

WATER PERMIT NO. 7118-3

Name of Applicant: **Barry Little**

Address: **45696 SD Hwy 22, Castlewood SD 57223** Phone: **605 793-2474**

Amount of Water Claimed: **0.02 cfs** Total Acres: **35 acres**

Source of Water Supply: **groundwater (one existing well)**

Water to be used for: **irrigation** County: **Hamlin**

Type of Waste Disposal System: **NA**

Location: **2 miles northwest of Castlewood**

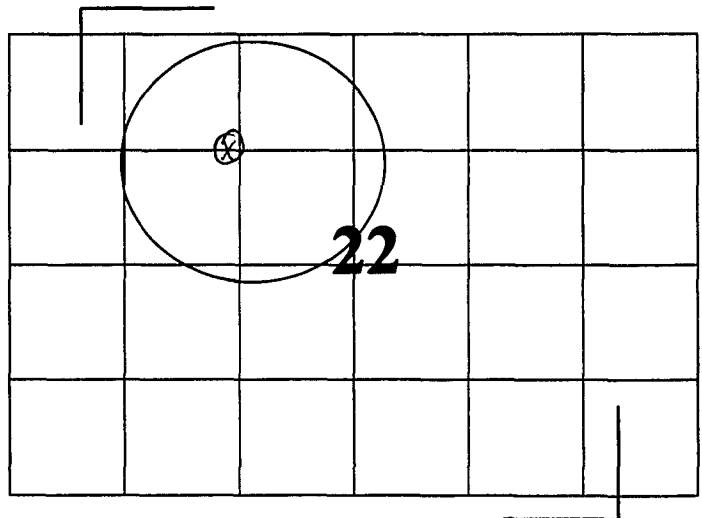
PRIORITY Date Received: **3-9-09** Application/License Fee: **\$200**

Corrected Application Received: Period of Annual Use: **May 1 October 31**

Remarks: **Additional acres and cfs to what is authorized by Water Permit No. 6408A-3**

Diversion Point: **approximate center of NW ¼ Sec**
22-T115N-R52W

Land to be Irrigated: **NW ¼, N ½ SW ¼, W ½**
NE ¼ Sec 22-T115N-R52W



Depth of Well: **37 feet deep**

Well Driller: **Pullman Well Drilling**

Remarks:

Type of Map: **aerial**

Prepared by: **Brandy Alher, Hamlin Co FSA**

Reviewed and the Number Assigned on: **3-31-09**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>7118-3</u>	(office use only) Hydrologic Unit <u>10170202</u>
	Basin <u>Sioux River</u>	
	Newspaper <u>Hamlin Co. Republican</u>	<u>PO Box 50</u>
	<u>605-793-2293</u>	<u>Castlewood 57223</u>

RECEIVED
MAR - 9 2009
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☐ New ☐ Vested Right ☒ Amendment/Correction to Permit No. 6408ⁿ-3
(Use predates Mar 2, 1955)

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

Add acres to permit) I added 1 tower to a 6 tower center pivot and moved the pivot point south about 300'. So there is an additional amount of land to be irrigated.

1. Name of Applicant Barry Little Phone 605-793-2474
(check one) ☒ Owner ☐ Tenant/lessee
- Mailing Address 45696 SD Hwy 22 Castlewood State SD 57223
(Street, RR, or Box and City) add 13 35 add (Zip Code) acres
2. Amount of water claimed 0.03 CFS or 7100 GPM ***AF Total Acreage 150
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply 1 well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Hamlin
1 well in center of NW1/4 22-7115-R52
5. County or counties where water will be used Hamlin
6. Annual period during which water is to be used May 1st - Oct 31st
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) for add - See attached sheet

Land Description	Acres	Land Description	Acres
SW1/4 NW1/4 22-115-52	38	NW1/4 SW1/4 22-115-52	15
NW1/4 NW1/4 22-115-52	31	NE1/4 SW1/4 22-115-52	5
NE1/4 NW1/4 22-115-52	31	NW1/4 NE1/4 22-115-52	2
SE1/4 NW1/4 22-115-52	29	SW1/4 NE1/4 22-115-52	4

8. Give a description of the project. (Attach sheet if more space is needed)
Existing 6 tower pivot was moved ~300' to south and 75' to east.
An additional 192' span was added. The system will now irrigate land in the NE1/4 22-115-52 and the SW1/4 22-115-52 as well as some un-permitted land in SE1/4 NW1/4 22-115-52.

STATE OF SOUTH DAKOTA) SS
County of Hamlin

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Barry Little, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Barry Little

Subscribed and sworn to before me this 5th day of March 2009

My Commission Expires

August 12, 2009

Barbara L. Bergh
Notary Public signature

Water Permit No. 7118-3

Additional Acres are located as follows:

Section 22-T115N-R52W

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 9 acres

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 15 acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2 acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4 acres

Total 35 acres

**SOUTH DAKOTA
WATER PERMIT NO. 7118-3**

Date of first receipt of application March 9, 2009.

Date of return to applicant for corrections, amendments or changes March 19, 2009.

