

66

1. Considered: June 9, 1982 Water Right No. 1251-1
2. Name of Applicant WM. SCOTT PHILLIPS
3. Post Office Address Box 17 - NEW UNDERWOOD 57761
4. Amount of Water Claimed 0.84 maximum acre feet
5. Source of Water Supply DRY DRAWS
6. Water to be used for IRR acres to be irrigated 59
7. County MEADE about 12S, 7W miles of UNION CENTER
8. PROOF OF PUBLICATION: Received 1st 5-27-82 Not Received
- APPLICATION: Approved 6/9/82 Subject to O.K.
- Not Approved Action Deferred

PRIORITY Dated Received 4-15-82 Application complete-yes no FEE 150⁰⁰
 Remarks W.S. Small diversion dam constructed across each draw to divert water into diversion
 Corrected Application received Period of Annual Use 3/1 To 11/1

WATER QUALITY Received yes ✓ no APPROVED/CONDITIONAL (Circle one)
 WI-1 Description same as application-yes X no Remarks

Disapproved Returned

Diversion Point
~~SE~~⁴ NE⁴ SE⁴ SEC 8-T5N-R11E;
 AND NW⁴ NE⁴ SEC. 21-T5N-R11E;

Land to be irrigated
 $S\frac{1}{2}$ SE⁴, SEC 8; N $\frac{1}{2}$ NE⁴, SEC 17;
 AND W $\frac{1}{2}$ NE⁴ SEC. 21; ALL IN
 T5N-R11E

WELL LOG Driller Licensed - yes no

Depth

Remarks

MAP Map No. 1058-1 Map located in Water Right X Map file _____
 Type of Map Aerial Prepared by Darrell Vig DC

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

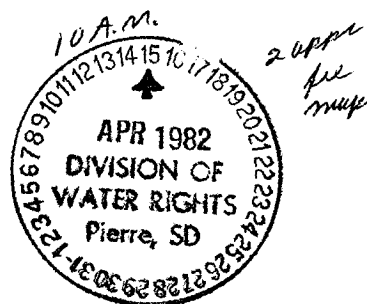
May 10, 1982

Henry Young
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 OF LAW, Date _____
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 ETC. Remarks _____



No. 1251-1
 Map No. 1058-1 Water Division No. 1 Belle Fourche District
 Above for Office Use 10120202

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New X Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Wm. Scott Phillips Phone No. 605-985-5573Post Office Address Box 17 New Underwood State South Dakota 57761
 (Street, RR, or Box) (Town) (Zip Code)If a corporation show date and place of incorporation N/A2. Method of accomplishing work (contract, employment of others, or by direct labor) contract & direct labor3. Name of diversion work Scott Phillips #44. Amount of water claimed (cubic feet per second) 0.84 cfs5. Source of water supply Dry draws which are tributaries to Elm Creek (runoff & snow melt)6. Location of point of diversion NE¹SE⁴ #A (north) 65 rods west and 120 rods north of SE corner of section 8-T5N-R11E. #B (south) 135 rods west and 60 rods south of the NE¹ of section 21-T5N-R11E. NW⁴NE⁴ County Meade7. Annual period or periods during which water is to be used March to November8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 59

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
SE ¹ SE ¹ Sec. 8-T5-R11	14
SW ¹ SE ¹ Sec. 8-T5-R11	3
NE ¹ NE ¹ Sec. 17-T5-R11	15
NW ¹ NE ¹ Sec. 17-T5-R11	1

Land Description	No. Acres Irr.
SW ¹ NE ¹ Sec. 21-T5-R11	5
NW ¹ NE ¹ Sec. 21-T5-R11	21

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Meade Co. Times-Tribune
Sturgis, SD 57785

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

A small diversion dam will be constructed across each draw to divert water into diversion.

B. Works proposed to transport water to place of use.

A diversion will be constructed to carry water to waterspreading system from the diversion embankment.

C. Works proposed to apply water to beneficial use.

Level-lip ditches and dikes will spread water on native rangeland.

