear Lake SD 57226-5405

Second violation - Three year suspensions:

Water Right No. 495-2: Harlan Eisenbraun, 21362 Creighton Rd, Wall SD 57790
Water Right No. 1530-2, Viola Keszler, 30317 289th St, Clearfield SD 57580

Third violation - Cancellation:

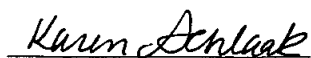
Water Right No. 3937-3: Wendell Schubloom, 20608 Hwy 25, DeSmet SD 57231



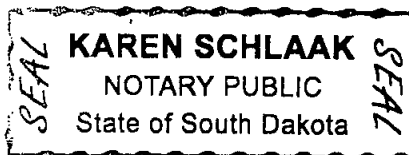
Vickie Maberry
Secretary
Water Rights Program

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 8th day of March, 2018.



Karen Schlaak
Notary Public
My Commission expires April 1, 2019



6408A-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 6, 2018

5441-3
6408A-3
7118-3

Barry Little
45696 SD Hwy 22
Castlewood SD 57223 5220

Dear Mr. Little:

On March 7th the Water Management Board ordered Water Right No. 5441-3 and Water Permit Nos. 6408A-3 & 7118-3 suspended if the 2017 irrigation questionnaires were not received prior to April 7, 2018. The questionnaire information was received April 5th.

Since the irrigation questionnaires are on file, no violations have occurred and no suspensions will take place. You may irrigate during the 2018 irrigation season.

If you have any questions, please contact Genny McMath at (605) 773-3352.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Duvall".

Ron Duvall, Water Rights Permitting Administrator
for Jeanne Goodman, Chief Engineer
Water Rights Program



6408A-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 25, 2019

NOTICE

TO: BARRY LITTLE, 45696 SD HWY 22, CASTLEWOOD, SD 57223 5220
FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2018 Irrigation Questionnaire(s)

Our records indicate your 2018 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5441-3, 6408A-3 & 7118-3. The request for the Questionnaire was dated October 30, 2018. The Water Management Board has directed that owners of water permits who have not submitted the 2018 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) 5441-3, 6408A-3 & 7118-3 qualification:

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

The hearing will be held at **Wednesday, March 6, 2019 at 10:30 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) 5441-3, 6408A-3 & 7118-3 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 6, 2019** 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.



6408A-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 12, 2019

5441-3
6408A-3
7118-3

Barry Little
45696 SD Hwy 22
Castlewood SD 57223-5220

Dear Mr. Little:

I am writing to acknowledge receipt of your 2018 irrigation questionnaires.

You may disregard the January 25, 2019, "Notice" concerning reporting requirements for Water Permit or Right Nos. 5441-3, 6408A-3 and 7118-3. 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,

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



6408A-3

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

January 20, 2022

NOTICE

TO: BARRY LITTLE, 45696 SD HWY 22, CASTLEWOOD, SD 57223 5220

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

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5441-3, 6408A-3 & 7118-3. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 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) 5441-3, 6408A-3 & 7118-3 qualification:

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

The hearing will be held at **Wednesday, March 2, 2022 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) 5441-3, 6408A-3 & 7118-3 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 2, 2022** 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://danr.sd.gov/iq> using this password: PRHKSP**

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.

6408A-3



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

February 9, 2022

5441-3
6408A-3
7118-3

Barry Little
45696 SD Hwy 22
Castlewood SD 57223-5220

Dear Mr. Little:

I am writing to acknowledge receipt of your 2021 irrigation questionnaires.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Permit or Right Nos. 5441-3, 6408A-3 & 7118-3. 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,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us



6408A-3

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

MAY 05 2022

6408A-3
7118-3

Barry Little
45696 SD Hwy 22
Castlewood SD 57223

Dear Mr. Little:

Enclosed is Water License No. 7118-3. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Water Permit No. 6408A-3 were incorporated into Water License No. 7118-3.