Date of receipt of corrected application March 23, 2009.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7118-3 to Barry Little, 45696 SD Hwy 22, Castlewood SD 57223 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. 7118-3 appropriates an additional 0.03 cubic feet of water per second (cfs) and irrigates 35 additional acres. Water Permit No. 6408A-3 authorizes 1.53 cfs from two wells completed into the Big Sioux:North Aquifer (37 feet deep) located in center of the NW 1/4 Section 22 to irrigate 120 acres located in the NW 1/4 Section 22; all in T115N-R52W. Only one well was developed under the original water permit. This permit authorizes appropriation of an additional 0.03 cfs from the one existing well to irrigate an additional 35 acres located in the NW 1/4, N 1/2 SW 1/4, W 1/2 NE 1/4 Section 22-T115N-R52W. This permit and Water Permit No. 6408A-3, will authorize a total diversion rate of 1.56 cfs from one well for irrigation of 155 acres.
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 March 9, 2009.
4. The date of approval of Permit No. 7118-3 is June 8, 2009.
5. One-fifth of the construction is to be completed on or before December 8, 2011.
6. All construction is to be completed on or before June 8, 2014.
7. Water is to be put to beneficial use on or before June 8, 2018.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

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

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

AUG 04 2009

date



N

4

NW 1/4 22-115-52

1543.79

1745.54

well

1315.89

1421.18

1253
6
32.26
NHEL

new pivot point

Based on Aerial image for FSH Purposes
Boundary Alter.

1253
2
40.88
NHEL

1253
3
36.69
NHEL

1253
7
17.11
NHEL



USDA - Farm Service Agency

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MAR - 9 2009

WATER RIGHTS
PROGRAM

Hamlin County, SD

4603 - 1253

1:4,771

Legend

- Tract Boundaries
- Section-Township-Range
- Easements
- CRP
- Common Land Units
- Rangeland

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions



November 17, 2008

USDA FSA maps are for FSA Program administration only. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability. FSA MAPS DO NOT REPRESENT A LEGAL SURVEY. The user accepts the data 'as is' and assumes all risks associated with its use. Wetland points reflect records available with NRCS and may or may not constitute a full inventory of the property. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data. Disclaimer: 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 wetland boundaries and determinations, or contact NRCS.

Supplemental Information

Well was completed and approved
12/31/03

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 24" Depth 37'
- b) Casing Type Plastic Diameter 16" Thickness _____
- c) Screen Type Stainless steel Diameter 16" Thickness _____
- d) Gravel Pack pea rock Length of Gravel Pack 27'-37'
- e) Depth to Top of Water Bearing Material 17'
- f) Depth to Water (ground surface to water level) 17'
- g) Distance to nearest existing domestic well:
On applicants property 4000' On property owned by others 2500'

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

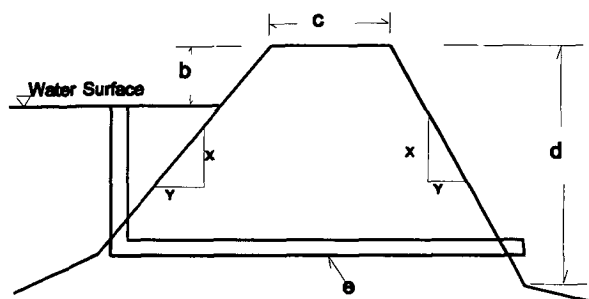
3. Dugout Information

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

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 _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/9, 2009

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. <u>7118-3</u> to Appropriate Water, to construct and to put water to beneficial use	150	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>7118-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	200 00

No.

04002

By

Julius Erbe
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,

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

enclosure

Water Rights Program - File Documentation

NAME: Barry Little

ADDRESS: Castlewood SD

DATE: 2-23-09 **COUNTY:** HM **TELEPHONE:** 237-8423

RE: Pending application and ownership change on 6408A-3

COMMENTS:

Barry Little called and left a message on my phone regarding my call and subsequent letter dated March 19th. Mr. Little stated as far as he was aware, the second well authorized by Water Permit No. 6408-3 located in the SW ¼ NW ¼ section 22-T115N-R52W was never constructed.



Karen Schlaak
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7118-3, Barry Little**

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. 7118-3, Barry Little, 45696 SD Hwy 22, Castlewood SD 57223.

The Chief Engineer is recommending APPROVAL of Application No. 7118-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

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

See report on application for additional information.

Garland Erbele, Chief Engineer
May 12, 2009

REPORT ON WATER PERMIT APPLICATION NO. 7118-3

For Barry Little

April 16, 2009

Application No. 7118-3 proposes to appropriate an additional 0.03 cfs (13 gpm) and irrigate an additional 35 acres. Water Permit No. 6408A-3 authorizes 1.53 cfs from two wells approximately 37 feet deep located in the center of the NW $\frac{1}{4}$ of section 22 to irrigate 120 acres located in the NW $\frac{1}{4}$ of section 22; all in T115N R52W. This application is to appropriate an additional 0.03 cfs from an existing well to irrigate 35 additional acres located in the NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ of section 22, T115N R52W in Hamlin County. This application and Water Permit No. 6408A-3, if approved, will authorized a total diversion rate of 1.56 cfs from one well for irrigation of 155 acres.