Estimated Total Cost \$ 6,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (see instructions concerning preparation.)STATE OF SOUTH DAKOTA)
 County of Meade) ss.I, Wm Scott Phillips the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Wm Scott PhillipsSubscribed and sworn to before me this 8 day of April, 1982Charles J. Wilson
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1251-1

Wm. Scott Phillips

(Applicant)

Box 17, New Underwood

(Post Office Address)

South Dakota 57761

(State)

With the following qualifications.

Date of first receipt of application April 15, 1982

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application _____, 19____

Approved June 9, 1982, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1251-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1251-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is April 15, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before December 9, 1984
3. The whole of said work is to be completed on or before June 9, 1987
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is June 9, 1991
5. The water appropriated shall be used for the purpose of irrigation

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 0.84 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied

for irrigation on or before June 9, 1991; said water to be used during the following described

annual period: MARCH 1 to NOVEMBER 1

Witness my hand this 23rd day of June, 1982

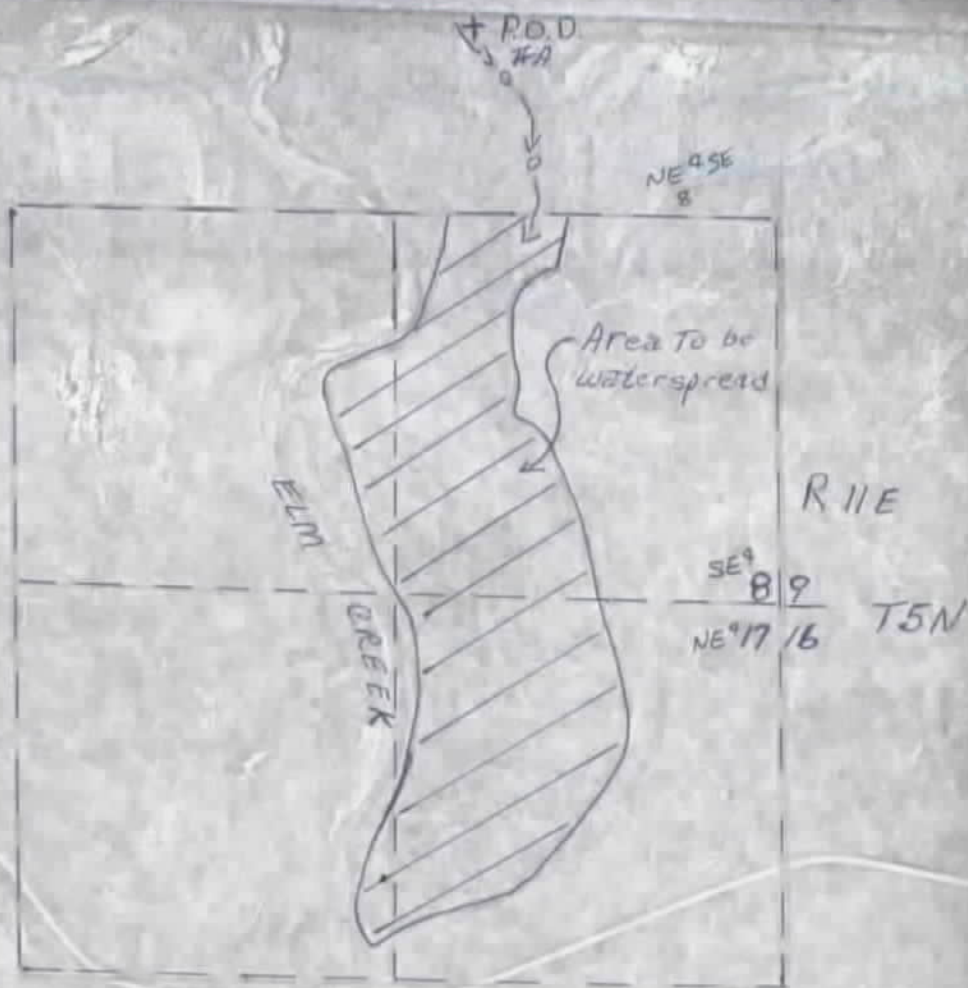
THE WATER MANAGEMENT BOARD

By:

John H. Helt
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____



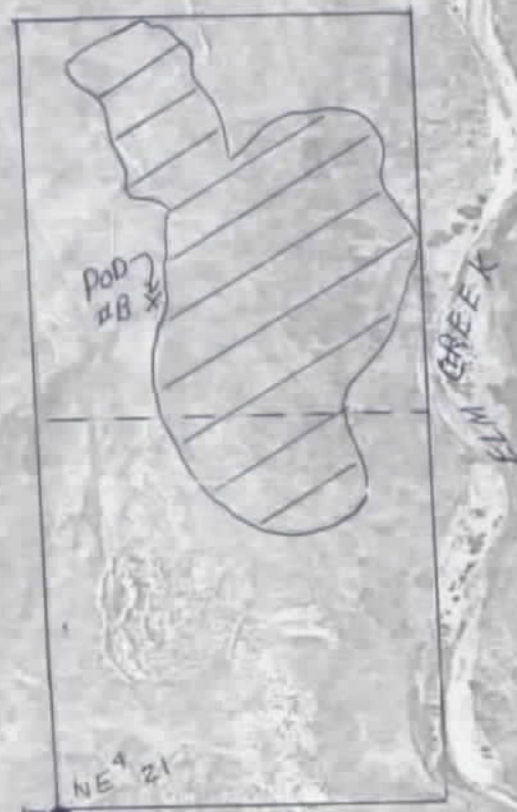
SCS-CONS-15
OCTOBER 1974

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

CONSERVATION PLAN MAP

Owner Wm. Scott Phillips Operator Same
 County Beade State South Dakota Date 3/30/82
 Approximate acres 59 Approximate scale 8" = mi.
 Cooperating with Elk Creek Conservation District
 Plan identification _____ Photo number _____
 Assisted by Darrell Vig, D.C. USDA Soil Conservation Service

Darrell Vig, D.C.
SCS Stinger



Center
of Sec 21
T5 - R11

map # 1058-1 (App # 1251-1)

25'

240.3

263.5

263.5

262.7

260.2

260.2

255.1

25'

R11E

8

10

14

15

16

17

20

23

Creek

Creek

f North Star Sch

61.7m

987-1

LN 3683-1

LN 3683-1

LN 3683-1

LN 3683-1

T3N

(HEREFORD SE)