AQUIFER – BIG SIOUX NORTH (BG-N)

The Big Sioux North is a predominantly surficial outwash (sand and gravel) under water table conditions in this area. The aquifer underlies 6,200 acres and contains an estimated 13,950 acre feet of recoverable water in storage in Hamlin County (Hedges, 1982). The aquifer extends into Codington County to the north, blends into the Big Sioux Brookings aquifer to the south and is hydraulically connected to some area lakes, streams and the Big Sioux River. Ground water movement appears to be from north to south in the area of this application (Kume, 1985). Kume also mapped and estimated that the aquifer underlies 113,920 acres and contains 480,000 acre feet of water in storage in Hamlin and Deuel Counties (Kume, 1985). Recharge to the Big Sioux aquifer in this area has been estimated at 6.57 inches per year to the water table portion of the aquifer (Koch, 1980).

The production well log for this site indicates sand and gravel from six to 37 feet below land surface. No test well pumping data has been reported for this site. The applicant indicates one well was drilled and reported a 17 feet depth to water.

The Water Rights Program monitors HN-2008A and HN-2008B located within one mile of this site and HN-57A located about one and one-half miles south of this site. Hydrographs for these three observation wells are included with this report. The two 2008 wells only have one year of record and are not as useful. The record indicates the aquifer does respond to climatic conditions. Water levels rise during wet years (recharge) and gradually decline during dry years. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 2009).

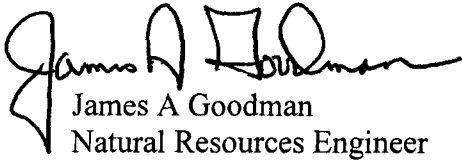
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing water permit Nos. 6870-3 and 6408B-3 and one existing water right No. 5441-3 within one mile of this application. The well for Water Right No. 5441-3 (1.55cfs, 145 acres) is located about one-half mile east of the well for this application. The well(s) for Water Permit No. 6408B-3 (2.03 cfs, 160 acres) are located about one-half to three-fourths miles west and the well(s) for Water Permit No. 6870-3 (2.20 cfs, 157 acres) are located about one-half to three-fourths miles southwest all from the well

for this application. Interference is not a concern. The aquifer is under water table conditions and drawdown created by pumping will not be significant at the distance between wells.

CONCLUSIONS

1. Water is available from the Big Sioux North aquifer.
2. The aquifer is under water table conditions at this site.
3. Drawdown created by pumping is not significant in this area. Interference is not expected to be a concern.
4. This is an existing well and appears to have been constructed in accordance with SD Well Construction Standards.