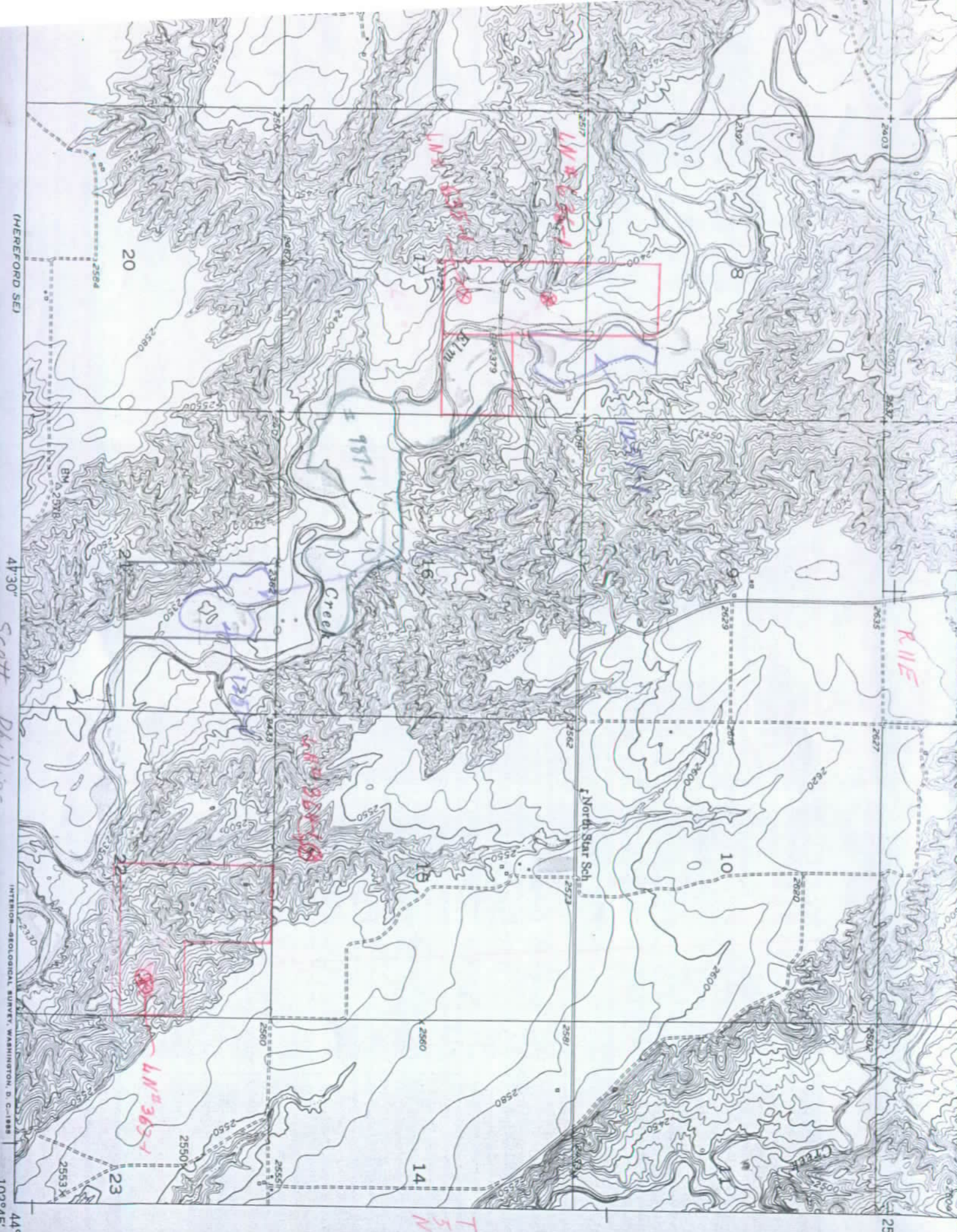
47'30"

Scott Phillips

INTERIOR- GEOLOGICAL SURVEY, WASHINGTON, D. C. 20548

44°2'

102°45'



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8804

PIERRE, April 15, 1982

RECEIVED OF Wm. Scott Phillips, Box 17, New Underwood, SD 57761

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

Fee for Application for Permit to Appropriate Water No. 1251-1 (examination, processing, recording and filing)	150	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	150	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

JOHN HATCH (ms)

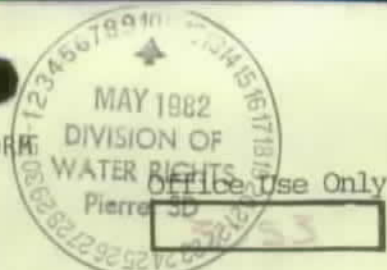
1974

A circular ink stamp from the Division of Water Rights in Pierre, South Dakota. The text "DIVISION OF WATER RIGHTS" is curved along the top inner edge, and "Pierre, SD" is curved along the bottom inner edge. In the center, "APR 1982" is stamped horizontally. A small star is located to the left of the date. The outermost ring of the stamp contains a sequence of numbers: 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19.

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE



OWNERS NAME: Wm. Scott Phillips OWNERS ADDRESS: Box 17
New Underwood, SD 57761

COUNTY LAND LOCATED IN: Deeds PHONE: 605-985-5573

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: PA (north) 87 rods west & 120 rods north of SE corner of section 2-T5-N11, 28 (north) 61 rods south of the NW 1/4 of section 21-T5-N11.
2. SURFACE WATER SOURCE: Dry draws which are tributaries to Elm Creek (Runoff & snow melt)
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
SDM N24 Sec. 2-T5-N11	14	SDM N24 Sec. 21-T5-N11	5
SDM N24 Sec. 5-T5-N11	3	SDM N24 Sec. 21-T5-N11	21
N24 N24 Sec. 17-T5-N11	15		
N24 N24 Sec. 17-T5-N11	1		

4. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: water-spreading
5. CROPS TO BE IRRIGATED: native grass
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: N/A
- LEGAL DESCRIPTION: N/A
- IN WHAT NAME: N/A

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 82-0845, 82-0846
8. SALINITY (EC X 10⁶): 270, 210
9. SODIUM (SAR): 1.41, 0.73
10. ADJUSTED (SAR): 0.96, 0.82

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 10 a.m./p.m., on April 8, 1982, at the following location: P.O.D. # A, P.O.D. # B by _____ (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS
8 DAY OF April, 1982.

Donna L. Wilson
(NOTARY PUBLIC)

My Commission Expires 10-8-86

IMPORTANT
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.

Wm Scott Phillips
APPLICANT'S SIGNATURE

David M. Light
Director, Division of Conservation

APPROVED
DISAPPROVED
☒ CONDITIONALLY APPROVED

Conditional

#3083

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT:

William Scott Phillips

LEGAL DESCRIPTION:

NE 1/4 Sec 8; NW 1/4 Sec 8; NE 1/4 Sec 17; NW 1/4 Sec 17;SW 1/4 Sec 21; NW 1/4 Sec 21; - 30 acres all in S-11SOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

All soils must be maintained in permanent grass.

RECOMMENDED MANAGEMENT:Land M. Phillips
SIGNATURE

DATE

5-6-92

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Name: PHILIPS, WM SCOTT
Address: BOX 17
NEW UNDERWOOD SD 57761

Date Rec'd: Apr 16, 1982
Sample No.: 82-0846
Identification: 005N 11E 21 A ptC
South Well

WATER ANALYSIS

Calcium (Ca)	16	ppm*	0.80	me/l**
Magnesium (Mg)	7	ppm	0.58	me/l
Sodium (Na)	14	ppm	0.61	me/l
Potassium (K)	12	ppm	0.31	me/l
Sulfate (SO4)	36	ppm	1.79	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.06	me/l
Bicarbonate (HCO3)	68	ppm	1.12	me/l
Carbonate (CO3)	0	ppm	0.00	me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Manganese (Mn)		ppm		
Boron (B)	0.00	ppm		
Hardness (EDTA as CaCO3)		ppm		g.p.g.***
Total solids		ppm		
Total Cations			2.29	me/l
Total Anions			2.97	me/l
Alkalinity (Methyl Orange)	56	ppm(as CaCO3)		
Alkalinity (Phenolphthalein)	0	ppm(as CaCO3)		
Electrical Conductivity	210	micromhos per cm at 25 C		
Sodium Adsorption Ratio	0.73	Adjusted SAR	0.82	
Sodium	26.53	% of Cations		
Residual sodium carbonate	0.00	me/l		
pH	7.10			

Others:

*ppm=parts per million

**me/l=millequivalents per liter

***g.p.g.=grains per gallon

COMMENTS

By: Shirley Mittan

Service Performed:

Irrigation Analysis

Total Cost: \$ 28.00

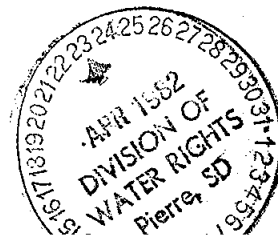
Amount Received: 0.00

Balance Due: 28.00

Make checks payable to: "SDSU Water Quality Lab"

Please write lab number on your check!