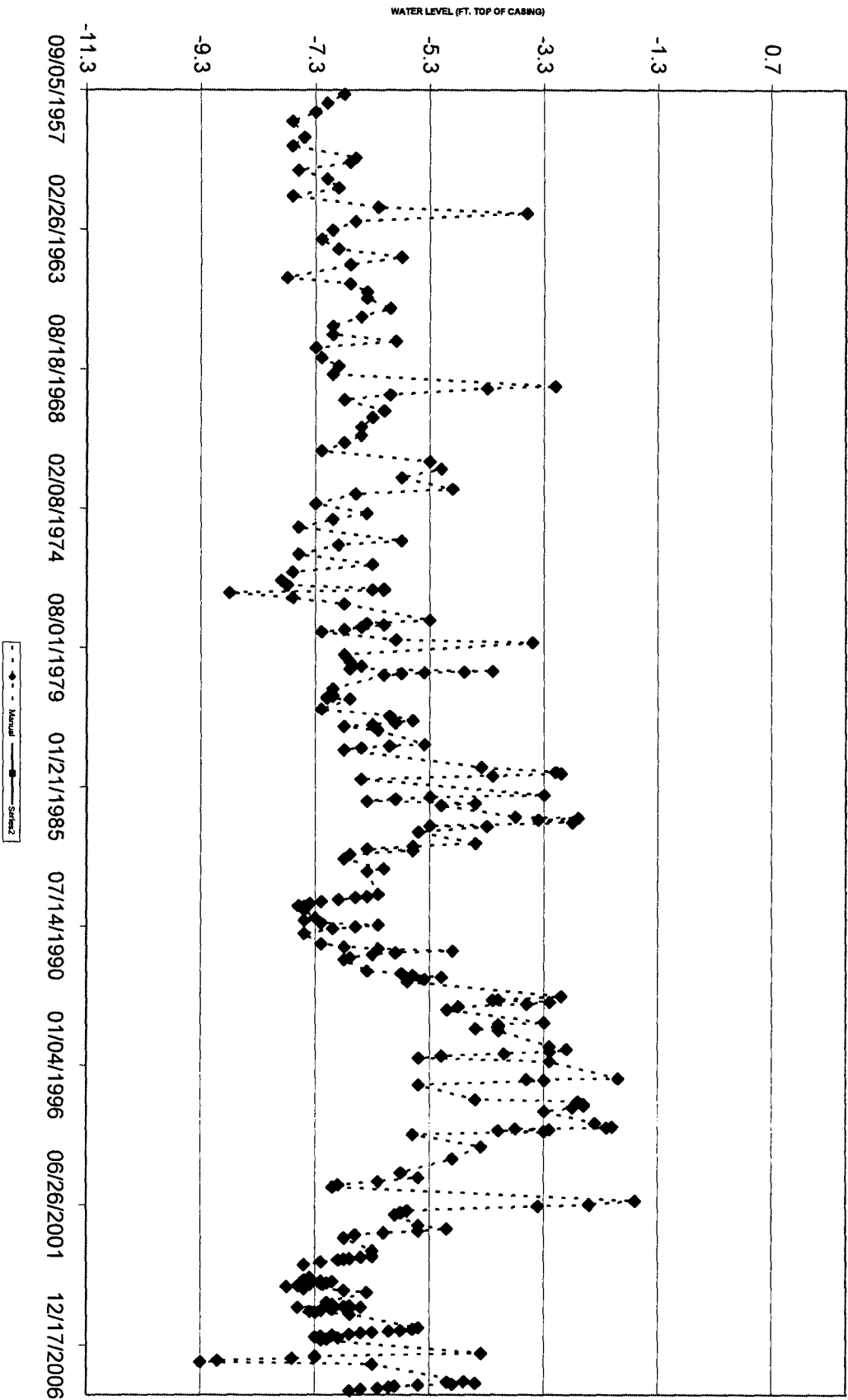


James A Goodman
Natural Resources Engineer

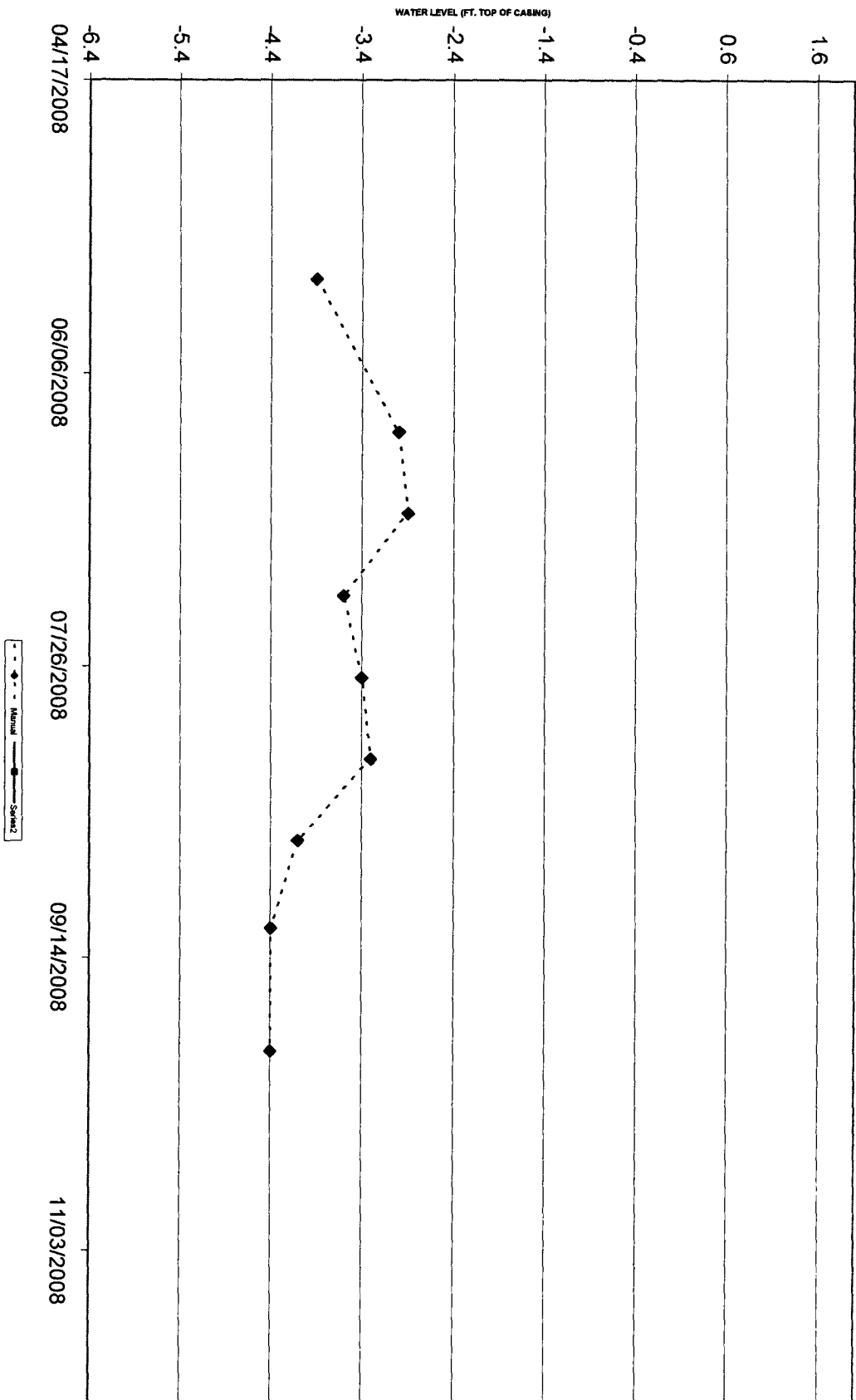
BIBLIOGRAPHY

- Hedges, L.S., and others, 1982, Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.
- Koch, N.C., 1980, Appraisal of the Water Resources of the Big Sioux Aquifer, Brookings, Deuel, and Hamlin Counties, South Dakota, Water-Resources Investigation Report 80-100, USGS, Huron, SD, 57350.
- Kume, J., 1985, Water Resources of Hamlin County, South Dakota, Water Resources Investigations Report 84-4069, USGS, Huron, SD, 57350.