Lab No. 82-0846



REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57007

Name: PHILIPS, WM SCOTT
Address: BOX 17
NEW UNDERWOOD SD 57761

Date Rec'd: Apr 16, 1982
Sample No.: 82-0845
Identification: 005N 11E 08 D
North Well
ptA

WATER ANALYSIS

Calcium (Ca)	14	ppm*	0.70	me/l**
Magnesium (Mg)	6	ppm	0.49	me/l
Sodium (Na)	25	ppm	1.09	me/l
Potassium (K)	10	ppm	0.26	me/l
Sulfate (SO4)	99	ppm	2.06	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	2	ppm	0.06	me/l
Bicarbonate (HCO3)	29	ppm	0.48	me/l
Carbonate (CO3)	0	ppm	0.00	me/l
Iron (Fe)		ppm		me/l
Flouride (F)		ppm		me/l
Manganese (Mn)		ppm		
Boron (B)	0.00	ppm		
Hardness (EDTA asCaCO3)		ppm		g.p.g.***
Total solids		ppm		
Total Cations			2.53	me/l
Total Anions			2.60	me/l
Alkalinity (Methyl Orange)	24	ppm(as CaCO3)		
Alkalinity (Phenolphthalein)	0	ppm(as CaCO3)		
Electrical Conductivity	270	micromhos per cm at 25 C		
Sodium Adsorption Ratio	1.41	Adjusted SAR	0.96	
Sodium	42.33	% of Cations		
Residual sodium carbonate	0.00	me/l		
pH	7.01			

Others:

*ppm=parts per million

***g.p.g.=grains per gallon

**me/l=millequivalents per liter

COMMENTS

By: Shirley Mittan

Service Performed:

Total Cost: \$ 23.00

Irrigation Analysis

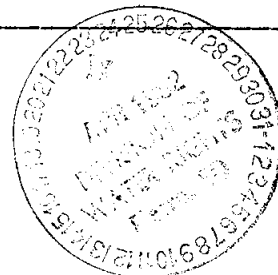
Amount Received: 0.00

Balance Due: 23.00

Make checks payable to: "SDSU Water Quality Lab"

Please write lab number on your check!

Lab No. 82-0845



Publish first publication, on or before May 19, 1982NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 11, 1982Notice is hereby given Wm Scott Phillips whose post office

address is Box 17, New Underwood, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41 ~~(general) 46-6-3 thru 46-6-5, 46-6-6, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-38, (transfer lands) 46-5-33 thru 46-5-35 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, (future use) 74:02:01:23 thru 74:02:01:26 (10,000 AKA) 74:02:07:01 thru 74:02:07:03~~, for a permit to appropriate for beneficial use

0.84 cubic feet of water per second of time from dry drawsthrough the Scott Phillips #4, the point (s) of diversion which~~are~~ (are) to be located in the NE 1/4 SE 1/4, Section 8; and NW 1/4 NE 1/4

of Section 21 all in Twp 5N, Range 11E. Said water to be used for purpose of providing irrigation on portions of the following described land:

S 1/2 SE 1/4 Section 8; N 1/2 NE 1/4, Section 17; and W 1/2 NE 1/4 Section 21;all in T5N, R11E

This Application No. 1251-1 will be considered by the Water Management Board at Meeting Room #1, Kneip Bldg. Church & Illinois, Pierre SD upon the 9th day of June, 1982.

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

Genny Young ~~DEPT. NESTLUND~~, Water Rights Specialist

WNR-806-2/82

No. 1251-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Meade)

I, Dorothy Allison hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Meade County Times-Tribune

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City Sturgis of _____

County of Meade and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

May 19, 1982

May 26, 1982

Linda Adams
(Signature)

Bookkeeper
(Title)

May 26, 1982
(Date Signed)

Cost of Printing: \$21.70

59 lines @20.44 per line first publication

59 lines @16.35 per line second publication

8 pt. type 13 pica column

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE
WATER

Notice is hereby given William Scott Phillips whose post office address is Box 17, New Underwood, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, for a permit to appropriate for beneficial use 0.84 cubic feet of water per second of time from dry draws through the Scott Phillips No. 4, the point (s) of diversion which (are) to be located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8; and NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21 all in, Twp. 5N, Range 11E. Said water to be used for purpose of providing irrigation on

portions of the following described land: S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 8; N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 17; and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 21; all in T5N, R11E.