- Water Rights, 2009, Unpublished Observation Well Data for Hamlin County, SD DENR, DES, Water Rights Program, Pierre, SD, 57501.

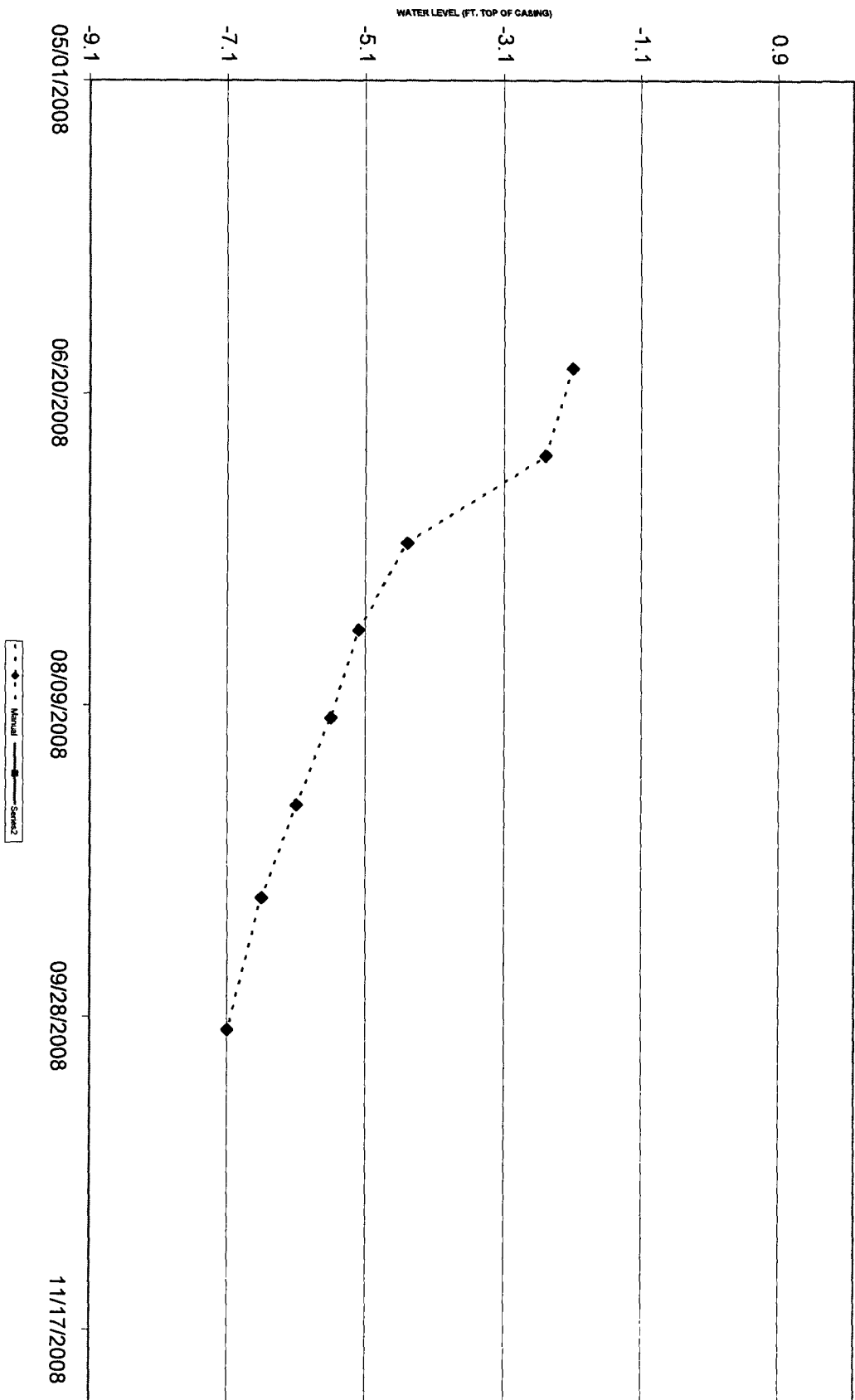
WATER RIGHTS' OBSERVATION WELL HN-57A



**WATER RIGHTS' OBSERVATION WELL
HN-2008A**



**WATER RIGHTS' OBSERVATION WELL
HN-2008B**



MAY 29 2009

WATER RIGHTS
PROGRAM**PROOF OF PUBLICATION**STATE OF SOUTH DAKOTA)
County of Hamlin) SSI, Lee Anne Archercertify that the attached printed Notice was
takenfrom the Hamlin County
Republicanprinted and published in CastlewoodCounty of Hamlin andstate of South Dakota. The notice was
published

in the newspaper on the following two dates:

May 20, 2009May 27, 2009Cost of Printing \$47.52Lee Anne Archer
(Signature)Owner
(Title)5-27-09
(Date Signed)**NOTICE OF APPLICATION NO. 7118-3 TO APPROPRIATE WATER**

Notice is given that Barry Little, 45696 SD Hwy 22, Castlewood SD 57223 has filed an application for a water permit to appropriate an additional 0.03 cubic feet of water per second (cfs) and irrigate 35 additional acres. Water Permit No. 6408A-3 authorizes 1.53 cfs from two wells completed into the Big Sioux:North Aquifer (37 feet deep) located in center of the NW 1/4 Section 22 to irrigate 120 acres located in the NW 1/4 Section 22; all in T115N-R52W. This serves as notice that only one well was developed under the original water permit. This application is to appropriate an additional 0.03 cfs from the one existing well to irrigate an additional 35 acres located in the NW 1/4, N 1/2 SW 1/4, W 1/2 NE 1/4 Section 22-T115N-R52W. This application and Water Permit No. 6408A-3, if approved, will authorize a total diversion rate of 1.56 cfs from one well for irrigation of 155 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7118-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the

Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 8, 2009.

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

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



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 13, 2009

Hamlin County Republican
PO Box 50
Castlewood SD 57223

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 7118-3 to Appropriate Water to be published twice. Please publish the first notice on May 20, 2009 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Barry Little, 45696 SD Hwy 22, Castlewood SD 57223 (Ph # 605-793-2474).

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

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

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

No. 7118-3

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

Date _____

We are in receipt of your letter of May 13, 2009 enclosing Notice to Appropriate Water by Application No. 7118-3 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

May 13, 2009

Barry Little
45696 SD Hwy 22
Castlewood SD 57223

Dear Mr. Little:

Water Permit Application No. 7118-3 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Hamlin County Republican printed at Castlewood SD (Ph # 605-793-2293). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notices and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

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.

Instruction to Newspaper - Publish first Notice on May 20, 2009 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 7118-3 to Appropriate Water

Notice is given that Barry Little, 45696 SD Hwy 22, Castlewood SD 57223 has filed an application for a water permit to appropriate an additional 0.03 cubic feet of water per second (cfs) and irrigate 35 additional acres. Water Permit No. 6408A-3 authorizes 1.53 cfs from two wells completed into the Big Sioux:North Aquifer (37 feet deep) located in center of the NW ¼ Section 22 to irrigate 120 acres located in the NW ¼ Section 22; all in T115N-R52W. This serves as notice that only one well was developed under the original water permit. This application is to appropriate an additional 0.03 cfs from the one existing well to irrigate an additional 35 acres located in the NW ¼, N ½ SW ¼, W ½ NE ¼ Section 22-T115N-R52W. This application and Water Permit No. 6408A-3, if approved, will authorize a total diversion rate of 1.56 cfs from one well for irrigation of 155 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7118-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 8, 2009.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 04 2009

Barry Little
45696 SD Hwy 22
Castlewood SD 57223

Dear Mr. Little:

Enclosed is Water Permit No. 7118-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



7118-3
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.

[Track & Confirm](#)[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 9198

Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 3:05 PM on January 23, 2010 in
CASTLEWOOD, SD 57223. The item was signed for by C LITTLE.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 23, 2010, 3:05 pm, CASTLEWOOD, SD 57223
- Out for Delivery or Available at PO Box, January 23, 2010, 8:40 am, CASTLEWOOD, SD 57223
- Sorting Complete, January 23, 2010, 8:10 am, CASTLEWOOD, SD 57223
- Arrival at Post Office, January 23, 2010, 7:13 am, CASTLEWOOD, SD 57223

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)[Site Map](#)[Customer Service](#)[Forms](#)[Gov't Services](#)[Careers](#)[Privacy Policy](#)[Terms of Use](#)[Business Customer Gateway](#)

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No FEAR Act EEO Data

FOIA

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 9198

BARRY LITTLE
45696 SD HWY 22
CASTLEWOOD SD 57223 5220

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com
or call 1-800-222-1811

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel



**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,

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

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

7118-3

RECEIVED

FEB 26 2010

WATER RIGHTS
PROGRAMNOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 2/22/10TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM:

Barry Little

(name)

45696 SD HWY22

(address)

Castlerock, SD 57223

(city, state, zip)

605-793-2474

(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 7118-3 states that the water use system is to be constructed by6/8/14

(date)

, and water is to be put to beneficial use by

6/8/18

(date)

The water use system was completed on 8-15-09

(date)

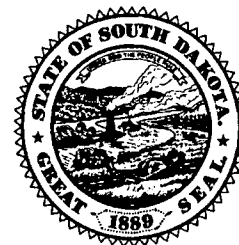
Applying the water to beneficial use was completed on 9-30-09

(date)

You may schedule an investigation so that the water license may be issued.