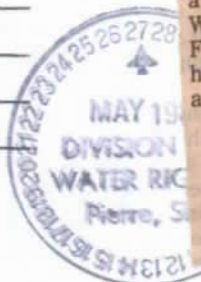
This Application No. 1251-1 will be considered by the Water Management Board at Meeting Room No. 1, Kneip Bldg., Church & Illinois, Pierre, SD, upon the 9th day of June, 1982 at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNr, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board
(s) Genny Young
GENNY YOUNG, Water Rights
Specialist

Publ May 19 & 26, 1982
Times-Tribune





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1251-1

January 27, 1988

Wm Scott Phillips
SR, Box 17
New Underwood, South Dakota 57761

Dear Mr. Phillips:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1251-1 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

Note: of Explanation

Jan 3, 1988 Wm. Scott Phillips

1251-1. These permits are incorporated
987-1 into #1251-1.

by L. J. Mennig #987-1 ^{water} was from Wagner Draw
and Elm Creek. It was constructed
so the dikes would hold water behind
them when pumped. Also there were
side draws running into the system.
Phillips no longer uses the
pump as there ~~is~~ not enough
water in Elm Creek and it is
costly. However the dikes still
spread water that comes from
the small draws and hill sides.

The area covered by irrigation
is the same as ~~the~~ if it come
from Elm Creek. The dry draw
water ~~can~~ run into the system regardless.

Genny,

Wm. Scott Phillips called 5/31/88 & stated that he intends to submit an application to add a diversion point to irrigate the same acreage. Do you want to wait & incorporate this new permit, if approved, on license now. Mr P stated he would have the new diversion point constructed within 5 or 6 days after approval.

Water Rights Division - DWNR
Conversation or File Documentation

File No. 987-1
1251-1
1448-1

NAME OF PERSON OR FILE:

Wm Scott Phillips

ADDRESS:

New Underwood, SD

COUNTY Meade

DATE:

April 13, 1989

TELEPHONE

RE:

status of licensing for 987-1, 1251-1 and 1448-1

COMMENTS:

Permit Nos. 987-1 and 1251-1 were inspected for licensing purposes on October 20, 1987. Mr. Phillips paid the licensing fee on February 23, 1988.

Before the license was issued for 1251-1 (which would have incorporated 987-1), Mr. Phillips made an application for an additional diversion point and acreage to be irrigated (Permit No. 1448-1). This permit allowed Mr. Phillips an additional five years to construct.

Since all three permits could be incorporated into one, another inspection should be made of the water use system to determine if Mr. Phillips has completed his entire project. A license would be issued after that time.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME:

Henry Hemath



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

NOV 12 1997

Wm. Scott Phillips
HC 81 Box 17
New Underwood SD 57761

Dear Mr. Phillips:

Enclosed is Water License No. 1448-1 and receipt No. 411160 for \$50.00 which was assessed for the investigation and issuance of the license. The applicable portions of Water Permit Nos. 987-1 and 1251-1 have been incorporated into this Water License No. 1448-1. Water License No. 1448-1 is the final document which completes the process of obtaining a water right.

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.

Also, enclosed is Water Permit No. 1606-1. A review of the water permit file indicates the permit has been investigated, but the \$50.00 which is assessed for the investigation and issuance of the license has not been received. Upon receipt of the \$50.00 fee, the Water License No. 1606-1 will be issued.

Please remit fee to: Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch", written over a horizontal line.

JOHN HATCH, Chief Engineer
Water Rights Program
605 773-3352

enclosures

ks