Barry Little

(signature)





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 1, 2010

7118-3

Barry Little
45696 SD Hwy 22
Castlewood SD 57223

Dear Mr. Little:

I am writing to acknowledge receipt of the "Notice of Completion of Works" form that you sent in to let us know that you are completed with your irrigation system as described in Water Permit No. 7118-3.

The system is now ready for inspection. Inspections are done on a county-by-county basis as staff time permits. You have done everything you need to do and the intervening time between the completion of your project and the staff inspection has no bearing on your water permit.

Someone from our office will contact you prior to the inspection to set up a time that is convenient for you. If you have any questions, please contact me.

Sincerely,

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

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



7118-3
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.



**DEPARTMENT of ENVIRONMENT
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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



7118-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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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.

7118-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
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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,

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



7118-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
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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



7118-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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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.



7118-3
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



7118-3
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.



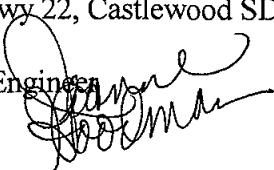
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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.

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
Vickie Maberry
Secretary

Vickie Maberry

Secretary

Water Rights Program

[illegible]

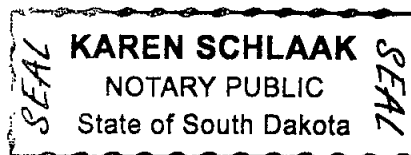
Sworn to, before me, this 8th day of March, 2018.

Karen Achlaak

Karen Schlaak

Notary Public

My Commission expires April 1, 2019





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, which appears to read "Ron Duvall". The signature is fluid and cursive, with the first name "Ron" being more prominent.

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



7118-3
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."

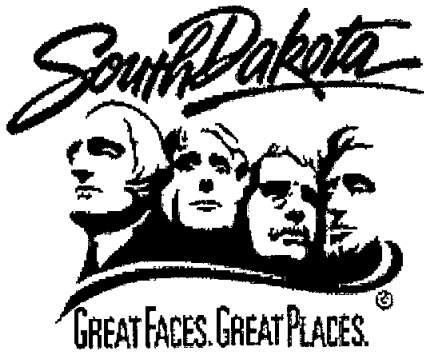
The hearing will be held at **Wednesday, March 6, 2019 at 10:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant 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.



7118-3
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,

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

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

7118-3



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.

7118-3



**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

**Report of Examination of Works and/or Application of Water to Beneficial Use
For Permit No. 7118-3
(Includes 6408A-3)**

I have this day, April 27, 2022, made a thorough examination of the water use system constructed by Barry Little
45696 SD Hwy 22, Castlewood, SD 57223 of Permit No. 7118-3, bearing the priority of March 9, 2009
authorizing the diversion of 0.03 cu. ft. per second of the waters of the Big Sioux-North Aquifer for irrigation
purposes, in Hamlin County. See Section F for more information

A. Works used to divert the water:

Well Information taken from Water Permit No. 6408-3:

One well, drilled in July, 2003 by Pullman Well Drilling Inc.

Well depth: 37 feet Casing: 16 inch plastic – 27 feet
Well diameter: 24 inches Screen: 16 inch stainless steel – 10 feet

B. Works used to transport water to place of use:

1) Type Underground PVC pipe 2) Size 8 inches 3) Length 220 feet

C. Works used to apply water to beneficial use:

Center pivot:

- 1) Make Valley
- 2) Overall length 1300 feet
- 3) Number of towers 7
- 4) End gun Y
- 5) Capacity 700 GPM

Pump:

- 1) Make Western Land Roller
- 2) Model & size unknown
- 3) Capacity 700 GPM

Motor:

- 1) Make US Motors
- 2) Model No. unknown
- 3) Horsepower rating 30 hp

Chemigation Equipment: None

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y
- 3) Exceptions to compliance are: None

E. Condition and Location:

1. The system is in **good** condition with the point of diversion located as follows: **Well location**
From the NW corner Sec 22 T115N R52W, 1545 ft S & 1335 ft E, Lat 44.75649 Long -97.06242
(SW 1/4 NW 1/4).
2. The works are capable of diverting and conveying to the place of use **1.56** cu. ft. per second of water which is to be used for **irrigation**. Water has been put to beneficial use to the maximum extent as follows:

All land in Sec 22 T115N R52W**NW 1/4 NW 1/4 – 26.2 ACRES****NE 1/4 NW 1/4 – 27.3 ACRES****SE 1/4 NW 1/4 – 18.9 ACRES****SW 1/4 NW 1/4 – 39.4 ACRES****NW 1/4 NE 1/4 – 1.0 ACRES****SW 1/4 NE 1/4 2.7 ACRES****NW 1/4 SW 1/4 – 7.2 ACRES****NE 1/4 SW 1/4 – 4.7 ACRES**

comprising a total of **127.4** acres of land and the license should be issued for **1.56** cfs

3. All structures, wells and lands on map Y

F. Comments or other permit(s) associated with the project:

This Permit 7118-3 (0.03 cfs) is an addendum to Permit 6408A-3 (1.53 cfs) for a total of 1.56 cfs and additional acres were added with the conversion of a 6-tower center pivot to a 7-tower machine.

The mailing address is current, but the contact telephone number for Barry's wife "Carolee" is 605/237-8423. She probably does the annual IQ.

The irrigated acreage was determined with the aid of FSA imagery and ArcMAP software.



Darrell W DeBoer
Water Rights Inspector
DANR, Water Rights Program

Date report completed: **April 29, 2022**

Note: Water Permit Nos. 6408A-3 and 7118-3 will be incorporated together upon licensing.
Genny



0 0.075 0.15 0.3 0.45 0.6 Miles



Darrell DeBoer
Water Right Inspector
DANR-Water Rights Program

7118-3



**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.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7118-3

(1) Barry Little, 45696 SD Hwy 22, Castlewood SD 57223 made Application No. 7118-3, March 9, 2009, for a water permit to divert an additional 0.03 cubic feet of water per second (cfs) from ground water, one existing well (Big Sioux North Aquifer), Hamlin County, South Dakota for irrigation purposes. Permit No. 7118-3, with a priority date of March 9, 2009, was approved June 8, 2009, and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 8, 2014, and for the application to beneficial use of water on or before June 8, 2018.

Water Permit No. 6408A-3, with a priority date of April 14, 2003, authorized diversion of 1.53 cfs for irrigation of 120 acres. Due to the change from a 6-tower center pivot to a 7-tower center pivot, the permit holder obtained No. 7118-3 to cover the additional diversion rate and acreage.

Water Permit No. 6408A-3 is incorporated into this Water License No. 7118-3. Priority dates of April 14, 2003 (1.53cfs & 111.8 acres) and March 9, 2009 (0.03 cfs and 15.6 acres) are retained.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 1.56 cubic feet of water per second for beneficial use. The location of the diversion point is:

- 1,545'S and 1,335'E of the NW corner of Section 22, T115N, R52W (SW ¼ NW ¼)
Latitude 44.75649, Longitude -97.06242

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 22, T115N, R52W	NW ¼ NW ¼	26.2 acres	NW ¼ NE ¼	1.0 acre
	NE ¼ NW ¼	27.3 acres	SW ¼ NE ¼	2.7 acres
	SE ¼ NW ¼	18.9 acres	NW ¼ SW ¼	7.2 acres
	SW ¼ NW ¼	39.4 acres	NE ¼ SW ¼	4.7 acres

Total of 127.4 acres

Priority dates: April 14, 2003 – NW ¼ Section 22, T115N, R52W (6408A-3)
March 9, 2009 – W ½ NE ¼, N ½ SW ¼ Section 22, T115N, R52W (7118-3)

(4) Pursuant to South Dakota Water Law 46-5-30.1 Barry Little, 45696 SD Hwy 22, Castlewood SD 57223 the holder and/or owner of Incorporated Water Right No. 7118-3 is issued a license to appropriate water, the right to use 1.56 cubic feet of water per second from ground water, one well (Big Sioux North Aquifer) with priority dates of April 14, 2003 (1.53 cfs) and March 9, 2009 (0.03 cfs) from the location specified in (2) of this license for irrigation purposes.

continued

Water License No. 7118-3

Page 2

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 7118-3 and subject to the following qualifications:

- The well approved under this water right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right 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.
- This Water Right is approved subject to the irrigation water use questionnaire being submitted each year.

Eric Gronlund

Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

MAY 05 2022

date





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

January 20, 2023

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 2022 Irrigation Questionnaire(s)

Our records indicate your 2022 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5441-3 & 7118-3. The request for the Questionnaire was dated October 21, 2022. The Water Management Board has directed owners of water permits who have not submitted the 2022 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 & 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 8, 2023 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 & 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 8, 2023** 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: YAJCIV**

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

February 17, 2023

5441-3
7118-3

Barry Little
45696 SD Hwy 22
Castlewood SD 57223 5220

Dear Mr. Little:

I am writing to acknowledge receipt of your 2022 irrigation questionnaires.

You may disregard the January 20, 2023, "Notice" concerning reporting requirements for Water Right Nos. 5441-3 & 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



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

January 19, 2024

NOTICE

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

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

SUBJECT: Reporting Requirement for 2023 Irrigation Questionnaire(s)

Our records indicate your 2023 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 5441-3 & 7118-3. The request for the Questionnaire was dated October 20, 2023. The Water Management Board has directed owners of water permits who have not submitted the 2023 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 & 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, 2024 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 & 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, 2024** 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: CNFGMG**

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

February 2, 2024

5441-3
7118-3

Barry Little
45696 SD HWY 22
Castlewood SD 57223

Dear Mr. Little:

I am writing to acknowledge the receipt of your 2023 irrigation questionnaire(s).

You may disregard the January 19, 2024, "Notice" concerning the reporting requirements for Water Permit No(s). 5441-3 & 7118-3. The information was received prior to the March 6, 2024, Water Management Board meeting and these permit numbers have been removed from the agenda.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
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